



**Economic and Social
Council**

Distr.
GENERAL

ECE/MP.WAT/AC.4/2009/1
11 February 2009

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

**MEETING OF THE PARTIES TO THE CONVENTION ON
THE PROTECTION AND USE OF TRANSBOUNDARY
WATERCOURSES AND INTERNATIONAL LAKES**

Legal Board

Sixth meeting
Geneva, 29–30 April 2009

ANNOTATED PROVISIONAL AGENDA FOR THE SIXTH MEETING

To be held at the Palais des Nations, in Salle V
starting on Wednesday, 29 April 2009, at 10 a.m.*

I. PROVISIONAL AGENDA

1. Adoption of the agenda.
2. Guide to implementing the Convention.
3. Amendment to articles 25 and 26 of the Convention.
4. Future activities of the Legal Board.

* Delegates attending meetings at the Palais des Nations are requested to complete the registration form available on the UNECE website (http://www.unece.org/env/water/meetings/legal_board/legal_board.htm) and to transmit it to the UNECE secretariat no later than two weeks before the meeting, i.e. by 15 April 2009, by e-mail (olga.carlos@unece.org). On their way to the meeting, delegates should obtain an identification badge at the Pass and Identification Unit of the United Nations Office at Geneva's Security and Safety Section, located at the Pregny Gate, 14, Avenue de la Paix (see the map on the UNECE website: <http://www.unece.org/meetings/practical.htm>). In case of difficulty, please contact the secretariat by telephone at +41 22 917 1926.

5. Other business.
6. Closing of the meeting.

II. BACKGROUND AND PRACTICAL INFORMATION

1. The Convention's Bureau decided that a guide to address legal and practical implications of ratification and implementation of the Convention was the most effective response to the requests for assistance for accession to the Convention made by Georgia and the former Yugoslav Republic of Macedonia in 2008. The Legal Board and the Working Group on Integrated Water Resources Management were entrusted to provide, respectively, legal explanations of the Convention's provisions and practical advice on their implementation.
2. Following this decision, the fifth meeting of the Legal Board (Geneva, 2–3 October 2008) prepared a concept of the Guide and established a drafting group to work on its text. In turn, the third meeting of the Working Group on Integrated Water Resources Management (Rome, 22–24 October 2008) provided comments on the draft concept of the Guide and stressed the need to engage water experts in the drafting group's work.
3. The drafting group formed to elaborate the draft Guide on the basis of the inputs and comments by the Legal Board and the Working Group is composed of legal and water experts from the following countries and organizations: Czech Republic, Finland, Georgia, Greece, Hungary, Italy, Slovakia, the former Yugoslav Republic of Macedonia, Ukraine, European ECO-Forum and the University of Dundee (United Kingdom). The drafting group held its first meeting in Geneva on 15 and 16 December 2008; the second meeting is scheduled to be held on 17 and 18 February 2009.
4. One of the major objectives of the sixth meeting of the Legal Board is to discuss and further elaborate the draft Guide for its submission to the fifth meeting of the Parties (10–12 November 2009) through the Working Group. The latter will hold its fourth meeting from 8 to 10 July 2009. Considering that there is little time available to finalize the draft Guide and a very limited number of intergovernmental meetings before the Guide's formal adoption, it is crucial that not only legal but also water experts take part in the sixth meeting of the Legal Board so to ensure a comprehensive approach for the Guide's development. Thus, countries may consider nominating two representatives for this meeting.
5. Participants are requested to complete the registration form available online (http://www.unece.org/env/water/meetings/legal_board/legal_board.htm) and to transmit it by e-mail to the secretariat (olga.carlos@unece.org) as soon as possible, but not later than 15 April 2009.
6. Eligible participants from countries with economies in transition may apply for financial support to facilitate their participation in the meeting. **Requests for financial support should be submitted to UNECE by e-mail (olga.carlos@unece.org), together with the completed registration form, as soon as possible, but not later than 16 March 2009.**

7. The working languages of the Legal Board are English, French and Russian. Documents for its sixth meeting will be available in English and Russian only (with the exception of the provisional agenda, which will be also available in French). Documents for the meeting will be posted online at: http://www.unece.org/env/water/meetings/legal_board/legal_board.htm.

III. ANNOTATIONS TO THE AGENDA

Item 1: Adoption of the agenda

(Wednesday, 29 April 2009, 10 a.m. – 10:10 a.m.)

8. The Legal Board is expected to adopt its agenda as set out in the present document.

Item 2: Guide to implementing the Convention

*(Wednesday, 29 April 2009, 10:10 a.m. – 6 p.m. and
Thursday, 30 April 2009, 9:30 a.m. – 12:30 p.m.)*

9. Mr. Attila Tanzi, Chairperson of the Legal Board, will recall the decisions by the fifth meeting of the Legal Board (ECE/MP.WAT/AC.4/2008/2) and the third meeting of the Working Group on Integrated Water Resources Management (ECE/MP.WAT/WG.1/2008/2) related to the development of the Guide. Furthermore, he will brief participants on the approach to developing the Guide adopted by the drafting group and will report on the progress in group's work.

10. The Chairperson will introduce the draft Guide (informal document LB-Inf.1¹) and will invite participants to provide their comments to the text.

11. The Legal Board will comment and further elaborate the draft Guide as well as to propose examples for illustrating implementation of specific provisions of the Convention. To effectively organize the discussion, delegations are requested to provide the secretariat with their written comments and proposals prior to the meeting.

12. The Legal Board will agree on the steps needed to finalize the draft Guide and will provide guidance for the further work of the drafting group to ensure submission of the draft Guide to the fifth meeting of the Parties through the Working Group.

Item 3: Amendment to articles 25 and 26 of the Convention

(Thursday, 30 April 2009, 2:30 p.m. – 3 p.m.)

13. The Chairperson of the Working Group will inform the Legal Board about actions taken by Switzerland to encourage ratification of the amendment to articles 25 and 26 of the Convention, which opens the Convention for accession to countries outside the UNECE region. The Legal Board will advice on how to promote further such ratification.

¹ The draft Guide is expected to be available for comments in the beginning of April 2009.

Item 4: Future activities of the Legal Board and workplan for 2010-2012

(Thursday, 30 April 2009, 3 p.m. – 4:45 p.m.)

14. On the basis of past activities – especially experience with the Guide’s elaboration – as well as discussion under previous agenda items, the Legal Board will discuss and agree on its draft workplan for 2010–2012 to be submitted to the Meeting of the Parties.

15. In particular, the Legal Board might wish to consider that, at its third meeting, the Working Group reiterated the importance of ratification, effective implementation and compliance with the Convention and suggested that the Convention’s workplan for 2010–2012 contain an item related to support for implementation and ratification. The Legal Board might therefore discuss how to make such proposal concrete. Options might include, for example, a review of implementation of and performance based on self-evaluation by Parties linked to the Guide. In the longer term, Parties may wish to consider a more formalized framework, of non-confrontational nature, to monitor their compliance vis-à-vis the Convention. They might entrust the Legal Board with the definition of such a framework. Another possible focus of the Legal Board’s future work could be providing advisory service to non-Parties and helping to facilitate ratification through country-specific activities. The Guide is expected to be the key reference material for both areas of work.

Item 5: Other business

(Thursday, 30 April 2009, 4:45 p.m.–4:50 p.m.)

16. At the time of writing, the secretariat had no points to propose under this item.

Item 6: Closing of the meeting

(Thursday, 30 April 2009, 4:50 p.m.–5 p.m.)

17. The Chairperson will summarize the major outcomes of the meeting and will close it on Thursday, 30 April 2009 at 5 p.m.
