



Economic Commission for Europe**World Health Organization
Regional Office for Europe**

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

Compliance Committee

Twenty-third meeting
Geneva, 7 June 2022

**Report of the Compliance Committee on its twenty-third
meeting****I. Organizational matters**

1. The twenty-third 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 in Geneva, in a hybrid format, on 7 June 2022.¹
2. The following members of the Committee attended: Ms. Ingrid Chorus; Ms. Catarina de Albuquerque; 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. Adoption of the agenda

3. The Compliance Committee adopted its agenda as set out in document ECE/MP.WH/C.1/2022/1–EUCHP/2219533/3.1/2022/CC2/03.

III. Consideration of submissions, referrals and communications

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

¹ For additional information, a list of participants and meeting documents, see <https://unece.org/info/events/event/360837>.

IV. Review of compliance with the obligation to set targets and target dates

5. The Committee reviewed the status of target setting and reporting under the Protocol in general, but decided to discuss, under the present agenda item, the specific situation in two Parties, Albania and Belgium, leaving the discussion of the situation in other Parties to other agenda items, as that approach appeared to be the most efficient from a procedural point of view.

6. With regard to the situation in Albania, at its twenty-second meeting (Geneva (hybrid), 16 November 2021) the Committee had noted with concern that the draft targets set by Albania as part of the draft National Strategy on Water and Sanitation for 2019–2030 did not address all of the target areas required by article 6 of the Protocol. The Committee had requested further clarification on the target setting status, to be provided by Albania within the national summary report submitted under the Protocol’s fifth reporting cycle.²

7. At the current meeting, the Committee considered the summary report of Albania. It commended the significant improvement made by the country in the preparation of the report as compared to the fourth reporting cycle and welcomed the quality and accuracy of the information provided in the section on targets and target dates. The Committee also noted that, although the National Sectorial Strategy had not yet been adopted, the level of detail provided on the draft targets was sufficient to have a good overview of the situation. No further action was therefore required.

8. With respect to the situation of Belgium, at its twenty-second meeting, the Committee had emphasized its request for the country to submit a joint summary report – covering all three territorial subdivisions – within the Protocol’s fifth reporting exercise.³

9. At the current meeting, the Committee welcomed the fact that, in accordance with its request, Belgium had submitted a summary report covering all three territorial subdivisions. However, the Committee noticed some variation in the completeness, quality and accuracy of the information provided for each of the territorial subdivisions, with significant room for improvement regarding the information provided for the Walloon Region. The Committee therefore asked the secretariat to send a letter to Belgium, requesting it to submit more detailed information on the Walloon Region regarding the targets and target dates set under article 6 of the Protocol, their relationship with relevant European Union legislation and, when targets were not set in certain areas, a justification for considering that national or local circumstances made target setting in such areas irrelevant. The Committee requested that such information be provided prior to the sixth session of the Meeting of the Parties (Geneva, 16–18 November 2022), as a complement to the summary report of Belgium within the Protocol’s fifth reporting exercise.

10. With reference to the summary report of Belgium, the Committee also recalled that Parties that were member States of the European Union might refer to European Union legislation when reporting on the implementation of the Protocol but that, in doing so, they must clearly explain the relationship between the fulfilment of their obligations under the Protocol and the European Union legislation.⁴ In that respect, the Committee referred to the interpretive note entitled “The provisions of the Protocol on Water and Health and their relationship with the European Union law governing water and health”, prepared by the Committee within the framework of the Consultation Process with Estonia, Latvia and Lithuania and endorsed by the Meeting of the Parties at its fifth session (Belgrade, 19–21 November 2019).⁵

² ECE/MP.WH/C.1/2021/4–EUHP/2018917/4.1/2021/CC2/06, para. 8.

³ *Ibid.*, para. 9.

⁴ ECE/MP.WH/19/Add.2–EUPCR/1814149/1.2/2019/MOP-5/06/Add.2, decision V/1 on general issues of compliance, para. 21.

