Preparatory meeting for the eleventh meeting of the Implementation Committee

By videoconference
19 May 2020, 15.00–18.00

Report

I. Attendance and organizational matters

1. The preparatory meeting for the eleventh meeting of the Implementation Committee under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was held on 19 May 2020 afternoon by videoconference.

2. The meeting was attended by all members of the Implementation Committee (Mr. Kari Kinnunen; Mr. Johan Lammers; Mr. Stephen McCaffrey; Mr. Martins Paparinskis; Ms. Anne Schulte-Wülwer-Leidig; Mr. Pedro Cunha Serra; Mr. Attila Tanzi; Mr. Ivan Zavadsky; and Ms. Dinara Ziganshina).

3. The Chair introduced the modalities for working virtually.

4. The Implementation Committee adopted its agenda as prepared by the secretariat in cooperation with the Chair.

5. The Implementation Committee approved the report of its tenth meeting (ECE/MP.WAT/IC/2019/2) held on 2 and 3 December 2019 in Geneva.

II. Advisory procedure WAT/IC/AP/1

6. The Chair recalled the letter from Montenegro addressed to the attention of the Implementation Committee in November 2019 in which Montenegro had asked for the involvement of the Implementation Committee in the matter related to the construction of small hydropower plants on the Cijevna/Cem River in Albania. The Chair recalled that the Committee at its tenth meeting decided to consider the letter as a request for advice within the advisory procedure framework set out in section V of annex I to decision VI/1. The Chair further informed that he had subsequently sent letters inviting Montenegro and Albania to provide any information and corroborating documentation that they consider relevant for the Committee to assess the next steps in the matter. Albania was also invited to indicate whether it was willing to participate in the advisory procedure.

7. The Chair informed that Albania has consented to participate in the advisory procedure by its letter of 31 January 2020. The replies received from the two countries included some additional information.

8. The Committee exchanged views on the information provided by the two countries and the key technical and legal issues involved. The Committee asked the Chair, with assistance from the secretariat and the curator, to request further information from the two countries by formulating specific questions based on the input provided by the Committee members in the discussions held during the meeting. The Committee emphasized that the letters to the two countries and the questions contained therein should reflect the non-adversarial nature of the mechanism to support implementation and compliance, with special regard to the advisory procedure.

9. The Committee also decided that the letters should include an encouragement to both countries to make use of the existing bilateral mechanisms between them, such as the 2018 bilateral agreement and the joint commission created therein, in order to: operationalize joint monitoring on the Cijevna/Cem River; carry out joint or coordinated assessments of the state of transboundary waters; exchange data and information, including on planned measures; and hold consultations on the issues covered by the provisions of the Convention. The Committee expressed its readiness to offer practical assistance that the two countries may require in order to enhance their cooperation on the basis of the existing bilateral agreement and the joint commission as a means to implement the Convention.
10. The Chair recalled the rules on transparency and confidentiality set out in section IX of annex I to decision VI/1. The Committee accordingly decided that the information on the advisory procedure in question shall not be confidential, unless when otherwise provided for in section IX.

11. The Committee held a joint discussion with the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment, which was represented by its Chair and the curator of a procedure involving Albania and Montenegro in the latter Committee. Since the procedures in the two Committees are related to similar activities, it was agreed to share information on the matter, to the extent possible, in particular through the secretariats.

III. Contribution of the Committee to activities under the Convention

12. The Committee did not address this item due to the lack of time.

IV. Calendar of future meetings

13. The Chair recalled that the eleventh meeting of the Committee has been postponed to take place on 31 August – 1 September 2020 in Geneva, with these dates subject to further confirmation due to the COVID-19 situation.

V. Presentation of the main decisions taken, modalities for preparation of the meeting report and closing of the session

14. The Committee requested the secretariat to prepare a meeting report to be approved by the Committee by electronic means.