

25 November 2022
English only

Economic Commission for Europe

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

Bureau

Forty-ninth meeting

Geneva (online), 28-29 June 2022

Minutes of the meeting

A. Opening of the meeting and adoption of the agenda

1. The Chair opened the meeting and welcomed the Bureau members. The following Bureau members attended: Torill Tandberg (Norway), Chair; Michael Struckl (Austria), Vice-Chair; Martin Merkofer (Switzerland), Vice-Chair; Evgeny Baranovsky (Belarus); Camille Siefriidt (European Union); Wivi-Ann Wagello-Sjölund (Finland); Marie-Claire Lhenry (France); Suzana Milutinovic (Serbia); and Jasmina Karba (Slovenia). Helena Fridh (Sweden), Chair of the Working Group on Implementation (WGI) and Bojan Srdic (Serbia), Co-Chair for the Convention of the Joint Expert Group on Water and Industrial Accidents (JEG), also attended the meeting. Margherita Redina (Russian Federation) did not attend. The meeting was serviced by the ECE secretariat.

2. The Chief of the Transboundary Cooperation Section and the secretary welcomed the members of the Bureau, highlighting the strategic importance of this meeting for the implementation of the current programme of work and the preparations of the upcoming twelfth meeting of the Conference of the Parties (CoP-12). The Chief of Section underlined the Convention's accomplishments, including the establishment of the National Policy Dialogues (NPDs) on Industrial Safety, the organisation of the Convention's first-ever global event, the UN/OECD seminar in follow-up to the 2020 Beirut port explosion (Geneva (online), 14 December 2021), as well as fostering a multi-hazard, multi-risk approach in disaster risk reduction (DRR). She also emphasised that the upcoming CoP will provide an opportunity to celebrate the accomplishments of the Convention, to build on the existing and adopt the future workplan.

3. **The Bureau adopted the agenda without changes.**

B. Update on financial and in-kind resources provided in the biennium 2021-2022

4. The secretariat provided the Bureau with an update of the financial and in-kind resources available and pledged to support the implementation of the workplan for 2021-2022, and the related availability and planning for staff and consultancy support. In addition to the regular contributions, earmarked multi-year contributions provided in the previous biennium from France, Switzerland and the Russian Federation were important to sustain the present scale of the workplan implementation. An additional project-related contribution from Switzerland to support work on TMF safety in Uzbekistan provided in 2021 also represented an important contribution in this regard. Overall, about 70% of the workplan was financed for

this biennium, while still only about half of the Parties contributed. Numerous activities could not be carried out, including technical assistance activities, both national and sub-regional, in response to the demands from beneficiary countries, as well as engagements in strategic partnerships.

5. The secretariat also highlighted that resources provided were not sufficient in this biennium to engage the staff required to support the workplan activities. The implementation of the workplan thus relied heavily on the support of consultants engaged by the secretariat who were carrying out important tasks, many of which were linked to the Convention's longer-term strategic objectives, such as work on DRR, Natech, the prevention of accidental water pollution and assistance. There was a need for consultants to take breaks, in accordance with the UN rules, only allowing for an engagement of 24 months within 36 months, which posed challenges for the continuity of the work, and represented additional workload for staff, guiding the work and taking over respective tasks in between consultancy contracts. Relying on consultancies was thus no sustainable long-term solution; several consultants had left the team due to the lack of continuity. The lack of funding enabling the engagement of staff thus impacted the sustainability and predictability of the secretariat's functioning conducive to a stable workplan implementation. Looking forward, it is important to provide financing to ensure a more stable resource base, allowing for the engagement of staff required to support implementing activities envisaged in the workplan.

6. Moreover, the secretariat shared information on the approach and outline to the **official document on the use of financial and in-kind resources to be prepared for CoP-12, which the Bureau considered and agreed with.**

7. Furthermore, the Chair provided an update on the actions taken in follow-up to a previous meeting of the Bureau's small group on financing. The Chair invited Bureau members to speak about their efforts to attract financing for the Convention's workplan. Bureau members highlighted their efforts to ensure a stable financial basis for the Convention while there were also demands to support other instruments. The Bureau highlighted the importance to continuing exchange with the other UNECE MEAs which largely faced similar challenges on the financing of their work through voluntary contributions. The Bureau member from the European Union (EU) informed the Bureau of the co-organization, by DG Environment, the Bureau's EU member States and UNECE, in cooperation with the Chair, of an awareness-raising meeting on the Convention to engage other Directorate-Generals, including ECHO, NEAR and INTPA, envisaged to be held in September 2022. The Bureau welcomed this initiative and the engagement by the EU Bureau member and focal point in the co-organization of this meeting. Furthermore, both the Bureau and the secretariat pointed to the opportunity of multi-year project financing, at times linked with development cooperation, as an important additional opportunity to finance workplan activities.

8. The Bureau recognized the necessity of a predictable financial situation, in particular for the secretariat to plan for the work and resources to implement the workplan, including staffing. On this basis, **Bureau members agreed to consider further efforts to attract resources to enable the further implementation of this and the future workplan 2023-2024. It encouraged all Parties to make predictable contributions at levels of economic scale, or higher, in line with the Sustainable Financial Mechanism.**

9. Overall, the Bureau considered that attracting financing remained a priority, and that it will be important to invite the Parties which do not yet contribute financially. It stressed the need to prioritize activities to be carried out in the workplan, should the funding for its entirety not become available. **It also highlighted and welcomed the important contributions from the Parties themselves leading workplan activities.**

C. Preparations for CoP-12 and related updates and considerations

10. The Chair, supported by the secretariat, informed the Bureau of the proposed agenda and approach to CoP-12 (Geneva, 29 November - 1 December 2022), as well as Norway's co-organization of the meeting and the support provided in this regard. The secretariat expressed

its gratitude to Norway for its co-organization and related support. The Bureau welcomed Norway's engagement and co-organization.

