

Item 8 (a): Activities of the Working Group on Implementation in 2015-2016 and the 8th report on the implementation of the Convention

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Chair of the Working Group on Implementation

9th Conference of the Parties to the UNECE Convention
on the Transboundary Effects of Industrial Accidents

Ljubljana, 28-30 November 2016



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Outline of the Presentation



- WGI composition and activities
- 8th report – Status of reporting
- Reporting trends
- Quality of reporting
- Overall assessment of the Convention's implementation
- Instances of good practice
- WGI recommendations

WGI composition and activities

Main activities undertaken by WGI in 2015-2016

- 10 members from Belarus, Croatia, Germany, Lithuania, Netherlands, Russian Federation, Serbia (Vice-Chair), Sweden, Switzerland, and the United Kingdom (Chair)
- Held 6 meetings in 2015–16, incl. 1 joint meeting with the Bureau
- Monitored the implementation of the Convention, incl. through review of national implementation reports
- Prepared 8th report on implementation of the Convention and updated the reporting format and guidelines
- Prepared a draft decision clarifying the reporting requirements, incl. a proposal to change the reporting cycle from 2 to 4 years
- Supported the update of its Terms of Reference led by the Bureau
- Supported the Working Group on Development in its deliberations regarding the review of compliance
- Undertook an analytical review of the effectiveness of the Convention's Assistance Programme

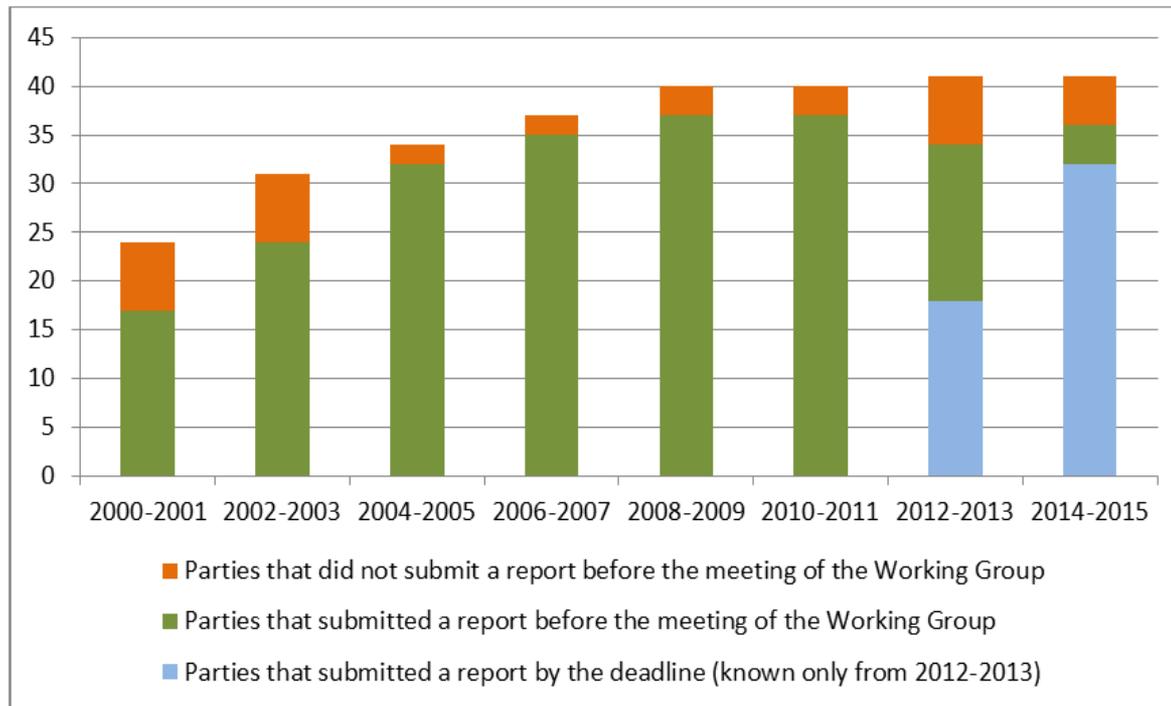
8th report on the implementation of the Convention – Status of reporting



