
Economic Commission for Europe

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

Working Group on Implementation

Forty-seventh meeting

Geneva and online, 13–14 February 2023

Minutes of the meeting

1. Opening of the meeting and adoption of the agenda

1. Ms. Helena Fridh (Sweden), Chair of the Working Group on Implementation, opened the hybrid meeting. In addition to her, the following eight members of the Working Group attended the meeting: Anna Tsarina (Vice-Chair, Russian Federation, online); Raphaël Gonzalez (Vice-Chair, Switzerland); Tatyana Lógutova (Belarus, online); Reelika Kuusik (Estonia); Nicolette Bouman (Netherlands); Vitalii Mutaf (Republic of Moldova); Sanja Stamenkovic (Serbia); and Maria Šebestová (Slovakia, online).

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

3. The Chair reported on the sending of an official letter, together with the Chair of the Bureau, in September 2022 to encourage Latvia to nominate a replacement for Ms. Laura Vizbule in the Working Group. Unfortunately, no reply had been received. The secretariat reported about its contacts with the permanent mission of Latvia in Geneva and discussions with the new Latvian Focal Point, Mr. Andrejs Sisulins, at the 12th meeting of the Conference of the Parties (Geneva and online, 29 November-1 December 2022), who informed the secretariat that Latvia was not in a position to nominate a new member due to capacity constraints.

4. The secretariat highlighted the importance of the meeting to discuss the work of biennium 2023-2024 and further engagement with countries in the Assistance and Cooperation Programme and experts in subregions. It also informed the Working Group about the planned schedule for teleconferences with Bosnia and Herzegovina, Georgia, and Tajikistan.

5. The Working Group adopted the agenda (CP.TEIA/2023/WGI.1/Agenda) without changes.

2. Implementation of the Convention, including reporting

(a) Tenth reporting round on implementation (2019–2022)

6. The secretariat presented the changes made in the final draft reporting format and guidelines for the 10th reporting round (2019-2022), updated based on the written feedback of the Working Group after its 45th meeting (20-21 June 2022). The changes included

removing Ukraine from the list of non-Parties, given its recent accession. The secretariat explained that the capacity criterion for tailings management facilities had not been added to the reporting format, as the Working Group had previously considered, because the Conference of the Parties mandated bodies under the Convention to consider this matter over the course of the present biennium and this consideration would implicate this addition.

7. The Working Group thanked the secretariat for preparing the final reporting format and guidelines. The member from the Netherlands mentioned that the capacity criterion of tailings management facilities would be part of upcoming discussions. She also requested that, as in the past, a template be prepared to streamline the Working Group members' analysis of the national implementation reports. The Vice-Chair from Switzerland stated that the updated reporting format enabled more user-friendliness.

8. The Working Group agreed on the final reporting format and guidelines and requested the secretariat to finalize the translations and to circulate these to all Parties and committed countries by the end of March 2023, in order to give Parties half a year for reporting. The members also agreed on their individual responsibilities for reviewing specific sections of the report submissions (see table below) and requested the secretariat to make the reports available to them once submitted, including with a template to guide their analysis.

Table 1. Member responsibility for national implementation report analysis

Section	Members in charge
Policy for implementation of the Convention Scientific and technological cooperation and exchange of information	<ul style="list-style-type: none"> • Mr. Raphaël Gonzalez (Switzerland) • Ms. Nicolette Bouman (Netherlands)
Identification and notification of hazardous activities with the potential to cause transboundary effects Prevention of industrial accidents Good Practices	<ul style="list-style-type: none"> • Ms. Sanja Stamenkovic (Serbia) • Ms. Mária Šebestová (Slovakia) • Ms. Anna Tsarina (Russian Federation)
Emergency preparedness and response Mutual assistance	<ul style="list-style-type: none"> • Ms. Helena Fridh (Sweden) • Mr. Vitalii Mutaf (Rep. of Moldova)
Participation of the public Decision-making on siting Reporting on past industrial accidents	<ul style="list-style-type: none"> • Ms. Reelika Kuusik (Estonia) • Ms. Tatyana Logutova (Belarus)

3. Follow-up to the Seminar on Good Practices and Lessons Learned in the implementation of the Convention

(a) Establishment of an interactive network for the exchange of information and sharing of experiences

9. The Chair, representing Sweden as the lead Party for this activity, recalled previous discussions about the interactive network and presented, in cooperation with the secretariat, further information about the planned establishment, design and testing of the network. The members of the Working Group on Implementation agreed to establish the network in the

form of an e-group email list —containing the contacts of all Focal Points, officeholders and the Joint Expert Group— which would allow all members on that list to receive and write messages. The Working Group discussed pros and cons of such an approach, expressing concerns about too many emails that could be received, possible spam messages, the diversity of opinions and the coordination of the moderation. It was therefore agreed to establish communication rules for the network and that the Working Group would facilitate the moderation of the network in the beginning. The secretariat was requested to explore whether it would be possible for members of the e-group to receive an automatic notification summarizing the email thread once per week.

