ICPDR – EUSDR PA4 & PA5 COORDINATION

Joint Paper on Cooperation and Synergy for the EUSDR Implementation

FINAL

September 2014
1. INTRODUCTION

The report from the European Commission (EC) concerning the governance of macro-regional strategies\(^1\) as well as the earlier EC report on the European Union Strategy for the Danube Region (EUSDR)\(^2\), have identified among various lessons learned one that is key: the need for strengthening synergies with existing bodies and initiatives such as the International Commission for the Protection of the Danube River (ICPDR). In a recent joint statement\(^3\) in Vienna (June 2014) the relevant ministers and the EC “emphasized the importance of streamlining the interconnections between EUSDR and relevant regional institutions, while avoiding potential duplications and overlaps.” In this context, the statement particularly refers also to the ICPDR.

The opportunity for cooperation and for mutual support of EUSDR and ICPDR in relevant fields has not been fully utilised yet. This comes despite the obvious potential for synergies between the objectives and the processes of the EUSDR on one hand, and the ICPDR mandate, tasks and activities on the implementation of the Danube River Protection Convention (DRPC), EU Water Framework Directive (WFD) and the EU Floods Directive (FD) on the other. The modalities and cooperative framework in this document respects processes and mandates of both partners and provides a state of play as of June 2014.

The ICPDR, representing the Contracting Parties to the DRPC, agreed with the National Contact Points of Priority Area 4 (PA4, Water Quality) and Priority Area 5 (PA5, Environmental Risks) to prepare this joint document, in which the particular mandates, responsibilities, tasks and modus operandi for complimentary and joint activities of ICPDR and PA4/PA5 are clarified. The 16\(^{th}\) ICPDR Ordinary Meeting formally endorsed this idea and tasked the ICPDR Permanent Secretariat to develop such a document jointly with the PA4 and PA5 counterparts.

2. BACKGROUND

The Danube River Protection Convention (DRPC) was signed in 1994 and entered into force in 1998. It stipulates the mandate and framework for cooperation between its Contracting Parties (CPs) in terms of water management, water protection, flood protection and overall sustainable use of the Danube River on the territory of the 14 main countries within the Danube River Basin (DRB). It is the overall legal instrument for cooperation and trans-boundary water management in the DRB. Its objectives are as follows:

- Ensuring sustainable and equitable water management;
- Conservation, improvement and the rational use of surface waters and groundwater;

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\(^1\) Report from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions Concerning the Governance of Macro-Regional Strategies (2014)

\(^2\) Report from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions Concerning the European Union Strategy for the Danube Region COM(2013) 181 final

\(^3\) Joint Statement of the Ministers of Foreign Affairs of the Participating States of the EUSDR and of the EC. Issued at 3\(^{rd}\) Annual EUSDR Conference in Vienna, June 2014.
• Controlling discharge of waste waters as well as of the inputs of nutrients and hazardous substances from point and non-point emission sources;
• Controlling floods and ice hazards;
• Controlling hazards originating from accidents (warning and preventive measures);
• Reducing pollution loads entering the Black Sea from sources in the Danube catchment area.

Responding to the obligations of the Convention, the Danube countries established the International Commission for the Protection of the Danube River (ICPDR), which has the mandate to ensure that countries fulfil the actions committed to under the Convention. The Commission is controlled and managed by the contracting parties, today 14 countries and European Union.

The Danube Ministers tasked the ICPDR to provide the platform for coordinating the implementation of the EU Water Framework Directive (WFD) in the Danube River Basin in order to cover legal obligations of member states derived from the directive to coordinate among others a program of measures for the whole of the river basin district. The commitment to use the methods and meet the goals of the Directives was made by all ICPDR countries, i.e., not only EU Member States, but also candidate/potential candidate countries and countries which are not in the EU. The ICPDR also coordinates activities of its contracting parties at the Danube Basin level and key products such as the DRB Management and Flood Risk Management Plans, flood risk maps, etc.

