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Annex 1.2.

**EPIRB Project Activity 1.2
Support to Country Implementation
UNECE Water and Danube River Protection
Conventions**

Identified Follow-Up Activities
Outcomes from the Activity 1.2 Workshop in Minsk (18 April 2013)



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1 INTRODUCTION

Activity 1.2 of the EPIRB project aims to support the implementation of the countries' obligations under the UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes (UNECE Water Convention) and the Danube River Protection Convention (DRPC). In this context, a report on Activity 1.2 '*Overview Report on the Status of Country Implementation and Proposals for Support*' was circulated to the EPIRB beneficiary countries in January 2013.

The report examined to what extent the countries have implemented the two Conventions as of today and reflected on implementation activities as well as related gaps. As a key outcome, the report included general proposals of possible areas of EPIRB support for each beneficiary country regarding the two Conventions (see **Chapters 4, 5 and 6** of the Activity 1.2 report).

On 18 April 2013 a regional workshop on Activity 1.2 was held in Minsk (Belarus) that aimed for the discussion of the general areas of EPIRB support as proposed in the Activity 1.2 report and their detailing towards concrete implementation. The workshop was attended by representatives of each EPIRB beneficiary country (see the list of participants as **Annex 1**) and consisted of two thematic parts (also see the workshop programme in **Annex 2**):

1. **Part 1** focused on the presentation of the Activity 1.2 report, the status of the countries' implementation regarding the UNECE Water Convention and the Danube River Protection Convention as well as the possible areas of support (**Annex 3**). In addition and based on the proposed areas of support, each beneficiary country commented on the Activity 1.2 report and gave a presentation reflecting specific needs for EPIRB Activity 1.2 support (**Annex 4**).
2. **Part 2** was dedicated to working groups in order to prepare detailed EPIRB support and assistance to fulfil the requirements of UNECE Water Convention and the Danube Convention.

The working groups were attended in a balanced way by the beneficiary countries. The outcomes of the four working groups were presented to the workshop plenum in Minsk as well as the detailed areas of EPIRB Activity 1.2 support are summarised in this document to serve as a decision basis for further follow-up and eventual implementation in the frame of the project.

It should be highlighted here that all identified follow-up activities address the regional scale and will therefore address all EPIRB beneficiaries but not only selected countries. This outline shall be seen as an addendum to the Activity 1.2 report on the '*Status of Country Implementation and Proposals for Support*' regarding the UNECE Water and Danube Protection Convention.

2 IDENTIFIED FOLLOW-UP ACTIVITIES

As mentioned above, working groups were dedicated to four thematic aspects in order to detail EPIRB support regarding the UNECE Water and Danube Convention. The four themes included:

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1. EPIRB support on the implementation of the **Protocol on Water and Health** as part of the UNECE Water Convention

 2. EPIRB support regarding **transboundary cooperation in water resources management**

 3. EPIRB support **improved implementation of other obligations under the UNECE Water Convention**

 4. EPIRB support on the implementation of the **Danube Protection Convention**

The following sub-chapters summarise the follow-up activities as presented by each working group and as discussed as well as agreed in the frame of the regional workshop in Minsk.

2.1 EPIRB support on the implementation of the Protocol on Water and Health

The Protocol on Water and Health (PWH) to the UNECE Water Convention entered into force in 2005 and has so far been ratified by 25 Parties. Azerbaijan, Belarus, Moldova and Ukraine are contracting parties to the Protocol, whereas Armenia and Georgia are signatories.

The Protocol aims to protect human health and well being by better water management, including the protection of water ecosystems and by preventing, controlling and reducing water-related diseases¹. In addition, it aims to attain an adequate supply of safe drinking water and adequate sanitation for everyone and effectively protect water used as a source of drinking water. The Protocol links the protection of natural resources with socio-economic aspects. The improvement of water supply and sanitation aims to reduce poverty in parallel.

The implementation of the Protocol obliges the Parties to introduce national and local targets for the quality of drinking water and the quality of discharges as well as for the performance of water supply and waste-water treatment. In addition, the Parties are obliged to reduce outbreaks and the incidence of water-related diseases. The first implementation reporting exercise took place in 2009/2010 but was characterised by many challenges as well as gaps. Any shortcomings were intended to be improved within the current reporting cycle finalised by end April 2013.

