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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

Seventeenth meeting

Campione d'Italia, Italy, 7 and 8 March 2024

Report of the Implementation Committee on its seventeenth meeting

I. Attendance and organizational matters

1. The seventeenth meeting of the Implementation Committee under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was held in Campione d'Italia, Italy, on 7 and 8 March 2024 in a hybrid mode.
2. The following members of the Implementation Committee took part in the meeting: Mr. Kari Kinnunen; Mr. Makane Moïse Mbengue; Mr. Stephen McCaffrey; Mr. Martins Paporinskis; Mr. Pedro Cunha Serra; Mr. Attila Tanzi (Chair); Mr. Ivan Zavadsky; and Ms. Dinara Ziganshina (Vice-Chair).
3. The Implementation Committee adopted its agenda as set out in document ECE/MP.WAT/IC/2024/1, having agreed on an adjusted time frame.¹
4. The Chair recalled that the Committee had approved the report of its sixteenth meeting (ECE/MP.WAT/IC/2023/2) through electronic means on 15 February 2024.

II. Requests for advice, submissions and Committee initiatives

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

5. The Committee decided to hold the discussions under the item in a closed session.
6. The Chair recalled that, at its sixteenth meeting (Geneva, 11–12 December 2023), the Committee had discussed the outcomes of the second meeting of the joint Albania-Montenegro technical working group (Shkodër, Albania, 25 April 2023), which two members of the Committee had attended. The Committee had also held separate consultation sessions with Montenegro and Albania and a joint consultation session with the participation of the two countries, during which the Water Convention focal points from Montenegro and

¹ Documents for the meeting are available on a dedicated web page of the Convention's website (<https://unece.org/info/events/event/386835>).



Albania had briefed the Committee on progress made in the implementation of its legal and technical advice (ECE/MP.WAT/IC/2021/1, annex). In a joint session with the two countries, the Committee had encouraged them to meet to discuss the draft protocol on exchange of information, developed by Albania, as soon as possible and to inform the Committee of the outcomes by the end of February 2024.²

7. On 7 March 2024, during a separate bilateral consultation session with the Committee, the delegation of Montenegro briefed the Committee on progress made since the sixteenth meeting of the Committee. Montenegro reported that, at the end of December 2023, it had sent to Albania its comments on the preliminary draft of a protocol for cooperation on the exchange of hydrological and meteorological data and information in the Cijevna/Cem River basin, prepared by Albania. In its comments, Montenegro had included proposed parameters to be exchanged, and had named the relevant monitoring stations on the Montenegrin side. Montenegro had expressed its readiness to schedule a meeting with Albania to discuss the draft of the protocol as soon as it had received feedback from Albania. During consultations with Montenegro, the Committee members asked several questions on the competence of institutions involved in groundwater monitoring on the Montenegrin side and inquired about the opportunity to enlarge the list of parameters for groundwater flow monitoring in the annex to the draft protocol. Montenegro stressed that it would be important for the Committee to be closely involved in the implementation of activities on enhancing groundwater monitoring capacities in the Cijevna/Cem River basin to be implemented as part of the United Nations Economic Commission for Europe (ECE) project “Cross-sectoral cooperation in transboundary basins in the Western Balkans”, funded by the Italian Ministry of the Environment and Energy Security.

8. On 7 March 2024, during a separate bilateral consultation session with the Committee, the delegation of Albania recalled that, in January 2024, it had shared with the Committee the environmental impact assessment reports and technical documentation for three planned small hydropower plants (Tamara, Koznja-1 and Koznja-2), which had previously been shared with and commented on by Montenegro. Albania explained it had not been possible to organize a meeting with Montenegro to discuss the draft of the protocol due to the workload on the Albanian side related to the process of adoption of new water legislation and other commitments connected with the European Union accession process. Albania emphasized the importance of carefully selecting the technical parameters to be included in the protocol. It highlighted that, whilst that exercise would need to be realistic, avoiding an overambitious approach, it should be apt for clarifying the issue of impacts of small hydropower plants. During consultations with Albania, the Committee members also discussed opportunities to enhance groundwater monitoring and modelling in the Cijevna/Cem River basin. Albania reported on an ongoing project on surface water monitoring funded by the Austrian Development Agency, and shared its expectations with regard to enhancing the knowledge base on groundwater in the Cijevna/Cem River basin with the help of the ECE project funded by the Italian Ministry of the Environment and Energy Security. Albania confirmed that no construction work related to the three planned small hydropower plants (Tamara, Koznja-1 and Koznja-2) had commenced and that the relevant permits had not been issued.