11. The secretariat presented on the organizational arrangements, including the forthcoming meeting invitation. It informed the Bureau that the meeting invitation would be sent by the ECE Executive Secretary and the Director of the Norwegian Directorate for Civil Protection to the Ministers and Heads of the respective competent authorities. The Bureau discussed and agreed with the secretariat's proposal on additional partner organizations and stakeholders to be invited to the Conference, taking part in it as observers. The Chair informed the Bureau that Norway provided financing to UNECE to support the participation of beneficiary countries under the Assistance and Cooperation Programme, which was welcomed by the Bureau. The secretariat highlighted the need of further financing to be provided to support all beneficiary countries.

12. The secretariat informed the Bureau of the proposed meeting modalities as a mainly in-person event, requiring participation in person for decision-making and for the purposes of determining a quorum, with the possibility for remote connection. **The Bureau agreed with the organization of the CoP as a mainly in-person event, which implies that only those who submitted their credentials and participate in person will be able to partake in decision-making and be counted for the purposes of quorum.** In this regard, the secretariat informed the Bureau that remote interventions with remote simultaneous interpretation will be limited to 30 minutes for each 3-hour session, in accordance with the rules of the United Nations Office at Geneva.¹

13. The Chair invited the Bureau to consider actions that the secretariat and Bureau members can take to promote the CoP, such as, among others, issuing press releases or video statements and announcing and inviting participants to the Conference. The Bureau welcomed the secretariat's proposal of issuing a press release ahead of the Conference, linking it to the Convention's 30th anniversary, as well as a second press release on the Conference's decisions taken to be issued following the meeting. **Bureau members agreed to consider further communication actions to promote the respective press-releases, or others they may be in a position to take.**

14. Lastly, the secretariat presented an overview of the expected official documentation for CoP-12. The Bureau discussed the approach to the presentations and documents for each of the following CoP-agenda items, in their respective sequence:

1. CoP-12 draft annotated provisional agenda and opening of the meeting

15. The secretariat presented the draft provisional agenda for CoP-12 and invited the Bureau to comment on it, and shared information on the opening by the Chair, the Deputy Executive-Secretary of ECE and the Director-General of the Directorate for Civil Protection of Norway.

16. **The Bureau agreed with the draft provisional agenda, while suggesting adjustments to several items, notably to the segments on the thirtieth anniversary of the Convention, the Report of the Bureau on its activities since CoP-11 and the facilitation of implementation.**

2. Thirtieth anniversary of the Convention

17. The secretariat presented the proposed agenda item under which delegations will be invited to reflect on the Convention's thirtieth anniversary, highlighting up to three key achievements they intend to take toward accelerating implementation of the Convention and

¹ Following the meeting, it was decided, thanks to financing provided by Norway, to offer full remote simultaneous interpretation on Day 1 of the CoP, 29 November 2022, comprising the UNECE/OECD Seminar on Natech risk management.

to make progress in line with the long-term strategy for the Convention until 2030 (ECE/CP.TEIA/38/Add.1). The secretariat also presented several ideas for how to celebrate the thirtieth anniversary in the margins of CoP-12.

18. The Chair invited the Bureau to exchange its views, discuss and advise. The Bureau welcomed the idea to encourage delegations to display an image or picture on a slide that can figuratively illustrate the achievement(s) and action(s) they wish to present, and emphasized the importance of the thirtieth anniversary as a milestone for the Convention. In this regard, the Bureau indicated that sufficient time should be dedicated to the celebration during the meeting. The Bureau also suggested that short videos containing statements from Ministers of the Parties on the thirtieth anniversary could be recorded and displayed during the meeting. Furthermore, the Bureau suggested to also give an opportunity to reflect on the thirtieth anniversary to all those that significantly contributed to shaping and implementing the Convention's work in their current or former position, including, among others, partner organisations, the former and present Chairs and Vice-Chairs of the Bureau and WGI, the former and present Secretaries of the Convention and the former and present Co-Chairs of the JEG. The secretariat thanked the Bureau for its suggestions. It proposed considering which of the Bureau's suggestions to implement in the official segment and which to address during the planned reception. **The Bureau recommended to extend the time allocated to the 30th anniversary official segment and decided to advance the deadline for delegations indicating their desire to speak under this item by 1 month, to 1 October 2022.**

3. Status of ratification, representation and credentials

19. The secretariat informed the Bureau that at CoP-12, as per the usual practice, the secretariat would inform the Conference of the status of ratification of the Convention. It would also highlight those countries that designated competent authorities and points of contact in accordance with Article 17 of the Convention. It would furthermore inform the Conference about the representation of Parties and ECE member States at the meeting. As it had been agreed between the Chair and the Vice-Chairs, the Vice-Chair from Austria would report on the credentials submitted by the representatives of the Parties. The CoP would then be invited to take a decision on the credentials of the representatives participating in the meeting. **The Bureau agreed how to handle this item in accordance with the above proposal by the secretariat.**

