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Europe's contribution to improving water management

Report
Committee on the Environment, Agriculture and Local and Regional Affairs
Rapporteur: Mrs Elsa Papadimitriou, Greece, Group of the European People's Party

Summary

Water is essential for life and water management is a critical element for sustainable development and a matter for all. Integrated water management, including of transfrontier water resources, is a fundamental prerequisite for sustainable development and for the future of the European continent and the planet. Formal recognition of a human right to water would mean acknowledging the environmental dimension of existing human rights and therefore a rights-based approach to water should be supported.

The Parliamentary Assembly should send a strong message to the 2006 World Water Forum regarding the importance of a common and integrated approach to water management in Europe and the shared responsibility of all those involved: from parliaments to governments, from the private sector to civil society. The 4th World Water Forum will meet under the main theme of "Local Actions for a Global Challenge". In this context, the Assembly calls for the decentralisation of water management regimes to local and regional authorities, while enabling them to carry out these tasks through appropriate legislative, technical and financial means. The Assembly should continue its involvement on this issue to ensure that international and regional commitments are met and that appropriate follow-up is given to the Ministerial Declaration of the 4th World Water Forum.

I. Draft recommendation

1. Water management is a critical element for the sustainable development of Europe and a matter for all: parliamentarians, governments, local and regional authorities, international organisations, scientists, the private sector, non-governmental organisations and European citizens at large.

2. The Parliamentary Assembly reaffirms the validity of the principles laid down in the Council of Europe Charter on Water Resources adopted by the Committee of Ministers on 17 October 2001.

3. Recalling its Resolution 1449 (2005) on the environment and the Millennium Development Goals (MDGs), the Assembly reiterates that it is unacceptable that 1.2 billion people in the world lack access to safe drinking water and 2.6 billion lack access to basic sanitation. The United Nations' MDGs agreed in 2001 to include specific targets regarding water resources: to halve the proportion of people without sustainable access to safe drinking water and basic sanitation by 2015. However, the 2005 United Nations progress report on the MDGs, states that access to improved drinking water resources has improved but much slower progress has been made globally in improving sanitation.

4. The Assembly welcomes the commitment of the Heads of State and Government of member states to achieve the MDGs expressed in the Warsaw Declaration and Action Plan of 17 May 2005 and in particular the reference to "everyone's entitlement to live in a balanced, healthy environment" (Action Plan, IV,3). The Assembly further welcomes the commitment of member states to "improving the quality of life for citizens" through the further development and support of integrated policies on the environment, with a "sustainable development perspective" (Action Plan, II-7).

5. Recognising access to water as a fundamental human right could serve as an important tool to encourage governments to improve their efforts to meet basic needs and accelerate progress towards achieving the MDGs. A rights-based approach to water would be a very important tool for civil society to hold their governments accountable for ensuring access to an adequate quantity of good quality water as well as sanitation.

6. Water resources and services in Europe are inter-dependent. European countries should adequately integrate transborder water basins management and the need for co-ordinated policies, solidarity, and responsibility in their water management policies and plans. In this sense, it is urgent that member countries transfer appropriate water management responsibilities to local and regional authorities.

7. The Assembly recalls Recommendation 1669 (2004) on transboundary water basins and its invitation for member states to develop transfrontier co-operation for the integrated management and protection of transboundary rivers and lakes, in particular through bilateral and multilateral agreements, and based on sound environmental, social and economic criteria.

8. It reiterates the recommendations to member states made in Resolution 1449 (2005) and draws attention to the urgency to take action to:

8.1. ensure access to water and sanitation for all which should be considered as a fundamental human right;

8.2. address the burden placed on local and regional authorities regarding the provision of water and sanitation and the importance of improving their capacity (technical, technological and financial) to achieve this goal;

8.3. improve water governance and facilitate decentralisation of decision-making, recognising the self-government of local and regional authorities, including energy and sanitation matters;

8.4. develop integrated plans for a more efficient water resource management, including the establishment of the necessary legal and institutional frameworks;

8.5. support and fully engage on the European Union Water Initiative, designed to contribute to achieving global targets for drinking water and sanitation by mobilising a wide range of partners to increase co-ordination and co-operation on water issues at all levels, under the overarching policy framework of integrated water resources management based on a river basin approach.

9. The Assembly welcomes the results of the colloquy jointly organised with the Congress of Local and Regional Authorities of the Council of Europe on "Water management: A shared responsibility" held on 20-21 October 2005, within the European Solidarity Week for Water. The key messages from that colloquy, together with this recommendation, will be a contribution to the 4th World Water Forum on "Local Actions for a Global Challenge" which will take place in Mexico in March 2006.

