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ECONOMIC COMMISSION FOR EUROPE

**WORLD HEALTH ORGANIZATION
REGIONAL OFFICE FOR EUROPE**

Meeting of the Parties to the Convention on the
Protection and Use of Transboundary Watercourses
and International Lakes

and

Meeting of the Signatories to the Protocol on Water
and Health to the Convention

Working Group on Water and Health

**REPORT ON THE SIXTH MEETING
held at the Palais des Nations, Geneva, on 31 May – 2 June 2006**

1. Representatives of the following countries attended the sixth meeting of the Working Group: Azerbaijan, Belgium, Croatia, Finland, France, Germany, Hungary, Italy, Moldova, the Netherlands, Norway, Portugal, Slovakia, Switzerland, Turkey, Ukraine and the United Kingdom.
2. A representative of the World Health Organization (WHO) Collaborating Centre for Health Promoting Water Management and Risk Communication (Germany) participated.
3. Representatives of the following organizations attended the meeting: the non-governmental organizations (NGOs) ECO-FORUM and Earthjustice and the water company Veolia Water. Mr. Rainer Enderlein participated at the invitation of the secretariat.

I. ORGANIZATIONAL AND PROCEDURAL MATTERS

4. Mr. Keith Bull, Chief of the Pollution Prevention Team of the United Nations Economic Commission for Europe (UNECE), welcomed the participants and opened the meeting on behalf of Mr. Kaj Bärlund, Director of the Environment, Housing and Land Management Division. He drew attention to the importance of this last meeting of the Working Group for the preparation of the first meeting of the Parties, scheduled for January 2007.

5. Mr. Mihály Kádár (Hungary) and Mr. Thomas Kistemann (Germany) acted as Chairperson and Vice-Chairperson, respectively.

6. The Working Group adopted the agenda as contained in document MP.WAT/WG.4/2006/1 – EUR/06/5059736/1.

7. The Working Group noted that the report of its fifth meeting was not available but that an unedited list of decisions had been presented during the meeting itself.¹

II. PROGRESS IN THE RATIFICATION PROCESS

8. By 1 March 2006, the following 17 countries had ratified the Protocol, which entered into force on 4 August 2005: Albania, Azerbaijan, Belgium, the Czech Republic, Estonia, Finland, France, Hungary, Latvia, Lithuania, Luxembourg, Moldova, Norway, Romania, the Russian Federation, Slovakia and Ukraine.

9. The Working Group was informed that Croatia had completed the national procedure for ratification and would soon deposit its instrument of ratification. Switzerland, Germany and Portugal informed the Working Group that they planned to ratify the Protocol by the end of the year. Italy, the United Kingdom and the Netherlands foresaw ratification during 2007.

III. LEGAL AND ADMINISTRATIVE ASPECTS OF THE PROTOCOL'S IMPLEMENTATION

A. Draft compliance procedure under the Protocol

10. At its fifth meeting, the Working Group had already endorsed the draft compliance procedure (MP.WAT/WG.4/2005/3 – EUR/05/5047554/3) prepared by the Legal Board. It therefore requested the secretariat to submit the document to the first meeting of the Parties.² Moreover, the Working Group decided, pending formal adoption of the compliance procedure, to follow its provisions concerning the nomination of candidates for the Compliance Committee to be elected at the first meeting of the Parties.

¹ The report on the fifth meeting (MP.WAT/WG.4/2005/2) is available at <http://www.unece.org/env/documents/2005/wat/wg.4/mp.wat.wg.4.2005.2.e.pdf>.

² See document ECE/MP.WH/2007/L.2 – EUR/06/5069385/13.

B. Draft rules of procedure

11. Noting that Germany maintained a scrutiny reservation on the text of paragraph 3 of rule 20 of the draft rules of procedures, the Working Group endorsed the draft rules (ECE/MP.WAT/WG.4/2006/3 – EUR/06/5059736/3) and requested the secretariat to submit the document to the first meeting of the Parties.³ It also decided that these rules would regulate the organization of the first meeting of the Parties pending their formal adoption.

