
Economic Commission for Europe

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

Working Group on Implementation

Forty-Ninth meeting

Geneva, 31 January to 1 February 2024

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 meeting and welcome the members. In addition to her, the following eight members¹ 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).

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

3. The Chair emphasized the importance of the meeting, which focused on the review of the national implementation reports and the subsequent development of the tenth report on implementation. She noted that these topics would also be discussed at the next Working Group meeting scheduled for 29-30 May 2024.

4. The Secretary to the Convention welcomed the participants and drew attention to the thirteenth meeting of the Conference of the Parties (CoP-13) (Geneva, 27–29 November 2024), including the elections of the members of the Working Group. He provided information on the developments of industrial safety in the energy transition and an overview of the Convention's current state of affairs.

5. The secretariat informed members of the Working Group about the planned schedule for the teleconferences with Armenia and Albania.

6. The Working Group adopted the agenda (CP.TEIA/2024/WGI.1/Agenda) without other changes.

¹ Laura Vizbule changed her post in October 2021 and no replacement has been identified by Latvia.

2. Review of the national implementation reports

(a) Analysis of the national implementation reports

7. The secretariat recalled that, in line with Decision 2016/2, all Parties and other reporting countries were requested to submit their implementation report by the deadline, 31 October 2023, for the tenth reporting round (2019–2022). The letters inviting the submission of implementation reports were sent on 31 March 2023 to Parties and non-Party beneficiary countries of the Assistance and Cooperation Programme, in the light of their commitment to report on the implementation of the Convention expressed at a high-level meeting (Geneva, 14–15 December 2005). Reminders to submit implementation reports were sent on 14 July 2023.

8. The secretariat informed the meeting that 30 out of 42 Parties had submitted their national implementation reports by the deadline: Armenia, Austria, Belarus, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, European Union, Finland, Germany, Hungary, Latvia, Lithuania, Luxembourg, Monaco, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland. In addition, one committed country (Georgia) submitted its report on time.

9. The secretariat reported that three Parties – Azerbaijan (15 January 2024), Montenegro (7 December 2023) and the Netherlands (21 December 2023) – and one committed country – Kyrgyzstan (14 November 2023) – had submitted their reports after the deadline. It also reported that 9 Parties – Albania, Bosnia and Herzegovina, Croatia, France, Greece, Italy, Kazakhstan, Russian Federation and Spain – and 2 committed countries – Tajikistan and Uzbekistan – and 1 non-Party country – Turkmenistan – had not yet submitted their reports.

10. The Working Group took note of the information and expressed regret that not all Parties and committed countries submitted their reports on time. It was noted that the total number of national implementation reports submitted on time by the Parties decreased, compared to the ninth round.

11. The Working Group welcomed the timely submissions of Ukraine's first national implementation report as a Party and of Georgia's national implementation report as a non-Party. In addition, the Working Group welcomed that Parties which submitted their report late in the ninth reporting round, provided their reports on time in this round: Denmark, Estonia and Luxembourg.

12. The Working Group discussed potential steps to encourage countries that had not submitted reports to do so and agreed on the sending of official letters to the countries. It also agreed that the official letter should encompass the following elements: a reminder to Party countries of their obligations and to committed countries of their commitments, the advantages of submission and the availability of assistance for preparing the reports from both the Working Group and the Secretariat.

13. The Working Group had previously decided to divide the work on reviewing the national implementation reports according to the sections of the reports, as follows: (a) Policy for implementation of the Convention and Scientific and technological cooperation and exchange of information – Mr. Raphaël Gonzalez (Switzerland) and Ms. Nicolette Bouman (Netherlands); (b) Identification and notification of hazardous activities with the potential to cause transboundary effects,

Prevention of industrial accidents and Good Practices – Ms. Sanja Stamenkovic (Serbia), Ms. Mária Šebestová (Slovakia) and Ms. Anna Tsarina (Russian Federation); (c) Emergency preparedness and response and Mutual assistance – Ms. Helena Fridh (Sweden) and Mr. Vitalii Mutaf (Republic of Moldova); and (d) Participation of the public, Decision-making on siting and Reporting on past industrial accidents – Ms. Reelika Kuusik (Estonia) and Ms. Tatyana Logutova (Belarus).

