

16 May 2022

English only

Economic Commission for Europe

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

Working Group on Implementation

Forty-fourth meeting

Geneva (online), 1-2 February 2022

Minutes of the meeting

1. Opening of the meeting and adoption of the agenda

1. Ms. Helena Fridh, Chair of the Working Group on Implementation, opened the meeting and welcomed a new member of the Working Group: Ms. Tatyana Logutova from Belarus, replacing Mr. Pavel Chukharev, former Vice-Chair from Belarus, who had left the Working Group after the last meeting. The Chair thanked Mr. Pavel Chukharev for his previous support of the Convention's Working Group and warmly welcomed his successor.

2. The following members of the Working Group attended the meeting: Ms. Helena Fridh (Chair, Sweden); Ms. Tatyana Logutova (Belarus); Ms. Reelika Kuusik (Estonia); Ms. Nicolette Bouman (Netherlands); Mr. Vitalii Mutaf (Republic of Moldova); Ms. Anna Tsarina (Vice-Chair, Russian Federation); Ms. Sanja Stamenkovic (Serbia); Ms. Mária Šebestová (Slovakia); and Mr. Raphaël Gonzalez (Vice-Chair, Switzerland). Ms. Laura Vizbule (Latvia), who had informed the members at the last meeting that she would no longer be available to support the activities of the Working Group, was absent.

3. The meeting was serviced by the secretariat to the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents.

4. The Working Group adopted the agenda (CP.TEIA/2022/WGI.1/Agenda) without changes.

2. Assistance and Cooperation Programme

(a) Update on on-going and planned assistance activities

5. The secretariat presented an update on ongoing assistance activities under the current workplan, notably with respect to the Project on National Policy Dialogues (NPD) for Industrial Safety in Central Asia (Phase I: Launch) (2020-2021); the Launch of NPD on Industrial Safety in Serbia (October 2021); the Subregional workshop on land-use planning and industrial safety for South-Eastern Europe (October 2021); the Technical Mission to support Montenegro in the implementation of the Convention (November-December 2021); the Projects to strengthen the safety of mining operations, in particular tailings management facilities, in Kazakhstan, Tajikistan and beyond in Central Asia (2020-2022); and the Project on improving tailings safety in Kyrgyzstan, implemented in-kind by Germany. The Working Group member from Serbia who supported in person the mission to Montenegro added her feedback, providing additional information on the mission. The secretariat also presented an

update of the planned assistance activities, notably under the above-mentioned NPD Project for Central Asia; the First NPD meeting in Serbia (envisaged for March 2022); technical mission to Ukraine; the Project to strengthen tailings safety in Uzbekistan and Central Asia; the Syr Darya Project (Phase I) and other planned assistance activities.

6. The Working Group members took note of the planned and implemented activities and provided advice on their implementation. In particular, the group inquired about the scope of the support needed on its side to the then envisaged technical mission to Ukraine, intended to be supported with additional resources from the United Nations Regular Budget.

(b) Implementation of the Strategic Approach: Self-assessments and Action Plans, and self-assessment e-tool

7. The Chair invited the members of the subregional group for Central Asia to share information about the implementation of the Strategic Approach since the last meeting of the Working Group. The members of the subregional group for Central Asia informed the Working Group about the findings from their review of the updated self-assessments (received from Kazakhstan, Kyrgyzstan, Tajikistan) and the updated action plans (by Kazakhstan, Kyrgyzstan, Uzbekistan), submitted last year to integrate specific needs and actions related to Natech and tailings risks using the tools of the Strategic Approach under the Convention. The members of the subregional group reported that the countries appreciated the activities under the Assistance and Cooperation Programme, as it gave them the opportunity to increase safety in the mining sector and helped them to systematize their needs and to identify future steps. Kyrgyzstan seemed to be the only country that meaningfully incorporated specific needs and actions related to tailings safety and Natech risks into their updated self-assessment and action plan. The subregional group agreed to provide feedback to all countries, including on how to strengthen the inclusion of specific needs and actions related to tailings safety and Natech risks into their updated self-assessments and action plans.

