



**Economic and Social
Council**

Distr.
GENERAL

ECE/MP.WAT/WG.4/2005/2
EUR/05/5047554/2

29 November 2006

Original: ENGLISH

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

**REPORT ON THE FIFTH MEETING
held at the Palais des Nations, Geneva, on 5-7 December 2005**

Introduction

1. Representatives of the following countries attended the fifth meeting of the Working Group: Belgium, Croatia, the Czech Republic, Estonia, Finland, Germany, Greece, Hungary, Italy, Latvia, the Netherlands, Norway, Serbia and Montenegro, Slovakia, Spain, Switzerland, Ukraine and the United Kingdom.
2. Representatives of the Office of the United Nations High Commissioner for Human Rights, the Joint Research Centre of the European Commission, the Organisation for Economic Co-operation and Development (OECD) and the International Organization for Standardization (ISO) also attended the meeting.
3. A representative of the World Health Organization (WHO) Collaborating Centre for Health Promoting Water Management and Risk Communication (Germany) participated in the meeting.

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4. Representatives of the following organizations attended the meeting: the non-governmental organizations (NGOs) Earthjustice, European ECO-FORUM and World Business Council for Sustainable Development and the water companies Aquafed and Veolia Water.

I. ORGANIZATIONAL AND PROCEDURAL MATTERS

5. Mr. Kaj Barlund, director of the Environment, Housing and Land Management Division, opened the meeting and welcomed the participants. He drew attention to the entry into force of the Protocol in August 2005 and emphasized that the Parties' commitments to the Protocol had to be converted into concerted action and that the Working Group had a very important role to play in preparation for the first meeting of the Parties.

6. Mr. Mihály Kádár (Hungary) and Mr. Thomas Kistemann (Germany) acted as Chairman and Vice-Chairman, respectively.

7. The Working Group adopted its agenda as contained in document MP.WAT/WG.4/2005/1 - EUR/05/5047554/1.

8. It also adopted the report of its fourth meeting (MP.WAT/WG.4/2004/5 - EUR/5047016/2004/5) but, following the discussion on the Roundtable on Water and Health in Europe, decided to prepare a revised version combining decisions in Annexes I and II for its next meeting. Following the discussion on the review and assessment of progress, (see paras. 24 to 30) it agreed that the decision in Annex III would not be submitted to the Parties at their first meeting but included in the reporting scheme under the Protocol.

II. PROGRESS IN THE RATIFICATION PROCESS

9. The Working Group noted that the following 17 countries had ratified the Protocol: Albania, Azerbaijan, Belgium, Czech Republic, Estonia, Finland, France, Hungary, Latvia, Lithuania, Luxembourg, Norway, Republic of Moldova, Romania, Russian Federation, Slovakia and Ukraine.

10. Croatia, Germany, the Netherlands, Serbia and Montenegro, Switzerland and United Kingdom informed the Working Group that they would ratify the Protocol by end of 2006.

11. The Working Group discussed the advisability to amend the Protocol at the first meeting of the Parties to allow accession by countries outside the ECE region. It requested the secretariat to prepare a paper for its next meeting outlining pros and cons and proposing different options. To this aim, participants were invited to submit to the secretariat by 31 January 2006 relevant information, in particular national preparatory documents prepared by Parties for the ratification process, papers on the comparative advantages of the Protocol, or explanations on what hampered the ratification process.

III. LEGAL AND ADMINISTRATIVE ASPECTS OF THE PROTOCOL'S IMPLEMENTATION

A. Draft compliance procedure under the Protocol

12. The chairperson of the Legal Board, Mr. Attila Tanzi, presented the draft compliance procedure (MP.WAT/WG.4/2005/3-EUR/05/5047554/3), finalized by the Legal Board at its third meeting (see report MP.WAT/AC.4/2005/2). The Working Group endorsed the document and agreed to submit it to the first meeting of the Parties to the Protocol.

