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English only

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## **Economic Commission for Europe**

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

#### **Bureau**

##### **Forty-first meeting**

Geneva, 13 February 2019

### **Minutes of the meeting**

#### **1. Opening of the meeting and adoption of the agenda**

1. The Chair opened the meeting and the Deputy Director of the United Nations Economic Commission for Europe (ECE) Environment Division welcomed Bureau members.

2. The following Bureau members were present: Torill Tandberg (Norway), Chair; Michael Struckl (Austria), Vice-Chair; Jasmina Karba (Slovenia), Vice-Chair; Evgeny Baranovsky (Belarus); Pavel Forint (Czechia); Rolf- Jan Hoeve (European Union); Wivi-Ann Wagello-Sjölund (Finland); Gerhard Winkelmann-Oei (Germany); Suzana Milutinovic (Serbia); and Martin Merkofer (Switzerland). Mr. Leo Iberl (Germany), Chair of the Working Group on Implementation, also attended the meeting. The meeting was serviced by the ECE secretariat.

3. The Bureau adopted the agenda (CP.TEIA/2019/B.2/Agenda) without changes.

#### **2. Follow-up to the tenth meeting of the Conference of the Parties**

4. The Bureau considered a number of issues meriting attention in follow-up to the tenth meeting of the Conference of the Parties:

##### **(a) Representation**

5. The secretariat reported on the representation at the tenth meeting of the Conference of the Parties, informing participants that 37 out of 41 Parties were represented and that 34 Parties had submitted their credentials. The secretariat also reported that 32 Parties had submitted original credentials at the time of the Vice-Chair's reporting on credentials and that two additional Parties, Austria and Greece, had submitted their original credentials thereafter, while still during the meeting. Hungary provided its original credentials following the meeting.

6. The secretariat noted that Albania, Hungary and Spain, despite their attendance, did not submit credentials at the meeting, and that Bosnia and Herzegovina, Denmark, Luxemburg and Monaco were not present at the meeting. The Chair regretted that Bosnia and Herzegovina, the newest Party to the Convention, did not attend. The secretariat noted that Luxemburg and Denmark were present at the last (ninth) meeting of the Conference of the Parties (Ljubljana, 28 - 30 November 2016).

7. The Bureau reflected on this information and agreed to reach out to these Parties to encourage their participation and timely submission of credentials at the eleventh meeting of the Conference of the Parties.

**(b) Evaluation of the meeting and lessons learned**

8. The secretariat presented a summary of the evaluation forms completed by the participants of the tenth meeting of the Conference of the Parties and received by the secretariat, including results of the ratings and the comments submitted. Overall, the evaluations were very positive, particularly in relation to the organizational and practical arrangements for the meeting, the support from the secretariat during the meeting, the side events, the quality of chairing and the experience and knowledge of the speakers. In the evaluations, it was noted that the agenda for the meeting was very dense and the participants expressed a need for more coffee breaks as well as more time for allocated to some agenda items and for discussions.

9. Regarding the side events, the Bureau discussed whether it would be useful to continue to hold side events outside of the formal meeting, rather than integrating the content into the formal session, ensuring that participation and interpretation were granted for.

10. Mr. Hoeve, new member of the Bureau from the European Union, suggested that for future meetings, the allocation of documents to agenda items could be more clearly indicated, which the secretariat confirmed can be done. He also requested clarification with respect to in-session documentation. The secretariat highlighted that such could be requested and envisaged in advance for negotiations e.g. on amendments.

11. The Bureau took note of this information and expressed appreciation to the secretariat for the organization of a successful meeting. It recognized that the tenth meeting of the Conference of the Parties featured new formats, not only including two substantive side events, but also two social events/receptions, organized to launch the UNISDR Words in Action Guidelines: Implementation Guide on Man-made/Technological hazards, and to celebrate the 20<sup>th</sup> anniversary of Joint Expert Group on Water and Industrial Accidents (Joint Expert Group). The Bureau agreed to consider relevant points raised in the evaluation in the preparation of eleventh meeting of the Conference of the Parties.

**(c) Membership of the Bureau**

12. The Bureau reviewed its membership from the point of view of geographical representation. The Chair reflected on the current composition of the Bureau, highlighting the improved geographical composition and the presence of representatives from Belarus and Serbia. At the same time, she highlighted the absence of some key donor countries (e.g. the Russian Federation) and sub-regions (e.g. the Caucasus and Central Asia).

13. The Bureau mandated the Chair and Vice-Chairs, with the support of the secretariat, to make contacts during the biennium, including at sub-regional events, in view of enhancing the geographical balance of the future Bureau members to be elected at the eleventh meeting of the Conference of the Parties.