Owed to considerations of efficiency, proportionality and in line with the principle of subsidiarity, the management of the Danube River Basin District (DRBD) is based on three levels of coordination:
⇒ Part A: the international, basin-wide level – the Roof Level;
⇒ Part B: the national level (managed through competent authorities) and/or the international coordinated sub-basin level for selected sub-basins (Tisza, Sava, Prut, and Danube Delta);
⇒ Part C: the sub-unit level, defined as management units within the national territory.

The information increases in detail from Part A to Parts B and C (see Figure 1).

![Figure 1: Overall structure of river basin management planning in the Danube basin.](image)
• rivers with catchment areas >4,000 km\(^2\);
• lakes >100 km\(^2\);
• transitional and coastal waters;
• transboundary groundwater bodies of basin-wide importance.

Waters with smaller catchment and surface areas are subject to planning at sub-basin/national, respectively sub-unit level. All plans together provide the full set of information for the whole Danube River Basin District, covering all waters (surface as well as groundwater), irrespectively of their size.

In response to the danger of flooding, the ICPDR adopted the Action Programme for Sustainable Flood Prevention in the Danube River Basin in 2004. The overall goal of this Action Programme is to achieve a long-term and sustainable approach for managing the risks of floods to protect human life and property, while encouraging conservation and improvement of water related ecosystems. In line with the Action Programme, the ICPDR adopted 17 flood action plans for the sub-basins of the Danube in 2009. At the ICPDR Ministerial Meeting in 2010, the Contracting Parties committed themselves to making all efforts required to implement the EU Floods Directive throughout the whole Danube River Basin and to develop an international Flood Risk Management Plan in order to cover legal obligations of member states stemming from the directive to establish flood risk management plans coordinated at the level of the river basin district.

The regular meetings of Ministers of ICPDR contracting parties endorse inter alia action plans and management plans, thus providing their full political commitment for implementation; in addition, they provide political guidance and ensure high-level governmental support to key strategic documents developed within the ICPDR. The next Ministerial Meeting is planned for 2016 to adopt the 2\(^{nd}\) DRBMP and the 1\(^{st}\) DFRMP.

The ICPDR Expert and Task Groups involve representatives of all contracting parties as well as observer organisations. They have developed actions on key issues such as river basin management, flood protection, pollution control, monitoring of the quality of waters, accident prevention, information management and GIS as well as public participation. They constitute a basis for technical dialogue, and development of measures, to implement the EU WFD and EU Floods Directive and typically meet twice a year. Annex 1 provides overview of their structure and key tasks and responsibilities, as well as an overview of the 23 observer organisations of the ICPDR.

The mandate of the Priority Areas (and their Coordinators) of the EUSDR is established by the European Union. Following a request from the European Council, the European Commission presented in 2009 an EU Strategy for the Danube Region in the form of a Communication\(^4\) and its accompanying Action Plan\(^5\). The European Council endorsed the Communication with its annexed Action Plan in April 2011.


\(^5\) Action Plan of the EU Strategy for the Danube Region SEC(2010) 1489
The EUSDR facilitates and strengthens cooperative frameworks, which should utilise and support existing institutions, help Member States to implement EU legislation and should in particular support Member States and candidate countries in programming and effective use of EU funds and other financial mechanisms.

The Regulation (EU) No. 1303/2013 of the European Parliament and Council⁶ has provided a definition of EU macro-regional strategies and sets out the provisions to embed them in the European Structural and Investment Funds programmes for 2014-2020. The Communication and Action Plan of the EUSDR identifies concrete actions and examples of projects in **11 thematic Priority Areas (PAs)**, with the objective of addressing the common challenges of the region, by increasing the effectiveness of policies at EU, national and local level by improved cooperation.

Concerning **PA 4 and PA 5**, the identification of main issues is to a large extent based on previous work of the ICPDR, primarily from the 1st Danube River Basin Management Plan and the Danube Ministerial Declaration from 2010.

PA 4 and PA 5, as the rest of priority areas, have a Steering Group (SG). Members of Steering Groups represent Governments of Danube Countries. The European Commission and its relevant Directorate Generals (DGs) also participate in Steering Groups, fulfilling their leading role in strategic coordination of macro-regional strategies. The work of each PA is coordinated by two Priority Area Coordinators (PACs).

