

Mr. Attila Tanzi
Chair of the Implementation Committee
Convention on the Protection and Use of
Transboundary Watercourses and International Lakes
United Nations Economic Commission for Europe
(UNECE)

S/ referência	Data	N/ referência	Data
WAT/IC/INFO/2/2023/4	14 March 2023	S039100-202306-DAI	23 June 2023

Subject: 15th meeting of the Implementation Committee of the Water Convention:
Letter from organizations cooperating in the project "Reconnecting Iberian
Rivers"

Dear Mr. Attila Tanzi,

I am writing to acknowledge the receipt of your letter on behalf of the Implementation Committee under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, dated 14th March.

We would like to reiterate our support for the Water Convention and express our openness to cooperate with the Implementation Committee.

In response to the concerns raised in your letter, please find below our clarifications and insights on the situation at hand:

As already mentioned in the letter of 13 January 2023, the Commission for the Application and Development of the Convention (CADC) has an operational role and is made up of delegations appointed by each of the parties. CADC meets in plenary session at least once a year and can create subcommittees and working groups as has been the case.

On the other hand, the Conference of the Parties (CoP) is a body with a political role, dedicated to resolving issues relating to the interpretation and application of the Convention.

During the 23 years the Convention has been in force, the Conference of the Parties (CoP) has met three times (2005, 2008, and 2015) and the CADC has held 24 plenary meetings in addition to countless working group meetings.

The following working groups are currently active:

- Working Group for the exchange of information (GT 1)
- Working Group for planning (GT 2)
- Working group on droughts and floods (GT 3)

- Water and Energy Working Group (GT 4)
- Ad-hoc Working Group on Flow Regime for the Guadiana River in the Pomarão section
- Ad-hoc Working Group on Water Quality in the Tagus River

Activities carried out within the framework of the CADC:

- [Coordination in the preparation of the River Basin Management Plans \(RBMP\) and the Flood Risk Management Plans \(FRMP\) of the international river basin districts, including the public consultation processes](#) (GT 2);
- Monitoring of the drought situation in the shared basins (GT 1 and GT 3);
- Coordination of monitoring programs for border and transboundary bodies of water with the aim of assessing their quality status (GT 1 and GT 2);
- Follow-up of the program of measures of the RBMP that influence the status of shared water bodies (GT 2);
- [Development of cooperation projects](#) (ALBUFEIRA; RISC-ML (Minho and Lima); MIGRAMINHO (Minho and Lima); VALAGUA (Guadiana); ACECA (Guadiana));
- Monitoring of water abstraction on the left bank of the Guadiana;
- Monthly monitoring of the hydrometeorological situation in the shared river basins, based on the exchange of situation notes and a monthly meeting;
- [Quarterly monitoring of the hydrometeorological situation in shared river basins, based on the exchange of reports](#);
- [Evaluation of the hydrological year of the shared river basins, based on the joint preparation of a hydrometeorological report and discussion at the plenary meeting of the CADC](#);
- Implementation of the Protocol for the exchange of information on hydrometeorological data, for the management of extreme situations in shared river basins, in particular flood events in which the articulation between the two States has made it possible to avoid catastrophic situations.

The planning of water resources by river basin districts is carried out for periods of six years in a spirit of continuous improvement of the water bodies status, but also of the planning and management processes. Portugal and Spain are strongly committed to this continuous improvement and have intensified their joint work to reinforce the coordination of planning and management of international river basin districts.

In this sense, both countries have effectively cooperated at a technical level in coordination of the design of the plans with a view to achieving the goal of the good condition of the shared water bodies, recognizing, however, difficulties, namely, those inherent to the different administrative and political organization of both countries and difficulties in the synchronization of planning calendars resulting from unfavorable political, economic and health conditions.

During the second RBMP planning cycle (2016-2021), the bilateral coordination process was described in detail in a jointly issued document. The text gathers and summarizes the main results of the coordination work carried out in the design of the RBMPs prepared by both countries for the international river basin districts of Minho and Lima, Douro, Tagus and Guadiana.

This constitutes a first common reference [document](#), which consolidates the agreements reached within the CADC and highlights the aspects that need to be improved.

Within the framework of producing the common report associated with the planning of the second cycle, it was agreed between the parties to continue the preparation of common reports, namely covering the follow-up work on the plans' implementation and the preparatory activities for the third planning cycle, taking also into account the results of the European Commission's assessment.

Thus, Portugal and Spain prepared a [joint mid-term evaluation document](#) on the implementation of measures foreseen in the international RBMP for the 2016-2021 cycle, which illustrates the coordination process carried out to assess the implementation of the measures related to the transboundary water bodies.

The Albufeira Convention contemplates genuine concerns with the sustainable management of water resources, namely by foreseeing actions for the sustainable use of surface and groundwater, as well as actions that contribute to mitigate the effects of floods and situations of drought or scarcity.

In this sense, the Albufeira Convention and its 2008 revision protocol, set values for the minimum annual, quarterly and weekly or daily flows, in reference sections at entry into Portugal (obligation of the Spanish Party - ES) and of the estuary (obligation of the Portuguese Party – PT).