14. In this regard, the Bureau agreed that existing or new focal points or contacts to the Convention from under-represented sub-regions should be encouraged to become members of the Bureau in the future. Previous examples of motivated new members from under-represented sub-regions are Ms. Anna Tsarina from the Russian Federation and Mr. Pavel Chukharev from Belarus in the Working Group on Implementation.

**(d) Amendment of the Convention**

15. In light of the failure to achieve consensus on the adoption of the proposed amendment to the Convention during the tenth meeting of the Conference of the Parties, the Bureau discussed the follow-up and possible future steps with respect to the decision taken by the

Conference (ECE/CP.TEIA/38) “*to continue informal consultations, in particular on the proposed amendments regarding public information, participation in decision-making as well as access to justice, and the invitation to the Chair and Vice-Chairs of the Bureau to facilitate these consultations with a view to respective positions possibly becoming closer, and to report back on the outcome of those consultations to the next meeting of the Conference of the Parties.*”

16. The Chair recalled the history of the development of the amendment and the positive spirit at the consultation meeting held on the day before the tenth meeting of the Conference of the Parties, despite the amendment not being adopted at the meeting itself. The Chair proposed that, following recent discussions with the Vice-Chairs and the secretariat, the informal consultations should commence this year. The Chair stated that such a consultation meeting, should it be held, would not require the attendance of the entire Bureau, however the Bureau would be informed of the outcomes. She proposed that such a meeting could be held in Norway, back-to-back with the next meeting of the Convention’s Bureau. Other Bureau members felt that Geneva may be a more appropriate venue for such a meeting, if held, due to its perceived neutrality, and the possible involvement of the permanent mission.

17. Bureau members supported the reaching out to the concerned Parties, with the objective of understanding whether there were any new developments following the tenth meeting of the Conference of the Parties. It was agreed that it was particularly important to reach out to the Russian Federation in this respect. The Chair asked the secretariat, through the Executive Secretary of ECE, to contact the Permanent Mission of the Russian Federation to the United Nations Office in Geneva, to understand the current position and the willingness to engage in further consultations, e.g. through a meeting in 2019. Thereafter, the Chair and the Vice-Chairs would consider next steps, including the possible sending of an invitation to a meeting.

18. The Chair and Vice-Chairs, in cooperation with the secretariat, will pursue the next steps and will inform the Bureau at its next meeting about whether any progress has been made and the holding of any informal consultation meetings.

**(e) Roundtable discussion on financing**

19. The Chair reflected on the success of the first-time roundtable discussion on financing, held at the tenth meeting of the Conference of the Parties, which provided an opportunity for Parties to share information on past donations and state their motivation to provide financial or in-kind support to the Convention’s workplan for the current biennium (2019–2020). The Chair reminded the Bureau of the six different “donor groups” that were presented during the roundtable and invited comments. Several Bureau members commended the categorization of the donors into the different groups, noting that this distinction helps to raise awareness among countries of the various contributions to the Convention, and inspired countries’ aspirations to be in a particular group of contributors. Bureau members also noted that the roundtable - which they remarked was very well prepared by the secretariat, in cooperation with the Chair - raised awareness of representatives of Parties of the funding situation (a mix of Regular Budget and Extra-budgetary), the need for Extra-budgetary funding, including to support core activities, and the Parties’ responsibility to provide financing.

20. The secretariat highlighted the several positive outcomes of the roundtable, including the return of donors providing pledges (e.g. Italy and Romania), the clear indication by donors not able to earmark to provide funding for this biennium and for the longer term, for the first time reflected in a report of the Conference of the Parties. She also recalled the reliance on a small number of countries providing a large amount of the donations.

21. The Chair informed the Bureau that both she and the Secretary had shared information on the roundtable discussion on financing with the other representatives of the governing bodies of the multilateral environmental agreements and the Committee on Environmental Policy during their meeting in Geneva on 28 January 2019. The meeting welcomed the

information provided and discussed that there was a large convergence of the key donors to the ECE multilateral environmental agreements.

22. On this basis, the Bureau reflected on the importance of financial and in-kind contributions to implement the work under the Convention, and aspired to work towards improving the sustainability and predictability of financing provided. The Bureau concurred that such a roundtable should be conducted again in the future.

23. The secretariat recalled the key changes introduced through the decision fostering implementation of the sustainable financial mechanism. The Chair encouraged the Bureau to demonstrate leadership in implementing the decision, for example by funding the secretariat's expenses for servicing meetings hosted by Bureau members. She highlighted how Norway is already implementing the elements set out in the decision, for example through the early transferring of funds to the ECE secretariat, and by including in its budget the secretariat's expenses to service the next Bureau meeting.

