

AGREEMENT BETWEEN THE GOVERNMENT OF THE ESTONIAN REPUBLIC AND THE GOVERNMENT OF THE RUSSIAN FEDERATION ON COOPERATION IN PROTECTION AND SUSTAINABLE USE OF TRANSBOUNDARY WATERS

Unofficial translation

Government of Estonian Republic and Government of Russian Federation, further named "Parties",
Realizing that regulation of economic activity on transboundary waters may be conducted only if interests of both Parties are taken into account;
Taking into consideration the great value of transboundary waters for social and economical development of border regions of the two countries;
Understanding that protection and rational use of resources of transboundary waters are possible only by means of directed and coordinated measures;
In accordance with the Convention on Protection and Use of Transboundary Waterbodies and International Lakes of 17 March 1992;
agreed that:

Article 1

Goal of the Agreement

Goal of the agreement is organisation of co-operation between the Parties in the field of protection and sustainable use of transboundary waters and their ecosystems.

Article 2

Object of the Agreement

The objects of this Agreement are transboundary waters of the Narva River watershed, including Lake Peipus-Pihkva.

Article 3

General assumptions

The Parties co-operate with the aim to provide ecologically sustainable management of the use of water resources of transboundary waters and their preservation in the interests of the population and sustainable development.

To attain the above-mentioned goals, the Parties:

co-operate in the development of norms, methods of assessment and classification of water quality;

adopt measures necessary for prevention of, and diminishing to the agreed minimum, discharge of polluting substances into water bodies;

provide use of modern technologies for sustainable use of water resources, effective sewage treatment plants and water saving production technologies;

guarantee maintenance of hydrotechnological and water protection equipment in required technical condition on transboundary waters;

desist from activities or inactivity that may cause deterioration of transboundary water bodies and their ecosystems hydrological and hydrochemical systems;

carry out joint scientific studies about Lake Peipus ecosystems;

carry out agreed environmental inspections.

Article 4

Competent agencies

Competent agencies to implement the agreement are:
On Estonian side - Ministry of the Environment of Estonian Republic;
On Russian side - Ministry of Natural Resources of Russian Federation.

Article 5

Joint Estonian-Russian Commission on Protection and Sustainable Use of Transboundary Waters

For coordination of activities on implementation of the agreement, Parties form Joint Estonian-Russian commission on Protection and Sustainable Use of Transboundary Waters (hereafter "Commission") that works under the leadership of two co-chairs appointed by the Parties who have equal rights.

Co-chairs shall appoint the commission members by equal representation.

The main objectives of the commission are:

co-ordination of the activities of the Parties on implementation of the agreement;
consideration of results of the work on implementation of the principles of the agreement;

co-ordination of plans, projects and other programs of research, monitoring and other activities that concern transboundary waters;

organization of development and co-ordination of water quality norms, methods of analysis;

development of proposals for improvement of regulatory and legal acts of the Parties that concern transboundary waters;

organization of exchange of current and operative information about transboundary waters;

arrangement of the order for joint actions in extraordinary situations;

addressing other issues that concern protection and sustainable use of transboundary waters.

The commission can form work groups and involve experts in their work.

The sessions of the commission take place at least once a year.

Article 6

General principles of work of the commission

Competent agencies of the Parties will inform each other about their co-Chairs, the commission members, including commission secretaries by diplomatic channels, within 2 months of enforcement of this agreement.

Sessions of the commission, its working groups and experts take place alternatively in each countries.

Expenses of preparation and arrangements of the sessions are paid by the host Party; travel expenses are paid by the travelling Party

Official languages of commission and its work groups are Estonian and Russian.

The decisions of the commission and its work groups are to be adopted by consensus. In the case of disagreement, additional consultations shall be held and these questions shall be adopted at a next session.

Article 7

Monitoring

Monitoring shall be carried out on both sides to get regular information about the state of transboundary waters, to predict its possible changes.

Monitoring is carried out by each country in its own territory using its own equipment.

Monitoring data are accessible to both Parties. The Parties exchange the monitoring data obtained during the agreed monitoring program.

Article 8

Scientific studies

The commission defines priority directions and programs of scientific studies on protection and sustainable use of transboundary waters.

The Parties exchange results of scientific studies through arranging joint seminars and scientific conferences, organization of joint publications or in another form.

Article 9

Norms and standards

The commission agrees on common indicators of quality for transboundary waters, methods of water testing and conducting analyses.

If differences occur in norms and standards, the stricter of the analysis methods or the method of analysis that gives more precise results, or stricter a new norm in development that is stricter than norms established by legislation of the Parties will apply

Article 10

Cooperation on elimination of extraordinary situations

In the case when an extraordinary situation occurs on transboundary waters, the Parties will inform one another immediately through the competent agencies.

In the case of extraordinary situations, both Parties in close co-operation will adopt measures to quickly evaluate them, forecast of their development and eliminate them.

In the case of an accident, through a deliberate action or as a result of negligent pollution of transboundary waters, the Party responsible for the damage will reimburse any expenses incurred in order to eliminate of the consequences.

The commission will determine the extent of compensation to be paid for the damage incurred.

Article 11

Consultations

If one of the Parties is planning activities in water-, fish industry or other area that may cause changes of hydrological or hydrochemical systems on transboundary waters, or if these actions may affect another Party interests, then the Party should hold a consultation with the other Party before implementing the plans as soon as possible through the Commission or the competent agencies.

Article 12

Cooperation with local self-governments and public

The Parties guarantee publicity of discussion of issues covered by this agreement and involving discussion between representatives of local self-governments and the public.

The Parties encourage co-operation between agencies of executive power, local self-governments, scientific and public interest organizations, as well as other institutions in the field of sustainable development and protection of transboundary waters.

Article 13

Amendments to the Agreement

The commission must review proposals for amending the agreement.

The proposals approved by the commission are to be affirmed by the Parties and go into effect the day of exchange of the notes that inform about affirmation given by the Parties.

Article 14
Resolving arguments

Any disagreements concerning interpretation or execution of the agreement are to be solved by negotiations between the Parties.

Article 15
Rights and Commitments of the Parties

The agreement does not affect rights and commitments of the parties that stem from other international agreements, where the Parties participate.

Article 16
Coming into force of the agreement and period of its validity

The agreement comes into force the day it is signed, is in force for five years and is automatically extended for each subsequent five-year period unless either Party gives written notice to the other Party of its intention to stop the action of the agreement one year before the end of a given five-year period.

The ending of this agreement does not negatively affect execution of agreements, protocols and contracts between interested agencies and organizations of the Parties signed on the basis of this agreement.

The agreement is executed in Moscow on 20 August 1997 in two copies, both in Estonian and in Russian where both copies have the same power.

For Government of Estonian Republic V. Reiljan	For Government of Russian Federation N. Mikheev
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