This Communication mentioned above states that “The coordination of each Priority Area is the task of EU Member States (in many PAs together with non-Member States). ‘Priority Area Coordinators’ (PACs), ensure implementation (e.g. by agreeing on planning, with targets, indicators and timetables, and by ensuring wide contacts between project promoters, programmes and funding sources, providing technical assistance and advice). This work will be trans-national, inter-sectorial and inter-institutional.”⁷ (PACs) work on the implementation (of the Action Plan) in close contact with the Commission, with all stakeholders involved, especially other countries, but also Regional and Local Authorities, Inter-Governmental and Non-Governmental Bodies.”

Based on the mandate of the Steering Groups and Priority Area Coordinators, their most important tasks are to ensure implementation of the action plan by appropriate measures of planning, coordination, facilitation and monitoring, especially through the following activities:

- find, involve, support partners (action leaders, observers, contributors, project partners) who can be involved in the implementation of the EUSDR and its action plan due to their specific experience, mandate, and capacities;

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• establish networks and platforms or implement the tasks directly via the Steering Group and Priority Area coordination where such partners do not exist or are not ready or willing to implement Actions or elements of Actions from the Action Plan;
• prepare roadmaps (implementation plans) to the Actions listed in the Action plan for the EUSDR, facilitate and monitor their implementation, make adjustments to implementation measures as necessary;
• involve science and innovation as necessary to find efficient and innovative solutions for gaps and bottlenecks in the implementation of the Action Plan and utilize the potential for efficiency of EUSDR in the implementation process via better spending and more efficient macro-regional interventions, including cross cutting measures;
• facilitate the alignment of funding from the aspect of the Priority Area incorporating the measures of the EUSDR, the Action Plan and Roadmaps where relevant to the documents and operational programs of the European Structural and Investment Funds as well as other financing frameworks;
• coordinate cross cutting measures with sectorial administrations and other Priority Areas;
• assist the work of EUSDR partners to address bottlenecks or help in activities contributing to the implementation of EUSDR strategic documents;
• support projects and partners, issue labels and letters of recommendations for project proposals in line with the Strategy, facilitate to find project partners for project proposals, follow project results and incorporate them to the EUSDR framework and provide visibility for the outputs.

3. KEY ICPDR AND EUSDR ACTIVITIES, PRODUCTS & RESULTS RELATED TO THE EUSDR PA4 & 5 ACTIONS

One of the ICPDR’s key objectives is to ensure a coordinated implementation of the EU Water Framework Directive on the Danube basin-wide scale, thus supporting member states to meet their legal obligation stemming from the Directive to coordinate within the entire basin. In accordance with the Directive’s requirements, the first Danube Basin Analysis Report was prepared in 2004. This was a substantial step towards the elaboration of the 1st Danube River Basin Management Plan (1st DRBM Plan), which was adopted by all ICPDR Contracting Parties in 2009 and which represents one of the most substantial milestones for integrated water resources management in the Danube Basin.

The Joint Programme of Measures, forming the central element of the 1st DRBM Plan, is currently under implementation and at the same time, activities for the 2nd WFD planning cycle is under preparation. The update of the Danube Basin Analysis Report forms the analytical basis for the elaboration of the 2nd DRBM Plan, which the ICPDR will finalize and adopt by the end of 2015.

In the past years, the ICPDR also put a major emphasis on inter-sectorial cooperation, which is a key for sustainable water management and for ensuring the achievement of the WFD environmental objectives. The “Joint Statement on Inland Navigation and Environment” from 2007 and the
“Guiding Principles on Sustainable Hydropower Development” from 2013 are outstanding examples for ensuring the sustainability of important sectors affecting the water environment. Furthermore, the first trans-boundary “Strategy on Adaptation to Climate Change” was adopted in 2012, recognizing the fact that water is a central element to be addressed in the frame of climate adaptation activities.

