

Bureau of the Conference of the Parties (thirteenth meeting)

Rome, 7-8 July 2008

MINUTES OF THE MEETING

Introduction

1. A meeting of the Bureau of the Conference of the Parties (CoP) to the Convention on the Transboundary Effects of Industrial Accidents was held in Rome (Italy) at the premises of the Istituto Superiore Antincendi (ISA) on 7- 8 July 2008 at the invitation of the Italian Ministry of the Environment, Land and Sea and of the Ministry of Interior. Mr. Giorgio Alocci and Ms. Natalia Restuccia from the Italian Ministry of the Interior welcomed the Bureau members, the Chairman of the WGI and the secretariat to Rome and to the premises of the ISA.

2. The following members of the Bureau attended the meeting: Ms. Giuliana Gasparrini (Italy), Chairperson of the CoP, Mr. Bernard Gay (Switzerland), Vice-chairperson, Ms. Anahit Aleksandryan (Armenia) Mr. Nikolay Savov (Bulgaria), Mr. Tobias Biermann (European Commission), Mr. Chris Dijkens (Netherlands), Ms. Jasmina Karba (Slovenia). Mr. Vadim Lozhechko (Belarus) participated, with the agreement of the chairperson, to the meeting in place of Mr. Aleksadr Dokuchaev who could not attend. Mr. Gunnar Hem (Norway), as Chairperson of the Working Group on Implementation (WGI) was also invited to attend the meeting in preparation of the next CoP. Ms. Albena Karadjova, Secretary to the Convention, Mr. Lukasz Wyrowski and Ms. Virginia Fusé (secretariat) also attended. In addition, Mr. Cristiano Piacente and Ms. Elisabetta Scialanca (Italy) participated in the meeting.

3. Mr. Lajos Katai-Urban (Hungary), and Mr. Gerhard Winkelmann-Oei (Germany) could not participate. They had informed in advance the meeting about their absence.

I. Preparations for the fifth meeting of the Conference of the Parties

4. The Bureau discussed and agreed on the conduct of the fifth meeting of the Conference of the Parties (COP-5) considering in particular the main items of the draft annotated agenda for the CoP-5, documents to be prepared for adoption or endorsement and other relevant issues as described below.

5. The Bureau also agreed that a written report on its activities and decisions since CoP-4 should be presented to CoP-5. It requested its Chairperson and the secretariat to prepare this report.

I.I. Implementation of the Convention

6. Mr. Hem, Chairman of the Working Group on Implementation, presented to the Bureau the draft fourth report on implementation of the Convention, and in particular the key findings related to main sections of chapter II of the report and the overall conclusions as drawn by the Working Group. He also informed that one of the Group's conclusion would be the suggestion to

evaluate the reporting with a view to look for ways to improve it. However, this conclusion, in accordance with the discussion of the previous joint meeting (Karlstad, 17 April 2008), was not included in the fourth report. Mr. Hem also said that the overall report does not include the evaluation of the Convention's implementation in the Russian Federation and Tajikistan, since they did not submit their national reports, despite formal reminders sent at the end of April to them as well as to Albania (Albania reacted to the reminder and submitted its national report, therefore the Working Group included the country evaluation in the overall report).

7. The Bureau thanked Mr. Hem and the Working Group for drawing up the report and for the interesting conclusions. It shared the concern of the Working Group about the lack of reports from the Russian Federation and Tajikistan and noted that any submission of the report between now and CoP-5 can not be accepted and that the failure in timely submission of the reports should be conveyed to CoP-5. The Bureau also decided to include in the draft decision on strengthening the implementation of the Convention the note that the Russian Federation did not comply in a timely manner with its reporting obligation for the third consecutive time and that Tajikistan did not comply with its commitment, as expressed in Geneva in December 2005.

8. The Bureau discussed once again the suggestion of the Working Group regarding the evaluation of reporting and agreed that the current reporting procedure has served well its purposes so far. Now, in view of the progress achieved in both implementation and reporting, a monitoring of further progress is likely to request more specific information. The Bureau agreed therefore that ways should be investigated to change the reporting procedure in order to be able to monitor further progress without increasing the burden of reporting for the countries, perhaps focussing on some aspects of implementation in a given reporting round. It decided that CoP-5 should take a decision entrusting the Working Group and Bureau with this task. To this end, the Bureau agreed to include this undertaking in the draft decision on strengthening the implementation of the Convention and requested Mr. Hem to include the need for evaluation of the reporting procedure in the conclusions of the fourth report.

