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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**

Third meeting,
Madrid, Spain, 26-28 November 2003
Item 12 of the provisional agenda

DRAFT DECLARATION OF MADRID 1/

1. WE, THE PARTIES TO THE CONVENTION, gathered at Madrid, from 26 to 28 November 2003 for our third meeting, reaffirm the commitments that we made at our first and second meetings (Helsinki, 2-4 July 1997, and The Hague, Netherlands, 23-25 March 2000).
2. We stress the importance of bilateral and multilateral cooperation on transboundary watercourses and international lakes, and the primary role of the Convention, which provides an essential and guiding framework for this cooperation, contributes to peace and security and to sustainable water management, and is to the benefit of us all. We welcome the outcome of the Second International Conference on Sustainable Management of Transboundary Waters in Europe (Miedzyzdroje, Poland, 21-24 April 2002), held on the occasion of the 10th anniversary of the Convention. Its conclusions and recommendations have significantly contributed to the development of new initiatives under the Convention. We commend the Government of Poland for having taken this initiative and for its major contribution to the Conference's success.

1/ Drawn up by a drafting group of the Extended Bureau, coordinated by Spain, with the assistance of the secretariat.

3. We acknowledge the added value that participation of countries outside the UNECE region can bring to the cooperation activities related to the Convention. We have therefore endorsed the proposal submitted by the Government of Switzerland to amend article 25 of the Convention, by adding a new paragraph 2 bis as follows:

“Any other State, not referred to in paragraph 2, that is a Member of the United Nations may accede to the Convention upon approval by the Meeting of the Parties. In its instrument of accession, such a State shall make a declaration stating that approval for its accession to the Convention had been obtained from the Meeting of the Parties and shall specify the date on which approval was received.”

4. We most heartily welcome the adoption in Kiev, on 21 May 2003, of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters, drawn up jointly with the governing body of the Convention on the Transboundary Effects of Industrial Accidents and reaffirm the decision that we made on that occasion. We welcome the signature of this Protocol by 23 countries and invite all States that are eligible to do so to become Parties to the new instrument. We are committed to further joint work with the governing body of the above-mentioned Convention to provide advice on the Protocol's implementation and guidance to prevent, prepare for, and respond to, industrial accidents capable of causing transboundary effects.

5. We acknowledge the work done for the interim implementation of the Protocol on Water and Health and, taking note of the outcome of the Signatories' meetings, we offer our contribution to addressing issues of sanitation and water management with relevance to human health. We welcome the ratification by ten countries of the Protocol and encourage other Parties and non-Parties to the Convention to ratify this important instrument so that it can enter into force possibly in 2004. With a focus on ensuring a healthy environment for future generations, we will strengthen our efforts to achieve the purposes of this Protocol and we will report to the Fourth Ministerial Conference on Environment and Health (Budapest, June 2004) on the implementation of the relevant decisions of the Third Ministerial Conference.

6. We welcome those Parties that have ratified the Convention since our second meeting. We are committed to action so that countries that are not yet Parties, particularly countries in Eastern Europe, the Caucasus and Central Asia, and the Balkan States, ratify this legal instrument.

7. We welcome other frameworks of cooperation, such as the Third World Water Forum and the Ministerial Conference (Kyoto, Japan, March 2003), and the commitment contained in the G8 Action Plan (Evian, France, June 2003) to support better management and development of shared river basins and to promote river basin cooperation throughout the world.

8. We recall our earlier work on the ecosystem approach, which has guided UNECE countries to develop a new understanding of water as the key to sustainable development and food security, as well as of the fundamental role of water supplies of good quality to the eradication of water-related diseases and poverty. In this context, we welcome the outcome of

the Dushanbe International Water Forum in August-September 2003, which stressed the importance of implementing integrated water resources management based on the ecosystem approach, particularly through the sustainable use and restoration of water-related ecosystems, such as forests and wetlands, in addition to the aquatic ecosystems. We will provide further guidance on the role of ecosystems as water suppliers as well as environmental services and financing for sustainable ecosystems.

9. We have taken note of the decision of the United Nations Commission on Sustainable Development to establish water, sanitation and human settlements issues as the thematic cluster for the first phase of its multi-year programme of work. We acknowledge the secretariat's contribution on these issues to the UNECE Regional Implementation Forum on Sustainable Development to be held in January 2004 and the 12th session of the Commission on Sustainable Development in April 2004. We are ready to implement the relevant decisions taken at these meetings and we are committed to preparing a regional policy review on this thematic cluster in 2005.

