

**Joint meeting of the Bureau (twenty first meeting)
and the Working Group on Implementation (seventeenth meeting)**

Edinburgh, United Kingdom, 29 February - 1 March 2012

**REPORT OF THE JOINT MEETING OF THE BUREAU AND THE
WORKING GROUP ON IMPLEMENTATION**

1. Opening of the meeting and adoption of the agenda

1. The Bureau of the Conference of the Parties (CoP) to the Convention on the Transboundary Effects of Industrial Accidents and the Working Group on Implementation (WGI) held their joint meeting in Edinburgh (United Kingdom) on 29 February – 1 March 2012 at the invitation of the Health and Safety Executive. Mr. Paul Stollard, Director for Scotland Health and Safety Executive, welcomed the participants.
2. The following members of the Bureau attended the meeting: Mr. Chris Dijkens (Netherlands), Chair of the CoP, Ms. Jasmina Karba (Slovenia), Vice-chair of the CoP, Mr. Pavel Forint (Czech Republic), Mr. Cristiano Piacente (Italy), Mr. Sergey Kozlenko (Russian Federation) and Ms. Suzana Milutinovic (Serbia).
3. The following members of the WGI participated in the meeting: Ms. Anahit Aleksandryan (Armenia), Mr. Hrvoje Buljan (Croatia), Mr. Massimo Cozzone (Italy), Mr. Gunnar Hem (Norway), Chair of the WGI, Ms. Svetlana Stirbu (Republic of Moldova), Mr. Francisc Senzaconi (Romania), Mr. Tomas Trcka (Slovakia), Ms. Ann-Sofie Eriksson (Sweden) and Ms. Sandra Ashcroft (United Kingdom).
4. The secretariat was represented at the meeting by Mr. Sergiusz Ludwiczak (Chief, Transboundary Cooperation Section), Mr. Lukasz Wyrowski and Ms. Virginia Fusé.
5. Mr. Bernard Gay (Switzerland), Vice-chair of the CoP, Mr. Gerhard Winkelmann-Oei (Germany), member of the Bureau, and Mr. Vadim Lozheczko (Belarus), member of WGI, informed the secretariat in advance that they could not participate.
6. Mr. Tobias Biermann (European Commission) and Ms. Irma Gurguliani (Georgia), who left their respective positions at the Commission and at the Ministry of Environment of Georgia, were no longer available to carry out their functions as members of the Bureau.

2. Implementation of the Long-term strategy

(a) Strategic partnerships and involvement of Parties and other stakeholders

7. The secretariat, on behalf of the task force on strategic partnerships and financing, reported on steps undertaken to progress in establishing partnerships with the organizations identified as priority partners.

- European Commission

8. Details were provided with regard to the meeting of Directors of the ECE Environment Division and the European Commission (EC) Directorate General Environment to be held in Brussels on 26 March 2012 for setting the basis for a partnership between ECE and EC including cooperation on industrial safety. The Chairperson of the CoP would also participate in this meeting.

- Organisation for Economic Cooperation and Development

9. The secretariat informed about the arrangement with OECD that two presentations, respectively on the Convention and on its projects, would be made at the May 2012 OECD workshop on management of Natech accidents. Further work should be also continued with OECD to identify possible joint activities in Convention's 2013-14 and OECD Chemical Accident Programme's 2013-2016 workplans.

- European Process Safety Centre

10. The members were also briefed on ongoing talks with a representative of EPSC and the invitation to the meeting of EPSC steering group.

- Joint Environment Unit (UNEP/OCHA)

11. The secretariat presented a project proposal on development of an on-line training session on prevention, preparedness and response to industrial accidents. The project was elaborated jointly with the Joint Environment Unit (UNEP/OCHA). The Convention was expected to bring to the project substantive expertise for developing the training's programme. The project, if implemented, should be also joined and supported by UNEP's Sustainable Production Branch.

