



# Economic and Social Council

Distr.: General  
27 May 2015

Original: English

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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

#### Implementation Committee

##### Fifth meeting

Vienna, 5 and 6 May 2015

## Report of the Implementation Committee on its fifth meeting

### I. Attendance and organizational matters

1. The fifth meeting of the Implementation Committee under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was held on 5 and 6 May 2015 at the Vienna International Centre in Vienna.
2. All members of the Implementation Committee took part in the meeting: Ms. Vanya Grigorova; Mr. Saghit Ibatullin (Vice-Chair); Mr. Kari Kinnunen; Mr. Johan Lammers; Mr. Stephen McCaffrey; Ms. Anne Schulte-Wülwer-Leidig; Mr. Aliaksandr Stankevich; Mr. Attila Tanzi (Chair); and Mr. Ivan Zavadsky. A member of the public attended the meeting as an observer.
3. The Committee adopted its agenda as set out in document ECE/MP.WAT/IC/2015/1.

### II. Requests for advice, submissions and Committee initiative

4. The Committee noted that no requests for advice or submissions had been received from Parties and that it was not otherwise aware of information that would require the Committee to consider the need for a Committee initiative.

### III. Information gathering

5. Within its competence under section VIII of annex I (mechanism to support implementation and compliance) to decision VI/1 of the Meeting of the Parties to the Convention (see ECE/MP.WAT/37/Add.2), and further to its deliberations at its third and fourth meetings (see ECE/MP.WAT/IC/2014/2, paras. 5–9, and ECE/MP.WAT/IC/2014/4,

GE.15-10551 (E)



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paras. 5–9), the Committee further discussed its gathering of information regarding the Irtys River Basin in relation to the development activity in the upstream part of the basin. The Committee acknowledged and was grateful for the general information on cooperation between the Russian Federation, Kazakhstan and China provided by the Russian Federation in response to its letters, most recently in its letter dated 30 April 2015.

6. Given the content of the replies from the Russian Federation, and not having received a reply from Kazakhstan, the Committee decided to continue to gather information also from other sources. It was of the opinion that Parties were under a good faith obligation to cooperate with the Committee's information gathering.

7. The Committee therefore decided to approach Kazakhstan and the Russian Federation again to inform them that the Committee, while engaging in gathering further information, including from other bodies, would still welcome receiving from the Parties concerned information in response to the specific questions posed in its previous letters. As previously, additional letters should be sent to the co-Chairs of the Russian Federation-Kazakhstan Commission on the Joint Use and Protection of Transboundary Waters and the Kazakhstan-China Joint Commission on the Use and Protection of Transboundary Rivers.

8. The Committee also decided to explain to the two Parties concerned that it was gathering information with a view to considering in due course the appropriateness of undertaking a Committee initiative in accordance with section VII of annex I to decision VI/1, or other relevant courses of action.

#### **IV. Relevant activities of other bodies under the Convention**

9. The secretariat reported on the outcomes of the twenty-first meeting of the Bureau of the Meeting of the Parties (Geneva, 12–13 February 2015), in particular with regard to the drafting of the future programme of work for the Convention for 2016–2018 (ECE/MP.WAT/WG.1/2015/L.1), which would be submitted to the Working Group on Integrated Water Resources Management for its consideration at its tenth meeting (Geneva, 24–25 June 2015).

10. The Committee considered that it was important for it to be able to organize events on international water law in order to promote the mechanism to facilitate and support implementation and compliance. One such event could be a workshop for the benefit of Central Asian countries, organized back to back with the Committee's next meeting, if it was held in Kazakhstan in May 2016 as planned. The organization of such events would need to be reflected in the future programme of work for the Convention.

11. Mr. Lammers and Ms. Grigorova briefed the Committee on the results of the meetings of the Core Group on Reporting (Geneva, 15–16 December 2014 and 30–31 March 2015), in which they had participated in their expert capacity. The Core Group had been established by the Working Group on Integrated Water Resources Management at its ninth meeting (Geneva, 25–26 June 2014) and mandated to prepare a proposal for a possible reporting mechanism under the Convention, taking into account the capacity of countries and other relevant reporting mechanisms.

12. The Committee welcomed in general the proposal for a reporting mechanism prepared by the Core Group on Reporting (ECE/MP.WAT/WG.1/2015/5) and supported a pilot reporting exercise. Committee members found the reporting template included in the proposal to be well designed and largely in line with relevant European Union directives.

13. The Committee requested Mr. Lammers to represent the Committee at the tenth meeting of the Working Group in June, and to convey the Committee's views on both the programme of work and the proposal for a reporting mechanism.

## **V. Promotion of the mechanism to facilitate and support implementation and compliance**

14. The Chair informed the Committee that he and Mr. McCaffrey would participate in the World Water Congress, to be held in Edinburgh, United Kingdom of Great Britain and Northern Ireland, from 25 to 29 May 2015, and about events to launch recent publications on the Convention.

15. The secretariat informed the Committee of interest in the Convention expressed by countries outside the United Nations Economic Commission for Europe region. In particular, interest in the work of the Committee and, more generally, in the prevention and settlement of disputes, had often been expressed in events organized by the secretariat or to which it had contributed with a view to promoting the Convention.

16. The secretariat further reported on the production and imminent publication of short video interviews of each of the Committee members, made to promote the Convention's mechanism to facilitate and support implementation and compliance.

17. The Committee considered that there was a need to further promote its usefulness among non-governmental organizations (NGOs), and asked the secretariat to prepare and distribute some short promotional materials for that purpose. It also suggested that selected NGOs be invited to attend a Committee meeting as observers, along with an offer of financial support for such participation.

## **VI. Report to the Meeting of the Parties**

18. The Committee discussed and agreed on the expected content of its report to the Meeting of the Parties at its seventh session (Bucharest, 17–20 November 2015), which would need to be finalized by 3 August 2015 (see decision VI/1, annex I, para. 44), on the basis of a draft prepared by the secretariat.

19. The Committee concluded the draft report with a number of opinions. It did not see a need to draft a separate decision on implementation and compliance for consideration by the Meeting of the Parties.

## **VII. Programme of work and calendar for the next meetings**

20. The Committee reviewed the decisions it had taken during the meeting and the matters it was likely to address at its next meeting.

21. The Committee agreed to hold its sixth meeting in Kazakhstan, on 3 and 4 May 2016, and agreed tentatively to hold its seventh meeting on 28 and 29 November 2016 in Geneva.

## **VIII. Other business**

22. Mr. McCaffrey provided information on a meeting of Senior Officials of Central Asian States, which had been organized by the United Nations Regional Centre for Preventive Diplomacy for Central Asia (Vienna, 29–30 April 2015). The meeting had focused on a discussion of "Options for a Procedure for Implementing International Legal Principles to Promote Cooperation and to Prevent and Resolve Disputes regarding Transboundary Water and related Resources in the Aral Sea Basin". The Committee Secretary provided additional information on the meeting.

23. The Committee was grateful for the information on the meeting and asked to be kept informed about further developments.

## **IX. Adoption of the report**

24. The Committee entrusted the secretariat to prepare and circulate the draft report on its fifth meeting, which the Committee subsequently approved through electronic communication means.

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