10. Based on the discussions, the Chair offered to draft a message establishing the communication rules for the network which should be shared with all members at the launch. The Working Group agreed to review and comment on the draft message. The Working Group further agreed to initially test the network among themselves before launching it formally. Depending on when the network would become operational, the 10th reporting round was considered a good opportunity for a first exchange.

(b) Development of a guide of good practices on the implementation of the Convention

11. The Working Group considered opportunities for providing substantive leadership and additional financing to start the development of a guide of good practices on the implementation of the Convention in this or a future biennium. The Working Group reconfirmed the need for and added value of a guide on good practices on the implementation of the Convention, while taking note of the absence of a lead Party and funding. It agreed that all members of the Working Group should actively explore funding opportunities, including by liaising with other ministries (e.g. the Ministry of Foreign Affairs) in their countries, and report back on concrete funding opportunities at the Group's next meeting.

4. Assistance and Cooperation Programme

(a) Implementation of the Strategic Approach: Self-assessments, Action Plans and country dossiers

12. The Chair invited the members of the subregional groups for Central Asia, Eastern Europe and the Caucasus and for South-Eastern Europe to:

- (i) Report on their contacts with beneficiary countries, including at the 12th meeting of the Conference of the Parties;
- (ii) Provide feedback on self-assessments and action plans received;
- (iii) Make proposals for the next steps in engaging with each beneficiary country to support the Convention's implementation;
- (iv) Suggest countries to be invited to a teleconference for the next meeting.

13. The members of the subregional group for Central Asia informed the Working Group that there were no activities in this group since the last meeting and that no self-assessments or action plans had been received. The members of the subregional group stressed that the countries of Central Asia would greatly benefit from an assistance mission by the secretariat to one of these countries. The secretariat informed the Working Group on the key developments in the Central Asian countries, notably the establishment of Inter-institutional Working Groups on Tailings Safety and the Prevention of Accidental Water Pollution in Kazakhstan and Tajikistan and their respective meetings; the review of the national legislation in view of its alignment with the Convention's provisions in all Central Asian countries; and the finalization of the Syr Darya Project (Phase I). As a next step, the subregional group recommended that Tajikistan submit a new self-assessment and action

plan, given its active engagement in enhancing implementation of the Convention and the country's participation in the teleconference with the Working Group.

14. The members of the subregional group for the Caucasus reported that there had been no direct contacts in 2022 with the relevant countries of this group. Nevertheless, Azerbaijan was active with regard to the preparation of its draft self-assessment and draft action plan, which were reviewed by the subregional group and, as a result, Azerbaijan successfully finalized its self-assessment. As next steps in improving the implementation of the Convention by Azerbaijan, the national action plan should be finalized and a country-specific mission could be organized, subject to the confirmation of this need by Azerbaijan and the availability of funding. The subregional group also recalled the desire to re-establish the communication with Armenia and that, to this end, a high-level letter on the nomination of a new Focal Point had been sent. The secretariat confirmed the receipt of the response letter with a nomination of a new Focal Point from the Ministry of Environment of Armenia. The new Focal Point could be invited to a teleconference. The Group recommended to organize a technical mission to Georgia, following the teleconference with the country (see below), as the need for it was previously voiced by Georgia, to assess the country's capacities to accede to the Convention and enhance the level of its implementation.

