

Working Group on Implementation

Second meeting, Budapest, 16-17 March 2004

MINUTES OF THE SECOND MEETING 1/

Introduction

1. The second meeting of the Working Group on Implementation, a subsidiary body of the Conference of the Parties (CoP) to the UNECE Convention on the Transboundary Effects of Industrial Accidents, was held in Budapest on 16-17 March 2004, at the invitation of the Government of Hungary.
2. It was attended by: Ms. Anahit Aleksandryan (Armenia), Mr. Leo Iberl (Germany), Mr. Lajos Katai-Urban (Hungary), Mr. Cristiano Piacente (Italy), Mr. Sergiu Galitchi (Republic of Moldova), Ms. Jasmina Karba (Slovenia), Mr. Ulf Bjurman (Sweden), Mr. Bernard Gay (Switzerland), and Mr. Sergiusz Ludwiczak (UNECE, Secretary of the CoP).
3. Mr. Jurgen Wettig (European Community), due to his new duties was no longer available to the Working Group. Mr. Emil Malasek (Czech Republic) did not attend the meeting.

I. Opening of the meeting and short introduction

4. Mr. Ludwiczak opened the second meeting of the Working Group on Implementation welcoming all its members. The members of the Working Group shortly introduced themselves. Mr. Ludwiczak recalled Decision 2002/1 on strengthening the implementation of the Convention (ECE/CP.TEIA/7, annex I), taken by the CoP at its second meeting on 6-8 November 2002, and the terms of reference of the Working Group adopted by the CoP at its first meeting (ECE/CP.TEIA/2, annex III, appendix). He was convinced that the work undertaken by the Group would result in efficiently compiling the second Report on the Implementation of the Convention and drawing up conclusions and recommendations to strengthen the implementation, to be submitted to the third meeting of the CoP for further consideration and decision. He also expressed appreciation to the Hungarian authorities for having invited the Working Group to hold this meeting in Budapest.
5. Mr. Bjurman raised the issue that UNECE member countries hosting meetings under the Convention are expected to grant entry visas free of charge for participants of such meetings. Ms. Aleksandryan and Mr. Galitchi were asked by the Hungarian authorities to cover the cost of their visas. The Working Group decided that the Bureau should address this issue at its fifth meeting to be held on 18-19 March.

1/ Prepared by the secretariat in consultation with the Chairman of the Working Group on Implementation.

II. Adoption of the agenda

6. The Working Group adopted the agenda for its second meeting as contained in WG13/20 January 2004.

III. Constitution of the Working Group and election of the Chairman

7. Mr. Ludwiczak, referring to a consultation within the Bureau of the CoP and among the members of the Working Group, and taking into account the Rules of Procedure for the meetings of the CoP (ECE/CP.TEIA/3), suggested to the Group to elect Mr. Bernard Gay as the Chairman and Ms. Jasmina Karba and Mr. Lajos Katai-Urban as the Group's rapporteurs. The Working Group unanimously elected them.

IV. Progress in reporting on implementation

8. Mr. Ludwiczak informed the Working Group that the reporting formats were disseminated to all Parties and other UNECE member countries on 30 June 2003. The deadline for submission of individual country reports was set for 31 January 2004. Countries that did not meet this deadline and did not indicate that the report is under preparation were sent a reminder by the UNECE secretariat by letter on 16 February 2004.

9. At the time of the meeting of the Working Group, reports were received from twenty-two Parties to the Convention: Armenia, Austria, Belarus, Croatia, Czech Republic, Denmark, Estonia, Hungary, Italy, Lithuania, Luxembourg, Monaco, Norway, Poland, Republic of Moldova, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom as well as the European Community.

10. In addition to reports received from the Parties, two other UNECE member countries, namely: Azerbaijan and Turkey submitted their reports on a voluntary basis. The Working Group decided to express its appreciation to the two concerned Governments in the Report.

11. The Working Group considered that France did not fall under the obligation of filing an implementation report for the period 2002-2003 since in this case, the Convention entered into force only in early 2004.

12. The Working Group noted that even though the Parties were addressed by the secretariat two times, not all of them submitted their reports. Reports were not available from the following Parties: Albania, Bulgaria, Finland, Germany, Greece, Kazakhstan, Romania and the Russian Federation. 2/

2/ At the time of finalizing these minutes reports were received from Bulgaria and Germany.

13. The Working Group decided, once more, to remind the above-mentioned Parties of their reporting obligation by letter from the Chairman of this Group. They would be given an ultimate deadline of 15 May to submit a report on the Convention's implementation.

14. The members of the Working Group were generally positive when evaluating the quantitative results of reporting – noting that 75% of the Parties fulfilled their reporting obligations in time. Nevertheless, they expressed their concern that several Parties to the Convention had not done so yet. The Working Group decided to report this issue to the Bureau and address it in the implementation report.