B. Draft rules of procedure

13. Mr. Attila Tanzi also presented the draft rules of procedure for the Meeting of the Parties to the Protocol finalized by the Legal Board (see report MP.WAT/AC.4/2005/2, paragraphs 23-29). The Working Group, while noting a scrutiny reservation by Germany on the text of paragraph 3 of rule 20, agreed in principle with the rules of procedures and requested the secretariat to compile them in a document for its next meeting. The Working Group thanked the Legal Board for the valuable support offered in the preparation of legal documents for the first meeting of the Parties to the Protocol.

C. Focal points for activities under the Protocol

14. The secretariat informed the Working Group on the role and functions of focal points on the basis of established practice under the Convention. The Working Group discussed and agreed on a draft decision on the designation of focal points for the Protocol and their responsibilities and entrusted the secretariat to submit a revised version for its next meeting. The Working Group was requested to inform the secretariat on any change to the list of focal points, in particular for countries that have not yet nominated their focal points. It was also invited to inform the secretariat of any observers (NGOs, international organizations, private sector) which should be included in the list of contacts.

D. Mainstreaming activities and priorities of work under the Protocol into the policy making of WHO

15. The secretariat informed the Working Group on the internal governance process of WHO, in particular on the role of the WHO Regional Committee for Europe, its Standing Committee and the European Environment and Health Committee. The Working Group requested the secretariat to prepare for its next meeting a draft decision on mainstreaming activities and priorities of work under the Protocol into the policy making of the World Health Organization (WHO) in order to ensure coordination of the activities and priorities under the Protocol with the work under other WHO bodies.

16. The secretariat also informed the Working Group on the Biennial Collaborative Agreements (BCA) that WHO develops with countries to address their priority health concerns

through a set of effective actions, the BCA formulation process and the achievements in the area of water and health.

E. Relation with EU legislation

17. The Working Group noted the offer by WHO/EURO to prepare a comparative analysis of EU legislation and the Protocol aimed at answering the concern by EU countries on duplication of efforts, particularly with regard to reporting.

IV. MEETINGS UNDER THE AUSPICES OF THE WORKING GROUP

A. Conference on Enclosed Recreational Waters

18. Mr. Mihály Kádár informed the Working Group on the outcome of the Conference on Health Risks in Enclosed Recreational Water Environments, which took place at the invitation of the Government of Hungary, in Budapest on 10-11 March 2005. Participants to the Conference stressed that many issues related to the design, operation and management of the man-made recreational water environments remained to be addressed, including the assessment of microbiological and chemical risks in water and air, the monitoring and assessment of recreational water environment, water treatment and disinfection processes, and new environments such as private pools and natural pools. They called for enhanced international cooperation and exchange of experience on these aspects and proposed to organize a second international conference in this area.

19. The Working Group thanked Hungary for hosting the Conference and agreed to take these proposals into account in the draft programme of work 2007-2009 under the Protocol.

B. Conference on Cyanobacteria

20. The Working Group was informed of the work undertaken by the German Federal Environmental Agency in the area of cyanobacteria ecology in general and in particular of the preparations for a scientific review meeting on the assessment and management of health risks in water resources and water supply systems related to cyanobacteria and their toxins for immunocompromised patients and for dialysis patients.

21. The Working Group was informed that the planned Conference on Cyanobacteria (see annex IV in document MP.WAT/WG.4/2004/5 - EUR/5047016/2004/5) could unfortunately not be held due to difficulties in the host country (Portugal). Interest in the topic remained high however, and alternative solutions would be explored.

V. TARGETS AND TARGET DATES

22. Mr. Thomas Kistemann recalled the obligation of each Party under article 6 to establish and publish, within two years of becoming a Party, national and/or local targets for the standards

and levels of performance that need to be achieved or maintained for a high level of protection against water-related disease, and target dates for achieving them.