15. The members of the subregional group for Eastern Europe recalled that it had neither received a self-assessment, nor action plan from Belarus. The member from Belarus informed the Working Group that the self-assessment had been prepared and partly approved by the national authorities, however, given new changes in the national legislation, it should be updated accordingly and translated into English. In this respect, the member from Belarus highlighted that it would revert to the secretariat with a concrete submission date of the self-assessment. The Working Group expressed its availability to support the country in case of questions and stressed the benefits of the self-assessment. The member from the Republic of Moldova provided an update on development of the self-assessment, notably, that it had established a national working group for the preparation of such a document. He reported that due to institutional changes and legislative updates, the development of a new self-assessment and action plan can be delayed. Furthermore, the member from the Republic of Moldova reconfirmed its country's engagement to provide in-kind support in the organisation of the 2024 workshop of the Joint Expert Group on Water and Industrial Safety, which could serve as a platform for the launch of the Danube Delta Project (Phase II). The participation of Ukraine, which shares transboundary waterbodies, is seen as essential in the Danube Delta Project (Phase II). The secretariat reported that it had prepared and submitted the proposal on implementation of the aforementioned project for consideration by the European Union.¹

16. The members of the subregional group for South-Eastern Europe recalled that Montenegro had submitted the finalised self-assessment and action plan thanks to the technical mission, organized by the Convention's secretariat, in 2021. They also reported that it had no contacts with Albania, for a long while now, and that this could be a reason to invite the country to a teleconference. Since the previous teleconference, the Working Group had been expecting to receive the updated self-assessment and action plan of Bosnia and Herzegovina, which were not submitted. The members of the subregional group recalled that Bosnia and Herzegovina had submitted a national implementation report for the 9th reporting round, which though included little information and did not reflect some important information, such as on the identification of hazardous activities or transboundary considerations. The secretariat recommended that Bosnia and Herzegovina submit another implementation report for the 10th reporting round, including the missing information. The member from Serbia reported on the progress in the implementation of the National Policy Dialogue (NPD) for Industrial Safety, implemented since 2021 under the leadership of the Ministry of Environmental Protection of Serbia with support by UNECE. She reported that the National Programme for Industrial Safety of Serbia, the document outlining the national

¹ The proposal was later found ineligible under the funding scheme.

strategy in terms of industrial accidents prevention, preparedness and response, was being developed under the current phase of the NPD.

17. The Working Group requested all subregional groups to update the country dossiers, based on the results of the discussion.

18. The Working Group considered inviting possibly Albania and Armenia to a teleconference for its next meeting. Tajikistan could be invited to the second meeting of the Working Group in 2024, in view of the rich work conducted and to monitor progress.

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

(a) Pre-discussion

19. The Working Group reported on the agendas and questions for teleconference(s), scheduled by the secretariat at the members' request for the present meeting. The Working Group pre-discussed how to conduct the teleconference(s).

(b) Teleconferences and next steps

20. At the request of the respective subregional groups, three teleconferences were organized by the secretariat for the present meeting: with the Focal Points from Georgia, Bosnia and Herzegovina and Tajikistan.

21. The Focal Point from Georgia informed the Working Group that there had been many legislative updates lately, notably Georgia had been working on the harmonization of the national legislation with the Seveso III Directive, which resulted in the first draft of the Law on the Directive. She also reported that Georgia had a National Strategy on Chemical, Biological, Radiation and Nuclear Threat Reduction, renewed two years ago, which represented a national sectoral strategy. Thanks to the funding provided by the Czech Development Agency, Georgia had improved its management of chemical substances, through the transposition of the European Union requirements for the management of chemical substances into national legislation. It was mentioned that the country faced, among others, the following challenges: institutional setup, lack of human resources, lack of capacities for law implementation and enforcement. Consequently, activities such as chemical classification were not possible at that moment. The Focal Point also mentioned that the development of the self-assessment and action plan required additional human resources and was impeded by the fragmentation of chemical legislation. Hence, the Focal Point voiced a need for Georgia to benefit from a technical mission to be organized by the Convention's secretariat. The Working Group encouraged Georgia to send an official letter to UNECE expressing its needs, notably with respect to the technical mission to advance the implementation, and subsequently accession to the Convention, as well as an official letter to the European Union, highlighting the linkages between the Convention and the Seveso III Directive and related needs. The Focal Point stressed the country's desire to participate in projects dedicated to chemical safety. It was also stressed that Georgia could benefit from the Working Group's support in the preparation of a self-assessment and action plan.

22. The Focal Point from Bosnia and Herzegovina informed the Working Group that there had been few changes in relation to the implementation of the Convention in the country. In this respect, it was stated that Bosnia and Herzegovina faced the following issues, among others: impact of the COVID pandemic, communication challenges, lack of trained human resources. The Focal Point reported no industrial accidents affecting neighbouring countries in recent years. He mentioned that the country experienced problems related to the linkages of mercury into ground water as well as issues with regard to the coal transformation. Furthermore, he informed the Working Group that the country was not familiar with the process of the development of self-assessments and action plans. He voiced the need for

Bosnia and Herzegovina to benefit from an expert support of the Working Group and a workshop on the development of a self-assessment and action plan in order to train personnel and learn from the good practices of other countries. The Working Group recommended that Bosnia and Herzegovina send an official letter to UNECE stating the country's needs with the exact timing. In addition, on the issue of chemical linkages and water pollution, the Working Group encouraged the Focal Point to use the guidelines and methodologies developed by the Joint Expert Group on Water and Industrial Accidents (JEG), established by both the Industrial Accidents and Water Conventions, and to consider joining the JEG.

