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Item 6 (d) of the provisional agenda

**Increasing awareness of and accession to the Convention and application
of its principles drawing on the benefits of cooperation:
Implementation Committee**

Report of the Implementation Committee to the Meeting of the Parties and draft decision on general issues of implementation

Summary

At its sixth session (Rome, 28–30 November 2012), the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes established the Implementation Committee. The Committee is required to report on its activities at each ordinary session of the Meeting of the Parties and to make such recommendations as it considers appropriate.

The present report provides an overview of the activities of the Implementation Committee since the ninth session of the Meeting of the Parties (Geneva (hybrid), 29 September–1 October 2021). Annexed to the report is a draft decision on general issues of implementation, prepared by the Committee for possible adoption by the Meeting of the Parties at its tenth session.

The Meeting of the Parties may wish to take note of the report of the Committee, discuss its conclusions and adopt the draft decision on general issues of implementation.



I. Introduction

1. At its sixth session (Rome, 28–30 November 2012), the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) established the Implementation Committee with the aim of facilitating, promoting and safeguarding the implementation and application of and compliance with the Water Convention.¹

2. As required by decision VI/1 on support to implementation and compliance,² this report presents the Committee's activities in the period following the ninth session of the Meeting of the Parties (Geneva, 29 September–1 October 2021) and makes such recommendations as the Committee considers appropriate. Annexed to the report is a draft decision on general issues of implementation, which has been prepared by the Committee for consideration and possible adoption by the Meeting of the Parties at its tenth session.

A. Membership of the Committee

3. The Committee consists of nine members, who serve in their personal capacity and objectively, in the best interests of the Convention. A full term of office of a Committee member commences at the end of an ordinary session of the Meeting of the Parties and runs until its second ordinary session thereafter.³

4. The following nine Committee members served throughout the intersessional period 2022–2024: Mr. Kari Kinnunen (nominated by Finland), Mr. Stephen McCaffrey (nominated by Switzerland) and Mr. Ivan Zavadsky (nominated by Slovakia), all three of whom were re-elected for a full term by the Meeting of the Parties at its eighth session (Astana, 10–12 October 2018); Mr. Martins Paporins (nominated by Latvia) and Mr. Pedro Cunha Serra (nominated by Portugal), both of whom were elected for a full term by the Meeting of the Parties at its eighth session;⁴ Ms. Dinara Ziganshina (nominated by Uzbekistan), re-elected for a full term by the Meeting of the Parties at its ninth session (Geneva, 29 September–1 October 2021); Mr. Attila Tanzi (nominated by Italy), re-elected for half a term by the Meeting of the Parties at its ninth session; Mr. Makane Moïse Mbengue (nominated by Senegal) and Ms. Jovanka Ignjatovic (nominated by Serbia), both of whom were elected for a full term by the Meeting of the Parties at its ninth session.⁵

5. At their fourteenth meeting (Geneva, 24–25 February 2022), the members of the Committee unanimously elected Mr. Tanzi as Chair and Ms. Ziganshina as Vice-Chair for the period 2022–2024.⁶

B. Meetings of the Committee

6. The Committee met on several occasions during the intersessional period: fourteenth meeting (videoconference, 24–25 February 2022);⁷ preparatory meeting to the fifteenth meeting (videoconference, 10 January 2023);⁸ fifteenth meeting (Geneva (hybrid), 16–17 February 2023);⁹ sixteenth meeting (Geneva (hybrid), 1–12 December 2023);¹⁰ seventeenth meeting (Campione d'Italia, Italy (hybrid), 7–8 March 2024, and videoconference, 20 May 2024);¹¹ follow-up meeting to the seventeenth meeting (videoconference, 19 July 2024).

¹ See ECE/MP.WAT/37/Add.2, decision VI/1, para. 1.

² *Ibid.*, annex I, para. 44.

³ *Ibid.*, annex I, para. 7.

⁴ See ECE/MP.WAT/54, para. 57.

⁵ See ECE/MP.WAT/63, para. 39.

⁶ See ECE/MP.WAT/IC/2022/2, para. 3.