10. We are committed to implementing the "European Union's Water Initiative: Water for Life – Health, Livelihoods, Economic Development and Security", launched at the UN World Summit on Sustainable Development (Johannesburg, South Africa, September 2003). We note with appreciation the secretariat's role in, and contributions to, the ongoing work on the "Strategic Partnership on Water for Sustainable Development", specifically in integrated water resources management, including transboundary river basin issues among countries in Eastern Europe, the Caucasus and Central Asia.

11. We commit ourselves to actively participating in the further development of the Environmental Strategy for the countries in Eastern Europe, the Caucasus and Central Asia, as well as the implementation and further development of the Partnership's activities related to integrated water resources management, and contributing to the Partnership's activities on urban water supply and sanitation as set out in the Protocol on Water and Health. We will also contribute to the Mediterranean component of the European Union's Water Initiative.

12. We acknowledge the important role that the International Water Assessment Centre (IWAC) has played for the Convention, and we express our gratitude to the Government of the Netherlands and all other members participating in the IWAC network. We are further committed to supporting IWAC so that it can continue its tasks as a collaborating centre under the Convention and make a substantive contribution to the water-related activities of the United Nations family.

13. We note with appreciation the progress made in the pilot projects for transboundary rivers and groundwaters. In particular, the evaluation of the completed pilot projects for transboundary rivers has provided valuable guidance for our future work.

14. We have adopted new guidance documents [*titles to be inserted at the third meeting*] and we will assess the results of their application at our fourth meeting.

15. Our cooperation during the next three years will focus on the following programme areas *[to be inserted at the third meeting]*.

16. We appreciate the offer of Parties to take a lead in the implementation of the various elements of the new work plan and we welcome the pledges made by other Parties and non-Parties to contribute to a Convention's trust fund, which will be managed in accordance with the United Nations Financial Rules and Regulations. We invite other donor countries, financial institutions and funding mechanisms that carry out assistance projects to contribute to the achievement of the purposes of the Convention.

17. We are committed to assessing transboundary waters in the region in order to show the progress made in the reducing the transboundary impact on the environment, which includes human health and safety. We offer our assistance in the preparation of the fourth assessment of the state of the European environment as the Convention's contribution to the next "Environment for Europe" Conference and regional assessments under the United Nations World Water Assessment Programme.

18. We underline, in view of the recent disastrous floods in various parts of the UNECE region, the need to further develop and strengthen transboundary cooperation on flood prevention and flood protection. We recall the decision that we took at our second meeting to endorse the Guidelines on Sustainable Flood Prevention and note with satisfaction that these guidelines have been the basis for the recently launched best practice document on flood prevention, protection and mitigation drawn up under the auspices of the Water Directors of the European Union. We commit ourselves to sharing the experience in the application of the Guidelines and reviewing them, as appropriate, and welcome the offer by Germany to host an international conference in June 2004 to that effect. We will explore the necessity and opportunity of launching an intergovernmental negotiation process to develop a legal instrument on flood prevention, protection and mitigation to be ready for adoption at our fourth meeting in 2006.

19. We will strengthen the secretariat services for the Convention and its Protocols in order to intensify our efforts to provide and disseminate information and know-how, share experience with stakeholders, contribute to existing training and capacity-building networks, and create new partnerships and mechanisms for capacity-building.

20. We encourage UNECE countries that are riparian to the same transboundary waters to prepare and carry out joint projects on human resources development and institutional capacity-building to resolve existing water-management problems and prevent future disputes over water resources. We will support the UNECE Regional Advisory Service Programme to design specific implementation projects to address the major difficulties that countries face with the implementation of the Convention and its Protocols, provide guidance on normative approaches, support capacity-building, strengthen institutional frameworks, facilitate access to sources of finance, and assist in planning and implementing concerted action plans.

21. We invite all other regions to draw on the Convention's experience when formulating and implementing their water policies. We encourage UNECE countries to update their agreements

and arrangements and to conclude and ratify new ones in accordance with the provisions of the Convention and its Protocols, and we offer them assistance through the Convention's Advisory Service.

22. We will continue our joint work with the bodies established under the other UNECE environmental conventions as well as other United Nations bodies and governmental and non-governmental organizations and institutions active in integrated water management. We invite them to cooperate actively in our work so that we all can benefit from each other's experience. We will also seek new partners, including NGOs and the private sector.

23. We, the Parties, note with appreciation that at this meeting UNECE countries that have not yet become Parties to the Convention have associated themselves with this declaration.

24. We express our gratitude to the Government of Spain for hosting our meeting and for its generous hospitality.

25. We welcome the offer of the Government of Germany to host our fourth meeting in the year 2006.