
Decisions (advance, unedited version as agreed in session)

The Working Group on Development at its 5th meeting:

- Agreed on the organization of work and its workplan for the biennium 2015/16 as set out in document ECE/CP.TEIA/2015/3
- Established a small group of legal experts and a small group of experts on land-use planning in order to support the deliberations of the Working Group
- Agreed with the ToR of the small group of experts on land use planning
- Agreed with the ToR of the small group of legal experts with a modification that they prepare draft text and consider the amendment to Art. 9 and related articles, provisions and annexes as per the mandate of CoP-8, in the light of the concerns raised at WGD5
- Requested the secretariat to service the small groups, in cooperation with other ECE MEAs and the legal expert
- Stressed that the comments made during the meeting should provide background to the work of the small groups
- Welcomes the nominations already received for these small groups
- Encourages additional Parties to nominate experts for these small groups with due expertise and experience and to communicate their names to the secretariat by 8 June 2015
- Encourages Parties to consider nominating experts speaking both English and Russian for the small group of legal experts for it to be able to consider the meaning of different terms in the 2 languages
- Stressed the need for a balanced regional representation in these groups and called specifically on countries from Eastern and South-Eastern Europe, the Caucasus and Central Asia to consider nominating English-speaking experts for these groups

Amendments

Art. 1

- Agreed on the definition of the “public” as proposed
- Proposed changes to the definition of “effects” in order to achieve closer alignment with the SEA Protocol, tasked the secretariat to review the alignment with ECE MEAs and on this basis, prepare a revised draft for WGD-6
- Requested the WGI to review the causes for confusion between “notification of hazardous activities” and “notification of an industrial accident” by several countries and to inform the secretariat and the Working Group on Development of its conclusions
- Requested the secretariat to prepare, with due regard to the WGI’s analysis, options for possible ways forward

Art. 9

- Exchanged its views and concerns on the proposed amendments to Art. 9
- Invited Parties to submit any further views and comments on Article 9 to the secretariat by 8 June 2015
- Requested the small group of legal experts to prepare a revised draft of Art. 9 in light of the CoP-8 mandate and discussions at WGD5 meeting, proportionate to the Convention’s objectives
- Requested the secretariat, in cooperation with other ECE MEAs and the legal expert, to support the small group of legal experts in its preparations of a revised text
- Requested the secretariat to circulate a consolidated draft revised proposal during the week 20 July to all Parties for their preliminary comments by 24 August 2015
- Requested the secretariat to prepare a consolidated revised proposal, on the basis of the draft of the small group of legal experts and the comments received from Parties, included in an official background document for WGD-6, issued in English, French and Russian

Art. 18

- Agreed with the proposal to amend Art. 18 as included in background document ECE/CP.TEIA/2015/4

Art. 29

- Agreed with the amendment to Art. 29 with regard to the application of amendments to new Parties with a reservation to delete reference to Art. 27 in case of a decision to open the Convention for accession to UN member States beyond the ECE region
- Considered and agreed in principle with the proposal to amend Art. 29, by adding either para 2 bis, as proposed in background document ECE/CP.TEIA/2015/4, including editorial improvements as discussed at WGD5, or adding to para 2 “as well as by any other State that is a Member of the United Nations”

Related definitions and annexes

- Requested the small group of legal experts to review related provisions, articles and annexes in order to achieve alignment with the draft amendment (ref. TOR of the small group of legal experts)

Opening

- Continued its exchange of views on the opening of the Convention for accession
- Expressed appreciation for the additional information provided by the secretariat, in particular with regard to the organization of the activities related to the opening and budgets by other ECE MEAs
- Expressed support of the opening in principle, whilst stressing the need to carefully consider the continued implementation of the Convention in the ECE region and related budgetary questions
- Highlighted the need to continue the debate before concluding and requested the secretariat to outline possible approaches on how to address the budgetary implications related to the opening of the Convention
- Agreed to revisit the issue at its next meetings
- Decided to further consider the implication of the opening for Parties and the secretariat
- Agreed to use the comments exchanged as a basis for further analysis and discussion at the next meeting

CoP guidance**Land-use planning**

- Took note of the proposed approach to the development of the guidance document on safety and land-use planning, including the linkages with other legal instruments and reference materials highlighted therein

Scope of mutual assistance

- Exchanged views on the scope of mutual assistance as set out in Art. 12
- Decided to revisit the issue at its next meeting, on the basis of the views exchanged by Parties and the analysis by the small group of experts active in the previous biennium

Compliance

- Exchanged its views on the possible introduction of a compliance mechanism
- Mandated the WGI Chair to report back to the WGD-6 meeting on the outcome of the WGI's deliberations (and the meeting of the Chairs of the ECE compliance and implementation bodies) with the aim to enable WGD-6 to further deliberate and take a decision on the possible introduction of a compliance mechanism