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## **Economic Commission for Europe**

### **Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents**

#### **Bureau**

##### **Forty-third meeting**

Geneva (online), 16 and 17 June 2020

### **Minutes of the meeting**

#### **1. Opening of the meeting and adoption of the agenda**

1. The Chair opened the first online meeting of the Bureau and welcomed the participants.
2. The following Bureau members were present: Ms. Torill Tandberg (Norway), Chair; Mr. Michael Struckl (Austria), Vice-Chair;<sup>1</sup> Ms. Jasmina Karba (Slovenia), Vice-Chair; Mr. Evgeny Baranovsky (Belarus); Mr. Pavel Forint (Czechia); Mr. Camille Siefridt (European Union), replacing his predecessor Mr. Rolf-Jan Hoeve; Ms. Wivi-Ann Wagello-Sjölund (Finland);<sup>2</sup> Mr. Gerhard Winkelmann-Oei (Germany); Ms. Suzana Milutinovic (Serbia); and Mr. Martin Merkofer (Switzerland). Mr. Leo Iberl (Germany), Chair of the Working Group on Implementation (WGI), also attended the meeting. In addition, Mr. Georg Arens and Mr. Oliver Ludwig (German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety) participated in the discussion on the organization of the eleventh meeting of the Conference of the Parties (CoP-11), to be hosted by Germany on 1–3 December 2020 in Bonn. The meeting was serviced by the ECE secretariat.
3. The Bureau adopted the agenda (CP.TEIA/2020/B.1/Agenda) without changes.

#### **2. Preparations for the eleventh meeting of the Conference of the Parties (CoP-11) and related updates and considerations**

4. Due to the uncertainties related to the COVID-19 pandemic, the Bureau discussed different options for the organization of CoP-11, notably:
  - (a) Continue planning CoP-11 as a face-to-face meeting in Bonn, Germany on 1–3 December 2020, with certain restrictions on the number of participants and safety distances by the host country (option A);
  - (b) Organize a hybrid meeting in Bonn, Germany for 1–3 December 2020, combining a face-to-face meeting with online participation, allowing representatives with travel restrictions to also attend (option B);

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<sup>1</sup> Mr. Struckl was not able to attend the discussions taking place on the afternoon of the second day, notably on items 3-7.

<sup>2</sup> Ms. Wagello-Sjölund attended only parts of the meeting, notably the afternoon on 16 June and the morning session on 17 June, due to unforeseen other commitments.

(c) Consider holding CoP-11 as a face-to-face meeting in Geneva on 19–21 January 2021, possibly also with certain restrictions by the host country (option C). This could comprise participation of Geneva-based permanent missions;

(d) Organize CoP-11 as an online meeting only, either on 1–3 December 2020 or on 19–21 January 2021 (option D).

5. All participants agreed that the meeting objectives likely not be achieved with option D, without major changes and cuts in the agenda, while expressing their preference for a face-to-face meeting, if possible. The secretariat highlighted that a face-to-face meeting should also envisage remote connection and participation options for delegates who may not be able to attend in person. It also highlighted that procedural options existed for remote participation in decision-making, applicable for face-to-face meetings with remote participation, hybrid and online-only meetings, and was proposing to develop draft operating rules to that effect. The Bureau could then review these rules and advise on the next steps, such as the development of a respective proposal for Parties in advance of CoP-11. The Bureau welcomed this proposal and requested the secretariat to proceed with the preparation of draft operating rules for remote participation in its CoP, accompanying the existing rules of procedures, for its review at its next virtual meeting in mid-September.

6. Some Bureau members, and the representative of the host country, expressed concerns regarding the unequal conditions for on-site and remote participants, if a hybrid meeting were to be organized. The secretariat shared recent examples where this had worked well and highlighted – further to the above-mentioned procedural options – technical options to make use of remote connection platforms (such as Interprefy and Kudo), which enable simultaneous interpretation for delegates present in the room and those participating remotely. The representative of Germany, the host country, also mentioned a limitation of 100 persons for a face-to-face meeting, imposed by the meeting hotel, as well as a cancellation fee of 90 percent until the end of September 2020. He also proposed not to organize the half day site visit, as originally intended, which the Bureau agreed with.

7. Following the consideration of the different options vis-a-vis the meeting objectives and current developments, the Bureau agreed that CoP-11 be maintained as a face-to-face meeting, to the extent feasible, with a maximum of 100 participants at the venue (e.g. 2 participants per delegation) and asked the secretariat to reflect this accordingly in the CoP-11 invitation that will be sent in summer. It considered foreseeing remote connection and participation options as important, including with respect to the seminar on tailings safety, which may see additional participants and partners beyond the “regular” CoP-11 delegations. At the same time, the Bureau agreed to encourage personal attendance of the meeting, to the extent feasible. The Bureau requested the secretariat to further investigate options to facilitate decision-making, including in a (semi-)virtual setting. It asked whether draft decisions could be circulated in advance of the meeting, which the secretariat confirmed, proposing that a request be included for Parties to communicate possible comments on the draft decisions in advance of the CoP-11, which the Bureau agreed with. The Bureau also agreed that the meeting should last 2.5 days. It decided to reconvene online in September 2020 to refine the planning, including related to travel arrangements, in the light of the situation then.

