

THE DRIN: A STRATEGIC SHARED VISION

Memorandum of Understanding for the Management of the Extended Transboundary Drin Basin

Preamble

1. *Mindful* of the Ohrid Declaration of 18 April 2011 in which we, the water and/or environment competent Ministers of the Drin Riparians (hereinafter, the “Ministers”) committed to negotiate and adopt a Shared Vision document on the coordinated management of the Extended Transboundary Drin Basin (hereinafter the “Drin Basin”);
2. *Expressing* our political will towards basin-wide mutual understanding in water management as a precondition for cooperation towards sustainable development;
3. *With full appreciation* of the work of the Drin Core Group whose establishment in 2009 signalled the initiation of the Dialogue among the stakeholders for the management of the Drin Basin (Drin Dialogue), and *taking fully into consideration* the outcomes of the Drin Dialogue;
4. *Confirming* our commitment to sustainable development in the Drin Basin that can be brought about in a coherent way through transboundary cooperation, in accordance with the principles of the European Union integration process;
5. *Aware* that the Drin River is the connecting agent of an extended shared watershed, including a number of shared water bodies and an adjacent sea, the Adriatic, linking these into a hydrologic system that supports a variety of ecosystems within the Drin Basin;
6. *Considering* that the Drin Basin is of international importance, due to its morphology and biological diversity, including the habitats within its Sub-Basins that are vital for

the conservation of numerous rare species, many of which are endemic and/or globally endangered;

7. *Considering* environmental protection and conservation, and sustainable use of the natural resources of the Drin basin, including water, to be an integral part of the development process aimed at meeting the needs of the present and future generations on an equitable basis;
8. *Recognizing* that sustainable development in the Drin Basin should include a balanced and reconciled development of vital economic sectors such as tourism, agriculture, energy production, fisheries and forestry;
9. *Acknowledging* the need for sustainable and integrated management of the shared water resources in the Drin Basin and stressing our joint responsibility in this regard;
10. *Being guided* by the principle of reasonable and equitable use of water resources;
11. *Convinced* of the need for promoting adequate institutional arrangements and capacity building for sustainable and integrated water resources management in the Drin Basin;
12. *Recognizing* the need to coordinate management efforts across the Sub-Basins in this regard, while making use of the existing cooperation schemes that have been established for some of the Sub-Basins, namely Prespa Park Management Committee, Lake Ohrid Watershed Committee, and Lake Skadar-Shkoder Commission;
13. *Convinced* of the need of structured stakeholder involvement as part of sustainable basin management;
14. *Recognizing* the need for the Parties to meet the obligations arising from relevant international agreements, particularly the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (March 17, 1992 – hereinafter referred to as “UNECE Water Convention”) and its Protocols, the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar, February 2, 1971), the Convention for the Protection of the Mediterranean Sea Against Pollution (16 February 1976) and its Protocols and taking into consideration provisions of the UN Convention on the Law of the Non-Navigational Uses of International Watercourses (May 21, 1997);
15. *Conforming* to the principles and legal framework of the European Union, in particular the Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for the Community action in the field of water policy (October 23, 2000 – hereinafter referred to as “EU WFD”);
16. *Acknowledging* the contribution of the UNECE, GWP-Med and the Petersberg Phase II / Athens Declaration process, that support the Drin Dialogue, in reaching the signing of this MoU;

Now, therefore, the Ministers and their representatives hereby enter into this Memorandum of Understanding (hereinafter, “MOU”), to be referred to as “The Drin: A Strategic Shared Vision”:

Article 1. Definitions

1. The “Sub-Basins” consist of the respective geographical areas of each of the following basins: the Prespa Lakes, Lake Ohrid, Lake Shkoder/Skadar (collectively, the “Three Lake Areas”); the Black Drin River (Crn Drim or Drin i Zi); the White Drin River (Beli Drin or Drin i Bardhë); the Drin River (Drim or Drini or Drin i madh), and the Buna/Bojana River.

2. The “Extended Transboundary Drin Basin,” or “Drin Basin” is the geographical area consisting of the integrated geographical areas of all the Sub-Basins.

3. The “Parties” are the five water and/or environment competent Ministries of the Drin Riparians represented by the respective Ministers and their representatives.

4. The “Drin Core Group” (hereinafter, “DCG”) is the informal body established in 2009 to provide a Forum for coordination among the Parties to enable communication and cooperation among them and the key stakeholders and for the coordination and the facilitation of implementation of the Drin Dialogue, comprising of representatives of the: Parties; Prespa Park Management Committee; Lake Ohrid Watershed Committee; Lake Skadar-Shkoder Commission; United Nations Economic Commission for Europe (hereinafter referred to as the “UNECE”); Global Water Partnership – Mediterranean (hereinafter referred to as the “GWP-Med”); and Mediterranean Office for Environment Culture and Sustainable Development (hereinafter referred to as the “MIO-ECSDE”).

