

Drin Core Group

**Expert Working Group on
Water Framework Directive implementation**

Terms of Reference

June 2012

1. Introduction

- 1.1 The Expert Working Group (EWG) on Water Framework Directive implementation is an expert technical body of the Drin Core Group (DCG). The present Terms of Reference (ToR) define the mandate to the EWG on Water Framework Directive implementation to take action as described below; it describes the objective, responsibilities and tasks as well as its working arrangements.
- 1.2 The work of the EWG on Water Framework Directive implementation will support the implementation of the Memorandum of Understanding for the Management of the Extended Transboundary Drin Basin.

2. Background

- 2.1 The development of the Shared Vision for the sustainable management of the Drin Basin and the signing of a related Memorandum of Understanding (MoU - Tirana, Albania, 25 November 2011) by the Ministers of the water management competent ministries of the Riparians signaled the initiation of the coordinated action at the Drin Basin level in this regard. These developments were the outcome of a structured multi-stakeholders process at the national and transboundary levels, the so called Drin Dialogue launched on 1 December 2009, in Podgorica, Montenegro.
- 2.2 The MoU describes the Shared Vision for the management of the Drin: “The Parties, through their Ministers and their representatives, commit to promote joint action for the coordinated integrated management of the shared water resources in the Drin Basin, as a means to safeguard and restore to the extent possible the ecosystems and the services they provide, and to promote sustainable development across the Drin Basin.” The MoU identifies key issues, along with short, medium and long term actions deemed necessary to develop an integrated management of the Drin Basin in close cooperation among the Riparians.
- 2.3 The Drin Core Group (DCG), established through the Drin Dialogue, was given the mandate by the Parties to coordinate actions for the implementation of the MoU. The Drin Core Group comprises of representatives of the (i) competent Ministries of the Riparians¹, (ii) the joint structures already in place², (iii) UNECE, (iv) European Commission, (v) GWP-Med, and (vi) MIO-ECSDE. GWP-Med was appointed through the MoU as the Secretariat of the DCG.
- 2.4 The Action Plan for the implementation of the MoU will guide related work to be undertaken by the Parties to the MoU with the facilitation of the Drin Core Group and its Secretariat. The Action Plan describes activities, objectives, responsible institutions, resources /experts to be involved, deliverables, timeframe etc. “Short term” actions are proposed in the Action Plan; their initiation and delivery of outputs is foreseen from the approval of the Action Plan by the Meeting of the Parties until the end of 2014.
- 2.5 The basis for the present ToR is provided by:
 - (a) The Article 4, paragraph 1, point (a) and Article 5, paragraph 1 of the MoU that provides for the mandate of the DCG, as well as the Annex of the MoU that provides for the set-up, functions and responsibilities of the DCG.

¹ Ministry of Environment, Forestry and Water Administration, Albania; Ministry of Environment, Energy and Climate Change, Greece; Ministry of Environment and Physical Planning, the former Yugoslav Republic of Macedonia; Ministry of Spatial Planning and Environment, Montenegro; Ministry of Agriculture, Forestry and Water Management, Montenegro; Ministry of Environment and Spatial Planning, Kosovo (*UN administered territory under UN Security Council resolution 1244*)

² Prespa Park Coordination Committee; Lake Ohrid Watershed Committee; Skadar/Shkoder Lake Management Commission

(b) The decision of the 1st DCG Meeting (1 December 2009, Podgorica, Montenegro) that defines the overall and specific objectives of the DCG, its scope/specific objectives, synthesis and means to deliver results.

(c) The decision of the 5th DCG meeting (23 November 2011, Tirana, Albania) to establish 3 Expert Working Groups (EWGs) with the aim to support actions for the implementation of the MoU:

- EWG on Water Framework Directive implementation.
- EWG on Monitoring and Information exchange.
- EWG on Biodiversity and Ecosystems .

According to the aforementioned decision the EWGs will: support the work of the DCG and strengthen its capacity to coordinate activities; contribute to the deepening of cooperation among national institutions that will participate in the working groups.

3. Principles

3.1 The EWG shall confine itself to discussion of technical issues identified in these Terms of Reference unless otherwise decided and advised by the DCG or the Meeting of the Parties to the MoU.