A prerequisite for the assessment of the water status is reliable information on water quality. The Danube countries started to coordinate their efforts in water quality analysis in 1985 with the monitoring of trans-boundary river sections of the Danube under the Bucharest Declaration. Later, these efforts were continued through the Danube River Protection Convention and since 1996, the ICPDR publishes annual reports on the water quality status based on the Transnational Monitoring Network (TNMN). This is the basis for a basin-wide water quality assessment, which provides data reflecting water quality trends including pollution loads discharged into the Black Sea. In addition, the TNMN contributes to a harmonization of water assessment approaches of different DRB countries. The TNMN is supplemented by periodic Joint Danube Surveys (JDS), research expeditions that provide centrally collected and more comprehensive data on parameters not covered by TNMN. These include in-depth biodiversity, chemistry, microbiology, hydro-morphology, isotope analysis and toxicology. To date, three JDS were held (2001, 2007 and 2013).

The Accident Emergency Warning System (AEWS) of the Danube River Basin is activated whenever there is a risk of trans-boundary water pollution, or when threshold danger levels of certain hazardous substances are exceeded. The AEWS sends out international warning messages to countries downstream to help the authorities put environmental protection and public safety measures into action. Thanks to this system, the adverse consequences of numerous accidents with the potential of causing trans-boundary pollution in the Danube River Basin could be mitigated effectively and timely in the past 20 years. For example, the AEWS was instrumental in providing information to downstream countries on the Ajka Red Sludge accident in Hungary in 2010.

The first milestone in the implementation of the Floods Directive under the ICPDR was to perform a preliminary flood risk assessment and identify those areas for which significant flood risks exist. A joint report was submitted to the European Commission in 2011. The next steps were to prepare flood risk and flood hazard maps in 2013, followed by the elaboration of flood risk management plans until 2015. The ICPDR also analyses the characteristics and consequences of major floods in the Danube River Basin and produces a joint statement on the lessons learned. So far, reports on floods from 2006 and 2010 were published, a report on floods from 2013 is currently being finalized.

Between 2011 and 2013, PA4 and PA5 both achieved important milestones such as the establishment of partnerships with existing partners working towards the implementation of the Action Plan and identified areas not covered by existing platforms, or the identification of operational steps, with targets, milestones and deliverables that were revised and accepted by the

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Steering Group. The Roadmaps to the Action Plan for PA4 and for PA5 have been finalised and their implementation has started. The Roadmaps were formulated in a way that also includes tasks, which are already carried out in the frame of the ICPDR and the International Sava River Basin Commission (ISRBC).

PA4 and PA5 contribute to facilitating the alignment of funding in a structured and systematic way and prepared a document on the priority interventions to be embedded to the EU programs of the “2014-2020 Multiannual Financial Framework”. PA4 and PA5 are among the priority areas, where cooperation with international organisations (ICPDR and ISRBC) are highlighted examples.

Scientific and innovation partners are also contributing to the PA4 and PA5 in areas that need scientific inputs or models for further planning of cross cutting strategies (e.g. the Danube Sediment project consortium), optimization of sectorial investments and operation for more efficient coordinated measures, less costs, better spending (e.g. Upper Tisza flood monitoring and management investment and operation program) or better data (e.g. DanubeClim).

An example for this structured partnership was the macro-regional water conference in September 2013, where major partner of PA4 and PA5 and policy actors concerning water quality including the UNECE - Helsinki Convention, DG Environment, ICPDR, ISRBC, Danube Commission, JRC, REC, ASEM, Water boards-bilateral commissions together with ministerial level representatives of the Danube Region and leaders of DG REGIO and DG Environment discussed the cooperation framework and the results of scientific contribution to PA4 and PA5. Main topics and actions of the Roadmaps of PA4 and PA5 were covered in this event from both expert and policy levels including governmental and institutional cooperation, partnership network of the PA4 and PA5, scientific and technical discussions. Activities facilitated by PA4 and PA5 to implement actions outlined in the Roadmap and based on the relevant scientific methods were discussed in the frame of this conference.

The attached table in Annex 2 provides an overview of EUSDR PA4, PA5 and ICPDR activities related to the EUSDR PA4 and PA5 actions and projects listed in the EUSDR Action Plan.

