



Economic and Social Council

Distr.: General
6 July 2021

Original: English

Economic Commission for Europe

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

Ninth session

Geneva, 29 September–1 October 2021

Item 4 (d) of the provisional agenda

**Increasing awareness of and accession to the Convention and application
of its principles drawing on the benefits of cooperation:**

Implementation Committee

Report of the Implementation Committee to the Meeting of the Parties and draft decision on general issues of implementation

Summary

At its sixth session (Rome, 28–30 November 2012), the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes established the Implementation Committee. The Committee is required to report on its activities at each ordinary session of the Meeting of the Parties and to make such recommendations as it considers appropriate (ECE/MP.WAT/37/Add.2, decision VI/1, annex I, para. 44).

The present report provides an overview of the activities of the Implementation Committee since the eighth session of the Meeting of the Parties (Nur-Sultan, 10–12 October 2018). Annexed to the report is a draft decision on general issues of implementation, prepared by the Committee for possible adoption by the Meeting of the Parties at its ninth session.

The Meeting of the Parties may wish to take note of the report of the Committee, discuss its conclusions and adopt the draft decision on general issues of implementation.



I. Introduction

1. At its sixth session (Rome, 28–30 November 2012), the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) established the Implementation Committee with the aim of facilitating, promoting and safeguarding the implementation and application of and compliance with the Water Convention.¹

2. As required by the Meeting of the Parties,² this report presents the Committee's activities and makes such recommendations as the Committee considers appropriate. Annexed to the report is a draft decision on general issues of implementation, which has been prepared by the Committee for consideration and possible adoption by the Meeting of the Parties at its ninth session.

A. Membership of the Committee

3. The Committee consists of nine members, who serve in their personal capacity and objectively, in the best interests of the Convention. A full term of office of a Committee member commences at the end of an ordinary session of the Meeting of the Parties and runs until its second ordinary session thereafter.³

4. At its seventh session (Budapest, 17–19 November 2015), the Meeting of the Parties re-elected by consensus the following members of the Implementation Committee for a full term: Mr. Johan Gerrit Lammers (nominated by the Netherlands); Ms. Anne Schulte-Wülwer-Leidig (nominated by Germany); and Mr. Attila Tanzi (nominated by Italy). At the seventh session, Ms. Dinara Ziganshina (nominated by Uzbekistan) was also elected for a full term as a new member of the Implementation Committee.⁴ At its eighth session (Nur-Sultan, 10–12 October 2018), the Meeting of the Parties re-elected by consensus the following members of the Implementation Committee for a full term: Mr. Kari Kinnunen (nominated by Finland); Mr. Stephen McCaffrey (nominated by Switzerland); and Mr. Ivan Zavadsky (nominated by Slovakia). It also elected, for a full term, new members of the Committee: Mr. Martins Paporinskis (nominated by Latvia); and Mr. Pedro Cunha Serra (nominated by Portugal). The nine Committee members served throughout the intersessional period.⁵

5. At their tenth meeting (Geneva, 2 and 3 December 2019), the members of the Committee unanimously elected Mr. Tanzi as Chair and Ms. Ziganshina and Mr. Kinnunen as Vice-Chairs for the period 2019–2021.⁶

B. Meetings of the Committee

6. The Committee met on six occasions during the intersessional period, with several meetings held through videoconference due to the coronavirus disease (COVID-19) pandemic:

(a) Its tenth meeting was held on 2 and 3 December 2019 in Geneva;⁷

(b) Its preparatory meeting to the eleventh meeting was held on 19 May 2020 by videoconference;⁸

¹ See ECE/MP.WAT/37/Add.2, decision VI/1, para. 1.

² *Ibid.*, annex I, para. 44.

³ *Ibid.*, para. 7.

⁴ See ECE/MP.WAT/49, para. 36.

⁵ See ECE/MP.WAT/54, para. 57.

⁶ See ECE/MP.WAT/IC/2019/2, para. 3.

⁷ See ECE/MP.WAT/IC/2019/2.

⁸ See <https://unece.org/environmental-policy/events/preparatory-meeting-eleventh-meeting-implementation-committee>.

(c) Its eleventh meeting was held from 31 August to 2 September 2020 in Geneva and by videoconference;⁹

(d) Its preparatory meeting to the twelfth meeting was held on 24 November 2020 by videoconference;¹⁰

(e) Its twelfth meeting was held on 4 and 5 February 2021 in Geneva and by videoconference;¹¹

(f) Its thirteenth meeting was held on 20 and 21 May 2021 by videoconference (see ECE/MP.WAT/IC/2021/3, forthcoming).

