



# Economic and Social Council

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## Economic Commission for Europe

### Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes

#### Legal Board

#### Eighth meeting

Geneva, 24-25 February 2011

Item 1 of the provisional agenda

#### Adoption of the Agenda

### Annotated provisional agenda for the eighth meeting

To be held at the Palais des Nations, in Salle XI  
starting on Thursday, 24 February 2011, at 10.00 a.m.\*

#### I. Provisional agenda

1. Adoption of the agenda.
2. Mechanism to facilitate and support implementation and compliance:
  - (a) Possible drafting language for a mechanism to facilitate and support implementation and compliance;
  - (b) Rules of procedure of the proposed body in charge of the mechanism;

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\* Delegates attending meetings at the Palais des Nations are requested to complete the registration form available on the United Nations Economic Commission for Europe (UNECE) website ([www.unece.org/env/water/meetings/legal\\_board/legal\\_board.htm](http://www.unece.org/env/water/meetings/legal_board/legal_board.htm)) and to transmit it to the UNECE secretariat **by 14 February 2011** by e-mail ([olga.carlos@unece.org](mailto:olga.carlos@unece.org)). On their way to the meeting, delegates should obtain an identification badge at the Pass and Identification Unit of the United Nations Office at Geneva's Security and Safety Section located at the Pregny Gate, 14, Avenue de la Paix (see the map on the UNECE website: <http://www.unece.org/meetings/practical.htm>). In case of difficulty, please contact the secretariat by telephone at +41 22 917 1926. Experts from eligible countries may apply for financial support to facilitate their participation in the meeting. Requests for **financial support** should be addressed to the UNECE secretariat together with the registration form as soon as possible, and in any case **by 17 January 2011**.

- (c) Possible reporting mechanism under the Convention;
  - (d) Future work arrangements.
3. Application of the principles of the Convention to transboundary groundwaters.
  4. Capacity building activities on legal and institutional aspects of the Convention's implementation.
  5. Other business.
  6. Closing of the meeting.

## II. Annotations

1. The eight meeting of the Legal Board will be held in the Palais des Nations, Geneva, in room XI. It will start at 10 a.m. on Thursday, 24 February and end at 5 p.m. on Friday, 25 February.
2. The working languages will be English, French and Russian.
3. All relevant documentation for the meeting of the Legal Board will be available at [www.unece.org/env/water/meetings/legal\\_board/legal\\_board.htm](http://www.unece.org/env/water/meetings/legal_board/legal_board.htm).

### 1. Adoption of the agenda

Tentative timing: 10 – 10.10 a.m., Thursday, 24 February 2011

4. The Legal Board is expected to adopt its agenda as set out in the present document.

### 2. Mechanism to facilitate and support implementation and compliance

Tentative timing: 10.10 a.m. – 1 p.m. and 3 p.m. – 6 p.m., Thursday, 24 February 2011, and 9.30 – 12.30 a.m., Friday, 25 February 2011

5. The Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, at its fifth session (Geneva, 10-12 November 2009), agreed on the need to establish a mechanism under the Convention through which problems related to implementation and possible differences on the Convention's interpretation could be addressed. To this end, it entrusted the Legal Board with the following tasks:

(a) To study possible options for assisting Parties with solving implementation problems and preventing or settling differences regarding the interpretation and application of the Convention, taking into account countries' needs and the Convention's distinctive cooperative spirit;

(b) On the basis of such a study, to prepare a proposal on the objectives, structure, tasks, functions, measures and procedures of an institutional and procedural mechanism to facilitate and support implementation and compliance, for possible adoption at the sixth session of the Meeting of the Parties in 2012.

6. At its seventh meeting (Geneva, 15-16 April 2010), the Legal Board exchanged views on possible options related to the objectives, structure, tasks, functions, measures and procedures of an institutional and procedural mechanism to facilitate and support implementation and compliance. It established an open-ended drafting group entrusting it with the preparation of a first draft text reflecting such options, as discussed and supported

by the Legal Board (see also the report of the Legal Board on its seventh meeting, ECE/MP.WAT/AC.4/2010/2).