8. The Chair invited the member from the Russian Federation to present the finalized self-assessment e-tool, who presented the progress made on developing the tool. Ms. Tsarina stated that the self-assessment e-tool was finalized, incorporating the feedback she had received from the Working Group members and the secretariat. The suggestion to include the option for users to upload their country's prior self-assessments to the e-tool in a Word document format could not be incorporated. She explained that the self-assessment e-tool was ready for use and published on the dedicated password-protected webpage in English and in Russian.

9. Based on the Working Group's previous recommendation to offer the tool to beneficiary countries under the Convention's Assistance and Cooperation Programme, the Working Group and the secretariat explored the different possibilities to promote the use of the e-tool by the Programme's beneficiary countries. In this regard, it was agreed that Belarus could pilot the self-assessment e-tool when preparing its updated self-assessment. Ms. Tsarina offered to assist Belarus in piloting the e-tool.

(c) Country dossiers

10. The Chair invited the members of the subregional groups for the Caucasus and Eastern Europe, Central Asia and South-Eastern Europe to provide information on their updates to the country dossiers and the engagement strategies, including recommendations for next steps in monitoring the Strategic Approach and engaging with beneficiary countries to support the Convention's implementation. A member of each subregional group presented updates to one country dossier made in advance of the current meeting. The following information was presented and observations were made:

(i) The subregional group for the Caucasus and Eastern Europe informed the Working Group that there had been limited engagement on the side of Armenia since the

teleconference at the thirty-sixth meeting (Munich, Germany, 13-14 June 2018). In this respect, no action plan or high-level letter explaining Armenia's level of implementation of the Convention had been submitted to date. As a possible solution, the subregional group suggested reaching out to Armenia with a request to appoint a second focal point from the other competent authority (Ministry of Emergency Situations). The subregional group also informed the Working Group that the Republic of Moldova's self-assessment was last updated in 2018 and that no action plan had been submitted. The Working Group agreed to reach out to the Focal Point of the Republic of Moldova for further information.

- (ii) The subregional group for Central Asia informed the Working Group that the country dossiers had been updated and that they would be uploaded to the password-protected webpage by the group members.
- (iii) The subregional group for South-Eastern Europe informed the Working Group that Albania and Bosnia and Herzegovina had submitted their implementation reports. It also informed the Group that the deadline for Montenegro to submit an updated self-assessment was on 1 March 2022.¹ The subregional group stated that it had updated Montenegro's country dossier and that it would upload it on the webpage. On Serbia, it informed the Working Group that Serbia's country dossier was missing and that, consequently, the member from Serbia would prepare its country dossier.

11. The Working Group agreed to update the country dossiers regularly and post them to the dedicated password-protected webpage, which should facilitate keeping track of developments and respective follow-up with the beneficiary countries.

12. The secretariat provided an update about the scheduled teleconferences with the beneficiary countries under the Convention's Assistance and Cooperation Programme, i.e. Armenia and Ukraine. Furthermore, the respective subregional group reported on the agendas of and questions for the scheduled teleconferences.

13. The Working Group and the secretariat agreed to invite Bosnia and Herzegovina, North Macedonia and Uzbekistan to the next meeting of the Working Group for a teleconference.

