

## **Economic Commission for Europe**

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

#### **Working Group on Implementation**

##### **Thirty-fourth meeting**

Stockholm, 26-27 September 2017

### **Minutes of the meeting**

#### **I. Opening of the meeting and adoption of the agenda**

1. The following members of the Working Group on Implementation attended the meeting: Mr. Leo Iberl (Germany), Chair; Mr. Pavel Chukharev (Belarus), Vice-Chair; Mr. Raphael Gonzalez (Switzerland) (connected electronically throughout the meeting), Vice-Chair; Mr. Hrvoje Buljan (Croatia); Ms. Helena Fridh (Sweden); Ms. Rachel McCann (United Kingdom); Ms. Suzana Milutinovic (Serbia); Ms. Anna Tsarina (Russian Federation); and Ms. Laura Vizbule (Latvia).
2. Mr. Peter Westerbeek (Netherlands) was absent, without prior notification of the Chair or secretariat.
3. The meeting was serviced by the secretariat to the United Nations Economic Commission for Europe (UNECE).
4. The Working Group on Implementation adopted the provisional agenda (CP.TEIA/2017/WGI.3/Agenda) without changes.

#### **II. Implementation of the Convention, including reporting**

##### **(a) Future reporting format and guidelines**

5. In order to facilitate reporting, the Working Group on Implementation had proposed the establishment of an online reporting system which was included in the Convention workplan for 2017-2018. In the absence of dedicated funds for the development and maintenance for such a system, the Working Group had requested the secretariat at its last meeting to prepare a background paper with ideas for improving the reporting on the implementation of the Convention with freely-available solutions.
6. The Working Group discussed the ideas in the above background paper and expressed its appreciation to the secretariat for the research and analysis of available options for improving reporting, including their advantages and disadvantages. Based on the information provided, the Working Group concluded that Survey Monkey was the most promising tool to facilitate the reporting by Parties and the analysis by the Working Group. While the restriction of word limits in Survey Monkey was welcomed, some doubts remained as to whether the limitation to max. 2000 characters (approx. 500 words) would not be too restrictive. Before taking a final decision, the Working Group expressed its

interest to see a test version of how the current reporting format and replies by Parties would look like in Survey Monkey. The secretariat was requested to create, for further discussion at the next meeting, a test version in Survey Monkey, including approx. ten questions (both qualitative and quantitative) from the last reporting round into Survey Monkey, along with some country replies, bearing in mind also the different languages.

7. The Working Group also discussed options for how to better measure and track progress made at the national and subregional levels and it concluded that this could be achieved by offering an accompanying scaled measure to the qualitative responses, as indicated in the above background paper. The indicators and criteria contained in the benchmarks document, including the progress stages 1-6, should be used as a basis for this. The Working Group agreed that those members who were previously responsible for reviewing certain sections of the implementation reports should review the qualitative questions in their section in view of improving (some of) them with scaled numeric scoring. They should send their proposals for changes to the secretariat, preferably by the end of December 2017, for compilation and discussion at the next meeting.

**(b) Analysis of the national implementation reports**

8. The Working Group at its last meeting had decided to analyse also those implementation reports submitted after the submission deadline, in view of its strengthened mandate to engage with countries on implementation issues. The members of the Working Group responsible for a certain section presented their findings from analysing these reports which had been shared with the secretariat in advance of the meeting. The Working Group concluded that it was very useful to analyse the late implementation reports in the light of its strengthened mandate to engage with Parties and Assistance Programme countries. It welcomed particularly the submission of the implementation report by the European Union which it considered useful and a good source of information, expressing its hope that the European Union would continue submitting implementation reports in the future. The Working Group regretted that Bosnia and Herzegovina, as the only Party, had not been in a position to submit an implementation report for the 8<sup>th</sup> reporting round.

9. The Working Group agreed to inform the Conference of the Parties in the report on its activities undertaken in the biennium 2017-2018 about the analysis of the late reports, while not preparing a separate synthesis report, in line with a previous decision by the Conference of the Parties.

### **III. Engaging with countries on implementation issues**

10. The secretariat introduced the background paper on the modus operandi and provided an overview of the modi operandi of other UNECE multilateral environmental agreements. The Working Group welcomed the compiled information and discussed possible elements to be included into a modus operandi for its engagement with Parties, beneficiary countries of the Assistance Programme and other reporting countries. Among others, the Working Group agreed on the following:

(a) The engagement with countries should be based on an informal approach, starting with contacts by email and at the working level. Depending on the needs by some countries (e.g. Belarus), the Working Group could pursue a more formal approach.

