

**Bureau of the Conference of the Parties
(Seventeenth meeting)**

Harstad, Norway 14-15 June 2010

MINUTES OF THE MEETING OF THE BUREAU

Opening of the meeting and adoption of the agenda

1. The 17th meeting of the Bureau, in preparation for the sixth meeting of the Conference of the Parties (CoP-6) to the Convention on the Transboundary Effects of Industrial Accidents, was held in Harstad (Norway) on 14-15 June 2010 at the invitation of the Directorate for Civil Protection and Emergency Planning of Norway.
2. The following members of the Bureau attended the meeting: Mr. Chris Dijkens (Netherlands), Chairperson of the CoP, Mr. Cristiano Piacente (Italy), Mr. Bernard Gay (Switzerland), Vice-chairpersons, Ms. Irma Gurguliani (Georgia), Mr. Gerhard Winkelmann-Oei (Germany), Mr. Altynbek Yegizbayev (Kazakhstan), Ms. Suzana Milutinovic¹ (Serbia), Ms. Jasmina Karba (Slovenia), Mr. Tobias Bierman (European Commission).
3. Mr. Loic Malgorn (France) who replaced Ms. Cathy Bieth in her function as the member of the Bureau, following the change of position in the French Government, as well as Mr. Gunnar Hem (Norway), Chairman of the Working Group on Implementation (WGI) and Ms. Svetlana Stirbu (Republic of Moldova), member of WGI, also attended the meeting. Ms. Stirbu has been invited to the meeting by the chairperson.
4. Mr. Lukasz Wyrowski (UNECE secretariat) serviced the meeting.

Part I – Sixth meeting of the Conference of the Parties

Preparations for the sixth meeting of the Conference of the Parties

(a) Report of the Bureau

5. The Bureau agreed that a written report should be prepared on its work in the biennium 2009-10. This report should be based on the minutes of its four meetings (The Hague, 26-27 January 2009, Geneva, 13-14 July 2009, Bratislava, 27-28 January 2010 and Harstad, 14-15 June 2010).

¹ Ms. Milutinovic was elected at the CoP-5 with her maiden name Boranovic

6. The Bureau also agreed that the chairperson would present the report to the CoP-6 with a slide presentation.

7. The Bureau decided that any proposal for decisions to be taken by the CoP-6 should not be contained in the report. Such proposals, if prepared in a written form, could be contained in the conference room papers, preferably translated into all three UNECE languages.

(b) Implementation of the Convention

8. Mr. Hem presented the draft of the fifth report on the implementation of the Convention.

9. The Bureau appreciated the work carried out by the WGI and in particular its chair in evaluating the national reports and thanked for preparation of the fifth report on implementation. The members expressed their satisfaction that the reporting has improved, as well as that the level of implementation was considered satisfactory by the WGI. Furthermore, it was also noted with satisfaction that the difference between Western and Eastern countries has been less visible with regard to establishing relevant policies for implementing the Convention.

10. The Bureau expressed its disappointment that the Russian Federation, despite numerous reminders, and second time in row, failed to provide its national implementation report. They requested that this fact is duly noted in the implementation report, in case the country would fail to submit its national report before finalization of the fifth report on the implementation of the Convention by WGI. At the same time, the Bureau requested the secretariat to contact the authorities of the Russian Federation, and further urge the submission of the national report.

11. The Bureau agreed that an attempt should be undertaken to involve the Russian Federation into the work of the Convention. To this end, a visit to Moscow to meet the representatives of the Ministry of Natural Resources and Environment should be considered. Such a visit should be preferably organized jointly with other Conventions facing similar lack of participation of the Russian Federation in their activities. Furthermore, it was suggested that Mr. Marco Keiner, Director of Environment, Housing and Land Management Division, should be invited to lead such a visit.

12. The Bureau did not welcome the incomplete reports provided by some countries, members of the European Union. It requested the Chairman of WGI that these countries are named in the report and to underline that such practice is unacceptable.

13. Disappointment was also expressed over lack of reports from Kyrgyzstan, Tajikistan, Uzbekistan, as well as from Bosnia and Herzegovina and Georgia. The Bureau could not accept changes in the leading authorities and focal points for the Convention as a sufficient explanation for that. In the case of Georgia, the Bureau urged the member representing Georgia that the report is provided without any further delay, as it was unacceptable that a country represented in the Bureau and committed under the Assistance Programme failed with submission of the report. Furthermore, it was agreed that any assistance activities for

Georgia, even if already accepted, should not start before the report has been received.