7. At the end of each meeting, except for the preparatory meetings, the Committee entrusted the secretariat with the task of preparing and circulating the draft meeting report. The Committee subsequently discussed and approved each meeting report through electronic communication means.

8. Parts of the twelfth meeting of the Committee were attended by observers.

C. Work of the Committee

9. According to decision VI/1, the Implementation Committee is entrusted with the following functions:

(a) Consider any request for advice relating to specific issues concerning difficulties in implementation or application (advisory procedure);

(b) Consider any submission relating to specific issues concerning difficulties in implementation and compliance (submissions by Parties);

(c) Consider undertaking a Committee initiative;

(d) Examine, at the request of the Meeting of the Parties, specific issues of implementation of and compliance with the Convention;

(e) Take measures, including recommendations, as appropriate;

(f) Carry out any other functions that may be assigned to it by the Meeting of the Parties, including examination of general issues of implementation and compliance that may be of interest to all Parties, and report to the Meeting of the Parties accordingly.¹²

10. During the intersessional period, the Committee received one request for advice, which resulted in advisory procedure WAT/IC/AP/1 (Montenegro and Albania) (see paras. 13–31 below). No Parties made any submissions, and the Committee did not receive information sufficient to determine whether a Committee initiative would be appropriate. Neither were there any requests from the Meeting of the Parties for the Committee to examine specific issues of implementation or compliance.

11. According to the Strategy for the implementation of the Convention at the global level, the Implementation Committee is also entrusted with the task of supporting the secretariat in answering questions from non-Parties interested in acceding to the Convention.¹³

12. The work of the Committee during the intersessional period therefore included the following topics:

(a) Advisory procedure WAT/IC/AP/1 (Montenegro and Albania);

(b) Exchanges of views on the outcomes of the second reporting exercise under the Convention;

⁹ See ECE/MP.WAT/IC/2020/2.

¹⁰ See <https://unece.org/environmental-policy/events/preparatory-meeting-twelfth-meeting-implementation-committee>.

¹¹ See ECE/MP.WAT/IC/2021/1.

¹² See ECE/MP.WAT/37/Add.2, decision VI/1, annex I, para. 15.

¹³ See ECE/MP.WAT/54/Add.2, para. 33.

- (c) Helping the secretariat to answer specific questions on the Convention posed by countries considering accession and contribution to other activities under the Convention;
- (d) Raising awareness of the mechanism to support implementation and compliance.

II. Advisory procedure WAT/IC/AP/1 (Montenegro and Albania)

Key steps and outcomes

13. On 22 November 2019, the secretariat received a letter from Montenegro for the attention of the Implementation Committee. The letter related to the concerns of Montenegro about the possible transboundary impact of the planned construction of additional small hydropower plants on the Cijevna/Cem River in Albania. The letter was circulated to the Committee on 28 November 2019.

14. The Committee discussed the letter and the appropriate course of action during its tenth meeting (Geneva, 2 and 3 December 2019) with a focus on the procedural aspects, with special regard to the scope of the Committee's mandate as stated in decision VI/1 of the Meeting of the Parties (ECE/MP.WAT/37/Add.2). The Committee decided to consider the letter as a request for advice within the advisory procedure set out in section V of annex I to decision VI/1, without prejudice to any future decision to consider the matter within section VI (submissions by Parties) of annex I to decision VI/1.

15. By letter, dated 6 December 2019, the Committee communicated its decision to discuss the matter within the advisory procedure to Montenegro, as the Party that had addressed the Committee, and to Albania, as a Party concerned with the advisory procedure. The Committee invited Albania to indicate if it was willing to participate in the advisory procedure. Furthermore, the Committee requested both Parties to provide any information and corroborating documentation that they considered relevant.

16. Albania consented to participate in the advisory procedure by its letter of 31 January 2020. The replies received from both countries included some additional information requested by the Committee concerning the small hydropower plants in question.

17. Following discussions held on 19 May 2020 during its preparatory meeting to the eleventh meeting of the Committee, the Committee sent letters to the two countries on 8 June 2020 requesting further information and seeking replies to specific questions formulated by the Committee. In August 2020, both countries provided their replies to those questions.

