



# Information exchanged at the meeting of the Chairs of the MEA compliance and implementation bodies

## Item 3j Provisions on the review of compliance

Presentation from Sandra Ashcroft, Chair of  
the WGI Industrial Accidents Convention

4<sup>th</sup> meeting of WGD 28 – 29 April 2014



# Background

- Informal Network of the Chairs of compliance/implementation bodies under the MEAs
  - Air Convention and its Protocols: **Implementation Committee**
  - EIA Convention and SEA Protocol: **Implementation Committee**
  - Water Convention: **Implementation Committee**, and Protocol on Water and Health: **Compliance Committee**
  - Aarhus Convention and PRTR Protocol: **Compliance Committees**
  - Industrial Accidents Convention: **Working Group on Implementation**
- 2 meetings – March 2013 and March 2014
- Share good practice and learn from each others experiences
- Compliance v implementation



# Non-compliance

(with substantive Treaty obligations)

- Options for reporting incidences of non-compliance
  - Self-submission
  - Party to party submissions
  - Committee initiative
  - Public (public communications; Committee initiative further to information from NGOs)
  - Secretariat referrals
- Procedures



# Key Tools to address non-compliance

- Committee meetings where parties are invited to explain their non-compliance and the measures taken to improve compliance
- Missions to countries for the party to explain its non-compliance, explore reasons for non-compliance and offer assistance
- Diplomatic letters – officials, ministry, Ministers



# Other sanctions

- Penalties
  - Cautions: Theoretical possibility of suspension of rights and privileges but rarely used (Aarhus, PRTR, Espoo)
- Weighing advantages and disadvantages
- Hard sanctions v soft sanctions

# Other points of interest

- Open Committee meetings v closed sessions
- Personal capacity (Aarhus, PRTR, Water, Protocol on Water and Health) v representative of a Party (CLRTAP, Espoo/SEA)
- Funding/resources for meetings



# Questions for Industrial Accidents Convention

- Do we want to establish a compliance mechanism to establish remedies for compliance with substantive obligations (for Parties, Parties of origin, Parties concerned - in addition to reporting obligations)?

Future discussions at WGD (and WGI) post COP-8:

- What kinds of remedies would fit with the ethos of what the Convention sets out to achieve?

Thank you