23. Participants exchanged information on the progress in setting those targets and target dates. The discussion revealed that many Parties had not yet set their targets, that EU countries mostly relied on EU legislation while non-EU countries needed advice, and that a number of identified problem areas (e.g. small and very small water supply and sanitation systems and rural areas) needed to be addressed.

24. The Working Group agreed that in accordance with the provisions of article 12, the draft programme of work 2007-2009 under the Protocol should include activities to promote cooperation in this area and the development of commonly agreed targets.

VI. REVIEW AND ASSESSMENT OF PROGRESS

25. The secretariat introduced document MP.WAT/WG.4/2005/4 - EUR/05/5047554/4 presenting the steps taken by the Working Group to develop a guidance document for reporting on the progress made in achieving the targets under article 6, paragraph 2 of the Protocol.

26. In particular, it presented the conclusions of the Consultation on target setting and progress monitoring of water and wastewater services (Copenhagen, 9-10 May 2005) entrusted by the Working Group with the identification of elements of the reporting system related to water supply and sanitation (full report of the meeting including description of and calculation methods for the proposed parameters available at <http://www.euro.who.int/document/wsn/protMtgMay05.pdf>). It informed the Working Group on the preliminary experience gained in a reporting exercise based on the Consultation's proposals.

27. The Hungarian delegate gave a presentation on the feasibility testing of WHO indicators on water, sanitation and health concerning the quality of bathing water, the quality of drinking water, access to safe drinking water, and waste water treatment coverage. He also informed on current data capture and statistical services where these or compatible indicators were already being used, and concluded that there was an abundance of data sources that could support reporting under the Protocol.

28. The secretariat also highlighted the existing gaps concerning parameters for the targets under article 6, paragraph 2 (f) to (n).

29. The Working Group welcomed the outcome of the Copenhagen Consultation. It was invited to submit further comments on the reporting scheme and to nominate national experts for further work in this area by 31 January 2006.

30. The Working Group also stressed that the reporting scheme should be simple, able to capture the specific problems of countries in transition (for instance related to the continuity of the service), and flexible enough to allow reporting by countries where lack of monitoring data

only permitted a qualitative assessment. The Working Group stressed the need for cooperation with the Working Group on Monitoring and Assessment in this activity.¹

31. The Working Group agreed to examine draft guidelines for reporting at its next meeting in view of their submission to the first meeting of the Parties.

VII. RESPONSE SYSTEMS

32. The Working Group examined document MP.WAT/WG.4/2005/5 on surveillance of water-related diseases, as a contribution to the implementation of articles 8, 10, 12, 13 and 14 of the Protocol. The document recalled earlier decisions identifying priority water-related diseases of primary and secondary importance, and summarized guidance prepared by the WHO on the assessment of national surveillance services

33. The Working Group was invited to submit comments to the list of priority water-related diseases (see Annex III of the report on the fourth meeting) to WHO by **31 March 2006**.²

34. The Working Group also requested the Secretariat to collect further information on current surveillance systems of priority water-related diseases in order to specify a proposal for the future programme of work of the Meeting of the Parties. Future activity in this area should include the preparation of costed proposals for the development of national action plans to improve existing surveillance systems according to the WHO standard methodology, upon request by countries.

VIII. LINKS BETWEEN ACTIVITIES UNDER THE PROTOCOL AND THE WATER CONVENTION

A. Extreme weather events and health

35. A staff member of the WHO secretariat presented a paper on extreme weather events and health in line with articles 8, 12, and 13 of the Protocol. She noted the sometimes unexpected toll of death and disease associated with such events (e.g. major floods), and the important work done under the Water Convention, particularly with regard to sustainable flood protection, prevention and mitigation. She invited the Working Group to support the scientific community and decision-makers, possibly through the setting up of an expert group, to put in place evidence-based interventions or precautionary measures, to limit the impacts of extreme weather events on the environment and in particular to reduce impacts on health and ecosystems.