3.2 Action of the EWG will be in accordance to and guided by the provisions of the MoU.

4. Overall Objective

4.1 The EWG will provide expert technical support to the DCG and coordinate activities, under the guidance of the DCG, for the implementation of the MoU related to the Drin Basin management in accordance to EU WFD. The EWG will work for the development of a Drin Basin Management Plan –at the “extended” Drin Basin level- in accordance with the EU WFD and the UNECE Water Convention, that will serve as the guidance document for the development and implementation of river/lake basin management plans for each of the Sub-Basins of the Drin at national and transboundary levels in accordance with the bilateral and multilateral agreements among the Drin Riparians.

5. Responsibilities and Tasks

5.1 The EWG is responsible for guiding and ensuring the successful completion of the work required under its ToR.

5.2 Review its ToR on a regular basis and propose amendments for approval by the DCG; the aim is to adjust its mandate to respond to emerging challenges and needs related to the sustainable management of the Drin Basin.

5.3 Operate as a forum to share information on existing or planned uses that could cause transboundary impact as well as affect the ecological character of the Drin Basin, and provide advice to the DCG with regard to possible actions.

5.4 Facilitate enhancement of the knowledge basis about the Drin Basin and achievement of science based consensus among countries, through joint fact finding, on: (i) key transboundary concerns, including climate change and variability (ii) the implications of the shared nature of the Basin’s water resources;

5.5 Facilitate the development of a study for the water balance in the Drin Basin;

- 5.6 Prepare a proposal for a road map for the preparation of a Drin Basin Management Plan in accordance to the EU WFD.
- 5.7 Facilitate coordination among the Parties for the preparation –to the extent possible- of consistent and coordinated Basin Management Plans for the sub-basins or parts of the sub-basins of Drin. Coordinate related tasks initiated by the DCG.
- Review and comment the study for the actions and steps necessary to be taken by the Riparians for the preparation of coordinated RBM plans for the parts of the Drin Basin extending in their territory.
 - Coordinate the preparation of a characterization report for the Drin Basin in accordance to the EU WFD including analysis of the hydrological patterns across the Drin basin (from the Lake Prespa to the river outflow at the Adriatic Sea); identification of significant pressures and impact of human activity on the status of surface water, groundwater and ecosystems; economic analysis of water. The report should be prepared in a way that can be used also for the needs of a Transboundary Diagnostic Analysis (in accordance of the GEF methodology).
 - Prepare ToR for international experts and experts from the Riparians that will work to prepare the characterization reports for the Drin Basin and its sub-basins.
 - Review, comment and communicate the comments to the line ministries of the Drin Riparians as appropriate about the:
 - ToRs for the study regarding the characterization of the sub-basins of the Drin Basin;
 - Characterization reports for each of the Drin sub-basins;
 - River Basin Management Plans to be prepared for each of the Drin sub-basins;
 - Review and comment the draft and final Drin Characterization Report; request comments by the line ministries of the Drin Riparians, by key donor countries and international institutions active in the Drin Basin.
 - Advise the DCG with regard to the endorsement of the Drin Characterization report.
- 5.8 Propose and prepare joint projects related to its mandate and identify suitable national, regional, European and international sources to financially support these.
- 5.9 Propose the preparation of studies towards the achievement of its objective.
- 5.10 Propose capacity building activities for issues relevant to its mandate e.g. integrated basin planning and management in accordance with the EU WFD as well as practices of transboundary water cooperation in accordance to the UNECE Water Convention etc. for appropriate institutions and authorities in the Riparians.
- 5.11 Promote public participation including the preparation of information about its activities for dissemination to interested bodies and the public, and consult with interested stakeholders on issues under its mandate.
- 5.12 Liaise and coordinate with other working groups established or to be established under the DCG. Provide input and assistance to the EWG on Monitoring and Information Exchange and the EWG on Biodiversity and Ecosystems as appropriate.
- 5.13 Liaise with and explore ways of cooperation with the expert working groups already established or to be established under the Agreement on the Protection and Sustainable Development of the Prespa Park Area, the Agreement for the Protection and Sustainable Development of the Skadar/Shkoder Lake, and the Agreement for the Protection and Sustainable Development of Lake Ohrid and its Watershed.

