

Economic Commission for Europe

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

Working Group on Implementation

Twenty-fourth meeting

Bucharest, 14 and 15 April 2014

Minutes of the twenty-fourth meeting

Introduction

1. The twenty-fourth meeting of the Working Group on Implementation (Working Group) was held in Bucharest (Romania) on 14 and 15 April 2014, at the invitation of the General Inspectorate for Emergency Situations.
2. The following members of the Working Group attended the meeting: Ms. S. Ashcroft (United Kingdom of Great Britain and Northern Ireland), Chair; Ms. S. Milutinovic, (Serbia), Vice-Chair; Mr. E. Baranovsky (Belarus); Mr. H. Buljan (Croatia); Mr. T. Valanto (Finland); Mr. L. Iberl (Germany); Mr. Francisc Senzaconi (Romania); Ms. A.-S. Eriksson (Sweden); Mr. M. Merkofer (Switzerland); and Ms. E. Kupeva Nedelkova (the former Yugoslav Republic of Macedonia). From the Economic Commission for Europe (ECE) secretariat, Ms. Claudia Kamke, Associate Environmental Affairs Officer, attended the meeting. On the invitation of the Chair, Ms. Rachel McCann from the Health and Safety Executive (United Kingdom of Great Britain and Northern Ireland) participated also in the meeting.
3. Ms. S. Ashcroft (United Kingdom of Great Britain and Northern Ireland) chaired the meeting.

I. Opening of the meeting and adoption of the agenda

4. The Chair of the Working Group opened the twenty-fourth meeting, stressing that the focus of this meeting would be the review of the national implementation reports for the 2012/13 reporting round. The Chair also reported that the outcome of this meeting would be a report on the implementation of the Convention for submission to the eighth meeting of the Conference of the Parties and that the draft report be shared for information with the Bureau at its next meeting (The Hague, 16–17 June 2014).
5. The secretariat welcomed the participants and conveyed greetings from Ms. Franziska Ilg-Hirsch, the new Secretary to the Convention as of 1 April 2014.
6. The Working Group adopted the agenda for the meeting.

II. Review of the national implementation reports

7. The secretariat informed the members of the Working Group that the seventh reporting round on the Convention's implementation had been initiated with letters sent to Parties on 10 September 2013, accompanied by the reporting format and the guidelines in English, French or Russian. The letters inviting countries to submit an implementation report were also sent to non-Parties participating in the Assistance Programme, in light of their commitment to report on the implementation of the Convention, expressed at the High-level meeting in 2005 (Geneva, 14–15 December 2005).

8. The secretariat also informed the Working Group that, at the request of the Conference of the Parties, the reporting format and guidelines had been reviewed in order to further simplify reporting, to strengthen reporting on emergency planning and response and to facilitate the exchange of good practices between countries. The secretariat further informed participants that during this reporting round countries were asked to report only on updates or progress made. To ease the monitoring of progress, countries were requested to copy their replies from the previous reporting round (2010–11) and to add information on the progress under the reply for 2012–13.

9. The secretariat reported that the deadline for the submission of the national implementation reports had been set for 31 January 2014 and that e-mail reminders were sent on 14 February and 5 March 2014 to those countries that had not met the deadline. In addition, an official letter had been sent to national Focal Points on 19 March 2014 to encourage Parties and Non-Parties to submit their report without further delay to the secretariat. The secretariat further informed the Working Group that implementation reports submitted in Russian (from Armenia, Belarus, Russian Federation and Ukraine) and in French (from Belgium, France, Luxembourg and Monaco) had been translated into English.

10. At the time of the meeting, 34 out of 41 Parties had submitted their national implementation reports: Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, the former Yugoslav Republic of Macedonia, Republic of Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. The European Union was not expected to submit an implementation report as its individual member States were required to report, however as a Party the obligation to provide a report remains. Six Parties had not yet provided their implementation reports by the time of the meeting: Albania, Bosnia and Herzegovina, Denmark, Greece, Kazakhstan and Spain.

11. In addition, out of the five Assistance Programme countries which are not Parties but committed at the High-level meeting in 2005 to report on the implementation of the Convention, two had submitted a report (Georgia and Ukraine). Kyrgyzstan, Tajikistan and Uzbekistan had not yet provided their implementation reports by the time of the meeting.

