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ECONOMIC COMMISSION FOR EUROPE

CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE TRANSBOUNDARY
EFFECTS OF INDUSTRIAL ACCIDENTS

Fifth meeting
Geneva, 25–27 November 2008

ANNOTATED PROVISIONAL AGENDA FOR THE FIFTH MEETING

To be held in Palais des Nations, Geneva
starting at 10 a.m. on Tuesday, 25 November 2008*

I. PROVISIONAL AGENDA

1. Opening ceremony:
 - (a) Opening statements;
 - (b) Adoption of the agenda.
2. Report of the Bureau on the activities under the Convention since the fourth meeting of the Conference of the Parties.
3. Information on the Convention's annex I and its amendment.
4. Representation and credentials.

* Organizational details and a registration form will be made available on the Convention's website (<http://www.unece.org/env/teia/welcome.htm>). **Delegations of Parties to the Convention are reminded about the requirement to submit their credentials to the secretariat.**

5. Election of officers and other members of the Bureau of the Conference of the Parties.
6. Implementation of the Convention:
 - (a) Presentation of the activities of the Working Group on Implementation and of the fourth report on the Convention's implementation;
 - (b) Discussion and adoption of the fourth report on the Convention's implementation;
 - (c) Election of members of the Working Group on Implementation for 2009–2010.
7. Assistance Programme:
 - (a) Progress report on the activities carried out under the Assistance Programme's preparatory and implementation phases;
 - (b) Presentations of national action plans for strengthening the implementation of the Convention by countries of Eastern Europe, Caucasus and Central Asia and South-Eastern Europe;
 - (c) Draft strategic approach for the implementation phase of the Assistance Programme;
8. Discussion and adoption of the decision on strengthening the implementation of the Convention.
9. UNECE Industrial Accident Notification System:
 - (a) Report on implementing the decision increasing the effectiveness of and enhancing the communication procedures within the UNECE Industrial Accident Notification System
 - (b) Outcome of the Third consultation and training for points of contact for the purpose of accident notification and mutual assistance designated within the UNECE Industrial Accident Notification System;
10. Prevention of accidental water pollution:
 - (a) Progress report of the Joint Ad Hoc Expert Group on Water and Industrial Accidents;
 - (b) Safety guidelines and good practices for tailing management facilities.
11. Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters.

12. Plan of action under the Convention:
 - (a) Priorities and workplan;
 - (b) Resources;
 - (c) Draft decision on the priorities, workplan and resources under the Convention for 2009–2010.
13. Date and venue of the sixth meeting of the Conference of the Parties.
14. Other business.
15. Review of decisions and final statements.
16. Final statements and closing of the meeting.
17. Side-event

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1. Opening ceremony

Ms. Giuliana Gasparri (Italy), Chairperson of the Conference of the Parties, will open its fifth meeting.

(a) Opening statements

The representatives of the United Nations Economic Commission for Europe will be invited to make opening statements.

(b) Adoption of the agenda

The Conference of the Parties will be invited to adopt the agenda for its fifth meeting as endorsed by the Bureau and set out in the present document.

Item 2. Report of the Bureau on the activities under the Convention since the fourth meeting of the Conference of the Parties

Background documents:	
Report of the Bureau	ECE/CP.TEIA/2008/1
Minutes of the thirteenth meeting of the Bureau	COPB27/25 July 2008
Minutes of the joint meeting of the Bureau (twelfth meeting) and the Working Group on Implementation (ninth meeting)	COPB25/14 May 2008 WGI18/14 May 2008

Minutes of the joint meeting of the Bureau (eleventh meeting) and the Working Group on Implementation (seventh meeting)	COPB23/20 November 2007 WGI14/20 November 2007
Minutes of the joint meeting of the Bureau (tenth meeting) and the Working Group on Implementation (sixth meeting)	COPB21/15 March 2007 WGI12/15 March 2007

The Chairperson will report on the activities of the outgoing Bureau in 2007–2008.

Item 3. Information on the Convention's annex I to and its amendment

The Conference of the Parties adopted decision 2006/2 on amending annex I to the Convention. The amendment became effective on 18 March 2008 for all Parties to the Convention. The secretariat will briefly report on the decision and the amendment.

Item 4. Representation and credentials

Background document:	
Ratification status of the Convention and the List of Signatories and Parties to the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary	ECE/CP.TEIA/2008/2

The Secretary of the Conference of the Parties will inform the Conference of the Parties about the current status of ratifications of the Convention.

The Chairperson will report to the Conference of the Parties on the representation at its fifth meeting and the credentials submitted by the representatives of the Parties.