C. Focal points for activities under the Protocol

12. The Working Group discussed a draft decision on the designation of focal points for the Protocol and their responsibilities (ECE/MP.WAT/WG.4/2006/4 – EUR/06/5059736/4). It agreed to amend paragraph 4 to read as follows: “Calls on Parties to make appropriate internal arrangements so that the nominated focal points can carry out the required tasks to promote and support activities related to the Protocol within their countries/organizations. Focal points should facilitate and/or coordinate, *inter alia*:...”. It requested the secretariat to submit the draft decision as amended to the first meeting of the Parties.⁴

13. The Working Group was also invited to inform the secretariat of any change to the list of focal points under the Protocol. Countries, and Parties in particular, that had not yet nominated focal points were invited to do so as soon as possible.

14. The secretariat introduced a list of interested and qualified NGOs to be notified and invited to the first meeting of the Parties. The Working Group endorsed the list and was invited to submit additional proposals to the secretariat by September 2006. The Chairperson invited the WHO representatives to include in the list the NGOs involved in the European environment and health process.

D. Opening the Protocol for ratification, acceptance, approval or accession to countries outside the UNECE region

15. The secretariat introduced a document outlining the advantages of opening the Protocol to countries outside the UNECE region, together with a draft text for such an amendment (ECE/MP.WAT/WG.4/2006/5 – EUR/06/5059736/5). While not opposed to the proposal, the Working Group noted the practical difficulty for any Party of carrying out the internal process needed to propose the amendment on time for the first meeting of the Parties in accordance with article 18 of the Protocol. Some participants indicated that proposing the amendment at the first meeting of the Parties was premature. The Working Group entrusted the secretariat with the task of consulting Parties that were not present at the meeting on this issue.

³ See document ECE/MP.WH/2007/1 – EUR/06/5069385/7.

⁴ See document ECE/MP.WH/2007/L.4 – EUR/06/5069385/15.

E. Mainstreaming activities and priorities of work under the Protocol into the policy-making of the World Health Organization

16. The Working Group welcomed the presentation by WHO/EURO on the policy-making bodies of WHO at the global and European level. The delegates examined a draft decision on mainstreaming activities and priorities of work under the Protocol into the policy-making of WHO (ECE/MP.WAT/WG.4/2006/6 – EUR/06/5059736/6). The Working Group requested the secretariat to submit the draft decision to the first meeting of the Parties.⁵

IV. PROGRAMME OF WORK 2007–2009 UNDER THE PROTOCOL

A. Target setting and indicators for review and assessment of progress and development of guidelines for reporting

17. Mr. Attila Tanzi, professor of international law at Verona University (Italy), presented a comparative legal analysis of the Protocol and EU Water Policy. The study had been conducted at the request of WHO/EURO to address potential conflicts and possible synergies in the relationship between the provisions of the Protocol and the EU directives dealing with water and health. From the comparative analysis, it emerged that the obligations deriving from the Protocol were to a large extent met by existing EC legislation. The EU Water Framework Directive established a solid regulatory framework for setting and pursuing environmental quality objectives and means of pollution control that conformed to the obligations under the Protocol and, in many instances, went well beyond. However, some discrepancies between the two bodies of water law had also emerged, and in this regard the Protocol could provide added value that complemented EC water legislation and might enhance its implementation. The delegates took note of the study and thanked Mr. Tanzi for his excellent work.

18. The Working Group reviewed the progress in identifying indicators for the setting of targets and target dates in accordance with article 6 of the Protocol. It noted that indicators had been identified for water supply and sanitation and for outbreaks and incidents of water-related disease, but that indicators related to targets for water management aspects were missing. To fill this gap, the Working Group proposed to include in the draft programme of work for adoption by the meeting of the Parties an activity aiming to provide assistance to Parties in setting targets and target dates in accordance with article 6, with a special focus on targets under article 6, paragraphs 2 (f)–(n). To promote harmonized target setting, the activity would include the preparation of guidelines by a Task Force on Indicators and Reporting.

19. In order to share information at the meeting of the Parties on the progress achieved in setting targets and target dates, delegations were requested to send to the secretariat a communication on established national targets and target dates.

20. The secretariat presented an overview of existing reporting mechanisms linked to the Protocol and the results of a pilot data collection study based on the identified indicators.

⁵ See document ECE/MP.WH/2007/L.1 – EUR/06/5069385/8.