⁷ *Ibid.*

⁸ See ECE/MP.WAT/IC/2022/4, para. 10.

⁹ See ECE/MP.WAT/IC/2022/4.

¹⁰ See ECE/MP.WAT/IC/2023/2.

¹¹ See ECE/MP.WAT/IC/2024/2.

7. At the end of each meeting, except for the preparatory and follow-up meetings, the Committee entrusted the secretariat with the task of preparing and circulating the draft meeting report. The Committee subsequently discussed and approved each meeting report through electronic communication means.

C. Work of the Committee

8. According to decision VI/1, the Implementation Committee is entrusted with the following functions:

- (a) Considering any request for advice relating to specific issues concerning difficulties in implementation or application (advisory procedure);
- (b) Considering any submission relating to specific issues concerning difficulties in implementation and compliance (submissions by Parties);
- (c) Considering undertaking a Committee initiative;
- (d) Examining, at the request of the Meeting of the Parties, specific issues of implementation of and compliance with the Convention;
- (e) Taking measures, including recommendations, as appropriate;
- (f) Carrying out any other functions that may be assigned to it by the Meeting of the Parties, including examination of general issues of implementation and compliance that may be of interest to all Parties, and reporting to the Meeting of the Parties accordingly.¹²

9. The Meeting of the Parties, in the Strategy for the implementation of the Convention at the global level, entrusted the Committee with the task of supporting the secretariat in answering questions from non-Parties interested in acceding to the Convention.¹³

10. Furthermore, according to the programme of work for 2022–2024, the Implementation Committee was also asked to contribute to activities related to promotion of accession to the Convention and interpretation of its provisions.¹⁴

11. During the intersessional period, the Committee followed up on advisory procedure WAT/IC/AP/1 (Montenegro and Albania) (see paras. 13–29), initiated in the previous intersessional period. The Committee also received information from organizations cooperating in the project “Reconnecting Iberian Rivers” related to the Albufeira Convention that it decided to consider within its information gathering and consultation functions (see paras. 30–42). No Parties made any submissions. Neither were there any requests from the Meeting of the Parties for the Committee to examine specific issues of implementation or compliance.

12. The work of the Committee during the intersessional period therefore included the following topics:

- (a) Advisory procedure WAT/IC/AP/1 (Montenegro and Albania);
- (b) Information gathering WAT/IC/INFO/2 (Albufeira Convention);
- (c) Helping the secretariat to answer specific questions on the Convention posed by countries considering accession;
- (d) Contributing to activities related to promotion of accession to the Convention and interpretation of its provisions;
- (e) Raising awareness of the mechanism to support implementation and compliance;
- (f) Exchanges of views on the outcomes of the third reporting exercise under the Convention.

¹² See ECE/MP.WAT/37/Add.2, decision VI/1, annex I, para. 15.

¹³ See ECE/MP.WAT/54/Add.2, para. 33.

¹⁴ See ECE/MP.WAT/63/Add.1, sect. 1.4.

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

Key steps and outcomes

13. Advisory procedure WAT/IC/AP/1 (Montenegro and Albania) was initiated by the Committee in late 2019 in response to the concerns of Montenegro about the possible transboundary impact of the planned construction of additional small hydropower plants on the Cijevna/Cem River in Albania. Albania consented to participate in the advisory procedure. Following information gathering and a series of consultation sessions with the two countries, in February 2021, the Committee provided the two countries with its legal and technical advice, which was accepted by the two countries.¹⁵ In particular, the countries accepted: to establish a joint technical working group on “Monitoring and assessment”; to define the mandate of the joint technical working group based on pressures in the Cijevna/Cem River basin and ensure its regular meetings; to develop and implement an information-exchange protocol; and to use the meetings of the bilateral commission to exchange information, including on existing and planned uses of water and related installations.