Since the Convention entered into force (17 January 2000), there have been only five non-compliance instances with the annual flow regime, demonstrating the close articulation between the two parties for the implementation of the Convention.

Despite the differences in decision-making models in Portugal and Spain, the elaboration of River Basin Management Plans (RBMP) for the International River Basins of Minho-Lima, Douro, Tagus and Guadiana has been one of the areas where progress has been made in the Portuguese-Spanish coordination within the framework of the Convention.

Today, the Albufeira Convention is THE reference framework in the management of Portuguese-Spanish water resources, since the specific features of the Iberian peninsula require the strengthening of coordination between the two countries along with coordination of positions in European and international fora to face the risks resulting from climate change, namely, the reduction of river flows and aquifers recharging, the increase in flow variability, the frequency of droughts and floods and the rise in the average sea level.

The Albufeira Convention goes beyond flow regimes, in that it includes genuine concerns with the sustainable management of water resources, as well as actions that contribute to mitigating the effects of floods and situations of drought or scarcity, both phenomena we have experienced in the year 2022. The convention has provided the appropriate technical and diplomatic forum for the enormous coordination effort on the part of the teams of the two countries in managing this recent drought. That should remain the practice going forward as climate change impacts are upon us and will increase and intensify extreme weather events such as droughts and floods.

Numerous instruments and initiatives have been set up to implement the objectives of the Convention, such as the quarterly flow monitoring mechanism, which in 2022 became monthly, the Working Group on Droughts and Floods for the harmonization of drought indicators and scarcity used by both States, the protocol for the exchange of information on hydrometeorological data in real time for the management of extreme situations, the project “Albufeira” aiming at the joint and coordinated implementation of actions to promote and

protect the good condition of the shared water bodies and associated ecosystems , as well as joint projects to combat invasive species, just to name a few.

The plenary meetings of the CADC are annually tasked with evaluating the Convention's activity and decide on the work to be carried out in the future. The outcome of the debate between the parties is recorded in the minutes of the respective meetings, which are published on the Convention's website and on the websites of the Portuguese Environment Agency and the Directorate General for Water in Spain.

As already mentioned in our letter of 13 January 2023 addressed to the Implementation Committee, the Convention's website, currently located on the servers of the Ministry of Agriculture and Fisheries (MAPA) of Spain, for the reasons explained at the time, does not allow the adequate updating of the information and for this reason, as an alternative, the institutions that in the two parts ensure the operational work of the CADC make available to the public, a set of relevant information, namely the minutes of the plenary sessions of the Convention. However, it is expected that in the summer of 2023 a new Convention website will be operational, and all information will be accessible in a single point and with updated content.

In our letter of 13 January 2023, we had the opportunity to present the situation regarding the permanent technical secretariat, following the joint declaration of the XXXIII Portuguese-Spanish Summit held in Viana do Castelo, Portugal on 4 November 2022, in which the two countries decided to promote the development of a Permanent Technical Secretariat of the CADC, in line with the best practices in the shared management of international river basins, which facilitates continuous work on matters regulated by the Albufeira Convention and, in particular, on river basin planning.

Considering that the Albufeira Convention establishes the CoP and the CADC as cooperation bodies, the permanent technical secretariat does not have a legal existence, and the parties are studying the best way to implement the aforementioned declaration.

The topics of a strategic nature within the bilateral water framework, such as those related to hydrological planning or environmental impact assessment processes for programs and projects with cross-border environmental impacts have highly effective mechanisms for public participation.

In the case of hydrological planning, periods for public participation take place at various stages of the planning process, from the definition of the program and timetable to the identification of relevant and critical issues to be considered and the project of plans themselves, periods that in the total correspond to more than 12 months.

For programs and projects susceptible to transboundary environmental impacts, mechanisms for public participation are explicitly foreseen in the legislation of both countries framed by procedures established in the Protocol for performance of environmental assessments of plans, programs and projects with transboundary effects adopted at the 2nd Conference of the Parties of the Albufeira Convention.

The CADC's work, framed by the working groups, has a very operational and administrative nature based on day-to-day interactions on matters related to the monitoring of the hydrometeorological situation in the shared basins, verification of the flow regimes in the Convention's control points, in the real-time management of extreme events, exchange of information on water abstraction on international sections. We recognise that further efforts should have been made to make the information about those interactions more widely accessible by bringing together access to the relevant information on the new Convention website. We point out, however, that much of that information is already available, but



dispersed in various websites (<https://snirh.apambiente.pt/>, <https://www.apambiente.pt/agua/convencao-de-albufeira-cooperacao-luso-espanhola>, <http://portal.miteco.gob.es/BoleHWeb/>, <https://participa.pt/>).

Recognizing the absolute need to improve the effectiveness of public participation, in particular NGOs, in cross-border decision-making processes and to reinforce opportunities for this purpose, we are determined to promote the Convention's new website as a central point of access to information residing in various sources and reinforce consultations with interested parties in monitoring activities within the scope of the Albufeira Convention.

Regarding the Committee's request for clarification whether our reply, received on 15 February 2023, can be made publicly available, we confirm it can be made publicly available.

Sincerely,

Nuno Lacasta

President