**(f) Long-term strategy and communication, outreach and engagement strategy**

24. The Bureau reflected on actions to foster the implementation of the long-term strategy going forward and how to raise awareness among the Convention's focal points and partners, relevant national authorities and other stakeholders of the long-term strategy, its linkages with the Sendai Framework for Disaster Risk Reduction 2015-2030 and the Sustainable Development Goals, as well as the communication, outreach and engagement strategy.

25. The Chair noted that the Long-term strategy for the Convention until 2030 (ECE/CP.TEIA/38/Add.1) and the Communication, outreach and engagement strategy (ECE/CP.TEIA/38/Add.1) and the Convention's workplan were closely connected and encouraged the Bureau to regularly review these documents to ensure that strategic directions are being pursued. The Bureau agreed with the Chair's proposal and the secretariat's offer that these documents be made available separately as stand-alone documents on the webpage, so that they can easily be accessible. Furthermore, it was agreed that the Long-term strategy and the Communication, outreach and engagement strategy be referred in the official high-level letters to be sent by the secretariat, e.g. on the financing of the workplan for the current biennium.

26. Furthermore, the Bureau agreed to review implementation of progress towards the implementation of the long-term strategy and the communication strategy – along with the decision fostering implementation of the sustainable financial mechanism – at its meetings in advance of each meeting of the Conference of the Parties.

27. It was also suggested to enhance the focal points' awareness of the linkages between the activities under the workplan and the SDGs and the Sendai Framework, through respective references at the conduct of activities. In addition, the Chair noted the importance of raising the awareness of related communities (especially to the Sendai Framework / disaster risk reduction communities) about the Convention's work and products that are integral to the implementation of the long-term strategy.

28. Mr. Winkelmann-Oei, German member of the Bureau raised the issue that some of the key challenges outlined in chapter IV of the long-term strategy were outside the scope of the Convention, which was discussed. He suggested that the Working Group on Development could be reactivated to address these issues and assess new risks and developments. The secretariat recalled that the Working Group on Development was normally activated by the Conference of the Parties and that – in accordance with its Terms of Reference – *"should urgent need arise, and in the absence of a decision by the Conference of the Parties to convene the Working Group on Development, the Bureau shall, with the assistance of the secretariat, organize meetings of that Working Group"* (ECE/CP.TEIA/32/Add.1).

29. The Chair highlighted that it was important for any such proposal to be supported by Parties. Several Bureau members highlighted that there was currently no appetite in their

countries in embarking on discussions on a further amendment to the Convention and cautioned with respect to embarking on efforts to widen its scope, considering that the amendment negotiated and agreed at the Working Group level could not be adopted by the Conference of the Parties. Ms. Karba, Vice-Chair from Slovenia and former Chair, remarked that the Long-term strategy provides sufficient scope for addressing emerging risks and developments, without any formal amendment of the Convention's scope.

30. In view of this discussion, the Chair proposed to hold a substantive discussion at a future Bureau meeting on actions to follow up on the implementation of the Long-term strategy with regard to new and emerging risks.

### 3. Workplan for 2019–2020

#### (a) Planned activities of the Bureau in 2019–2020 and organization of work

31. The Bureau reviewed the tasks assigned to it by the Conference of the Parties, through decisions taken at the tenth meeting. It reflected on the organization of work, recognizing the special role of the Chair and Vice-Chairs to provide guidance and be involved in events of particular importance carried out under the Convention's workplan. The Chair (or Vice-Chairs, if not available) was also involved in providing information on relevant developments under the Convention to the meetings of the UNECE Committee on Environmental Policy, and to exchange information with the other Chairs or other representatives of the multilateral environmental agreements' governing bodies.

32. Furthermore, the Bureau agreed that – in light of the continued funding challenges and the special role of the Bureau in this respect – the small group on financing be continued in the current biennium, with the following membership: Ms. Tandberg (Norway, Chair), Ms. Karba (Slovenia, Vice-Chair), Mr. Baranovskij (Belarus, tbc) and Ms. Wagello-Sjölund (Finland)<sup>1</sup>.