5. The “Drin Dialogue” is a coordinated and structured consultation process, initiated in 2009, among the Parties, the existing joint Commissions/Committees in some of the Sub-Basins and stakeholders, towards the development of a Shared Vision for the enhancement of transboundary cooperation and sustainable management of the Drin Basin in compliance with existing regional and international legislation in particular the provisions of the UNECE Water Convention, the EU Water Framework Directive (hereinafter referred to as the “EU WFD”) and other related multilateral agreements, facilitated by the UNECE and the GWP-Med and conducted within the frameworks of the UNECE Water Convention and the Petersberg Phase II / Athens Declaration Process.

Article 2. Objective

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.

Article 3. Common Concerns for sustainable development of the Drin Basin

The Parties hereby should undertake concrete actions to address problems identified as affecting sustainable development in the entire Drin Basin or in one or more of the Sub-Basins:

- (i) Improving access to comprehensive data and adequate information to fully understand the current state of the environment and the water resources and the hydrologic system (including surface, underground and coastal waters) as well as ecosystems of the Drin Basin;
- (ii) Establish conditions for a sustainable use of water and other natural resources;
- (iii) Develop cooperation and measures to minimise flooding especially in the lower parts of the Drin Basin;
- (iv) Improve management and appropriate disposal of solid wastes;
- (v) Decrease nutrient pollution deriving from untreated or poorly treated wastewater discharges and unsustainable agricultural practices;
- (vi) Decrease pollution from hazardous substances such as heavy metals and pesticides;
- (vii) Minimise effects of hydro-morphologic interventions that alter the nature of the hydrologic system and the supported ecosystems, resulting in their deterioration.

Article 4. Priority Actions at national, bilateral and/or multilateral levels

1. In the short term (to 2013) a set of minimum, “No Regret” measures should be initiated and carried out to promote integrated water resources management, also at national level, and facilitate enhancement of cooperation, including:

- a. Elaboration of coordination enhancement mechanisms among the Parties. The Drin Core Group will be used for this purpose.
- b. Enhancement of the knowledge basis about the Drin Basin that will allow planning of management and implementation of the EU WFD at national, Sub-Basin and Drin Basin level as well as enhanced cooperation among the Parties in the future. This may be achieved through the characterization of the Drin Basin in accordance to the EU WFD and the analysis of the hydrological patterns integrating consideration of: (i) the results achieved in the Three Lake Areas through previous and on-going GEF funded projects; (ii) the results of other on-going and past relevant projects; (iii) the karstic nature of large sections of the Drin Basin; (iv) the surface/groundwater interaction patterns and conjunctive uses throughout the Drin Basin; and (v) the coastal ecosystems, transitional waters and shallow marine environment. The characterization of each Sub-Basin should be done either at the national level or through bilateral or multilateral coordination or cooperation on the basis of related existing agreements among the Parties concerning the management of each Sub-Basin. This information will be available to all Parties through the system indicated in point 4.1.c and potentially in the future through this indicated in point 4.2.d.
- c. Improvement of information exchange through the establishment of a system for regular exchange of relevant information among the competent authorities of each Party.

- d. Enhancement of cooperation in the field of flood risk preparedness, management and mutual support. This may be achieved through the preparation of different options for the establishment of cooperation at technical level in this regard, by a working group comprising of representatives of the competent authorities of the Parties under the coordination of the Drin Core Group.
- e. Institutional strengthening in the field of integrated water resources management targeting managers, practitioners, relevant officers of national, regional and local authorities, other stakeholders etc. Towards this end, capacity building activities could be foreseen in fields of priority such as: (i) integrated basin planning and management in accordance with the EU WFD, (ii) practices of transboundary water cooperation in accordance to the UNECE Water Convention, (iii) GIS & spatial planning, (iv) Environmental Impact Assessments and industrial site inspections, (v) flood management, (vi) natural wastewater treatment systems, (vii) best agricultural practices, (viii) avoidance and containment of invasive species, (ix) environmental monitoring system design and management, (x) enforcement of water quality, water abstractions, recharge area protection and biodiversity regulations, (xii) groundwater management, (xiii) sustainable tourism, etc.
- f. Promotion of public participation and stakeholders engagement. This may be achieved through the preparation and implementation of a Stakeholders Involvement Plan.

2. In the Medium Term (till 2015) actions undertaken should allow the establishment of instruments to be used for the sustainable management of water resources in the Drin Basin, including:

- a. Achievement of a science based consensus, among the Drin Riparians, on key (Drin Basin) transboundary priorities including climate change scenarios, and also main drivers of change and indicators of sustainable development for the basin, based on the knowledge basis established (see 4.1.b. above).
- b. Preparation of an elaborated water balance for the Drin Basin as a useful decision support tool at national and transboundary levels.
- c. Establishment of a harmonized Drin Basin Water Monitoring Program compatible with the UNECE Guidelines on Monitoring and Assessment of Transboundary Rivers, the relevant provisions of the EU WFD, and the Shared Environmental Information System (SEIS) of the EEA.
- d. Making use of the efforts described under 4.1.c., establishment of an Information Management System (IMS) that will enable authorities to collect, store and share data and information produced through the Drin Basin Water Monitoring Program, and
- e. Establishment of basin-wide cooperative management on the basis of an agreement among the Parties and the establishment of a Basin Commission.