14. After a discussion during which a number of changes has been suggested to the reporting format, the Bureau decided that it would not recommend to the CoP-6 making any modifications in the reporting format for the 6th reporting round. Instead it would recommend that CoP-6 should invite WGI to review the reporting guidelines before the 6th round of reporting and adjust them as necessary to improve their clarity. Also, to lessen the burden on Parties and other UNECE countries that provided complete reports in the 5th reporting round, it would be suggested that in the 6th reporting round, they should only report to the questions on further progress achieved and, for other questions, provide only updates as necessary.

15. The Bureau invited Mr. Hem to present the report in its final form to the CoP-6.

(c) Assistance Programme

Progress report

16. The Bureau agreed that, as in the previous years, a written progress report containing the results achieved in implementing the Assistance Programme should be prepared. This report should also include a chapter informing on the financial and in-kind resources used for organization of the capacity-building activities.

17. The Bureau requested then the secretariat to draft the first version of the report.

18. The Bureau also agreed that the report should be presented with a slide presentation to the CoP-6. The secretariat was requested to prepare and make such a presentation on behalf of the outgoing Bureau and WGI.

19. The Bureau also decided that countries beneficiaries of the Assistance Programme should make presentations either on the progress achieved with the implementation of the Convention or on important projects.

20. It was suggested that Uzbekistan should be invited to make a presentation at the CoP-6 showing the work done with regard to strengthening the implementation of the Convention and thus giving a confirmation of its commitment. Such a presentation would be welcome by the CoP-6, especially in view of the lack of the national report on the implementation.

21. As to the second presentation, it was agreed that one bigger scale project of the Assistance Programme should be presented. The Bureau considered the project for the Danube Delta on hazard and crisis management and requested the secretariat to invite one of the project countries to present it.

Indicators and criteria

22. The Bureau appreciated the work done by the task force and its chair, Ms. Jasmine Karba, for elaborating the indicators and criteria to be used by countries, beneficiaries of the Assistance Programme, for the evaluation of the level of the Convention's implementation.
23. The Bureau requested the task force to add an indicator to the area of work on response and mutual assistance on ensuring adequate use of notification systems at local level.
24. It was agreed that the final version of the sets of indicators and criteria would be provided together with the guiding document explaining their application. This guiding document should be prepared based on the outline presented at the meeting. It should clearly state that the indicators and criteria are for the obligatory use under the Assistance Programme for application of the mechanisms of the Strategic Approach.
25. The guiding document with indicators and criteria would be submitted for adoption at the CoP-6. Ms. Karba was invited to present the document to the CoP.
26. With adoption of the document, CoP-6 would introduce the obligation to apply the indicators and criteria. To this end, countries requesting an assistance activity would need to present together with a project proposal a self-evaluation done based on these indicators and criteria and contained in the form used so far for monitoring, analysis, planning and evaluation (national action plan). For countries not submitting any assistance requests in 2011, they would be requested to submit the duly prepared report on monitoring, analysis, planning and evaluation before 1 December 2011, part I on self-evaluation, to the secretariat.
27. The Bureau also agreed that to help the countries beneficiaries of the Assistance Programme in using the indicators and criteria for the self-evaluation, a workshop should be held in early 2011. Such a workshop should be contained in the workplan for 2011-2012.

(d) Long term strategy under the Convention

28. The Bureau discussed the long-term strategy document as prepared by the task force on the strategy. Also the comments received from Mr. Sergiusz Ludwiczak, Chief of the Pollution, Prevention Team, were considered.
29. In general, the Bureau expressed its support to the long-term strategy and thanked the task force for all its efforts in preparing the document. The opinions were then split whether, following Mr. Ludwiczak's suggestions, the document should in some instances be more concrete. A number of Bureau members argued that concrete actions should be contained in the two-year workplans. Another point of debate was whether the strategy should include a model on robust financing or just refer to it. In the latter case, such a model could be described in a separate document.

30. The Bureau requested the task force on strategy to review the document, and fine-tune it, taking into account the comments received. The improved version should be circulated for a final round of comments within the Bureau prior to the submission of the document for issuing.

31. It was agreed that the final version of the strategy would be presented to the CoP-6 for adoption. The secretariat should also send it to the Parties before the CoP-6 for consultation. The results of the consultation should be considered by the Bureau through use of electronic means.

32. The Bureau decided that the strategy should be placed in the CoP-6 agenda after the Assistance Programme.

33. The Bureau was made aware by Germany of the consultation process led by United Nations office in New York aimed at starting negotiation of a global instrument on industrial safety and civil liability.