14. In the period 2022–2024, the Committee followed up with Montenegro and Albania on implementation of its legal and technical advice. It held both separate and joint consultations with the two countries during its fourteenth to seventeenth meetings to discuss progress made and advise on the next steps.¹⁶

15. Furthermore, two members of the Committee, Mr. Cunha Serra and Mr. Zavadsky, attended, on behalf of the Committee and upon invitation from Montenegro and Albania, the second meeting of the joint technical working group (Shkodër, Albania, 25 April 2023), set up by the two countries in response to the Committee’s advice. Mr. Cunha Serra and Mr. Zavadsky provided practical advice during said meeting. They also visited the Murras and Dobrinje small hydropower plants, built a few years ago on the Albanian stretch of the Cijevna/Cem River.

16. The Committee also supported the work of the two countries on the development of an information-exchange protocol. Following the discussions with the countries during its fifteenth meeting, the Committee shared with the two countries examples of existing agreements and protocols and good practices in the field of the exchange of data and information.¹⁷

17. In the period 2022–2024, Montenegro and Albania made the following progress in the implementation of the Committee’s advice:

- (a) They established the joint technical working group, devoted to monitoring and assessment issues, and held several meetings of that working group;
- (b) They exchanged information (environmental impact assessment documentation shared by Albania with Montenegro and commented upon by Montenegro);
- (c) They prepared a draft information exchange protocol.

18. Following the information provided by the Implementation Committee, the Working Group on Integrated Water Resources Management under the Water Convention, at its eighteenth meeting (Geneva, 19–21 June 2023), invited Parties and relevant organizations to provide financial assistance to Albania and Montenegro, as needed, in order to mobilize additional monitoring and modelling capacities. In December 2023, the Italian Ministry of the Environment and Energy Security provided resources to assist Montenegro and Albania in implementing the advice provided by the Implementation Committee as part of a larger United Nations Economic Commission for Europe (ECE) project “Cross-sectoral

¹⁵ See ECE/MP.WAT/IC/2021/1, annex.

¹⁶ See, respectively, ECE/MP.WAT/IC/2022/2, paras. 6–9; ECE/MP.WAT/IC/2022/4, paras. 5–8; ECE/MP.WAT/IC/2023/2, paras. 5–14; and ECE/MP.WAT/IC/2024/2, paras. 5–12.

¹⁷ ECE/MP.WAT/IC/2022/4, para. 8.

cooperation in transboundary basins in the Western Balkans”, to be implemented in the period 2024–2026. The project will support several interventions to enhance groundwater monitoring and the knowledge base in the Cijevna/Cem River basin, while bearing in mind the close relationship between surface waters and groundwaters.

19. Throughout the advisory procedure, the Committee was informed, through the secretariat, of developments related to a submission by Montenegro with regard to the same small hydropower plants¹⁸ to the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment.

Lessons learned

20. Continuous follow-up by the Committee with the countries concerned on implementation of its legal and technical advice has been helpful in supporting these countries in their ongoing cooperation and in advising them on the way forward.

21. The Committee appreciated the good faith cooperative attitude displayed by both Montenegro and Albania throughout the advisory procedure, which proved to be key to success. Both countries openly discussed the difficulties they faced and actively participated in the search for solutions.

22. The advisory procedure helped in enhancing dialogue and better understanding between the countries concerned, resulting in increased cooperation throughout the process.

23. The first field mission of two members of the Committee proved to be a useful tool, as it demonstrated the Committee’s ability to respond to countries’ needs in a flexible, concrete and timely manner.

24. The advisory procedure has also demonstrated capabilities of the Committee to facilitate technical and financial assistance to the countries concerned in order to enhance their technical knowledge (in this case, to improve monitoring capacity).

25. Overall, the advisory procedure has clearly shown itself to be an innovative, non-judicial and solution-oriented mechanism to address differences between Parties to the Convention and difficulties in implementation thereof.

26. Throughout the advisory procedure, the Committee took a pragmatic and realistic approach, by taking into account the state of cooperation and capacities of the countries involved. A consequent step-by-step approach, with gradual progress towards more advanced cooperation, proved to be particularly useful.

27. The advisory procedure and its follow-up have highlighted the important interaction between legal aspects and scientific/technical aspects in activities to support implementation of the Convention. In this regard, the balanced composition of the Committee, with both legal and technical experts involved, has been crucial to the success of the advisory procedure.

