

5 April 2019
English only

Economic Commission for Europe

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

Working Group on Implementation

Thirty-seventh meeting

Geneva, 11 February 2019

Minutes of the meeting

1. Opening of the meeting

1. The Chair of the Working Group on Implementation opened the meeting and welcomed two new members of the Working Group: Ms. Sanja Stamenkovic from Serbia, replacing Ms. Suzana Milutinovic from Serbia who became a member of the Convention's Bureau, and Ms. Anneke Raap from the Netherlands, replacing Mr. Peter Westerbeek from the same country. The Chair thanked Ms. Milutinovic and Mr. Westerbeek for their previous support of the Convention's Working Group and warmly welcomed their successors. The Secretary to the Convention also welcomed the new Working Group members and highlighted the Group's important role in fostering the implementation of the Convention, and of its long-term strategy adopted by the last meeting of the Conference of the Parties.

2. The following members of the Working Group attended the meeting: Mr. Leo Iberl (Germany), Chair; Mr. Pavel Chukharev (Belarus), Vice-Chair; Mr. Raphael Gonzalez (Switzerland), Vice-Chair; Ms. Helena Fridh (Sweden); Ms. Rachel McCann (United Kingdom); Ms. Anneke Raap (Netherlands); Ms. Sanja Stamenkovic (Serbia); Ms. Anna Tsarina (Russian Federation); and Ms. Laura Vizbule (Latvia). Mr. Hrvoje Buljan (Croatia) was unable to attend the meeting.

3. The meeting was serviced by the secretariat to the United Nations Economic Commission for Europe (UNECE).

4. The Working Group on Implementation adopted the provisional agenda (CP.TEIA/2019/WGI.1/Agenda) without changes.

5. The Chair, supported by the secretariat, recalled the key decisions taken by the Conference of the Parties at its tenth meeting (Geneva, 4–6 December 2018) related to the activities of the Working Group on Implementation, including with regard to the adoption of the revised long-term strategy for the Convention until 2030 (ECE/CP.TEIA/38/Add.1). Both noted the Working Group's important role in continuing to monitor the (recently rebranded) Assistance and Cooperation Programme and its engagement with countries on implementation issues which is also reflected in the adopted long-term strategy. The Convention Secretary stressed the linkages between the Convention and Agenda 2030 with its Sustainable Development Goals (SDGs) and the Sendai Framework for Disaster Risk Reduction 2015–2030, as recognized by the revised long-term strategy. She highlighted the Working Group's important role in supporting the achievement of the Convention's vision and objectives as set out in the long-term strategy, including the Convention's full implementation throughout the region, enhancing transboundary cooperation, improving the

safety of hotspots, such as tailings management facilities (TMFs) and areas where transboundary water pollution can occur, and strengthening awareness of the linkages and alignment with the policy goals set out in the Sendai Framework and the relevant SDGs. She explained that the Working Group would naturally monitor the efforts by countries towards the achievement of these objectives, e.g. through the national implementation reports. Specifically, with respect to countries with economies in transition, the Working Group's role to advise and support beneficiary countries of the Assistance and Cooperation Programme in their efforts to improve industrial safety would continue to be crucial, as highlighted by the long-term strategy and also the Communication, outreach and engagement strategy (ECE/CP.TEIA/38/Add.1) adopted at the tenth meeting of the Conference of the Parties. The Secretary also drew attention to decision 2018/2 fostering implementation of the sustainable financial mechanism which requests countries hosting intergovernmental meetings such as meetings of the Working Group, to consider covering not only the costs of hosting the meeting, but also those arising from its servicing by the secretariat.

6. The Working Group welcomed and expressed its support to the revised long-term strategy, acknowledging that its implementation would be a challenging task. It agreed that the Convention with its various tools has a leading role to play in achieving the global commitments and that the implementation of the long-term strategy would help raising the Convention's profile.

2. Implementation of the Convention, including reporting

7. A consultant to the UNECE secretariat presented the revised draft version of the reporting format and guidelines for the ninth reporting period (1 January 2016 to 31 December 2018), which were updated based on the comments provided by members of the Working Group during and following its last meeting, and in view of the Working Group's comments provided during the analysis of the implementation reports in 2016 regarding ideas for updating the reporting format and guidelines.