- Multi-stakeholders meeting

12. The members were also provided with suggestions for organisation of a multi-stakeholders meeting, at which invited international organisations and programmes could explore synergies for their activities on industrial safety. The meeting was proposed to be arranged in the second half of 2012 and EC support should be sought for it.

13. In addition, the Chair briefed on the outcome of the 22 November 2011 meeting between chairs of the five UNECE Conventions and the Chair of Committee on Environmental Policy. Among others he informed about (i) the elaboration of joint input from the five Conventions to support the preparations to Rio+20 Conference on Sustainable Development, (ii) preparations to the review of ECE reform, and (iii) on-going work on identification of synergies between the UNECE Conventions. He further informed that the second meeting would take place on 16 April 2012 in Geneva.

14. The Bureau and WGI welcomed the work further undertaken by the task force towards establishing the strategic partnerships. The task force was requested to continue with the assessment and prioritisation of the initiatives and to agree on specific activities with partner organisations to be proposed for 2013-14 Convention's workplan. The task force was also requested to work

towards arranging the multi-stakeholders meeting on industrial safety in the second half of 2012.

15. The Bureau and WGI approved the project proposal on the on-line training and requested the secretariat to implement it jointly with the Joint Environment Unit and UNEP Sustainable Production Branch.

(b) Sustainable financial system

16. The secretariat on behalf of the task force presented the advanced draft of the Sustainable financial system. The presentation focused on the elements of the system such as: (i) structure and funding assumptions for biennial workplans, (ii) workplan activities vis-à-vis the extrabudgetary resources, (iii) contributions, (iv) call for contributions from Parties, and (v) additional contributions.

17. The Bureau and WGI reviewed the advanced draft Sustainable financial system and suggested, among others, the following changes: (i) to further improve the definitions, in particular the one on the substantial contribution (ii) to contain the indicative amounts for calculating the workplan activities in the annex of the document, (iii) to add a column in the table with example specifying the level of contributions for a resource requirements of 2 million United States dollar, (iv) to add information on the use of the Convention's trust funds, and (v) to further simplify the text in a number of instances to make the document more reader-friendly.

18. The Bureau and WGI decided that the description of the process leading to the elaboration of the system should be included into the report of the Bureau to be submitted to the Conference of the Parties. The meeting participants also considered whether the Sustainable financial system should be accompanied by an additional document giving a broader explanation of the system and the considerations and assumptions made in preparing it, as well as indicating the vulnerability of the system. It was suggested that the task force should look more closely at the need for such an additional document before submitting the proposal to the CoP.

19. The Bureau and WGI invited the task force to finalise by 23 March the Sustainable financial system document based on the suggestions provided. The task force was also invited to re-evaluate the need for the accompanying document and prepare it only if necessary. The secretariat was then requested that the final version of the sustainable financial system is circulated by mid April for consultation to the competent authorities of Parties through the official channels involving the Permanent Missions in Geneva. The final version should include additional comments from the Bureau and WGI members that should be sent to the secretariat by 5 April on the task force's version of 23 March.

(c) Evaluation of the effectiveness of work under the Convention including management arrangements for the Assistance Programme

20. Mr. Hem, reported on behalf of a core group established to (i) review the self-assessments received and giving feedback to countries, (ii) work out a mechanism for monitoring countries' compliance with the Strategic Approach, and (iii) work out a mechanism for review of future self-assessments, action plans and the requested assistance projects.

21. He presented three options for the possible mechanism.

Option I - the monitoring and review work is done by a small group consisting of volunteers from the members of the Bureau and WGI.

Option II - the monitoring and review work is done by the WGI,

Option III - the monitoring and review work is done by the secretariat, whose capacity should be adjusted adequately.

22. For all options, reporting should be to the Bureau that would take relevant decisions in accordance with its terms of reference. Furthermore, it was suggested that members of the WGI and the Bureau (for option I), representing beneficiary countries should not be involved in the compliance and review work. The Chair of the Bureau expressed his concern that countries participating to the Assistance Programme would not be able to participate to the process and might therefore feel excluded.