12. The Working Group expressed its satisfaction that 36 countries had made their reports available before the meeting. The Working Group welcomed in particular the submission of the implementation reports from the Russian Federation which had not submitted a report for three consecutive rounds as well as from Georgia and Ukraine which are not yet Parties. At the same time, the Working Group noticed that only 18 countries submitted their implementation reports to the secretariat by the deadline: Austria, Belarus, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, Hungary, Lithuania, Monaco, Norway, Poland, Portugal, Slovakia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. The Working Group wished to thank those countries that respected the agreed deadline. The Working Group further encouraged the countries which did not submit their reports on time during this reporting round to do so in the future. This is important in order to allow for sufficient time for the review of the reports.

13. The Working Group regretted the increased number of Parties that did not submit their report before the meeting, which had risen from two to six since the last reporting round. The Working Group also noted with concern that Bosnia and Herzegovina, a new Party since 21 May 2013 and beneficiary country under the Assistance Programme, did not submit its implementation report. It also expressed disappointment about the fact that Albania did not submit its report, although an assistance activity was planned to take place in the first half of 2014. At the same time, the Working Group positively noted that the number of Assistance Programme countries which were not Parties and had not reported decreased from previously six to three countries in this reporting round.

14. The Working Group decided that its Chair and the secretariat should write an official letter to the Focal Points and Competent Authorities of those Parties and non-Parties that had not yet submitted their reports. The letter should explore the reasons for non-submission and encourage the countries to submit the report at their earliest convenience in order to comply with the reporting requirement under the Convention (art. 23) or, in the case of non-Parties, with their commitment given at the High-level meeting in 2005. The Working Group regretted that it would be unable to include the results of the remaining national reports in its seventh report on the implementation of the Convention which would be submitted to the next meeting of the Conference of the Parties (COP, Geneva, 3–5 December 2014). The Chair offered to include the results from the reports that would still be submitted in her oral presentation at the COP.

III. Preparation of the seventh report on the implementation of the Convention

15. At its last meeting, the Working Group decided to divide the work on reviewing the national implementation reports according to the sections of the reports, as follows: (i) Policy for implementation of the Convention: Ms. Ashcroft, Mr. Iberl; (ii) Identification and notification of hazardous activities: Ms. Kupeva, Mr. Merkofer; (iii) Prevention of industrial accidents: Mr. Iberl, Ms. Milutinovic; (iv) Emergency preparedness and response: Ms. Eriksson, Mr. Valanto; (v) Mutual assistance: Mr. Senzaconi, Mr. Baranovsky; (vi) Scientific and technological cooperation and exchange of information / participation of the public: Mr. Buljan, Mr. Merkofer; (vii) Decision-making on siting and reporting on past industrial accidents: Ms. Eriksson, Mr. Senzaconi.

16. According to the agreed division of work, Working Group members presented their assessments of the respective sections of the national implementation reports and discussed a number of conclusions, which would be reflected in detail in the seventh report on the implementation of the Convention. In general terms, the Working Group was of the opinion that the overall quality of reporting had improved compared to the previous reporting round and that the majority of countries complied with the Convention. The Working Group noticed that a high number of countries followed the reporting guidelines adequately, although in some parts the word limit was highly exceeded or no reply was given, assuming that certain questions would not apply to some countries.

17. The Working Group identified some aspects that should be clarified or reported to the Conference of the Parties, such as the following:

- During this reporting round, countries were requested to copy their replies from the previous reporting round (2010–11) into this report and to add only information on updates or progress made since then. The Working Group noted, however, that many countries copied and pasted their replies from the previous reporting round (2010–11) verbatim into the report for the current reporting round (2012–13), so that progress made, if any, became only evident after having read the entire section again.

- The replies provided by countries did not always allow for the Working Group to evaluate the level of implementation of the Convention. From the replies and descriptions provided, it was often not clear whether e.g. EU legislation had only been transposed or also implemented. The Working Group therefore suggested that this be clarified in the format and guidelines for the next reporting round. The Working Group also recommended that the link to the Benchmarks for the implementation of the Convention (ECE/CP.TEIA/2010/6), containing indicators and criteria, should be made stronger as it could help to make this distinction (e.g. through the elements mentioned under progress stages 5 and 6).
- The Working Group noticed with satisfaction that both Parties, whether beneficiaries to the Assistance Programme (e.g. Croatia and Serbia) or not (e.g. Russian Federation), and non-Parties beneficiary to the Assistance Programme (e.g. Georgia) used the indicators and criteria to report on the implementation of the Convention. The Working Group welcomed this approach, in particular also the above-mentioned countries' openness to report on areas for improvement, and encouraged others to do the same.