8. The Working Group discussed the changes presented and agreed on them and further ones made in-session. It requested the secretariat to update the reporting format and guidelines based on the discussions held, among others, by providing hyperlinks to the reference documents, updating the wording of the progress stages under each section and introducing clarifications as to the need to provide a full answer to the respective questions.

9. The Working Group requested the secretariat to circulate the updated reporting format and guidelines no later than 22 February 2019, with a view to providing its comments (if any) by 1 March 2019. The Working Group also requested the secretariat to translate the finalized reporting format and guidelines into French and Russian, and to distribute the three language versions shortly thereafter to Parties to the Convention and beneficiary countries of the Assistance Programme, in view of the reporting deadline of 31 October 2019.

10. The Working Group also agreed on the following distribution of responsibilities for analysing the implementation reports in the next (9th) reporting round:

Topic	Persons in charge
<ul style="list-style-type: none"> Policy for implementation of the Convention Scientific and technological cooperation and exchange of information 	<ul style="list-style-type: none"> Ms. Rachel McCann (United Kingdom) Ms. Anneke Raap (Netherlands)
<ul style="list-style-type: none"> Identification and notification of hazardous activities with the potential to cause transboundary effects 	<ul style="list-style-type: none"> Ms. Sanja Stamenkovic (Serbia) Ms. Laura Vizbule (Latvia)
<ul style="list-style-type: none"> Prevention of industrial accidents 	<ul style="list-style-type: none"> Mr. Raphael Gonzalez (Switzerland)

	<ul style="list-style-type: none"> Ms. Anna Tsarina (Russian Federation)
<ul style="list-style-type: none"> Emergency preparedness and response Mutual assistance 	<ul style="list-style-type: none"> Mr. Pavel Chukarau (Belarus) Ms. Helena Fridh (Sweden)
<ul style="list-style-type: none"> Participation of the public Decision-making on siting Reporting on past industrial accidents 	<ul style="list-style-type: none"> Mr. Hrvoje Buljan / Ms. Daniela Beros (Croatia) Mr. Leo Iberl (Germany)

11. The secretariat presented the new online platform on which the implementation reports¹ and the self-assessments and action plans, along with the country dossiers,² are stored. The password-protected platform allowed addressing security concerns, while also allowing Working Group members to engage, by uploading reports, sharing comments, etc. The Working Group welcomed the two online platforms and the secretariats efforts to move the information to these more secure platforms.

3. Engaging with countries on implementation issues

12. The Chair sought confirmation as to whether the proposed distribution of the subregional responsibilities would remain the same, with the assumption that the two new members of the Working Group on Implementation would replace their predecessors. The Working Group agreed on and reconfirmed the following distribution of responsibilities:

Subregion	Countries	Persons in charge
Caucasus (3 countries)	1. Armenia 2. Azerbaijan 3. Georgia (not Party)	<ul style="list-style-type: none"> Mr. Gonzalez (Switzerland) Ms. Raap (Netherlands)
Central Asia (5 countries)	4. Kazakhstan 5. Kyrgyzstan (not Party) 6. Tajikistan (not Party) 7. Turkmenistan (not Party) 8. Uzbekistan (not Party)	<ul style="list-style-type: none"> Ms. Fridh (Sweden) Ms. Tsarina (Russian Federation) Ms. Vizbule (Latvia)
Eastern Europe (3 countries)	9. Belarus 10. Republic of Moldova 11. Ukraine (not Party)	<ul style="list-style-type: none"> Mr. Chukharev (Belarus) Mr. Iberl (Germany)
South-Eastern Europe (5 countries)	12. Albania 13. Bosnia and Herzegovina 14. Montenegro 15. Serbia 16. The former Yugoslav Republic of Macedonia	<ul style="list-style-type: none"> Mr. Hrvoje Buljan (Croatia) Ms. Rachel McCann (United Kingdom) Ms. Sanja Stamenkovic (Serbia)

13. The members of the subgroups reported back on their engagement activities since the last meeting, including on their contacts with Focal Points and/or representatives of Albania, Georgia and Montenegro in the framework of the tenth meeting of the Conference of the Parties. The contacts and actions undertaken by the members of the Working Group and the envisaged next steps in the respective subregions are outlined in item 4 of this report.