#### **(a) CoP-11 draft annotated provisional agenda and opening of the meeting**

8. The Bureau welcomed the proposal from Germany that there be high-level opening of the Conference of the Parties by the Minister of Environment, Nature Conservation and Nuclear Safety, who was intended to be invited and the ECE Executive Secretary.

#### **(b) Representation and credentials**

9. Based on a proposal by the secretariat, the Bureau agreed to handle this item in the following manner:

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- (i) In view of the current uncertainties related to the developing COVID-19 situation, the Parties will be requested to send their credentials approximately one week earlier than usually, i.e. a copy of the credentials would need to be submitted by e-mail to the secretariat by 27 October 2020. Delegations would then normally bring their credentials alongside with them to the face-to-face meeting. Should any delegate not be in a position to attend in person, the option can be proposed for the original credentials to be sent by post to the secretariat by a specified deadline (e.g. 10 November 2020).
  - (ii) At the beginning of the CoP, following the adoption of the agenda (item 1), the secretariat will under item 2 make a short presentation on the current status of ratification of the Convention, the countries which have nominated competent authorities and points of contact in accordance with article 17 of the Convention and the representation of Parties and ECE member States at the meeting.
  - (iii) One of the Vice-Chairs<sup>3</sup> will then deliver a report on the representation at the eleventh meeting and the credentials submitted by the representatives of the Parties under the same time at a later stage in time, following the submission of the last credentials to the secretariat in the morning. It is envisaged that this presentation take place from 5h-5h10, following item 3a) Seminar on Strengthening mine tailings safety in the ECE region and beyond and just before agenda item 3b) Decision on strengthening mine tailings safety. This approach will enable ascertaining that a quorum is reached (with at least 21 Parties) for the CoP to be able to take decisions.

## **(c) Strengthening mine tailings safety in the ECE region and beyond**

### **(i) Seminar**

10. The Bureau took note of the outline of the background document for the seminar on mine tailings safety (ECE/CP.TEIA/2020/2). Bureau Members discussed the extent to which TMFs fall within the scope of the Convention. They briefly discussed the nature of TMF risks, with respect to hazardous substances as well as non-toxic waste with detrimental effects on the environment once released in high volumes. Bureau Members also touched upon complexities in defining TMFs as hazardous under the EU Seveso Directive.

11. The Members of the Bureau agreed that the following items be taken into account when completing the background document and when preparing the seminar conclusions:

- The extent to which TMFs are covered by the Convention needs to be made explicit, by including references to the respective articles and annexes of the Convention, such as the definition of Hazardous Activities and Reporting on the Implementation of the Convention, the Working Group on Development's conclusions that TMFs are covered by the Convention, following its meeting in Geneva, 28-29 April 2014 (see ECE/CP.TEIA/WG.1/2014/3, under B, para 22); the inclusion of tailing dams in the definition of industrial accidents in the Civil Liability Protocol (see the Protocol on Civil Liability, article 2 (e) under (i)); the preparation of guidance documents and checklist on TMFs under the Convention's auspices; and the recommendation for use of the safety guidelines by the CoP. At the same time, it was agreed that the seminar should not overly focus on coverage of TMFs by the Convention – it should rather inspire action to strengthen tailings safety, and enhance related disaster risk management efforts.

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<sup>3</sup> It was then agreed that this be the Vice-Chair from Slovenia.

12. The Bureau took note and approved the draft programme of the seminar on mine tailings safety (CP.TEIA/2020/INF.1), highlighting that titles of presentations are subject to change depending on the availability and expertise of speakers.

**(ii) Decision**

13. The Bureau took note of the draft Decision on strengthening mine tailings safety (ECE/CP.TEIA/2020/3) and requested the secretariat to process 2 changes:

- Action point 2 to be reformulated, replacing “request” by “recommend for use”
- Action point 8 to be clarified by adding a footnote, explaining that the action point pertains to those hazardous activities that fall under the scope of the Convention.

14. The Bureau further decided on the following next steps:

- The secretariat will finalize the decision and prepare the background document on this basis. The latter will be shared with the small group for its possible inputs in the summer, before its finalization and issuance in September. The secretariat was requested to proceed with the invitations to the TMF seminar.
- The small group preparing the seminar will re-convene, as required, to discuss the updates to the programme and take further appropriate action to finalise the preparations for the seminar.