10. The Assembly calls on national parliaments to contribute to keeping the political momentum on the management of water resources before, during, and after the 4th World Water Forum by:

10.1. holding debates on water management in preparation for the Forum;

10.2. participating in the Multi-Stakeholder Dialogue that will be held in Mexico;

10.3. leading the way in ensuring that the governments of member countries take action to keep their commitments and follow-up to the Ministerial Declaration that will be published at the close of the 4th World Water Forum;

10.4. co-operating with other parliaments in their geographical region, and sharing information with other assemblies such as the European Parliament, the Euro-Mediterranean Parliamentary Assembly.

11. The Assembly asks the Committee of Ministers to:

11.1. continue the involvement of the Council of Europe in this important issue and support a rights-based approach to water;

11.2. actively participate in international efforts to take forward the water management agenda;

11.3. prepare and send a message from the Council of Europe to the 4th World Water Forum of March 2006 in Mexico;

11.4. call on member States to:

11.4.1. intensify regional efforts to improve water management, in particular regarding shared lakes and watercourses;

11.4.2. develop integrated water management policies and laws and consider the adoption of framework laws that take account of the social, economic and environmental aspects of water resources and their sustainable management, such as the European Union Water Framework Directive and Water Initiative;

11.4.3. decentralise water management regimes to local and regional authorities and enable them to carry out these tasks through appropriate legislative, technical and financial means.

12. The Assembly encourages the Congress of Local and Regional Authorities of the Council of Europe to promote the role and responsibilities of local and regional authorities with regard to the management of water resources, including transboundary water basins.

II. Explanatory memorandum by Mrs Elsa Papadimitriou, rapporteur

1. Introduction

1. Water is essential for life. Throughout the world, contaminated water is still responsible for some 7% of all deaths and diseases and therefore adequate supplies of good quality water are needed to maintain the entire population of this planet, while preserving the hydrological, biological and chemical functions of ecosystems.

2. Water management is a critical element for the sustainable development of Europe, and a matter for all: parliamentarians, governments, local and regional authorities, international organisations, scientists, the private sector, non-governmental organisations and European citizens at large need to work together and co-operate to ensure the sustainability of this precious resource.

3. Many factors adversely affect water resources and cause its mismanagement: from increasing populations and the related rising per capita consumption of water, to bad water governance due to the lack of adequate water institutions, or existing fragmented structures, as well as excessive diversion of public water resources for private gain. The effects of deforestation, wetlands reclamation, unsustainable agricultural practices, and the lack of sanitation, all result in decreased water resources and increased levels of water pollution. The impacts of climate change and more extreme weather events, with more frequent and severe floods, droughts and natural disasters, will affect water quantity and quality too.

4. The key concept for sustainable development is integration. Integrated water management is therefore a fundamental prerequisite for sustainable development and for the future of the European continent and the planet. The way water resources and services are managed has direct and profound implications in all aspects of human life and our environment, including drinking water supply, sanitation, agriculture, industry, urban development, hydropower, fisheries, transportation, recreation, tourism and land management.

5. Integrated management of transfrontier water resources needs to be carried out at the catchment basin level, with adequate responsibilities allocated to territorial authorities. Transfrontier co-operation is also crucial for the integrated management of transboundary rivers and lakes. In addition, transboundary water resource management can also help promote dialogue and develop common interests between neighbouring river basin states.

2. The global context

6. The 1992 United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro produced Agenda 21, a programme of actions to reach sustainable development in the 21st century. Agenda 21 includes a chapter on the protection of the quality and supply of freshwater resources through the application of integrated approaches to the development, management and use of water resources. The UNCED meeting also agreed to mark the 22nd of March as 'World Water Day'.

7. The United Nations has proclaimed the period 2005-2015 as the International Decade for Action on 'Water for Life' and the Council of Europe should continue to contribute towards reaching the above-mentioned internationally-agreed water goals and targets.

2.1 Global goals and targets on water

8. Ten years after the Rio Summit, the United Nations Millennium Development Goals (MDGs), agreed in 2001, and the Plan of Implementation adopted at the 2002 World Summit for Sustainable Development, highlighted the decisive role that water plays in maintaining healthy ecosystems and in ensuring sustainable rural and urban development. With more than a billion people lacking access to safe drinking water, 2.5 billion people lacking water sanitation services and 5 million people dying from

waterborne diseases each year, the goal of ensuring environmental sustainability (MDG 7) includes specific targets to halve the proportion of people without sustainable access to safe drinking water and basic sanitation by 2015. The MDGs have been recognised as the global development priorities.