28. The Committee’s involvement through the advisory procedure in question has proved valuable in the context of the multilayer legal and institutional framework in place for the countries concerned. In particular, it has been instrumental in moving forward the implementation of the bilateral intergovernmental Framework Agreement on Mutual Relations in the Field of Management of Transboundary Waters (2018).

29. The advisory procedure in question also demonstrated the importance of enhancing synergies and communication between the mechanism to support implementation and compliance under the Water Convention and the procedures to facilitate and support implementation and compliance under other agreements, in this particular case, under the Espoo Convention.

¹⁸ See <https://unece.org/environment-policy/environmental-assessment/eiaics7-albania>.

III. Information gathering WAT/IC/INFO/2 (Albufeira Convention)

Key steps and outcomes

30. On 12 December 2022, the Implementation Committee received a letter from a group of Spanish and Portuguese non-governmental organizations (NGOs) cooperating in the project “Reconnecting Iberian Rivers”. The letter referred to the implementation of the Agreement between Spain and Portugal on cooperation for the protection and sustainable use of the waters of the Spanish-Portuguese hydrographic basins (Albufeira Convention).¹⁹

31. At its preparatory meeting to the fifteenth meeting, the Committee decided to write to the concerned Parties to the Water Convention, Portugal and Spain, enclosing said letter, asking for their views on the matter and for any further information that they would consider appropriate. At the same preparatory meeting, the Committee also requested the Chair to inform the organizations cooperating in the project “Reconnecting Iberian Rivers” about the Committee’s decision to contact Portugal and Spain asking for their views on the issues raised in the letter from the organizations. On 13 January 2023, the Chair sent letters to Portugal and Spain and informed the organizations cooperating in the project “Reconnecting Iberian Rivers” of the Committee’s decision to share their letter with Portugal and Spain. The Committee received replies from Spain, on 13 February 2023, and from Portugal, on 15 February 2023.

32. At its fifteenth meeting, the Committee discussed the letter from the organizations cooperating in the project “Reconnecting Iberian Rivers” received on 12 December 2022, along with the responses provided by Portugal and Spain in February 2023. The Committee decided to consider the matter within its information gathering and consultation functions,²⁰ without prejudice to the possibility for it to address the issue under a different procedure, with special regard to any further decision to undertake a Committee initiative.²¹

33. Upon request by the Committee, the Chair then wrote to Portugal and Spain on 14 March 2023 requesting additional information with special regard to six questions formulated by the Committee. The Chair also wrote, on 18 April 2023, to the organizations cooperating in the project “Reconnecting Iberian Rivers” to inform them about the Committee’s decision to continue to gather information on the matter.

34. The Committee received replies from Portugal, on 23 June 2023, and Spain, on 19 July 2023, and subsequently invited the organizations cooperating in the project “Reconnecting Iberian Rivers” to provide written comments, if any, on the information provided by Portugal and Spain. On 9 November 2023, the Committee received a response from the group of NGOs.

35. Having discussed the information provided by the countries and the group of NGOs at its sixteenth meeting,²² the Committee decided to invite Portugal, Spain and the group of NGOs to exchange views with the Committee at its next meeting, each party having its own dedicated time slot. Accordingly, on 25 January 2024, the Chair wrote 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.

36. The Committee held three separate exchange of views sessions by videoconference: with the group of NGOs (7 March 2024), the delegation of Portugal (8 March 2024) and the delegation of Spain (20 May 2024).²³

37. Having discussed the information received in writing and additional information and clarifications obtained during the exchange of views sessions, the Committee deemed to have

¹⁹ All correspondence related to information-gathering WAT/IC/INFO/2 (Albufeira Convention) is available at <https://unece.org/information-gathering-waticinfo2-albufeira-convention>.

²⁰ ECE/MP.WAT/37/Add.2, decision VI/1, annex I, sect. VIII.

²¹ Ibid., decision VI/1, annex I, sect. VII.

²² ECE/MP.WAT/IC/2023/2, paras. 15–19.