4. HOW TO REINFORCE SYNERGY BETWEEN ICPDR AND EUSDR

Cooperation between EUSDR structures and those of the ICPDR is already ongoing and should be further strengthened inter alia by firmly utilising the mandate, experience, past achievements and technical capability of the ICPDR for all water related issues in the Danube River Basin. Avoiding overlaps and avoiding the creation of parallel structures is a key principle that should be followed at all levels of cooperation. The ICPDR received from its contracting parties a clear political mandate and the technical capacities for implementing WFD and EFD in the DRB; the momentum created by EUSDR would significantly boost progress in relevant processes by creating added value for both ICPDR and EUSDR also by making better use of measures available for macro-regional cooperation.

To achieve this objective, the coordination of all trans-boundary water management activities between PA4 and PA5 with the ICPDR EGs and TGs should be improved for the future. Furthermore, it is important to ensure an efficient information flow between the PA4 and PA5 SGs on one side and ICPDR EGs and TGs on the other. This requires better coordination at the national level (an
issue for the SG members, but also within the different countries and ICPDR EG representatives). EUSDR can help to facilitate financing different activities which are coordinated by the ICPDR.

To ensure the coordination of all relevant activities of the EUSDR PA4 and 5, this paper builds upon already existing approaches and proposes some new practical elements for collaboration, including ways to initiate and develop projects to implement the EUSDR and the Action Plan:

- **Strengthening the network**: Danube countries should make all effort to strengthen the network at national level through both the PA4 and PA5 SG members and ICPDR EGs and TGs members, allowing direct consultation and cooperation at both national and basin-wide levels. The information flow, inter-agency dialogue and coordination of both ICPDR and PA4 and PA5 activities at national level are crucial for the anticipated synergy. Exchange and regular update of list of members of the PA4 and PA5 SG members and the relevant ICPDR EGs and TGs is a pre-requisite for making this network work;

- **Closer coordination**: Continuation of participation of the ICPDR Secretariat in SG Meetings and of PA4 and PA5 Coordinators in ICPDR key meetings;

- **Early consultations**: Discussion and coordination of relevant EUSDR activities with ICPDR EGs and TGs - current examples could be the buffer strips and/or the Tisza monitoring proposal - this should be discussed with relevant ICPDR EGs and TGs at an early stage. Project ideas (in form of project sheets) collected from countries via SG members by the PA4 and PA5 Coordinators to be circulated at the very beginning for consultation, for expert opinion and for coordination with existing ICPDR activities and technical work. Feedback and evaluation from the ICPDR EGs (and TGs) will be further used for the project development by countries / institutions facilitated by the PA4 and / or PA5 and for the identification of funding sources. Procedures of both mechanisms - the EUSDR and the ICPDR should be followed;

- **Meeting efficiency**: In order to increase the meeting efficiency and to reduce the Danube countries’ travel load, the potential to organise back to back meetings of the SGs with relevant EGs (i.e. Flood Protection EG and River Basin Management EG) should be utilised, taking into account the financial obligations of PA4/PA5;

- **Innovative approaches**: Consideration of the "Lead Country Approach", as an innovative modus operandi which is used in the ICPDR. For example, the Danube Basin Climate Adaptation Strategy was developed with lead of Germany, but in close coordination with the ICPDR; a similar approach was used for the Hydropower Guiding Principles, where Romania, Austria and Slovenia had the lead in close coordination with the ICPDR. In these examples, lead countries provided the groundwork, and decisions were taken by the ICPDR. Certain projects recommended by the EUSDR PA4 or PA5 SGs could use this modality.

- **Mutual recognition and visibility**: To maintain the visibility of responsible actors (e.g. ICPDR, PAs, lead countries, etc.) appropriate credit must be given within all tables providing an overview of actions contributing to the EUSDR. Credits for work done should not be hidden within anonymous frameworks.

- **Cross-sectoral cooperation**: Danube countries and the ICPDR should increasingly benefit in meeting their national and regional policy goals from strengthened facilitation of cross-sectoral cooperation between different PAs as an important opportunity offered by the EUSDR.
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- **Strategic guidance and coordination:** The ICPDR provides strategic guidance based on relevant key Danube Basin policy documents, e.g. DRBMP, DFRMP, Climate Change Adaptation Strategy, Guiding Principles for Sustainable Hydropower Development, etc., and in line with PA4/PA5 Action Plans. ICPDR EGs (and TGs) should actively generate project ideas to be introduced to PA4 and PA5 SG for discussion, further joint development and for the identification of funding sources. For PAs generated projects and initiatives, it would be useful to make use of the ICPDR EGs and TGs experience, views and opinions. Although there cannot be a general rule for deciding when to involve the ICPDR and/or the EUSDR concerning different projects, involvement and exchange should be pursued in case it is of relevance for each other.