18. At its eleventh meeting (Geneva and hybrid, 31 August–2 September 2020), the Committee held two separate information-gathering and consultation sessions with the delegations of Montenegro and Albania, respectively, with the objective of clarifying information received, obtaining additional information and consulting the countries on the proposed way forward in the advisory procedure, in particular on possible future involvement of the Committee. The Committee subsequently decided to:

- (a) Send additional questions for clarification to the two countries in order to complement or clarify information received during the meeting;
- (b) Continue its involvement in the Cijevna/Cem River-related issues, following a two-track approach according to which the Committee would:
 - (i) Stay in contact with the countries to facilitate the exchange of information related to the Cijevna/Cem River basin;
 - (ii) Assist the countries in setting up a joint monitoring and assessment framework for surface waters, groundwaters and ecosystems in the Cijevna/Cem River basin.¹⁴

¹⁴ See ECE/MP.WAT/IC/2020/2, para. 14 (a) and (b).

19. Accordingly, on 15 September 2020, the Committee transmitted by letter additional questions to the two countries involved. Replies were subsequently received from Albania, on 22 October 2020, and from Montenegro, on 8 December 2020.

20. At its preparatory meeting to the twelfth meeting of the Committee held on 24 November 2020, the Committee discussed the proposals it would submit to the countries concerned during the twelfth meeting. Such proposals would in particular address the need for joint monitoring and assessment, as well as exchange of information.

21. At its twelfth meeting on 4 and 5 February 2021, the Committee held, first, two separate consultation sessions with the delegations of Montenegro and Albania, respectively, and then a joint consultation session with the participation of both countries. The joint session, facilitated by the Committee, enabled an important exchange between the two countries, whose bilateral commission had not held meetings for more than a year. During the consultation sessions, all held through videoconference, the Committee further discussed its proposals with both delegations, emphasizing the appropriateness of a step-by-step approach in gradually moving from less complex issues towards more comprehensive ones, once the necessary experience had been gained.

22. During the joint consultation, facilitated by the Committee on 5 February 2021, Montenegro and Albania agreed:

(a) That the existing bilateral commission established under the 2018 Framework Agreement on Mutual Relations in the Field of Management of Transboundary Waters should establish a joint technical working group on “Monitoring and assessment”, define the mandate of the joint technical working group based on pressures in the Cijevna/Cem River basin and ensure its regular meetings;

(b) To develop and implement an information-exchange protocol;

(c) To use the meetings of the bilateral commission to exchange information, including on existing and planned uses of water and related installations;

(d) To convene the next meeting of the bilateral commission in the third week of March 2021, with a view to setting up the joint technical working group;

(e) To ensure that the meetings of the bilateral commission would be held regularly in the future.¹⁵

23. The Committee designated Mr. Cunha Serra to assist Montenegro and Albania in the implementation of the technical aspects of the Committee’s advice, should such assistance be welcomed by the two countries.

24. The Committee formulated its legal and technical advice under advisory procedure WAT/IC/AP/1 and communicated it to Montenegro and Albania on 12 February 2021. In agreement with the parties concerned, the Committee’s legal and technical advice was made publicly available.¹⁶

25. At the thirteenth meeting of the Committee (20 and 21 May 2021), the Water Convention focal points from Montenegro and Albania updated the Committee on progress with implementation of the Committee’s advice. They informed the Committee of the meeting of the bilateral commission established under the 2018 Framework Agreement that had taken place in an online format on 15 April 2021 and discussed, among other things, the Committee’s advice with regard to cooperation in the Cijevna/Cem River basin. The bilateral commission had decided that both countries should nominate their experts to the joint technical working group tasked to put in place a monitoring and assessment regime.

26. The Committee expressed appreciation for positive developments that had taken place in the cooperation of Montenegro and Albania in conformity with the Committee’s advice and emphasized the importance of regular meetings between countries to gradually progress towards higher levels of cooperation.

¹⁵ See ECE/MP.WAT/IC/2021/1, para. 15.

¹⁶ *Ibid.*, annex.

Lessons learned

27. The Committee expressed great appreciation for the good faith cooperation from both Montenegro and Albania throughout the entire advisory procedure, which had proved to be key to success. Both countries had responded to the Committee's requests for information, openly discussed difficulties in obtaining certain types of information and actively participated in the search for solutions. Such effective and constructive cooperation was even more challenging in the context of the pandemic, by which both countries were seriously affected.

