

Economic Commission for Europe

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

Working Group on Implementation

Thirty-first meeting

Geneva, 16 and 17 June 2016

Minutes of the meeting

I. Opening of the meeting and adoption of the agenda

1. The following members of the Working Group on Implementation attended the meeting: Ms. Sandra Ashcroft (United Kingdom of Great Britain and Northern Ireland), Chair; Ms. Suzana Milutinovic (Serbia), Vice-Chair; Mr. Evgeny Baranovsky (Belarus); Mr. Hrvoje Buljan (Croatia); Mr. Leo Iberl (Germany); Ms. Anna Tsarina (Russian Federation); Ms. Helena Fridh (Sweden); and Mr. Martin Merkofer (Switzerland).

2. Two members of the Working Group were absent: Ms. Lina Buciene (Lithuania), who had informed the secretariat before the previous meeting that she could not continue her work due to a change in responsibilities; and Mr. Peter Westerbeek (Netherlands) who had informed the Chair and the secretariat about his absence due to unforeseen circumstances.

3. The meeting was serviced by the secretariat to the United Nations Economic Commission for Europe (UNECE).

4. The Working Group on Implementation adopted the provisional agenda (CP.TEIA/2016/WGI.2/Agenda) without changes.

II. Reporting on the implementation of the Convention

5. The secretariat reported on the progress made with the preparation of the eighth report on the implementation of the Convention and on the official letters sent to Parties (Albania, Azerbaijan, Bosnia and Herzegovina, Greece and Montenegro) and committed countries (Georgia, Kyrgyzstan, Tajikistan and Ukraine) that did not submit an implementation report. By the beginning of the meeting, no further implementation reports had been received by the secretariat.¹

6. The Working Group welcomed and provided comments on the draft eighth report on the implementation of the Convention. It requested the secretariat to update the report,

¹ During the meeting Greece submitted its implementation report (17 June 2016) which was welcomed by the Working Group. After the meeting the following countries submitted their reports: Albania (3 July 2016), Azerbaijan (21 June 2016) and Montenegro (28 June 2016).

based on the comments made, for discussion by the Bureau at its next meeting (Ljubljana, 29–30 June 2016). The Working Group further requested its Chair, in cooperation with the secretariat, to finalize the report thereafter for submission to the Conference of the Parties at its ninth meeting (Ljubljana, 28–30 November 2016).

7. The Working Group discussed further issues resulting from the discussions on the review of the national implementation reports, such as:

A. Areas for follow-up from the seventh and eighth reports on implementation

8. In the seventh report on the implementation of the Convention, the Working Group recommended to the Conference of the Parties to consider producing common external emergency plan guidelines to improve cooperation between neighbouring countries. The Conference of the Parties at its eighth meeting (Geneva, 3–5 December 2014) decided to revert to this issue following the application of the checklist for contingency planning for accidents affecting transboundary waters, as developed and tested by the Joint Ad Hoc Expert Group on Water and Industrial Accidents. Following the review of the checklist by the Working Group and consultation of the Joint Expert Group, the Working Group on Implementation concluded that the checklist met the demand identified in the previous reporting round and that there was no further need to develop emergency plan guidelines.

B. Draft decision on strengthening the implementation of the Convention

9. The Working Group agreed to submit, in accordance with its terms of reference, a decision on strengthening the implementation of the Convention to the ninth meeting of the Conference of the Parties. Based on a draft prepared by the secretariat, members of the Working Group provided comments included in session. The secretariat was requested to finalize the draft decision and forward it to the Bureau for discussion at its next meeting.

C. Review of the reporting format and guidelines before the next reporting round

10. The secretariat provided an overview of the recommendations from members of the Working Group for improving the reporting format and guidelines. The Working Group agreed on the recommendations, with minor adjustments, and requested the secretariat to forward them to the Working Group in its new composition, following elections at the ninth meeting of the Conference of the Parties, when preparing the reporting format and guidelines for the next reporting round. The Working Group also recommended the introduction of an online reporting mechanism to ease the reporting process and requested its Chair to report this to the Bureau, given that the establishment of such a mechanism would require the allocation of the necessary resources.

ACTION ITEMS:

- **Secretariat to update the eighth report on the implementation of the Convention and the draft decision on strengthening the implementation of the Convention for presentation and discussion at the next meeting of the Convention's Bureau**
- **Chair and secretariat to finalize the eighth report on the implementation of the Convention, following the meeting of the Convention's Bureau**
- **Secretariat to forward the recommendations for improving the reporting format and guidelines to the next Working Group.**

III. Draft decision clarifying the reporting requirements under the Convention

11. The Conference of the Parties at its eighth meeting requested the Working Group on Implementation to prepare a draft decision clarifying the reporting requirements under the Convention, including with regard to the length of the reporting cycle and the public availability of the national implementation reports. The Working Group at its previous meeting requested the secretariat to prepare such a draft decision, based on the previous agreement reached. The secretariat presented the draft decision, proposing a change in the reporting cycle from two to four years, a transition period before moving to the four-year cycle and the continuation of the practice of making implementation reports available on a password-protected website. The Working Group welcomed the draft decision and provided further comments included by the secretariat in session. The secretariat was requested to finalize the draft decision for presentation and discussion at the next meeting of the Bureau.