Identified follow-up activities:

The PWH working group made clear that no specific EPIRB support is needed for the reports on the PWH that have been submitted to the UNECE Water Convention Secretariat by end April 2013. Most reports have been finalised by the beneficiary countries when the regional EPIRB workshop took place. However, the countries expressed that the submitted reports include gaps and that future challenges regarding the PWH will come up to be tackled. Therefore, specific EPIRB support has been identified to help the countries to improve the required implementation in future:

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- Undertake a gap assessment of the PWH reports that have been submitted by all EPIRB beneficiary countries to the UNECE Water Convention Secretariat by end April 2013. The assessment shall highlight any implementation and reporting gaps in relation to the PWH obligations to enable improvement towards the next reporting exercise and the PWH implementation in general.
 - Summarise the outcomes of the gap assessment in a report including an outline of improvement areas for each EPIRB country.
 - Organise a regional workshop (i) to present the outcomes of the gap assessment, but in specific (ii) to technically advance PWH target and indicator setting where needed as well as (iii) to develop technical and strategically feasible ways towards the achievement of the national PWH targets. The latter shall be based on best practice examples for other countries that are contracting parties to the PWH.
 - Based on the results of the regional workshop, amendment of the gap assessment with applied recommendations for each EPIRB beneficiary country towards the improvement of PWH implementation, the setting of targets and their achievement.
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¹ www.unece.org/env/water/pwh_text/text_protocol.html

2.2 EPIRB support on transboundary cooperation for water resources management

The UNECE Water Convention provides a legal framework for regional cooperation on shared water resources (rivers, lakes and groundwaters). Many international agreements as well as bilateral or multilateral agreements on transboundary water resources management between countries are based on the principles and provisions of the Convention. Transboundary cooperation via agreements and the operation of joint coordinating bodies are obligations under the UNECE Water Conventions.

Hence, the management of transboundary waters requires sophisticated tools to be effective beyond national borders. Local, national and regional management approaches for waters need to be merged towards basin-wide aims to align with the Convention's provisions. The principle of Integrated Water Resources Management and its approaches to support the targeted achievement of basin-wide visions, objectives, implementation of measures and the development of joint action plans or international river basin management plans is considered as an appropriate tool to implement the UNECE Water Convention.

Identified follow-up activities:

The introduction and implementation of international agreements is considered as important by all EPIRB beneficiary countries. Particular need for EPIRB support was expressed regarding the establishment and operation of transboundary commissions to act as coordinating bodies between different regions within a country as well as between countries to implement transboundary water resources management towards joint aims and actions. Specific EPIRB support has been identified as outlined below:

- Organise a regional workshop on transboundary commissions, their creation and operation. The EPIRB countries should present on their experience (e.g. Dniester River Basin), situation and intentions regarding the operation of transboundary commissions for joint water resources management also outlining respective challenges. In addition, the workshop should serve the presentation of examples and experiences regarding transboundary commissions in Europe and other regions of the world that are relevant for the EPIRB countries. In order to support the EPIRB beneficiaries best for related future activities, emphasis should be given on strategic aspects to establish such commissions, their effective operation, the identification of joint aims and the existence of related implementation challenge. Concrete cases like a possible transboundary commission between Azerbaijan and Georgia shall be presented and discussed in the frame of the workshop.
- Develop a document that includes key features of transboundary commissions including their effective operation, examples of related European/international best practices and guidance on a possible way forward to establish transboundary commissions in the EPIRB countries.
- Identify concrete needs to establish transboundary commission in the EPIRB beneficiary countries. Development of respective road-maps by the EPIRB country water managers regarding the establishment of specific transboundary commissions
- Presentations of the road-maps to the respective National Coordination Council to discuss the need for transboundary commissions and the related benefits.
- Organise a joint regional meeting via EPIRB of all National Coordination Councils to agree on the establishment of selected transboundary commissions and define next steps.

2.3 EPIRB support on improved implementation of selected obligations under the UNECE Water Convention

The implementation obligations of the UNECE Water Convention are very broad and it can be said that implementation gaps can be identified in all EPIRB beneficiary countries (see the EPIRB Activity 1.2 report). At the Minsk workshop certain areas for specific EPIRB support were raised to be followed-up including the development of action plans for improved implementation, linking monitoring programmes under the EU Water Framework Directive with the requirements of the UNECE Water Convention and assessing the implementation implications for each country regarding the Protocol on Civil Liability and Compensation.

Besides the Protocol on Water and Health, the UNECE Water Conventions holds the attached Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters. This Protocol is so far signed by 22 States including the EPIRB project beneficiary countries of Armenia, Georgia, Moldova and Ukraine but not Azerbaijan and Belarus. The negotiation process for the Protocol, involving all relevant actors - Governments, the private sector, including industry and insurance, intergovernmental and non-governmental organisations - was initiated by the first joint special session of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the Parties to the Convention on the Transboundary Effects of Industrial Accidents (Geneva, 2-3 July 2001). As of this meeting, an open-ended intergovernmental Working Group is in place with a mandate to draw up a legally-binding instrument on civil liability for transboundary damage caused by hazardous activities. The Working Group held its first meeting in Geneva on 21-23 November 2001. The negotiations lasted 15 months and on 27 February 2003, at its seventh meeting, the Working Group finalized the draft agreement as a protocol to both Conventions.

Although the Protocol on Civil Liability has not entered into force yet limited activities are taking place.