⁵ Available at https://unece.org/fileadmin/DAM/env/documents/2019/WAT/11Nov_19-21_MOP5PWH/Official_docs/ECE_MP.WH_2019_5_Add.1_ENG.pdf.

V. Consultation Process

11. At its twenty-first (Geneva (hybrid), 15–16 June 2021)⁶ and twenty-second meetings,⁷ the Committee held consultations with the Russian Federation. The consultations were officially concluded at the twenty-second meeting, where a representative of the Russian Federation presented draft targets, including clear information on correspondence with the target areas required under article 6 of the Protocol, target dates for achievement, normative instruments containing the targets, and institutions responsible for implementation at the federal level. As a closing step, the Committee requested the Russian Federation to prepare a table of correspondence between the national laws and policies and the target areas under article 6 of the Protocol and to submit it together with its national summary report under the Protocol's fifth reporting exercise.

12. At the current meeting, the Committee reviewed the summary report of the Russian Federation and noted with appreciation that the table of correspondence had been submitted as an annex to the report, in accordance with the Committee's request. The Committee thus considered that no further action was required and commended the progress made by the country, the quality and accuracy of the information provided on targets, and the good outcomes of the Consultation Process.

13. Subsequently, the Committee discussed possible future work with respect to the Consultation Process and noted that, depending on the information that would be provided on the Walloon Region, the Committee would consider taking further steps, including possible consultations with Belgium. The outcomes of the fifth reporting exercise might also highlight whether Parties were facing challenges with the implementation of the Protocol.

VI. Report of the Committee to the Meeting of the Parties at its sixth session

14. The Committee discussed the preparation of its report to the Meeting of the Parties at its sixth session, including the draft decision on general issues of compliance, to be submitted as an official document by 7 September 2022. Committee members who had reviewed specific national summary reports submitted by Parties as part of the fifth reporting cycle presented the findings of their analyses and the Committee discussed in detail the content of the summary reports, reviewing the situation in each country.

15. The Committee noted that, although it had not received the summary report from Ukraine, the situation in that country was such that delay in the submission of its report was justified. The Committee expressed deep concern at the effects of the military conflict between the Russian Federation and Ukraine on the situation of water and health in the territory of Ukraine.

16. Subsequently, the Committee identified cross-cutting issues to be reflected in its report, with a particular focus on:

- (a) Completeness, consistency, accuracy and quality of the information provided;
- (b) Grave issues of compliance;
- (c) Common issues arising from the reports;
- (d) Any relevant issue that could be extracted from the reports to be reflected in the draft decision on general issues of compliance.

17. On that basis, and building on the draft table of contents that the Committee had outlined at its twenty-second meeting,⁸ the Committee agreed on responsibilities, modalities of work and a timeline for the completion of its report to the Meeting of the Parties.

⁶ ECE/MP.WH/C.1/2021/2–EUCHP/2018917/4.1/2021/06, paras. 10–13.

⁷ ECE/MP.WH/C.1/2021/4–EUCHP/2018917/4.1/2021/CC2/06, paras. 12–18.

⁸ *Ibid.*, para. 11.

VII. Facilitating compliance with the obligations under the Protocol

18. The Committee decided that, due to resource limitations and the fact that, in the upcoming months, the Committee would focus on the development of its report to the Meeting of the Parties, the drafting of the interpretive note entitled “The Protocol on Water and Health and the protection of individual and public health” would be postponed to the 2023–2025 triennium.

VIII. Awareness-raising on the compliance procedure

19. The Committee welcomed the finalization of the new promotional brochure on the Protocol, entitled *The Protocol on Water and Health: Driving action on water, sanitation, hygiene and health*.⁹ Committee members were encouraged to make use of the brochure when raising awareness on the Protocol, as relevant.

