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Workshop on capacity-building with the aim to initiate a process to further strengthen the legal and institutional frameworks under the Convention in the countries of Eastern Europe, Caucasus and Central Asia and South-Eastern Europe

Kyiv, 5–7 December 2007

**REPORT**

**Introduction**

1. The capacity-building activity with the aim to initiate a process to further strengthen the legal and institutional frameworks under the Convention in the countries of Eastern Europe, Caucasus and Central Asia (EECCA) and South-Eastern Europe (SEE) was held from 5 to 7 December 2007 in Kyiv. It was organized within the framework of the implementation phase of the Assistance Programme for EECCA and SEE countries following the decision of the Conference of the Parties at its fourth meeting (Rome, 15–17 November 2006, ECE/CP.TEIA/15/Add.1, decision 2006/1). This activity was part of the workplan under the Convention (ECE/CP.TEIA/15/Add.1, decision 2006/4, and appendix II).

2. The Ministry for Environmental Protection of Ukraine organized the activity with financial support provided by the Parties to the Convention for the activities within the Assistance Programme.

## **I. OBJECTIVES**

3. The key objective of the capacity-building activity was to initiate a process in each of the participating countries for:

- (a) Legal and institutional frameworks analysis, in view of the requirements under the Convention, and identification of those areas for which the legal basis or the institutional structure was not fully developed;
- (b) Preparation of plans of action for achieving the way forward, and in particular the steps to be taken to strengthen legal and or institutional frameworks under the identified areas.

## **II. PARTICIPATION**

4. The workshop was attended by representatives of following authorities or institutions from EECCA and SEE countries: Armenia – the Ministry of Nature Protection and the Armenian Rescue Service; Azerbaijan – the Ministry of Emergency Situations and the Ministry of Ecology and Natural Resources; Belarus – the Ministry of Emergency Situations; Bulgaria – the Ministry of Environment and Water; Georgia – the Ministry of Environment Protection and Natural Resources and the Ministry of Internal Affairs; Moldova – the State Department for Emergency Situations; the State Hydrometeorological Service and the Standardization and Metrology Service; Romania – the Ministry of Administration and the Interior and the Ministry of Environment and Sustainable Development; Serbia – the Ministry of Interior, the Ministry of Environmental Protection and the Ministry of Defence; and Ukraine – the Ministry of Environmental Protection and the Ministry of Emergency Situations.

5. The workshop was supported by experts from Germany, Hungary, Italy, Slovakia, Sweden, Switzerland and United Nation Environmental Programme (UNEP), and by the secretariat of the Convention.

## **III. OPENING, WELCOME ADDRESS, SETTING THE SCENE**

6. Mr. Viktor Yermakov, Deputy Director of the Department of Environmental Safety, Ministry of Environmental Protection of Ukraine, chaired the meeting. After opening the meeting, he introduced Mr. Sviatoslav Kurulenko, First Deputy Minister, Ministry of Environmental Protection of Ukraine, and Mr. Bernard Gay (Switzerland), Vice-Chairperson of the Conference of the Parties (CoP).

7. The First Deputy Minister welcomed the participants and the experts to Kyiv and expressed his satisfaction that Ukraine could organize the event, which should initiate a process for the participating EECCA and SEE countries in further strengthening the legal and institutional frameworks under the Convention. He expressed his hope that this process would help Ukraine to work in a more systematic and coordinated way in implementing the Convention, and would allow the country to ratify this multilateral agreement.

8. The Vice-Chairperson of the CoP, speaking on behalf of Ms. Giuliana Gasparini, Chairperson of the CoP, thanked the Ukrainian organizers for the warm welcome. He then explained that Conference of the Parties, at its fourth meeting, had launched the implementation phase of the Assistance Programme, and by doing so had expressed its commitment to supporting the EECCA and SEE countries in enhancing their efforts to further strengthen implementation of the Convention. He highlighted the fact that the present workshop was the first activity of the Assistance Programme's implementation phase, and thus an important starting point for EECCA and SEE countries. The process would require much effort from the countries and therefore it was very important that they maintain the commitment expressed at the High-level Commitment Meeting (Geneva, 14–15 December 2005). He asked participants to make sure that they integrated the key activities in their action plans by the end of the meeting and that they gave themselves ambitious but realistic deadlines for actions so that they would allow their countries to achieve the desired results. Plans should also contain an assessment of further assistance needs vis-à-vis particular actions, and should propose ways to ensure that the work beginning at this meeting would retain momentum in the coming years. The Vice-Chairperson wished EECCA and SEE countries a successful meeting resulting in the identification of the challenges connected with legal and institutional frameworks.