23. The core group also suggested that it should continue the evaluation of the self-assessments (new versions, see also para. 50) and action plans until the seventh meeting of the CoP, after which the new arrangement, in accordance with the decision of the Bureau, should be introduced.

24. The Bureau and WGI decided to entrust the task to the WGI. It was further decided that the WGI Chair may invite members of the Bureau to support the monitoring and review task.

3. Implementation of the 2011-2012 workplan

(a) Communication

25. The Bureau and WGI supported the initiative of the secretariat and the Chairs that the Convention is represented through the Chair and Vice-Chair (Ms. Karba) at the X International Forum on Industrial Safety organised in St. Petersburg by GCE Group from the Russian Federation. The initiative had been seen as a good opportunity to promote the Convention and its mechanisms for improving industrial safety, in particular the indicators and criteria available under the Convention, with the representatives of the private and public sectors in countries with economies in transition.

26. The secretariat also updated on the progress in the preparation of a publication in the occasion of the 20th anniversary of the Convention to be presented at the next meeting of the Conference of the Parties.

(b) Financing

27. The secretariat presented an overview of the financial situation of the Convention, in particular the expected balance at the end of 2011¹ available in the Convention's trust fund as well as the prediction for expenditures and contributions for 2012.

28. The secretariat stressed that receipt of contributions in addition to the expected ones was important to build a financial reserve for the 2013-2014 workplan and invited the Bureau and WGI to encourage such.

29. The Chair informed that the Netherlands may be able to provide additional funding in 2012.

30. Mr. Kozlenko informed that funding from the Russian Federation was available to UNECE for international cooperation and that efforts should be taken to make the funding accessible for the Convention's activities. He suggested that the Sustainable financial system is explained to the officials of the Permanent Mission and that a project proposal to detail on the possible use of Russian funding is provided.

¹ At the time of the meeting, the official figures for trust fund's expenditures were not yet available

31. The secretariat suggested proposing to the Russian Federation the use of funding for activities linked with adequate and proper application of the indicators and criteria with the Assistance Programme beneficiary countries.

32. The Bureau and WGI invited the Chair and Mr. Kozlenko to meet the representatives from the Permanent Mission of the Russian Federation and discuss the use of the Russian funds for the Convention and explain the Sustainable financial system. The secretariat was requested to prepare a proposal to be shown at the meeting to link the funds with the workplan activities aimed at ensuring adequate and proper application of Convention's indicators and criteria by the Assistance Programme beneficiary countries.

33. The Bureau and WGI reviewed the financial situation and expressed satisfaction that implementation of all activities for 2012 was secured with the available and/or expected funds. At the same time, it was agreed that an active approach for ensuring additional funding should be undertaken in order to build a financial reserve for 2013-2014 workplan. The draft Sustainable financial system may be used in this regard

34. The Bureau and WGI also invited the secretariat to update on the financial situation of the Convention at the next meeting Bureau meeting.

(c) Workshops and seminars

35. The secretariat presented the recommendations made at the workshops on costs-effectiveness for major accident prevention (Warsaw workshop) and on the occasion of the 25 years anniversary of the Sandoz accident (Bonn workshop) as stipulated in the reports. The secretariat also reminded that any activities in the area of prevention of accidental water pollution – subject of the Bonn workshop – should be a joint responsibility with the Bureau of the Water Convention.

36. The Bureau and requested that the recommendations from the workshops be clustered together with the recommendations from the 2010 Hague workshop addressing the area of industrial safety and land use planning. The WGI was then invited to review the cluster of recommendations vis-à-vis the needs indicated by Parties and other ECE member countries in the national implementation reports submitted within 2010-11 reporting round. The WGI should further prioritise the recommendations and make suggestions for specific activities to be considered for 2013-14 workplan also taking into account the initiatives of the partner organisations.

37. The Chair was invited to consult on the recommendations in the area of prevention of accidental water pollution the Chair of the Meeting of the Parties to the Water Convention. When consulting, the Chair should take into account the suggestions and prioritisation to be made by the WGI.