¹ The Working Group on Monitoring and Assessment at its seventh meeting (Geneva, 3-5 May 2006) agreed to include in its draft workplan 2007-2009 an activity to assist the Meeting of the Parties to the Protocol to review and assess progress towards the achievement of the targets established under article 6, paragraph 2 and to prepare guidelines for harmonized reporting, in particular in relation to water management targets.

² No opposition to the list of priority water-related diseases was received by the Secretariat.

36. The Working Group requested the secretariat to collect further information in order to specify a proposal on this topic for the future programme of work of the Meeting of the Parties.

B. Guidebook on the Protocol on Water and Health

37. The Working Group took note of the proposal discussed at the third meeting of the Legal Board (MP.WAT/AC.4/2005/2, paragraphs 30-31) to develop, together with bodies under the Water Convention, a guidebook on the legal, administrative and technical provisions of the Protocol. While some countries supported the proposal, others suggested that given the financial implications the scope of the guidebook should be further defined to focus only on main issues.

C. Health aspects of monitoring and assessment of transboundary waters

38. The Working Group was invited to contribute to the Water Convention's activities on monitoring and assessment of transboundary waters, in particular: (i) the water-and-health related aspects of strategic guidelines on monitoring and assessment of transboundary waters; (ii) pilot projects on the implementation of guidelines on monitoring and assessment of transboundary rivers, lakes and groundwaters; and (iii) the assessments of the status of transboundary waters in the UNECE region (see report on the sixth meeting of the Working Group on Monitoring and Assessment, MP.WAT/WG.2/2005/2) and to nominate experts for this contribution. The Working Group stressed the importance of the development of joint activities with the Meeting of the Parties to the Water Convention.

IX. PARTNERS IN COOPERATION

39. A representative of OECD expressed OECD interest - and in particular of its Task Force for the Implementation of the Environmental Action Programme for Eastern Europe, Caucasus and Central Asia (EECCA) - in cooperating on future activities under the Protocol.

40. A representative of the Office of the High Commissioner for Human Rights informed the Working Group on the recent developments within the United Nations human rights system relevant to its work, in particular related to the right to health, the human right to water as a component of this right, and the right to an adequate standard of living. He presented the General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights - the international expert committee responsible for the monitoring of the International Covenant on Economic, Social and Cultural Rights - that recognized that the human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use and that everyone should have the right to seek, receive and impart information concerning water issues. He highlighted the role of the Protocol in providing a legal instrument to promote the implementation of this right within the region. He also suggested potential joint activities of the Meeting of the Parties to the Protocol and the Office of the High Commissioner for Human Rights: exchange of information on recent developments in the implementation of the right to water in the region, awareness raising activities and training events.

41. A representative of the European Commission Joint Research Centre (JRC) presented the centre's work, in particular in relation to the implementation of the EU Water Framework Directive and expressed JRC willingness to cooperate on activities under the Protocol.

42. A representative of the International Organization for Standardization (ISO) informed the Working Group of the development of new service standards by the Technical Committee 224. Three standards were under preparation:

(a) ISO 24510 *Guidelines for the improvement and assessment of services to users;*

(b) ISO 24511 *Guideline for the management of wastewater utilities and for the assessment of wastewater services;*

(c) ISO 24512 *Guidelines for the management of drinking water utilities and for the assessment of drinking water services.*

43. These standards were to be seen as guidelines, not "management systems" and were complementary to ISO 9001 and 14001, dealing with quality and environmental management systems. Forty-four countries and eight international organizations were involved in the development of the standards. Final publication of the standards was foreseen for September 2007.

44. A representative of Italy informed the Working Group on a project proposal for the creation of the Italian Observatory on Water and Health, submitted to the Italian Centre for Disease Control, Ministry of Health. The aims of the observatory were to: (a) improve the informative system of the Ministry of Health with special attention to drinking- and bathing water, (b) promote a system for data quality surveillance, and (c) develop a system of surveillance of risk factors resulting from compromised water quality. Activities would include: (a) the development of an information system; (b) the development of data quality system; and (c) the development of a surveillance system of the risk factors associated with the quality water quality, including surveillance of water-borne diseases and of cyanobacteria.