²³ ECE/MP.WAT/IC/2024/2, paras. 16–18.

completed the information gathering concerning the matter and formulated its conclusions. The Chair of the Committee communicated the Committee's conclusions to Portugal and Spain on 25 June 2024. The Chair also informed the group of NGOs of the above steps and the conclusions of the Committee on 22 July 2024.

38. Following a decision of the Committee, taken at its fifteenth meeting,²⁴ Committee member Mr. Cunha Serra did not attend discussions related to information gathering WAT/IC/INFO/2 during subsequent meetings of the Committee and has not taken part in decision-making under this information gathering process.

Lessons learned

39. The Committee appreciated receiving the information from the group of NGOs and their effective and constructive cooperation throughout the information gathering process. The Committee firmly believes that receiving information from non-State actors can assist the Committee in its mission to facilitate implementation and application of, as well as compliance with, the Water Convention.

40. The Committee also appreciated the good faith cooperation from both Portugal and Spain throughout the information gathering process. Both countries promptly responded to the Committee's requests for information, participated in the exchange of views sessions with the Committee in an effective manner, and openly discussed possible ways to improve cooperation.

41. The information gathering procedure in question demonstrated that, even in cases of well-developed cooperation, underpinned by strong technical work and firm commitment to cooperate, there can be room for strengthening existing cooperation and coordination mechanisms, thus improving certain aspects of cooperation.

42. The information gathering procedure in question has also highlighted the importance of access to information and public participation in transboundary water cooperation. Clear and transparent mechanisms for participation of stakeholders in transboundary cooperation can contribute to accountability, help stakeholders to better understand the transboundary cooperation challenges, and allow them to be meaningfully engaged in transboundary cooperation.

IV. Provision of assistance to the secretariat to answer specific questions on the Convention posed by countries considering accession

43. In February 2022, the secretariat approached the Committee with a request for support in answering questions received from several Latin American countries concerning the relationship between adjudication in the International Court of Justice and the possible implications of being a Party to the Convention. At its fourteenth meeting, the Committee provided its replies. The replies of the Committee can be found in the report of its fourteenth meeting (ECE/MP.WAT/IC/2022/2, annex). They have been translated into Spanish²⁵ and disseminated among the interested countries of the region.

²⁴ ECE/MP.WAT/IC/2022/4, para. 16.

²⁵ See <https://unece.org/environment/documents/2022/08/working-documents/annex-replies-implementation-committee-questions> (Spanish only).

V. Contribution to activities related to promotion of accession to the Convention and interpretation of its provisions

Contribution to activities on accession

44. Committee members contributed to various events organized under the Convention's programme of work for 2022–2024:

(a) Mr. Mbengue provided input to the Regional workshop on accession to and implementation of the Conventions on shared surface waters and groundwaters (Ouagadougou, 3–5 May 2023);

(b) Ms. Ziganshina and Mr. Zavadsky contributed to the Training workshop "From practitioner to practitioner: How to use the two global Water Conventions to promote cooperation on the ground" (Geneva, 3–4 July 2023);

(c) Mr. Zavadsky and Mr. Mbengue contributed to the Global workshop on the development of transboundary water cooperation agreements or other arrangements (Budapest, 7–8 November 2023);

(d) Mr. Cunha Serra and Ms. Ziganshina contributed to 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).

Piloting the provision of legal and technical support

45. At the Committee's fifteenth meeting, the secretariat presented to the Committee an overview of requests received by the secretariat from Parties and non-Parties to support cooperation in specific basins and regions. The Committee discussed possible ways to assist the secretariat in that work, with special regard to the ways for triggering such assistance from the Committee. The Committee emphasized the importance of such assistance being welcomed by the countries concerned. The Committee decided to pilot the provision of its legal and technical support in a transboundary basin or aquifer, as a way to clarify the procedural and legal implications of its potential involvement in such assistance in the future.²⁶

46. On 5 October 2023, the extraordinary session of the Regional Working Group for Transboundary Cooperation in the Senegal-Mauritanian Aquifer basin welcomed the proposal of the Convention secretariat to provide support in developing a cooperation agreement with the assistance of the Implementation Committee. Since October 2023, the Committee, through one of its members (Mr. Mbengue), has provided legal and technical support in the case of the Senegal-Mauritanian Aquifer basin. Mr. Mbengue has supported the development of a draft transboundary agreement on the Senegal-Mauritanian Aquifer basin and participated in the meetings of the Regional Working Group.²⁷ A revised version of the draft agreement was discussed at a recent Regional Working Group meeting (Saly, Senegal (hybrid), 20–21 June 2024).