The Conference of the Parties will be invited to take a decision on the credentials of representatives participating in the meeting.

Parties to the Convention are therefore invited to inform the secretariat of the name(s) of their representative(s) at their earliest convenience, and to submit the credentials to the secretariat before the opening of the meeting.

Item 5. Election of officers and other members of the Bureau of the Conference of the Parties

Background documents:	
Rules of procedure for the meetings of the Conference of the Parties	ECE/CP.TEIA/3
Terms of reference of the Bureau of the Conference of the Parties	ECE/CP.TEIA/2, annex I
Amendment to the rules of procedures increasing the number of Bureau members from 8 to 10	ECE/CP.TEIA/15

In accordance with its rules of procedure (ECE/CP.TEIA/3) as amended at the fourth meeting, the Conference of the Parties will be invited to elect a chairperson and two vice-chairpersons as

its officers. The Conference of the Parties will also be invited to elect up to seven other members of the Bureau from among the representatives of the Parties and/or representatives of other UNECE member countries present at the meeting.

At its fourth meeting, the Conference of the Parties elected Ms. Giuliana Gasparrini (Italy) as Chairperson; Mr. Lajos Katai-Urban (Hungary) and Mr. Bernard Gay (Switzerland) as Vice-Chairpersons; and Ms. Anahit Aleksadryan (Armenia), Mr. Alesandr Dokuchaev (Belarus), Mr. Nikolay Savov (Bulgaria), Mr. Gerhard Winkelmann-Oei (Germany), Mr. Chris Dijkens (Netherlands), Ms. Jasmina Karba (Slovenia) and Mr. Tobias Biermann (European Commission) as Bureau members. In accordance with the rules of procedure, all those elected are eligible for re-election.

Item 6. Implementation of the Convention

Background documents:	
Decision 2006/1 on strengthening the implementation of the Convention	ECE/CP.TEIA/15/Add.1
Minutes of the joint meeting of the Bureau (twelfth meeting) and the Working Group on Implementation (ninth meeting)	COPB25/14 May 2008 WGI18/14 May 2008
Minutes of the eighth meeting	WGI17/13 May 2008
Minutes of the joint meeting of the Bureau (eleventh meeting) and the Working Group on Implementation (seventh meeting)	COPB23/20 November 2007 WGI14/20 November 2007
Minutes of the joint meeting of the Bureau (tenth meeting) and the Working Group on Implementation (sixth meeting)	COPB21/15 March 2007 WGI12/15 March 2007
Document for adoption:	
Fourth report on the implementation of the Convention	ECE/CP.TEIA/2008/3

(a) Presentation of the activities of the Working Group on Implementation and of the fourth report on the Convention's implementation

The Conference of the Parties, at its first meeting, established the Working Group on Implementation (ECE/CP.TEIA/2, annex III, decision 2000/2) to monitor implementation of the Convention, prepare reports on the Convention's implementation, and draw conclusions and make recommendations.

Mr. Gunnar Hem (Norway), Chairman of the Working Group on Implementation, will report on the outcome of the Working Group's four meetings held since the fourth meeting of the Conference of the Parties.

The Chairman of the Working Group will inform the Conference of the Parties on the status of reporting on the implementation of the Convention by Parties and other UNECE member countries within the fourth round of reporting.

He will then introduce the fourth report on the implementation of the Convention, including its conclusions and recommendations, prepared by the Working Group on the basis of the national

implementation reports that the Working Group received from Parties and other UNECE member countries.

(b) Discussion and adoption of the fourth report on the Convention's implementation

The Conference of the Parties will be invited to discuss and evaluate the process of reporting on implementation, taking into account the conclusions and recommendations of the Working Group as contained in the fourth report on implementation.

Parties and/or countries which expressed commitment to reporting but which did not report on the implementation of the Convention will have an opportunity to explain their failure to comply with the reporting obligations or commitment.

The Conference of the Parties will be invited to adopt the fourth report on implementation of the Convention as contained in document ECE/CP.TEIA/2008/3.

(c) Election of members of the Working Group on Implementation for 2009–2010

According to the terms of reference of the Working Group on Implementation (ECE/CP.TEIA/2, annex III, decision 2000/2, appendix), the Conference of the Parties will be invited to elect up to 10 members of the Working Group from among the candidates nominated by Parties, for a term to last until its next meeting.