14. According to the agreed division of work, the Working Group members presented their draft assessments and conclusions of the sections assigned to them for discussion. Some highlights from the discussions included:

(i) Overall, national legislation and policy are well developed in the areas of prevention, preparedness and response. The majority of countries indicated linkages between their policies for implementation of the Convention and of the Sendai Framework for Disaster Risk Reduction, lending to the long-term strategy for the Convention until 2030. However, weaknesses were reported by some countries, including inter alia insufficient institutional capacity and a lack of experts.

(ii) Parties and committed countries took different approaches to reporting on the numbers of activities in their jurisdiction with (a) hazardous substance(s) that meets Annex I thresholds, hazardous activities and tailings management facilities considered hazardous activities. Most reports indicated risk assessments had been carried out at hazardous activities, and most but not all had assessed risks of natural hazard-triggered technological disasters (Natech risks).

(iii) Most reports indicated that national preventive measures completely delivered the intended results, while some mentioned satisfactory status, shortcomings or that there is much to be done. Many Parties and committed countries indicated they had security measures in place and several countries indicated cybersecurity measures were in place, despite both aspects often being managed by security authorities.

(iv) Emergency preparedness and response is a well-known area under the Convention and implemented in almost all countries. However, testing, updating and reviewing contingency plans, in cooperation with neighbouring and riparian states, remains a challenge.

(v) Most reports indicated that appropriate possibilities for information to and participation of the public are ensured. Numerous countries reported developing or having in place SMS-notification systems to alert the public in the event of an industrial accident; such alerts and other public information technology was noted as rapidly developing.

(vi) Most reports indicated industrial safety and land-use planning procedures are coordinated – either formally or on a case-by-case basis. However, a number of weaknesses or areas for potential improvement were provided.

15. The Working Group members agreed to send their updated assessments and conclusions, if any, to the secretariat by 23 February 2024. They requested the secretariat to prepare the draft tenth report on implementation of the Convention on that basis and circulate it to the Working Group by 8 April 2024. They also agreed to send their written comments on the draft report by 30 April 2024, enabling the secretariat to finalize the draft report and circulate the updated version before the next Working Group meeting.

16. The Working Group considered whether it would be necessary to contact some focal points in advance of the next meeting to obtain clarification on the responses provided in their national implementation reports. The Working Group

requested the secretariat to reach out to the focal points asking to clarify their responses or lack thereof to question 10(c) on the identification of tailings management facilities as hazardous activities, so the Working Group could still consider subsequent information when finalizing the tenth report.

(b) Identification of good practices in the implementation reports

17. The Working Group welcomed the good practices provided by Parties and committed countries in their national implementation reports, which had increased significantly compared to the last reporting round. It requested the secretariat to add the good practices to the Convention's website, as done for the eighth and ninth reporting rounds. Members agreed to send any additional good practices they might have identified when evaluating the implementation reports to the secretariat by 23 February 2024 for inclusion on the website.

(c) Ideas for improving the reporting format and/or guidelines

18. The secretariat presented a summary of the feedback provided via the national implementation reports and other correspondence regarding the reporting format and accompanying guidelines. Overall, the reporting format and guidelines were well received and allowed for a much better understanding of the implementation of the Convention in each country and tracking of progress.

19. Some suggestions for improving the reporting format and guidelines were to provide an unlocked version of the reporting format file and considering options to transition to an online or hybrid reporting format with integrated guidelines. Also, some Working Group members proposed to emphasize that all questions are answered without referring to responses elsewhere in the reporting format and to encourage the provision of weblinks in response. The Working Group also considered the addition of substantive questions related to the long-term strategy and emerging risks, such as on industrial safety aspects in the energy transition.