20. The secretariat also informed the Bureau that the delegations of Parties to the Convention would be reminded of the requirement to submit the originals of credentials to the secretariat at the beginning of the meeting, as was the Convention's previous practice until CoP-10. In order to facilitate the verification process, the secretariat would request the delegations to send a scanned copy of credentials in advance of the meeting by 1 November 2022 via email. The secretariat informed the Bureau that Parties would be strongly encouraged to include at least one representative of the Parties' Permanent Missions to the United Nations Office at Geneva in their credentials and authorise all members of the delegation to participate in the sessions and to take decisions on behalf of the Party. **The Bureau agreed with the proposals of the secretariat.**

21. The secretariat also informed the Bureau that, following the entry into force of the Law of Ukraine on the Accession to the UNECE Convention on the Transboundary Effects of Industrial Accidents, Ukraine was expected to deposit its instrument of accession in the near future. If this were to be done at least ninety days prior to CoP-12, it would mean that Ukraine would participate in the meeting in the capacity of the Convention's newest Party. **The Bureau agreed that in such a case Ukraine would be welcomed by the CoP as a new Party to the Convention under this agenda item.**

4. Report of the Bureau on its activities since CoP-11

22. The Chair presented the draft outline of the report on the activities of the Bureau in 2021–2022, in cooperation with the Vice-Chairs, and how these activities have contributed to the implementation of the long-term strategy for the Convention until 2030, adopted by the CoP at its tenth meeting (ECE/CP.TEIA/38/Add.1). In her report, she provided her reflections on the implementation of the long-term strategy, the communication, outreach and engagement strategy and the sustainable financial mechanism.

23. **The Bureau took note of the information provided and confirmed its previous practice of backing up its written report to the CoP with a presentation by the Chair, and to discuss the elements to be highlighted therein.** Furthermore, the Bureau agreed that the Chair would send its draft report on its activities since CoP-11, with contributions of the Vice-Chairs, to the secretariat by 8 August 2022, after which the secretariat would circulate the document for commenting by Bureau members. The Bureau also agreed to share its written comments by 30 August 2022.

5. Election of officers and other members of the Bureau of the CoP

24. Following an invitation by the Chair, Bureau members expressed their availability and respective backing by their competent authorities for their nomination for a future term in the Bureau. **They agreed to confirm their candidacy after the meeting and through the official nomination process by submitting their candidatures, on behalf of their competent authorities, to the secretariat, 8 weeks in advance of the meeting, by 4 October 2022.**

25. The Vice-Chair from Switzerland asked the Chair whether she would be available to present her candidacy for re-election as the Chair given that she had done an excellent job as the Chair for the last two bienniums. The Chair confirmed her readiness to continue for the next biennium in this capacity, should she be elected. The Chair also asked the Vice-Chair from Switzerland whether he would also be available to present his candidacy for re-election as Vice-Chair to which he agreed. The Chair noted with regret that the Vice-Chair from Austria would not be able to continue carrying out the functions of the Vice-Chair and thanked him for his engagement. She then proceeded with asking a member of the Bureau from France whether she would be available to present her candidacy for election as a Vice-Chair for the following biennium, to which she agreed. The Chair expressed her gratitude to all members of the Bureau, particularly thanking those members who would not continue serving on the Bureau in the following biennium for their contributions.

26. The Bureau discussed the possible actions it could take in order to receive a sufficient number of nominations from all sub-regions, including the ones not yet represented at the Bureau. **It agreed that the Chair, in cooperation with the secretariat, shall informally reach out to prospective candidates for Bureau membership, aiming for 10 Bureau members to be (re-)elected at CoP-12, with due regard to geographical representation.**

27. The Chair stressed her desired for a consensus-based decision-making during the meeting. She still invited the secretariat to recall the relevant rules of procedure concerning elections, should such become necessary, and to share information of the more recent experience of UNECE bodies of holding such elections in cases when consensus could be not reached. The Bureau decided that, as per the Rules of Procedure and the usual practice, all efforts will be invested to reaching the consensus.

6. Activities of the Working Group on Implementation

(a) Special Session: Seminar on good practices and lessons learned on the implementation of the Convention

28. The Chair of the Working Group on Implementation (WGI) reported on the conduct of the WGI Seminar on good practices and lessons learned on the implementation of the Convention (Geneva and online, 3-4 February 2022), including the seminar conclusions and recommendations. The Chair of the WGI also presented the proposed activities for inclusion into the workplan for 2023-2024, notably the: (i) Establishment of an interactive network for the exchange of information and sharing of experiences; and the (ii) Development of a guide of good practices on the implementation of the Convention. In this respect, the Chair of the WGI mentioned that Sweden wishes to take the lead for the establishment of the interactive network.

29. The Bureau took note of the information provided, welcomed the conclusions and recommendations of the seminar, and agreed on the integration of the follow-up activities arising from the seminar into the workplan for 2023-24.

