

Economic Commission for Europe

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

Working Group on Implementation

Thirty-fifth meeting

Geneva, 20–21 February 2018

Annotated provisional agenda of the thirty-fifth meeting

**To be held in Geneva, at the Palais des Nations, room S1, starting at
9.30 a.m. on 20 February, and ending at 4.30 p.m. on 21 February**

I. Provisional agenda

1. Opening of the meeting and adoption of the agenda.
2. Engaging with countries on implementation issues.
3. Monitoring of the Assistance Programme and other assistance activities.
4. Implementation of the Convention, including reporting.
5. Collection of good practices and exchange of information.
6. Update of the location criteria.
7. Inputs for the 10th meeting of the Conference of the Parties.
8. Meeting schedule for 2018.
9. Other business.
10. Closing of the meeting.

II. Annotations to the provisional agenda

This provisional agenda was prepared by the United Nations Economic Commission for Europe secretariat, in consultation with the Chair of the Working Group.

1. Opening of the meeting and adoption of the agenda

The Chair will open the meeting and invite the Working Group to adopt its agenda as set out in the present document. The Chair will provide an update on the key issues from the 37th meeting of the Bureau (Hernstein, Austria, 30–31 January 2018) relevant for the work of the Working Group on Implementation.

2. Engaging with countries on implementation issues

According to paragraph 4 of the updated terms of reference of the Working Group on Implementation, the Working Group shall:

(d) Engage with Parties, committed countries and other reporting countries where the Working Group becomes aware of possible difficulties in the implementation of the Convention, to understand the situation in these countries more accurately and to provide advice and make recommendations on the implementation of the Convention, share good practices and draw attention to existing guidance and tools.

According to paragraph 5, Parties, committed countries and other reporting countries will respond to requests by the Working Group further to item 4 (d) on a voluntary basis.

The Working Group on Implementation at its last meeting discussed elements for a modus operandi for the engagement with countries on implementation issues and it established a small group, comprised of the Chair, Vice-Chairs and Ms. McCann, to prepare a draft of the modus operandi for discussion at its next meeting. The small group will be invited to present the draft modus operandi for the engagement with countries for discussion by the Working Group. The Working Group will be invited to provide comments on the draft modus operandi and to agree on the next steps for updating the draft by the small group.

At its last meeting the Working Group agreed to invite Albania and Armenia to a teleconference. The secretariat will provide further information on its contacts with the countries and the schedule for the teleconferences at the meeting. The Working Group on Implementation, in particular those members responsible for the countries of South-Eastern Europe and the Caucasus, may wish to discuss questions to raise in advance of the teleconference and thereafter agree on how to assist the countries in overcoming their implementation difficulties.

The Working Group agreed at its last meeting that in order to more rigorously monitor the engagement with countries on implementation issues, country dossiers should be prepared, starting with Assistance Programme countries. The members of the Working Group will be invited to present the country dossiers for their subregion (Caucasus, Central Asia, Eastern Europe and South Eastern-Europe), including recommendations on how to engage with those countries. The secretariat will report back on its enquiry of the creation of a google account (or similar) to ensure that the information is accessible to all members remotely and secured. The Working Group may wish to discuss the information provided, including whether to harmonize the way how information is collected by the subgroups, and agree on the next steps for engaging with countries on implementation issues.

Documentation:

- Draft modus operandi for the Working Group's engagement with Assistance Programme beneficiary countries, committed countries and other reporting countries
- Country dossiers per subregion (Caucasus, Central Asia, Eastern Europe and South Eastern-Europe), prepared by the members of the Working Group

3. Monitoring of the Assistance Programme and other assistance activities

According to paragraph 4 of the updated terms of reference of the Working Group on Implementation, the Working Group shall:

(g) Monitor the Convention's Assistance Programme, including the application of the Strategic Approach, and review national self-assessments and action plans;

(h) Review the substance and eligibility of project proposals submitted within the framework of the Assistance Programme and its Strategic Approach;

(i) Monitor the progress of assistance activities within the programme of work under the Convention and, if no progress is made in the implementation of the Convention, request the countries benefitting from such activities to provide an explanation;

(a) Monitoring of the Strategic Approach

The members of the Working Group, as indicated in brackets below, will be invited to present their feedback on the following self-assessments and action plans, and to make recommendations for how to proceed:

- (a) Action plan by Albania, submitted in April 2016
(Mr. Hrvoje Buljan, Ms. Rachel McCann, Ms. Suzana Milutinovic)
- (b) Self-assessments by Azerbaijan (June 2016) and Armenia (February 2018)
(Mr. Gonzalez, Mr. Westerbeek)
- (c) Self-assessments and action plans reviewed as part of the Central Asian project
(Ms. Fridh, Ms. Tsarina, Ms. Vizbule)
- (d) Self-assessment of the Republic of Moldova, submitted in January 2018
(Mr. Chukharev, Mr. Iberl)

The Working Group may wish to discuss and agree on the feedback and recommendations for the next steps, as presented by its members. The Chair, supported by the secretariat, will report on the postponed mission to Bosnia and Herzegovina.