14. The Working Group held a teleconference with the Convention's Focal Point from Azerbaijan, Mr. Mutallim Abdulhasanov, Head of Sector on Environmental Policy from the Ministry of Ecology and Natural Resources. Mr. Chukharev conducted the teleconference on

¹ <https://wiki.unece.org/display/TEIA/Implementation+Reports>.

² <https://wiki.unece.org/display/TAAP/Self-Assessments+and+Action+Plans>.

behalf of the Caucasian subgroup in Russian, based on questions prepared in advance by the subregional group. Mr. Abdulhasanov reported, among others, on the following:

(a) Since the eighth implementation reporting round (2014–2015), the Ministry of Emergency Situations and the Ministry of Ecology and Natural Resources were designated in 2016 as the competent authorities responsible for the implementation of the Convention; however, no other important developments have been made;

(b) Azerbaijan faces difficulties in implementing the provisions of the Convention due to a lack of experience in implementation and a lack of cooperation mechanisms between operators and competent authorities for which training and seminars in this area are needed;

(c) While agreements between Azerbaijan and Belarus, Georgia, the Russian Federation and other countries relating to the prevention of and response to emergency situations exist, there is an ongoing need for training in the fields of bilateral transboundary consultation on hazardous activities and in the development of transboundary emergency plans;

(d) The adoption of international best practices in (i) setting mechanisms for identification/notification of hazardous activities, (ii) the use of the Convention's Industrial Accident Notification system, and (iii) increasing competencies in the preparation and submission of reports and notifications, would be beneficial for Azerbaijan;

(e) The sharing of good practices from other Parties and beneficiary countries of the Convention would also be useful for Azerbaijan.

15. Following the teleconference with Mr. Abdulhasanov, the Working Group agreed that Azerbaijan should be encouraged to work on improving cooperation between competent authorities and operators. The secretariat informed the Working Group that Azerbaijan had expressed interest in implementing National Policy Dialogues on Industrial Safety which could help the country address this and other issues, if funding for such a project became available. The Working Group further agreed that a letter to Azerbaijan be prepared by the subregional group, in cooperation with the secretariat, which should make reference to the previous letter sent in 2017 and request a response to the questions raised during the teleconference. The letter should also encourage Azerbaijan to submit its action plan along with a project proposal for an assistance activity under the Convention's Assistance and Cooperation Programme. The Working Group also considered a possible future mission to the country.

16. The Working Group then held a teleconference with the Convention's focal point from Kyrgyzstan, Ms. Gulfia Shabaeva from the State Committee for Industry, Energy and Subsoil Use. Ms. Anna Tsarina conducted the teleconference in Russian on behalf of the Central Asian subgroup, based on questions prepared in advance by the group. Ms. Shabaeva reported, among others, on the following:

(a) The competent authorities of Kyrgyzstan were still in the process of coordinating their responses to the letter sent by the Working Group in November 2018 which inquired about the progress made by Kyrgyzstan since the submission of its self-assessment and action plan. Kyrgyzstan's letter of reply was currently being compiled and would be sent back to the secretariat by 22 February 2019;

(b) Ms. Shabaeva provided an update on the status of implementation of a number of activities outlined in Kyrgyzstan's action plan submitted in August 2017 to the secretariat, including on the following items:

(i) Kyrgyzstan had identified a competent authority (State Committee for Industry, Energy and Subsoil Use) responsible for collecting data on hazardous activities;

(ii) Experience and knowledge from Belarus, Kazakhstan and the Russian Federation was being taken account of in implementing the provisions of the Convention,

however, there was a need to collect further international good practice examples in this regard;

(iii) A competent authority for transboundary consultations had been identified (but not yet approved), and meetings had been held with neighbouring countries to exchange information on hazardous activities. Consultations in the framework of environmental impact assessments had taken place in regard to new/planned hazardous activities, however not for old/existing facilities;

(iv) The Ministry of Emergency Situations of Kyrgyzstan had been carrying out regular fire-fighting and rescue trainings, including a training in 2018 along a transboundary river near the border with Kazakhstan;

(v) Kyrgyzstan expressed the need for software for registering and processing data on hazardous activities, explaining that the country still managed the data manually.