**(d) Report of the Bureau on its activities since the tenth meeting of the Conference of the Parties**

15. The Chair highlighted elements of the report to the Bureau which she was planning to draft and share with the Bureau in July, namely:

- The Bureau’s guidance provided during the biennium, incl. the issues discussed at its meetings, such as a stronger oversight of JEG work
- Progress towards the implementation of the long-term strategy, drawing on the discussion by the Bureau during this meeting (under agenda item C, reflected under item 3) in this report)

**(e) Election of officers and other members of the Bureau**

16. The Chair asked Bureau members to indicate whether their authority was planning to nominate them as members in the Bureau for the next term 2021-2022. Positive intentions in this respect were voiced by: Austria, Belarus, European Union, Norway, Serbia, Switzerland.<sup>4</sup> The Chair (Norway) indicated being available to serve as Chair for another term, supported by the competent authority, which was welcomed by the Bureau. The representatives of Czechia and Germany indicated that this would be their last term in the Bureau, and that the respective competent authorities were not planning on submitting a nomination for a new candidate at this stage in time. The representative of Germany also indicated not being available anymore as Co-Chair of JEG. The representative of Slovenia considered it important to attract new members for the Bureau, in view of an equitable representation of the different geographic regions, while indicating being ready to stand again as a candidate, should the Bureau consider this to be in its and the Convention’s interest. The secretariat thanked the Chair and the Bureau members for their engagement in the Bureau thus far and welcomed the continued engagement of those members who were available for another term.

17. The Chair recalled the need to consider geographical representation and gender in the Bureau’s composition. The secretariat added that in the past, large donor countries were part of the Bureau, along with beneficiary countries. With due consideration of these aspects, the

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<sup>4</sup> The representative of Finland, who could not be present for this agenda item, has been asked by e-mail about the future nomination following the meeting, and plans to confirm in due course.

Bureau agreed to approach France, Kazakhstan and the Russian Federation to this end, and asked the secretariat to support this process. The Chair recalled that, in accordance with the Rules of Procedure, nominations for Bureau membership needed to be submitted to the secretariat 8 weeks in advance of the meeting, i.e. by 5 October 2020 – a deadline previously communicated by the secretariat.

## **(f) Implementation of the Convention**

### **(i) Activities of the Working Group on Implementation and ninth report on the implementation of the Convention**

18. The WGI Chair, supported by the secretariat, introduced the key findings of the draft report on the implementation of the Convention and the related draft decision. He stressed, among others, that the WGI considered, in line with CoP Decision 2016/2, only reports submitted within the deadline, even if submitted late by only one day, which the Bureau fully supported. The secretariat highlighted, inter alia, the wealth of Good Practices that was shared with the national implementation reports.

19. The Bureau greatly valued the work by the WGI and secretariat in preparing the two documents, on which it did not have further comments. It agreed that the secretariat proceed with the finalization of the report, in cooperation with the WGI, and the further processing of both the report and the draft decision as official documents. The Bureau welcomed that the WGI would make the Good Practices available on the Convention's website and supported the inclusion of a dedicated seminar to exchange these Good Practices as part of the new workplan.

### **(ii) Election of the members of the Working Group on Implementation for the period 2021–2024**

20. The WGI Chair reported that six of the WGI members intended to continue in the next term (2021–2024), while nominations from Croatia and the United Kingdom, who are no longer active in the WGI, seemed unlikely. The Netherlands had yet to confirm as to whether they would nominate a candidate again and Germany had not yet taken a decision whether it wished to nominate a new person for the WGI, following the retirement of Mr. Iberl at the end of the year. The Bureau Chair and WGI Chair agreed to hold a joint phone call, together with the secretariat, to encourage Parties to submit sufficient nominations by the deadline (5 October 2020).

### **(iii) Implications of the COVID-19 pandemic for industrial safety**

21. The Chair introduced the links between industrial accidents and the current COVID-19 pandemic, such as failures occurring due to industrial installations shutdowns and reboots. She presented ongoing lessons learned and further background on best practices as developed by the Norwegian Directorate for Civil Protection, as well as special issue of the lessons learned bulletin on Pandemic measures and chemical process safety, most recently published by the JRC's Major Accidents and Hazards Bureau (MAHB), following related discussions in the OECD Working Group on Chemical Accidents. The MAHB will hold a survey in EU Member States to further explore this phenomenon, the results of which are planned to be presented to the OECD Working Group on Chemical Accidents meeting in October 2020.