(b) Other activities of the Working Group on Implementation since the eleventh meeting of the Conference of the Parties CoP-11

30. The Chair of the WGI reported on other activities by the Working Group in the period since the eleventh meeting of the Conference of the Parties (CoP-11), notably on the development of an e-tool to facilitate self-assessments and the update of the format and guidelines for national implementation reports for the tenth round of reporting. In this regard, the Chair introduced the draft report of the WGI on Implementation to the CoP. Lastly, the Chair of the WGI emphasised that a replacement for the Latvian member of the WGI has not yet been identified, despite the secretariat's several efforts to encourage Latvia to nominate a replacement by engaging with the Focal Point and Permanent Mission of Latvia, and informed the Bureau that, at the forty-sixth meeting of the WGI (Geneva (online), 20-21 June 2022), she agreed to send out a joint letter with the Chair to Latvia to encourage them to nominate a candidate.

31. The Bureau took note of the information on the activities of the WGI.

7. Assistance to countries in Eastern Europe, South-Eastern Europe, the Caucasus and Central Asia

32. The secretariat informed the Bureau of the outcomes of the key assistance activities organized within the framework of the Assistance and Cooperation Programme, as well as other capacity-building activities since CoP-11. It highlighted the sub-regional activities and workshops conducted, aiming to address the key hazards and risks in line with the Convention's long-term strategy. The secretariat also informed the Bureau of envisaged activities for the remainder of the biennium in 2021-2022 and their continuation in the biennium 2023-2024, to ensure continuity of the work.

33. Furthermore, the secretariat presented the **outline of the background document on assistance activities carried out in this biennium which the Bureau agreed with.**

34. The secretariat thanked Bureau members for their support to assistance activities, among others, through their participation in sub-regional and national meetings. It also thanked the donor countries, including the EU, France, Germany, the Russian Federation and Switzerland, for providing earmarked financing to support the work on TMFs, NPDs, Natech and preventing accidental water pollution. In addition, the secretariat emphasized the

significance of the contributions by the Joint Expert Group on Water and Industrial Accidents to assistance-related work.

35. The Bureau appreciated the impressive progress achieved under the Assistance and Cooperation Programme, thanks to several ongoing projects, the beneficiary countries' engagement and the secretariat's dedicated efforts to support them. It welcomed the engagement by the beneficiary countries and the support by several donor countries which enabled the conduct of the activities and the progress made in line with the long-term strategy, addressing key safety hot spots, strengthening national governance and policy as well as transboundary cooperation. It particularly congratulated Serbia on the launch and progress in the implementation of the NPDs for Industrial Safety, as well as the successful inclusion of all relevant stakeholders, stressing the leading role of Serbia's Ministry of Environmental Protection. The Bureau member from Serbia thanked France for its support, enabling the launch and implementation of the NPDs.

36. The Bureau welcomed the progress made in implementing assistance activities and took stock of the ongoing and upcoming activities for this and the next biennium, while stressing the need for additional funding to sustain this progress. **The Bureau agreed with the secretariat's proposal as to the activities envisaged for the reminder of the biennium and envisaged to be included in the future workplan. Furthermore, it welcomed the proposed development of a brochure on the Assistance and Cooperation Programme which could be launched at the occasion of its 20th anniversary in 2024.**

8. UN/OECD Seminar in follow-up to the Beirut port explosion

37. The Austrian Vice-Chair of the Bureau, who acted as Chair of the Advisory Group, presented on the organization and outcomes of the *UN/OECD seminar in follow-up to the 2020 Beirut port explosion: Lessons learned, experiences and good practices in managing risks of ammonium nitrate storage, handling and transport in port areas, preventing accidents and mitigating their consequences* (Geneva and online, 14 December 2021). He highlighted the seminar as a successful event, with over 500 participants worldwide, and 100 responses to the preceding survey (600 pages of material). The seminar confirmed the importance of continuing exchanges on the topic, given existing gaps, which are still not addressed, such as the definition of intermediate storage, testing and labelling, cooperation among various authorities involved, the implementation of various legal instruments, public participation and the need for continued training of workers and firefighters, among others.

38. The Chair expressed her appreciation to the Vice-Chair, the members of the Advisory Group, the secretariat and the organizing Committee for the work done. She highlighted the importance of this topic and mention that further pursuing the work, in follow-up to the Seminar, was almost a moral obligations. She also provided information on a following seminar under the auspices of the OECD Working Party on Chemical Accidents, covering hazardous substances and port areas more broadly.

39. The secretariat then presented on the envisaged further work by ECE, in cooperation with partner organizations, following related discussions with partner organizations and the Parties having initiated and supported the conduct of the seminar, notably the EU, France, and Germany. Envisaged activities comprise the development of a web page/information repository to present existing instruments and good practices, possibly supplemented by a video or information brochure to raise further awareness of the topic. Dedicated awareness-raising activities in member States could also be envisaged. The secretariat informed the Bureau that the Convention's partner organizations agreed to further support related efforts, aiming to strengthen implementation of legal and policy instruments under their auspices and to, among others, promote the exchange of information and knowledge..

The Bureau took note of the information provided and applauded the seminar's conclusions as well as the envisaged further work by ECE and its partner organisations, to be carried out if

funded. It stressed the importance of further actions to prevent accidents involving hazardous substances such as ammonium nitrate and the need to take further action, joining forces with other international organizations, and endorsed the follow-up activities included in the draft workplan.

