
Economic Commission for Europe

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

Bureau

Thirty-seventh meeting

Hernstein, Austria, 30-31 January 2018

Minutes

Item 1 Opening of the meeting and adoption of the agenda

1. The thirty-seventh meeting of the Bureau under the Convention on the Transboundary Effects of Industrial Accidents was held in Hernstein, Austria, at the invitation of the Federal Ministry of Agriculture, Forestry, Environment and Water Management.
2. The following Bureau members were present: Jasmina Karba (Slovenia), Chair; Wivi-Ann Wagello-Sjölund (Finland), Vice-Chair; Paweł Dadasiewicz (Poland), Vice-Chair; Michael Struckl (Austria); Senad Oprasic (Bosnia and Herzegovina); Pavel Forint (Czechia); Aléxandros Kiriazis (European Union); Gerhard Winkelmann-Oei (Germany); Torill Tandberg (Norway) 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 secretariat to the United Nations Economic Commission for Europe (UNECE).
3. The Bureau adopted the provisional agenda (CP.TEIA/2018/B.1/Agenda). It decided to address item 6 (strategic partnerships) at its next meeting. The Bureau expressed great appreciation to Mr. Struckl (Austria) for hosting the meeting.

Item 2 Review of the long-term strategy and elements of the communication strategy

4. The Bureau reviewed and exchanged its comments on the long-term strategy for the Convention. It thanked the small group and the secretariat for the preparations of a well-advanced draft which would benefit from further adjustments. It agreed that within the next 2 months, the secretariat take up the comments received and circulate **by end-March/early-April** a revised draft long-term strategy to the entire Bureau, for a **final round of commenting by end-April**. Thereafter, a final version will be prepared for the Bureau's final review and approval at its 38th meeting (Bern, 26-27 June 2018).
5. The Bureau agreed with the principal approach of the draft elements for a communication strategy, and thanked the small group and the secretariat for their presentation, and exchanged its comments. It requested the small group, in cooperation with the secretariat, to further elaborate the strategy as a

written text and to circulate it **by mid-May** to the Bureau for its review and comments in advance of the 38th meeting of the Bureau.

Item 3 Proposed amendment to the Convention

6. The Bureau exchanged its views on the responses received by Parties to the letters sent by the secretariat on the amendment to the Convention, following the Bureau's request at its 36th meeting (Warsaw, 4-5 July 2017), notably on the response by the Russian Federation which indicated the country's readiness to provide comprehensive comments on the subject matter. Several EU countries have also responded individually and a response had been received from the European Commission, indicating that additional time was needed for the EU and its member States to consider the matter further.
7. The Bureau agreed to make further fact-finding steps towards the Russian Federation, and possible discussions among Parties with divergent views, in view of preparing for the 10th meeting of the Conference of the Parties (Geneva, 4-6 December 2018). It requested the Chair and Vice-Chairs to structure the process forward and embark on the actions discussed, with the possible assistance of other Bureau members and the secretariat.

Item 4 Involvement of Parties and other stakeholders

8. The Bureau welcomed the in-kind contribution provided by Sweden to reprint four publications. It also welcomed the EU's organization of a Major Accident Theme day as part of the 10th meeting of the Community of Users, organized back-to-back with the EU Seveso Expert Group meeting (Brussels, 6-7 March 2018), and the prominent role given to the Convention during that day.

Item 5 Exchange of information

9. The Bureau reviewed and exchanged its views on the agenda of the seminar on land-use planning and industrial safety (Mechelen, Belgium, 16-17 May 2018), and requested the secretariat, in cooperation with the lead-Parties, to pursue the planning of the seminar in line with the approach outlined, comprising the presentation of case studies, panel discussions and a role play. The Bureau welcomed the engagement of the lead Parties, notably the EIB and Belgium, and thanked Ms. Wardle, consultant, for the seminar's well-advanced preparations.
10. The Bureau reviewed the preparations for the seminar on risk assessment methodologies (Geneva, 4 December 2018, in the framework of the 10th meeting of the Conference of the Parties) and thanked the small group, in cooperation with the secretariat, for the well-advanced preparations. It requested the small group, in cooperation with the secretariat, to pursue the planning towards the implementation of the seminar, in line with the approach outlined.
11. The Bureau took note of the report of the Co-Chair of the Joint Expert Group on Water and Industrial Accidents (JEG) on the Group's activities. It welcomed the progress made by the Expert Group on Fire-water Retention to develop the Safety Guidelines and Good Practices on Fire-water Management and Retention. The Bureau also welcomed the plans to pursue the finalization of the Guidelines for presentation to the 13th meeting of the Working Group on Integrated Water Resources Management (Geneva, 29-30 May 2018), and thereafter, to the 10th meeting of the Conference of the Parties (Geneva, 4-6 December 2018) and the 8th session of the meeting of the Parties to the Water Convention (Astana, 10-12 October 2018), for their note-taking and recommendation for use by countries. The Bureau also reviewed the draft workplan for JEG for 2019-20, presented by the Co-Chair, and approved the workplan as such. The workplan will be shared with the Meeting of the Parties of the Water Convention at its 8th session and the Conference of the Parties to the Industrial Accidents Convention at its 10th meeting, for inclusion of elements contained therein in the respective workplans of the Conventions.
12. The Bureau took note of the report of the Chair of the Working Group on Implementation of the Group's activities, suggesting to review at the Working Group's next meeting whether Survey Monkey would be the best tool for countries to report on the implementation of the Convention.