33. It was proposed that the small group would meet back-to-back with the Bureau meeting, and could hold a teleconference beforehand, in order to discuss how to attract the resources required for the implementation of the workplan. At the same time, the Chair reminded the Bureau that it was the responsibility of the entire Bureau – in line with the sustainable financial mechanism – to *“actively encourage Parties to provide support at least at a level reflecting their economic strength and, when relevant, in case of non-contributing Parties, arranges meetings to foster their support and build awareness on the need for sustainable financing.”*

#### (b) Activities carried out under the Convention

34. The secretariat presented the envisaged core- and non-core activities to be implemented under the Convention's workplan for 2019-2020, highlighting both confirmed activities and those where there were still uncertainties, including some assistance activities and the meetings of the Joint Expert Group which could not be implemented, unless financing for the members from Eastern and South-Eastern Europe, the Caucasus and Central Asia was provided. Mr. Winkelmann-Oei, Co-Chair of the Joint Expert Group, informed the Bureau members that he was planning to organize a meeting of the Joint Expert Group back-to-back with an activity under the tailings project in the Danube River Basin, presumably in the third quarter of 2019. He also informed the participants about an international conference on environmental issues of mineral and metal supply and mining (Berlin, 19-20 February 2019), organized by the German Federal Environment Agency. The Bureau welcomed the information provided by the secretariat and the Co-Chair; it requested the secretariat to

<sup>1</sup> Ms. Wagello-Sjölund mentioned facing capacity constraints in 2019 due to her involvement in the European Union presidency, however she is ready to more thoroughly engage in 2020.

circulate the presentation to all members and the Co-Chair to report back at the next meeting about the outcome of the international conference.

35. Mr. Winkelmann-Oei also informed the Bureau about difficulties in ensuring a stable and longer-term composition of the Joint Expert Group, expressing his disappointment with frequent changes of the country representatives. The secretariat clarified that, in accordance with the Strategy of the Joint Expert Group,<sup>2</sup> the Bureau activates the Joint Expert Group to work on delivering a specific product and that, depending on the task, Parties nominate experts on the specific subject matter. The Bureau acknowledged that this was an important issue and suggested that a more detailed discussion be held at its next meeting, on the basis of further background information, including the above Strategy, and proposals by the Co-Chair and the secretariat for how to overcome the difficulties.

36. The secretariat presented a background note on cooperation with river commissions, outlining the approach linked to the work of the Joint Expert Group, to strengthen the cooperation with international river commissions. Mr. Winkelmann-Oei informed the participants that the Joint Expert Group was looking particularly to strengthen its cooperation with international river commissions outside of the Central European region, notably in Central Asia and Northern Europe. The Bureau thanked the secretariat and the Co-Chair for the provision of the information and endorsed the cooperation strategy.

**(c) Resource requirements and staffing**

37. The secretariat presented an overview of the resources pledged for the period 2019-20 at the tenth meeting of the Conference of the Parties (US\$ 941,223), the resources expected to become available, in view of the indications by Parties at the roundtable discussion on financing, while yet to be confirmed (an additional US\$ 202,793) and an estimate of the in-kind contributions to be provided (US\$ 249,000). The total of these figures, and comparing them to the overall workplan budget (US\$ 2,920,618), showed that less than one half of the workplan was financed to date. Further financing was necessary to implement the activities carried out under the workplan and to secure the necessary financing for the activity and associated staff costs during the entire period.

38. The secretariat would embark on its usual practice of sending official letters, in line with the sustainable financial mechanism, to draw attention to the shortfall. At the same time, further action by the Parties, facilitated through the Bureau, was necessary, to bring about additional resource to implement the workplan, and progress towards the implementation of the long-term strategy.

**4. Eleventh meeting of the Conference of the Parties**

39. In accordance with the decision taken by the Conference of the Parties, the Bureau discussed the holding of the eleventh meeting of the Conference of the Parties, to be hosted by Germany in Bonn, 1–3 December 2020, with reference to its discussion on the previous day.

**5. Proposed schedule of meetings for 2019–2020**

40. The Bureau agreed on its schedule of meetings, as follows:

(a) 26-27 September 2019: Bureau meeting in Oslo, with a back-to-back meeting on 25 September of the small group on risk assessment (and a possible back-to-back meeting of the small group on financing)

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<sup>2</sup> Available from: [http://www.unece.org/fileadmin/DAM/env/teia/water/JEG/Strategy\\_JEG.pdf](http://www.unece.org/fileadmin/DAM/env/teia/water/JEG/Strategy_JEG.pdf)

(b) 17-18 June 2020: Bureau meeting in Bonn, with a back-to-back meeting on 16 June of the small group on risk assessment (and a possible back-to-back meeting of the small group on financing); and a possible visit to the venue of the eleventh meeting of the Conference of the Parties on 19 June 2020.

**6. Other business**

41. No other business was discussed.

**7. Closure of the meeting**

42. The Chair closed the meeting on 13 February 2019 at 4 p.m.