22. The Bureau took note of the information presented and briefly discussed the questions on COVID-19 in relation to industrial safety, as tentatively listed in the draft agenda for CoP-11 under item 7 (c) on Implications of the COVID-19 pandemic for industrial safety. The Bureau subsequently agreed to include these questions in the agenda and to address them in the form of a prepared roundtable discussion. It considered it important to engage Parties in advance, so that they come prepared to the discussion. It also suggested inviting selected industry representatives to discussion, such as BASF, where the site visit was originally meant to take place. The secretariat suggested drawing attention to this discussion as part of the invitation letter. The Bureau agreed to set up a small group on COVID-19 and industrial safety to prepare

this agenda item, and further to the Chair, other Bureau members were invited to volunteer for being part of it.<sup>5</sup>

**(iv) Cooperation with the EU Joint Research Centre on JRC SPMI indicators and the Convention's self-assessment**

23. The secretariat presented the background of the Seveso Progress Measurement Index, the details of the methodology and the relevance for monitoring both the EU Seveso Directive and the Convention's implementation in beneficiary countries of the Assistance and Cooperation Programme, building on the Convention's self-assessment benchmark for implementation. It explained that it was approached by the EU Joint Research Centre (JRC), following a request by Serbia, with a proposal to integrate indicators related to the Convention's self-assessments. The SPMI, currently under development and led by the JRC, is currently being tested in Ukraine, among other countries. It is intended to demonstrate progress made and identify future priorities for effective expenditure of resources in industrial and technological risk management. The secretariat mentioned its positive reaction to the proposal, while noting that its involvement will be dependent on the availability of resources as part of the Convention's next workplan. With the understanding that JRC was in the lead for this project, the Convention secretariat could contribute on conceptual aspects related to the Convention's self-assessment indicators and the beneficiary countries (Serbia, Ukraine, Moldova) could test their implementation. The Bureau member from Slovenia also agreed to be associated to this process, representing an EU member State familiar with the EU Seveso Directive and the Convention's strategic approach.

24. The representative of Serbia then contributed with a short report on their participation in a workshop concerning the SPMI, and their proposal to add indicators on the Convention's self-assessment. Serbia stated their intention of testing the indicators that are being developed, and to potentially review, add to or modify them. She highlighted that the pilot case in Ukraine has relevance to the Convention, and expressed their hope that the SPMI will be tested in more countries.

25. The Bureau agreed with this approach outlined by the secretariat and to include this project in the Convention's workplan for 2021-2022, while noting that resources were required to ensure the secretariat's continued involvement. Following a suggestion by the Chairs of the Bureau and the Working Group on Implementation, it suggested that the Working Group also be associated to the process of testing the indicators drawn from the Convention's self-assessments, and that this be reflected in the draft workplan.

**(g) Assistance to countries in the Caucasus, Central Asia and Eastern and South-Eastern Europe**

**Progress report on assistance activities carried out in 2019–2020**

26. The secretariat presented an overview of activities under the Assistance and Cooperation Programme carried out to date since the forty-second meeting of the Bureau (Oslo, 26-27 September 2019) and planned for the remainder of the current biennium. The Bureau was also presented with the Draft progress report on the implementation of assistance activities in 2019–2020 (ECE/CP.TEIA/2020/7). The secretariat noted that parts of the report on the "other assistance activities," notably those implemented under German leadership, were yet to be completed with information to be received from the German Bureau member, and reminded him to please review the document and share any comments/additions on this part by end-July 2020.

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<sup>5</sup> Interested Bureau members are invited to contact the secretariat by end-July.

27. Furthermore, the secretariat presented the proposed outline for the respective session at the upcoming CoP-11 which will, among others, launch the national policy dialogues on industrial safety, and present the ongoing evaluations of assistance activities.

28. The Chair noted that the external evaluation of the Project on strengthening implementation of and accession to the Convention in Central Asia (2016-2019) was a good example of how the relevance, effectiveness, efficiency and impact of assistance provided has been assessed.

29. The Bureau took note of and welcomed the draft report, and endorsed the proposed approach with respect to the presentation of assistance to countries in the Caucasus, Central Asia and Eastern and South-Eastern Europe at the upcoming CoP-11. It agreed that following the 3-step-approach, and the presentation of previous and ongoing evaluations, the CoP be invited to take note of the good use of existing approaches to continuously evaluate the effectiveness of the Assistance and Cooperation Programme.

### **(h) Development of the Convention**

30. The Chair reminded the Bureau that at its last meeting (Geneva, 4–6 December 2018), the CoP “did not reach consensus on the draft decision on amending the Convention, as Parties did not agree on the proposed amendments to article 9 on information to, and participation of the public. The Conference encouraged the concerned Parties to continue informal consultations, in particular on the proposed amendments regarding public information, participation in decision-making as well as access to justice, and invited the Chair and Vice-Chairs of the Bureau to facilitate these consultations with a view to respective positions possibly becoming closer, and to report back on the outcome of those consultations to the next meeting of the Conference. The Conference agreed that, should those consultations result in substantial progress towards consensus, the Bureau may propose addressing the issue of the amendments to the Convention at a later meeting of the Conference.” (ECE/CP.TEIA/38, para. 37).