18. The Working Group decided to share the advanced draft version of the seventh report on the implementation of the Convention with the Bureau for its meeting in June 2014. It was decided that the report be based on the sixth report on the implementation of the Convention, including the approach of highlighting good practices, priority areas for follow-up and the progress achieved by countries. It was also agreed that a new part or paragraph on reporting trends should be included into the report (e.g. to mention countries that submitted their implementation report on time), so as to slowly build up the expectation that national implementation reports would need to be submitted by the deadline for consideration by the Working Group.

19. The members of the Working Group agreed to send to the secretariat, with a copy to the Chair, their consolidated assessments and conclusions of their section. They also agreed to send their comments on ideas for improving the reporting format/guidelines, general conclusions for the part on the overall assessment and their assessment of the overall quality of reporting. To ease the collection of input, the secretariat shared a template. On the basis of the contributions received, the secretariat, supported by the Chair, would compile a first draft of the overall report on the implementation of the Convention.

20. For the preparation of the seventh report on the implementation of the Convention, the Working Group agreed the following timetable:

- 1 May – secretariat to circulate the meeting minutes;
- 9 May – Working Group members to send their consolidated inputs to the secretariat, with a copy to the Chair;
- 23 May – secretariat to send the draft report on the implementation of the Convention for comments to the Working Group;
- 31 May – Working Group to provide comments on the draft report to the secretariat;
- Early June – secretariat to share the advanced draft report on the implementation of the Convention with the Bureau.

21. The Working Group requested its Chair to report to the Bureau at its meeting on 16-17 June 2014 on the main findings of the evaluation of the national implementation reports and to present the advanced draft of the seventh report on implementation. It also requested the Chair to discuss with the Bureau the organization of the COP, and the potential for presentations on sharing good practices and the experiences from 10 years of the Assistance Programme. In this regard, the Working Group recommended that the following countries or partners could be invited to make a presentation at the COP:

- Assistance Programme countries to report on the progress made, also through applying the Strategic Approach;
- European Union to inform about the implications of the new Seveso III Directive regarding public participation;
- Interstate Council on Industrial Safety from the Commonwealth of Independent States to inform about their activities in the field of industrial safety;
- Russian Federation to present their risk assessment approach for the notification of hazardous activities to neighbouring countries;
- Some countries (e.g. Switzerland and others) using in addition to the Annex I and the location criteria estimations about possible damages of transboundary effects as well as risk assessments methodologies for the evaluation of the potential for transboundary effects of hazardous activities under the scope of the Convention.

IV. Status of action items from the November 2013 meetings

22. The secretariat briefed the meeting about the progress made towards the implementation of action items from the last meeting of the Working Group as well as of relevant action items from the last joint meeting with the Bureau.

23. The secretariat presented a draft version of the Assistance Programme tracking table which the Working Group had requested the secretariat to prepare for this meeting. The Working Group expressed its satisfaction with the format of the table and suggested that further information be added before its next meeting in July 2014. In particular, it was agreed that:

- Information on the quality of the self-assessments and action plans received to date should be completed by the small group that reviewed them;
- Overall observations from the review of the national implementation reports should be added by the members of the Working Group on Implementation;
- Information on the follow-up to activities should be added by the secretariat which should review only activities implemented in the current biennium or, if no activity was implemented in this biennium, information from the last activity is to be included.

24. In addition, the secretariat informed the Working Group about the progress made with further activities under the Assistance Programme, based on a table with on-going and planned activities. The Working Group welcomed the overview provided and expressed its desire to be kept updated regarding the progress made with regard to the implementation of ongoing and the planning for new activities under the Assistance Programme.

V. Other business

25. The Chair briefed the Working Group about some issues discussed at an informal meeting between the Chairs of the compliance and implementation bodies under all ECE Multilateral Environmental Agreements, held on 24 March 2014 in Geneva. She informed the Working Group that she would make a more detailed presentation on this at the Fourth Meeting of the Working Group on Development (Geneva, 28–29 April 2014) and she offered to share it thereafter electronically with the members of the Working Group.

26. The Working Group agreed to hold its next meeting in Geneva on 2–3 July 2014.

VI. Closing of the meeting

27. The Chair thanked the participants for a productive meeting, expressing her satisfaction with the progress made towards the preparation of the seventh report on the implementation of the Convention, and closed the meeting.