28. Due to the pandemic, all consultations with the countries and most discussions within the Committee throughout the entire advisory procedure were conducted by means of videoconference. The Committee therefore extensively used electronic communications systems, as provided for in paragraph 11 of annex I and paragraph 16 of annex II of decision VI/1. Despite limitations, online means of communication proved useful and successful for activities of the Committee.

29. Another lesson learned from the advisory procedure referred to the interdisciplinary character of the Committee and the diversity of experience and expertise among its members. The presence of lawyers, scientists and technical experts on the Committee enabled it to put into practice an interdisciplinary approach and promptly provide the countries with legal and technical advice.

30. Lastly, the Committee took a facilitative, realistic and result-oriented approach, urging the countries themselves to initiate and implement solutions and gradually move from less complex issues towards more comprehensive ones, while at the same time offering follow-up assistance in the implementation of its advice.

31. Throughout the advisory procedure, the Committee kept in contact, through the secretariat, with the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment, which had received a submission by Montenegro related to the same small hydropower plants.¹⁷

III. Exchanges of views on the outcomes of the second reporting exercise under the Convention

32. At its seventh session, the Meeting of the Parties decided to establish a regular reporting mechanism and to launch a pilot reporting exercise in 2016–2017.¹⁸ In the intersessional period between the seventh and the eighth sessions of the Meeting of the Parties, the Committee assisted with the development of the revised reporting template (ECE/MP.WAT/54/Add.2, decision VIII/1, annex II) and reviewing the reports received during the first reporting cycle in 2017–2018.

33. At its tenth meeting, the Committee recalled that both decision VIII/3 on general issues of implementation (ECE/MP.WAT/54/Add.2) and decision VIII/1 on reporting under the Convention referred to the usefulness of the national reports for the Committee's work. The Committee agreed that it could have a role to play in the second reporting cycle in 2020–2021 but requested that the main analysis of the reports be done by the secretariat while the Committee could review and advise.¹⁹ The secretariat subsequently provided updates on the second reporting cycle at the eleventh,²⁰ twelfth²¹ and thirteenth meetings of the Committee.

34. At its thirteenth meeting, the Committee discussed the outcomes of the second reporting exercise on the basis of the national reports of the Parties and the draft second

¹⁷ See <https://unece.org/environment-policy/environmental-assessment/eiaics7-albania>.

¹⁸ See ECE/MP.WAT/49/Add.2, decision VII/2, paras. 1 and 2.

¹⁹ See ECE/MP.WAT/IC/2019/2, para. 13.

²⁰ See ECE/MP.WAT/IC/2020/2, para. 19.

²¹ See ECE/MP.WAT/IC/2021/1, para. 21.

progress report on implementation of the Convention in 2017–2020 prepared by the secretariat.

35. The Committee expressed appreciation for: the fact that all Parties had submitted their reports in the second reporting cycle; and for the level of detail and improved quality of the national reports compared to the pilot reporting exercise. In particular, it stressed that the reporting mechanism served the purpose of strengthening implementation of the Convention.

36. The Committee emphasized that the reporting mechanism was essential for the Committee to carry out its functions as it provided useful information on the state of implementation of the Convention and challenges faced by the Parties. The Committee agreed that the information presented to it did not justify the Committee engaging, at the current stage, in a Committee initiative in accordance with section VII of annex I to decision VI/1 and that it remained open to receiving requests for assistance or submissions from Parties facing difficulties in implementing and/or complying with the Convention.

37. The Committee also expressed appreciation for the national reports on indicator 6.5.2 of the Sustainable Development Goals submitted in 2020 as part of the second reporting exercise on the indicator 6.5.2 by countries not Parties to the Convention, since the reports of non-Parties sharing transboundary waters with Parties to the Convention usefully complemented the information provided by the Parties with regard to cooperation in those transboundary basins.

38. The Committee expressed appreciation for the comprehensive analysis of national reports as presented in the draft second progress report. It emphasized that keeping the format of the synthesis report in the second reporting exercise similar to the format used in the pilot reporting exercise was useful. It commended the additional chapter on selected basin analysis for reflecting the multiple levels of transboundary water cooperation and enriching the content of the report.