At its fourth meeting, the Conference of the Parties elected Mr. Pavel Forint (Czech Republic), Mr. Leo Iberl (Germany), Ms. Judit Mogor (Hungary), Mr. Massimo Cozzone (Italy), Ms. Ausra Sablinskiene (Lithuania), Mr. Francisc Senzaconi (Romania), Mr. Gunnar Hem (Norway) Ms. Anna Balakireva (Russian Federation), Mr. Tomas Trcka (Slovakia) and Ms. Helena Nasslander (Sweden) as members of the Working Group on Implementation. In accordance with the terms of reference, the members of the Working Group are eligible for re-election.

Item 7. Assistance Programme

Background documents:	
Report of the Bureau	ECE/CP.TEIA/2008/1
Report on the training session on the identification of hazardous activities	
Report on the Workshop on strengthening the safety measures at hazardous activities	ECE/CP.TEIA/SEM.5/2008/1
Report on the Workshop on capacity-building with the aim to initiate a process to further strengthen the legal and institutional frameworks under the Convention in the countries of Eastern Europe, Caucasus and Central Asia and South-Eastern Europe	ECE/CP.TEIA/SEM.4/2008/1
Short account of the awareness-raising mission to The former Yugoslav Republic of Macedonia	
Report on the fact-finding mission to Croatia	ECE/CP.TEIA/AP.15

Report on the fact-finding mission to Uzbekistan	ECE/CP.TEIA/AP.14
Report on the fact-finding mission to Serbia	ECE/CP.TEIA/AP.13
Report on the fact-finding mission to Kazakhstan	ECE/CP.TEIA/AP.12
Draft internationally supported Assistance Programme for the East European, Caucasian and Central Asian and the South-East European countries to enhance their efforts in implementing the Convention	CP.TEIA/2004/2
Document for endorsement	
Progress report on the Assistance Programme	ECE/CP.TEIA/2008/4
Document for adoption:	
Strategic approach for the Assistance Programme	ECE/CP.TEIA/2008/5

(a) Progress report on the activities carried out under the Assistance Programme's preparatory and implementation phases

The secretariat, on behalf of the outgoing Bureau and the Working Group on Implementation, will report on the key assistance activities organized for eligible¹ countries of Eastern Europe, Caucasus and Central Asia (EECCA) and South-Eastern Europe (SEE) within the implementation phase of the Programme as well as on the fact-finding missions and other events taking place after the fourth meeting of the Conference of the Parties.

The Conference of the Parties will be invited to endorse the progress report on the Assistance Programme

(b) Presentations of national action plans for strengthening the implementation of the Convention by countries of Eastern Europe, Caucasus and Central Asia and South-Eastern Europe

Representatives of Moldova and Serbia will present their national action plans for strengthening the implementation of the Convention. The action plans contain: (a) the steps to be undertaken by each of the countries to address the shortcomings identified so far, in particular as a follow-up to the capacity-building activity (Kyiv, 5-7 December 2007) under the Convention; (b) an account of the progress achieved; and (c) an account of the needs for assistance.

The representative of The former Yugoslav Republic of Macedonia will present an account of the progress achieved in implementing the Convention, in particular its basic tasks, as a result of the action plan developed after the awareness-raising mission that took place in on 26 and 27 November 2007 in Skopje under the auspices of the Bureau.

(c) Draft strategic approach for the implementation phase of the Assistance Programme

On behalf of the outgoing Bureau and the Working Group on Implementation, Mr. Savov will present the draft strategic approach for the implementation phase of the Assistance Programme.

¹ Countries of EECCA and SEE accepted to the implementation phase of the Assistance Programme.

The strategic approach includes the mechanism to be applied by the countries of EECCA and SEE for strengthening the Convention's implementation, and the mechanism for the Bureau and the Working Group for managing assistance activities and addressing financial issues.

The Conference of the Parties will be invited to discuss the draft strategic approach, and subsequently to adopt it.

Item 8. Discussion and adoption of the decision on strengthening the implementation of the Convention

Document for decision:	
Draft decision on strengthening the implementation of the Convention	ECE/CP.TEIA/2008/6

The outgoing Bureau of the Conference of the Parties, in consultation with the outgoing Working Group on Implementation, has prepared a draft decision on strengthening the implementation of the Convention, which takes into account the conclusions and recommendations contained in the fourth report on implementation, the report of the Bureau, the progress report on the Assistance Programme and the strategic approach.

The Chairperson will introduce the draft decision.

The Conference of the Parties will be invited to discuss the draft decision and to give guidance to the Bureau and the Working Group for its future work aiming to strengthen implementation of the Convention throughout the UNECE region.

Parties are invited to adopt the decision on strengthening the implementation of the Convention, on the basis of the draft decision and the outcome of the discussion.