ACTION ITEM:

- **Secretariat to finalize the draft decision clarifying the reporting requirements for presentation and discussion at the next meeting of the Convention's Bureau.**

IV. Draft terms of reference of the Working Group on Implementation

12. The Working Group on Implementation at its previous meeting suggested adding two further paragraphs to its draft terms of reference and requested the secretariat to prepare an updated version for discussion at the present meeting. The Working Group welcomed the updated version prepared by the secretariat and suggested minor changes to align the language with that employed in the draft decision on strengthening the implementation of the Convention. The secretariat was entrusted to finalize the draft decision for discussion at the next meeting of the Bureau.

13. The Working Group started to discuss ideas for the organization of its work during the next term, to ensure that it could support Parties and committed countries most effectively in strengthening their implementation of the Convention, in line with the updated terms of reference. In this regard, the Working Group considered the possibility of organizing regular video- or teleconferences with individual focal points at its meetings and assigning subregions to its members for their subregional monitoring of the implementation of the Convention. The secretariat was requested to circulate a proposal on the organization of work in the next, four-year term for discussion at the next meeting of the Working Group.

ACTION ITEMS:

- **Secretariat to finalize the draft terms of reference of the Working Group on Implementation for discussion at the next meeting of the Convention's Bureau**
- **Secretariat to circulate a proposal on the Working Group's organization of work in the next term for discussion at its next meeting.**

V. Monitoring of the Assistance Programme

14. The Working Group discussed the progress made in implementing action items from its previous meetings related to the Assistance Programme, including on the following:

A. Effectiveness of the Assistance Programme

15. The Working Group at its previous meeting requested the secretariat to prepare, based on the discussions held, a draft document on the effectiveness of the Assistance Programme, for review at the present meeting. The secretariat presented the draft document containing deliberations by the Bureau and the Working Group on Implementation, with those of the Working Group having been prepared in cooperation with the Chair and Mr. Iberl.

16. The Working Group greatly appreciated the work done by the secretariat to pull together the wealth of information available to it and concluded that this compilation had been very useful for identifying trends, gaps and the need for further information in some areas, countries and subregions. The Working Group also concluded that the preliminary data confirmed previous findings that the Assistance Programme had been generally successful, but that it was not possible to assess completely its effectiveness without additional qualitative information from the beneficiary countries.

17. The Working Group was of the opinion that the majority of the missing information from beneficiary countries could be collected when pursuing a more rigorous approach to monitoring the implementation of the Convention and the Assistance Programme in the future, in accordance with its updated terms of reference. It concluded that an external evaluation of the effectiveness of the Assistance Programme would not be needed at this stage and recommended that the issue be revisited, following the implementation of the first four-year term of office of the next Working Group, and that the focus should be on engaging with Parties, committed and other countries to improve their implementation of the Convention.

18. In case there would still be a need for further information and an evaluation of the effectiveness of the Assistance Programme in four years, an alternative approach could be to appoint an independent expert to design an evaluation plan, collect and analyse further quantitative and qualitative information and deliver a final report. This could be implemented through in-kind support by one or more Parties. The Working Group stressed that any possible future evaluation should not significantly impact the secretariat's human resources to service assistance activities or divert funds from other activities under the workplan. The evaluation should be targeted at improving future activities and the approach to be taken to implement them.

19. Members of the Working Group provided further comments on the draft document on effectiveness, noting, for example, the positive impact of the high-level commitment meeting on the submission of national implementation reports. It requested the secretariat to update the document, based on the comments made, for discussion at the next Bureau meeting and its subsequent submission to the ninth meeting of the Conference of the Parties.

ACTION ITEMS:

- **Secretariat to update the document on the effectiveness of the Assistance Programme for discussion at the next meeting of the Convention's Bureau.**

B. Feedback on self-assessments, action plans and project proposals

20. Ms. Fridh presented the findings from the review of the updated self-assessment by Armenia, submitted in 2015, noting with regret that hardly any changes were made compared with the previous version. Mr. Merkofer and Mr. Iberl presented the findings from their review of the self-assessment and action plan by Serbia, submitted in 2015,

emphasizing the high quality of the documents and providing minor comments for improvements. Ms. Milutinovic thanked the members for their feedback on the documents by Serbia and agreed to update them following the implementation of the subregional workshop for South-Eastern Europe. The secretariat was requested to share the Working Group's feedback with Armenia and suggest to the country that it could prepare an update of the self-assessment, initially focussed on just a few working areas.

21. The Working Group at its twenty-ninth meeting, held in November 2015, had requested the secretariat to provide Albania, Georgia and Uzbekistan with feedback from the Working Group on the documents submitted by these countries under the Strategic Approach. The secretariat reported that it had done so and on its communication with Georgia regarding the possible preparation of a project proposal with Armenia under the Assistance Programme. The Working Group welcomed this initiative and stressed the importance of organizing joint exercises between UNECE countries to enhance preparedness and response to industrial accidents with potential transboundary effects. The Chair was requested to inform the Bureau about the planned project so that the Bureau might identify the financial resources required for its implementation.