9. Risk assessment for industrial accident prevention

(a) Presentation of risk assessment reports and future work

40. The Swiss Vice-Chair, leading the small group on risk assessment, provided an update on the preparatory work for the two risk assessment reports. He explained that due to the receipt of late and extensive comments from one Party, the draft report on *Risk assessment for industrial accident prevention: Overview of risk assessment methods* had been significantly revised to address the comments. He reported that for the draft report on *Risk assessment for industrial accident prevention: Selected case studies and available software tools*, 18 out of the 30 submitted case studies had been included, while regrettably only three transboundary case studies were reported and no case studies from EECCA or SEE countries were submitted, mainly due to confidentiality reasons.

41. The Swiss Vice-Chair also explained that both risk assessment reports would be prepared as official documents for CoP-12 and that, following the CoP's taking note of the reports, Switzerland would fund the publication of the reports in English, French and Russian in the next biennium. The Swiss Vice-Chair stressed the pleasant cooperation within the small group, with the contractor Jensen Hughes and the secretariat for the development of the reports. This was echoed by several members who were present. He also thanked all focal points and members of the Bureau for their contributions, reviews and comments, which helped to improve the reports.

42. **The Bureau thanked the Vice-Chair and the small group for the preparation of the two reports on risk assessment, welcoming the next steps for presenting them at CoP-12 and publishing them in the next biennium.** Several members of the small group stressed the success and added value of this work, in particular of the collection of the selected case studies. The Bureau member from the EU thanked the small group for the consideration and for addressing their late comments provided on the report on *Risk assessment for industrial accident prevention: Overview of risk assessment methods*, expressing full support to the finalized reports.

(b) Update of the location criteria

43. The Swiss Vice-Chair presented the deliberations of the small group on risk assessment on the possible update of the location criterion for the air path in view of the use of risk assessment methodologies and specifically in view of an extension from currently 15 to 50 km or more, which had been proposed by Germany following the Leverkusen accident in 2021.

44. The Swiss Vice-Chair reported that the small group on risk assessment concluded that there was no need to update the location criterion for the air path because of the following:

(a) According to the calculations for toxic and highly flammable substances, an extension over 15 km is not plausible and 15 km is already conservative.

(b) In the definitions of the Convention, "transboundary effects" means serious effects, and those are doubtful with smoke gases from a fire over 50 km away.

(c) It would be very difficult to estimate the ingredients, concentrations and effects of smoke gases at such a large distance.

(d) If extended to 50 km, the scope of application of the Convention and the notification burden on the Parties would significantly increase, which would have personnel and political consequences.

(e) For Parties wishing to extend the provisions of the Convention, Article 5 allows for a voluntary extension of the scope of application of the Convention.

45. The Bureau thanked the small group on risk assessment for its analysis, discussed the findings and agreed with the conclusion that there was no need to update the air path criterion.

46. The Chair of the WGI informed the Bureau members about the Group's recommendation – stemming from its Special Session: Seminar on good practices and lessons learned in implementing the Convention (Geneva (hybrid), 3–4 February 2022) – to consider updating the location criteria in relation to tailings management facilities (TMFs), notably the water path criterion, in order to enhance implementation of the Convention and the prevention of accidental water pollution. She explained that the recommendation arose from the presentation made by the former JEG Co-Chair from Germany, who had highlighted the danger of accidents at TMFs, whether or not the hazardous substances they hold fall within the present scope of the Convention's Annex I. Given that TMFs can cause devastating and widespread effects mainly due to oxygen depletion after contamination with TMF's stored mud.

47. In particular, the former JEG Co-Chair had proposed that all TMFs with a capacity of at least 1 million cubic metres should be reported under the Convention. The WGI had discussed this proposal at its forty-sixth meeting (Geneva (online), 20–21 June 2022) and suggested that it be further considered in the next biennium, in cooperation with the Bureau and JEG.

48. The Bureau thanked the WGI Chair for drawing attention to this important recommendation and discussed the proposal. The Vice-Chair from Austria agreed substantively that large TMFs should be reported under the Convention irrespective of their content, while pointing out that procedurally the update of the location criteria might not be sufficient in this regard and that there might be a need to update also Annex I or possibly the Convention itself. The Chair of the Bureau recalled that deliberations for annex I or the Convention are normally carried out with all Parties in the framework of the Working Group on Development (WGD), currently not foreseen in the next workplan. The Swiss Vice Chair recalled that the WGD already discussed in 2013–2014 whether TMFs were covered under the Convention or not, suggesting that the report could be consulted for more details. The secretariat clarified that the former deliberations of the WGD resulted in the conclusion that TMFs were covered as part of annex I, while no further details were provided in the report. The current JEG Co-Chair from Serbia expressed his concerns that the proposed capacity criterion would rather reduce the number of TMFs covered under the Convention, while flagging the JEG's readiness to contribute to further discussing this issue in the next biennium. The secretariat indicated that the introduction of a capacity-criterion could possibly be taken in a 2-step approach by first updating the "Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention"² in the next biennium, if so agreed, and then aligning annex I, if necessary, in the following biennium. The Vice-Chair from Austria pointed out that despite the absence of a formal obligation, Parties should be encouraged to already voluntarily report on large TMFs using the above capacity-criterion, referring to EU practice applied in similar cases in the past.

49. Following the discussion, the Bureau decided to:

(a) Support the recommendation by the WGI to consider updating the location criteria through the introduction of a capacity criterion to cover more comprehensively the hazards and risks arising from large TMFs;

(b) Recommend that the CoP mandate the JEG, in cooperation with the WGI and the Bureau, to assess, in the next biennium, whether there exists a need for the Guidelines to facilitate the identification of hazardous activities for the purposes of the

² Available at https://unece.org/DAM/env/documents/2019/TEIA/ENG_Guidelines_to_facilitate_the_identification_of_hazardous_activities_for_the_purposes_of_the_UNECE_Industrial_Accidents_Convention_Location_Criteria_.pdf.