3. Seminar on Good Practices and Lessons Learned in the implementation of the Convention

14. The member of the Working Group from the Netherlands (lead Party), also Chair of the Working Group's preparatory group for the organization of the seminar on good practices and lessons learned on the implementation of the Convention (3-4 February 2022), and the secretariat reported on the preparations for the seminar, including the finalized agenda and draft seminar conclusions and recommendations, prepared in cooperation with the preparatory group and secretariat. Among others, they reported that more than 130 participants from governments within and beyond the ECE region, NGOs, industry representations/associations, academia, etc. had registered. The Chair of the preparatory group thanked the secretariat and members of the Working Group who led the organization of the seminar, in particular Ms. Fridh and Ms. Stamenkovic for having stepped in following the unexpected departure of Ms. Vizbule and Mr. Chukharev at the end of last year. The Working Group expressed full support to the seminar agenda and the draft conclusions and recommendations, congratulating the preparatory group and the secretariat for the excellent preparations done.

15. The members of the Working Group provided minor comments on the draft conclusions and discussed outstanding questions on the conduct of the seminar, including

¹ The updated self-assessment of Montenegro was submitted by the country following the present meeting on 15 March 2022.

their support during the discussions, interactive parts and in the chat. The Working Group agreed to attach the conclusions and recommendations from the seminar, once finalized, to its report on activities in the biennium 2021-2022. The secretariat was requested to finalize the conclusions and recommendations, in cooperation with the preparatory group, following the seminar.

4. Teleconferences and engagement with beneficiary countries of the Assistance and Cooperation Programme on implementation issues

16. Armenia and Ukraine were invited to participate in a teleconference with the Working Group during its forty-fourth meeting.

17. The focal point of Armenia Ms. Aleksandryan of the Ministry of Nature Protection was unable to participate in the teleconference. The invitation to the teleconference was accepted by Ms. Galstyan from the Department of Population Protection and Disaster Risk Reduction of the Ministry of Emergency Situations (MES), also a competent authority under the Convention. However, Ms. Galstyan did not connect to the teleconference and was replaced by her colleague Mr. Gevorgyan, Senior officer of Man-made disasters Division, Civil Protection and Disaster Management Department, Rescue Service, MES. Mr. Gevorgyan mentioned that the MES was responsible for response and mitigation of accidents but was not ready to answer the questions of the Working Group regarding the current stage of the Convention's implementation and the implementation of the Strategic Approach in Armenia. It was agreed at the teleconference that the questions would be shared in writing with Armenia in the following days, and Armenia would send the answers back to the Working Group and the secretariat within two weeks. Following the teleconference, the Working Group decided that the subregional group for Eastern Europe and the Caucasus would continue discussing how to best engage with Armenia, depending on whether a written reply to the questions would be received within the timeline, as agreed during the teleconference.²

18. On behalf of the subregional group for Eastern Europe and the Caucasus, the Working Group member from the Republic of Moldova conducted a teleconference with the Convention's focal point from Ukraine, Mr. Polischuk, from the Department for Technological Safety of the State Emergency Service. The teleconference proceeded with questions that had been prepared in advance by the respective subregional group. The focal point provided, inter alia, the following information: Ukraine was on track with regard to the process of accession to the Convention. The President's Office had submitted the accession bill to the Parliament where the bill had been approved by the respective committees (December 2021). The bill was expected to be voted by the Parliament shortly.³ The focal point raised the need for a capacity-building activity in Ukraine building on the previous high-level mission in April 2019. The focal point also reported on the continuing work on the update of the national self-assessment where certain questions needed to be clarified with the Working Group. It was agreed that the focal point would send such questions to the Working Group. The focal point also raised a question of technical support to Ukraine, notably regarding the threat of an accident in Kalush where there was a continued risk of an accident at a tailings management facility which would lead to transboundary effects, notably a spill of hazardous substances into the Dniester River causing accidental water pollution affecting the neighbouring countries, such as the Republic of Moldova and Romania. The focal point mentioned that a letter detailing the situation had been sent by the Mayor of

² The questions were sent to the MES representatives and the Convention's focal point on 17 February 2022 and the answers to them have not been received by the moment of finalization of the present minutes (May 2022).

³ The bill was voted by the Parliament on 3 May 2022 and, at the time of writing of the present minutes (May 2022) is expected to be signed by the President of Ukraine to allow its entry into force.

