

Major results of the Committee work and its future plans

Ingrid Chorus

Outline:

1. Committee's sixteenth (Geneva, 6–7 March 2018) and seventeenth (Geneva, 5–6 November 2018) meetings.
 - 1.1 review of compliance with the obligation to set targets and target dates
 - 1.2 Committee's consultations with Estonia, Latvia and Lithuania
2. Plans for preparation of the Committee's report to the Meeting of the Parties for submission to its fifth session
3. Joint session with the Implementation Committee under the Water Convention
4. Submissions, referrals or communications received
5. Raising awareness of the compliance procedure

1.1 Review of compliance: targets and target dates

1. Committed asked 6 countries to provide further information on their target-setting processes;
all responded to this request and many communicated their targets

→ Committee decision: review within the fourth reporting cycle
2. Discussion of the reply from Belgium on lack of capacity in the Brussels Capital Region for target-setting (the 2 other Belgian Regions have sent targets and corresponding reports)

→ secretariat sends a letter to the Belgian authorities, recalling the obligations of Belgium and renewing the readiness of the Committee to provide assistance

1.2 Committee's consultations with Estonia, Latvia and Lithuania

Stock-taking at meeting in March:

- Presentations by each party at plenary,
- three parallel sessions – one with each country – to discuss specific points and the information submitted by countries prior to the meeting
- Plenary for cross-cutting priorities of the 3 countries, i.e.:
 1. target-setting in relation to implementation of EU legislation,
 2. small-scale water supply and sanitation systems,
 3. the organizational structure at the domestic level and financing.

1.2 Committee's consultations with Estonia, Latvia and Lithuania

Recommendations of the Committee:

- Final advice in writing:

1. In response to concerns about consistency between obligations from the Protocol and from European law instruments: “**Interpretive Note**” on provisions of the Protocol relative to those of EU law
 - Internationally renowned law firm White and Case asked for pro-bono support (draft is ready and document will soon be finalized)
 - Flexibility of Protocol for setting own targets
 - Supplementary aspects of the Protocol, e.g. access to information, public participation, access to justice
 - Important supplementary aspect: Access to water and sanitation as human rights
 - Stronger focus of the Protocol on small systems
2. Use Protocol to raise awareness among policy-makers and consumers (see Guide)

1.2 Committee's consultations with Estonia, Latvia and Lithuania

Recommendations of the Committee:

- Final advice in writing - continued:

3. Use Protocol **to increase financing** water & sanitation with focus on small-scale and individual systems, including consolidation of the sector and capacity of operators
4. consider setting a target on **training and capacity building**
5. establish an **inter-ministerial mechanism to implement** the Protocol, involving all the relevant stakeholders
6. consider endorsing the targets set under the Protocol at the **highest possible political level** in order to ensure their implementation
7. Use **SDG Agenda** to promote implementation of the Protocol and *vice versa*

1.2 Committee's consultations with Estonia, Latvia and Lithuania

Further recommendations of the Committee:

- to write to the Committee their expectations from the Consultation Process
- to attend 2 relevant events:
 1. 10th meeting of the Task Force on Target Setting and Reporting (Geneva, 24–25 April 2018)
 2. subregional workshop on improving small-scale water supplies for better health (Dessau, Germany, 18–20 June 2018);

1.2 Committee's consultations with Estonia, Latvia and Lithuania

Outcomes for the 3 countries (discussed at meeting in November):

1. Delegations presented developments in their water and health situation
2. Delegates reported consultation process to be useful for triggering action and advancing Protocol implementation at national level, e.g.
 - Estonia: Protocol as tool for improving small-scale WASH (national priority)
 - Latvia: better understanding of target-setting under the Protocol
 - Lithuania: Protocol facilitates intersectoral cooperation
3. Delegates appreciated being invited together – valuable opportunity to exchange information and experience;
4. Delegations expressed appreciation for the advice provided by the Committee as it met their expectations and was in line with countries' priorities and action in the area of water, sanitation and health.

1.2 Committee's consultations with Estonia, Latvia and Lithuania

Outcomes for the 3 countries, continued:

5. Written responses of the 3 countries on the draft specific advice given in the Consultation Process by 5th December 2018; follow up on specific advice in January 2020
6. Interpretive Note: discussion of the outline resulted in valuable input, i.e. table of correspondence between the provisions of the Protocol and the European legislation on water, sanitation and health;
7. Delegates suggested sharing relevant outcomes of the Consultation Process with countries interested in joining the Protocol and with the EU COM

Outcome for the Committee: Good to see the compliance process useful to boost intersectoral and inter-state cooperation on water and health, particularly on cross-cutting issues

2. Plans for preparation of the Committee's report to the Meeting of the Parties for submission to its fifth session

- Committee decided to analyze reports by country (and not per target area as in the past), in order to have a full picture of Protocol implementation at country level

Timeline for preparing the report:

- 14 May 2019: Committee members submit individual contributions for the report to the secretariat
- 4 June 2019: Secretariat circulates draft report prepared on the basis of above inputs
- 15 June 2019: Committee members provide final comments
- 1-2 July 2019 - 18th meeting of the Compliance Committee: Committee discusses final version of the draft report
- Chair, assisted by secretariat, finalizes the report **for submission to the Meeting of the Parties at its fifth session**

3 Joint session with the Implementation Committee under the Water Convention

a) Closed session 6th Nov. 2018:

- how national reports were analysed by each of the committees;
- promotion of both committees (especially among NGO's);
- experience in implementation of advisory, interpretative and consultative functions

b) Public session 6th Nov. 2018:

- overview of respective Committee's composition, function and mandate
- Discussion of options for more engagement of NGO's
- Several NGO's emphasised critical importance of dialogue between NGO's and bodies established under multilateral environmental agreements and human rights instruments

4. Submissions, referrals or communications received

The Committee received no submissions, referrals or communications (lack of such is generally conspicuous so far)

5. Raising awareness of the compliance procedure

- a) **Events** to promote synergies with the United Nations human rights treaty bodies in March 2018:
 - joint event with Economic, Social and Cultural Rights Committee, the Human Rights Committee and the Compliance Committee under the Aarhus Convention (in Geneva);
 - special session “Engaging with International Mechanisms to Realize the Human Rights to Water and Sanitation” jointly organized by ECE with the Special Rapporteur on the human rights to water and sanitation (in Brasilia);
- b) **Summary guide for the submission of communications** from the public now available in English, French and Russian on the Committee’s website; summary to the relevant non-governmental organizations, highlighting 4th reporting cycle starting in November 2018;
- c) further explore **synergies with the United Nations high-level political forum on sustainable development**.
- d) Further engage with **human rights community** - events with the Special Rapporteur on the human rights to water and sanitation
- e) **Use outcomes of Consultation Process with the 3 Baltic Countries**, including the interpretive note, for raising awareness about the compliance procedure
- f) **all committee members to intensify efforts** in their respective countries and other activities to raise awareness on the Protocol and its procedures – **request to all in the audience today 😊 !!!**