(c) Kyrgyzstan was facing difficulties in the use of the UNECE Industrial Accident Notification (IAN) System; in particular, Kyrgyzstan, as not being a Party to the Convention yet, needed to justify the necessity and usefulness of the IAN System to the management every time they would like to use it due to the lack of stability in the country's management team that was responsible for implementing the System.

17. Following the teleconference, the Working Group reflected on how it could provide further assistance to Kyrgyzstan. It was agreed that Ms. Tsarina would translate the letter from Kyrgyzstan (once received) for the Central Asian subregional group to develop recommendations and proposals for the next steps for Kyrgyzstan. It was also agreed that the small group would share the letter and proposals with the entire Working Group thereafter.

18. The Working Group agreed that Mr. Chukharev and Ms. Tsarina would write summaries of the teleconference discussions, in cooperation with their small groups, and submit them to the secretariat shortly after the meeting for inclusion of the key points into the meeting minutes.

19. The Working Group recommended that Georgia, Kazakhstan and Montenegro be invited to a teleconference at its next meeting (for further information see item 4 below).

20. Ms. Tsarina from the Russian Federation informed the members of the Working Group that she had not yet had a chance to further work on making the country dossiers more user-friendly, as per her earlier proposal, and suggested to report back on the progress made at the next meeting.

4. Monitoring of the Strategic Approach

21. The members of the Working Group presented their actions undertaken since the last meeting of the Group and the envisaged next steps in the respective subregions, including with regard to the self-assessments, action plans and project proposals:

(a) Caucasus

(i) A teleconference with Armenia was held at the last meeting of the Working Group. The small group had sent a follow-up email to Armenia thereafter but no reply had been received, neither an action plan, as agreed. The small group would follow-up with Armenia to receive the information requested and encourage the submission of an action plan and/or project proposal.

(ii) Unfortunately, no member of the small group had had contacts with Georgia during the tenth meeting of the Conference of the Parties to follow-up on the teleconference with Georgia in 2015 and the country's desire to accede to the Convention, as expressed at the

ninth meeting of the Conference of the Parties (Ljubljana, 28–30 November 2016). The small group considered it important to engage with Georgia and agreed to define an engagement strategy in the coming weeks, on which basis it would take further steps. Georgia could also possibly be invited to next teleconference.

(iii) At the present meeting, a teleconference with Azerbaijan was held (see item 3 above for more information) and the agreed follow-up would be pursued.

(b) Central Asia

(i) Two letters were sent, i.e. one to Kyrgyzstan and one to Kazakhstan, to ask the Focal Points to report on the implementation of action items for which the indicated deadlines in their national action plans had passed. Following the receipt of a reply from these countries, the small group would analyse the replies and define the next steps. Such letters would also be sent shortly by the small group to the remaining Central Asian countries, i.e. Tajikistan, Turkmenistan and Uzbekistan.

(ii) At the present meeting, a teleconference with Kyrgyzstan was held (see item 3 above for more information) and the agreed follow-up would be pursued.

(iii) Kazakhstan could possibly be invited to next teleconference.

(c) Eastern Europe

(i) The small group reported that there had been good progress in Ukraine, following a high-level mission to Kyiv in April 2018. The small group also reported that Ukraine attended the tenth meeting of the Conference of the Parties where it had expressed its desire to accede to the Convention and explained which steps it had recently taken and was planning to take in this regard. The small group recommended to continue monitoring the developments and progress in Ukraine closely and to consider inviting the country at a later stage to a teleconference.

(ii) A teleconference with the Republic of Moldova was held at the last meeting of the Working Group, resulting, among others, in the country's intention to submit an updated action plan by the end of October 2018. Unfortunately, such had not been received yet and it appeared that no other progress had been made since the last teleconference. The small group therefore agreed to send a reminder to follow-up with the country on the agreed action items.