15. The Working Group was informed that a failure of the password protection of the folder containing individual country implementation reports within the Convention's web site occurred for a limited time during 2003. The protection was repaired immediately after the security incident was reported to the Convention's secretariat. Mr. Ludwiczak presented a short explanatory note on behalf of the ECE IT services in this respect. Mr. Iberl informed the Working Group that due to the above, Germany may not report all of its hazardous activities within its report for the years 2002-2003 and that its delegation would submit a proposal on how to improve the password protection at the third meeting of the CoP.

V. Preparation of the second report on the implementation of the Convention

16. The Working Group discussed and decided on a similar structure of the second report on the Convention's implementation as used for its first version. It decided that the report would include an introduction; a quantitative analysis of reporting; a main section analyzing the responses by section with conclusions and recommendations; a comparison with the first round of reporting; an assessment of the reporting procedure; and an overall assessment of the Convention's implementation.

17. The Working Group analyzed and discussed the available country reports by section. This comparative analysis provided rough text elements for the main section of the report and certain conclusions and recommendations, such as:

(a) UNECE member countries of the Caucasus, Central Asia and South Eastern Europe need to be assisted through international and bilateral programmes and projects in order to implement the Convention's provisions and thus be able to become Parties to the Convention. Countries from these subregions, being already Parties, need to be assisted in applying this legal instrument in practice;

(b) A number of countries need broad assistance for the development of capacities to implement the Convention. Activities to monitor more closely the concrete needs of these countries for the ratification and implementation of the Convention should be carried out;

(c) Since the first implementation report, Parties had made significant progress in identifying their hazardous activities. However, a number of countries still need assistance in developing their capacities to conduct such identifications;

(d) Bilateral cooperation (notification of hazardous activities, contingency

plans, local notification systems, joint response exercises, information to and participation of the public) should be further encouraged. This was an area requiring further development in many cases. However, good examples exist and these should be advertised;

(e) Parties should strive to achieve effective horizontal and vertical coordination and cooperation between competent authorities within their own countries. This seems to be problematic in many countries;

(f) The effectiveness of the UNECE Industrial Accident Notification System should be increased. The Working Group was informed about the outcome of the first consultation and the training session for the points of contact for the purpose of accident notification and mutual assistance held on 10-11 November 2003 in Bratislava;

(g) Guidance related to land use planning should be drawn up. To this end, the Working Group recommended the secretariat to take contact with the UNECE's Committee on Human Settlements and the EC's Major Accident Hazards Bureau to explore the possibility of organizing a joint seminar or workshop;

(h) The need for an amendment of annex I to the Convention with the aim of harmonizing it with the amended annex I of the "Seveso II" Directive, was suggested in a few reports and was implicit in other reports. The Working Group suggested that this issue should be addressed by the Bureau; and

(i) The secretariat should introduce minor changes to the reporting format (information on the competent authority, focal point for the Convention and the person responsible for completing the format should appear on the first page) to be used in the third round of reporting.

VI. Organization of further work

18. The Working Group decided to elect two rapporteurs (see para. 6) whose key task would be to draw up the first draft of the report on the Convention's implementation, including conclusions and recommendations for action by the CoP, until mid-April. The Group's Chairman would review this draft and incorporate any information contained in the reports that may be submitted by the eight above-mentioned Parties until 15 May 2004. A second draft would then be circulated on 1 June among the other members of the Working Group seeking their comments. A final draft, taking the Group members' comments into account, would be circulated within a second consultation round towards the end of June. The second consultation round would also include the Chairperson and the Secretary of the CoP. The document, in its final form should reach the secretariat not later than 30 June 2004.

19. The Working Group was in agreement that the process of reporting on implementation, consisting of the preparation of individual country implementation reports by Parties and other

UNECE member countries and the drawing up of the overall implementation report by the Working Group on Implementation, was useful and beneficial to all Parties and in particular to the countries which are undertaking the efforts of implementing the Convention or to become a Party to the Convention.

20. Mr. Bjurman was of the opinion that the frequency of reporting should be reduced and that there should be no reporting until at the earliest 2008. He emphasized that the limited resources available should instead be devoted to efforts to assist countries with economies in transition to become Parties to the Convention or to exchange experience between Parties on how the Convention is to be implemented. Other members of the Working Group did not share his view and stressed that regularity in monitoring implementation was an important factor for its strengthening. The fact that the report on the Convention's implementation is an important document for the CoP, as a basis for a substantive discussion on its future priorities and work plan, was also underlined.

21. The Working Group members were also in agreement that the Group should be more active in approaching the persons responsible for completing individual country implementation reports, especially from the countries with economies in transition. This should serve the purpose of improving the quality of these reports and better assessing the needs of these countries in implementing the Convention.

VII. Closing of the meeting

22. The Chairman reviewed the outcome of the two-day meeting, concluding that the Working Group made considerable progress to achieve its immediate goal – the preparation of the requested report for the CoP. Mr. Gay thanked the Hungarian authorities for having hosted the meeting in Budapest and all members of the Group for their active participation and closed the second meeting of the Working Group on Implementation.