Item 9. UNECE Industrial Accident Notification System

Background documents:	
Note by the secretariat on implementing decision 2006/3 on increasing the effectiveness of and enhancing the communication procedure within UNECE Industrial Accident Notification System	ECE/CP.TEIA/2008/7
Report on the third consultation and training for points of contact	ECE/CP.TEIA/SEM.6/2008/2

(a) Report on implementing the decision increasing the effectiveness of and enhancing the communication procedures within the UNECE Industrial Accident Notification System

At its fourth meeting, the Conference of the Parties decided to enhance the current communication procedures of the UNECE Industrial Accident Notification (IAN) System by introducing Web-based notification, while keeping fax notification as a back-up procedure. Furthermore, the Conference of the Parties decided to maintain the current requirements of the System and to implement the prototype of a simple Web-based notification application

developed jointly by UNECE and the Joint United Nations Environment Programme/Office for Coordination of Humanitarian Affairs Environment Unit to improve communication between points of contact. The Conference of the Parties also requested the secretariat to outsource the task of making the prototype a working application, preferably by the end of 2007.

The secretariat will briefly report on steps undertaken to introduce the simple Web-based notification application for the use of points of contact within the UNECE IAN System.

(b) Outcome of the Third consultation and training for points of contact for the purpose of accident notification and mutual assistance designated within the UNECE Industrial Accident Notification System

The Conference of the Parties, at its first meeting, decided that the points of contact designated for the purpose of accident notification and mutual assistance within the UNECE IAN System should review the System regularly to monitor its operability and effectiveness (ECE/CP.TEIA/2, annex I, decision 2000/1).

Mr. Francisc Senzaconi (Romania), Chairman of the Third consultation and training, will report on its outcome (ECE/CP.TEIA/SEM.6/2008/2). The consultation and training were held from 1 to 3 April 2008 in Sibiu, Romania.

The Conference of the Parties is invited to discuss the outcome of the consultation and the recommendations made by its participants.

Item 10. Prevention of accidental water pollution

Background documents:	
Report on the Workshop on the safety of tailing management facilities	ECE/CP.TEIA/SEM.3/2007/2 ECE/MP.WAT/SEM.8/2007/2
Minutes of the ninth meeting of the Joint Ad Hoc Expert Group on Water and Industrial Accidents	JEG18/25 July 2008
Minutes of the eighth meeting of the Joint Ad Hoc Expert Group on Water and Industrial Accidents	JEG16/19 December 2007
Report on the Seminar on the prevention of chemical accidents and limitation of their impact on transboundary waters	CEP/WG.4/SEM.1/1999/3
Decision 2000/5 on the prevention of accidental water pollution	ECE/CP.TEIA/2, annex VI
Documents for endorsement:	
Progress report of the Joint Ad Hoc Expert Group on Water and Industrial Accidents	ECE/CP.TEIA/2008/8 ECE/MP.WAT/2008/6
Safety guidelines and good practices for tailing management facilities	ECE/CP.TEIA/2008/9 ECE/MP.WAT/2008/5

(a) Progress report of the Joint Ad Hoc Expert Group on Water and Industrial Accidents

Mr. Gerhard Winkelmann-Oei (Germany), Co-Chairman of the Joint Expert Group, will present the Joint Expert Group's progress report containing information on accomplished tasks, challenges faced and the proposed tasks and activities for the period 2009–2010, in accordance with the workplan as adopted by the Conference of the Parties at its fourth meeting.

The Conference of the Parties will be invited to discuss the progress report, considering current needs and areas of interests of Parties, including Parties to the Convention on the Protection of Use of Transboundary Watercourses and International Lakes (Water Convention). The Conference of the Parties will then be invited to provide guidance to the Joint Expert Group, decide on the priority tasks and, if needed, introduce new elements to the workplan, in order to ensure adequate support and commitment towards the Joint Expert Group's future undertakings.

(b) Safety guidelines and good practices for tailing management facilities

The Conference of the Parties and the Meeting of the Parties to the Water Convention requested the Joint Expert Group on Water and Industrial Accidents to prepare safety guidelines and good practices for installations such as pipelines or tailing dams (ECE/CP.TEIA/2, annex VI, decision 2000/5). At its fourth meeting, the Conference of the Parties supported the Joint Expert Group's proposal to organize, in the process of drawing up the guidelines, a workshop focusing on the safety of the tailing management facilities, (ECE/CP.TEIA/15/Add.1, Workplan under the Convention for years 2007–2008). The Joint Expert Group established a steering group with expertise in mining and tailings to organize the workshop and to draw up the guidelines.

