

**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-fourth meeting
Geneva, 5 June 2023

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

1. The twenty-fourth 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 on 5 June 2023.¹
2. The following members of the Committee attended: Ms. Ildiko Bodgal; Mr. Gian Luca Burci; Mr. Antonio Pedro de Nobre Carmona Rodrigues; Ms. Ingrid Chorus; Ms. Gunel Gurbanova; Mr. Morten Nicholls; Ms. Anna Tsvietkova, Mr. Sergei Vinogradov; and Mr. Jorge Viñuales. 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 elected Mr. Vinogradov as Vice-Chair for the period 2023–2025.
4. The members of the Committee elected for their first term at the sixth session of the Meeting of the Parties to the Protocol (Geneva, 16–18 November 2022) – Ms. Bodgal, Mr. Burci and Ms. Gurbanova, as well as Mr. Carmona Rodrigues, who was elected as a replacement for Ms. Catarina de Albuquerque –²made a solemn declaration that they would perform their functions impartially and conscientiously.

¹ For additional information, a list of participants and meeting documents, see <https://unece.org/info/events/event/373782>.

² See Draft unedited list of decisions adopted by the sixth session of the Meeting of the Parties, para. 11 (e). Available at https://unece.org/sites/default/files/2022-12/MOP6_unedited%20list%20of%20decisions_18Nov22_final.pdf.



III. Adoption of the agenda

5. The Compliance Committee adopted its agenda as set out in document ECE/MP.WH/C.1/2023/1–EUCHP/2219533/3.1/2023/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 sixth session and future work

7. Further to the recommendations contained in its report to the Meeting of the Parties,³ the Committee discussed different follow-up actions as a result of decision VI/1 on general issues of compliance (ECE/MP.WH/24/Add.2–EUCHP/2219533/3.1/2022/MOP-6/06/Add.2, forthcoming) adopted by the Meeting of the Parties at its sixth 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 in two Parties that had not yet communicated their targets and target dates: Albania and Montenegro.

9. With respect to Albania, in the previous triennium, the country had reported that targets set under the Protocol were contained in the draft National Sectoral Strategy on Water and Sanitation for 2019–2030. At its twenty-third meeting (Geneva, 7 June 2022), the Committee had considered that, although the Strategy had not yet been adopted, the level of detail provided on the targets in the Albanian summary report submitted under the Protocol's fifth reporting cycle⁴ was sufficient to have a good overview of the situation.⁵

10. At the current meeting, the Committee noted that the adoption of the Strategy was still pending. Based on communication with the country's focal points, however, the process was expected to be completed shortly. The Committee requested the secretariat to continue to engage with the Albanian national focal points, to encourage prompt adoption of the Strategy, and to request more information concerning the status of implementation of the Protocol's targets contained therein. The Committee would revisit the situation at its next meeting.

11. With regard to Montenegro, targets set under the Protocol were still in draft form. The Committee decided to continue to follow the progress with setting targets closely and requested the secretariat to continue to informally liaise with the national focal points.

B. Review of compliance with reporting requirements under the Protocol

12. The Committee noted with appreciation that all Parties had submitted their national summary reports within the fifth reporting exercise under the Protocol.

13. It also recalled, however, that in the fifth reporting cycle, there had been recurrent and fundamental shortcomings in the area of reporting, including some reports referring to domestic laws and regulations or European Union instruments without specific reference to the Protocol targets, and incomplete information on the targets or within other sections of the reporting template. In that respect, the Committee stressed the importance of reporting in

³ ECE/MP.WH/2022/6–EUCHP/2219533/3.1/2022/MOP-6/12, paras. 105–112.

⁴ See https://unece.org/fifth-reporting-exercise-under-protocol-water-and-health-november-2021-april-2022#accordion_1.

⁵ ECE/MP.WH/C.1/2022/2–EUCHP/2219533/3.1/2022/CC2/06, para. 7.

accordance with the template for summary reports of the Protocol.⁶ Furthermore, the Committee noted that, when targets were set under the applicable European Union instruments, it was still necessary to report on their consistency with the target setting areas of article 6 (2) of the Protocol. Guidance on that issue could be found in the Committee's Interpretive Note "The provisions of the Protocol on Water and Health and their relationship with the European Union law governing water and health", prepared within the framework of the Consultation Process with Estonia, Latvia and Lithuania.⁷

14. The Committee observed that it would be useful to convey the above-mentioned observations to the Task Force on Target Setting and Reporting. In particular, as part of its mandate to facilitate compliance, the Committee would welcome the opportunity to engage in the ongoing process of development of an electronic system for reporting and related guidelines. The Committee requested the secretariat to provide additional information on the procedure and the technical possibilities for providing input to the online reporting system. Based on such information, the Committee could decide on the internal organization of work.

