

STRATEGY FOR THE AD HOC JOINT EXPERT GROUP ON WATER AND INDUSTRIAL ACCIDENTS

- adopted by the Bureau to the Convention on the Transboundary Effects of Industrial Accidents at its meeting in Geneva, 13-14 July 2009.
- endorsed by the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes in Geneva, 10-12 November 2009

I. Background

1. Major industrial accidents may cause far-reaching transboundary effects and may lead to accidental water pollution. Therefore, the Signatories to the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) and the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) decided to cooperate on issues related to the prevention of accidental pollution of transboundary waters.
2. As a result of this cooperation, the Workshop on the Prevention of Chemical Accidents and Limitation of Their Impact on Transboundary Waters was held in Berlin (7-9 May 1998). Taking into account the results of this workshop, the seventh meeting of the Signatories to the Industrial Accidents Convention (13-15 May 1998) proposed that an ad hoc Joint Expert Group be established under both Conventions. This proposal was endorsed by the first meeting of the Working Group on Water Management, established under the Water Convention, in July 1998.
3. The Joint Expert Group prepared the Seminar on the Prevention of Chemical Accidents and the Limitation of Their Impact on Transboundary Waters (Hamburg, 4-6 October 1999). The conclusions and recommendations of this seminar were then adopted at the second Meeting of the Parties to the Water Convention, held in The Hague (23-25 March 2000), and endorsed by the first meeting of the Conference of the Parties to the Industrial Accidents Convention, held in Brussels (22-24 November 2000).
4. The Parties to both Conventions extended the mandate of the Joint Expert Group to support and provide guidance in the implementation of the above recommendations and agreed on the Group's future workplan as contained in decision 2000/5 on the prevention of accidental water pollution, taken by the first meeting of the Conference of the Parties to the Industrial Accidents Convention (ECE/CP.TEIA/2, annex VI) and subsequently amended by both bodies.
5. Since then, the Joint Expert Group has produced several guidance documents on different subjects such safety of pipelines and safety of tailing management facilities and provided input to other documents like, for example, on the location criteria on identification of hazardous activities. It also promoted international response exercises at transboundary rivers through organization of specific thematic activities.
6. In spite of its achievements, since the establishment in 2000, the Joint Expert Group has encountered a number of challenges and difficulties in its work in recent years.

These are raised in its Progress report (ECE/CP.TEIA/2008/8, ECE/MP.WAT/WG.1/2008/6, paras. 22-28). The main difficulty for the Group has been lack of support to its work from the focal points of the Water Convention and often the limited participation of experts competent in specific subjects related to its work.

7. The Progress report was discussed by the Water Convention's Working Group on Integrated Water Resources Management at its third meeting in Rome (22-24 October 2008). It was suggested that the Bureaux to both Conventions discuss the issues raised in the Progress report and propose possible solutions to be presented to the upcoming meeting of the Conference of the Parties to Industrial Accidents Convention (Geneva, 25-27 November 2008) along with the already mentioned Progress report.

8. The two Bureaux worked out their joint position addressing the difficulties faced by Joint Expert Group and the common approach for improving its functioning and presented it to the fifth meeting of the Conference of the Parties. The joint position concluded that the best way for the two Bureaux to steer the Group and through this address the current challenges is by preparing a strategy for the Joint Expert Group that should ensure effective needs-driven functioning of the Joint Expert Group.

9. The Conference of the Parties, based on the presented proposal, entrusted its Bureau in cooperation with the Bureau of the Water Convention to develop and start implementing, as appropriate, a strategy for the Joint Expert Group, which also includes a mechanism for steering by the two Bureaux the Group's work.

10. The strategy for the Joint Expert Group contained in the present document was prepared by the two Bureaux following this decision.

II. Mission

11. The mission of the Joint Expert Group is to assist Parties to both Conventions in drawing up and implementing measures aimed at strengthening the prevention of and preparedness to accidental water pollution in transboundary context.

12. In carrying out its mission the Joint Expert Group may:

- provide assistance in organizing exercises, workshops and seminars
- draw up methodical training material
- draw up good practice booklets
- develop or review specific guidelines and recommendations

III. Areas of work

13. The areas of interests for Joint Expert Group are identified by both Conventions:

- (a) Measures for prevention, control and reduction of transboundary accidental water pollution (article 6 of the Industrial Accidents Convention and article 3 of the Water Convention).

- (b) Effective transboundary contingency planning including warning and alert systems (article 8 and article 10 of the Industrial Accidents Convention and article 3 and article 9 of the Water Convention).
- (c) Exchange of information and experience, particularly through the joint training programmes and the organization of relevant seminars and meetings (article 16 of the Industrial Accidents Convention and article 13 of the Water Convention).