Item 7 Financing and review of the sustainable financial mechanism

13. The Bureau reviewed the trust fund situation as of end-2017, on the basis of a presentation by the secretariat. It positively noted the increasing trust fund balance, mainly due to the growing number of multi-year projects with contributions to the Convention's trust fund (funded by Norway, the Russian Federation, and Switzerland), developed due to donor engagement in response to fundraising by the secretariat. At the same time, the Bureau expressed concerns with regard to the reliability on a relatively small number of donors, the absence of contributions from a large number of Parties, the low share of pledges in advance of the meetings of the Conferences of the Parties. The Bureau recognized the importance of both earmarked and unearmarked funding. It noted that un-earmarked funding was important to ensure the continued delivery of secretariat core services, including the servicing of meetings, substantive contributions, coordination and liaison with Parties, support to implementation, etc. Earmarked contributions were crucial in particular to ensure the sustainability of the Assistance Programme, in the form of multi-year projects (often involving several countries). The Bureau expressed its appreciation to all donors providing support to the implementation of the Convention's workplan, in the form of financial or in-kind contributions, including the direct financing and coordination of assistance activities.
14. With regard to the preparation of the workplan, the Bureau recognized the importance of attributing appropriate costs to its activities. Furthermore, it recognized the importance of country leadership of workplan activities, and of engaging lead Parties for workplan activities, preferably in advance of the workplan's implementation.
15. The Bureau reviewed the implementation of the Sustainable Financial Mechanism (SFM), and decided that - while no amendment to the mechanism was required at this stage in time - the implementation of the mechanism was unsatisfactory and needed to be strengthened. To this effect, the Bureau:
 - (a) Decided that a dedicated discussion on financing shall take place at the next meeting of the Conference of the Parties, to raise awareness of the current situation and the need for stable, predictable contributions by all Parties;
 - (b) Re-established the Bureau's small group on financing which had been active in the previous biennium, with the objective, as per the Bureau's responsibility, in line with the SFM, to actively encourage Parties to provide financial support to the Convention, at a level reflecting their economic strength, and to prepare the above discussion. Pawel Dadasiewicz (Poland), Jasmina Karba (Slovenia), Wivi-Ann Sögelund (Finland) and Torill Tandberg (Norway) volunteered to be members of the small group;
 - (c) Exchanged its views on a first draft of a possible decision on financial arrangements under the Convention, which had been prepared by the Chair and Vice-Chairs, in cooperation with the secretariat, and requested the above-mentioned small group to prepare a shorter such draft decision, with a more positive tone, for the Bureau's review at its next meeting, and its subsequent presentation to the Conference of the Parties at its 10th meeting.
16. Several Bureau members suggested that the issue of financing activities under the UNECE MEAs could be a topic for a horizontal discussion between the Parties to different Conventions, for example at a specially organized joint meeting of the Parties, or another less formal meeting. Such a meeting could serve to discuss not only discuss financing, but also other common issues, e.g. related to implementation, capacity development and project management.