Convention to be revised and updated in order to cover more comprehensively the hazards and risks arising from tailings management facilities. Should it be concluded that such a need does exist, a related draft decision could then be presented to CoP-14. At that point in time, the CoP could also decide whether to embark on a related update of Annex I to the Convention;

(c) **Suggest that the WGI encourages Parties to use the above proposed capacity-criterion on a voluntary basis to facilitate their reporting and identification of TMFs in the 10th reporting round;**

(d) **Request the secretariat to prepare further information about the above proposal, including for how to address the issue in the next biennium, at a future meeting of the Bureau, following CoP-12.**

10. Prevention of accidental water pollution

50. The Serbian Co-Chair of the JEG reported on the Group's activities carried out since CoP-11. He specifically highlighted the participation of Ghana, as a new JEG members in the activities, following a nomination received through the Water Convention. Further to a teleconference conducted in February 2022, selected JEG members also contributed to the organization of a side event at the Global Platform on DRR: Governance of climate and technological risks in transboundary water bodies (Bali and online, 27 May 2022). The secretariat provided information on the excellent partnership with the Water Convention, which was welcomed by the Bureau.

51. He also presented the approach to the JEG Seminar, envisaged to take place in October, with a focus on emerging risks in accidental water pollution with a focus on Natech, which Hungary was ready to host, whereas a possible co-funding by Germany was yet to be confirmed.

52. The secretariat added that JEG's activities were very important and strategic, while the financing of JEG work represented a challenge, given that only part of the activities were financing with dedicated additional contributions from Germany, in addition to in-kind contributions from Hungary. The Bureau welcomed the leadership by Serbia and Hungary of the JEG's activities and appreciated the support provided by Germany, hoping that the funding for the JEG seminar could be confirmed.

53. Furthermore, the Co-Chair presented the items proposed by the JEG for inclusion into the 2023-2024 workplan for the Convention, along with their envisaged lead Parties and budget, namely the organization of a workshop on accidental water pollution events, as well as the development of a catalogue/web page on accidental water pollution events, including Natech, good practice by countries and river basin commissions, and bilateral cooperation examples. **The Bureau agreed on the JEG-related items to be included in the Convention's workplan for 2023-24.**

11. Orientation Paper: Roadmap for action to strengthen mine tailings safety within and beyond the United Nations Economic Commission for Europe region

54. The Chair, supported by the secretariat, reported on the development of an orientation paper outlining key objectives to further strengthen mine tailings safety and actions to be taken in this respect, prepared in cooperation with a small group of the Bureau and the secretariat. The secretariat explained, among others, that consultations with several international organizations had already been held to agree on areas for cooperation in the implementation of the actions, while others would still need to be consulted following the present meeting.

55. The Bureau welcomed the document as an important milestone for strengthening mine tailings safety and stressed its clear presentation of objectives, responsibilities, proposed

actions and priorities until 2030. Several members of the Bureau expressed concerns regarding the proposed establishment of a system for the identification and notification of hazardous activities, including TMFs. In particular, some pointed out a possible duplication of the proposed System with the electronic Seveso Plants Information Retrieval System (eSPIRS) in EU countries, while others found the proposal would go beyond the scope of this paper which was focused on TMFs. It was agreed to take the recommendation to establish a System of Hazardous Activities out of the road map. At the same time, the Bureau suggested that the WGI could further discuss this idea in the next biennium and, if considered useful, such recommendation could be made at CoP-13 in 2024.

56. The Bureau also requested clarification as to whether the actions within the paper would be of a mandatory or voluntary nature. The secretariat clarified that a number of proposed actions were linked with the provisions of the Convention and, as such, an obligation for Parties to comply with, whereas others were recommendations. The secretariat also clarified that several proposed actions stem from previous decisions taken by the CoP, such as decision 2020/1 on strengthening mine tailings safety or 2020/2 on strengthening the implementation of the Convention. Where this was the case, footnotes had been included accordingly in the road map for clarification.

57. With regard to the above, the Bureau highlighted again the relevance of the road map and thanked the members of the small group and the secretariat for its development. **It requested the secretariat to finalize the road map, based on the above comments and the results of its consultations with international organizations.**

12. Workplan for the Convention for the biennium 2023-2024

58. The secretary presented the draft plan of action for the next biennium. During a tour de table, the Bureau welcomed the workplan's structure and content as well as the indicated linkages with the long-term strategy, the SDGs and the Sendai Framework, following the related request by the EU at the last CoP. It commended the secretariat for the further work done to consolidate the draft workplan and introduce a figure following the Bureau's last meeting, when it reviewed a first draft.