Ms. Anahit Aleksandryan (Armenia), Co-Chairperson of the workshop on the safety of the tailing management facilities, will inform on its outcome.

Mr. Winkelmann-Oei will introduce the guidelines, which were drawn up by the steering group and finalized by the Joint Expert Group at its ninth meeting (Geneva, 9–10 July 2008) after a final consultation round including the Parties to the two Conventions and representatives of the private sector, in particular of tailing management facilities' operators.

The Conference of the Parties will be invited to endorse the guidelines and good practices.

Item 11. Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters

Background documents:	
Challenges and opportunities of transboundary accidental water pollution, liability and compensation – Progress towards ratification of the Civil Liability Protocol	ECE/ MP.WAT/24 ECE/CP.TEIA/17
Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters	ECE/MP.WAT/11 ECE/CP.TEIA/9

Report on the second joint special session and the joint decision on the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters	ECE/MP.WAT/12 ECE/CP.TEIA/10
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The secretariat will briefly report on the outcome of the Workshop on challenges and opportunities of transboundary accidental water pollution, liability and compensation, in particular on the main findings, concerns and recommendations as they were submitted to the Sixth Ministerial Conference “Environment for Europe” (Belgrade, 10-12 October 2007).

Item 12. Plan of action under the Convention

Background documents:	
Decision 2006/4 on the priorities, programme of work and resources under the Convention for 2007–2008	ECE/CP.TEIA/15/Add.1
Minutes of the thirteenth meeting of the Bureau	COPB27/25 July 2008
Document for endorsement:	
Use of financial resources under the Convention in the period 2000–2008	ECE/CP.TEIA/2008/10
Document for decision:	
Draft decision on the priorities, workplan and resources under the Convention for 2009–2010	ECE/CP.TEIA/2008/11

(a) Priorities and workplan

The Conference of the Parties is invited to entrust the Bureau, supported by the secretariat, to review the long-term programme of work under the Convention (ECE/CP.TEIA/15/Add.1, decision 2006/4, appendix I, part one) in view of the adoption of the strategic approach under the Assistance Programme and other decisions taken at the fifth meeting, and to reflect in it the outcome of the work carried out so far under the Convention.

The Conference of the Parties will be also invited to decide on its priorities and the elements of the workplan for 2009–2010 on the basis of a proposal made by the Bureau (ECE/CP.TEIA/2008/11, para. 2, and annex I, respectively). In doing so, the Conference of the Parties may also wish to take into account the long-term programme of work under the Convention and the outcome of its discussions on the previous agenda items (in particular, the Assistance Programme).

(b) Resources

The secretariat will report on the use of financial resources under the Convention in 2000–2008 on the basis of a note (ECE/CP.TEIA/2008/10), which the Conference of the Parties will be invited to endorse.

The Conference of the Parties will also be invited to decide on funding arrangements under the Convention and the budget to facilitate the implementation of the workplan for 2009–2010 on the basis of a proposal made by the Bureau (ECE/CP.TEIA/2008/11, annex II).

The Conference of the Parties may also wish to make arrangements to support the participation of experts from countries with economies in transition in the meetings held under its auspices and in the activities within the Assistance Programme. The Conference of the Parties will therefore be invited to decide on criteria for such support, taking into account a proposal made by the Bureau (ECE/CP.TEIA/2008/11, annex III).

(c) Draft decision on the priorities, workplan and resources under the Convention for 2009–2010

The Conference of the Parties will be invited to adopt its decision on the priorities, workplan and resources under the Convention for 2009–2010, taking into account the outcome of the discussions on the previous two items (12 (a) and (b)).

Item 13. Date and venue of the sixth meeting of the Conference of the Parties

The Conference of the Parties is invited to take a unanimous decision to hold its sixth ordinary meeting in 2010. Delegations are encouraged to offer to host the sixth meeting, so that the Conference of the Parties can decide on its next venue.

Item 14. Other business

At the time of writing, the secretariat had no points to propose under this item.

Item 15. Review of decisions and final statements

The Chairperson will review all the decisions taken by the Conference of the Parties at its fifth meeting. The Conference of the Parties is invited to entrust the Secretary, in consultation with the Bureau, with finalizing the report of its fifth meeting.

Item 16. Final statements and closing of the meeting

The Chairperson and representatives of UNECE will be invited to make final statements. The Chairperson will then officially close the fifth meeting of the Conference of the Parties.

Item 17. Side-event

On the afternoon of Wednesday, 26 November, delegations of Parties will be invited to take part in an in-field side-event.