**(a) Possible drafting language for a mechanism to facilitate and support implementation and compliance**

7. The Chair of the Legal Board will inform the meeting on the outcomes of the drafting group meeting (Geneva, 4-5 October 2010). He will present a document with possible drafting language for a mechanism to facilitate and support implementation and compliance prepared by the drafting group (document ECE/MP.WAT/AC.4/2011/3).

8. The Legal Board will discuss the document and further elaborate the text by taking decisions and making suggestions on the proposed options and relevant drafting language.

**(b) Rules of procedure of the proposed body in charge of the mechanism**

9. The drafting group proposed that the rules of procedure of the proposed body in charge of the mechanism should be adopted by the Meeting of the Parties, rather than by the body itself. It also proposed, in order to avoid delaying the body's future activities, that the Legal Board develops such rules of procedure, for consideration by the Meeting of the Parties in 2012.

10. The Legal Board will discuss and decide on this issue.

**(c) Possible reporting mechanism under the Convention**

11. On the basis of an information document prepared by the secretariat, the Legal Board will discuss the opportunity to establish a reporting procedure under the Convention.

**(d) Future work arrangements**

12. The Legal Board will discuss and agree on future work arrangements (e.g. modality of work, timeline, financial needs) to complete the proposal on the mechanism to facilitate and support implementation and compliance, as well as, if so decided, its rules of procedure and the proposal for a possible reporting procedure, in time for possible adoption at the sixth session of the Meeting of the Parties in 2012.

**3. Application of the principles of the Convention to transboundary groundwaters**

Tentative timing: 2.30 – 4.00 p.m., Friday, 25 February 2011

13. The Meeting of the Parties at its fifth session also entrusted the Legal Board to prepare a preliminary study, jointly with the Working Group on Integrated Water Resources Management, on the application of the principles of the Convention to transboundary groundwaters, to be submitted to the sixth session of the Meeting of the Parties for consideration as whether further action is needed.

14. The Chair of the Legal Board will inform the meeting on the outcomes of the consultation with the Working Group on Integrated Water Resources Management at its fifth meeting (Geneva, 7-9 July 2010).

15. The Chair of the Legal Board will introduce an information document on elements for a preliminary study on the application of the principles of the Convention to transboundary groundwaters. The Legal Board will be invited to comment on the document and decide on future work modalities to complete the preliminary study, jointly with the Working Group on Integrated Water Resources Management.

16. The secretariat will inform the Legal Board about the plans related to a workshop on transboundary groundwater in the framework of the Capacity for Water Cooperation (CWC)<sup>1</sup> project under the Convention. The Legal Board will discuss possible synergies between the work on developing the preliminary study and the CWC workshop.

#### **4. Capacity building activities on legal and institutional aspects of the Convention's implementation**

Tentative timing: 4.00 – 4.40 p.m., Friday, 25 February 2011

17. The secretariat will inform the Legal Board on the outcomes of past capacity building activities as well as planned activities in Central Asia in the framework of the project “Regional Dialogue and Cooperation on Water Resources Management”.<sup>2</sup>

#### **5. Other business**

Tentative timing: 4.40 – 4.45 p.m., Friday, 25 February 2011

18. At the time of writing, the secretariat had no points to propose under this item.

#### **6. Closing of the meeting**

Tentative timing: 4.45 – 5.00 p.m., Friday, 25 February 2011

19. The Chairperson will summarize the major outcomes of the meeting and will close it on Friday, 25 February 2011 at 5.00 p.m.

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<sup>1</sup> The Capacity for Water Cooperation (CWC) project aims to create a framework enabling cross-fertilization and exchange of experience between countries and river basins regarding regulatory, institutional, methodological and other aspects of integrated management of transboundary waters in countries in Eastern Europe, Caucasus and Central Asia (EECCA) and at the same time bringing in valuable experience from other parts of the UNECE region. See <http://www.unece.org/env/water/cwc.htm>.

<sup>2</sup> The project “Regional Dialogue and Cooperation on Water Resources Management” aims to empower the countries of Central Asia to develop and implement long-term solutions to improve cooperation on transboundary water resources. The project is implemented by UNECE and financed by the Government of Germany through the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) in the framework of the Berlin Water Process. See <http://www.unece.org/env/water/cadialogue/cadwelcome.htm>.