p1. Following the forty-first meeting of the Bureau (Geneva, 13 February 2019) and the respective request by the Chair, the ECE Executive Secretary sent a letter to the Minister of Foreign Affairs of the Russian Federation on 6 May 2019 proposing a consultation meeting, involving the Russian Federation, the European Union and the Parties which proposed the amendment, which could be held back-to-back with the Bureau’s following meeting (Oslo, 26-27 September 2019). The reply from the Russian Federation came on 29 August 2019 informing that the Russian Federation supports the proposal of the Chair to convene informal consultations with the interested Parties in order to bring the respective positions closer but that the country was not in a position to engage in such consultations in 2019 and suggests them to be organized not earlier than in the autumn of 2020 prior to CoP-11. Since then no additional formal correspondence has taken place on this matter with the Russian Federation. The secretariat updated the Bureau on its informal consultations with the Focal Point of the Russian Federation, notably that in February 2020 the focal point informed the secretariat that the Ministry of Foreign Affairs would inform the secretariat of the official position of the Russian Federation. It was informally communicated that such position was not to support the amendment to article 9 while the final decision lied with the President of the Russian Federation. In May 2020 the focal point confirmed that once such formal final decision was taken, the Russian Federation would inform ECE through official channels.

32. The Chair stated her intention to organize an informal online consultation meeting between the Russian Federation and the Parties which supported the amendment, namely Norway, the EU, Serbia, the Republic of Moldova, and Switzerland so as to enable reporting back to the CoP, as requested during the last meeting. She recalled that a consultation between all these Parties had been held in advance of the previous CoP. When deliberating on the importance of the amendment, the secretariat recalled the priority given to the negotiations during two bienniums, in 2013-2014 and 2015-2016, and the enormous amount of resources spent by Parties and the secretariat to service this process, which resulted in substantive agreements and clarified the understanding among Parties at the working level. Against this background,

it would be important to consider all options of how to seek a compromise, if feasible, or otherwise how to safeguard the agreements reached at the level of the Working Group on Development.

33. The Bureau expressed its hope that official communication from the Russian Federation on the above matter would arrive in the course of summer 2020 to allow for sufficient time before CoP-11 to decide on next steps. Based on a proposal by the Vice-Chair from Austria, the secretariat was requested to produce a short paper summarizing the situation related to the possible amendment of the Convention, based on the information contained in the respective CoP reports.

34. The Bureau further took note of the Chair's intention, to further discuss the organization of a meeting among the Parties concerned, with the Vice-Chairs and the secretariat in the early autumn.

### **(i) Prevention of accidental water pollution**

35. The German Co-Chair of the JEG, supported by the secretariat, presented the key results achieved in the last biennium of capacity-development activities, which were supported by JEG: He highlighted in particular the results of tailings projects in the Caucasus and the Danube regions, implemented in-kind by Germany under the Convention. As part of these activities, a Tailings Hazard Index and Tailings Risk Index were further developed. He added specific lessons learnt through these activities, references of which will be shared with the secretariat as soon as the underlying reports and updated methodologies will have been published. The secretariat provided additional information on key results of JEG activities in the biennium, notably the publishing of the guidelines on firefighting water retention and management policies and a seminar on preventing accidental water pollution: contingency planning, early warning, mitigation (November 2019, Budapest, Hungary). The Bureau welcomed the achievements of the JEG in the past biennium. It thanked in particular the German Co-Chair for his substantive and interesting presentation on TMF safety-related aspects, which also covered aspects beyond the implemented Projects, such as related UBA studies and analyses of trends in TMF failures. The Co-Chair agreed to share the references to these studies with the secretariat and the Bureau members.

36. The JEG Co-Chair also presented, with the support of the secretariat, potential future JEG activities for inclusion into the next Convention work plan, as listed (together with past activities of the JEG) in the background document prepared for this agenda item. The secretariat reported on a recent audioconference with JEG Members and the secretariat of the Water Convention at which the proposals were agreed and some lead parties could already be identified, while some others were to be confirmed. In particular, the German Co-Chair proposed the following JEG activities to the Bureau:

Core activities:

- Promotion and translation of the JEG-developed guidance and good industry practices into national languages.
- Follow-up to 2019 contingency planning seminar; Strengthening of cooperation with river basin commissions (this could involve further promotion and testing of the contingency planning guidelines, for example by including the representatives of JEG to contribute as observers for the transboundary exercises that are planned and executed by RBCs/other authorities and exchanges with River Basin Commissions and their continued involvement in JEG work).
- 1 JEG meeting held during the workplan biennium.

Activities financed in-kind by a donor country, so-called "other assistance activities":

- A "train the trainers" activity regarding the TMF methodology, also building on the checklist for contingency planning for accidents affecting transboundary waters, led



by Kyrgyzstan and Kazakhstan and supported by Germany, including a transboundary exercise

- The development of a checklist on pipeline safety, building on a request from Belarus to Germany, including potentially a transboundary exercise

37. The Bureau welcomed the reflections by JEG during its teleconference discussions and the resulting clear proposals prepared, in close cooperation with the secretariat. It agreed to include the above proposals into Table 1 of the draft workplan. The secretariat highlighted that leadership and contribution of some JEG-related workplan activities was yet to be confirmed by Parties. It also highlighted that the intensity of engagement with river basin commissions (RBCs) will depend on the financing available.