9. It was also agreed that Bureau members, if they wish so, may send their detailed comments or suggestions to the draft report on implementation before 18 July.

I.II. Assistance Programme

10. The Bureau agreed with a progress report on the Assistance Programme to be drawn up. This report should include outcome and results of the activities carried out in the preparatory and implementation phases of the Programme since CoP-4, financial report and support received both financially and in-kind. It requested the secretariat to prepare the draft of this report to be finalized and submitted by the Chairperson and the Chairman of the Working Group on Implementation to CoP-5.

11. The secretariat briefly informed about the national action plans received from Azerbaijan, Georgia, Moldova and Serbia as a follow-up to the Assistance Programme's capacity-building in Kiev (5-7 December 2007). Ms. Aleksandryan and Mr. Lozhechko, respectively, said a few words on the action plans for Armenia and Belarus.

12. The Bureau agreed to take some more time, but not later than to the end of July, to select for presentation at the CoP-5 two action plans that can serve as good examples of the expected work under the Assistance Programme. It requested the secretariat to follow up then and to invite the countries that worked out the selected plans to make presentations on them (the secretariat

had already contacted the countries that may be selected before the meeting in order to ensure that they would agree to make such a presentation) and on the progress in implementing the Convention. The Bureau also requested the secretariat to provide guidance and support to these countries in preparing the presentations, as necessary.

13. Following the proposal of the previous joint meeting to invite The Former Yugoslav Republic of Macedonia to present its action plan aimed in the first place at implementation of the basic tasks under the Convention, the secretariat informed that the country confirmed its readiness and willingness to present it together with a report on the progress in its implementation at the CoP-5. The Bureau welcomed this information and requested the secretariat to provide guidance and support in preparing the presentation, as necessary.

14. The Bureau discussed also a proposal of suggesting CoP-5 to accept TfYR of Macedonia to the implementation phase of the Programme and agreed that, should the country demonstrate good progress in implementing its action plan and the basic tasks, such a suggestion should be made by the Chairperson at the meeting of CoP-5.

15. The secretariat briefed the Bureau on the repeated communication to Kyrgyzstan, Tajikistan and Uzbekistan on the finalization of basic tasks. So far only Kyrgyzstan replied to this communication informing with regard to its last unaccomplished basic task that the training for personnel of points of contact should be completed shortly and the country will send a report on it. The Bureau agreed that it will consider in electronic consultation any report received in time before CoP-5.

I.III. Strategic Approach for the Assistance Programme

16. The secretariat briefly presented the third draft of the strategic approach, pointing out the changes as compared to the previous version. The Bureau welcomed the new version as it fully meets its expectation and thanked the task force for all the efforts put into developing the document. It then decided that adequate references should be made in the draft decisions on strengthening the implementation of the Convention and on the priorities, workplan and resources for 2009-2010 to the strategic approach and requested the secretariat to include them.

17. The Bureau also discussed how and by whom the strategic approach should be presented to the CoP-5 and welcomed the offer by Mr. Savov to make the presentation on behalf of the outgoing Bureau to CoP-5. It also requested Mr. Dijkens and the secretariat to assist Mr. Savov in preparing the presentation.

I.IV. Draft decision on strengthening the implementation of the Convention

18. The Bureau discussed the draft decision on strengthening the implementation of the Convention on the basis of a draft prepared by the secretariat. It requested the secretariat to update it on the basis of decisions made under items related to report on implementation and Assistance Programme and to circulate it for final comments by 18 July.

I.V. UNECE Industrial Accidents Notification System

19. The Bureau agreed that a note on the implementation of the decision 2006/3 on Increasing the effectiveness of and enhancing the communication procedures within the UNECE

IAN System should be prepared and presented to CoP-5 and it requested the secretariat to draw up this note and make adequate presentation at CoP-5.

20. The Bureau also agreed to invite Mr. Francisc Senzaconi (Romania) chairman of Third consultation of points of contact to present its outcome to CoP-5. It requested the secretariat to contact Mr. Senzaconi and to assist him in preparing the presentation.