Item 8 (a) (b) Non-core activities, including assistance to support countries in the Caucasus, Central Asia, Eastern and South-Eastern Europe: (a) Assistance Programme and (b) Other assistance activities

17. The Bureau reviewed the implementation of the Assistance Programme, on the basis of a presentation by the secretariat. It took note of the activities implemented in 2017 and planned for 2018, with due regard country needs and progress made, funding provided and possible synergies. It also took account

of the activities envisaged to be carried out beyond 2018, including a mission to Bosnia and Herzegovina – to be implemented depending on the progress made by the country, including the nomination of a competent authority. It stressed the need to ensure the sustainability of activities, taking account of the lessons learned. The Bureau welcomed the Convention’s increasing presence in Central Asia and the progress achieved, evidenced through the submission of national self-assessments and action plans, thanks to the Project on strengthening industrial safety in Central Asia, funded by the Russian Federation. The Bureau also welcomed the carrying out of two sub-regional workshops, in South-Eastern Europe and in Eastern Europe and the Caucasus, thanks to Norwegian funding on environmental governance, and a contribution from Germany and the EU (Technical Assistance and Information Exchange (TAIEX) instrument). It also positively welcomed the new UNECE Pilot project on strengthening the safety of mining operations, in particular tailings management facilities (TMFs), in Kazakhstan and beyond in Central Asia, which will be implemented in the period 2018-2019, thanks to an additional dedicated financial contribution provided by Switzerland.

18. The Bureau also took note of the plans to proceed with the implementation of two assistance activities financed in kind by Germany, notably the Project on Improving the Safety of Tailings Management Facilities in the Caucasian Region – Trainings and legislative Options and a planned project on improving tailings safety in Romania and Serbia. It welcomed the envisaged synergies between the German-funded Project implemented by a contractor and the Swiss-funded project implemented by the secretariat, and requested the German Bureau member and the secretariat to continue their liaison in this regard in order to ensure future synergies.
19. The Bureau further discussed the outcome of the two above-mentioned sub-regional workshops on chemicals management and the identification and notification of hazardous activities and agreed on the following:
 - (a) To prepare a draft revision of the location criteria, in cooperation with the WGI and the JEG, for review and possible adoption by the Conference of the Parties at its tenth meeting. It requested the Bureau member from the EU, who had prepared a proposal to work together with the Chair of the WGI and the Chair of the JEG to refine the proposal reviewed by the Bureau;
 - (b) To further discuss in the framework of the seminar on risk assessment methodologies whether the Conference of the Parties would at its 10th meeting mandate the WGI, in cooperation with JEG, to further discuss a possible update of the location criteria in view of risk assessment;
 - (c) To request the secretariat to embark on a horizontal review with regard to the inconsistent use of “category,” compared to the GHS;
 - (d) To address any inconsistencies in annex I to the Convention only when it will be updated next.

Item 8 (c) Awareness-raising in and outreach to other regions

20. The Bureau took note of the presentation of the Bureau member from Poland on his participation in CHEMSS2017 (Shanghai, China, 19-20 September 2017), of information shared by Chris Dijkens, former Bureau member of the Netherlands, on a workshop on preparedness and response to industrial accidents in the Netherlands with China (20-22 November 2017), and the careful and diplomatic expression of interest by China to further engage. It also took note of a report by the secretariat of its engagement with other regions, through its inter-institutional dialogue and partnership with other organizations, notably UNISDR, which is looking with interest at the experiences from the UNECE region in reducing technological disaster risk, and OECD, which invited UNECE to cooperate in the organization of a special session on chemical accidents prevention, preparedness and response in Latin American

countries in the framework of the next meeting of its Working Group on Chemical Accidents (Paris, 23-25 October 2018).

21. The Bureau reiterated the outcome of previous discussions on the opening with regard to the Convention's step-wise, gradual outreach to and engagement with other regions, to the extent that resources allow and with a particular focus on neighbouring countries. Given that this approach will be enshrined in the long-term strategy and the communication strategy, it decided that no separate decision on engaging with other regions was needed at the next meeting of the Conference of the Parties.

Item 9 Tenth meeting of the Conference of the Parties

22. The Bureau agreed with the draft outline for 10th meeting of the Conference of the Parties, as prepared by the secretariat, and requested it to proceed with drafting the annotated agenda for its review, along with the key documentation, at its next meeting.
23. The Bureau discussed the composition of the future Bureau, reiterating that there needed to be a better balance of geographical regions and of gender, and agreed to take action to that effect. It requested the secretariat to write to all Focal Points to remind them about the changed procedure for nominating members to the Bureau so as to enable their election at the meeting of the Conference of the Parties.
24. Germany announced its envisaged hosting of the 11th meeting of the Conference of the Parties in 2020 in Bonn. The Bureau member from the EU offered to explore possibilities for the organization of a side event by the Major Accident Hazard Bureau in the framework of the 10th meeting of the Conference of the Parties, which the Bureau sincerely welcomed.

Item 10 Other business

25. No other business was being discussed.

Item 11 Closure of the meeting

26. The Chair thanked the secretariat for the excellent meeting preparations and its members for the active discussions, before closing the Bureau meeting on 31 January at 1 p.m.