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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**Implementation Committee****Tenth meeting**

Geneva, 2 and 3 December 2019

**Report of the Implementation Committee on its tenth  
meeting****I. Attendance and organizational matters**

1. The tenth meeting of the Implementation Committee under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was held on 2 and 3 December 2019 in Geneva.
2. The following members of the Implementation Committee took part in the meeting: Mr. Kari Kinnunen; Mr. Johan Lammers; Mr. Stephen McCaffrey; Mr. Martins Paporinskis; Mr. Pedro Cunha Serra; Mr. Attila Tanzi; Mr. Ivan Zavadsky; and Ms. Dinara Ziganshina.
3. In accordance with its core rules of procedure (ECE/MP.WAT/37/Add.2, decision VI/1, annex II, para. 7), the Implementation Committee elected Mr. Tanzi as its Chair for the period 2019–2021 and Ms. Ziganshina and Mr. Kinnunen as Vice-Chairs.
4. The Implementation Committee adopted its agenda as set out in document ECE/MP.WAT/IC/2019/1, having agreed on an adjusted time frame.<sup>1</sup>

**II. Requests for advice, submissions and Committee initiative**

5. The Chair recalled a letter from a Party to the Convention addressed to the attention of the Implementation Committee that had been received by the secretariat on 22 November 2019 and circulated to the Implementation Committee on 28 November 2019. The Committee decided to discuss the letter and the appropriate course of action during its current meeting. The Committee also decided to hold part of the discussion on the agenda item in a closed session.
6. In an open session, the Committee was briefed on the procedural aspects and experience of handling cases in other implementation and compliance bodies. Presentations

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<sup>1</sup> Documents for the meeting are available on a dedicated web page of the Convention's website ([www.unece.org/index.php?id=50254](http://www.unece.org/index.php?id=50254)).



were heard from 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 from the secretariat of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment regarding their Implementation Committee. The follow-up discussion addressed several issues with regard to substantive and procedural advice and guidance regarding the management of individual cases throughout their “life cycle” and handling caseloads more generally. The *Guide to the Aarhus Convention Compliance Committee*<sup>2</sup> was noted as a particularly relevant resource and practical guidance in that regard. The Committee members welcomed the opportunity to exchange views and expressed gratitude to the speakers for sharing the experiences of their respective committees. The Committee agreed to explore opportunities to hold joint events on matters of common interest with those committees.

7. In a closed session, the Committee thoroughly discussed the procedural aspects of the letter addressed to its attention, in particular with regard to the scope of the Committee’s mandate stated in decision VI/1 of the Meeting of the Parties (see 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 on submissions.

8. The Committee agreed to communicate its decision to discuss the matter within the advisory procedure to both the Party that had addressed the Committee and the Party concerned with the advisory procedure. The Committee also agreed to invite the Party concerned with the advisory procedure to indicate its willingness to participate in the advisory procedure. Furthermore, the Committee decided to request both Parties to provide any information and corroborating documentation that they considered relevant as early as conveniently possible, but no later than within two months from the date of the receipt of the request.

9. The Committee decided to keep confidential the information regarding the matter for the benefit of the advisory procedure and until further consideration of the confidentiality issue.

10. The Committee also discussed the need for communication on the matter with the Implementation Committee under the Espoo Convention and the Protocol on Strategic Environmental Assessment in the light of the procedure concerning the same matter under the latter Committee.

### **III. Relevant outcomes of the eighth session of the Meeting of the Parties and potential contribution of the Committee to different activities under the Convention**

11. The secretariat provided a brief report on the outcomes of the eighth session of the Meeting of the Parties (Nur-Sultan, 10–12 October 2018) and presented the programme of work for 2019–2021 (ECE/MP.WAT/54.Add.1). Certain activities and meetings under the programme of work were noted as being particularly relevant to the work of the Committee, in particular: a Frequently Asked Questions document being developed for policymakers and government representatives from countries interested in acceding to the Convention; the development of a handbook on water allocation in a transboundary context; and the elaboration of a checklist for the development of transboundary water agreements being planned as an outcome of the Global workshop on transboundary agreements scheduled for 2020. The secretariat invited the Implementation Committee to contribute its expertise to those activities.