- Deadline for reporting: 31 Jan 2016
- 33 national implementation reports submitted by the deadline, of which:
 - 32 (out of 41) Parties
 - 1 (out of 5) committed country/ies
- WGI met on 27-28 Apr 2016 to review the national implementation reports
- 9 Parties did not submit a report on time and could not be assessed
 - 4 Parties submitted reports still before the WGI meeting and 4 others thereafter
- To date reports from 1 Party and 4 committed countries missing:
 - Bosnia and Herzegovina, Georgia, Kyrgyzstan, Tajikistan and Ukraine

Reporting Trends

Reporting by Parties (2000–2001 to 2014–2015)



→ WGI encourages all Parties and committed countries to submit their implementation reports in the future

- Number of reports submitted by the deadline almost doubled since last round (18 to 33)
- Timely submissions from Denmark, Kazakhstan, Spain and Uzbekistan
- Submission of a report by the European Union
- Only 6 of the 16 countries with economies in transition submitted their reports on time

Quality of Reporting

Review of the quality of the national implementation reports

Successes

- The overall quality of reporting improved
- Generally, the guidelines for reporting had adequately been followed
- More Parties used the indicators and criteria contained in the benchmarks document
- Indicators and criteria had helped to identify the progress made

Requires improvement

- In some cases descriptions exceeded the word limit
- The reports did not always clearly describe the progress made
- Countries should consult the guidelines before completing their reports
- Countries need to provide sufficient information to judge whether challenges from the previous reporting had been addressed

Overall assessment of the Convention's implementation (1/5)

Policy for implementation of the Convention

Findings

- Overall description was good
- Some countries did not make clear which policies and legislation were specifically related to transboundary issues



Areas for follow-up

- Imperfect legislative base
- Lack of cooperation with neighbouring countries, institutional capacity, etc.
- Insufficient safety culture
- Unclear divisions of responsibilities between authorities

Overall assessment of the Convention's implementation (2/5)



Identification and Notification of Hazardous Activities

Findings

- Improvement has been shown in implementing procedures to identify hazardous activities

Area for follow-up

- Procedures for notification of hazardous activities to neighbouring countries still require improvement

Prevention of Industrial Accidents

Findings

- Few changes from the previous reporting round
- Generally slow pace of progress in this area observed

Areas for follow-up

- Human resources and training.
- Risk identification and assessment
- Quality of safety reports
- Co-ordination between authorities and operators

Overall assessment of the Convention's implementation (3/5)

Emergency Preparedness and Response

Findings

- At an acceptable level, in particular at the national level
- Testing, update and review of emergency plans, in cooperation with neighbouring countries, still requires improvement.

Areas for follow-up

- Cooperation with neighbouring countries
- Shortage of specialized equipment
- Crisis communication and the sharing of capabilities, off-site contingency plans and joint emergency exercises

Mutual Assistance

Findings

- Most countries identified a point of contact for mutual assistance
- Most countries provided clear information about their procedures for requesting and providing mutual assistance

Areas for follow-up

- *Need for all Parties to the Convention to establish an authority to act as point of contact (if they have not yet done so)*

Overall assessment of the Convention's implementation (4/5)

Scientific and Technological Cooperation / Exchange of Information

Findings

- Many reports provided a variety of good examples
- More examples of cooperation and outcomes from joint exercises, commissions or groups is required

Area for follow-up

- Sharing related documentation with others could be useful

Participation of the Public

Findings

- Implementation of provisions on public participation had improved slightly in most countries
- Procedures for involving the public vary significantly among the countries

Areas for follow-up

- The exchange of good practices is needed to reach a higher degree of public participation
- Parties should organize seminars, workshops and other relevant activities in this area

Overall assessment of the Convention's implementation (5/5)



Decision-making on Siting

Findings

- Progress has been made in this area
- Almost all Parties have basic regulations and policies for land-use planning
- In 19 Parties, transboundary effects taken into account in land-use planning
- Countries that currently have no hazardous activities described how neighbouring countries would be involved in decision-making on siting

