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

Ninth meeting

Ljubljana, 28–30 November 2016

Item 5 of the provisional agenda

**Amendment of the terms of reference of the Bureau and the
Convention's subsidiary bodies and the rules of procedure**

Draft amended terms of reference of the Working Group on the Development of the Convention

Prepared by the Bureau

Summary

At its eighth meeting (Geneva, 3–5 December 2014), the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents requested its 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. The draft terms of reference were to reflect the current practice and roles of the Bureau and the Working Group on Implementation, as set out in documents previously adopted by the Conference of the Parties (ECE/CP.TEIA/30, para. 48).

The present document contains the draft amended terms of reference of the Working Group on the Development of the Convention, to be officially renamed the Working Group on Development, prepared by the Bureau in cooperation with the Working Group and with the support of the secretariat. In an annex, the amendments to the terms of reference previously adopted by the Conference of the Parties (ECE/CP.TEIA/12, annex IV) are presented for information, showing the proposed additions in bold and deletions in strikethrough text.

The Conference of the Parties is invited to adopt the draft amended terms of reference of the Working Group on Development contained in the present document.

GE.16-15544(E)



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1. The Working Group on the Development of the Convention shall be renamed the Working Group on Development, which shall be an open-ended working group consisting of representatives of Parties. Observers may participate in the meetings of the Working Group in accordance with rules 6 to 8 of the rules of procedure for the meetings of the Conference of the Parties, which apply, mutatis mutandis, to its subsidiary bodies.
2. The Working Group shall meet on a needs-driven basis to carry out its tasks as set out below.
3. The Working Group shall:
 - (a) Keep under review developments in the field of the prevention of, preparedness for and response to industrial accidents, including those with regard to other regulatory instruments, such as the relevant legislation adopted by the European Union and other Parties, and assess their legal and practical implications for the Convention on the Transboundary Effects of Industrial Accidents;
 - (b) Review annex I to the Convention in the light of the corresponding legal requirements of other relevant regulatory instruments;
 - (c) Develop recommendations and proposals for amending the Convention;
 - (d) If appropriate, submit to the Conference of the Parties, through the Bureau, recommendations and proposals for amending the Convention and its annexes, including annex I;
 - (e) Carry out other tasks entrusted to it by the Conference of the Parties.

Annex

Proposed amendments

The text below presents the amendments, as proposed by the Bureau, to the terms of reference of the Working Group on the Development of the Convention adopted by the Conference of the Parties at its third meeting (ECE/CP.TEIA/12, annex IV). Text in strikethrough indicates proposed deletions and text in bold indicates proposed additions to the terms of reference previously adopted by the Conference of the Parties.

~~The Conference of the Parties.~~

~~Recalling article 18, paragraph 2 (c), of the Convention,~~

1. ~~Establishes the~~ **The Working Group on the Development of the Convention** ~~to;~~ **shall be renamed the Working Group on Development, which shall be an open-ended working group consisting of representatives of Parties. Observers may participate in the meetings of the Working Group in accordance with rules 6 to 8 of the rules of procedure for the meetings of the Conference of the Parties, which apply, mutatis mutandis, to its subsidiary bodies.**

2. **The Working Group shall meet on a needs-driven basis to carry out its tasks as set out below.**

3. **The Working Group shall:**

(a) ~~Keep under review the developments in other regulatory instruments concerning the field of~~ **the prevention of, preparedness for and response to industrial accidents, including those with regard to other regulatory instruments, such as the relevant legislation adopted by the European Community-Union and other Parties, and assess their legal and practical implications for the Convention on the Transboundary Effects of Industrial Accidents;**

(b) ~~Review, as a priority, annex I to the Convention in the light of the corresponding legal requirements of the Seveso II Directive of the European Community~~ **other relevant regulatory instruments;**

(c) ~~Develop~~ **Submit, if appropriate, to the Bureau** ~~recommendations and proposals for amending the Convention, as part of the preparations for the meetings of the Conference of the Parties;~~

(d) **If appropriate, submit, to the Conference of the Parties, through the Bureau, recommendations and proposals for amending the Convention and its annexes, including annex I;**

(e) **Carry out other tasks entrusted to it by the Conference of the Parties.**

~~2. Entrusts the Bureau to appoint the Chairman of the Working Group;~~

~~3. Decides that the Working Group will be open to representatives from all Parties and recommends that it should regularly use inter alia electronic tools to facilitate active communication among its members and with the secretariat.~~