

18 February 2013

English only

Economic Commission for Europe

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

Working Group on Implementation

Nineteenth meeting

Geneva, 29 January 2013

Minutes of the nineteenth meeting

I. Opening of the meeting and adoption of the agenda

1. The Working Group on Implementation under the Convention on the Transboundary Effects of Industrial Accidents held a meeting in Geneva on 29 January 2013, beginning at 10 a.m.

2. The following members of the Working Group attended the meeting: Mr. E. Baranovsky (Belarus); Mr. H. Buljan (Croatia); Mr. T. Valanto (Finland); Mr. L. Iberl (Germany); Mr. F. Senzaconi (Romania); Ms. S. Milutinovic (Serbia); Mr. M. Merkofer (Switzerland); and Ms. S. Ashcroft (United Kingdom of Great Britain and Northern Ireland). Ms. A.-S. Eriksson (Sweden) and Ms. E. Kjupeva Nedelkova (the former Yugoslav Republic of Macedonia) had informed the secretariat in advance that they could not participate. Mr. C. Dijkens, Chair of the Bureau, participated for the first two agenda items. The United Nations Economic Commission for Europe (ECE) secretariat serviced the meeting.

3. According to the terms of reference of the Working Group on Implementation, the Working Group should elect its Chair at the first meeting following the meeting of the Conference of the Parties. Pending the election of the Chair of the Working Group, the Chair of the Bureau opened the meeting. The Working Group adopted its agenda as prepared by the ECE secretariat in agreement with the Chair of the Bureau (CP.TEIA/WG.2/2013/INF.1 – WGI36).

II. Election of the Chair

4. The Working Group elected Ms. Ashcroft as its Chair and Ms. Milutinovic as its Vice-Chair. Ms. Ashcroft then took over the chairing of the meeting.

III. Reporting on implementation

5. The secretariat presented the decisions taken by the seventh meeting of the Conference of the Parties regarding the report on implementation. The secretariat also identified the normal tasks of the Working Group and a possible schedule for: (a) issuing the questionnaires; and (b) preparing the report on implementation for consideration by the next meeting of the Conference of the Parties.

6. The Working Group discussed the procedure for the preparation of the seventh report on implementation and agreed on the schedule as set out in the table below.

Schedule for the preparation of the seventh report on implementation.

<i>Action</i>	<i>Deadline/foreseen schedule</i>
Availability of a new version of the questionnaire (reporting format) to allow translation in French and Russian	July 2013 (latest)
Sending of letters containing the questionnaire and its guidelines to Parties and other countries	From September 2013
Deadline for Parties and other countries to submit their national implementation report	31 January 2014
Preparation of the overall report on implementation	End of July/beginning of August 2014

7. The Working Group recognized that it was intended that the overall report on implementation identify policies in a qualitative way. Nonetheless, the Working Group decided to explore whether, and if so how, it might be more systematic in its analysis of national implementation reports, possibly by linking the analysis to the benchmarks (ECE/CP.TEIA/2010/6). Members of the Working Group were invited to provide suggestions and input to the secretariat, which would prepare a background paper for the next meeting.

8. The Working Group agreed that it was important that the national reports include complete information and not rely on references to earlier national reports. This complete information might include responses to previous questionnaires, perhaps highlighted in colour, together with information on changes and updates. The complete information would facilitate the task of the Working Group in reviewing the national reports, as well as encouraging national focal points to check their responses. The secretariat was asked to investigate populating each country's questionnaire with the previous responses. An alternative would be to send to each national focal point the country's previous national reports at the same time as issuing the new questionnaire; the person completing the questionnaire could then "cut and paste" previous responses. The reports should be received in a consistent format, e.g. Word or PDF.

9. The Working Group discussed whether to ask countries if the national implementation reports should be made available to the public, for example by including a question on this in the questionnaire or in the covering letter. It concluded that the Parties should take a collective decision on public access and that this question should instead be addressed by the Working Group on Development, this being one of the possible amendments to the Convention which that body was expected to evaluate. Nonetheless, the Working Group on Implementation considered that it might in the meantime make publicly available statistical information derived from the national implementation reports, without revealing countries' names.