IV. Provision of assistance to the secretariat to answer specific questions on the Convention posed by countries considering accession and contribution to other activities under the Convention

39. In the previous intersessional period (2015–2018), the Committee was mandated by the Convention's Bureau to assist the secretariat to answer specific questions on the Convention posed by countries considering accession. The strategy for the implementation of the Convention at the global level (ECE/MP.WAT/54/Add.2, para. 33) explicitly entrusted the Committee with the task of supporting the secretariat in answering questions from non-Parties interested in acceding to the Convention.²² In that regard, at its tenth meeting, the Committee discussed its contribution to the preparation of the publication *Frequently Asked Questions on the 1992 Water Convention, with the Road map to facilitate accession processes*,²³ which aimed to respond to frequently asked questions about the Convention from countries considering accession. In May 2020, Mr. Tanzi subsequently reviewed the draft publication on behalf of the Committee. Ms. Ziganshina and Mr. Tanzi participated, on behalf of the Committee, in the online launches of that publication, organized by the secretariat in cooperation with the Geneva Environment Network on 17 November 2020 (in English) and 17 June 2021 (in French), respectively.

40. The Committee also contributed to several other activities under the Convention's programme of work for 2019–2021:

(a) In 2019–2021, Ms. Ziganshina and Mr. Cunha Serra participated, in their personal capacities, in the work of the Expert Group on the Transboundary Water Allocation Handbook and provided input to the development of the handbook on water allocation in a

²² See ECE/MP.WAT/54/Add.2, para. 33.

²³ United Nations publication, ECE/MP.WAT/59.

transboundary context, expected to be launched at the ninth session of the Meeting of the Parties;

(b) Ms. Ziganshina participated in the virtual workshop on designing legal frameworks for transboundary water cooperation (hybrid, 28 and 29 July 2020) tailored to assist countries and/or other relevant stakeholders in the design and drafting of agreements or other arrangements;

(c) In March 2021, Mr. Tanzi and Ms. Ziganshina reviewed, on behalf of the Committee, the draft checklist on the development of agreements or other arrangements for transboundary water cooperation, expected to be launched at the ninth session of the Meeting of the Parties.

V. Raising awareness of the mechanism to support implementation and compliance

41. Two side events were organized on the margins of the tenth meeting of the Committee in order to promote better understanding of the role of the Committee in a wider context of international water law and dispute settlement:

(a) Round table “Water disputes: How to prevent and solve them?” (Geneva, 3 December 2019), co-organized with the Geneva Water Hub and the Geneva Centre for International Dispute Settlement;

(b) Conference “The implementation of international water law: Global, regional and basin perspectives” (Geneva, 4 December 2019), co-organized with the Geneva Water Hub.

42. Ms. Ziganshina presented the Committee at the webinar “International water law and transboundary cooperation”, organized by the Geneva Water Hub and DiploFoundation on 3 December 2020. The event made it possible to reach out to new audiences and raise awareness of the Convention and its Implementation Committee.

43. Mr. Paparinskis and Mr. Tanzi co-chaired and Ms. Ziganshina and Mr. Cunha Serra gave presentations at the online conference “The Implementation Committee of the Water Convention”, hosted by University College London (United Kingdom of Great Britain and Northern Ireland) and co-organized with the University of Bologna (Italy), the University of the Pacific (United States of America) and the United Nations Economic Commission for Europe (ECE) on 22 April 2021.²⁴ The conference featured renowned speakers from leading academic institutions in the field of international environmental law and brought together over 180 participants from 57 countries. It provided a useful opportunity to raise awareness about the Convention and promote the work of the Committee in the academic world and in the community of legal practitioners.

44. On 16 June 2021, Mr. Zavadsky presented the role of the Implementation Committee as a mechanism of water diplomacy at a hybrid training workshop for members of a new multi-ministerial transboundary water diplomacy committee of Somalia, organized by the Stockholm International Water Institute. The event allowed for the provision of information on the Implementation Committee, its role and procedures, as well as on the benefits of accession to the Water Convention.

45. On 17 June 2021, Ms. Ziganshina presented the role of the Implementation Committee as a mechanism of water diplomacy at the online course on international water law and negotiations organized by the Geneva Water Hub for the governmental authorities of Iraq. The event allowed for the provision of detailed information on the Implementation Committee, its role and procedures to Iraq – a country in the process of acceding to the Convention.

²⁴ A video recording, presentations of the participants, and a bibliography of the Convention are available at www.ucl.ac.uk/laws/events/2021/apr/implementation-committee-water-convention.

46. At its thirteenth meeting, the Committee agreed to explore opportunities for strengthening cooperation with development partners, in particular multilateral and regional development banks, in the next intersessional period. It also agreed to continue raising awareness of the Convention and the Implementation Committee in various forums worldwide.