9. The 2005 assessment of progress in meeting MDG 7 has concluded that the good intentions that most countries have shown through their commitment to the principles of sustainable development, and agreement to implement relevant international agreements, have not resulted in sufficient progress to reverse the loss of our environmental resources. Greater action and an unprecedented level of global co-operation are called for in order to reverse the current situation. As far as the water and sanitation targets of MDG 7 are concerned, the 2005 UN progress report states that access to improved drinking water resources increased substantially during the 1990s, but much slower progress has been made globally in improving sanitation.

10. The first global review of the MDGs took place at the so-called Millennium Review Summit on 14-16 September 2005, where Heads of State and Government took stock and assessed progress in achieving the MDGs. At this UN Summit, over a hundred world leaders reaffirmed their commitment to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity, even though concerns remain regarding the slow and uneven pace of progress. In pursuance of their commitment to achieve sustainable development, UN members further resolved to assist developing countries in their efforts to prepare integrated water resources management and water efficiency plans, and to provide access to safe drinking water and basic sanitation, in accordance with the MDGs.

11. The outcomes of the 13th session of the UN Commission on Sustainable Development (CSD), in April 2005, did not match all expectations, including the particular disappointment of the missing reference to a rights based approach on water. However, the final decision includes a call on Governments and the UN system to take action on access to basic water services, integrated water resource management, and sanitation. CSD will continue to be responsible for monitoring progress on water and sanitation, with reports planned for 2008 and 2012.

2.2 *The right to water*

12. Recognising water as a fundamental human right could serve as an important tool to encourage governments to improve their efforts to meet basic needs and accelerate progress towards achieving the Millennium Development Goals. Establishing national and international obligations and responsibilities related to fulfilling such a right to water would focus attention and add priority to solving the current critical situation on access to water and sanitation worldwide.

13. A number of non-legally binding international and regional resolutions and declarations, such as the 1972 Stockholm Declaration, Agenda 21, etc., recognise that fundamental human rights, such as life and health, rely upon guaranteed access to sufficient quality and quantity of water. However, there was no agreement on specifically recognising such an approach at the 2002 World Summit for Sustainable Development and the 2005 meeting of the CSD, which shows the controversy and difficulty of this issue.

14. Even though the right to water has not been defined in international law nor expressly recognised as a human right, there is an emerging trend in this sense. The link between sustainable development and human rights is a clear one. The protection of human life, health, and living standards is a fundamental precondition of economic development, based on social equity and respect for the environment. In this sense, the 1997 judgement of the International Court of Justice in the *Gabcikovo-Nagymaros* case argued that environmental protection is a vital part of contemporary human rights doctrine, as "damage to the environment can impair and undermine all the human rights spoken of in the Universal Declaration and other human rights instruments".

15. In this sense, water is intrinsically linked to other fundamental water rights such as the right to life, the right to food, the right to health, and to housing, among others, all of which would be impossible to realise without water. As a human rights organisation, the Council of Europe should strongly support consideration of the right to water as a fundamental human right, given the strong and close links between water and a number of basic human rights recognised in the European Convention on Human Rights and other international treaties.

16. Formal recognition of a human right to water would mean acknowledging the environmental dimension of existing human rights. In addition, it would impose obligations on States while giving those individuals deprived of water for their basic needs and victims of water pollution, access to legal remedies. A rights-based approach to water would be a very important tool for civil society to hold their governments accountable for ensuring access to an adequate quantity of good quality water, as well as sanitation. A human right to water would also contribute to focusing attention on shared watercourses. By strengthening the link between human rights and water, substantial progress could be made in the eradication of poverty and achievement of sustainable development.

2.3 *The 4th World Water Forum*

17. One of the main international events on water, the World Water Forum, is aimed at raising awareness on water issues all over the world and its 4th session will be held in Mexico on 16-22 March 2006. This Forum seeks to enable multi-stakeholder participation and dialogue to influence water policy making at the global level.

18. The main theme of the 2006 World Water Forum is: 'Local Actions for a Global Challenge', and preparations are well underway, including regional and thematic activities. The guiding principles of the Forum are to:

- privilege the value of local knowledge and experience as a key factor in the success of water policy-making
- produce concrete and policy-oriented outputs aimed at supporting local action on a worldwide scale
- enable dialogue between policy sectors

19. The Forum has been structured along five framework themes, which will be analysed from the following five cross-cutting perspectives representing different factors that directly influence the feasibility of local actions.