Documentation:

- Self-assessments by Armenia, Azerbaijan and the Republic of Moldova
- Action plan by Albania

(b) Effectiveness of the Assistance Programme

Following a request by the Conference of the Parties at its eighth meeting (Geneva, 3–5 December 2014), the Working Group on Implementation, with the support of the Bureau and the secretariat, carried out an analytical review to determine whether there was sufficient information available to document and assess the effectiveness of the Assistance Programme. Based on the findings of that review (see ECE/CP.TEIA/2016/15), the Conference of the Parties at its ninth meeting agreed on the following three-step approach:

Step 1: The Working Group on Implementation should pursue in its next term a more rigorous approach to monitoring the Assistance Programme, in accordance with its updated terms of reference, to collect further information on and improve the implementation of the Convention by beneficiary countries;

Step 2: The Bureau, in cooperation with the Working Group, should request high-level feedback from beneficiary countries of the Assistance Programme with regard to their progress made and specific needs for future assistance. Based on this feedback and the conclusions and observations set out in the present document, the Bureau, in cooperation with the Working Group, should consider the further development of the Assistance Programme with regard to its design and appeal for both beneficiary countries and donors, including the possibility to organize a high-level meeting in the framework of the next meeting of the Conference of the Parties;

Step 3: Following the implementation of steps 2 and 3, the Conference of the Parties could revisit the issue at its eleventh meeting in autumn 2020.

With regard to the above, the secretariat will present the replies received by countries on the high-level letters sent in May 2017 to collect feedback on the effectiveness of the Programme and specific country needs for future assistance. The Working Group may wish to discuss the feedback received and consider the further development of the Programme, including its rebranding into Assistance and Cooperation Programme, in accordance with the Convention's draft revised long-term strategy, which is being considered by the Convention's Bureau. The Working Group will also be invited to consider the organization of a high-level meeting on the Assistance Programme in the framework of the Conference of the Parties, e.g. at its eleventh meeting or in the framework of another meeting organized in the context of a project under the Assistance Programme.

Documentation:

- Effectiveness, results and options for the further development of the Assistance Programme (ECE/CP.TEIA/2016/15)
- Replies received from countries on the effectiveness of the Assistance Programme

(c) Implemented and planned activities under the Assistance Programme

The secretariat will provide an update on the progress made in the implementation of the Central Asian project (2016–2019), including with regard to the development of an implementation guide and template for the notification of hazardous activities, responding to recommendations arising from national meetings in Central Asia and the sub-regional workshops held in 2017. The Working Group may wish to discuss the information provided and agree on how to support and provide guidance on the development of a template for the notification of hazardous activities in accordance with art. 4 and annex III, possibly by establishing a small group. The secretariat will also provide an overview of planned activities for 2018, including with regard to a high-level mission to Ukraine (Kyiv, 4–5 April 2018, tbc) and a project to strengthen the safety of mining operations, in particular tailings management facilities, in Kazakhstan and beyond in Central Asia, financed by Switzerland (2018–2019). The Working Group will be invited to take note of the information provided and to provide advice.

Documentation:

- Flyer for a project to strengthen the safety of mining operations, in particular tailings management facilities, in Kazakhstan and beyond in Central Asia

(d) Other assistance activities

The secretariat will inform the Working Group about a project on tailings safety in the Caucasus, financed by Germany. The Working Group on Implementation will be invited to take note of the information and to provide advice.

Documentation:

- Terms of reference for a project on improving the safety of tailings management facilities in the Caucasian region

4. Implementation of the Convention, including reporting

According to paragraph 4 of the updated terms of reference of the Working Group on Implementation, the Working Group shall:

- (a) Monitor the implementation of the Convention;
- (b) Prepare the report on the implementation of the Convention, including conclusions, on the basis of the individual country reports, in line with article 23 of the Convention;
- (c) Make draft recommendations to strengthen the implementation of the Convention on the basis of the above report and submit these, through the Bureau, to the Conference of the Parties for adoption;

The Working Group at its thirty-fourth meeting discussed, based on a background paper, ideas for how to improve reporting on the implementation of the Convention with freely available software-solutions, given the absence of funds for the establishment and maintenance of an online reporting system. It concluded that Survey Monkey was the most promising tool to facilitate reporting and requested the secretariat to create, for further discussion at its next meeting, a test version in Survey Monkey, including approx. 10 questions from the last reporting round along with country replies in different languages.

The secretariat will present the test version of the last reporting format (2014–2015) transferred into Survey Monkey, including its findings from this test. The Chair will brief the participants on the feedback provided by the Bureau at its meeting in January 2018. The Working Group will be invited to discuss the test version and decide whether to shift in the next reporting period to Survey Monkey or consider other options.