5.14 Any other tasks in their field of expertise, assigned by the DCG.

6. Membership

6.1 The EWG consists of:

- Experts representing the Parties, as these are nominated by the Parties. Each Party appoints an institution as focal point; the institution proposes and the Party approves one expert to be a standing Member of the EWG and one to be an alternate Member, with an open duration of service at the EWG. Each Party may be represented in each meeting by either the standing Member or the alternate Member. Each Party may be represented by additional experts, including the alternate Member, in particular meetings of the EWG if related specialist knowledge is required. Participation costs of additional experts shall be borne by the Party that this(se) expert(s) represent.
- A representative of UNECE as an observer.
- A staff member of GWP-Med as the Secretariat of the DCG.

6.2 A chairman is chosen among the Members of the EWG by the DCG.

6.3 Appointments of representatives of each Party to the EWG as well as replacements of representatives by each Party shall be made by official letters from the Party. The representative of each Riparian to the DCG, will facilitate related process.

6.4 If a representative to the EWG has not been appointed, the representative of the Riparian to the DCG shall serve as a member of the EWG.

6.5 Representatives of organisations or other bodies may apply / submit an expression of interest to become accredited Observers to the EWG. An Observer status shall be granted or withdrawn by a decision of the DCG during a DCG meeting.

6.6 Representatives of organisations, bodies, projects and individual experts may be invited by the Secretariat of the DCG to participate in meetings of the EWG.

7. Procedural Arrangements

7.1 Accountability and Performance assessment.

(i) The EWG is accountable to the DCG.

(ii) The role and performance of the EWG will be reviewed on an annual basis by the DCG against the outputs and outcomes defined in the workplan to be prepared by the EWG (see paragraph 7.3). The DCG review shall be communicated to the Meeting of the Parties.

7.2 Decisions or views expressed by the EWG will be based on consensus. In cases consensus is not reached over an issue, this issue shall be forwarded for discussion to the DCG. The Chair of the EWG, assisted by the Secretariat of the DCG, facilitates interaction between the DCG and the EWG.

7.3 A Workplan will be prepared by the EWG on the basis of input provided by the DCG Secretariat as well as on the basis of the Responsibilities and Tasks as described under paragraph 5 of the current ToR. The work plan will be prepared in conformity with the Action Plan for the implementation of the MoU. The Workplan is subject to approval by the DCG.

7.4 Meetings

(i). Venue and dates.

The venue of the EWG meetings will preferably be in one of the Riparians, ideally on a rotational basis. The number of meetings will be defined by the EWG, according to needs and financial capacities. Each of the meetings will define the date for the meeting to follow.

(ii). Organisation of Meetings.

For each meeting, the Secretariat of the DCG will initiate the preparations. The host Party shall officially designate a responsible person for organizing the meeting and making logistical arrangements including traveling, meeting rooms and accommodation. The host Party is responsible to secure appropriate facilities for a EWG meeting i.e. meeting room, technical equipment if necessary etc.

(iii). Reporting.

A brief report for each of the EWG meetings will be prepared by the Secretariat of the DCG. The report of each meeting will be presented for discussion to the DCG. An annual report should be prepared by the Chair of the EWG and submitted to the DCG to be presented to the Meeting of the Parties.

(v). Transparency

The final documents of the EWG shall be available to the public.

7.5 Communication

(i). Internal communication among members of the EWG shall be carried out by means of E-mails. "E-meetings" i.e. web-based meetings, using web-based facilities shall be used for discussion of issues if an *ad hoc* face-to-face meeting is not possible or not needed.

(ii). The Secretariat of the DCG will facilitate the communication between the EWG and the DCG as well as communication between the EWG and the rest of the EWGs established or to be established.

7.6 The official working language is English. In case there are Members of the EWG who are not familiar with the language, they should make their own arrangements for interpretation during the meeting and translation of working documents from English to their language as well from their language to English.

8. Costs

8.1 EWG Members, Invited experts and Observers

(i). All expenses related to the participation of the EWG Members as well as of additional experts in the EWG meetings will be borne directly by the Parties-each Party will cover expenses for its representatives- unless financial assistance from international organizations, donor countries or projects is secured.

(ii). Observers are expected to cover expenses for their participation.

(iii). Invited experts or representatives of other organizations and bodies are expected to cover expenses for their participation. In exceptional cases, costs for selected experts may be covered subject to a decision by the Secretariat.

8.2 Meeting facilities

The costs for a meeting room, technical equipment if necessary etc. will be borne by the Party or subordinate institute / organization hosting the EWG meeting.

8.3 The EWG, under the guidance of the Chair and with the assistance of the Secretariat of the DCG, is expected to elaborate on appropriate financing requirements for its function and propose them to the DCG.