- Framework themes:

- Water for development
- Implementing Integrated Water Resource Management (IWRM)
- Water and sanitation for all
- Water for food and the environment
- Risk management

- Cross-cutting perspectives:

- New models for financing local water initiatives
- Institutional development, right and political processes
- Capacity building and social learning
- Application of science, technology and knowledge
- Targeting, monitoring and implementation assessment

20. The 4th World Water Forum will have a regional component as five regions, including Europe, will produce a regional document as input for the discussions on the thematic issues listed above.

21. The Forum will also include a Ministerial Conference, planned for 21-22 March 2006, and where dialogue will be structured around: (i) a Multi-stakeholder Dialogue on 'Promoting Public Participation and Local Action on Water Management', between senior officials and forum participants; (ii) five simultaneous Thematic Round Tables on issues relating to financing; capacity building; decentralisation; water efficiency; and national water monitoring mechanisms; and (iii) a closing session where the final Ministerial Declaration will be adopted.

22. It would be desirable to ensure a strong presence of parliamentarians at the debates of the Multi-stakeholder Dialogue during the 4th World Water Forum. Water management is not only an important issue for national governments, and the participation of nationally, regionally and locally elected representatives with specific water-related competences will be crucial to achieve a comprehensive final outcome of the Forum, and also for the future of water management worldwide.

3. Water management in Europe

23. The inter-dependence of water resources and services in Europe is a reality that European countries need to adequately tackle in their water management policies, from transborder water basins to the need for co-ordinated policies, solidarity and responsibility in water management. Ensuring good water quality and appropriate management will play a very important role in the future sustainability of Europe's environment and key economic sectors such as agriculture and tourism. Especially as water is still being wasted through inappropriate irrigation practices and huge water losses in the distribution systems. Most countries lose up to 30% of clean drinking water in their supply networks, a figure that in some cases can rise to 60% or more.

3.1 The 1992 UNECE Convention

24. The United Nations Economic Commission for Europe (UNECE), a regional forum for governments from Europe, North America, Central Asia and Israel, a region where more than 150 major rivers and 50 large lakes run along or straddle the borders between two or more countries. In 1992, the UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes was adopted. The Convention has been in force since 1996, and 32 out of its current 35 parties are members of the Council of Europe. It is important to note that this convention has been open for accession by countries outside the UNECE region since 2003. The primary objective of this international treaty is to strengthen local, national and regional measures to protect and ensure the ecologically sustainable use of transboundary surface waters and groundwaters, although the management of transboundary waters cannot be separated from the management of national water resources.

3.2 The EU Water Framework Directive and the Water Initiative

25. At the regulatory level, the European Union (EU) adopted new legislation on water management, which is applicable in its 25 member states: the Water Framework Directive. The objective of this Directive is to establish a framework for the protection of surface and ground waters throughout the EU territory. The main environmental objectives are: to achieve and maintain good status for all surface waters and ground waters by the target date of 2015, and to prevent deterioration and ensure the conservation of high water quality where it still exists.

26. The Water Framework Directive is based on river basins as the key management and planning unit, and gives territorial authorities wide-ranging responsibilities in the management of water resources. The implementation of this Directive has raised a number of technical challenges for EU Member States and other stakeholders. In addition, and as many European river basins are international, crossing administrative and territorial borders, a common understanding and approach is crucial to the successful and effective implementation of this new legal and policy framework. In this sense, the Assembly's Recommendation 1669 (2004) on transboundary water basins in Europe included that this directive can also be used as a reference system for transboundary water management by non-EU member states.

27. The EU launched the Water Initiative at the World Summit on Sustainable Development in Johannesburg in 2002 to focus on water and sanitation, a key development issue closely linked to achievement of nearly all the Millennium Development Goals. Its five objectives, to be achieved by 2015 are to: (i) reinforce political commitment; (ii) promote better governance; (iii) improve coordination; (iv) encourage regional cooperation; and (v) catalyse additional funding. The EU Water Initiative provides the framework for the implementation of strategic partnerships for water and sanitation with Africa, Latin America, the Mediterranean, and Eastern European and Central Asian countries.

3.3 *European preparations for the 4th World Water Forum*

28. The link between the World Water Forum and regions such as Europe will be made through actions orientated to identify successful experiences and local actions that could be presented during the Forum; as well as through a document showing the main water related problems in the region, and a brief paper that will be considered as an input for the Ministerial Declaration.