3. In the Long Term (after 2016) the instruments that will allow the Parties to work towards sustainable management of the water resources in the Drin Basin are expected to be in place, including:

- a. Development of a Drin Basin Management Plan 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 at national and transboundary level in accordance with the bilateral and multilateral agreements among the Drin Riparians.

Article 5. Implementation and Monitoring

1. Pursuant to point 4.1.a, the mandate of the DCG is prolonged and expanded to facilitate communication and cooperation among the Parties for the implementation of the provisions of the present MoU. The functions and responsibilities of the DCG are defined in the Annex to this MoU.
2. Understanding the need for the implementation of the Strategic Shared Vision to reflect the views of the stakeholders the Parties call for an annual meeting of stakeholders from the Drin Riparians and appreciate and accept the offer of UNECE and GWP-Med to facilitate its organization.
3. Aiming at the enhanced and structured engagement of stakeholders in the implementation of the MoU the Parties encourage the establishment of the “Drin Water Partnership” as a mechanism that will facilitate (a) awareness raising; (b) information exchange; (c) communication; (d) capacity building; (e) consultation and active participation if need be.
4. The Parties request GWP-Med in cooperation with MIO-ECSDE to elaborate on such a scheme and explore possibilities to establish under the auspices of GWP-Med such a Water Partnership.
5. The Parties ensure the participation of their respective Governments, within their possibilities, to provide resources for the implementation of the provisions of this MoU and call upon and invite the EU, Global Environment Facility and other donors to join and provide support in this regard. The DCG shall initiate, stimulate and coordinate activities in this regard.
6. The Parties request the continuation of the assistance provided under the Petersberg Phase II / Athens Declaration Process, coordinated by the German and Greek governments and the World Bank, as well as under the UNECE Water Convention.
7. The Parties urge UNECE and the GWP-Med to continue providing their technical support and facilitation of the process.

Article 6. Meetings of the Parties

The Ministers responsible for the management of water resources and/or environment of the five Parties shall meet ANNUALLY to review progress in the implementation of the present MoU and its provisions.

Article 7. Legal Effect

The present MoU shall not affect the status of bilateral relationships and rights and obligations of the Parties under prior Memoranda of Understanding and/or all international Agreements concluded among them.

Article 8. Validity

The present MoU becomes valid from the date of signing.

Article 9. Withdrawal

A Party may withdraw from this MoU by giving written notice to every other Party, which shall become effective with respect to such Party 30 days after receipt of such notice by all Parties.

Article 10. Termination

This MoU may be terminated by a majority decision of the Parties. Such termination shall take effect six months after such a decision by the Parties.

Done at Tirana this twenty fifth day of November two thousand and eleven, in 5 copies, one for each Party, in the English language.

Minister
Fatmir Mediu

Minister
Abdilaqim Ademi

Deputy Minister
Velizar Vojnovic

Deputy Minister
Ilir Mirena

Special Secretary
Andreas Andreadakis

Annex. Set-up, Functions and Responsibilities of the Drin Core Group

The set-up, functions and responsibility of the DCG is the following:

- (i) The DCG will be comprised of the nominated representatives of the: (a) Parties (hereinafter referred at as the “representatives of the Parties”); (b) Prespa Park Management Committee; (c) Lake Ohrid Watershed Committee; (d) Lake Skadar-Shkoder Commission; (e) UNECE; (f) GWP-Med; (g) MIO-ECSDE.
- (ii) GWP-Med will serve as the Secretariat of the DCG providing technical and administrative support.
- (iii) The institutions and bodies participating in the DCG may alter their representatives in the DCG through a formal letter to the DCG Secretariat.
- (iv) The decisions of the DCG will be taken by the representatives of the Parties on the basis of consensus.
- (v) The DCG shall meet on a regular basis and not less than once per year. The next meeting of the DCG will be organized within 6 months from the signing of the MoU. The dates and the frequency of the meetings to follow will be decided by the DCG itself.
- (vi) A non-scheduled meeting of the DCG may be called at the request of any of the representatives of the Parties upon submission to the Secretariat of a written request including explanation of the reasons for such meeting, which shall be promptly distributed to all DCG members.
- (vii) The venue of the meetings will be decided by the DCG. The meetings shall be chaired by the representative of the Party in which they are held.
- (viii) The DCG shall amend as necessary in conformity to the aforementioned in this article and in accordance to the requirements stemming from the MoU its internal rules of organization and Terms of Reference (ToR) decided at Podgorica on 1 December 2009.
- (ix) Possible changes in the set-up, functions and responsibility of DCG is decided of by the meeting of the Parties.