23. The teleconference with the Focal Point from Tajikistan was not possible due to an unstable connection. Hence, the Focal Point agreed to send his replies to the Working Group's questions in a written form.²

24. The Working Group invited the Focal Points who participated in the teleconferences to send their answers in a written form to the secretariat. The Working Group also agreed that the respective subregional groups would send an e-mail with the follow-up activities for the countries which participated in the teleconferences.

6. Development of guiding questions on the integration of Natech and tailing risks into the self-assessments and action plans

25. The Working Group was invited to discuss how to develop guiding questions that would support countries in integrating aspects of Natech and tailings risk into their self-assessments and action plans under the Strategic Approach. At its last meeting, the Working Group had reviewed the updated self-assessments and action plans that Central Asian countries had prepared with intentions to integrate Natech and mine tailings risks. It recognized that, despite the secretariat having prepared such guiding questions to assist those countries, some of the countries had continued facing challenges in this task.

26. The Working Group member from Serbia stated that the guiding questions prepared by the secretariat were very useful and suggested that countries which successfully used these questions to integrate Natech and mine tailings risks into their self-assessments and action plans could serve as examples for other countries. The Vice-Chair from Switzerland mentioned that the questions were useful for the purposes they were created for and would complement the other documents under the Strategic Approach. The Working Group agreed that the guiding questions should be sent to countries preparing self-assessments and action plans with a request for them to integrate these risks. It also agreed that the guiding questions should be circulated to all countries through the forthcoming interactive network. The Chair and Vice-Chairs stated they would prepare a general background note to frame the guiding questions prior to circulating them to countries.

27. The Working Group also discussed the possibility of preparing an annex to the Benchmarks document to integrate these risks and agreed that such an update to the benchmarks was a priority. The secretariat stated that this could be pursued if additional financing were provided for the task. The member from the Russian Federation suggested that these risks could also be integrated into the e-tool. She proposed to make a draft of such an integration for the Working Group's consideration at its next meeting.

7. System for the identification and notification of hazardous activities

28. The secretariat shared further information about a system for the identification and notification of hazardous activities, including its purpose, possible benefits and challenges.

² The Focal Point shared his written replies to the questions with the secretariat on 4 March 2023, which forwarded them for analysis and action to the subregional group for Central Asia.

The Working Group exchanged views on the pros and cons of such a system, which some members said could also take the form of a registry, map or database.

29. Several members expressed support for the establishment, pointing out that such a system could have benefits for countries where an overview of hazardous activities does not exist (or is spread across several levels) and for countries not knowing that they may be affected and how (through the air or water path). On the other hand, several members raised concerns about the possible duplication of work with and reporting for existing EU Directives (e.g. INSPIRE, Waste Directive). The Working Group stressed the need to carefully consider the added value for Parties and whether the efforts to set up such a system would be worth the benefits, especially if countries could also just share a list of hazardous activities with neighbouring countries. It was agreed to present these considerations at the subsequent joint meeting with the Bureau (Geneva and online, 14 February 2023, afternoon).

8. Next meetings

30. The Working Group agreed on the dates and general subjects of its next two meetings. The forty-ninth meeting would be held from 31 January to 1 February 2024 to review the national implementation reports; the fiftieth meeting would take place on 29 to 30 May 2024 to review and finalize the draft report on implementation, which would be presented at the thirteenth meeting of the Conference of the Parties in late 2024.

31. The secretariat encouraged members to host the next two meetings in their countries and requested members to inform the secretariat at their earliest convenience, if this would be a possibility. Should it not be possible, the secretariat would reserve meeting space at the United Nations Office at Geneva for the above dates.

32. The secretariat emphasized the importance of all members attending all Working Group meetings in person, since the members were elected by the Conference. It also reiterated the importance of members expressing any exceptionally required absences at the earliest time, given the administrative work required to prepare the meetings, including to arrange travel for individual members.

9. Other business

33. No other business was discussed.

10. Closing of the meeting

34. 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 p.m. on 14 February 2023.