21. On the basis of the previous discussion, the Working Group asked the secretariat to prepare, for consideration by the first meeting of the Parties, draft guidelines for summary reports to be submitted by Parties, in accordance with article 7, paragraph 5. The guidelines should take into account the identified indicators and the requirements under other existing reporting systems. Moreover, the Working Group proposed that under the programme of work 2007–2009 the Task Force on Indicators and Reporting also be responsible for finalizing the reporting guidelines for adoption by the Parties at their second meeting. It proposed that the guidelines be tested before adoption through a data-gathering exercise based on a report on drinking water and health to be presented at the second meeting of the Parties and at the fifth Ministerial Conference on Environment and Health.

B. Surveillance and early-warning systems, contingency plans and response capacities

22. The secretariat introduced a document on surveillance of waterborne diseases in accordance with article 8, developed on the basis of an expert group consultation (Budapest, 9–10 May 2006). On the basis of the consultation's recommendations, the Working Group proposed to develop, under the programme of work for 2007–2009, guidelines on surveillance, outbreak detection and early warning systems, contingency plans and capacity response. The guidelines should be prepared for adoption by the Parties at their second meeting by an open-ended Task Force on Surveillance, taking into account existing WHO guidelines. Moreover, the Working Group proposed to include in the programme of work assistance to Parties and non-Parties through in-country missions to support the guidelines' implementation.

23. The Working Group also discussed recent flooding events in Europe and the link between extreme weather events and their consequence on health, including the outbreak of waterborne diseases. The Working Group was informed of new activities in this area by the European Union under the Water Framework Directive. It acknowledged that these events posed serious threats (including transboundary ones) and agreed that international cooperation under the Protocol could significantly enhance countries' response capacity. To this end the Working Group proposed to establish under the programme of work 2007–2009 a Task Force on Extreme Weather Events responsible for the development of strategies to cope with the potential impact of climate change, in particular with regard to adaptation and mitigation programmes for water supply and sanitation. The Task Force should cooperate closely with the Meeting of the Parties to the Water Convention.

C. Follow-up to the Roundtable on Water and Health in Europe

24. On 28–29 September 2004, the Government of Norway hosted the Oslo Roundtable on Water and Health in Europe, where representatives of countries from South-Eastern Europe (SEE) and Eastern Europe, Caucasus and Central Asia (EECCA) (a) presented proposals for cooperation to strengthen the capacity of the public health sector in surveying and reducing water-related diseases, and (b) examined the possibility of establishing a structure through which partner countries, organizations and financial institutions could continue an effective dialogue with EECCA and SEE countries on reducing the burden of disease in the context of the Protocol (see MP.WAT/WG.4/2004/8 – EUR/5047016/2004/8).

25. At its fourth meeting, the Working Group welcomed the proposal and decided to further examine the proposed coordination mechanism (see MP.WAT/WG.4/2004/5 – EUR/5047016/2004/5).

26. At its fifth meeting, the Working Group had welcomed Norway's proposal to partly fund a staff member of the WHO/EURO secretariat as a "Facilitator" who would evaluate projects on water and health for the implementation of the Protocol and coordinate the dialogue between donor and recipient countries.

27. The Working Group took note of the terms of reference of the Facilitator as developed by the WHO/EURO secretariat, and of Norway's decision to partly fund such a position in the WHO/EURO secretariat. Other Parties were invited to join this arrangement to make the position of the facilitator a more permanent one. The WHO/EURO secretariat announced that the vacancy would be published shortly on the WHO recruitment website.

28. The Working Group decided to submit for adoption by the meeting of the Parties a draft decision on the establishment of a mechanism for cooperation and mutual assistance pursuant to article 14 of the Protocol on international support for national action – the "Ad Hoc Project Facilitation Mechanism", to be supported by the Facilitator. The Working Group agreed on the mechanism's objectives, its terms of reference and its methods of work.⁶

29. The Working Group proposed that the Ad Hoc Project Facilitation Mechanism be open-ended, with participation on a voluntary basis by donor and recipient countries, international organizations with cooperation programmes of recognized importance to water and health, financial institutions, international foundations with recognized activities in water and health, and relevant NGOs. The meetings of the mechanism's participants would, as far as possible, be held back to back with meetings under the Protocol.