38. Other “longlisted” activities for the JEG to be carried out depending on the availability of resources:

- Development of a catalogue/webpage for accidental pollution events and good practice by RBCs, countries and from bilateral cooperation examples (proposed to be included in the list of activities which could be implemented should additional resources become available already in the 2021-2022 period)
- Enhanced cooperation with RBCs e.g. including mutual participation in meetings.

39. The Bureau agreed to include the development of a catalogue/web page into Table 3 of the draft workplan 2021-2022.

40. The Bureau encouraged Parties leading/supporting future activities, including Germany, to confirm their leadership or financing of the JEG-related workplan items to the secretariat. On the “other assistance activities,” Germany was requested to indicate, along with the projects it was planning to implement, in line with past practice, a provisional budget for the 2021-2022 period, with the objective of valuing its in-kind contributions. Germany was also requested to prepare a one-pager on both new Projects in advance of CoP-11, to allow information-sharing on these projects with Parties.

41. The secretariat also mentioned that it was planning, in cooperation with the Co-Chairs, that the request to (re)nominate JEG members for the next biennium be communicated to Parties, in cooperation with the Water Convention.

42. With reference to the information shared the JEG Co-Chair under item 2 e) that he would no longer serve as Co-Chair of the JEG as of the next biennium, the Chair informed the Bureau that the nomination of a successor be on the agenda of the first meeting of the Bureau after CoP-11, in early 2021. She invited Bureau members to consider candidates for the Co-Chairmanship from the side of the Industrial Accidents Convention.

## **(j) Outreach, awareness-raising and strategic partnerships<sup>6</sup>**

### **(i) NATECH risk management**

43. The secretariat presented to the Bureau the contents of an upcoming web page on NATECH, to be placed on the Convention web site by August 2020. The secretariat further highlighted that it would further disseminate the outcomes of the NATECH II project, and shared the ongoing work in the steering group for the NATECH III project, notably on the development of a brochure and guidance, in cooperation with OECD, the joint UNEP/OCHA unit, EU Joint Research Centre and representatives of countries, under the leadership of Germany. This project will be further discussed in the next meeting of the OECD Working Group on Chemical Accidents, planned to take place in October 2020. Interim results will be

<sup>6</sup> The items “Targeted Communication” and “Strategic partnerships” were covered by the secretariat’s report under item 3 (item C in the provisional agenda).

presented to CoP-11. The Bureau took note of these developments and supported the ongoing work.

**(k) Facilitation of implementation<sup>7</sup>**

**(i) Risk assessment**

44. The Swiss Bureau member informed participants about the progress made in the establishment of a contract for a report on risk assessment. In particular, he reported that 26 companies had expressed interest in the work and that following the submission of proposals by 20 July 2020, the evaluation would take place. He thanked the secretariat for the support provided and the possibility for the two technical experts from Switzerland to support the technical evaluation process, indicating that the contract then be established in September, if sufficient proposals are received and are within the available budget.

**(ii) Land-use planning and industrial safety**

45. The Bureau took note of the development of an information repository of good practices and lessons learned on land-use planning and industrial safety; an activity that is co-led by the European Investment Bank and ECE, as presented by the secretariat and its presentation, following its launch, to CoP-11.

46. The secretariat confirmed, following the question by the Chair, that the submission of the good practices' cases would be still possible after the information repository is launched.

**(l) United Nations Economic Commission for Europe Industrial Accident Notification System**

47. The secretariat presented the results of a connectivity test of the Industrial Accident Notification (IAN) System conducted on 4 May 2020 and an online consultation of the Points of Contact conducted on 10 June 2020, along with its conclusions. The Bureau took note and agreed with that information on the connectivity test of the IAN System and the online consultation of the Points of Contact organized in 2020 be presented at the upcoming CoP-11.

**(m) Use of financial and in-kind resources in 2019–2020**

48. The secretariat presented on the use of financial and in-kind resources in the biennium 2019-2020, which was welcomed by the Bureau. It highlighted the additional contributions received since the last Bureau meeting and reported on the expected expenditures for the biennium, noting that these were lower than the contributions received. This was mainly due to the postponement of activities due to COVID-19, significant co-funding by the regular budget, additional co-funding through partnership arrangements, a careful management of expenditures early in the biennium (due to unpredictability of incoming funds), several months without consultancy support, and some limited Project funding for an implementation period reaching beyond the current biennium.