#### **IV. PROGRAMME**

9. The capacity-building activity was divided into two sessions:

(a) Session I: With the support of the experts, participating countries analysed and discussed the current legislation and institutional structures adopted in their countries to comply with the provisions of the Convention. The countries worked in groups on six areas of work under the Convention, which had been identified for in-depth discussion and analysis. The aim of the analysis was to identify gaps or shortcomings that may hamper the implementation of the Convention in these areas. The areas for analysis and the composition of the groups are given in annex I;

(b) Session II: The participating countries, with the support from the experts, began drawing up their plans of action, in which they defined, for each of the shortcomings identified in session I, ways forward and in particular the next steps needed to improve the current situation. While identifying ways forward, participants also discussed which steps their countries might be able to address on their own and which would require external assistance. The session concluded with presentations by all countries on the plans of action drawn up so far.

#### **V. CONCLUSIONS**

10. Participants concluded that the capacity-building activity was of great benefit to them due to the following:

- (a) The workshop brought together representatives of different authorities dealing with implementation of the Convention in the same country and gave them a very much needed opportunity to work together for three days and to jointly analyse the legislation which they are applying and enforcing, their institutional structures, and where they saw shortcomings and areas for improvements with regard to the Convention's implementation;
- (b) It allowed participants to learn about the experience and practice of other EECCA and SEE countries with regard to legislation and institutional structures under each of the six areas, and to compare those experiences and practices with their own;
- (c) It allowed the participants to establish important contacts with their counterparts in neighbouring countries and to jointly discuss transboundary cooperation, especially procedures for notification of hazardous activities, contingency planning regarding emergency preparedness, and industrial accidents notification;
- (d) The analysis was supported by experts experienced in implementing the Convention, who constantly drew participants' attention to important issues under each of the six areas of work.

11. Participants stressed that in many cases the activity had helped them to better understand the tasks under the Convention and what it took to implement these tasks, especially since they were analysing and discussing separately the six areas of work. They were therefore able to identify the shortcomings in their countries' legal and institutional frameworks. Some of these, representative for most of the countries, comprised the following (details can be found in the countries' action plans):

- (a) The lack of mechanisms/procedures specifying how and which authorities should be involved in the process of identifying and maintaining information on hazardous activities;
- (b) The lack of legal bases/procedures for notifying neighbouring countries about hazardous activities;
- (c) The need for integrated mechanisms/procedures for safety inspections, including risk assessment, specifying "who", "what" and "when";
- (d) The need for bilateral agreements for cross-border cooperation on emergency planning and response, without which cooperation was difficult;
- (e) The need for proved mechanism/procedures for emergency response.

12. Participants agreed that:

- (a) Analysis and preparation of action plans needed to be continued, and this process should involve those who could not participate in the event but were working in the

countries on the implementation of the Convention, so that all possible shortcomings and gaps can be identified and the way forward adequately addressed;

- (b) Analysis should be continued in parallel with carrying out the first actions of the way forward as identified during the workshop, including the actions aimed at strengthening the bilateral cooperation;
- (c) Each country should submit to the secretariat, by 15 March 2008, their plans of action, which should contain the way forward and address all the shortcomings identified so far;
- (d) The action plans should be living documents in which countries keep track of:
  - (i) results achieved through elimination of particular shortcomings; and
  - (ii) new shortcomings, if identified at a later stage.