21. The secretariat informed the Bureau that a steering group meeting, as established by the Third consultation of points of contact, will meet on 30 July in Geneva and that the Bureau will receive a minutes of the meeting to consider if any of its recommendations should be addressed by CoP-5.

I.VI. Activities under the Joint Expert Group (JEG) on Water and Industrial Accidents

22. The Bureau discussed the draft progress report of JEG as prepared by the two co-chairmen with the support of the secretariat.

23. It welcomed the efforts of the JEG in drawing up the safety guidelines and good practises for tailing management facilities and agreed that the document, after it is finalized by JEG, will be submitted for endorsement to CoP-5.

24. The Bureau also expressed its concern that the JEG does not receive sufficient support in particular from the "Water" side and from a number of Western and Central European countries. This can be caused by the fact that the work performed by JEG does not fully respond to the needs of these countries (Parties to Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes). The Bureau agreed therefore that CoP-5 should review the workplan of the JEG and provide guidance and directions for JEG to focus on tasks which will address the current needs and areas of interests of Parties to both Conventions. Such a review should be also done under the relevant body to the Water Convention and the Bureau requested the secretariat to communicate this message. Finally the Bureau requested the secretariat to inform JEG about its concern and decisions and to include them in the new version of the progress report, which once finalized should be returned to the Bureau for review and comments before it is submitted to CoP-5.

I.VII. Plan of action under the Convention for 2009-2010

25. The secretariat presented a draft for a decision on priorities, workplan plan and resources for 2009-2010 for discussion. This draft contains three annexes (I) the workplan under the Convention for the years 2009-2010 divided per programme areas, (II) a table with the resources required for the next biennium and (III) guiding principles for financial assistance to support the participation of experts and representatives from countries with economies in transition in meetings organised within the framework of the Conference of the Parties and in the activities under the Assistance Programme.

26. The Bureau discussed the draft decision reviewing the elements of the workplan and the resources requirements for 2009-2010. The Bureau agreed that the resources requirements for the years 2009-2010 should be calculated on the basis of the past expenditures. It also decided to propose CoP-5 to maintain the guiding principles for financial assistance for support of participants from countries with economies in transition as adopted at CoP-4. With this decision,

the Bureau agreed not to follow the proposal of the Committee on Environmental Policy, since the proposal limited considerably the eligibility for financial support and could cause limited participation of representatives from a number of countries to activities under the Convention and the Assistance Programme, a situation that must be avoided.

27. The Bureau requested the secretariat to update the draft decision according to the discussion at the meeting and to circulate it for final comments by 18 July.

28. The Bureau also agreed that the secretariat should circulate for review the report on the use of financial resources before it is submitted for issuance.

I.VIII. Composition of the future Bureau and Working Group on Implementation

29. In view of the need for new members of the Bureau and Working Group for the next term, among others to replace members who cannot continue anymore, the Bureau welcomed the information that Serbia and Georgia confirmed their interest in joining the Bureau, as well as that Moldova is considering joining the Working Group. The secretariat also informed that it contacted Kazakhstan to explore whether the country would be interested in proposing its candidate to the Bureau or Working Group but so far no clear response was given.

30. In view of the unavailability of several Working Group member for the next term the Bureau decided to contact some more Parties to invite them to consider joining the Working Group. It was agreed that Ms. Karba will contact Croatia, Mr. Biermann France and Germany, and Mr. Dijkens United Kingdom.

31. The Bureau agreed to continue the consultations on the membership of the two bodies via electronic mail.

I.IX. Review of the draft annotated agenda for the CoP-5

32. The Bureau reviewed the items of the draft annotated agenda not discussed otherwise and agreed that 1,5 days of the CoP-5 should be allocated to agenda items until the agenda item "Implementation of the Convention" included, 0,5 day could be devoted to a side event, and for the other items of the agenda the time of the third day of the meeting should be allocated.

33. Mr. Gay, responding to the idea of organizing the side event, offered to investigate with the local authorities of Canton Geneva the organization of in-field side event. The Bureau welcomed this proposal.

34. The Bureau requested the secretariat to review the draft annotated agenda for CoP-5 taking into account the comments made during the meeting and to circulate it for final comments prior to its submission for issuance.