30. The Working Group agreed that criteria for screening the proposals should be developed to guide the activities of the Facilitator.

31. The Working Group also agreed that an electronic mechanism for the Ad Hoc Project Facilitation Mechanism should be created. This should ensure that project proposals were advertised on the Internet and that Parties could keep track of the status of funding of proposals.

32. The Working Group examined the other activities included in the draft programme of work under the Protocol for 2007–2009 (ECE/MP.WAT/WG.4/2006/7 – EUR/06/5059736/7). The document, which had been prepared on the basis of the outcome of a meeting of an ad hoc group of Parties and Signatories (Bonn, Germany, 6–7 March 2006), also included proposals made during a consultation on surveillance of waterborne diseases (Budapest, 9–10 May 2006).

33. The Working Group discussed the draft programme of work and amended it, taking into account the discussion under previous agenda items. It was invited to provide further comments

⁶ See document ECE/MP.WH/2007/L.3 – EUR/06/5069385/14.

on the document by 31 July 2006. The Working Group asked the secretariat to submit the consolidated document to the first meeting of the Parties.⁷

V. RESOURCES REQUIRED TO IMPLEMENT THE PROGRAMME OF WORK AND THE ESTABLISHMENT OF TRUST FUNDS UNDER THE PROTOCOL

34. The secretariat introduced document ECE/MP.WAT/WG.4/2006/10 – EUR/06/5059736/10, which analysed different financial schemes currently in use under UNECE conventions and other activities. The Working Group took note of the various options and considered a draft decision on the establishment of two trust funds under the Protocol, one managed by WHO/EURO and the other by UNECE. The Working Group requested the secretariat to submit the draft decision as amended to the first meeting of the Parties.⁸

VI. FURTHER PREPARATIONS FOR THE FIRST MEETING OF THE PARTIES TO THE PROTOCOL

35. On the basis of a working paper, the Working Group discussed and finalized the agenda of the first meeting of the Parties and the list of official documents to be prepared for the meeting.⁹

36. The Working Group considered the draft declaration in document ECE/MP.WAT/WG.4/2006/11– EUR/06/5059736/11 and prepared the skeleton of a declaration for the first meeting of the Parties. The members of the Working Group agreed to submit further proposals to the secretariat for inclusion in the draft declaration to be submitted to the first meeting of the Parties by the end of October 2006.¹⁰

37. The secretariat introduced a working paper with a cost estimate for the first meeting of the Parties, depending on its venue and the number of supported participants. On this basis, the Working Group decided to hold the first meeting of the Parties in Geneva on 17–19 January 2007. It requested the secretariat to address official letters to ministers of health and of the environment from donor countries in the region to raise funds for organizing the meeting. The Chairperson asked the secretariat to regularly update Working Group members on the amount of pledges received. The secretariat underlined that pledges should be contributed before November 2006 in order to be available in time for the first meeting of the Parties.

38. With the consent of the German delegation, the Working Group agreed that the official languages of the meeting would be English, French and Russian; and that there would not be any interpretation or translation in German.

⁷ See document ECE/MP.WH/2007/2 – EUR/06/5069385/9.

⁸ See document ECE/MP.WH/2007/L.5 – EUR/06/5069385/16.

⁹ See document ECE/MP.WH/1 – EUR/06/5069385/6.

¹⁰ See document ECE/MP.WH/2007/L.6 – EUR/06/5069385/18.

39. The Working Group entrusted its Chairperson, its Vice-Chairperson and a group of “friends of the chair”, consisting of representatives from Belgium, Croatia, Estonia, France, Germany, Norway, Switzerland, Ukraine and the United Kingdom, to help the secretariat with the final preparations for the first meeting of the Parties.

40. In particular, the Chairperson, the Vice-Chairperson and the “friends of the chair” would be responsible for finalizing the following official documents: the programme of work and terms of reference of bodies established under the Meeting of the Parties; the declaration; the draft guidelines on reporting; the decision on the Ad Hoc Project Facilitation Mechanism; and the document on surveillance.

41. The Chairperson, the Vice-Chairperson and the “friends of the chair” would also be responsible for putting together a proposal on the Bureau’s composition, including its Chairperson, to be considered at the first meeting of the Parties, and for advising the secretariat on any problems it might encounter in organizing the meeting.