34. The Bureau requested the secretariat to find more information regarding this consultation process, so that, if necessary, a relevant draft decision in this regard could be submitted to the CoP-6.

(e) UNECE Industrial Accidents Notification System

35. The Bureau discussed the outcome of the fourth consultation of points of contact. It appreciated the clear recommendations from the points of contact.

36. At the same time, the Bureau agreed that the Convention is not the right framework to lead the process of standardization for notification systems on chemical emergencies². Such a lead should be rather taken by organizations operating notification systems more frequently used.

37. The Bureau would not recommend to CoP-6 taking any steps in leading the elaboration of common standard for notification systems. Should however any other organization or a country wish to take the lead in this process, the points of contact under the Convention should contribute within their capacities.

38. The Bureau supported the recommendation of continuing the communication tests and analytical exercises under the IAN System, though not including full scale drills or full scale exercise with reviewing the provision and receipt of mutual assistance. The CoP-6 should therefore reiterate the continuation of basic testing and exercising under the IAN System.

² The secretariat received a letter of 17 June 2010 from the International Commission for the Protection of the Danube River expressing a support to a possible elaboration of a standard for notification of chemical emergencies.

(f) Activities under the Joint Expert Group on Water and Industrial Accidents

39. The Bureau agreed that there were no activities to be reported under the Joint Expert Group on Water and Industrial Accidents, due to the fact that following the elaboration of the Group's strategy³ (first half of 2009), the Bureaux to Industrial Accidents and Water Conventions did not take any joint decision assigning any task to the Group.

40. Since the work of the Joint Expert Group refers to the accidental water pollution and the Bureau agreed to hold a workshop on joint management of transboundary emergencies involving international water paths (Slubice, 8-10 September 2009), it was decided that the outcome of this workshop should be presented at CoP-6 under item IX "Prevention of accidental water pollution". The secretariat was requested to contact the two host countries for the workshop, i.e. Germany and Poland for the presentation.

41. The Bureau also agreed that, depending on the outcome of the meeting of the Working Group on Integrated Water Resources Management (WGIWRM, Geneva, 7-9 July 2010) under the Water Convention and possible suggestions from the Water Convention's Bureau, additional items can be included for discussion at CoP-6. These can both refer to the activities of Joint Expert Group or the Protocol on Civil Liability.

42. The Bureau then agreed that, should there be no suggestions from the Water Bureau regarding the Civil Liability Protocol, it would not recommend any particular actions, neither in terms of projects for countries with economies in transition nor any legal analysis, under the Protocol.

43. In such a case the agenda item on the Protocol should only address the exchange of correspondence between European Commission and the UNECE secretariat.

44. The Bureau appreciated the readiness of Mr. Bernard Gay to participate on its behalf in the meeting of WGIWRM of the Water Convention in Geneva and to follow the discussion regarding the Joint Expert Group and Civil Liability Protocol.

45. The Bureau mandated Mr. Gay to invite the meeting to consider, on the basis of the outcome of the Slubice workshop, to assign to the Joint Expert Group the task of providing a guidance document describing a sound methodology for building an effective crisis management system for transboundary waters.

46. Mr. Gay was also invited to ask for the Working Group's support for organization of a joint workshop in 2011 and be held under auspices of both Conference and Meeting of the Parties to both Conventions (with Germany as the lead country that would also develop a background document for the workshop) to review the work done in preventing

³ The work on the strategy would be contained in the report on the activities of the Bureau.

accidental water pollution in the 25 year period since the Sandoz, Schweizerhalle accident in Basel.

47. The Bureau requested Mr. Gay and secretariat to report on the outcome of the WGIWRM meeting regarding these points.

(g) Plan of action under the Convention for 2011-12

48. The Bureau reviewed the draft financial report prepared by the secretariat for the period January 2009 to April 2010. The report consisted of two tables, table I containing balance at the end of 2008 and listing all contributions, expenses and balances separately for 2009 and year to April 2010, and table II containing a comparison between planned (i. e. as adopted in the workplan for 2009-2010 by CoP-5) and implemented activities. The table follows the sections of the workplan and details the costs incurred from the trust-fund as well as the in-kind support obtained.

49. The Bureau requested that the financial report to be prepared for the CoP-6 should contain also the activities of second half of 2010. Their estimated costs should be included in the report to show the expected balance at the end of 2010. The Bureau also requested that an estimation of the value of in-kind contributions be presented in order to show to CoP-6 the full costs of the implementation of the 2009-2010 workplan.