X. COORDINATION OF RESOURCE MOBILIZATION

A. Roundtable on Water and Health in Europe

45. The Working Group welcomed the proposal from Norway to provide resources on a shared basis for a "facilitator" to support the Protocol implementation and called upon other countries to join Norway in providing the necessary financial means. It suggested some amendments to annexes I and II of the report on its fourth meeting and requested the secretariat to circulate a revised version before its next meeting.

B. Alternative or additional financing mechanisms

46. The secretariat recalled the decision of the Working Group at its fourth meeting to establish a trust fund to manage extrabudgetary contributions for activities under the Protocol. It

presented the experience with the Water Convention trust fund, in particular the motivations that had convinced the Water Convention Parties to establish the trust fund in 2003, recognizing that the previous system which relied completely on lead Parties for the financing of activities was not reliable, requested continuous ad hoc fund-raising, only allowed Parties with means to take the lead of activities and did not linked the financing of activities with their prioritization.

47. The Working Group was also informed on the financial rules of UNECE and WHO/EURO and the resulting need to establish two trust funds, one in each organization. It was informed on the existing financial arrangements of another joint programme of UNECE-WHO/EURO, the Transport, Health and Environment Pan-European Programme.

48. The Working Group agreed to prepare a decision for the first meeting of the Parties for the establishment of trust funds to support the implementation of the programme of work. It made a number of comments to a similar decision adopted by the Parties to the Water Convention at their third meeting and requested the secretariat to prepare a draft for its next meeting.

XI. FURTHER PREPARATIONS FOR THE FIRST MEETING OF THE PARTIES TO THE PROTOCOL

A. Draft programme of work for the Parties to the Protocol

49. The secretariat presented the basis for the development of a programme of work under the Protocol (article 16 of the Protocol), the activities deriving from Parties obligations and the draft programme of work in document MP.WAT/WG.4/2005/6 - EUR/05/5047554/6 which was based on the outcome of the discussions at previous meetings of the Working Group and included possible follow up activities to its ongoing work.

50. The Working Group commented the draft programme of work and decided to establish an open ended ad hoc group to further work on it. Italy, the Netherlands, Norway, Switzerland, Ukraine and OECD expressed their interest to participate in the ad hoc group. The Working Group welcomed the proposal by the WHO Collaborating Centre on Health Promoting Water Management and Risk Communication to investigate possibilities to host this meeting in Bonn.³

B. Draft declaration of the first meeting of the Parties to the Protocol

51. The Working Group decided to work on the draft declaration after having agreed on the programme of work.

³ The WHO Collaborating Centre on Health Promoting Water Management and Risk Communication hosted the meeting of the ad hoc group on 6-7 March 2006 in Bonn.

C. Date and venue of the first meeting of the Parties

52. The Working Group agreed to hold its sixth meeting in Geneva from 31 May to 2 June 2006. It agreed that the meeting would have interpretation in English, French and Russian but, due to time constraints, all official documents would be in English only.

53. For the sixth meeting, the secretariat together with Chairperson and Vice-chairperson would prepare a draft of the agenda for the first meeting of the Parties, to be held in late 2006.⁴ Delegates were invited to consider hosting the first meeting of the Parties and providing financial assistance for its preparation, in particular to support the travel of eligible experts from countries in transition and NGOs.

⁴ The Bureau of the Meeting of the Parties to the Water Convention at its eight meeting (Geneva, 31 January – 1 February 2006), considering that the fourth meeting of the Parties to the Water Convention would be held on 20-22 November 2006, strongly recommended to postpone the first meeting of the Parties to the Protocol to January 2007.