22. The Working Group had previously invited Montenegro to participate in the meeting by teleconference so that the country might report on its progress in using the Strategic Approach and steps taken since an awareness-raising mission in 2014. Ms. Jelena Kovačević, Head of Department for Industrial Pollution Control and Chemicals, Department for Environment in the Ministry for Sustainable Development and Tourism of Montenegro, attended the meeting, reported that Montenegro would need further assistance in the implementation of the Convention, expressed interest in capacity-building activities under the Assistance Programme, confirmed Montenegro's wish to participate in the Assistance Programme and requested further information on the relevant tools and documents. She also reported the following:

(a) There is a lack of knowledge and application of the tools under the Assistance Programme in Montenegro but also a willingness to prepare a self-assessment and action plan, if further support would be provided;

(b) A bilateral project, led by Slovenia (specifically, Ms. Jasmina Karba, Chair of the Convention's Bureau), was being implemented in Montenegro, including a workshop on industrial accident prevention (Podgorica, 6–9 June 2016) to support competent authorities in Montenegro in the transposition of the Seveso III Directive and the implementation of the Industrial Accidents Convention;

(c) Montenegro had not yet identified hazardous activities under the Convention. A rulebook covering the notification and identification of hazardous activities, the preparation of safety reports and emergency response was being developed and would be adopted in September 2016;

(d) The inter-governmental working group comprising relevant stakeholders on industrial accident prevention, which Montenegro had intended to establish following the awareness-raising mission in 2014, had not been set up;

(e) Montenegro regretted that it had not sent its implementation report on time and agreed to submit it to the secretariat as soon as possible.² It reported on its intention to participate in the subregional workshop for South-Eastern Europe and the ninth meeting of the Conference of the Parties, subject to formal approval by the Minister.

² Montenegro submitted its implementation report to the secretariat on 28 June 2016.

23. The Working Group welcomed the open dialogue with Montenegro and the on-going initiatives in the country aimed at implementing the Convention, including the project led by Slovenia. The secretariat was requested to share the relevant documents under the Strategic Approach with Montenegro, including the user-friendly version of the benchmarks document.

24. The secretariat provided an overview of assistance activities identified by countries in their action plans, noting that no project proposals on these actions had been submitted. The secretariat drew attention to the fact that most of the countries had expressed similar needs and that these could also be addressed at a subregional level. The Working Group discussed how to ensure that assistance was provided to such countries, even if they did not request it through the submission of project proposals under the Strategic Approach. The Working Group suggested that the needs identified by countries be clustered to see what were the common needs per subregion. It requested the secretariat to prepare a list with subregional capacity-building activities, based on the need-driven national actions identified, and to circulate it for comments and prioritization to the Working Group. The Working Group agreed that it would be useful to share this list with the Bureau, which could support the identification of financial resources required for the implementation of related capacity-building activities.

ACTION ITEMS:

- **Secretariat to provide to Armenia the feedback by the Working Group on the country's updated self-assessment submitted in 2015**
- **Chair to inform the Bureau about the planned project between Armenia and Georgia so as to identify the financial resources required for its implementation**
- **Secretariat to share the tools and documents under the Strategic Approach with Montenegro, including the user-friendly version of the benchmarks document**
- **Secretariat to prepare a list with subregional capacity-building activities for comments by the Working Group and circulate it to the Bureau.**

C. Implementation of assistance activities in this and the next biennium

25. Based on the Assistance Programme tracking table, the secretariat provided an update on implemented and planned assistance activities in this (2015–2016) and the next (2017–2018) bienniums. The Working Group took note of the information presented and stressed again the usefulness of the Assistance Programme tracking table. In the light of its prolonged term of office and the implementation of a more rigorous approach in monitoring the Assistance Programme, including through assigning subregions to its members, the Working Group agreed that the Assistance Programme tracking table be updated in the future by those members responsible for each subregion.

VI. Input by the Working Group to upcoming meetings

26. The Chair informed the members of the Working Group about her planned attendance and the main issues to be raised at the meeting of the informal network of the Chairs of compliance/implementation bodies under the UNECE multilateral environmental agreements (Geneva, 20 June 2016). The Working Group welcomed this information and requested the Chair to report also to the Bureau at its next meeting on the discussions held in the Working Group, specifically with regard to the eighth report on implementation, the draft decisions on strengthening the implementation of the Convention and clarifying the reporting obligations, the document on the effectiveness of the Assistance Programme and other related issues.

VII. Composition of the next Working Group on Implementation

27. Members of the Working Group exchanged information on their availability for the next term and agreed to inform the secretariat when formally nominated. Members of the Working Group also reported that they intended to participate in the ninth meeting of the Conference of the Parties.

VIII. Closing of the meeting

28. The Chair thanked the secretariat and members of the Working Group for their support prior to and at the meeting, before closing the meeting at 5 p.m. on 17 June 2016.