VI. Raising awareness of the mechanism to support implementation and compliance

47. In September 2022, following a decision taken by the Committee at its fourteenth meeting,²⁸ a letter was sent on behalf of the Committee to NGOs informing them of the

²⁶ ECE/MP.WAT/IC/2022/4, para. 19.

²⁷ ECE/MP.WAT/IC/2023/2, paras. 22–23; and ECE/MP.WAT/IC/2024/2, para. 21.

²⁸ ECE/MP.WAT/IC/2022/2, para. 18.

Committee's role and functions, and suggesting that they provide relevant information to the Committee within the framework of its information gathering function.

48. In September 2023, upon request of the Committee,²⁹ the secretariat updated the Committee web page to clarify opportunities for various actors to submit information to the Committee.

49. At its fourteenth meeting, the Implementation Committee exchanged views with representatives of the World Bank on specific matters of implementation of international water law in relation to financing transboundary water projects. Possible future collaboration to facilitate and support implementation of and compliance with the Convention in connection with World Bank activities was discussed, taking into account the power of the Committee to take measures to facilitate technical and financial assistance, including information and technology transfer, and the increased interest in the Convention worldwide following its opening for participation by all States Members of the United Nations.³⁰

50. Committee members promoted the mechanism to support implementation and compliance at various events. For example, Ms. Ziganshina and Mr. Mbengue participated in a panel discussion on "Climate, Conflict and Cooperation" as part of the Briefing of the General Assembly on Science-based Evidence in support of Sustainable Solutions (New York, 7 February 2023) and were interviewed by United Nations News, where they promoted the Convention and the Committee.

VII. Exchanges of views on the outcomes of the third reporting exercise under the Convention

51. At its fourteenth meeting, the Committee discussed its possible involvement in the third reporting exercise under the Convention in 2023–2024. The Committee requested that the main analysis of the reports of the Parties in the third reporting round be carried out by the secretariat, while the Committee could review the draft of the Convention implementation report, as it had done in the second cycle. The Committee also expressed its readiness to advise if any specific concerns or issues were brought to its attention by the secretariat in connection with the third reporting exercise.³¹

52. At its follow-up meeting to its seventeenth meeting, the Committee discussed the outcomes of the third reporting exercise based on the draft of *Progress on Transboundary Water Cooperation under the Water Convention: Third Report on Implementation of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (2020–2023)* (ECE/MP.WAT/77) – the synthesis report, prepared by the secretariat based on the information contained in the national reports of the Parties.

53. The Committee expressed appreciation for the fact that all Parties had submitted their reports in the third reporting cycle. It welcomed the new Parties who had acceded to the Convention in the reporting period, and the fact that all recent Parties had submitted reports. It appreciated the effort made in the draft synthesis report to highlight the needs of and insights from the practice of recent Parties.

54. The Committee welcomed the conclusion of at least 14 new transboundary agreements or arrangements with participation of Parties in the reporting period. Having discussed information provided on transboundary basins where the conclusion of agreements and arrangements and/or establishment of joint bodies is needed, the Committee discussed the challenges faced by the Parties in concluding agreements or arrangements with non-Parties. In this regard, the Committee emphasized the importance for the Meeting of the Parties to invite non-Parties to consider concluding agreements with Parties in shared basins not covered by cooperation arrangements. It also underscored the need to involve non-Parties in activities under the Convention, including activities on supporting the development of

²⁹ ECE/MP.WAT/IC/2022/4, para. 20.

³⁰ ECE/MP.WAT/IC/2022/2, paras. 10–12.

³¹ Ibid. para. 15.

agreements and the establishment of joint bodies (programme area 1.3 in the programme of work), as appropriate.