IV. Work arrangements

14. The Joint Expert Group delivers products at the demand of the Parties to both Conventions. The demand is clearly specified by Parties.

Step 1

15. To identify the demand, the Bureaux:

- (a) examine outcomes of the meetings of the working groups and task forces, as well as workshops, seminars and exercises under the both Conventions
- (b) perform, as needed, and examine simple surveys on specific subjects

Step 2

16. On the basis of the examination the Bureaux decide whether to activate the Joint Expert Group to work on delivering specific demand-driven product(s). The basis for activating the Joint Expert Group is that:

- (a) both Conventions are the appropriate international forums for undertaking the activity(ies);
- (b) that duplication of efforts should be avoided and synergies ensured, as appropriate, with other Conventions' activities
- (c) practical results can be expected

17. The Bureaux agree on:

- (a) kind of product to be delivered by the Group
- (b) its format of work (e.g, drafting group; workshop; training)
- (c) timeframe, including tentative number of meetings of the Group and other relevant events, as appropriate
- (d) budget and fundraising (e.g. available and required funding)

Step 3

18. Following their decision the Bureaux, with the support of the co-chairpersons, as appropriate, and the secretariat, prepare a detailed proposal on an activity, which will include the above elements ((a) to (d)). For the Water Convention, this proposal is submitted to the Working Group on Integrated Water Resources Management for discussion and comments. If such comments entail a redefinition of the activity, the Bureau of the Water Convention communicates such information to the Bureau of the

Industrial Accidents Convention for joint decision. Based on the joint decision, the Bureaux include this specific activity in the workplans of both Conventions.

Step 4

19. The Bureaux steer the follow up to these decisions. The Joint Expert Group, activated on the specific subject, performs its task(s) in accordance with the approved detailed proposal of the Bureaux and their additional instructions, as needed. The progress in implementing the task(s) is reported to the Bureaux and through them to the meetings of both Conventions' governing bodies. For the Water Convention, the progress is also reported to the Working Group on Integrated Water Resources Management for discussion and comments.

V. Composition

20. The Joint Expert Group is open to Parties to the both Conventions. Non-Parties and stakeholders may also participate in the work of the Joint Expert Group.

21. Depending on the task, for which the Joint Expert Group is being activated, the Parties are invited to nominate their experts in this specific subject. To facilitate the nomination of experts, the Parties receive a profile with expertise needed.

VI. Chairmanship

22. Joint Expert Group is led by two co-chairpersons, representing the Water Convention and the Industrial Accidents Convention.

23. Parties having interest and expertise in the subject that the Joint Expert Group should work on, may offer their chairmanship for the Joint Expert Group dealing with this subject.

24. The Bureaux can decide to appoint the co-chairpersons at their first meetings following respectively the Conference or Meeting of the Parties.

25. The co-chairpersons are eligible for reelection.

26. In case the elected co-chairperson is not a Bureau member, each Bureau ensures that he/ she is invited to participate in those Bureau meetings at which the Group's tasks are on the agenda.

27. The co-chairpersons, with the support of the appointed Bureau members (see section VII), as appropriate, have the responsibility, to facilitate the Bureaux work on examination of Parties needs/demands in the Group's areas of interests. To this end they provide the Bureaux at their relevant meetings with:

- information on outcome/conclusions of workshop/seminars relating to Joint Expert Group areas of interests

- suggestions on Joint Expert Group involvement and on profile of experts to be nominated by Parties
- proposals on surveys

VII. Coordination between the Bureaux

28. The Bureaux work separately and therefore need to coordinate their decisions related to Joint Expert Group. To this end each Bureau, at its meetings takes only recommendations for decisions regarding the work of the Joint Expert Group, which are to be reciprocally accepted by another Bureau.

29. Each Bureau shall also decide to appoint one of its members to support and promote the work of the Joint Expert Group and facilitate the communication and reporting during and between the Bureaux meetings.

30. The chairpersons of the Bureaux, assisted by the Bureaux members appointed for support to Joint Expert Group, ensure effective communication between both bodies aimed at working out common decision. If needed, the chairpersons call for a joint meeting or other format of joint consultation (e.g. teleconference, e-mail consultation) of the Bureaux.

VIII. Secretariat

31. The Secretariat to the Water Convention and the Secretariat to the Industrial Accidents Convention provide support to the work of the Joint Expert Group, taking into consideration availability of resources.