38. With regard to the activities initially planned for 2012 (workshop on sharing good practices for increasing public involvement in national work on industrial safety and exchange of experience in preparedness and response) and in view of lack of proposals for lead countries reported by members of the Bureau and/or WGI, the secretariat was requested to circulate the notes with information on the rationale, objectives and scope for the activities to all focal points for the Convention. With this the possibilities should be explored with the Parties for taking the lead for the planned activities.

(d) Seventh meeting of the Conference of the Parties

39. Ms. Eriksson told that Sweden has reserved conference facilities in Stockholm for 14-16 November 2012 in accordance with the ECE requirements. She also informed that her organisation could not finance the participation of delegates from Parties with economies in transition in the meeting of the CoP

and that it would need to be covered from other sources. Sweden would however support the participation of two secretariat staff members in the meeting.

40. Ms. Eriksson informed that Sweden carefully assessed possibilities for hosting different kinds of side-events during the CoP. The organisation of a high-level segment during the Conference was not supported, since there has been no item proposed that would require and/or attract high-level representation. She also stressed that organisation of the high-level segment would require additional arrangements, including for security of high-level officials, what in turn requires additional funds. She told that an idea is explored to arrange a side event in the subject of rendering support to local level from national authorities in preparedness and response. Sweden was also open for other suggestions.

41. The Bureau and WGI appreciated the advanced arrangements by Sweden to host the seventh meeting of the CoP. With regard to the side-event, it was agreed that high-level segment was not to be considered anymore. Instead, most of the members supported the idea that the multi-stakeholders meeting to discuss synergies in industrial safety be organised back to back with the Conference, preferably before it. To this end the request to the task force on strategic partnerships and financing was reiterated to work towards arranging the meeting. Investigations on whether this could take place in Sweden back to back with the Conference of the Parties should be made.

42. The Bureau and WGI also agreed to include the anniversary of the 20 years of the Convention as an agenda item during the CoP. The secretariat was also requested, upon information provided by Mr. Cozzone, to contact Water Convention's secretariat and Finland to explore possibilities for organizing joint event for celebration of the anniversary of both Conventions in Helsinki (venue where both Conventions were done).

43. The Joint meeting decided to entrust the Chairperson and the vice-Chairpersons of the Bureau, together with the Chairman of the WGI to explore the feasibility of the options above and to submit to the members of the two bodies by electronic means the decision on (a) the side-event for the Conference of the Parties, (b) the celebration of the 20th anniversary of the signature of the Convention, and (c) the multi-stakeholders meeting. The Bureau will be informed on the result of the consultation and on the decisions and actions taken at the next meeting in June.

(e) Other activities and meetings

44. With regard to the fifth consultation of points of contact, the Bureau and WGI requested the secretariat to invite representatives of points of contact to hold an electronic consultation to brainstorm on the future of the System and formulate recommendations in this regard for the consideration of the CoP.

45. With regard to the progress achieved following the 3 step approach as decided upon by the Cop on the Civil Liability Protocol, the Bureau and WGI also looked into the conclusions of the study prepared under step 1 of the approach. They agreed that with the availability of the study the work should continue on step 2 that is the assessment of realistic potential accidents to understand the implications, including the benefits, of implementing the Protocol and/ or other instruments. The secretariat was requested to facilitate the implementation of step 2 in cooperation with potential donor countries, interested to pursue this work. In addition, the Chair and the secretariat were invited to inform the EC about the availability of the study during the planned consultation meeting in Brussels.

46. The secretariat informed about the status of reporting within 2010-11 reporting round on the implementation of the Convention. At the time of the meeting the following Parties: Bulgaria, Greece, Luxemburg, Italy, Montenegro and the Russian Federation have not submitted their reports². The focal points from Luxemburg, Italy and Montenegro have been in contact with the secretariat and guaranteed submission of the reports before end of March. With regard to other ECE member countries, including those committed under the Assistance Programme there has been no reports received by the secretariat.

