



Item 7a) Activities of the Working Group on Development

**Report by Chris Dijkens
Chair of the Working Group on Development**

8th meeting of the
Conference of the Parties
3-5 December 2014
Geneva





CoP-7 mandate

- 1) Draft a revised annex I to bring it into line with the GHS and to maintain consistency with the corresponding EU legislation
- 2) Evaluate the possible amendment of the Convention to address numerous provisions and issues
- 3) Consider possible remedies for non-compliance with reporting requirements under the Convention





Meetings and Process

- 2 meetings of the Working Group on Development:
 - WGD-3, 3-4 September 2013
 - WGD-4, 28-29 April 2014
- 2 small groups established by the Bureau:
 - Small group on amendments to Annex I
 - Small group on other possible amendments





1) Amendment to Annex I

- **Considerations at WGD-3 and WGD-4**, based on work of small group and with due consideration to EU submission
- Presentation by the UNECE Transport Division on GHS and its relevance to Annex I
- **Unanimous agreement at WGD-4** on a revised Annex I (28-29 April 2014)
- **Draft COP decision** prepared by the secretariat upon request by the Chair, reviewed and approved by the Bureau (16-17 June 2014)
- **Letter by Chair** to UNECE Executive Secretary on new Annex, requesting circulation 90 days in advance of COP
- **Secretariat circulated proposed amendment to all Parties 90 days in advance of CoP** (2 Sept. 2014)





2) Evaluation of possible other amendments

- Considerations at WGD-3 and WGD-4, on basis of work by small group
- Consideration of **experiences by other ECE MEAs**, with regard to:
 - Strengthening public participation
 - Compliance
 - Accession by UN member States beyond the ECE region
- Consideration of **linkages with other ECE MEAs** incl. Aarhus and Espoo Convention and SEA Protocol, and consistency with EU Seveso III Directive





2) Evaluation of possible other amendments

- WGD-4 decided to propose „yes“ or „no“ with regard to an amendment on each of the provisions and issues it had been mandated by CoP-7 to evaluate
 - ➔ for decision-taking by COP-8
- Yes/no proposal with rationale contained in Annex II of WGD-4 report
- Body text of WGD-4 report reflects key considerations and outcome for each possible amendment
- One additional section of the report contains all items that were evaluated as not requiring an amendment but that should be further addressed by means of CoP guidance





2) Other possible amendments

YES



- **Revised and additional definitions (art. 1)**
- **Strengthened public participation (art. 9)**
- **Clarified frequency of meetings (art. 18, para 1)**
- **Application of amendments to new Parties (art. 29)**





2) Other possible amendments

NO



Sufficient clarity, expected benefit too small to justify enacting an amendment;

No suggested further action

- **Revised scope**
- **Derogation**

NO



CoP guidance would bring about needed clarity:

- **Revised scope of mutual assistance**
- **Clarified or strengthened reporting obligations**
- **Land-use planning**
- **Compliance**
- **Governance structures under the Convention/ToR of subsidiary bodies**





2) Amendments and CoP Guidance: Next steps

YES, AMENDMENT



CoP-8 to **mandate WGD** to consider elements of text and **draft an amendment** on each the issues, considering linkages with related Articles and Annexes, **by CoP-9**

NO Amendment, but CoP GUIDANCE



CoP-8 to **prioritize and determine:**

- **Type of guidance** (decision, text in report, guidance document)
- **Timeframe**
- **Responsible body for development of guidance**





2) Other possible amendments

No agreement



Accession by UN member States beyond the ECE region

Due to the strategic nature of the topic, a thorough discussion to take place at CoP-8, on the basis of background information prepared by the ECE secretariat





3) Remedies for non-compliance with reporting obligations

- WGD-4 reflected on the advantages and disadvantages of adopting remedies for non-compliance with the reporting requirements
- Cost in terms of financial resources and staff time to oversee and implement remedies for non-compliance with reporting might be too significant in comparison with the possible benefits
- Preferred approach: focus by WGI on support to countries in complying with the substantial obligations of the Convention incl. through Assistance Programme
- Proposal **not to introduce remedies for non-compliance with reporting obligations**





Thank you for your attention