59. Following its discussion at the last meeting and the ensuing comments received by Bureau members, the secretariat had not included in the draft a distinction of core and non-core activities, in line with the consensus emerging from the previous exchange, the comments received and agreed with the Chair and Vice-Chairs. It recalled that the introduction of such a distinction did not lead to a different way of financing provided by Parties in the past bienniums and added an additional layer of complexity to financing through the regular budget and extrabudgetary resources, as well as earmarked and non-earmarked resources. Parties set priorities to the work under the Convention by including it in the workplan and providing respective financial resources for activities to be carried out. **The Bureau agreed with the draft workplan for 2023-2024 which did not differentiate between core and non-core activities.**

60. The Chair invited the Bureau to exchange its views, discuss and advise, in particular on attracting the financial resources to enable a predictable, sustainable implementation of the workplan. The Chair also invited the Bureau to discuss specific actions which can be taken to reach out to Parties to encourage pledges in advance of CoP-12.

61. **The secretariat also presented the draft decision on guiding principles for financial assistance, which was endorsed by the Bureau.**

13. Natech risk management

(a) ECE/OECD Seminar on effective management of technological risks triggered by natural hazards

62. The Chair, with the support of the secretariat, presented information on the planning for the joint ECE/OECD seminar on effective management of technological risks triggered by natural hazards, elements of the respective background document and the draft programme for the seminar, prepared in cooperation with the OECD Natech Steering Group and the small group of the Bureau.

63. The Vice-Chair from Switzerland mentioned the regional distribution of the high-level panellists at the seminar and remarked that the seminar should be regionally balanced by including more panellists from, among others, Eastern Europe. The Chair suggested including panellists from the industry as well. The secretariat took note of the suggestions.

64. The Bureau thereafter agreed with the background document and the draft outline of the agenda on of seminar. It agreed to send further feedback by 11 July 2022.

(b) Decision on Natech risk management in the ECE region and beyond

65. The Chair, with the support of the secretariat, introduced the draft decision on Natech risk management in the ECE region and beyond.

66. The Bureau stressed that the secretariat should be mindful of the efforts of other international organisations, and continue its close cooperation with the OECD, the EU Joint Research Centre and others. It agreed on the draft decision on Natech risk management in the ECE region and beyond. The Bureau further agreed to send their written comments on the draft decision by 11 July 2022.

14. Contribution to implementation of the Sendai Framework for Disaster Risk Reduction and SDGs

67. The Bureau member from Slovenia gave an update on the focused thematic discussion on industrial/chemical accident risk on 24 November 2021, co-organized by ECE, the European Investment Bank (EIB), OECD, Norway and Slovenia in the framework of the European Forum on Disaster Risk Reduction (EFDRR), entitled *“Preventing another Sandoz, Baia Mare or Beirut accident: Perspectives on risk management in the context of the Sendai Framework.”*

68. Furthermore, the secretariat briefed the Bureau on the ECE’s substantive inputs to the seventh session of the Global Platform on Disaster Risk Reduction 2022 (Bali, Indonesia, 25-27 May 2022). Notably, it provided information on UNECE’s high-level online presence at the Global Platform, with the Executive Secretary participating remotely in the Ministerial Roundtable on *“Scaling-up DRR to Tackle the Climate Emergency”* and two plenaries on the Mid-Term Review of the Sendai Framework. The secretariat further gave an update on the organization and outcomes of the joint side event on *“The governance of climate and technological risks in transboundary water bodies”* (Bali (hybrid), 27 May 2022), organized by the ECE secretariats to the Industrial Accidents and Water Conventions, in partnership with the United Nations Office for Disaster Risk Reduction (UNDRR) Regional Office for Europe and Central Asia and Armenia.

69. The secretariat provided additional background information on a dedicated chapter on technological risk management for the UNDRR Regional Assessment Report for Europe and Central Asia, drafted in cooperation with the EU Joint Research Centre, in consultation with the small group, which should be issued in the fall. Furthermore, the secretariat briefed the Bureau on the proposal for a presentation by UNDRR on cooperation with ECE and the

outcomes of EFDRR and the Global Platform at the CoP, as well as for an intervention from the EIB on the work conducted thanks to its co-financing.

70. The Bureau took note of the information provided and welcomed the cooperation with UNDRR and the events conducted by ECE, which sought to assist the countries in reducing their disaster risks and adapting to climate change to better understand risks, build coherent policies, inclusive and collaborative governance and multi-level cooperation. It thanked the secretariat for its advocacy in the DRR community, recognizing the importance of this work to promote the Convention as an instrument for technological DRR. **It also agreed with the activities on DRR and the SDGs included in the draft workplan 2023-2024.**

15. Industrial Accident Notification System

71. The secretariat shared information on the envisaged connectivity test of the Industrial Accident Notification (IAN) System and an online consultation of the IAN System's Points of Contact, which were planned to be organized in summer 2022.

72. The secretariat also informed the Bureau that, following its request at its forty-sixth meeting (Geneva (online), 23 February 2021) for the secretariat to reach out to the Points of Contact of the IAN system to seek funding for the System's upgrade and re-engineering, the secretariat sent out official letters to all Points of Contact with copies to Focal Points in June 2022. The secretariat also reminded the Bureau that it had agreed at the forty-sixth meeting "to reach out to their countries and other countries that may provide funding for the IAN system upgrade or re-engineering".

73. The Vice-Chair from Switzerland reported on the sub-regional connectivity test conducted with selected neighbouring countries in October 2021. He informed the Bureau that, due to a technical problem with the System, the notification arrived to France and Germany with a several hours delay. Following the test, the Point of Contact from Switzerland offered to Points of Contact from France and Germany to discuss the results of the test but did not receive any answer. The Bureau member from Switzerland concluded with regret that the IAN System did not work properly on the occasion of the above sub-regional test and confirmed that the IAN system was the only system that his country could and would use in the event of an industrial accident to notify neighbouring or riparian countries, thus underlining the importance of the IAN System for prompt notification and requests for mutual assistance. The secretariat then reiterated that indeed the IAN System was the only system of a kind available for use to all member States of the ECE region.