Kalush to the Convention's secretariat. The Working Group encouraged Ukraine to be in regular contact with its members to ensure efficient communication and support, notably for the finalization of the national self-assessment and preparation of the action plan.

19. In light of the foregoing, the secretariat recalled the *modus operandi* for the Working Group's engagement with Parties, committed countries and other reporting countries, which Parties adopted at the tenth meeting of the Conference of the Parties (Annex I of ECE/CP.TEIA/2018/11). The secretariat reminded the Working Group that, in addition to teleconferences with focal points, other methods of engagement are listed in the *modus operandi*, which the Working Group could consider.

5. Inputs for the 12th meeting of the Conference of the Parties

20. At its tenth meeting (Geneva, 4-6 December 2018), the Conference of the Parties took note of the information provided in the report on the activities of the Working Group on Implementation in 2017–2018 (ECE/CP.TEIA/2018/11) and requested the Working Group to prepare a similar report on its activities every four years, at those meetings of the Conferences, when no report on the implementation of the Convention will be presented (see ECE/CP.TEIA/38, para. 64).

21. The secretariat presented the previous report prepared by the Working Group and highlighted key tasks undertaken by the Working Group in the biennium 2021-2022, notably the organization of the above seminar on good practices, the engagement and teleconferences with beneficiary countries of the Assistance and Cooperation Programme, the analysis of late implementation reports and the update of the reporting format and guidelines for the 10th reporting round.

22. The Chair, in cooperation with the Vice-Chairs, presented a proposal for the outline of the Working Group's report on its activities in the biennium 2021-2022, to be submitted to the twelfth meeting of the Conference of the Parties (Geneva, 29 November-1 December 2022). They invited the Working Group to comment on the proposal and to contribute to the drafting of the report. The Working Group discussed the outline of the report and agreed on the following responsibilities for drafting:

- Introduction – Chair
- Support for Parties, committed countries and other reporting countries (teleconferences, e-tool for self-assessment) – Vice-Chairs
- Reporting on implementation (Bosnia Herzegovina reported for the first time, analysis of late reports, update of reporting format and guidelines) – Vice-Chairs
- Working Group's Special session on good practices – Ms. Stamenkovic
- Other issues and annex (seminar conclusions and recommendations) – Secretariat

23. The members drafting the report agreed to send their inputs to the secretariat by 30 April 2022. The secretariat was requested to add its inputs thereafter, align the report language and prepare a draft report for discussion at the next meeting of the Working Group.

6. Implementation of the Convention, including reporting

24. The Chair invited the secretariat to provide an update on the receipt of implementation reports from countries that have yet to submit their reports for the ninth reporting period (2016-2018). The secretariat informed the Working Group that Georgia's implementation report had been received and that Kyrgyzstan's and Tajikistan's implementation reports were still missing. In order to facilitate the submission of Kyrgyzstan's and Tajikistan's implementation reports, the secretariat proposed involving its permanent missions in

Geneva. In this regard, the secretariat has been in contact with the permanent mission of Kyrgyzstan, which has requested that the previously sent high-level letter from the Executive Secretary to the competent authority be resent, due to the Ministry of Energy’s restructuring. The secretariat informed the Working Group that it will resend the letter to the competent authority.

25. The Chair invited Ms. Bouman (Netherlands) and Ms. Šebestová (Slovakia) to share their key findings from analyzing the sections “Policy for implementation of the Convention” and “Scientific and technological cooperation and exchange of information” in the late implementation reports from the 9th reporting round (2016–2018) submitted after the deadline. Ms. Šebestová, who had analysed all implementation reports, informed the Working Group that thirty-two countries declared that it had concluded bilateral or multilateral agreements to exchange information, experiences and/or technology in order to strengthen cooperation among Parties under the Convention and their neighbouring countries. Multiple countries stated that they had organized transboundary exercises, seminars, conferences and think-thanks to exchange information and experiences. Ms. Mária Šebestová further informed the Working Group that twenty-nine countries declared that their national industrial safety authorities enhanced institutional cooperation with other departments and organizations at the local and national level. In this respect, there was strong collaboration at the local and national level between all the departments and the organizations in the field of industrial safety. Furthermore, Ms. Bouman and Ms. Šebestová informed the Working Group that they would submit their written conclusions of the analysis of the late implementation reports by the end of February 2022.