Area for follow-up

- 14 Parties reported weaknesses, incl. suboptimal coordination among authorities, and a lack of experience or knowledge of authorities
- WGI appreciated the open-minded reflection on weaknesses
- Use of the guidance on land-use planning, the siting of hazardous activities and related safety aspects
- Exchange of experience in this area

Reporting on Past Industrial Accidents

- As in the previous reporting round, no accidents with transboundary effects were reported for the period 2014–2015

Instances of Good Practice

- Identified in several working areas under the Convention, e.g. prevention, preparedness and response, public participation
- Will be made available on the Convention's website
- More Parties highlighted good practices and guidelines this time



Further key recommendations by WGI

WGI key recommendations in the 8th Report

- Implement tailor-made assistance activities for countries with economies in transition
- Collect and share more good practices and make it available in English as well as other languages
- Explore the advances in risk assessment methodologies against the Convention's Location Criteria
- Countries using risk assessment methodologies should give more details of their approaches to WGI
- Countries to critically assess their implementation and shortcomings in self-assessments, with a view to receiving assistance
- Countries could always contact WGI, through secretariat, to discuss implementation aspects
- An online reporting mechanism should be established. WGI could oversee this development
- Use of the indicators and criteria to report on progress made

Item 8 (a): Draft decision strengthening the implementation of the Convention

**Sandra Ashcroft, United Kingdom
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Strengthening implementation

The Conference of the Parties:

- *Adopts* the **eighth report** on the implementation
- *Calls on* those countries that have not yet done so to **submit their reports** and invites non-Parties to do the same on a voluntary basis
- *Encourages* **sharing of good practices**, guidelines and materials of interest, including weblinks, on the working areas of the Convention, even if not specifically related to the transboundary aspects
- *Requests* the Working Group to **make these widely available** to facilitate the exchange of information and raise awareness
- *Requests* the Working Group to **update the format and guidelines** before the 9th round, striving not to increase the burden for reporting
- *Encourages* countries to **intensify their efforts to implement the Convention's** provisions in several areas (notification of hazardous activities, public participation, decision-making on siting)

Strengthening implementation

The Conference of the Parties:

- *Invites* countries to provide further information about their **hazardous activities** (e.g. nature), on a voluntary basis, to the secretariat to improve understanding of the disaster risks and to prepare for them
- *Encourages* countries to **strengthen joint exercises** on preparedness and response and to **establish off-site contingency plans** and regularly test, review and update them, with neighbouring countries
- *Recommends* that countries increase efforts to establish bi-/multilateral **agreements**, especially between neighbouring countries
- *Calls on* all Parties, and invites other countries, to **nominate**:
 - **Competent authorities** and **points of contact** for notification of industrial accidents as well as for mutual assistance
 - **A focal point** for communication among themselves and with the secretariat, and to make them aware of their roles and responsibilities

Strengthening implementation

The Conference of the Parties:

- *Reminds* committed countries to **use the Strategic Approach** and its tools, the self-assessment and action plans, and to take advantage of the **more user-friendly version** of the indicators and criteria
- *Invites* countries to **use the indicators and criteria to report** on the implementation of the Convention in the next reporting round
- *Calls on* Parties and other donors to **make available financial and in-kind resources** for the implementation of the Assistance Programme
- *Mandates* the Bureau to make all efforts to **ensure the availability of financial and in-kind resources** for Assistance Programme



Item 8. Implementation of the Convention

- **Eighth report – draft decision**
 - Adopt the eighth report on implementation of the Convention
 - Recommend specifically, in line with the report, continuing the collection of good practice examples through the national implementation reports
 - Call on Parties and committed countries to highlight good practices and guidelines, including the provision of weblinks, in their national implementation reports for the next reporting round, to help disseminate such good practices

- **Strengthening implementation**
 - Adopt the decision on strengthening the implementation of the Convention
 - Request the Working Group on Implementation to prepare a further decision on strengthening the implementation of the Convention for the next meeting



**Item 8 (a):
Draft decision on reporting
requirements under the Convention**

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Mandate

Draft decision on reporting requirements under the Convention

Mandate

- 8th Conference of the Parties requested the Working Group to prepare a draft decision
- Draft decision should clarify the **reporting requirements** under the Convention, including with regard to the **periodicity** and **public availability of national implementation reports**