47. The Bureau and WGI expressed dissatisfaction about the fact that a number of Parties failed to submit the report by the end of February 2012 – one month after the deadline. They urged, in particular the Russian Federation, to submit the report without further delay.

48. Mr. Kozlenko informed that there were delays in preparing the report on behalf of the Russian Federation and that he was unable to say when the report would be ready.

49. With regard to the cooperation with the Committee on Housing and Land Management on issues of industrial safety and land use planning and in view of lack of news from the Committee, the Bureau and WGI invited the Chair of the CoP to address in writing the Chair of the Committee.

4. Assistance activities of the Convention

50. Mr. Hem, on behalf of the core group, reported on the evaluation of the self-assessments provided by beneficiary countries under the Assistance Programme. He informed that 10 out of 15 countries submitted the self-assessment to the secretariat. Concerning the quality of the self-assessment he reported that, to the group's surprise, the results were not satisfactory and showed at different degrees a lack of understanding of the use of the mechanism of the Strategic Approach as well as misunderstandings of different mechanisms explained in the document and of the different working areas of the Convention. This was even more surprising because the misunderstandings occurred also when assessing areas of work for which specific training sessions had been organised under the Assistance Programme. Mr. Hem still wanted to inform that there were also examples of good self-assessment, among which the one from Serbia. The Chairman of the WGI also informed that letters containing feedback to the countries as well as specific suggestions to improve the self-assessment had been sent to the countries. The countries were requested to send to the secretariat a new version of the self-assessment as soon as possible.

51. The Bureau and WGI expressed appreciation for the work carried out and at the same time shared the disappointment of the core group. They further agreed to discuss at the next meeting the quality of the second round of self-assessments. Should the quality still not meet the expectations, and to ensure full understanding among the countries, the relevant bodies should discuss actions to be taken. In addition, in view of the project proposals that the countries might send to the secretariat following the preparation of the action plans, the Bureau and the WGI requested the secretariat to create a template for project proposals.

² At the time of finalization of these minutes, reports were still not available from two Parties: Greece and the Russian Federation.

52. The members representing the beneficiary countries and the secretariat briefly reported on the developments with regard to the ongoing or upcoming assistance activities:

- **Danube Delta Project**

53. Ms. Stirbu reported on the latest activities under the Danube Delta Project and in particular on the first technical workshop under the Crisis Management module that took place in Chisinau, Moldova on 13 and 14 December. The secretariat also informed of a number of challenges faced within the project and in particular connected with Ukraine's involvement, which was one of the causes of delays in the project. The secretariat informed that an official letter had been sent with the request to organise a meeting with the Ukrainian authorities to reconfirm the commitment in the project. The secretariat additionally informed that within the Danube Delta Project the participants would be able to use material (eg. Checklist) developed in previous projects under the Assistance Programme. The secretariat also informed about the upcoming meeting of an expert group to draw up guidelines for oil terminals. The Bureau and WGI recommended that, in preparing the guidelines, the experts should take in due consideration the material already prepared on the topic. In addition, the Bureau and WGI requested the secretariat to be kept updated on the development of the situation with Ukraine.

- **Project on legislation for Georgia**

54. The secretariat reported that the focal point from Georgia informed that the country would not start the implementation of the project on legislation, since it would risk having overlapping with a similar project, but broader in the scope, funded by the European Union.

- **Project on safety evaluation in Balkans**

55. Mr. Buljan, as requested at the previous Joint meeting, presented the proposed budget for the project. He also informed about the typology of installation to be visited under the project. The installation will be an oil storage facility and the Bureau and WGI members recommended using some material that would be produced under the Danube Delta Project to enhance the synergies among the two projects. The Bureau and WGI gave the final approval to the project.

56. In addition, the secretariat informed that the project on safety of tailing management facilities³ should be further discussed in particular with regard to the process for developing checklist for tailing management facilities, should the elaboration of the checklist, following the recommendation of the Bonn workshop, be included in the Convention's workplan for 2013-2014. The Bureau and WGI welcomed the information that the project on assistance to raise the level of industrial safety among young specialists had started as a bilateral project between Germany and Armenia.