29. In order to carry Europe's message to the 4th World Water Forum in 2006, a Regional Committee and an Operational Committee are preparing Europe's contribution. The Regional Committee is in charge of preparing the Document of the Region and the European input for the Ministerial Declaration. At a meeting in February 2005, the following five main themes were identified as representative of important challenges faced by the European region at large:

- Integrated Water Resource Management;
- Hydro/Water Solidarity;
- Risk Management;
- Innovative Technology and Implementation at the Local Level; and
- Sanitation

30. As an input to the 4th World Water Forum, the European region will produce a document describing key European water challenges and sharing potential solutions. The objectives of this document, expected to be completed by 30 January 2006, are to:

- share lessons learned from successes and failures in European water management;
- create awareness of both current and emerging water challenges in Europe;
- identify gaps in knowledge and areas where greater investment is needed; and
- highlight opportunities for cooperation among organisations and governments across Europe.

31. A "European Solidarity Week for Water" was held in the Upper Rhine region and Saarland on 17-21 October 2005, targeting local water management stakeholders in rural, urban and peri-urban areas, and in small and medium-sized municipalities, including water management specialists, elected officials, representatives of local and regional communities, users, NGOs, youth and the general public. The aims of this forum were to intensify exchanges among the various stakeholders involved in water management across Europe; to enhance and develop field projects in Europe; to raise the awareness of elected officials and the public at large regarding water issues in Europe and the investments required; and to draft European recommendations for the 4th World Water Forum.

32. An important event within the European Solidarity Week for Water was the conference 'Water management: A shared responsibility', jointly organised by the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe and held in Strasbourg on 20-21 October 2005.

4. The contribution of the Council of Europe

33. The Action Plan adopted at the Third Summit of Heads of State and Government of the Council of Europe, which took place in Warsaw on 16 - 17 May 2005, reflects the commitment of Member States to "improving the quality of life for citizens" through the further development and support of integrated

policies on the environment, with a "sustainable development perspective". Water management is clearly one of such integrated policies, and therefore the implementation of existing instruments and commitments by member states, such as the 2001 European Charter on Water Resources, should be a primary focus for action.

4.1 *Water Management*

34. As spelt out in its Recommendation 1668 (2004) on the management of water resources in Europe, the Assembly would like to reaffirm once more the validity of the principles laid down in the European Charter on Water Resources (see extract in Annex), adopted by the Committee of Ministers on 17 October 2001 and replacing the 1968 European Water Charter. The charter draws attention to the need to manage and protect water resources by adopting a common and integrated approach.

35. The 2004 Recommendation also included another vital element for a successful water management policy, the need for co-operation among relevant authorities and stakeholders. The Assembly encourages co-operation on water issues between different levels of administration, as well as between the private sector and public authorities, who should retain a leading role in water management.

36. The Assembly regrets the ambiguous message sent by the Committee of Ministers to member countries in its reply to Assembly Recommendation 1668 (2004) on the management of water resources in Europe (Document 10509 of 22 April 2005). In its reply, the Committee of Ministers encouraged member countries "to consider water issues as a priority" while stating that "the management of water resources does not take central place in the work of the Council of Europe". However, the Committee of Ministers indicated in the same document that it will examine the outcome of the 4th World Water Forum "with a view to participating actively in international efforts to take forward the water management agenda and continue Council of Europe involvement in that important issue".

4.2 *Transboundary water basins*

37. Assembly Recommendation 1669 (2004) on transboundary water basins in Europe included a call for integrated management of transfrontier water resources at the catchment basin level, while urging the allocation of appropriate water management responsibilities to territorial authorities.

38. The Assembly further invited member states to develop transfrontier co-operation for the integrated management and protection of transboundary rivers and lakes, in particular through bilateral and multilateral agreements, and based on sound environmental, social and economic criteria.

4.3 *Meeting global targets on water*

39. In its Resolution 1449 (2005) - The environment and the Millennium Development Goals - the Assembly considered unacceptable that 1.2 billion people in the world lack access to safe drinking water and 2.6 billion lack access to basic sanitation. Among other actions, the Assembly recommended that member states:

- ensure access to water and sanitation for all, which should be considered as a fundamental human right;
- address the burden placed on local authorities regarding the provision of water and sanitation and the importance of improving local and regional capacity (technical, technological and financial) to achieve this goal;
- improve water governance and facilitate decentralisation of decision making on water and sanitation matters;
- develop integrated water resource management and water efficiency plans, including the establishment of the necessary legal and institutional frameworks.

4.4 Contribution to the 4th World Water Forum

40. The Council of Europe is a key player and the focus for European local and parliamentary involvement in the preparations, conduct, and follow up to the 4th World Water Forum in Mexico. The Parliamentary Assembly, together with the Congress of Local and Regional Authorities have been actively involved in the European Solidarity Week for Water, and the main messages issued from the conference 'Water management: A shared responsibility', held on 20-21 October 2005 will feed into the European contribution to the 4th World Water Forum.