55. Among other common challenges faced by many Parties, the Committee discussed difficulties in cooperation on identification, delineation, characterization and joint management of transboundary aquifers. Where such difficulties are present, the Committee highlighted the need to foster cooperation on information on transboundary groundwater and put in place frameworks that would enable scientists to exchange information. The Committee also highlighted the benefits of integrated management of transboundary groundwaters and surface waters.

56. The Committee expressed concerns over the fact that the timeliness of submission of national reports by the Parties had not improved in the third reporting round.³² The Committee stressed the importance for all Parties to submit reports on time in the next reporting rounds.

57. In addition, the Committee expressed concerns that very few Parties had indicated to have consulted non-State actors in preparing their reports in the third reporting round.³³ The Committee emphasized that this is an area for improvement for the following reporting rounds, since multi-stakeholder processes could advance the discussion on and effectively support implementation of the Convention.

58. The Committee stressed that the reporting mechanism served the purpose of strengthening implementation of the Convention, while also being useful in providing information to the Committee on the state of implementation of the Convention and the challenges faced by the Parties.

VIII. Core rules of procedure

59. Through decision VI/1, the Meeting of the Parties decided that the activities of the Implementation Committee would be governed by the core rules of procedure set out in annex II to said decision “until the adoption by the Meeting of the Parties, at its next session or at a following session thereafter, of the rules of procedure, upon a proposal by the Committee”. The rationale for this provision in decision VI/1 was to make the Implementation Committee immediately operational and to allow it in the future to propose to the Meeting of the Parties the adoption of the rules of procedure that would be based on practical experience with the application of the core rules.

60. Since then, the Committee has accumulated practical experience in the use of the core rules of procedure as set out in decision VI/1, annex II. Among other matters, the core rules of procedure were applied during advisory procedure WAT/IC/AP/1 (Montenegro and Albania) and information gathering WAT/IC/INFO/2 (Albufeira Convention) and proved to be appropriate to govern the activities of the Committee.

61. In addition, on several occasions, the Committee has exchanged views with other implementation and compliance bodies on procedural aspects and experience of handling cases. In the intersessional period 2022–2024, at its fourteenth meeting, the Implementation Committee discussed cooperation with the Compliance Committee under the Protocol on Water and Health, represented by Ms. Zsuzsanna Kocsis-Kupper (Vice-Chair). During this exchange, participants updated each other on the first advisory procedure in the Convention’s

³² According to the publication *Progress on Transboundary Water Cooperation under the Water Convention: Second Report on Implementation of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes – 2017–2020* (ECE/MP.WAT/67), p.2, in the second reporting exercise in 2020, 55 per cent of reports were submitted by the deadline. In the third reporting exercise in 2023, 54 per cent of reports were submitted on time (ECE/MP.WAT/77, forthcoming).

³³ According to the draft synthesis report, in total, seven Parties have consulted at least one category of non-State actors in preparation of their national reports in the third reporting round. The categories of non-State actors, indicated in the reporting template, include women’s organizations or groups, youth organizations or groups, civil society organizations, water user organizations, Indigenous people’s organizations and the private sector.

Implementation Committee and on the most recent consultation process in the Protocol's Compliance Committee, and discussed lessons learned from those procedures.³⁴

62. The Committee reached the conclusion that the core rules of procedure set out in decision VI/1, annex II, were currently sufficient for it to exercise its functions, without prejudice to further consideration in the future of the need for any new rules of procedure based on further practical experience.

63. The stocktaking exercise, suggested by the Committee (see para. 69) could provide an opportunity for reflecting, *inter alia*, on the core rules of procedure.

IX. Conclusions

64. The Committee draws the attention of the Parties to the progress made in the first advisory procedure, with special regard to the practical assistance provided by the Committee through the facilitative and non-confrontational approach it followed in assisting the Parties concerned in identifying concrete steps towards fostering their cooperation.

65. The Committee continues to encourage Parties and other stakeholders to seek its assistance, support and facilitation in order to address difficulties encountered in implementing and complying with the Convention and to prevent water-related differences and disputes.

66. The Committee appreciates that all Parties have submitted their reports in the third reporting cycle under the Convention.