49. When presenting the items covered in the respective CoP-11 document, the secretariat also recalled the request by the last meeting of the Conference of the Parties that the secretariat report on the use of financial resources (i.e. expenditures) as of the next meeting in a more aggregated, standard manner — based on the information attainable from the United Nation's administrative system UMOJA. The Bureau took note of the information presented and agreed that the secretariat prepare the report on the use of financial and in-kind resources on this basis.

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<sup>7</sup> The item "Global Assessment Report on Disaster Risk Reduction" was covered by the secretariat's report under item 3 (item C in the provisional agenda).

**(n) Plan of action for the Convention for the biennium 2021–2022**

50. The secretariat presented the draft plan of action for 2021-2022, highlighting that a confirmation of several lead Parties/organizations for workplan activities was still outstanding. Based on a proposal by the Swiss Bureau member, the Bureau agreed to place the items on the use of financial and in-kind resources and the plan of action 2021-2022 earlier in the CoP-11 agenda. It also agreed to introduce into the agenda a roundtable discussion on financing, during which each Party will be requested to speak and indicate the resources (financial and in-kind) which it was pledging for the next biennium. The Bureau and the secretariat considered the roundtable discussion on financing which was held as part of the last CoP as very impactful.

51. The Chair recalled that the Parties bears the responsibility for assuring the resources for the implementation of the workplan and that the Bureau has a special role in this respect, namely to “actively encourage Parties to provide support at least at a level reflecting their economic strength” (sustainable financial mechanism, ECE/CP.TEIA/24, annex I). In this respect, she encouraged members of the Bureau to follow-up and indicate or confirm any leadership or financing of workplan activities (financial or in-kind) to the secretariat as soon as feasible, preferably by mid-July, before the draft workplan would be finalized, for its circulation as an official document alongside the meeting agenda with the official invitation. The Bureau agreed with the draft plan of action and requested the secretariat to proceed with its finalization along with any updates received. The Chair further suggested that the small group on financing meet in advance of the CoP-11 to consider addressing financing gaps for the Convention’s workplans – while highlighting that it was a broader responsibility of the Bureau, and the Parties at large, to attract and provide funding for the Convention’s workplan.

**(o) Date and venue of the twelfth meeting of the Conference of the Parties**

52. The Chair asked whether any Party represented by Bureau members would volunteer to host CoP-12. No Bureau member took the floor. The Chair invited Bureau members to communicate any intention with respect to the hosting of CoP-12 to the secretariat.

**3. Progress in the implementation of the long-term strategy, communication, outreach and engagement strategy and decision fostering implementation of the sustainable financial mechanism**

53. The Chair opened this agenda item by presenting her views and reflections on emerging trends and developments affecting industrial safety and the Convention’s work. She reminded the Bureau that the long-term strategy for the Convention until 2030 included emerging risks and developments. This was an important part of the strategy to make sure that the Convention addresses present and future challenges. The increased risk of NATECH events was already a situation that needed to be considered in risk assessment and risk evaluation. The use of new energy sources like LNG, biogas, hydrogen and lithium batteries/accumulators will have impact on both safety and sustainability for the industry. The ambitions for the work under the Industrial Accidents Convention should be that new and emerging risks will be addressed in the Convention's future work plans.

54. The Bureau member from Switzerland asked whether there was any experience among the countries represented in the Bureau with the transportation of carbon dioxide. The Chair agreed to check out if there are information that can be shared by Norway in this respect. She then invited the secretariat to share its reflections on implementation of the long-term strategy, the communication, outreach and engagement strategy and the sustainable financial mechanism.

55. The secretariat shared its reflections concerning the long-term strategy, on the basis of 1) information contained in the national implementation reports, and 2) activities implemented

during the biennium. She highlighted that while progress has been made, there was still a long way to go towards full implementation of the Convention, in particular its transboundary provisions. The level of Parties reporting on notifications of hazardous activities had not increased, and a significant potential remained with respect to the testing of joint contingency plans with neighbouring countries. On this basis, the Bureau encouraged Parties to step up their efforts in the Convention's implementation.

56. The activities during the biennium on tailings safety, land-use planning and NATECH allowed to address safety hot spots and to take megatrends and developments such as climate change and urbanization into account. Significant progress was also made with respect to the recognition of the Convention as an instrument for technological disaster risk reduction, as evidenced by the GAR-2019 report, and the strengthened partnership with the United Nations Office for Disaster Risk Reduction (UNDRR). The Bureau appreciated these strategic advances towards the implementation of the long-term strategy.

57. The Bureau member from Belarus suggested further exploring to which extent reporting under the Convention could be recognized as reporting on progress under the Sendai Framework. The Chair and the secretariat welcomed these reflections, in view of the Convention's vision and the long-term strategy. The secretariat explained that the indicators for reporting under the Sendai Monitor were not directly aligned with the implementation reporting of the Convention, which was of greater qualitative nature, while there were substantive linkages between the Convention's implementation – in the ECE region – and progress towards the implementation of the Sendai Framework – a voluntary global commitment. It was agreed to further consider this issue bilaterally.