41. One of the 'key messages' from the October conference was that governance is a critical problem to achieve sustainable integrated water resource and water service management. Good water management governance implies making adequate use and efficient application of the subsidiarity and complementarity principles, leading to the sharing of responsibility between institutions and decision-making levels, with vertical integration between local, regional and national government, and horizontal co-ordination between regions, between municipalities and between local stakeholders at the level of the water basin or the water and sanitation service.

42. The key messages for Mexico agreed by the participants at the water conference are annexed to this report, and they included:

- a forum for exchanges and discussion between elected representatives (at the local, regional and national level) to strengthen political awareness at the different decision-making levels, discuss the practical implementation of the principle of subsidiarity, and identify actual partnerships between elected representatives in different countries;
- fostering exchanges between parliamentary committees responsible for water issues, which would help identify the constraints faced by these committees and the success factors that contribute to the forging of ambitious political visions and legislative frameworks for sustainable water resource management;
- sharing experiences (successes and failures), at the Forum's various workshops and conferences, on vertical integration and co-ordination between the local, regional and national levels, including as regards transfrontier water basins; and
- initiating new partnerships involving European elected representatives and decision makers to implement specific responsibility-sharing measures between decision-making levels that can help bring the Millennium Development Goals closer.

5. Conclusions

43. The Assembly should send a strong message to the 2006 World Water Forum regarding the importance of a common and integrated approach to water management in Europe, and the shared responsibility of all those involved: from parliaments to governments, from the private sector to civil society.

44. In particular, the Assembly should reaffirm the messages to the 4th World Water Forum agreed at the water management conference and take an active role in future exchanges and joint meetings among parliamentarians and national parliamentary committees dealing with water management.

45. The Assembly should consider its role in the follow-up to the Mexico World Water Forum, including the suggestions agreed at the water management conference in October 2005, such as: the possibility of setting up a joint working group of the Parliamentary Assembly and the Congress of Local and Regional Authorities to develop a common strategy for sustainable water resource management that helps achieve the Millennium Development Goals.

Appendix I

2001 European Charter on Water of the Council of Europe (extract)

1. Fresh water resources must be used in keeping with the objectives of sustainable development, with due regard for the needs of present and future generations.
2. Water must be equitably and reasonably used in the public interest.
3. Water policy and law must protect the aquatic ecosystems and wetlands.
4. It is up to everyone to help conserve water resources and use them prudently, in conformity with this charter.
5. Everyone has the right to a sufficient quantity of water for his or her basic needs.
6. Public and private partners must introduce integrated management of surface water, ground water and related water that respects the environment as a whole, takes regional planning into account and is socially equitable and economically rational.
7. Integrated management must be based on an inventory of water resources and aim to ensure their protection, conservation and, if necessary, rehabilitation. In particular, any new deterioration and exhaustion of these resources must be prevented, the recycling of waste water encouraged and, where appropriate, limitations placed on certain uses.
8. Water policy and law must be based on the principles of prevention, precaution and correction at source as well as the "polluter-pays" principle. To this end, they must use regulatory instruments such as quality objectives, discharge standards, the best available technologies and economic instruments compatible with meeting the population's basic needs.
9. Underground water resources must be the subject of special protection, and their use for human consumption must take priority.
10. Water resources must be regularly monitored and their general state periodically assessed.
11. The terms of water concessions must be compatible with this charter. Concessions must be granted for a limited duration and must be subject to periodic review.
12. Large-scale consumption of water in agricultural or industrial processes must be carefully assessed and monitored with a view to ensuring better protection of the environment and avoiding unsustainable utilisation.
13. At each state level, central, regional and local authorities must adopt and implement water management plans in a spirit of solidarity and co-operation. These plans should be based on the catchment basin.
14. Decisions on water must take into account the particular conditions at regional or local level management plans.
15. States must co-operate, preferably within permanent institutions, to agree on an equitable and reasonable method of managing international watercourses and other shared water resources in conformity with international law and the principles of this Charter.
16. The public must have access to information on the state of water resources.
17. The public must be informed in a timely and appropriate manner of water management plans and projects for the utilisation of water resources. It has the right to take an active part in planning and decision-making procedures concerning water.
18. The persons and bodies concerned must be able to appeal against any decision relating to water resources.
19. Without prejudice to the right to water to meet basic needs, the supply of water shall be subject to payment in order to cover financial costs associated with the production and utilisation of water resources.