(iii) Belarus expressed interest in working on pipelines safety and reported that it was preparing, in cooperation with Germany, a project proposal on pipelines safety.

(d) South-Eastern Europe

(i) Unfortunately, no member of the small group had had contacts with Albania during the tenth meeting of the Conference of the Parties to follow-up on the teleconference with the country in early 2018. The small group agreed to define an engagement strategy for Albania and the other countries in the region in the coming weeks, on which basis it would take further steps.

(ii) Montenegro could possibly be invited to the next teleconference to follow-up on the teleconference held in 2016 and the country's intention to submit a self-assessment and action plan.

22. The Convention Secretary informed the Working Group of the envisaged assistance activities in 2019–2020, as per the workplan adopted by the Conference of the Parties at its tenth meeting, which were to a large degree financed; notably:

- (i) Sub-regional workshops on land-use planning and industrial safety in 1) Eastern Europe and the Caucasus in 2019, and 2) in South-Eastern Europe in 2020 (tbc);
- (ii) Projects to strengthen the safety of mining operations, in particular TMFs, in Kazakhstan, Tajikistan and beyond in Central Asia;
- (iii) Finalization of the implementation guide for Central Asia and its issuance as a United Nations publication;
- (iv) Technical mission to support the accession process by Ukraine.

23. At the same time, she highlighted that co-financing, in particular for the activity costs associated with these activities was highly desirable. Further financing for the conduct of additional missions following the Strategic Approach – to Bosnia and Herzegovina and Georgia, for example – was required. She also mentioned that additional funding was required to launch National Policy Dialogues (NPDs) on Industrial Safety, as per the Convention's long-term strategy, which would help meet country needs and enhance industrial safety governance.

24. The Working Group took note of and endorsed the assistance activities planned to be implemented by the secretariat. At the same time, it highlighted that some countries, such as Azerbaijan, evidently needed support beyond the planned activities on land-use planning and industrial safety, pointing out that their needs to strengthen inter-institutional coordination could be addressed through NPDs on Industrial Safety.

25. Ms. Tsarina presented a draft demonstration tool, prepared based on the Benchmarks document, that could be used to facilitate the conduct of the national self-assessments. The Working Group welcomed the draft tool and suggested that the finalized tool be shared with those beneficiary countries of the Convention's Assistance and Cooperation Programme which have not yet completed their self-assessments or need to update them, for example with Montenegro or Bosnia and Herzegovina. Before recommending the demonstration tool for use, the Working Group agreed to carefully review the tool and send feedback on it by the end of April 2019 to Ms. Tsarina. Once finalized and validated, the tool could be shared with beneficiary countries.

5. Collection of good practices and exchange of information

26. The Working Group agreed to postpone the discussion on this item to its next meeting, following the receipt of information on the good practices collected through the national implementation reports.

6. Meetings scheduled for 2019–2020

27. The Working Group discussed the schedule and venues of its meetings in the biennium 2019–2020, concluding that its members should focus in 2019 on the provision of assistance to the beneficiary countries under the Assistance and Cooperation Programme within the subregional groups, while the next face-to-face meeting should be held after the submission deadline for the national implementation reports.

28. In order to allow sufficient time for holding teleconferences and analysing the national implementation reports, the Working Group agreed to hold its next meeting over three days, presumably at the end of January or in early February 2020 in Geneva, allowing also for a greater participation from the secretariat. Another face-to-face meeting should take place towards the end of April or in early May 2020, in advance of the meeting of the Bureau, to finalize the synthesis report for the eleventh meeting of the Conference of the Parties. Ms. Fridh kindly offered to host that meeting in Stockholm. The exact dates of the thirty-ninth and fortieth meetings should be determined at a later date.

29. The Working Group also agreed to hold teleconference meetings within the subregional groups in September 2019, with the purpose of providing updates on their engagements with countries. It was also agreed to share the results of the work that had been undertaken by the small groups with all members of the Working Group no later than October 2019, including an update on the actions taken since the last meeting, recommendations for next steps and country engagement strategies.

7. Closing of the meeting

30. The Chair closed the meeting at 6.15 p.m. on 11 February 2019.