10. The Working Group discussed the need to simplify and clarify further the questionnaire and the accompanying guidelines, in the light of the decisions taken by the Conference of the Parties. The Working Group decided to make explicit, in the subheading for questions 10 to 15 and in the phrasing of question 15 (a), that these questions addressed both emergency preparedness and emergency response. In addition, the secretariat was requested to draft and circulate one or two additional questions on emergency response and mutual assistance (with reference to the benchmarks), as well as to clarify the questions on the notification of hazardous activities and of accidents, as some respondents found

confusing the use of the word “notification” in two different contexts. The Working Group further agreed that it could be helpful to explain more precisely the terms point of contact, focal point and competent authority. The secretariat should also revise the guidelines accordingly.

11. The Working Group agreed that the cover letter to the next questionnaire should identify the current point of contact under the Convention, and their contact details, and invite the country to check this information. This would serve two purposes: to encourage registration in the Industrial Accidents Notification System and the update of this information; and to provide further information to the Working Group on the capacity of Parties to respond to industrial accidents.

12. The Working Group considered the decision by the Conference of the Parties that the Executive Secretary should write to those countries benefitting from the Assistance Programme that are not Parties, and that failed to submit a national implementation report, to remind them of their obligation to do so. The Working Group was of the opinion that the Executive Secretary should write in September 2013, when the new questionnaire was to be distributed. The Executive Secretary might refer to the obligation to report, but also to the ease of reporting on the implementation of the Convention once a self-assessment has been completed.

13. The secretariat reported that the Executive Secretary had written to the Minister of Foreign Affairs of the Russian Federation to communicate the concern of the Conference of the Parties at the failure of the Russian Federation to report in compliance with its legal obligations under the Convention and to ask for the country to report on its implementation of the Convention.

IV. Assistance Programme management

14. The secretariat reported on the status of the submission of self-assessments and action plans by countries benefitting from the Assistance Programme.

15. The Working Group on Implementation then decided to establish a small operational group, led by its Chair, to review self-assessments and action plans. The Working Group agreed that the small group should include three other people: one from the Working Group and two from the Bureau. It was further agreed that the small group should not include countries benefitting from the Assistance Programme to ensure impartiality, given that its decisions could lead to the funding of projects. Mr. Merkofer volunteered to join the small group.

16. The secretariat was requested to investigate the obstacles faced by countries that had not submitted a complete self-assessment or action plan and to describe the obstacles at the next meeting.

17. Further to the request of the Conference of the Parties, the Working Group considered that its Chair, together with the Chair of the Bureau, should write to the countries benefitting from the Assistance Programme reminding them of their obligation to carry out self-assessments and to submit action plans. The letters would be tailored according to the progress made by the countries; no letter would be sent to those countries having submitted a satisfactory action plan. As appropriate, the letters should be sent to the next higher level in government in case previous communications had been unsuccessful.

18. The secretariat informed the Working Group of its initiatives to give more direct assistance to countries in carrying out their self-assessment and preparing their action plan. The Working Group considered that such assistance might at the same time provide information on the challenges faced by countries in using the benchmarks and other tools under the Assistance Programme. The Working Group agreed to suggest to the Bureau that

a second small group be established comprising between six and eight members of the two bodies, including representatives of countries benefitting from the Assistance Programme. This small group should review the benchmarks and other tools in the spring and summer of 2013, working primarily by e-mail. The Vice-Chair, Ms. Milutinovic, agreed to be a member of this small group.

19. The Working Group discussed a note by the secretariat on the development of outline terms of reference (TOR) for the implementation of projects within the Assistance Programme. The secretariat was asked to circulate the note by e-mail requesting suggestions, within a reasonable deadline, for additional elements to be included in the TOR. The secretariat should then develop the draft TOR and circulate for their additional comments; the Working Group would consider the draft TOR at its next meeting.

V. Schedule of meetings

20. The Working Group decided to meet next in Stockholm on 4–5 June 2013 (further to an offer by Ms. Eriksson sent by e-mail), in the United Kingdom on 26–27 November 2013¹ and in Romania in March 2014. Each meeting would be one and a half days long.

VI. Presentation of the main decisions taken and closing of the meeting

21. The Working Group asked the secretariat to circulate its presentations made at the meeting.

22. The Working Group agreed on the main decisions taken and on a report to present to the joint meeting of the Bureau and the Working Group taking place in the afternoon of the same day.

23. The Chair closed the meeting at 1.30 p.m. on 29 January 2013.

¹ During the meeting the dates 19–20 November 2013 were agreed but, following consultations by e-mail, the dates were revised to those indicated.