Appendix II

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Committee on the Environment, Agriculture and Local and Regional Affairs

Water management: A shared responsibility

Conference co-organised by the Parliamentary Assembly and
the Congress of Local and Regional Authorities of the Council of Europe

in co-operation with
the Directorate General of Education, Culture and Heritage, Youth and Sport

Strasbourg
20-21 October 2005

Messages from the Conference

1. Background

The Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe, in co-operation with the Directorate General of Education, Culture and Heritage, Youth and Sport, organised a conference on “**Water management: a shared responsibility**”, held on 20-21 October 2005 in Strasbourg.

This conference, organised in the framework of the European Solidarity Week for Water, was an opportunity to move forward the debate on the sharing of responsibility among decision makers and elected representatives at the local, regional and national levels, with a view to making a **European contribution to the 4th World Water Forum** to be held in Mexico in 2006.

A hundred participants attended this conference, including parliamentarians and elected representatives at the regional and local level, government officials, international organisations, associations and experts, from around fifty countries in Europe, Maghreb, the Near East and North America. Conference participants agreed on the following key messages:

2. Issues and responsibilities

Sustainable water resource management, taking into account the environmental role of aquatic ecosystems, and **access to water and sanitation services for all, particularly the least privileged population groups**, are the main concerns of water policy at the present time.

The relative importance of these concerns naturally varies with the physical, natural, socio-economic and institutional characteristics of the water basins and regions of the world concerned. Europe has a **responsibility**, not only in Europe but also in other parts of the world, to seek and implement solutions, based on the principle of **solidarity**, and to contribute in this way to achieving the Millennium Development Goals (United Nations).

Governance is a key element in the quest for the sustainable integrated management of water resources and services. It implies thinking in terms of subsidiarity, complementarity and the sharing of responsibility between institutions and decision-making levels, and envisaging, on the one hand, **vertical integration between different levels of government** (local, regional and national) and, on the other hand, **horizontal co-ordination between regions, between municipalities and between local stakeholders** at the level of the water basin or the water and sanitation service. Although politically sensitive, this approach seems particularly apposite for transfrontier water basins, considering that most of the major water basins in Europe and the world are such.

3. The requisite conditions for effective responsibility sharing

Several conditions must be fulfilled in order for effective vertical and horizontal co-ordination to be able to rise to the current challenges of the management of water resources, services and sanitation. They include:

- **A proper legislative framework;**
- **A clear definition of the role and responsibilities** of elected representatives and decision makers at the different levels;
- **Means of exchange and integration** between decision-making levels (Forum, working groups, committees, etc);
- **Active participation by the public and stakeholders in the field of water** at every decision level, with elected representatives providing a useful relay between citizens and stakeholders at each level;
- **Information and training** for elected representatives, adapted to the search for solutions at every level of decision making;
- **Ready access for elected representatives to the necessary expertise** (technical, legal, financial, etc.) for sustainable water resource management, services and sanitation;

- A targeted **mobilisation of financial resources**, co-ordinated between levels of decision making;
- **Follow-up** and **evaluation** of actions taken and of the integration and co-ordination tools.

4. On the road to Mexico

The contribution of the Council of Europe, from the Strasbourg conference to the 4th World Water Forum in Mexico in 2006, will be made on the basis of the conference proceedings and key messages and through:

- The dissemination of the **messages from the conference**;
- The adoption of a **Report by the Congress of Local and Regional Authorities**;
- The adoption of a **Report by the Parliamentary Assembly**;
- **An inventory** of European experiences and good practices of vertical integration, co-ordination and partnership between different levels of decision-making (i.e. municipalities, regions, different levels of governance) regarding water resources management, services and sanitation.

5. Suggestions for Mexico

The Conference helped identify opportunities for fostering exchanges and discussions between elected representatives and decision makers regarding their sharing of responsibility, at the 4th World Water Forum in Mexico. In particular:

- **A forum for exchanges and discussion between elected representatives, at the local level, at the regional level and at the national level** to strengthen political awareness at the different decision-making levels, discuss the practical implementation of the principle of subsidiarity, identify actual partnerships between elected representatives in different countries. Such a mechanism, carried on from one World Forum to the next, could also contribute to the follow-up and evaluation of the World Water Forum process;
- At the Forum's various workshops and conferences, the **sharing of experiences** (successes and failures) of vertical integration between the local, regional and national levels, and of co-ordination between municipalities, regions, etc. and particularly on transfrontier basins, aimed at drawing the lessons learned;
- The promotion of **exchanges between parliamentary committees** responsible for water issues, aimed at identifying the constraints faced by these committees and the success factors that contribute to the forging of ambitious political visions and legislative frameworks for sustainable water resource management and access to water and sanitation services for all;
- More generally, **initiate new partnerships** involving European elected representatives and decision makers to implement specific and targeted responsibility-sharing measures between different levels of decision-making, and which contribute to achieving the Millennium Development Goals.

