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**Brief on the Compliance Committee under the Protocol on Water and Health
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The Convention on the Protection and Use of Transboundary Watercourses and International Lakes has been supplemented by two Protocols, the 1999 Protocol on Water and Health and the 2003 Protocol on Civil Liability for Damage and Compensation for Damage Caused by Transboundary Effects of Industrial Accidents on Transboundary Waters (also to the Convention on Industrial Accidents). The Protocol on Water and Health entered into force on 4 August 2005 and has 26 Parties. The Protocol aims to protect human health and well-being through better water management for drinking water and adequate sanitation, including the protection of water ecosystems, and through prevention, control and reduction of water-related diseases.

Parties to the Protocol commit to set targets in relation to the entire water cycle in accordance with its article 6. In accordance with article 7, Parties submit regular reports on the Protocol implementation to the secretariat for circulation to the other Parties. The Meeting of the Parties evaluates progress in implementing the Protocol on the basis of such summary reports. UNECE and WHO Regional Office for Europe jointly serve as the secretariat to the Protocol on Water and Health.

Compliance Committee under the Protocol on Water and Health

The Compliance Committee to the Protocol on Water and Health was established in 2007 at the first session of the Meeting of the Parties following entry into force (MOP decision I/2). The Committee consists of nine members elected by the MOP and serving in their personal capacity. At its present composition, one member belongs to the executive branch of the government and three members are not nationals of any Party to the Protocol. The Committee comprises both legal and technical experts. Committee members are elected for a term of office (i.e. two intersessional periods) and may be reelected once.

The Committee:

- (i) Considers submissions, referrals or communications relating to specific issues of compliance;
- (ii) Prepares, at the request of the MOP, a report on compliance with or implementation of specific provisions of the Protocol; and
- (iii) Monitors, assesses and facilitates the implementation of and compliance with the reporting requirements of the Parties under the Protocol.

The Committee adopts its own procedural rules, on the basis of the general rules of procedure approved by the Meeting of the Parties, which are subject to revision based on practice and experience. The Committee meets once or twice per year. All meetings are normally open to the public, with the exception of parts of the meeting when the Committee prepares and adopts findings, decisions on measures or recommendations that are closed and attended only by the

Committee. In addition, the Committee meets in closed session when this is necessary to preserve confidentiality of information.

Parties may participate as observers, while non-Parties, intergovernmental and non-governmental organizations enjoying observer status with the Meeting of the Parties, have observer status within the Committee. Observer status may be granted to other stakeholders on a case-by-case basis.

Essential information concerning a case, including a short summary of each case prepared by the secretariat, the text of the communication/submission, the preliminary determination on the admissibility of a communication, other significant documentation setting out positions of the Committee, of the Party concerned and of the submitting Party or the communicant, as well as findings and recommendations of the Committee and related decisions of the Meeting of the Parties, are posted on the Protocol's website. Draft findings and recommendations are made available upon request, only after they have been forwarded to the Party concerned, and if applicable, to the submitting Party/communicant; ensuing comments to draft findings and recommendations from Parties/communicants are also made available upon request, unless the submitting Party has requested that they not be disclosed until the end of the commenting period, in which case they are only transmitted to the Committee members. At the end of the commenting period, draft findings and ensuing comments are all posted on the Protocol's web site.

Trigger mechanisms:

- a) Submissions by Parties (self and Party-to-Party)
- b) Referrals by the Secretariat
- c) Communications from the public

To help the general public in understanding the compliance mechanism and inform on how a communication from the public may be submitted, the Committee elaborated Guidelines on communications from the public.

The first reporting exercise under the Protocol, conducted during autumn 2009/spring 2010, demonstrated that a number of Parties were facing difficulties in implementing the Protocol, in particular with its core obligation to set targets and target dates. Based on the outcomes of the first reporting exercise, the first report of the Compliance Committee to the Meeting of the Parties was submitted at Parties' second session in Bucharest in November 2010. Prof. Attila Tanzi served as the first Chair of the Compliance Committee. Based on the report of the Compliance Committee, MOP-2 adopted a decision on general issues of compliance that highlighted a number of identified issues – failure to report, failure to set targets and target dates in accordance with article 6, the need to use officially adopted guidelines on reporting, etc.

To enhance its facilitation and assistance functions the Compliance Committee at its 6th session in March 2011 adopted the Terms of Reference of a new consultation process geared to help Parties implement their obligations under the Protocol. Under the auspices of the new consultation process, the Committee will:

(i) Assist Parties in developing an accurate analysis of their situation (enabling them to set targets under the Protocol);

(ii) Provide recommendations to the Parties on how to improve their situation;

(iii) Assist Parties in seeking support from donors, specialized agencies and other competent bodies.

Consultations do not have an inquisitive nature, and will be initiated by a request from a Party. The Committee may also officially invite a Party to embark on the consultation process. Sessions can be held in confidence, if so requested. Civil society will also have the possibility to engage in the consultation process.

To date, the Committee has received no communications, submissions or referrals, nor requests for consultation process, although Parties are strongly encouraged to make use of that possibility. Therefore, the focus has been placed primarily on the review of reporting obligations and also in efforts to strengthen cooperation with the relevant human rights bodies, including the Office of the UN High Commissioner for Human Rights and the Special Rapporteur on the human right to safe drinking water and sanitation.

The Committee itself can issue recommendations, without prior agreement of the Party concerned and can issue cautions. The Committee reports to the MOP and makes recommendations for specific measures.

Currently, the Committee is working on the preparation of its second report to MOP-3 in Oslo, based on the analysis of the second reporting exercise. The ninth meeting of the Compliance Committee will take place on 1-2 July 2013 in Geneva.