- **Priority setting:** Measures and lines of action enshrined in the DRBMP and DFRMP, etc., adopted by contracting parties and endorsed by a ministerial conference, should receive high priority when submitted to funding programs, similar like PA4/PA5 alignment of funding;

- **Alignment of funding:** The EUSDR PA4 and PA5 support these measures and actions inter alia through projects development, facilitating direct financing support as well as via alignment of funding through Operative Programmes. Important additional political support could be generated also via the EUSDR PA4 and PA5 processes.

An example of a fruitful cooperation between the EUSDR and the ICPDR is the work towards improved sturgeon protection: PA6 is providing support on a specific issue where the capacity within the ICPDR is rather limited. The preparation of an EU funded project is ongoing, supported by the EUSDR Technical Assistance Facility via PA10, well-coordinated with ICPDR Expert Groups including regular exchange with the ICPDR Secretariat, as well as presentations and discussions in the ICPDR RBM EG and PP EG, Ordinary Meetings and the Standing Working Group meetings.

5. CONCLUSION

This paper emphasises the need to recognize the technical and political role of the ICPDR in the context of the EUSDR. The ICPDR also leverages on the opportunities the EUSDR provides, inter alia in terms of alignment of funding, contributions of PA4 and PA5 to ICPDR efforts as well as the political momentum provided by the EUSDR.

The ICPDR provides the legal basis of cooperation in the entire field of water management undertaken in the context of the DRPC within its legal mandate also to carry out relevant tasks outlined in the EUSDR Action Plan. EUSDR PACs, based on their mandate, coordinate activities in their respective PAs also by ensuring strong cooperation and mutual reinforcement with existing institutions, avoiding duplication or overlapping of activities. Clearly defining and strengthening the ICPDR role within the EUSDR is very important as much as all the countries covered in the Danube Strategy are Contracting Parties to the ICPDR. All the activities concerning the cooperation in the water management at the level of the Danube River Basin are coordinated within ICPDR, also taking into account specific joint actions which are jointly implemented by EUSDR & ICPDR.
The macro-regional approach is seeking more coherence between existing funds, institutions and policies in a given region. The EUSDR in line with this provides coordination in the alignment of funding. Macro-regional strategies should maximise the utilisation of regional organisations by strengthening synergies and complementarities, and avoiding duplication or overlapping of activities. The ICPDR, as the responsible body for water management in the Danube River Basin, established by the Danube countries and the European Union, with experience and a periodically updated political mandate, is best placed to play a key role in the implementation of the Danube Strategy in its areas of competence, in close coordination with the Priority Areas 4 and 5 and their respective Steering Groups. The ICPDR covers both technical work and political steering and the EUSDR and its activities are complementary in harnessing synergies. The EUSDR could easily address issues not covered by ICPDR (e.g. emergency response to floods and financial support). This is now of special importance as programmes for 2014-2020 are being prepared.

There is potential for strengthening a mutually beneficial cooperation and use of synergies between the ICPDR and the EUSDR in areas of restoration and maintenance of the quality of the waters and of the management of environmental risks. Clarifying open issues and developing an effective modus operandi between EUSDR and the ICPDR and implementing the principles and mechanisms of cooperation laid down in this paper would foster the implementation of the DRPC and key water-related EU legislation in the DRB. Increased cooperation between the ICPDR and EUSDR has the potential to bring significant benefits to the citizens and the environment of the Danube River Basin. This document contributes to seizing this opportunity and will be updated according to new developments in both platforms and gained experiences in cooperation and EUSDR implementation.

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9 Report from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions Concerning the Governance of Macro-Regional Strategies (2014) and Report from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions Concerning the European Union Strategy for the Danube Region COM(2013) 181 final