20. The Working Group requested the secretariat to update the feedback, based on the discussion, and to present the updated presentation at the next meeting.

3. Preparation of the tenth report on implementation

21. The Working Group discussed the next steps for preparing the tenth report on implementation of the Convention to submit to the Conference of the Parties at its thirteenth meeting. The responsibilities and deadlines for the drafting process had been agreed upon under agenda item 2(a) above.

22. On the basis of the analytical findings from the national implementation reports, the Working Group agreed to also prepare a decision for strengthening the implementation of the Convention to submit to the Conference, alongside the tenth report on implementation. The members discussed that the decision should reinforce the strengths and weaknesses of implementation, integrate new and emerging risks and issues and encourage Parties to communicate on such issues.

23. The Working Group members agreed to send draft elements of the decision to the secretariat by 23 February 2024. The Working Group requested the secretariat to prepare the draft decision for review by the Working Group at its next meeting.

4. Strengthening the implementation of the Convention

(a) Assessment of the need to update the Convention and/or identification guidelines with regards to tailings management facilities

24. The secretariat presented a note prepared by the Small Group on Mine Tailings Safety, comprised of members of the Bureau, Working Group and Joint Expert Group on Water and Industrial Accidents, regarding the consideration for the Industrial Accidents Convention and its Guidelines on the Identification of Hazardous Activities (Guidelines) to more comprehensively cover the hazards and risks of tailings management facilities (TMFs). The note had been prepared on the basis of the Conference of the Parties' mandate at its twelfth meeting for assessing in the biennium 2023–2024 whether there exists a need for the Guidelines to be revised and updated in order to cover more comprehensively the hazards and risks arising from TMFs. The secretariat also presented the small group's recommendation for the Conference of the Parties at its thirteenth meeting to consider (a) updating the Guidelines with a technical methodology that supports countries assess tailings mixtures against Annex I of the Convention, as well as against acidity, alkalinity and capacity risks on the basis of the precautionary principle and (b) preparing a decision to clarify how the Convention applies to TMFs over the course of the biennium 2025–2026. The secretariat noted that the small group prepared to transition the note into an official document and to prepare a related decision to submit to the Conference.

25. The member of the Working Group on Implementation from Serbia, as a member of the small group, provided a summary of the small group's conclusions. She stressed that TMFs pose risks depending on various factors, including their properties and the scale at which they are often stored. She also noted that the Seveso-III Directive considers dangerous substances present in waste and therefore waste regulations should be taken into account in updating the Guidelines, given the Convention's and Seveso Directive's alignment.

26. The Working Group took note of the work completed by the small group and provided comments and inputs for improving the note and preparing elements for the draft decision. It expressed gratitude to the secretariat's cooperation with the small group and for supporting the preparation of the documents for the Conference. The Working Group emphasized the value of developing a technical methodology that facilitates testing and classifying tailings mixtures against Annex I. It suggested that a table could be added to the note for the Conference to have summarized information of the options that were considered, including against the zero option to better understand the advantages of updating the Guidelines. It also stated information collected on TMFs from the national implementation reports, including from the planned follow-up with focal points, could be integrated into the note for the Conference. Overall, the Working Group expressed support for the recommendation developed by the small group for the Conference of the Parties.

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

27. The secretariat provided an update on the technical work completed in developing the e-group and the foreseen next steps. This included the development of a single, protected email group for sending and receiving messages to focal points, including with the possibility for opting out. It informed the Working Group of constraints related to the liquidity crisis and information technology resources

across the United Nations Secretariat, which have shifted internal priorities and caused delays in establishing the network.

28. The Working Group took note of the information provided by the secretariat and agreed to revisit the progress made at the next meeting.