(b) The decision to engage with a country should be based on implementation difficulties and country needs. In line with a previous discussion, Assistance Programme countries were considered to have the biggest needs and should thus be a priority. The Working Group reiterated to engage also with Parties and other reporting countries, if there was a need.

(c) In order to more rigorously monitor the engagement with countries, particularly with beneficiaries of the Assistance Programme, the Working Group considered it useful to collect systematically information regarding key issues provided in the national implementation reports, self-assessments, action plans and workshop reports, along with further information regarding feedback and recommendations provided to countries (in writing or during teleconferences).

(d) It was agreed that country dossiers should be prepared by those members responsible for a subregion, preferably by 30 November 2017. Google docs could be used to compile the information and jointly update it. The links could then be hosted on a password protected page, so that they remain accessible to all members of the Working Group. The secretariat was requested to inquire whether a google account (or similar) for the Working Group could be created and to report back on this at the next meeting.

(e) A small group comprised of members of the Working Group on Implementation should draft the modus operandi, based on the background paper prepared by the secretariat. The Chair, both Vice-Chairs and Ms. McCann volunteered to be part of that small group. They agreed to share a draft of the modus operandi for discussion with the Working Group no later than two weeks before the next meeting.

#### **IV. Collection of good practices and exchange of information**

11. The secretariat reported on its message sent to all focal points informing them that the good practices collected through the 8<sup>th</sup> implementation report were made available online and inviting them to share further good practices, innovations, national guidelines and other materials of interest, including their web links, in English or, if an English version was not available, to provide a short summary of the good practice in English. The Working Group welcomed the message and made further proposals for how to facilitate the exchange of information among Parties and Assistance Programme beneficiary countries:

(a) Some information from the late implementation reports could be made available on the Convention website, e.g. from the report by the European Union on MAHB and eMars, and from Finland on decision-making on siting. Ms. McCann and Ms. Fridh volunteered to provide the secretariat with the information to be put on the website for the European Union and Finland respectively, including weblinks.

(b) The links to past and planned seminars to exchange information, e.g. the seminar on risk assessment methodologies (Geneva, 4 December 2018) and the seminar on land-use planning and industrial safety (Mechelen, Belgium, 16–17 May 2018) should be made available on the website more prominently.

12. Mr. Gonzalez presented a draft concept for a seminar on risk assessment methodologies, to be held in the framework of the 10<sup>th</sup> meeting of the Conference of the Parties to the Industrial Accidents Convention. He informed the Working Group about the progress made with the preparations of the seminar by the small group comprised of members of the Bureau (Ms. Jasmina Karba, Slovenia; Mr. Martin Merkofer, Switzerland; and Mr. Michael Struckl, Austria) and the Working Group on Implementation (Mr. Gonzalez, Switzerland), including about a planned meeting by some members of the small group on 29 September 2017 in Bern, Switzerland.

13. The Working Group welcomed the progress made in preparing the risk assessment seminar and the information provided by Mr. Gonzalez, including on the seminar sessions, expressing its wish to be kept informed about the further developments in this regard.

## V. Monitoring of the Assistance Programme

### (a) Effectiveness of the Assistance Programme

14. The secretariat reported that, as per a request by the Bureau and the Working Group on Implementation, high-level letters were sent in May 2017 to Assistance Programme beneficiary countries to collect feedback on the effectiveness of the Programme. The secretariat also reported that to date one country (Uzbekistan) had replied to the letter. Some members of the Working Group on Implementation mentioned that they had not yet received the letter (Mr. Chukharev) or that they had received it with tremendous delays (Ms. Milutinovic received the letter for Serbia only in August). The Working Group requested the secretariat to contact the Focal Point of the countries to which the letters were sent and inquire informally whether a reply to the letter was being prepared. The Working Group agreed to revisit the issue at its next meeting, based on the feedback received.

### (b) Subregional division of work for monitoring the Assistance Programme

15. The members of the Working Group discussed the progress made in Assistance Programme countries in their subregions to determine which countries should be invited to a teleconference at the next meeting. Due to the on-going project and steady progress in Central Asia, it was agreed to focus on the other subregions. In view of the possible missions to Bosnia and Herzegovina and to Ukraine in 2018, it was agreed to not invite the Focal Points of these countries to a teleconference at this stage, although the Working Group recommended that Bosnia and Herzegovina complete a questionnaire in advance of a possible mission to see the progress made in the country since the last mission in 2014. Ms. Milutinovic offered to share a draft questionnaire, based on the one that Serbia had completed previously. With regard to Ukraine, the Working Group acknowledged that this would be the first high-level mission to the country, which is not yet a Party, and advised that some basic information on the implementation of the Convention be shared with the secretariat in advance of the mission.