C. Consultations with Parties to facilitate implementation of the Protocol

15. The Committee briefly recalled the outcomes of the Consultation Process undertaken in the past triennium with the Russian Federation.⁸

16. The Committee also recalled that, when analysing the national summary reports submitted under article 7 of the Protocol, it had identified several Parties that could benefit from consultations. The Committee briefly reviewed the situation in such Parties.

17. The Committee noted that, at the sixth session of the Meeting of the Parties to the Protocol, the delegation of Azerbaijan had expressed interest in engaging in a Consultation Process in order to support the revision of its national targets under the Protocol. In that regard, the Committee considered that, while Azerbaijan had already benefited from the Consultation Process in 2015–2016, several years had elapsed since then and the country's needs might have evolved.

18. In the light of the above, the Committee requested the secretariat to send a letter to Azerbaijan in order to confirm the country's interest in engaging in a Consultation Process and to request that the Azerbaijani authorities specify the nature of the country's needs. Based on such information, the Committee would decide on the internal organization of work, in line with previous practice.

D. Awareness-raising on the compliance procedure

19. The Chair briefly recalled awareness-raising efforts undertaken in previous trienniums, including cooperation with other treaty bodies and with the Special Rapporteur on the human rights to safe drinking water and sanitation.

20. Subsequently, the Committee considered future opportunities for awareness-raising on the Protocol and the compliance procedure, including the possibility of organizing and/or contributing to academic events, and also events targeting permanent missions in Geneva. Mr. Vinogradov reported that he would present the Protocol at the XVIII World Water Congress (Beijing, 11–15 September 2023), during a session dedicated to implementation and compliance.

⁶ See

https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Funece.org%2Fsites%2Fdefault%2Ffiles%2F2021-12%2FTemplate_5th_reporting_cycle_ENG.docx&wdOrigin=BROWSELINK.

⁷ 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.

⁸ For more information, see <https://unece.org/ecempwhcccons7-russian-federation>.

21. Discussions also highlighted the need to better promote the public health dimension of the Protocol, which could be done, inter alia, by exploring cooperation with the Special Rapporteur on the right to health.

22. The Committee further expressed interest in resuming the exchange of experience with the chairs of committees of other multilateral environmental agreements hosted by ECE.

23. It was decided that Committee members would continue to explore opportunities for awareness-raising, in cooperation with the secretariat, and that they would promote the Protocol on all relevant occasions, including at international conferences and academic lectures given at the international and/or national level.

E. Facilitating compliance with the obligations under the Protocol

24. The Chair recalled that, in the past trienniums, the Committee had developed two interpretive notes, under its mandate to “facilitate, promote and aim to secure compliance with the obligations under the Protocol, with a view to preventing disputes, by providing advice or assistance to Parties”.⁹

25. In the 2020–2022 triennium, the Committee had initiated the development of an interpretive note on the Protocol and the protection of individual and public health. The drafting period, however, had been postponed to the 2023–2025 triennium, due to resource limitations.¹⁰

26. At the current meeting, the Committee discussed the focus and scope of the note and decided that it would be concise and would focus on the key provisions of the Protocol relating to public health. For the drafting of the document, the Committee decided to establish a working group, which would be chaired by Mr. Burci, given his expertise and long-standing experience in the field of international health law.

27. The Committee considered that the interpretive notes produced so far had been useful in facilitating compliance by Parties and answering questions relating to the Protocol’s legal provisions posed by countries considering accession. The note on public health should also be developed and used for that purpose. The Committee could contemplate, as part of its future work, further contributing to the clarification of the Protocol’s provisions.

VI. Programme of work and calendar of future meetings

28. The Committee tentatively agreed to hold its twenty-fifth meeting on 5–6 March 2024, in Geneva. The Committee would then discuss and agree on the date for its twenty-sixth meeting, depending on its needs.

VII. Adoption of the report

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

⁹ See ECE/MP.WH/2/Add.3–EUR/06/5069385/1/Add.3, decision I/2 on review of compliance, annex, para. 1 (a)–(b).

¹⁰ See ECE/MP.WH/C.1/2022/2–EUCHP/2219533/3.1/2022/CC2/06, para. 18.