



# Economic and Social Council

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## Economic Commission for Europe

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

### Working Group on the Development of the Convention

#### Sixth meeting

Geneva, 30 November–2 December 2015

Item 1 of the provisional agenda

#### Adoption of the agenda

### Annotated provisional agenda for the sixth meeting

To be held at the Palais des Nations, Geneva, starting at 3 p.m.  
on 30 November 2015\*

#### I. Provisional agenda

1. Adoption of the agenda.
2. Terms of reference for the Working Group on the Development of the Convention.
3. Accession by Member States of the United Nations from outside the United Nations Economic Commission for Europe region.
4. Guidance by the Conference of the Parties:
  - (a) Review of compliance;

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\* Delegates attending the meeting at the Palais des Nations are requested to register by 9 November 2015 using the new electronic procedure. Registration is available through the following weblink: [www2.unece.org/uncdb/logon.faces?meeting\\_name=TEIA:%206th%20WGD%20meeting](http://www2.unece.org/uncdb/logon.faces?meeting_name=TEIA:%206th%20WGD%20meeting). The registration code for this meeting is 51957. For assistance, please see the instructions on the web page for the meeting ([www.unece.org/index.php?id=36738](http://www.unece.org/index.php?id=36738)) or contact the secretariat by e-mail ([teia.conv@unece.org](mailto:teia.conv@unece.org)). On their way to the meeting, delegates should obtain an identification badge at the Pass and Identification Unit of the United Nations Office at Geneva Security and Safety Section, located at the Pregny Gate, 14, Avenue de la Paix (see the map on the United Nations Economic Commission for Europe website: [www.unece.org/meetings/practical.html](http://www.unece.org/meetings/practical.html)). This will be a paperless meeting. All the documentation for the meeting and related information will be made available on the meeting web page specified above. Delegates are kindly asked to bring their own copies of any meeting documentation they will require.



- (b) Safety and land-use planning;
  - (c) Scope of mutual assistance.
5. Amendment to the Convention.
  6. Review of decisions taken and closure of the meeting.

## **II. Annotations to the provisional agenda**

1. The provisional agenda set out in the present document was prepared by the secretariat to the United Nations Economic Commission for Europe (ECE) Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) in cooperation with the Chair of the Working Group on the Development of the Convention (Working Group on Development) and the Chair of the Conference of the Parties. Due to the limited availability of the Chair of the Working Group to attend the sixth meeting, the Bureau appointed the Chair of the Conference of the Parties to co-chair the Working Group's sixth meeting.

### **1. Adoption of the agenda**

2. The Chair of the Working Group will open the sixth meeting and invite members of the Working Group to adopt the agenda for the meeting, as set out in the present document.<sup>1</sup>

#### **Documentation**

Annotated provisional agenda for the sixth meeting (ECE/CP.TEIA/WG.1/2015/6)

### **2. Terms of reference for the Working Group on the Development of the Convention**

3. The Conference of the Parties at its eighth meeting (Geneva, 3–5 December 2014) requested the Bureau to review the terms of reference of the Convention's subsidiary bodies and to prepare revised terms of reference for review and adoption by the Conference of the Parties at its ninth meeting.

4. The Chair of the Working Group will present the draft updated terms of reference for the Working Group on Development elaborated by the Bureau. The Working Group will be invited to review and comment its draft terms of reference. The Bureau will finalize the draft terms of reference, taking into account the views of the Working Group.

#### **Documentation**

Draft terms of reference for the Working Group on the Development of the Convention (ECE/CP.TEIA/WG.1/2015/8)

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<sup>1</sup> All documentation for the session (official and informal documents) will be made available on the web page for the meeting ([www.unece.org/index.php?id=36738](http://www.unece.org/index.php?id=36738)).

### **3. Accession by Member States of the United Nations from outside the United Nations Economic Commission for Europe region**

5. The Conference of the Parties at its eighth meeting requested the Working Group on Development to continue thoroughly considering all aspects related to the opening of the Convention for accession by Member States of the United Nations from outside the ECE region with regard to the potential benefits and challenges, including possible budgetary implications, and to present the outcome of its considerations to the Conference of the Parties at its ninth meeting.

6. At its fifth meeting (Geneva, 11–13 May 2015), the Working Group held an exchange of views on the opening of the Convention (see ECE/CP.TEIA/WG.1/2015/2, paras. 24–29). Parties expressed general support, while also stressing the need to carefully consider the continued implementation of the Convention in the ECE region and related budgetary questions. The Working Group therefore requested the secretariat to outline possible approaches to address the budgetary implications of the opening of the Convention, for further analysis and discussion by the Working Group at its sixth meeting.

7. The secretariat will present its note on possible approaches to address the budgetary implications of opening the Convention to accession by United Nations Member States from outside the region. On that basis, the Working Group will be invited to continue its deliberations regarding the opening of the Industrial Accidents Convention.

#### **Documentation**

Opening of the Convention for accession by United Nations Member States beyond the Economic Commission for Europe region: Possible approaches to address budgetary implications (ECE/CP.TEIA/WG.1/2015/9)

Opening of the Convention on the Transboundary Effects of Industrial Accidents for accession by United Nations Member States beyond the Economic Commission for Europe region: Considerations and options with regard to a possible amendment (ECE/CP.TEIA/2014/6)

### **4. Guidance by the Conference of the Parties**

8. The Conference of the Parties at its eighth meeting decided that guidance on selected provisions of the Convention should be developed by the Convention's subsidiary bodies, for review and adoption at its ninth or, alternatively, tenth meeting. The Working Group will be invited to review the progress made in developing the requested guidance since its last meeting and decide on the next steps.