I.X. Logistical arrangements for the CoP-5

35. The secretariat reiterated that the meeting of the CoP-5 will take place on 25-27 November 2008 in Geneva at the Palais des Nations. The secretariat has booked a meeting room with interpretation for three days. Further information will be sent in due time.

36. The Bureau requested the secretariat to circulate an official invitation letter to all Parties and other UNECE member countries to CoP-5. The letter should contain information on

documents, which will be submitted to the meeting as well as invitation for providing financial support and proposal to take the lead of activities as drafted in the workplan for 2009-2010.

37. The Bureau also welcomed the offers from Mr. Gay and Mr. Dijkens to explore possibilities in inviting the CoP-5 delegations to official receptions in the evening of the first two days of the meeting.

II. Other activities

II.I. Organisation of the training on identification of hazardous activities

38. The secretariat briefed the Bureau about the progress in the organization of the training on identification of hazardous activities, informing that (1) official invitation letters were circulated to all eligible EECCA and SEE countries, which requested such a training (2) the letters were accompanied by a questionnaire that was developed to collect data for analysis on hazardous activities, (3) all of the invited EECCA and SEE countries confirmed already participation to the training and (4) the return of completed questionnaires is expected by the end of July.

39. The secretariat also informed that Belarus confirmed the readiness to host the training and co-organize it together with the secretariat, and that organizational and logistical matters are under discussion.

40. The Secretariat also informed that a preparatory meeting of experts to support the training is planned for the second week of September in Geneva.

II.II. Proposal of a training aimed at establishing integrated administrative framework for safety at hazardous activities

41. The secretariat presented the concept for a training aiming at establishing an integrated administrative framework for safety at hazardous installations coordinated by the Czech Ministry of Environment. This concept was developed taking into account the conclusions of the workshop on safety of hazardous activities organised in Moldova on 13 - 14 December 2007.

42. The Bureau took note of the presentation by the secretariat and recommended that the concept is reconsidered to focus on the process leading to a solution rather than on the solution itself, to focus on a few areas of implementation (including the aspect of transboundary cooperation between authorities) and to include more interactive/hands-on work for participants. It then requested the secretariat to communicate the Bureau's thanks and recommendations to the Czech colleagues.

II.III. Project on the joint management of transboundary emergencies

43. With regard to the organisation of a project on the joint management of transboundary emergencies involving large spills of hazardous substances into the Danube, coordinated by Italy, Mr. Piacente informed the Bureau that Serbia and Romania confirmed formally their support and participation in the project, and confirmation is still awaited from Bulgaria. For this reason the first phase of the project including a workshop focused on analysis of tools for risk assessment and of the past accidents is moved to the first half of 2009. The Bureau

recommended the Italian coordinators to give Romania and Bulgaria some more time for an answer before continuing planning work on the project.

II.IV. Other Business

44. The secretariat informed that it had circulated on 5 June 2008 letters to all Parties and other UNECE member countries confirming the date at which the amendment of annex I became effective.

45. Mr. Tobias Biermann (European Commission) informed the Bureau about the changes to the MARS System which will be operated on a web and for which countries will be granted personal accounts to access it. He ensured that the system in its new form will be available to all Parties, also not EU member states, but the details on how it will be done need to be discussed once the new system will be put into operation. The Bureau asked the secretariat to check together with Mr. Biermann whether the decision CP.TEIA/2000/15 on the Reporting of Past Industrial Accidents and its Annex have to be amended for the CoP-5.

46. The secretariat informed about the third meeting in Paris of the Expert Working Group for the Development of a Flexible Framework for addressing Chemical Accidents Prevention and Preparedness hosted by UNEP. This meeting was a part of a process, initiated by UNEP, aimed at preparing a set of guidance for developing countries worldwide to help them to strengthen the legal and institutional frameworks for industrial safety. The secretariat agreed with UNEP that any activities supportive to the use of the guidelines in EECCA and SEE regions will be coordinated under the Assistance Programme.

47. The Bureau decided to hold prior to CoP-5, an informal meeting in the afternoon of 24 November, in Geneva.

Closing of the meeting

48. Ms. Gasparrini thanked the Bureau members and the other colleagues attending the meeting for the active participation and for the support received in the past two years during which she has been Chairperson of the CoP. Ms. Gasparrini closed the meeting.