58. Based on a proposal by the secretariat, the Bureau agreed to proceed with the joint organization, together with the OECD Working Group on Chemical Accidents, of a session on man-made/technological hazards and the European Regional Forum for Disaster Risk Reduction (Portugal, October/November 2021), and requested the secretariat to pursue its discussions with UNDRR in this respect. The Bureau agreed that further awareness-raising and engagement of the industrial/chemical safety with the "Sendai" community are a next logical step, following the development of the Words into Action guidelines on man-made/technological hazards.

59. The Bureau welcomed the reflections shared by the Chair and the secretariat. It reiterated its former decision to hold a discussion on the progress made towards the implementation of the long-term strategy at the Bureau meetings preceding the CoPs in every biennium.

60. With respect to the implementation of the outreach, communication and engagement strategy, the secretariat highlighted actions taken by the Chair and the secretariat. The secretariat recalled that the strategy contained elements such as key messages and target audiences – as a result of a brainstorming discussion of a small group of the Bureau and the development of elements for a "marketing strategy." On this basis, the Chair encouraged Bureau members to further implement and promote the strategy with their respective authorities at the national level.

61. When reflecting on the implementation of the Sustainable Financial Mechanism (SFM), in view of decision 2018/2 fostering its implementation, the secretariat highlighted, among others, that:

- Merely half of the 41 Parties contributed financially (18 Parties) or in-kind (3 additional Parties), whereas all Parties were encouraged to do so. No new Party made any additional contribution during the biennium
- Predictable, mostly multi-year contributions prior to workplan adoption were received by only 12 Parties, with confirmations for additional contributions during the biennium received from 6 additional Parties

- The difference, allowing to move ahead towards fuller workplan implementation, was made by additional larger multi-year project contributions communicated during biennium (France, Russian Federation, Switzerland)
- Only very few Parties made contributions at the end of the prior year for the following year (Norway, Poland)
- Financing of the expenses related to the servicing by the secretariat of meetings outside of Geneva (Bureau, WGI, CoP) was (intended to be) provided during the biennium.

62. The Bureau took note that some progress was made in fostering implementation of the SFM, and implementing the elements set out in decision 2018/2, while more efforts needed to be made by Parties, in particular those not yet or only marginally contributing thus far. The Bureau reiterated its previous call on all Parties to make financial and/or in-kind contributions for the implementation of the Convention's workplan, regretting that half of the Parties were thus far not contributing at all. It also recommended that these reflections be shared with the CoP-11 during the report by the Chair, on behalf of the Bureau, and the report by the secretariat on the contribution received in the biennium and the use of financial and in-kind resources.

#### **4. User survey on guidance and training materials**

63. A presentation prepared by the secretariat highlighted the main findings of the Survey on guidance and training materials, which gained a satisfactory level of response (26 respondents). The results showed that guidance and training materials are found useful and of high quality. At the same time, their practical applicability and easiness to find could be improved, for example through availability of translations into local languages.

64. The Bureau discussed these findings, expressing its surprise with respect to the easiness to find documentation. The secretariat proposed that ways to improve awareness of location and content of these documents could be achieved by showing the location of these documents during meetings and workshops, and through increased outreach to industrial associations and other Convention partners and counterparts. The secretariat added that translation and further promotion of guidance documents are important and largely in the auspices of the Parties and focal points. It also highlighted the importance of this documentation for beneficiary countries under the Assistance and Cooperation Programme, as well as other countries.

65. The Bureau took note of the presentation of the survey's outcomes and thanked the secretariat for its work to conduct and analyse the survey. It recognized the important role of focal points to promote the Convention's guidance materials, and encouraged them to do so. The Chair called on Bureau members to lead the way. She suggested sharing information on the survey's outcome also at the upcoming meeting of the CoP-11.

#### **5. Evaluation of Bureau meetings**

66. The Bureau was invited to reflect on and evaluate the format of the Bureau meetings in the biennium, including the first remote meeting. Despite the challenges of conducting a remote meeting during two days, the Chair found the meeting to be effective and useful, especially in the preparations of COP-11. She thanked the members for their involvement in the discussions of the different agenda items, and the secretariat for its preparations and facilitation of the forty-third meeting of the Bureau. There were no other comments, and the Chair invited Bureau members to send their reflections in writing following the meeting.

#### **6. Other business**

67. No other business was discussed.

## **7. Closing of the meeting**

68. The Chair closed the meeting on 17 June 2020 at 4:15 p.m. She proposed that a short Bureau meeting would be held remotely on 18 September 2020 in the morning. She also recalled that another Bureau meeting be held this year, traditionally on the day before the CoP-11, i.e. in the afternoon of 30 November 2020.

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