#### **(a) Review of compliance**

9. The Conference of the Parties requested the Working Group on Development, in cooperation with the Working Group on Implementation, to consider the introduction of a compliance mechanism and to prepare a draft decision for review and possible adoption by the Conference of the Parties at its ninth meeting, with due regard to the mandate and functioning of the Working Group on Implementation.

10. The Working Group on Development at its fifth meeting started discussions on the topic (ECE/CP.TEIA/WG.1/2015/2, paras. 36–39), based on a presentation by the secretariat and a report by the Chair of the Working Group on Implementation on that Working Group's preliminary considerations.

11. The Chair of the Working Group on Implementation will report on the outcome of its further deliberations related to the introduction of a compliance mechanism during its twenty-eighth meeting (Geneva, 30 June–1 July 2015), which was held back to back with the third meeting of the informal network of the Chairs to the ECE multilateral environmental agreements compliance and implementation bodies (Geneva, 29 June 2015). The secretariat will present further information on possible elements for a compliance mechanism for the Industrial Accidents Convention. Based on the information presented, Parties will be invited to exchange views with a view to deciding whether or not to propose the introduction of a compliance mechanism. In the affirmative case, the Working Group may wish to consider tasking its small group of legal experts, in cooperation with the secretariat, with the preparation of a draft decision for the Working Group's review at its seventh meeting.

**Documentation**

Elements for a possible compliance mechanism for the Convention (ECE/CP.TEIA/WG.1/2015/10)

Approaches to compliance mechanisms under United Nations Economic Commission for Europe multilateral environmental agreements: an overview (ECE/CP.TEIA/2014/10)

**(b) Safety and land-use planning**

12. The Working Group on Development was requested by the Conference of the Parties at its eighth meeting to review a draft guidance document on land-use planning to be drawn up with external expertise. The guidance document will seek to support Parties in addressing key challenges in the area of safety and land-use planning, highlighting and addressing the synergies between the Protocol on Strategic Environmental Assessment (Protocol on SEA) to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and the Industrial Accidents Convention in this regard. The European Investment Bank, acting as lead organization for the preparation of the document, has engaged a consultant to draft the guidance, based on terms of reference prepared in cooperation with the secretariats of the Industrial Accidents and Espoo Conventions and the Protocol on SEA.

13. The consultant will present the Working Group with an outline of the guidance document on safety and land-use planning, and the envisaged next steps towards its preparation. Further to the review and comments by the small group of experts on land-use planning, the Working Group may wish to provide additional comments on the outline of the guidance document.

**Documentation**

Outline for a guidance document on safety and land-use planning (ECE/CP.TEIA/WG.1/2015/11)

**(c) Scope of mutual assistance**

14. The Conference of the Parties also requested the Working Group on Development to prepare a draft decision to clarify the scope of mutual assistance set out in article 12 of the Convention, outlining to what extent mutual assistance refers to any industrial accident or to industrial accidents with transboundary effects only, for review and possible adoption at the ninth meeting of the Conference of the Parties. At its fifth meeting, the Working Group held an initial discussion on the scope of mutual assistance and decided to revisit the issue at its sixth meeting, on the basis of the views exchanged by Parties (ECE/CP.TEIA/WG.1/2015/2, paras. 34–35) and with due regard to the analysis by the

small group evaluating possible amendments to the Convention, which was active in the previous biennium.

15. The secretariat will present the outcomes of the analysis of the scope of mutual assistance undertaken by the small group. The Working Group will be invited to continue the exchange of views among Parties on the scope of mutual assistance and to agree on next steps for the preparation of guidance by the Conference of the Parties. The Working Group may wish to consider tasking the small group of legal experts, in cooperation with the secretariat, with the preparation of a related draft decision for the Working Group's review at its seventh meeting.

#### **Documentation**

Scope of mutual assistance in article 12 of the Convention (ECE/CP.TEIA/WG.1/2015/12)

### **5. Amendment to the Convention**

16. At its eighth meeting the Conference of the Parties requested the Working Group to prepare a draft amendment to the Convention relating to articles 1 (definitions), 9 (information to, and participation of the public), 18 (Conference of the Parties) and 29 (ratification, acceptance, approval and accession), considering also related provisions of and annexes to the Convention, for review and adoption at the ninth meeting of the Conference of the Parties. The Working Group was also requested to prepare draft text on opening the Convention for accession by Member States of the United Nations beyond the ECE region, as part of the above amendment.

17. At its fifth meeting the Working Group considered an initial draft text for an amendment to the Convention, prepared by the secretariat in cooperation with a legal expert (ECE/CP.TEIA/WG.1/2015/4, annex), provided comments and agreed on the subsequent steps. On that basis, the Working Group requested the small group of legal experts to prepare a revised draft amendment of article 9 and the provisions, articles and annexes related to articles 1, 9, 18 and 29. The secretariat was requested to prepare a consolidated revised draft amendment comprising all the articles and the related changes for review and discussion at the Working Group's sixth meeting.

18. The Working Group on Development will be invited to discuss the revised draft amendment, to provide comments and agree on the next steps.

#### **Documentation**

Revised draft amendment to the Convention (ECE/CP.TEIA/WG.1/2015/13)

### **6. Review of decisions taken and closure of the meeting**

19. The Chair of the Working Group will summarize the decisions taken, before closing the meeting by no later than 6 p.m. on Wednesday, 2 December 2015.

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