The Working Group at its last meeting discussed options for how to better measure and track progress made at the national and subregional levels from one reporting round to the other. It requested its members to send to the secretariat in advance of the next meeting ideas on how to improve the reporting format, introducing scaled numeric scoring for some of the qualitative responses. The members of the Working Group will be invited to present their proposed changes. The Working Group may wish to discuss the proposed changes and agree on the next steps for updating the reporting format and guidelines.

Documentation:

- Ideas for improving the reporting on the implementation of the Convention with freely-available solutions (background paper from the last meeting)
- Test version of the last reporting format (2014–2015) transferred into Survey Monkey
- Inputs from members of the Working Group for how to improve the reporting format

5. Collection of good practices and exchange of information

According to paragraph 4 of the updated terms of reference of the Working Group on Implementation, the Working Group shall:

- (e) Engage with Parties, committed countries and other reporting countries, based on the review of the national implementation reports, to gather information about innovations, good practices, national guidelines and other materials of interest;
- (f) Identify good practices and facilitate the exchange of information among Parties and other countries.

According to paragraph 5, Parties, committed countries and other reporting countries will respond to requests by the Working Group further to item 4 (e) on a voluntary basis.

Mr. Gonzalez, member of the small group on risk assessment, will be invited to present the concept paper and draft agenda for the seminar on risk assessment, and to update on the progress made in the organization of the seminar since the last meeting of the Working Group on Implementation. The Working Group may wish to take note of the information and provide guidance on the identification of good practices in this context, and their further use and promotion in the framework of the Convention.

The secretariat will provide an update about the implementation of activities included under the area of exchange of information in the Convention's workplan for 2017–2018, notably with regard to the organization of a seminar on land-use planning and industrial safety (Mechelen, Belgium, 16–17 May 2018). The Working Group may wish to take note of the information and provide further guidance on the identification of good practices in this context, and their further use and promotion in the framework of the Convention.

The Working Group at its last meeting agreed on some actions to be undertaken by the members of the Working Group and the secretariat to facilitate the exchange of information. The secretariat will be invited to report on updates.

Documentation:

- Concept paper and draft agenda for the seminar on risk assessment
- Draft agenda for the seminar on land-use planning and industrial safety

6. Update of the location criteria

An outcome of the subregional workshops on annex I for the Convention for South-Eastern Europe (Zagreb, 21–23 February 2017) and Eastern Europe and the Caucasus (Minsk, 11–13 April 2017) was the need to update the location criteria which contain references to categories of hazardous substances from a previous annex I to the Convention. The Bureau at its meeting in January 2018 agreed that the location criteria be aligned with the current annex I and that a draft revised version be prepared by the Bureau, in cooperation with the Working Group on Implementation and Joint Ad Hoc Expert Group on Water and Industrial Accidents, for adoption at the 10th meeting of the Conference of the Parties (Geneva, 4–6 December 2018). A small group, comprised of members of the Bureau and the Chair of the Working Group on Implementation,¹ volunteered to prepare a first draft of the updated location criteria for review by the two bodies. The Chair will brief the Working Group about the next steps envisaged.

Documentation:

- Updated draft location criteria
- Hand-out with location criteria
- Key conclusions from 2017 subregional workshops on industrial accident prevention: chemicals management, identification and notification of industrial hazardous activities

¹ The small group is comprised of Mr. Alexandros Kiriazis (European Union), Mr. Leo Iberl (Chair of the Working Group on Implementation) and Mr. Gerhard Winkelmann-Oei (co-Chair of the Joint Ad Hoc Expert Group on Water and Industrial Accidents).

7. Inputs for the 10th meeting of the Conference of the Parties

The Working Group at its thirty-third meeting (Geneva, 1 February 2017) discussed when to submit the next decision on strengthening the implementation of the Convention to the Conference of the Parties, given that such builds usually on the report on the implementation of the Convention which would be due only for the eleventh meeting of the Conference of the Parties in 2020. It had agreed to revisit the issue at a future meeting and to decide which information to provide to the Conference of the Parties at its tenth meeting (Geneva, 4–6 December 2018) as part of its report.

The Working Group may wish to discuss the preparation of further inputs to the 10th meeting of the Conference of the Parties, including a report on its activities as part of the progress report on the Assistance Programme informing about its contacts with beneficiary countries and resulting recommendations, the review of the late implementation reports, the modus operandi for engaging with countries and the development of a notification template.

8. Next Meeting scheduled for 2018

The Working Group agreed to meet on 13–14 June 2018 in Munich, Germany. The Chair may wish to provide further information about the logistical arrangements for the meeting.

9. Other business

Members of the Working Group wishing to raise other business should contact the secretariat as soon as possible.

10. Closing of the meeting

The Chair will close the meeting at about 4.30 p.m. on 21 February 2018.
