Report of the Compliance Committee on its nineteenth meeting

I. Organizational matters

1. The nineteenth meeting of the Compliance Committee under the Protocol on Water and Health to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was held on 15 May 2020 through a virtual platform. For technical reasons, its duration was reduced to three hours.¹

2. The following members of the Committee attended: Ms. Ingrid Chorus; Ms. Catarina de Albuquerque; Ms. Zsuzsanna Kocsis-Kupper (Vice-Chair); Mr. Vadim Ni; Mr. Morten Nicholls; Ms. Natalja Sliachtic; Ms. Anna Tsvietkova; Mr. Sergei Vinogradov; and Mr. Jorge Viñuales (Chair). The meeting was serviced by the United Nations Economic Commission for Europe (ECE) secretariat.

II. Election of officers and solemn declaration of new members

3. The Committee re-elected Mr. Viñuales as Chair and Ms. Kocsis-Kupper as Vice-Chair for the period 2020–2022.

4. The members of the Committee elected for their first term at the fifth session of the Meeting of the Parties (Belgrade, 19–21 November 2019) — Ms. de Albuquerque, Mr. Nicholls, Ms. Tsvietkova and Mr. Vinogradov — made a solemn declaration that they would perform their functions impartially and conscientiously.

III. Adoption of the agenda

5. The Compliance Committee adopted its agenda as set out in document ECE/MP.WH/C.1/2020/1-EUPCR/1611921/2.1/2020/CC/03.

IV. Consideration of submissions, referrals and communications

6. The Committee noted that no submissions, referrals or communications had been received prior to the meeting.

V. Follow-up to the decisions of the Meeting of the Parties at its fifth session

7. Further to the recommendations contained in its report to the Meeting of the Parties (ECE/MP.WH/2019/5-EUPCR/1814149/1.2/2019/MOP-5/11), the Committee discussed different follow-up actions as a result of decision V/1 on general issues of compliance (ECE/MP.WH/19/Add.2-EUPCR/1814149/1.2/2019/MOP-5/06/Add.2) adopted by the Meeting of the Parties at its fifth session.

A. Review of compliance with the obligation to set targets and target dates under the Protocol

8. The Committee reviewed the status of target setting under the Protocol, focusing in particular on the situation of those Parties that had not yet communicated their targets and target dates under the Protocol, namely: Albania; Belgium; Bosnia and Herzegovina; Montenegro; Portugal; Russian Federation; and Spain. It was agreed that, for those Parties where the target-setting process was already advanced, the secretariat would liaise informally with the national focal points in order to gather information about progress. For those Parties where no recent information on progress was available, the Committee requested the secretariat to send official letters in September 2020, asking for an update on the target-setting process.

B. Review of compliance with reporting requirements under the Protocol

9. The Committee noted with appreciation that all Parties had submitted their national summary reports within the fourth reporting exercise under the Protocol and that the reports were, overall, of good quality.²

C. Consultations with Parties to facilitate implementation of the Protocol

10. Building on previous experience with the Consultation Process and based on decision V/1, the Committee discussed possible future consultations to be undertaken in the period 2020–2022. In particular, the Committee considered the situation regarding setting of targets and target dates in the Russian Federation. Based on the national summary report of 2019 of the Russian Federation, it appeared that the country was facing challenges in setting targets under article 6 of the Protocol. The Committee therefore considered that the Russian Federation might benefit from tailored advice and assistance and requested the secretariat to explore, in September 2020, whether the country would be interested in taking part in the Consultation Process.

11. With respect to the organization of work, it was agreed that future consultations would follow a similar methodology to the one used in the period 2017–2019 and would be led by

a dedicated working group, composed of several Committee members and chaired by a rapporteur.

D. Awareness-raising on the compliance procedure

12. The Chair recalled that awareness-raising activities carried out in the past triennium had mainly been aimed at disseminating knowledge about the compliance procedure and promoting synergies with the human rights treaty bodies and the Special Rapporteur on the human rights to safe drinking water and sanitation. The Committee agreed that, considering the relevance of the Protocol in the context of coronavirus disease (COVID-19), in the current triennium efforts should also be made to engage with the relevant organizations and bodies working in the field of public health.

13. The Committee then entrusted the Chair with the preparation of a summary of the interpretive note “The provisions of the Protocol on Water and Health and their relationship with the European Union law governing water and health” (ECE/MP.WH/2019/5/Add.1-EUPCR/1814149/1.2/2019/MOP-5/11/Add.1), produced within the framework of the Consultation Process with Estonia, Latvia and Lithuania and endorsed by the Meeting of the Parties at its fifth session (ECE/MP.WH/19-EUPCR/1814149/1.2/2019/MOP-5/06, para. 90 (b)). The summary would be used for communication purposes, including possibly through providing material for a short promotion video.

14. In that regard, the secretariat briefed the Committee on recent developments concerning the recast of the European Union Drinking Water Directive, which explicitly referred to the Protocol and its guidance documents in the area of equitable access to water in the final compromise text of the proposal, with a view to agreement, which was expected to be adopted in December 2020.

15. Subsequently, the Chair encouraged all Committee members to actively raise awareness of the Protocol and the compliance procedure at relevant forums and events, as well as through online platforms and social media. To that end, the secretariat would provide a list of major water-, sanitation- and health-related events in 2020.

16. Finally, the secretariat reported that a series of thematic webinars linked to the different areas of work under the Protocol would be organized until the end of 2020 to highlight the relevance of the Protocol for response to and future preparedness regarding COVID-19 and other infectious diseases. The Committee agreed that it would explore the possibility of organizing a webinar highlighting the legal dimension of work under the Protocol.

VI. Programme of work and calendar of future meetings

17. The Chair recalled that, in accordance with decision I/2 on review of compliance, the objective of the compliance procedure was to facilitate, promote and aim to secure compliance with the obligations under the Protocol, including by providing advice or assistance to Parties (ECE/MP.WH/2/Add.3-EUR/06/5069385/1/Add.3, annex, para. 1 (b)). He then invited the Committee to discuss ways and means to further promote compliance with the provisions of the Protocol related to water, sanitation, hygiene and health, particularly in the context of COVID-19.

18. The Committee agreed to work on developing an interpretive note that would highlight the Protocol provisions related to water, environment, sanitation and hygiene in the light of the human rights to safe drinking water and sanitation, while also focusing on the public health dimension of the Protocol.

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4 See https://ec.europa.eu/environment/water/water-drink/review_en.html
19. The Committee appointed Ms. de Albuquerque as rapporteur for coordinating the development of the note and agreed that an extended outline thereof would be prepared by September 2020 for circulation among the Committee members.

20. With respect to its twentieth meeting, the Committee provisionally decided to hold it on 2 and 3 November 2020, either in Geneva or through a virtual platform, depending on the situation regarding travel restrictions.

VII. Adoption of the report

21. The Committee adopted its report by electronic means after the meeting.