Identified follow-up activities:

The EPIRB countries asked for the development of action plans towards improved implementation of the UNECE Water Convention, the linking monitoring programmes under the EU Water Framework Directive with the requirements of the UNECE Water Convention and assessing the implementation implications for each country regarding the Protocol on Civil Liability and Compensation. In this context the following support activities have been identified:

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- Develop action plans together with the EPIRB Country Water Managers on an improved implementation of selected obligations under the UNECE Water Convention including a ranking of priorities.

 - Develop a brief outline on links between the monitoring programmes under the EU Water Framework Directive and the UNECE Water Convention to make best possible use of synergies and to prevent any duplication of work.

 - Develop a guidance document on the provisions of the Protocol on Civil Liability including potential implications for contracting parties on the national and regional levels. If needed, organise a regional workshop on on-going activities under the Protocol and to present the implications for the countries in case of a full implementation.

 - Amend the guidance document with the findings of the workshop as needed.

2.4 EPIRB support to Moldova and Ukraine on implementation activities under the Danube Protection Convention

The Convention on Co-operation for the Protection and Sustainable Use of the River Danube (Danube River Protection Convention - DRPC) clearly builds upon the principles UNECE Water Convention and is a good example of its implementation in a river basin that is the most international one in the world. The DRPC forms the overall legal instrument for cooperation and transboundary water management in the Danube River Basin.

Since the year 2000 and aligned to the implementation philosophy of the DRPC, the Danube countries have declared that the joint and basin wide implementation of the EU Water Framework Directive is a clear priority (Resolution of the ICPDR Ordinary Meeting 2000 in Sofia). Another resolution has been adopted, that all contracting parties – including the Non EU Member States of Moldova and Ukraine - ensure to make all efforts to arrive at a coordinated international River Basin Management Plan according to the requirements of the EU WFD. To implement the EU WFD as a priority in the Danube River Basin has also been confirmed in the Danube Declaration that was signed in the frame of an ICPDR Ministerial Meeting on 13 December 2004 (Vienna).

In the above context it can be said that upcoming activities that are related to the EU WFD implementation are in focus of the work under the DRPC coordinated by the International Commission for the Protection of the Danube River (ICPDR). The key milestones can be summarised as in the below table:

Interim overview on Significant Water Management Issues		Dec 2013
2013 Danube Basin Analysis (DBA 2013)		
Development of DBA 2013 data templates		end March 2013
DBA 2013 data collection		end June 2013 (preliminary) end March 2014 (final)
Draft DBA 2013 Report		end Dec 2013 (draft)
Final DBA 2013 Report		end June 2014 (final)
Draft DRBM Plan 2015		
Development of the draft DRBM Plan 2015		Jan 2013 – Dec 2014
Public Consultation of the draft DRBM Plan 2015		Dec 2014 – June 2015
Revision of the draft DRBM Plan 2015		June – Dec 2015
Final DRBM Plan 2015		Dec 2015

Identified follow-up activities:

At the Minsk workshop, representatives of both countries Moldova and Ukraine emphasised the important need of EPIRB support to provide required deliverables to the International Commission for the Protection of the Danube River regarding the development of the (i) Danube Basin Analysis 2013 and (ii) the Danube River Basin Management Plan 2015. The following support activities have been jointly identified:

- Provide targeted guidance and technical support regarding the specific deliverables for the DBA 2013 and DRBM Plan 2015.
- In the above context, develop a guidance document on respective deliverables and a related gap analysis taking into account the DBA 2004 and DRBM Plan 2009 regarding Moldova and Ukraine. The document will relate to deliverables regarding surface water and groundwater.

- Establish a small and effective working group that meets according to a tailor-made road map and that consists of relevant representatives from Moldovan and Ukrainian authorities. The working group will dedicate its work - aligned to the road map - towards the compilation of deliverables for the DBA 2013 and DRBM Plan 2015. The participation of Romania in this working group shall be considered. The compilation of data will focus on the Prut River Basin that is also tackled within the frame of the EPIRB project. Respective results can significantly contribute to the compilation of deliverables for the DBA 2013 and DRBM Plan 2015.
 - In the frame of the working group, the countries will be consulted on how to collect and compile the needed deliverables making full use of the work regarding monitoring and water status assessment in the frame of the EPIRB project. In addition, the two countries will be consulted on the data format that is needed to provide the deliverables according to the reporting tool of the ICPDR (DanubeGIS).
 - During the entire period of information compilation, knowledge transfer between the working group and the ICPDR Secretariat in Vienna will be ensured to enable best possible exchange on reporting needs and challenges.
 - Technically support the two countries on collecting and compiling the deliverables to the best possible extent and in the best possible quality.
 - Technically support the two countries in uploading the deliverables and data to the ICPDR's reporting tool DanubeGIS.
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3 NEXT STEPS TOWARDS IMPLEMENTATION

The detailed outcomes and follow-up activities under EPIRB will be presented to the European Commission in order to decide and plan concrete implementation actions. As soon as decisions have been met follow-up activities presented in this document will be detailed in Terms of Reference to go ahead with their implementation.