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<sup>2</sup> Available at [http://www.unece.org/fileadmin/DAM/env/pp/compliance/CC\\_Guidance/Guide\\_to\\_the\\_Aarhus\\_Convention\\_Compliance\\_Committee\\_\\_2019.pdf](http://www.unece.org/fileadmin/DAM/env/pp/compliance/CC_Guidance/Guide_to_the_Aarhus_Convention_Compliance_Committee__2019.pdf)

12. The Committee noted the initiatives highlighted by the secretariat as being relevant to the responsibilities of the Committee and discussed its possible contribution to the implementation of the activities and meetings. The Committee offered to assist with the checklist to be developed in connection with the Global workshop on transboundary agreements scheduled for 2020. The Chair further noted the important contribution of the secretariat to the development of transboundary agreements and that the above-mentioned workshop could be an opportunity to promote the Committee's contribution to the interpretation of rules regarding such agreements.

13. An update was provided by the secretariat on reporting under the Convention in connection with the upcoming second reporting cycle in 2020. The secretariat expressed gratitude for the considerable role and efforts of the Committee in assisting with the development of the 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 and 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. While the Committee agreed that it could have a role to play in the second reporting cycle, the Committee requested that the main analysis of the reports be done by the secretariat while the Committee could review and advise.

#### **IV. Role of the Committee in the global opening of the Convention**

14. The secretariat provided an overview of the status of accession to the Convention and interest in accession from countries in different regions, noting that some countries were further advanced in accession than others. The secretariat highlighted support to regional and basin events in different regions, as well as specific legal and technical guidance, including through national workshops, provided to countries at various stages of the national process of accession. A road map to facilitate accession processes<sup>3</sup> developed by the secretariat to help guide countries was presented to the Committee for feedback, along with lessons learned and planned future activities to increase capacity for and support accession to the Convention. The secretariat also mentioned that a UN-Water policy brief on the Water Convention and the Convention on the Law of the Non-navigational Uses of International Watercourses was currently under development.

15. The Implementation Committee welcomed the progress in the global opening of the Convention and discussed opportunities for the Committee to further contribute to raising awareness of the role and relevance of the Convention. It was underlined that the role and functions of the Committee were of particular interest to countries considering accession. The Committee expressed its readiness to answer questions by countries in the process of acceding to the Water Convention, as needed. The secretariat recalled that the Frequently Asked Questions document being developed for countries interested in acceding to the Convention would be an important avenue for the Committee to contribute to awareness and understanding of the Convention in the context of its global opening.

#### **V. Promotion of the mechanism to facilitate and support implementation and compliance**

16. The Committee noted two side events organized on the margins of its tenth meeting. The first event would be a round table entitled "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, where two members of the Committee, including the Chair, would be panellists. The second event would be a conference entitled "The implementation of international water law: Global, regional and basin perspectives" (Geneva, 4 December 2019), co-organized with the Geneva Water Hub. The Chair noted that

<sup>3</sup> Available at [www.unece.org/fileadmin/DAM/env/documents/2019/WAT/10Oct\\_22-24\\_IWRM/INF2\\_Road\\_Map\\_on\\_Accession\\_2019\\_EN.pdf](http://www.unece.org/fileadmin/DAM/env/documents/2019/WAT/10Oct_22-24_IWRM/INF2_Road_Map_on_Accession_2019_EN.pdf)

both events would provide a valuable opportunity to promote the work of the Implementation Committee and the Convention more broadly. The Committee members expressed their willingness to attend the events and promote their outcomes.

## **VI. Cooperation with other committees and organizations**

17. Considering the absence of a representative of an international financial institution due to flight problems, the Committee agreed to postpone the discussion on specific matters of implementation of international water law with regard to financing transboundary water projects to a future meeting.

18. Similarly, the discussion on cooperation with the Protocol on Water and Health's Compliance Committee was postponed. The Chair noted that there was good cooperation between the Implementation Committee and other committees and organizations.

## **VII. Programme of work and calendar for the next meetings**

19. The Committee discussed the suggested dates for its eleventh and twelfth meetings. The Committee decided that the eleventh meeting would be tentatively scheduled to take place on 19 and 20 May 2020 in Geneva. The Committee discussed the possibility of holding its twelfth meeting on 14 and 15 December 2020, in order to run it back-to-back with the Global workshop on financing transboundary basin development scheduled to take place from 16 to 18 December 2020 in Geneva. The secretariat agreed to request both date changes and inform the Committee accordingly.

## **VIII. Adoption of the report**

20. The Committee entrusted the secretariat to prepare and circulate the draft report on its tenth meeting, which the Committee would subsequently approve through electronic communication means.

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