50. The Bureau also discussed the workplan for 2011-2012 based on the draft prepared by the secretariat. It was agreed that the 2011-2012 workplan should be structured in accordance with the strategic areas/directions of the long-term strategy. The Bureau also agreed on the level of details to be contained in the future two-year workplan. To this end, the secretariat was requested to list all the activities that have been discussed under other agenda items for implementation in 2011-2012. Also a justification/explanatory note should be provided for the included activities.

51. As far as the requirement for the secretariat resources was concerned, the Bureau requested that the secretariat reviews the workmonths necessary for the implementation of the workplan for 2011-2012, on the basis of the discussion at the meeting. It should also add a comparison of the workmonths when applying the minimum time required, e.g. a change in the workmonths on the secretariat side if a country takes the lead in organizing a workshop.

52. The Bureau requested that an updated version of the workplan is circulated for consultation before its submission for issuing.

53. While discussing the workplan, the Bureau acknowledged that the workplan requires more than 2 staff members in the secretariat. The Bureau also acknowledged the fact that the secretariat needs a secretary at a P4 level, as per the e-mail received from Mr. Marco Keiner, Director of UNECE, Environment, Housing and Land Management Division. Furthermore the Bureau appreciated the steps undertaken by the Division's management aimed at establishing such a post in a mid-term from the UN regular budget.

54. Regarding the request for establishing a P4 post from the extrabudgetary resources in a short-term, the Bureau did not see any possibility to find the necessary funds already for 2011. Nevertheless, it was agreed that steps should be taken, also in accordance with the long-term strategy, to develop a robust financing mechanism under the Convention in the course of 2011. The Bureau was therefore optimistic that funds could be provided for 2012 for one year to establish the secretary post from extrabudgetary resources.

55. For a brainstorming on the development of the robust financing mechanism, the Bureau established a task force. Following Bureau members agreed to join the task force: Mr. Chris Dijkens (chairperson), Mr. Bernard Gay (vice-chairperson), Mr. Gerhard Winkelmann-Oei (member). Also Mr. Gunnar Hem (chairman of WGI) joined the task force.

56. The Bureau requested that this task force should be joined by Mr. Sergiusz Ludwiczak, representing the UNECE secretariat and the management of the Division of Environment, Housing and Land Management. It was also suggested that the first meeting of the task force should be attended by a professional fund-raiser who could provide helpful hints in elaborating robust financing model.

57. To address the problem of insufficient secretariat resources for 2011, the Bureau decided that the secretariat should be helped temporarily by seconding a staff from governments, if such possibilities exist, or by hiring consultants. To this end Mr. Winkelmann informed that Germany was exploring a possibility to support the secretariat for 2011.

(h) Composition of future Bureau and Working Group on Implementation

58. The Bureau entrusted the Chairperson and Vice-chairpersons as well as the Chairman of the WGI to consult with the Parties and other member states on their possible representation in the Bureau and WGI. Such a consultation was requested as a number of current members could not guarantee their availability for the years 2011-2012.

(h) Review of the draft annotated agenda for the CoP-6

59. The Bureau reviewed the provisional agenda based on the draft prepared by the secretariat. It requested the secretariat to update the agenda in view of the decisions taken during the meeting.

(i) Logistical arrangements for the CoP-6

60. Mr. Dijkens informed that the CoP-6 would be held at the premises of the Ministry of Foreign Affairs of the Netherlands, in The Hague. The meeting would start on 8 November 2010 at 10 a.m. and the Minister of Housing Spatial Planning and Environment should open it.

61. The Ministry planned to invite delegation to the reception and official dinner on the evening of the first day of the meeting at the Madurodam.

62. The Bureau appreciated the work carried out in preparation for the CoP-6 by the Netherlands.

63. The Bureau agreed then that it should meet informally before the CoP-6. Depending on the coordination meeting of the EU countries, the Bureau meeting should be held either Sunday, 7 November in the evening or Monday, 8 November early morning. The Bureau requested the secretariat to coordinate the timing of the Bureau and EU coordination meeting with the European Commission and Belgium holding the EU Presidency in second half of 2010.

Part II – Other activities

Assistance Programme activities

(a) Activities of the implementation phase

64. Ms. Suzana Milutinovic, Ms. Svetlana Stirbu and the secretariat reported respectively on (i) the training session on evaluation of safety reports for Croatia, Serbia and FYR of Macedonia on 8-10 February 2010 in Belgrade and the national training sessions on the identification of hazardous activities for (ii) Moldova, 9-10 March in Chisinau and (iii) FYR of Macedonia, 23-24 March in Skopje.