5. Development of the Convention

57. The Bureau and WGI agreed to propose to the next meeting of the CoP to reactivate the Working Group on the Development in order to carry out the revision of the Annex I and align it with the Globally Harmonized System. It

³ Mr. Winkelmann-Oei informed the Bureau and WGI at the joint meeting in Bonn that Ukraine filed with Germany a proposal for the project and that Germany might be able to provide the necessary funding for it.

should be further suggested that a representative of the EC would lead the work of the Group.

58. The Bureau and WGI further reiterated that in order to prepare a discussion at the next CoP on other than Annex I amendments of the Convention, a discussion paper should be elaborated. In this regard, the secretariat was requested to draft a one-page document for discussion at the next Bureau meeting suggesting ideas and arguments for amendments.

6. Other business

59. The members of the Bureau and WGI informed each other on their and their countries availability and commitment to serve for the next term. In doing so, a number of members stressed the need for rotation and invitation to other Parties to join the Bureau or WGI with their representatives. Members from Italy, the Russian Federation and United Kingdom were not able to confirm at the time of the meeting if their countries would be in position to continue for the next term.

60. Following the exchange of views, the Bureau and WGI agreed that the Chair with the Vice-chairs and the Chair of the WGI should make a proposal on a composition of the Bureau and WGI to be consulted through electronic means of communication with all the members of the two bodies and to be presented at the next Bureau meeting scheduled for 27-28 June 2012.

61. With regard to the list of action items, the Bureau and WGI requested the secretariat to update it based on the decisions made at the present meeting.

62. The Chair informed that Ms. Stirbu volunteered to participate in one of the workshop organized under the project on the Cross-border Exposure characterisation for Risk Assessment in Chemical Incidents (CERACI)⁴. He further informed that Ms. Stribu participation is financed through the Convention's trust fund under the condition that she prepares a report for consideration of the Bureau at its next meeting containing:

(a) Description of best practice for environmental modeling and monitoring for health and environmental risk assessment during acute chemical incidents and how these could be used in the cross-border context;

(b) List and description, based on the outcome of the workshops, on the concepts that are used for the organization of environmental modeling and monitoring for health and environmental risk assessment during acute chemical incidents in EU Member States;

(c) Recommendations, based on an analysis of data mentioned under the previous bullet point, for an enhanced cross-border cooperation and interoperability of organizations involved in health and environmental risk assessment in non-EU countries and how this can be implemented within the spirit of the UNECE Industrial Accidents Convention (see also articles 11 and 12 of the Convention); and

(d) Recommendations, based on the outcome of the workshops, for a concept of a response organization involved in health and environmental assessments at a local, regional and national level.

⁴ Information on the CERACI project was provided at the joint meeting in Bonn by Ms. Lisbeth Hall, Project Manager, Centre for Environmental Health, the Netherlands

63. The Chair invited other members of the Bureau and/or WGI who envisaged participating in the CERACI workshops to contribute to the above mentioned report by commenting it.

64. The Chief of the Transboundary Cooperation Section, referring to an earlier announcement of changes in staffing of the secretariat of the Convention, informed the meeting that Mr. Lukasz Wyrowski would be changing his duties within the secretariat and, therefore, would not be available any more to service this Convention. He also thanked Mr. Wyrowski for his input to support the Convention's activities. At the same time he reassured the Bureau and the WGI that the Convention will continue to receive the necessary support and that the management of the Environment Division would take the necessary steps and efforts to facilitate the early appointment of two staff members (Secretary to the Convention and manager of the Convention's Assistance Programme).

65. The participants of the meeting thanked Mr. Wyrowski for his work and contribution and wished him well for his future assignments.

7. Closing of the meeting

66. The Chair thanked all the members of the Bureau and WGI for active participation and closed the meeting.