67. The Committee encourages Parties to further use the reporting mechanism for the purpose of strengthening the implementation of the Convention.

68. The Committee stands ready to continue providing assistance to the secretariat in answering specific questions on the Convention posed by countries considering accession, contributing to other activities under the Convention and raising awareness of the Convention and its mechanism to support implementation and compliance.

69. The Committee suggests undertaking a stocktaking exercise to reflect on the outcomes of the Committee's work since its establishment in 2012. It also feels that it could be useful to discuss the Committee's mandate set out in decision VI/1 in the light of the global opening of the Water Convention and the needs of recent and soon-to-be Parties thereto.

³⁴ See ECE/MP.WAT/IC/2022/2, para. 13.

Annex

Draft decision on general issues of implementation

The Meeting of the Parties,

Having regard to its decision VI/1 on support to implementation and compliance,¹

Taking note of the report of the Implementation Committee to the Meeting of the Parties at its tenth session² and endorsing its conclusions,

Appreciating the activities of the Implementation Committee to promote the mechanism to support implementation of and compliance with the Convention and the Committee's support to other activities under the Convention,

1. *Welcomes* the continuous assistance by the Implementation Committee in the first advisory procedure and the facilitative, non-confrontational and results-oriented approach taken by the Committee;
2. *Appreciates* progress made by Albania and Montenegro in implementation of the Committee's legal and technical advice;³
3. *Welcomes* the contribution of the Implementation Committee and its members to activities aimed at supporting awareness of the Convention and interpretation of its provisions;
4. *Also welcomes* the assistance provided by the Implementation Committee in answering specific questions on the Convention posed by countries interested in accession;
5. *Encourages* countries in accession to approach the Implementation Committee with questions on the Convention and its implementation, if needed;
6. *Appreciates* the initiative of the Implementation Committee to pilot the provision of its legal and technical support in a transboundary basin or aquifer, as a way to clarify the procedural and legal implications of its potential involvement in such assistance in the future;
7. *Stresses* the importance of the reporting mechanism for implementation of and compliance with the Convention, including for effective fulfilment of the Implementation Committee's mandate;
8. *Expresses its appreciation* for the general progress and achievements of the Parties in implementing the Convention, as reflected in the third reporting exercise;
9. *Notes with concern* that certain common challenges to implementation and compliance remain in many transboundary basins, in particular in cooperation on transboundary aquifers, in developing early warning and alarm systems for accidental pollution and for droughts, and in establishing procedures for mutual assistance in critical situations, and that some Parties appear to face specific challenges in implementation and compliance;
10. *Also notes with concern* that some transboundary basins shared by Parties lack agreements and joint bodies for transboundary water cooperation and urges the conclusion of agreements in those basins;
11. *Invites* non-Parties to consider entering into agreements with Parties, where these do not yet exist;

¹ See ECE/MP.WAT/37/Add.2.

² ECE/MP.WAT/2024/5.

³ See ECE/MP.WAT/IC/2021/1, annex.

12. *Underscores* the value of exchange of experience and good practices between Parties in supporting implementation of and compliance with the Convention, especially in the recent Parties;
 13. *Encourages* the provision of assistance to recent Parties to address their specific needs;
 14. *Also encourages* Parties to seek the Committee's assistance, support and facilitation to address difficulties in implementing and/or complying with the Convention, so as to ensure that the object and purpose of the Convention are advanced, and to prevent water-related disputes;
 15. *Draws the attention* of Parties and non-Parties to distinct opportunities provided by the advisory procedure in this respect, as shown by the outcomes of the first advisory procedure, and encourages the use of the advisory procedure by the Parties, when needed;
 16. *Recalls* the possibility that information may be submitted to the Implementation Committee by any stakeholders with a view to assisting the Committee in fulfilling its mandate;
 17. *Invites* the Committee to undertake a stocktaking exercise, in the upcoming or the following intersessional period, to reflect on lessons learned in the Committee's work since the establishment of the mechanism to support implementation and compliance and discuss the functions and mandate of the Committee in the light of the Convention's globalization, and to engage with the Parties in the stocktaking exercise process.
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