(c) Development of a guide of good practice on the implementation of the Convention

29. The secretariat informed the Working Group about the recent contribution of 40,000 EUR by the Netherlands to advance the development of a guide of good practice (or parts of it) on the implementation of the Convention. It also shared ideas for developing a part of the guide with the available funding, inviting the Working Group to make proposals for the area to focus on.

30. The Working Group expressed gratitude to the Dutch member for the contribution and exchanged ideas for advancing the development of the guide with the funding available. It requested the secretariat to develop a draft framework for the entire guide for the review by the Working Group at its next meeting. It also agreed that in addition to the framework one area could be developed as a pilot with the available funds. The area to focus on should be decided upon by the Group at its next meeting, when the draft tenth report on implementation would be available, which would provide further insights.

31. The Chair invited other members of the Working Group to report on their activities undertaken to explore funding opportunities for the development of the guide. No additional contributions could be secured by other members. The Chair explained that the full amount of the funding was significant and therefore also difficult to obtain in Sweden. She encouraged the members to consider seeking funding for the development of parts of the guide and report back on this at the next meeting of the Working Group.

5. Assistance and Cooperation Programme

(a) Update by the secretariat on implemented and planned activities

32. The secretariat provided an overview of the assistance activities carried out since the last meeting of the Working Group under the Assistance and Cooperation Programme. Among the assistance activities were: (i) Finalization of the project to develop a study on pollution sources and identification of accident risks in the Syr Darya Basin (February 2023); (ii) 2nd meeting of the Inter-institutional Working Group on Tailings Safety and the Prevention of Accidental Water Pollution (IIWG) in Kazakhstan (Astana, 15 March 2023); (iii) 2nd IIWG Meeting in Tajikistan (Dushanbe, 4 April 2023); (iv) Inception Meeting on the establishment of an IIWG in Uzbekistan (Online, 27 April 2023); (v) Subregional workshop on strengthening mine tailings safety in Central Asia (Dushanbe, Tajikistan, 25–26 May 2023); (vi) Stakeholder Consultation under the National Policy Dialogue (NPD) on Industrial Safety in Serbia (Belgrade, 20 September 2023); (vii) Mission to support the accession of Georgia to the Industrial Accidents Convention (Tbilisi, 7–9 November 2023).

33. The secretariat also informed about the following new projects, including those benefitting countries beyond the Assistance and Cooperation Programme: (i) EIB-funded Project (December 2023–December 2024): Strengthening industrial safety in Ukraine through enhanced implementation of and alignment with the Industrial Accidents Convention; (ii) SDC-funded project (December 2023–December 2026): Strengthening action in Uzbekistan on water and sanitation and protection of water resources from accidental pollution in the face of climate

change; and (ii) EU NDICI Project (mid-2024–mid-2027): Strengthening the safe and secure management of hazardous substances to prevent and mitigate industrial accidents worldwide.

34. The secretariat further presented (assistance) activities planned for 2024, in particular: (i) Launch of new SDC-funded Project in Uzbekistan (Tashkent, 14-15 March 2024); (ii) On-site training at a TMF in Uzbekistan (in the week of 15 April 2024, tbc); (iii) JEG workshop on increasing capacities to prevent, prepare for and respond to accidental water pollution from TMFs (Bratislava, 23 April 2024); (iv) IIWG meetings in Kazakhstan, Tajikistan and Uzbekistan (in first half of 2024, tbc); (v) Capacity-building activity in Ukraine for EIB project, if RPTC funds become available (October 2024, tbc).

35. The Working Group took note of the information provided and welcomed the secretariat's support.

(b) Teleconferences to engage with beneficiary countries of the Assistance and Cooperation Programme on implementation issues

36. The Working Group conducted a teleconference with the Convention's Focal Points from Armenia² and the new Focal Point from Albania.³ The teleconference proceeded with questions that were prepared in advance. Among others, the following information were stated during the teleconferences:

(i) Since 2018, Armenia has undergone significant legal and legislative transformations, highlighting the adoption of a new disaster risk management strategy in October 2023 and a newly drafted Law on Disaster Risk Reduction and Civil Protection, hoping to be adopted in the near future.

