

**UNITED NATIONS 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  
Third meeting**

Budapest, 11-12 March 2003

Item 5 (c) of the provisional agenda

**Working paper 2**

**POSSIBLE WAYS TO COMPLY WITH ARTICLE 16 OF THE PROTOCOL  
REGARDING MODALITIES FOR THE PARTICIPATION OF OTHER COMPETENT  
INTERNATIONAL GOVERNMENTAL AND NON-GOVERNMENTAL BODIES**

Prepared by the secretariat

1. Article 16, paragraph 3 (f), on the “Meeting of the Parties” stipulates that the Parties shall “establish the modalities for the participation of other competent international governmental and non-governmental bodies in all meetings and other activities pertinent to the achievement of the purposes of this Protocol”.
2. Experience shows that meetings and other activities under the parent Water Convention (including activities under the auspices of the Signatories to the Protocol and the Working Group on Water and Health) attract the attention of UN organizations, other international governmental organizations, NGOs and representatives of the private sector.
3. In addition to international governmental organizations, representatives from a number of NGOs (e.g. MAMA-86, PERZENT, Doctors for the Environment, Peipsi Centre for Transboundary Cooperation, ECOTERRA) and the private sector (e.g. DHI Water & Environment, insurance companies, CEFIC) are usually attending meetings under the Convention and are actively involved in activities under the Meeting of the Parties to the Convention. With all likelihood, the same would apply to the future activities carried out under the Meeting of the Parties to the Protocol on Water and Health.
4. The Signatories at their second meeting considered a working paper<sup>1</sup>, which dealt with the experience gained under the Convention. The present working paper, based on suggestions made by the meeting participants, proposes the inclusion of specific participation modalities in

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<sup>1</sup> Working paper 3, available at <http://www.unece.org/env/water/meetings/spwh/2meeting/wp3e.pdf>

documents that are to be drawn up for the first meeting of the Protocol Parties, namely: (a) rules of procedure; (b) compliance review mechanisms; (c) work plan; and (d) the declaration of the first meeting of the Parties.

5. The Working Group may wish to consider these proposals and may discuss, which other documents should refer to the participation of other competent international governmental and non-governmental bodies. Examples could include documents regarding the terms of reference of the Working Groups and the Bureau.

### ***Rules of procedure***

6. The secretariat's proposal for amendment of rules, 6, 7, 18, 21 and 22 (see working paper 1) already contain rules regarding the participation of competent international governmental and non-governmental bodies.

7. The Working Group may wish to examine whether additions are needed to comply with article 16, paragraph 3, of the Protocol.

### ***Compliance review mechanisms***

8. The draft compliance review mechanism (MP.WAT/WG.4/2004/2 - EUR/5047016/2004/2) examines public participation in the Compliance Review Committee (see paragraphs 22-23 in part I and paragraph 42 in part II of the above document) and proposes various options regarding the composition of this Committee (see, for example, paragraph 4 (c) or paragraph 5 of the proposed draft provisions). Following the outcome of the discussion of the Working Group on the compliance review mechanism (see agenda item 5 (a)), the Working Group may also wish to discuss other possibilities of complying with article 16, paragraph 3, of the Protocol.

#### ***An option for NGO involvement in the compliance review mechanism***

One of the options to comply with article 16, paragraph 3 (f), is to state that non-governmental organizations promoting the objectives of the Protocol and enjoying observer status before the MOP shall be entitled to participate in the meetings of the Committee as observers, with full rights except the right to vote. The MOP shall designate two organizations at each ordinary meeting following the indications of NGOs enjoying observer status before it.

### ***Work plan***

9. The work plan is an excellent opportunity to show that activities under the Protocol are carried out in cooperation with competent international governmental and non-governmental bodies, which are non-Parties to the Protocol.

#### ***Organizations implementing the work plan under the Convention***

An example of the involvement of international governmental organizations is the activity under programme element ‘Integrated management of transboundary waters in Eastern Europe, the Caucasus and Central Asia (EECCA)’ of the work plan under the Convention for the period 2004-2006. Organizations, which assist in programme implementation, include UN bodies, the Organisation for Economic Co-operation and Development (OECD), the Organization for Security and Cooperation in Europe (OSCE), the Global Water Partnership (GWP) and regional environmental centres.

### ***Declaration of the first meeting of the Parties***

10. The declaration of the first meeting of the Parties could also contain relevant text passages regarding the participation of other competent international governmental and non-governmental bodies.

#### ***Organizations, which are invited to join forces with the Meeting of the Parties to the Convention***

An example is paragraph 20 of the declaration adopted by the Parties to the Convention at their third meeting in Madrid, which states: “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.”