20. The Committee took note of the decision by the Bureau to limit the overall number of side events to be organized at the sixth session of the Meeting of the Parties to two or three overall, in virtual format, because of the hybrid nature of the meeting and uncertainties relating to room availability at the Palais des Nations, Geneva. In that context, a side event on the Compliance Committee would not be organized.

IX. Composition of the Compliance Committee

21. The Committee discussed its possible composition after the sixth session of the Meeting of the Parties. It was recalled that, at its fifth session, the Meeting of the Parties had elected four Committee members for a full term, comprising two intersessional periods, to replace members whose terms had expired, and one member for a half-term.¹⁰ According to paragraph 7 of the annex to decision I/2 on review of compliance (ECE/MP.WH/2/Add.3–EUR/06/5069385/1/Add.3), at the sixth session of the Meeting of the Parties, Parties should proceed with the election or re-election of five Committee members to fill the positions of the members whose terms would expire by the sixth session or to continue serving in the Committee, as relevant.

22. Ms. Chorus, Mr. Ni, Ms. Sliachtic and Mr. Viñuales were ready to continue serving in the Committee and were open to being nominated for re-election at the sixth session of the Meeting of the Parties.

23. Ms. Zsuzsanna Kocsis-Kupper was to complete her second consecutive term and was therefore not eligible for re-election. The Committee expressed great appreciation for the work carried out by Ms. Kocsis-Kupper within the Committee over the past twelve years and thanked her for her contribution.

24. Lastly, Ms. de Albuquerque informed the Committee that she would no longer be able to perform her duties as a Compliance Committee member after the sixth session of the Meeting of the Parties. Ms. de Albuquerque had been elected at the fifth session of the Meeting of the Parties for a full term of office; she was therefore unable to complete her term, which would normally run until the seventh session of the Meeting of the Parties.

25. The Committee noted that, in accordance with paragraph 7 of the annex to decision I/2 on review of compliance, the relevant procedure provided for the Bureau to appoint another Compliance Committee member to serve for the remainder of the term, subject to the approval of the Committee.

26. It was also noted that, in view of the proximity of the sixth session of the Meeting of the Parties, the Bureau could decide to refer that appointment to the Meeting of the Parties

⁹ United Nations publication, ECE/MP.WH/21.

¹⁰ ECE/MP.WH/19–EUPCR/1814149/1.2/2019/MOP-5/06, para. 92 (a).

and the secretariat could send an open call for nominations for Compliance Committee members by the end of June 2022.

X. Programme of work and calendar of future meetings

27. The Committee tentatively agreed to hold its twenty-fourth meeting on 19–20 September 2023, in Geneva. The main issues for consideration would be possible consultation processes and matters of compliance, as appropriate, and the development of the interpretive note entitled “The Protocol on Water and Health and the protection of individual and public health”.

28. In terms of future work, the Committee also welcomed the idea of playing a more active role in facilitating accessions to the Protocol but underlined the need for sufficient resources.

XI. Other business

29. The Chair recalled that two possible conflicts of interest had been brought to the attention of the Committee by two members in May 2022 and had been addressed by circulation. In that context, the Chair recalled the relevant provisions of the rules of procedure of the Committee relating to conflicts of interest, as contained in paragraphs 5–8 thereof.¹¹

30. In response to a specific query by a member, the Committee discussed in particular paragraph 8 of the rules of procedure, according to which: “Members of the Committee may not represent Governments or organizations in meetings of other bodies of the Protocol, except for technical expert meetings such as task forces.” It was clarified that, when a Committee member was not representing a Government or organization, he or she could take part in meetings of other bodies of the Protocol, irrespective of whether they were technical expert meetings such as task forces or not.

XII. Adoption of the report

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

¹¹ See [https://unece.org/fileadmin/DAM/env/water/meetings/CC/Rules_of_procedure_Committee_revised_Nov2012.pdf](https://unece.org/fileadmin/DAM/env/water/meetings/CC/Rules_of_procedure_Compliance_Committee_revised_Nov2012.pdf).