(ii) Armenia expressed interest to develop an updated self-assessment and action plan, with the involvement of Armenian specialists and international advisors, that reflect the current state of implementation more accurately, considering changes in living conditions and the impact of industrial sites on surrounding areas.

(iii) Albania informed that due to the departure of 3 colleagues in the last year, the institutional memory on the Convention had left, which is why no national implementation report was submitted. She reported that the development of a national implementation report was ongoing and that it should be submitted by the end of March 2024.

(iv) Albania also informed that it was currently harmonizing its national legislation with the Seveso III Directive and that it had prepared a corresponding law for that. Albania also expressed that there was a need for technical assistance in all areas of the Convention, as well as for sharing examples of good practice.

37. The Working Group agreed that the subregional groups would prepare and send follow-up messages to the Focal Points from Armenia and Albania.

38. The Working Group considered inviting the following countries to a teleconference at its next meeting: (i) Armenia, if a draft self-assessment will have been submitted, in order to provide feedback; (ii) Tajikistan, in view of the country's accession efforts supported by the secretariat and to facilitate the submission of a

² Ms. Armine Hayrapetyan, Sendai National Focal Point and Acting Rector of the Crisis Management State Academy, Ministry of Internal Affairs of Armenia; and Ms. Liana Papakhchyan, Chief specialist of the Hazardous Substances and Waste Policy Division, Ministry of Environment of Armenia.

³ Ms. Elvana Ramaj, Director of the Circular Economy Directorate, Ministry of Tourism and Environment of Albania.

national implementation report or of a self-assessment and action plan; (iii) Azerbaijan; and/or (iv) Bosnia and Herzegovina.

(c) Integrating Natech and tailing risks into the e-tool

39. The Vice Chair provided an update on the progress made in updating the e-tool to integrate Natech and tailing risks. The Working Group took note of the information provided and welcomed the introduction of Natech and tailings risks into the e-tool. The Group also agreed to send any comments on the updated e-tool by the end of March to the Vice-Chair, with a view to presenting the final tool at its next meeting.

(d) Status of action items from the forty-seventh meeting of the Working Group and next steps

40. The Working Group discussed the progress made in the implementation of action items from its last meeting and agreed that the following be done by the members of the respective subregional groups:

(i) Sending a follow-up message to Azerbaijan to inquire on progress made in finalizing the national action plan and, on that basis, consider organizing a country-specific mission;

(ii) Sending a follow-up message to Georgia to inquire on the progress made towards accession after the mission in November 2023;

(iii) Follow-up with Bosnia and Herzegovina and with Tajikistan through the teleconferences at the next meeting;

(iv) No follow up with Belarus, following the indication by the Belarussian member that the country does not intend to submit a self-assessment and action plan;

(v) No follow-up with the Republic of Moldova, following the information provided by the Moldovan member that the national action plan has not yet been approved and that there would be a change of Focal Point;

(vi) No follow-up with Serbia, following the report on progress made by the Serbian member in developing a National Programme for Industrial Safety and the indication to provide further updates at the next meeting;

(vii) Update all country dossiers.

6. Next meetings

41. The Working Group agreed to hold its next meeting on 29–30 May 2024 in Geneva. The Chair emphasized the importance of in-person participation for the meeting, except in exceptional cases.

7. Other business

42. The Chair mentioned that elections for the Working Group would be held at CoP13 and asked that the members consider their availability for the next term 2025–2028. The Working Group agreed to discuss this further at its next meeting.

8. Closing of the meeting.

43. The Chair thanked the secretariat and members of the Working Group for their support in advance of and during the meeting, before she closed the meeting at 4 p.m. on 1 February 2024.