16. Following the discussion on the progress made in the countries, the Working Group agreed to invite Albania and Armenia to a teleconference at its next meeting. Armenia had expressed the need for support before and work on improving tailings safety seems to be progressing in the country, while the country had not been responsive to recent requests by the secretariat to update its self-assessment. Albania appears to have made little progress since the training session on the user-friendly version of the indicators and criteria in 2014, while having provided a self-assessment in May 2015 and an action plan in April 2016.

17. Ms. Milutinovic and Mr. Buljan informed the Working Group that Montenegro was in the process of preparing a self-assessment which had been shared in a draft version with them. The Working Group supported the proposal that Mr. Buljan, as a member of the small group responsible for South-Eastern Europe, would provide further guidance and support to Montenegro in preparing the self-assessment. Ms. Milutinovic suggested that, for the future, all Assistance Programme beneficiary countries be encouraged during the teleconferences and follow-up to submit table 3 of the Benchmarks document (Report of activity(ies) implemented, results achieved) which will help to better track the national progress made.

18. The Working Group agreed that the members responsible for South-Eastern Europe review and provide feedback on the Albanian action plan from April 2016. The members overseeing the Caucasus should provide feedback on the self-assessment submitted in June 2016 by Azerbaijan. The members responsible for Central Asia should continue to review and provide feedback on the self-assessments and action plans, as they come in.

(c) **Implemented and planned Assistance Activities**

19. The secretariat provided an update on implemented assistance activities in the period February to August 2017, in particular on the two subregional workshops for South-Eastern Europe (Zagreb, 21–23 February 2017) and Eastern Europe and the Caucasus (Minsk, 11–13 April 2017) and the two national expert group meetings under the Central Asian project, in Kyrgyzstan (Bishkek, 16–18 May 2017) and Kazakhstan (Borovoe, 20–22 June 2017), respectively. The Working Group welcomed the information provided, emphasizing countries' appreciation of meetings organized in a subregional setting to exchange experience with experts from neighbouring countries. The Working Group also stressed its satisfaction with the progress made in the Central Asian project having resulted to date into the submission of the self-assessment and action plans for Kyrgyzstan, with the documents for Kazakhstan to be expected soon. The secretariat thanked the members of the Working Group overseeing the Central Asian region – Ms. Fridh, Ms. Tsarina and Ms. Vizbule – for their provision of feedback on the draft national self-assessments from both countries and the national action plan from Kyrgyzstan.

20. The secretariat reported on the planned development of an implementation guide on the key requirement of the Convention which would be drafted by three experts in Russian. The secretariat also reported that a small group of Russian speaking experts, currently comprised of experts from Kazakhstan and Kyrgyzstan, would review the draft, and it invited the Russian-speaking members of the Working Group on Implementation to also contribute, if possible. Mr. Chukharev and Mr. Tsarina volunteered to provide feedback on the draft implementation guide in Russian. In the light of the need for further guidance on the notification of hazardous activities, expressed by several countries with economies in transition at recent assistance activities, the Working Group recommended the development of a notification template as part of the implementation guide in the Central Asian project. Ms. Milutinovic offered to share the Serbian example in this regard.

21. The Working Group took note of assistance activities planned for the end of 2017 and 2018, including three national expert group meetings (in Tajikistan, Turkmenistan and Uzbekistan), a subregional workshop for Central Asia in September 2018 and a mission to Ukraine, tentatively scheduled for April 2018. The Working Group asked to be informed in a similar way about the progress made at its next meeting.

## **VI. Meeting schedule for 2018**

22. The Working Group agreed to hold its 35<sup>th</sup> meeting on 20–21 February 2018. The secretariat was requested to reserve a meeting room in Geneva, until Mr. Westerbeeck confirmed that he could host the meeting in the Netherlands, as previously indicated. The Working Group agreed to hold its 36<sup>th</sup> meeting on 13–14 June 2018 in Munich, Germany.

## **VII. Other business**

23. The Working Group discussed how to promote the user-friendly version of the Benchmarks document, developed in 2014. The secretariat was requested to make it more prominently available on the Convention website and to include it into a survey aimed at promoting UNECE guidance materials, proposed by the Bureau. The Working Group agreed to promote the user-friendly version of the Benchmarks document further when engaging with Assistance Programme countries, e.g. during teleconferences and their follow-up, and when representing the Convention on related missions or at workshops, etc.

### **VIII. Closing of the meeting**

24. The Chair thanked the secretariat and the Working Group for their support prior to and at the meeting as well as Ms. Fridh for the hospitality of the Swedish Government, before closing the meeting at 4 p.m. on 27 September 2017.

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