9. On 8 March 2024, in a joint session with the two countries, the Committee acknowledged with satisfaction that Albania and Montenegro were moving forward with implementation of its legal and technical advice to date. In particular, the Committee expressed appreciation for the fact that, since the sixteenth meeting of the Committee, Montenegro had provided its comments on the draft protocol on exchange of information to Albania and that Albania had shared the environmental impact assessment documentation for three small hydropower plants with the Committee.

10. The Committee urged the two countries to meet and discuss the draft protocol and the annex with parameters as soon as possible, but no later than 30 April 2024, and to establish a clear timeline for the process to agree on the text of the protocol and its annexes.

² ECE/MP.WAT/IC/2023/2, paras. 5–14.

11. Taking note of the two countries' expression of willingness for the Committee to continue exercising its facilitative role in the process going forward, the Committee expressed its readiness to take part, through one or two members, in the meeting of the Joint Technical Working Group that would discuss the draft protocol, in order to facilitate the discussion, including on the parameters to be set out in the annex. The Committee was of the opinion that such parameters should be capable of being monitored. It also stressed that, in order to avoid delaying the exchange of available information, the drafting of the protocol and its annex should not be made dependent on the progress with or completion of monitoring-related projects.

12. Furthermore, during the joint session with the two countries on 8 March 2024, the Committee highlighted the close link between the obligation to hold consultations, under article 10 of the Water Convention, and the obligation under general international law to prepare an environmental impact assessment in relation to planned measures susceptible to cause a significant transboundary impact. As emphasized by the Committee, if and when an indication of a potentially significant transboundary impact emerged from the environmental impact assessment study, it was essential for the potential origin State to notify its co-riparian(s) with its environmental impact assessment in a timely manner and, subsequently, to conduct consultations in order to clarify any concerns and achieve the goals of the Convention pertaining to sustainable management of shared water resources. The Committee expressed its hope that the above clarification would be useful to Albania and Montenegro in their mutual relations regarding planned developments.

III. Information-gathering

Information-gathering WAT/IC/INFO/2 (Albufeira Convention)

13. The Committee decided to hold the discussions under the item in a closed session.

14. As per the decision of the Committee taken at its fifteenth meeting (Geneva, 16–17 February 2023),³ Mr. Cunha Serra, a member of the Committee, did not attend the meeting during the discussions on the item.

15. The Chair recalled that, at its sixteenth meeting, the Committee had decided to continue information-gathering on the matter and to invite Portugal, Spain and the non-governmental organizations (NGOs) cooperating in the project “Reconnecting Iberian Rivers” to exchange views with the Committee during its seventeenth meeting. Accordingly, on 25 January 2024, the Chair had written to Portugal, Spain and the group of NGOs to invite them to take part in separate sessions in order to exchange views with the Committee.⁴

16. The following organizations participated in the exchange of views session with NGOs (videoconference, 7 March 2024): Grupo de Estudos de Ordenamento do Território e Ambiente, Associação Natureza Portugal-World Wildlife Fund for Nature, Centro de Estudos de Direito do Ordenamento, do Urbanismo e do Ambiente, Wetlands International-European Association and World Wildlife Fund for Nature Spain. The discussion focused on the issues raised by the NGOs in their submission of information to the Committee and enabled the Committee to clarify the information provided. Subsequently, on 12 April 2024, the NGOs provided additional information in writing to the Committee to complement their responses.

17. During the exchange of views session with the delegation of Portugal (videoconference, 8 March 2024), the discussion focused on the institutional framework for cooperation under the Albufeira Convention, the areas of cooperation, the impacts of climate change, communication activities and the role of stakeholders.

³ ECE/MP.WAT/IC/2022/4, para. 16.