VI. Core rules of procedure

47. Through decision VI/1, the Meeting of the Parties decided that the activities of the Implementation Committee would be governed by the core rules of procedure set out in annex II to decision VI/1: “until the adoption by the Meeting of the Parties, at its next session or at a following session thereafter, of the rules of procedure, upon a proposal by the Committee”. The rationale for this provision in decision VI/1 was to make the Implementation Committee immediately operational and to allow it in the future to propose to the Meeting of the Parties the adoption of the rules of procedure that would be based on practical experience with the application of the core rules.

48. Since then, the Committee has accumulated practical experience in the use of the core rules of procedure set out in decision VI/1, annex II. Among other matters, the core rules of procedure were applied during advisory procedure WAT/IC/AP/1 (Montenegro and Albania) and proved to be appropriate to govern the activities of the Committee. In addition, on several occasions, the Committee has exchanged views with other implementation and compliance bodies on procedural aspects and experience of handling cases. At its tenth meeting, the Committee was briefed on procedural aspects of handling cases by the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) regarding its Compliance Committee and by the secretariat of the Espoo Convention and its Protocol on Strategic Environmental Assessment regarding their Implementation Committee.²⁵

49. The Committee was therefore of the opinion that the core rules of procedure set out in decision VI/1, annex II, were currently sufficient for it to undertake its functions and that further practical experience with their application was needed before embarking on drafting any new rules of procedure.

VII. Conclusions

50. The Committee draws the attention of the Parties to the outcomes of the first advisory procedure, in particular the facilitative and non-confrontational approach taken by the Committee in assisting the Parties concerned in identifying concrete steps towards strengthening their cooperation.

51. The Committee continues to encourage Parties and other stakeholders to seek its assistance, support and facilitation in order to address difficulties encountered in implementing and complying with the Convention and to prevent water-related disputes.

52. The Committee appreciates that all Parties have submitted their reports in the second reporting cycle under the Convention and notes the improved quality of the national reports compared to the pilot reporting exercise.

53. The Committee encourages Parties to further use the reporting mechanism for the purpose of strengthening the implementation of the Convention.

54. The Committee stands ready to continue providing assistance to the secretariat in answering specific questions on the Convention posed by countries considering accession, contributing to other activities under the Convention and raising awareness of the Convention and its mechanism to support implementation and compliance.

²⁵ See ECE/MP.WAT/IC/2019/2, para. 6.

Annex

Draft decision on general issues of implementation

The Meeting of the Parties,

Having regard to its decision VI/1 on support to implementation and compliance,¹

Taking note of the report of the Implementation Committee to the Meeting of the Parties at its ninth session² and endorsing its findings,

Appreciating the progress made by the Implementation Committee in promoting the mechanism to support implementation and compliance and the Committee's support to other activities under the Convention,

1. *Welcomes* the first advisory procedure before the Implementation Committee and the facilitative, non-confrontational and results-oriented approach taken by the Committee;

2. *Recalls* that transboundary cooperation is a key principle of the Convention, as it supports the achievement of the Convention's object and purpose; however, the principles of reasonable and equitable use and of prevention, control and reduction of transboundary impact are equally important;

3. *Recognizes* that the establishment of joint bodies and the procedural obligations laid down in the Convention are essential to give effect to its substantive obligations, irrespective of the likelihood of the occurrence of transboundary impact, and that the implementation of the procedural obligations can facilitate the implementation of the obligation to prevent, control and reduce transboundary impact;

4. *Welcomes* the contribution of the Implementation Committee and its members to support awareness of the Convention among countries interested in accession;

5. *Stresses* the importance of the reporting mechanism for effective fulfilment of the Implementation Committee's mandate;

6. *Expresses its appreciation* for the general progress achieved by the Parties in implementing the Convention, as reflected in the second reporting exercise;

7. *Notes with concern* that certain common challenges to implementation and compliance remain and that some Parties appear to face specific challenges in implementation and compliance;

8. *Encourages* Parties to seek the Committee's assistance, support and facilitation to address difficulties in implementing and complying with the Convention, so as to ensure that the object and purpose of the Convention are advanced, and to prevent water-related disputes;

9. *Draws the attention* of Parties and non-Parties to distinct opportunities provided by the advisory procedure in this respect, as shown by the outcomes of the first advisory procedure;

10. *Recalls* the possibility that information may be submitted to the Committee by any stakeholders with a view to assisting the Committee in fulfilling its mandate.

¹ See ECE/MP.WAT/37/Add.2.

² ECE/MP.WAT/2021/5.