26. The secretariat presented the draft reporting format for the 10th reporting round (2019-2022), based on the inputs received from the members of the Working Group in charge of the different sections. Ms. Tsarina and Mr. Gonzales agreed to send their inputs by 16 February 2022 to the secretariat. The members of the Working Group thanked the secretariat for the compilation and made proposals to further update the draft reporting format. They requested the secretariat to circulate the updated reporting format, together with the corresponding draft guidelines for the 10th reporting round to the Working Group by 11 March 2022. The Working Group agreed to review and provide written comments on the draft updated reporting format and guidelines by 1 April 2022. The secretariat was requested to send the draft consolidated versions of the reporting format and guidelines with the Working Group for discussion at its next meeting. Ms. Logutova (Belarus) agreed to replace the former Belarussian member in the subgroup analyzing participation of the public, decision-making on siting and reporting on past accidents (see below).

Section(s)	Persons in charge
<ul style="list-style-type: none"> • Policy for implementation of the Convention • Scientific and technological cooperation and exchange of information 	Ms. Bouman (Netherlands) Ms. Šebestová (Slovakia)
<ul style="list-style-type: none"> • Identification and notification of hazardous activities with the potential to cause transboundary effects 	Ms. Stamenkovic (Serbia) Latvia (no representative to date)
<ul style="list-style-type: none"> • Prevention of industrial accidents 	Mr. Gonzalez (Switzerland) Ms. Tsarina (Russian Federation)
<ul style="list-style-type: none"> • Emergency preparedness and response • Mutual assistance 	Ms. Fridh (Sweden) Mr. Mutaf (Republic of Moldova)
<ul style="list-style-type: none"> • Participation of the public • Decision-making on siting • Reporting on past industrial accidents 	Ms. Kuusik (Estonia) Ms. Logutova (Belarus)

7. Next meetings

27. The Working Group agreed to hold its next meeting online and in person in Stockholm, Sweden on 20-21 June 2022.⁴

8. Other business

28. The Working Group considered electing a new Vice-Chair to replace Mr. Chukharev (Belarus) who had left the Working Group after the last meeting and to support the Chair and other Vice-Chair. The Working Group elected Ms. Tsarina (Russian Federation) as its Vice-Chair, according to the rules of procedure (ECE/CP.TEIA/37) and the Working Group's terms of reference (ECE/CP.TEIA/32/Add.1).

29. The secretariat informed participants about its contacts with the Latvian Focal Point to encourage the nomination of a replacement for Ms. Vizbule in the Working Group following the announcement of her departure at the last meeting. The secretariat reported that Latvia had explained that due to the unexpected departure and limited human resources it was currently unfortunately unable to nominate a suitable expert for the Working Group.

30. The Working Group regretted to learn about the absence of a representative from Latvia, stressing the importance to identify a replacement as soon as possible. The secretariat recalled that the terms of reference of the Working Group and rules of procedure stipulate that in case the elected member is unable to complete their term of office or to perform their functions, the same Party may appoint another representative. The Working Group requested the secretariat to send an official letter to Latvia, encouraging the nomination of a member in the Working Group in advance of the next meeting.

9. Closing of the meeting

31. The Chair thanked the members of the Working Group for their engagement and the secretariat for its support before and during the meeting. She closed the meeting at 12.30 p.m. on 2 February 2022.

⁴ Following the meeting, the Chair informed the members of the Working Group that the next meeting of the Group be held online only.