⁴ All correspondence related to information-gathering WAT/IC/INFO/2 (Albufeira Convention) is available at <https://unece.org/information-gathering-waticinfo2-albufeira-convention>.

18. During the exchange of views session with the delegation of Spain,⁵ the discussion focused on the recent steps in bilateral cooperation taken by Portugal and Spain, opportunities for stakeholder participation and the modalities for the establishment of the joint technical secretariat.

IV. Contribution of the Implementation Committee to different activities under the Convention

19. The secretariat recalled that the draft of the third progress report on implementation of the Convention, to be prepared by the secretariat on the basis of national reports submitted by Parties to the Convention in the third reporting exercise on indicator 6.5.2 of the Sustainable Development Goals and under the Convention, was expected to be ready for review by the Committee in late June 2024 and that it could provide an important source of information for the Committee.

20. The Committee discussed contributions by members of the Committee to various activities organized under the Convention's programme of work for 2022–2024. Mr. Cunha Serra and Ms. Ziganshina reported on their planned participation in the Workshop on Transboundary Water Allocation, Water-Energy-Food-Ecosystems Nexus and Development of Agreements and other Arrangements: Supporting exchanges of lessons learned, good practices and practical tools (Livingstone, Zambia, 15–16 April 2024), followed by a training session to support the development of agreements for officials from Zambia and the Democratic Republic of the Congo (Livingstone, Zambia, 17 April 2024).

21. Mr. Mbengue reported that the draft agreement on the Senegal-Mauritanian Aquifer basin, developed by him with support from the secretariat, would be presented at the meeting of the Regional Working Group for Transboundary Cooperation in the Senegal-Mauritanian Aquifer basin (online, 27–28 March 2024). The Committee pointed out that the Model Provisions on Transboundary Groundwaters, adopted by the Meeting of the Parties at its sixth session (Rome, 28–30 November 2012)⁶ could be a useful tool to support the development of the draft agreement.

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

22. The secretariat informed the Committee about the outcomes of the online survey on future work of the Convention, conducted in late 2023 as part of the process to develop the new programme of work under the Convention for the period 2025–2027. Regarding the activities of the Implementation Committee, the outcomes of the survey had demonstrated a clear need to improve the understanding of the role, mandate and functions of the Committee among Governments and other stakeholders. Furthermore, it was noted that the survey respondents had suggested that the Committee could play a stronger role in supporting the development of transboundary water agreements or arrangements in basins that lacked effective legal frameworks for transboundary cooperation.

23. The Committee discussed ways to increase awareness of the mechanism to facilitate and support implementation and compliance. There was also a discussion on how the Committee could be of greater help in facilitating transboundary water cooperation and supporting implementation of the Convention, especially for the purposes of responding to the needs of recently acceding Parties and of countries in the process of accession.

24. The Committee discussed the possibility of undertaking a stocktaking exercise to reflect on the outcomes of the Committee's work since its establishment in 2012. It also felt that it could be useful to discuss the Committee's mandate set out in decision VI/1

⁵ For administrative reasons, the exchange of views session with Spain took place at a later date, namely on 20 May 2024, through videoconference.

⁶ ECE/MP.WAT/37/Add.2, decision VI/2.

(ECE/MP.WAT/37/Add.2) in the light of the global opening of the Water Convention and the needs of recent and soon-to-be Parties thereto.

25. The Committee decided to prepare a brochure as an awareness-raising tool to describe its mandate and functions and disseminate information on the outcomes of its work. The Committee also expressed its readiness to organize a side event during the tenth session of the Meeting of the Parties to the Water Convention (Ljubljana, 23–25 October 2024) in order to promote the mechanism to support implementation and compliance, especially among recent Parties.

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

26. Due to time constraints, the Committee decided to postpone the discussion on the draft of the Committee's report to be submitted to the Meeting of the Parties at its tenth session, and to convene an online meeting with a view to discussing and finalizing the report, together with a draft decision on general issues of implementation.

VII. Presentation of the main decisions made, modalities for preparation of the meeting report and closing of the session

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

28. The Committee expressed its gratitude to the municipality of Campione d'Italia, Italy, and the Government of Italy for hosting the meeting.