6. After Mexico: what action can the Council of Europe take?

Although it is premature to discuss the *after Mexico*, several ideas emerged during the Conference as to the role that the Council of Europe might play, such as:

- The setting up a joint working group of the Parliamentary Assembly and the Congress of Local and Regional Authorities was suggested with a view to developing a common strategy on sustainable water resource management and achieving the Millennium Development Goals;
- This strategy would include specific information measures for elected representatives, civil society and the public, focusing on water management, access to services, partnerships and co-ordination between different decision levels (i.e. past actions, ongoing initiatives, those developed in Mexico or as a follow-up);

- This strategy would also include the development of training measures for elected representatives;
- This joint working group should also play a part in the follow-up and evaluation of the actions taken in the framework of the World Water Forum process.

Reporting committee: Committee on the Environment, Agriculture and Local and Regional Affairs

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Members of the Committee: Mr Walter **Schmied** (Chairman), Mr Alan **Meale** (1^o Vice-Chairman), Mr Renzo **Gubert** (2^o Vice-Chairman), Ms Elsa **Papadimitriou** (3^o Vice-Chairperson), Mr Ruhi **Açikgöz**, Mr Gerolf Annemans, Mrs Sirkka-Liisa Anttila, Mr Ivo Banac, Mr Rony Bargetze, Mr Jean-Marie Bockel, Mrs Pikria Chikhradze, Mrs Grażyna Ciemniak, Mr Osman Coşkunoglu, Mr Alain **Cousin**, Mr Miklós Csapody, Mrs Maria Manuela **De Melo**, Mr Taulant Dedja, Mr Hubert **Deittert**, Mr Adri Duivesteijn (remplaçant Mr Leo **Platvoet**), Mr Bill **Etherington**, Mrs Catherine Fautrier, Mr Adolfo **Fernández Aguilar**, Mr Christopher Fraser (remplaçant Mr Nigel **Dodds**), Mrs Siv **Fridleifsdóttir**, Mr György Frunda, Ms Eva Garcia Pastor, Mr Fausto **Giovanelli**, Mrs Maja Gojković, Mr Peter Götz, Mr Vladimir **Grachev**, Mrs Gultakin Hajiyeva, Mr Poul Henrik Hedeboe, Mr Mykhailo Hladiy, Mr Anders G. **Högmark**, Mr Jean Huss, Mr Ilie **Ilaşcu**, Mr Mustafa Ilıcalı, Mrs Fatme Ilyaz, Mr Ivan **Ivanov**, Mr Bjørn **Jacobsen**, Mr Jaroslav Jaduš, Mrs Renate Jäger, Mr Gediminas **Jakavonis**, Mr Ivan Kalezić, Mrs Liana Kanelli, Mr Karen Karapetyan, Mr Orest Klympush, Mr Victor Kolesnikov (remplaçant Mr Valerij **Sudarenkov**), Mr Zoran Krstevski, Mr Miloš **Kužvart**, Mr Ewald Lindinger, Mr Jaroslav **Lobkowicz**, Mr François Loncle (remplaçant: Mr Guy **Lengagne**), Mr.Theo Maissen, Mr Andrzej Mańka, Mr Tomasz Markowski, Mr Giovanni Mauro (remplaçant: Mr Pasquale **Nessa**), Mr José Mendes Bota, Mr Gilbert Meyer (remplaçant Mr Daniel **Goulet**), Mr Goran Milojević, Mr Vladimir Mokry, Mrs Carina Ohlsson, Mr Gerardo Oliverio, Mr Pieter Omtzigt, Mr Mart Opmann, Mr Cezar Florin Preda (remplaçant: Mr Laurentiu **Mironescu**), Mr Jakob **Presečnik**, Mr Lluís Maria **de Puig**, Mr Jeffrey Pullicino Orlando, Mr Maurizio Rattini, Mr Marinos Sizopoulos, Mr Rainer **Steenblock**, Mr Gábor Szalay, Mr Nikolay Tulaev, Mr Iñaki **Txueka**, Mr Vagif Vakilov, Mr Geert Versnick, Mr Rudolf **Vis**, Mr Klaus Wittauer, Mr G.V. Wright (remplaçant: Mr Eamon **Gilmore**), Mr Kostyantyn Zhevago

N.B. The names of those members present at the meeting are printed in bold.

Secretariat to the Committee: Mr Sixto, Mr Torcătoriu and Ms Lasén Díaz