74. Bureau members agreed to explore opportunities for securing the required resources necessary to upgrade and re-engineer the IAN system, in cooperation with the Points of Contacts nominated for their countries. The secretariat also confirmed it would raise this matter with the Points of Contact at the upcoming consultation in summer 2022, to which the Focal Points would also be invited.

16. Outreach, awareness-raising and strategic partnerships

75. The secretariat provided an update on: (a) targeted communication; (b) its participation in international and regional meetings and forums; (c) meetings with partner organizations to coordinate joint activities, including inter-agency coordination meetings; and (d) working visits and missions to Parties and other stakeholders, and donor meetings. It informed the Bureau that it had issued over fifteen press releases during the previous biennium, including three on tailing management facilities. The secretariat also shared information on the proposed approach to sharing this information at the CoP and to inviting Parties to also share information on their communication, outreach and partnership efforts in order to promote the Convention.

76. Bureau members welcomed the information provided and the communication and outreach efforts by the secretariat. **It agreed to consider promoting press-releases, social**

media posts and information-materials, as appropriate and as capacities allowed, within their national authorities and beyond.

17. Emerging risks and developments

77. The Chair recalled that the long-term strategy stipulates that the Convention will be a flexible and modern instrument capable of addressing new and emerging risks. The secretariat then presented the proposed agenda item under which the CoP will be invited to consider various emerging issues of concern.

78. The Chair delivered a presentation and invited the Bureau to exchange its views and suggest presentations to be covered under this agenda item. She highlighted that the sustainable energy transition, decarbonization and the introduction of new energy sources, such as hydrogen and ammonia, were new developments which could represent new risks and challenges, given that there were new users, and the importance of continuing to ensure industrial safety in this context. Bureau members agreed that such issues needed to be further considered and welcomed the organization of such an agenda item at the upcoming CoP. Furthermore, the secretariat mentioned that the Working Group on Development could serve as a platform for further discussion and assessment of these risks and developments for the Convention's implementation and highlighted the WGD's role beyond the development of amendments, as per the changed terms of reference adopted at CoP-9 (Ljubljana, 28-30 November 2016). The Bureau agreed to take stock of the brief segment on emerging issues at the CoP, and to consider how best to take such discussions forward in the next biennium.

79. The Bureau agreed to consider making suggestions for presentations for the segment on emerging risks and developments and to inform the secretariat accordingly before the meeting of the CoP.

18. Date and venue of the thirteenth meeting of the Conference of the Parties

80. The Chair invited the Bureau to discuss options for the hosting of CoP-13 in 2024. The Bureau agreed that it will be excellent if a host country could be found for CoP-13, given that the previous CoPs have been held in Geneva, and to invite countries to consider this matter at the upcoming meeting of the CoP.

D. Progress in the implementation of the long-term strategy for the Convention, the communication, outreach and engagement strategy and the decision on fostering implementation of the sustainable financial mechanism

81. At its forty-first meeting (Geneva, 13 February 2019), the Bureau agreed to review progress in the implementation of the long-term strategy and the communication strategy, along with the decision on fostering implementation of the sustainable financial mechanism, at its meetings in advance of each meeting of the CoP. Based on a presentation by the secretariat, the Chair invited the Bureau to share its views to discuss and brainstorm how to foster further progress towards the implementation of the long-term strategy, the communication, outreach and engagement strategy and sustainable financing, and how to bring relevant aspects to the attention of the CoP.

82. Following a presentation by the secretary, the Bureau highlighted the impressive progress achieved in implementing the long-term strategy, and thanked the secretariat for its dedicated work in this regard, including to raise awareness with the broader DRR community and foster partnerships on DRR (among others, with UNDRR), in the area of mine tailings safety and on the seminar in follow-up to the Beirut port explosions. The Bureau agreed that the long-term strategy was still up to date and did not require any updates or changes. It recognized that the Convention is a modern and flexible instrument, addressing

emerging risks and developments, and that it is also progressively becoming a recognized legal instrument for technological DRR.

83. The secretary, Chair and Bureau highlighted that the financing provided by Parties did not match the ambitions set out in the long-term strategy. Whereas implementation of the long-term strategy was flourishing, implementation of the sustainable financial mechanism was lacking behind. The secretariat highlighted that significant progress was achieved thanks to additional contributions provided by Parties and used to conduct activities in this and the previous biennium, which have now largely come to an end. In the absence of any additional financing, it would not be possible to maintain the present scale of workplan implementation with activities in all areas, as envisaged. The Chair and Bureau appreciated the high ambitions while mentioning the need to scale down activities, should resources for their implementation not be forthcoming.

E. Other business

84. The Chair thanked the outgoing members for their dedicated and constructive approaches, cooperation with the secretariat, advancing the work on industrial safety and related policy areas, and thanked the other members of the Bureau for wishing to continue as a member of the Bureau.

85. Furthermore, the Bureau confirmed the date and location of its next session on 28 November 2022 in Geneva.

F. Closing of the meeting

86. The Chair closed the meeting on 29 June 2022 at 15.15.