65. The Bureau expressed its satisfaction about the good results of the three projects. It appreciated the checklist methodology for safety reports' evaluation as well as the fact that the national guidelines for identification of hazardous activities were under the preparations in Moldova and FYR of Macedonia and should be completed by September 2010.

(b) Visits to Central Asian countries

66. The secretariat reported on the visits to Tajikistan and Kyrgyzstan respectively on 16 and 18 February 2010 aimed at regaining the commitment of the two countries under the Assistance Programme. The visit to Tajikistan showed that the country implemented the basic tasks and that the representatives of the Ministry of Emergency Situations were very interested that Tajikistan joins the Assistance Programme's implementation phase. Tajikistan was requested during the visit to send to the secretariat a report in writing on the implementation of basic tasks. Though the report had not been received by the time of the Bureau meeting, the secretariat had been informed by the Ministry of Emergency Situation that it held a consultation with the Ministry of Foreign Affairs.

67. For Kyrgyzstan the visit was less successful, since the country's representatives did not confirm to the visiting team that the basic tasks have been implemented. This information should be contained in the written report to be submitted after the consultation that should have been held between different Kyrgyz ministries following the visit.

Unfortunately due to political instability it was unknown at the time of the Bureau meeting when the report could be received.

68. The Bureau requested the secretariat to continue encouraging both countries to submit the reports.

(c) Bosnia and Herzegovina

69. The secretariat informed that it urged Bosnia and Herzegovina with a letter of 23 April to submit the report presenting the status of implementation of basic tasks, which was to be prepared by the country in a follow-up to the awareness-raising mission of 22-23 September 2009.

70. Bosnia and Herzegovina was not able to prepare such a report and the chances that it would be prepared in the near future are rather small. This is due to the fact that the unit responsible for the environmental agreements at the federal level within the Ministry of Trade and Economic Relations does not have the capacity to work on the report and coordinate the inputs from the different entities involved.

71. The Bureau requested the secretariat to monitor the situation in Bosnia and Herzegovina and keep reminding about the requirement for submitting the report.

(e) New project proposal under the Assistance Programme

72. Ms. Milutinovic presented a proposal for a follow-up of the training session on the evaluation of safety reports and consisting of the organization of an on-site inspection with the application of checklist methodology. The Bureau accepted this project for implementation. It requested the secretariat to manage the project with transferring any administrative burden of the project activities to either a lead or beneficiary countries of the project. In view of this, the project budget should be updated.

73. The secretariat presented, based on the recommendation of the Bratislava joint meeting, the updated project for Azerbaijan on identification of hazardous activities. The Bureau accepted the project for implementation. It also requested that the project is managed with outsourcing the administrative work as far as possible.

74. The secretariat also presented a proposal for a project on helping the countries in Central Asia in applying the indicators and criteria for self-evaluation. This project was proposed by the secretariat, and was to be implemented from funds available through the Environment and Security initiative to the trust funds of the Convention. The Bureau accepted the project, and in view of the discussion under the item on indicators and criteria, requested that it would be extended to other Assistance Programme beneficiary countries willing to learn the application of indicators and criteria.

75. Ms. Stirbu presented an updated project proposal on hazard and crisis management in the Danube Delta region that was planned for implementation in the years 2011 to 2013. Furthermore, Mr. Winkelmann

presented how this project could be managed under the Assistance Programme. The secretariat presented the required funds. Mr. Dijkens informed about the visits to Chisinau and Kyiv on the project. The Bureau expressed its support to the project, at the same time it stressed that the implementation of the project needs to be balanced with needs and implementation of other activities under the Assistance Programme and the Convention. The Bureau requested the secretariat that the project management model includes outsourcing of administrative work to either lead countries or other organizations. Furthermore, the model should not involve the Bureau as such in the management of the project.

76. The Bureau then welcomed the letter from Georgia committing to full implementation of the project on legislation. It requested the secretariat to start the project once the national report on the Convention's implementation has been received from Georgia.

Seminar on safety and land-use planning

77. Mr. Dijkens and the secretariat informed on the preparations to the seminar on safety and land-use planning. They presented the advanced version of the information notice and provisional programme.

78. The Bureau appreciated the progress achieved in organizing the seminar.

Other business

79. The Bureau discussed whether and how to celebrate the 10th anniversary of the Convention entering into force. Preparation of a publication and/or press-conference during the CoP-6 have been considered.

80. The Bureau requested the secretariat to explore on the possibilities to prepare an attractive presentation on the 10 years of the Convention in force.

Closing of the meeting

81. Mr. Dijkens closed the Bureau meeting on 15 June at 6:30 p.m.