Draft decision

- Countries to comply in a timely manner with their reporting obligations and commitments
- Proposal to move from 2-year cycle to 4-year reporting period
- Continue practice of making reports available only through a password-protected web page

New reporting cycle and submission deadline

- Move from 2 year cycle to 4 year reporting period
- Transition period of 3 years
- Extension of submission deadline from Jan to Oct
- Availability of reports at every uneven CoP

Reporting round	Reporting period	Submission deadline	Availability of synthesis report on implementation
9th	2016-2018 (3 years)	31 Oct 2019	End of 2020 (for CoP11)
10th	2019-2022 (4 years)	31 Oct 2023	End of 2024 (for CoP13)
11th	2023-2026 (4 years)	31 Oct 2027	End of 2028 (for CoP15)

New reporting cycle

Why shift from 2 to 4 years?

- Generally **good progress made** nationally in improving prevention, preparedness and response
- But **incremental nature of such progress** results in the often slow realization of measurable changes (e.g. in the area of prevention)
- Attempt to **not increase the workload** placed on countries linked to reporting on the implementation of the Convention

Why move deadline to Oct?

- Difficulties by countries to comply with the deadline in Jan, leaving **only 1 month** after the end of the reporting period to submit a report
- **Short time frame** for the Working Group to analyse and evaluate the reports and **to compile an overall report on the implementation**
- Attempt to further **reduce the reporting burden** on many Parties through aligning reporting cycles with other international obligations

Other clarified reporting requirements

- Working Group on Implementation to enter into contact with countries, based on the review of the implementation reports, to gather further information about good practices, national guidelines, etc. to facilitate the exchange of information among Parties and other countries
- Working Group on Implementation to engage with Parties, committed countries and other reporting countries to provide advice and make recommendations on the implementation of the Convention
- Parties, committed countries and other reporting countries to work collaboratively with the Working Group when it seeks to contact
- Countries to use the reporting format and guidelines prepared by the Working Group, particularly for their reporting on the progress made

Item 8. Implementation of the Convention

- **Reporting requirements**

- Adopt the decision on reporting requirements under the Convention
- Request the Working Group on Implementation to prepare a ninth report on implementation on the basis of national implementation reports for the eleventh meeting, in 2020

Item 8. Implementation of the Convention

- Amendments to the terms of reference

- Engage with countries where the Working Group becomes aware of possible difficulties in the implementation of the Convention
- Engage with countries to gather information about innovations, good practices, national guidelines and other materials of interest
- Identify good practices and facilitate the exchange of information
- Monitor the Convention's Assistance Programme and review national self-assessments and action plans
- Review the substance and eligibility of project proposals submitted within the framework of the Assistance Programme
- Monitor the progress of assistance activities and, if no progress is made in the implementation of the Convention, request the countries benefitting from such activities to provide an explanation
- Countre

Item 8. Implementation of the Convention

- Amendments to the terms of reference
 - Specify the need to consider gender balance alongside geographical balance when electing members
 - Define a procedure for when an elected member is unable to complete their term of office
 - Provide for observers
 - Specify English as the working language

Working Group on Implementation Chair, Vice-Chair and members

2015–2016 (current)	2017–2020 (proposed)
Sandra Ashcroft (United Kingdom)	Rachel McCann (United Kingdom)
Suzana Milutinovic (Serbia)	Suzana Milutinovic (Serbia)
Evgeny Baranovsky (Belarus)	Pavel Chukharev (Belarus)
Lina Buciene (Lithuania)	Laura Vizbule (Latvia)
Hrvoje Buljan (Croatia)	Hrvoje Buljan (Croatia)
Helena Fridh (Sweden)	Helena Fridh (Sweden)
Leo Iberl (Germany)	Leo Iberl (Germany)
Martin Merkofer (Switzerland)	Raphael Gonzalez (Switzerland)
Peter Westerbeek (Netherlands)	Peter Westerbeek (Netherlands)
Anna Tsarina (Russian Federation)	Anna Tsarina (Russian Federation)