## **VI. CLOSING OF THE CAPACITY-BUILDING ACTIVITY**

13. The representative of the UNECE secretariat expressed his satisfaction that the three days had been spent very actively, and encouraged the participants to maintain the momentum and to continue the work on analysing the legal and institutional frameworks and identifying steps to strengthen them. He stressed that it was very important to make an in-depth analysis under each of the six areas of work under the Convention, as this was key to identifying all possible shortcomings as well as the ways forward and how to achieve them. This would also allow for an assessment of what actions aimed at obtaining external assistance for strengthening implementation were required. He thanked the participants, the event organizers for all their efforts, and the experts for their admirable contributions.

14. The Vice-Chairperson of the CoP, speaking on behalf of the Bureau of the CoP, also invited participants to continue the in-depth analysis and draw up detailed action plans specifying the steps with which countries needed additional assistance, so that the Bureau could work on addressing them. He also mentioned while the Assistance Programme's aim lay in enhancing efforts to comply with the Convention, a further aim was to improve industrial safety so that there will be no accidents harming the environment and human life or health. He thanked everyone for taking an active role in the event, and noted with appreciation the work done by the organizing team and the secretariat in preparing the event.

15. The chair thanked participants for their contributions, and closed the capacity-building activity.

Annex

[ENGLISH ONLY]

**WORKSHOP PROGRAMME**

<b>SESSION I: Analysis and group discussion on the legal and institutional frameworks adopted to implement the Convention</b>		
1.	Identification of hazardous activities – <i>Speakers:</i> Mr. Nikolay Savov (Bulgaria) and Mr. Ismayl Mashadiyev (Azerbaijan)	
	Group Work:	
	Armenia – Belarus – Azerbaijan	Mr. B. Gay, Ms. T. Mitrofanenko
	Moldova – Serbia	Mr. R. Nilsson, Mr. T. Trcka
	Ukraine – Bulgaria	Ms. K. Gorog, Mr. G. Winkelmann
	Georgia – Romania	Mr. M. Cozzone, Mr. C. Piacente
2.	Notification of hazardous activities to neighbouring countries – <i>Speakers:</i> Mr. Cristian Radu (Romania) and Mr. Aleksandr Ovdijenko (Ukraine)	
	Group Work:	
	Armenia – Georgia - Azerbaijan	Mr. B. Gay, Ms. T. Mitrofanenko
	Moldova – Romania	Mr. R. Nilsson, Mr. T. Trcka
	Belarus – Ukraine	Ms. K. Gorog, Mr. G. Winkelmann
	Bulgaria – Serbia	Mr. M. Cozzone, Mr. C. Piacente
3.	Prevention - <i>Speakers:</i> Ms. Marilena Ghiu (Romania) and Mr. Taras Polishuk (Ukraine)	
	Group Work:	
	Armenia – Georgia - Bulgaria	Mr. B. Gay, Ms. T. Mitrofanenko
	Belarus – Serbia	Mr. R. Nilsson, Mr. T. Trcka
	Azerbaijan – Ukraine	Ms. K. Gorog, Mr. G. Winkelmann
	Romania – Moldova	Mr. M. Cozzone, Mr. C. Piacente

4.	Emergency Preparedness – <i>Speakers:</i> Mr. Alexandru Calancea (Moldova) and Ms. Sanja Stamenkovic (Serbia)	
	Group Work: Armenia – Azerbaijan Moldova – Romania Ukraine – Georgia - Belarus Serbia – Bulgaria	Mr. B. Gay, Ms. T. Mitrofanenko Mr. R. Nilsson, Mr. T. Trcka Ms. K. Gorog, Mr. G. Winkelmann Mr. M. Cozzone, Mr. C. Piacente
5.	Emergency response including notification on industrial accidents – <i>Speakers:</i> Mr. Alexandr Vrublevski (Belarus) and Colonel Karapetyan Karapet (Armenia)	
	Group Work: Armenia – Georgia Azerbaijan – Bulgaria Moldova – Ukraine - Belarus Romania – Serbia	Mr. B. Gay, Ms. T. Mitrofanenko Mr. R. Nilsson, Mr. T. Trcka Ms. K. Gorog, Mr. G. Winkelmann Mr. M. Cozzone, Mr. C. Piacente
6.	Information and public participation - <i>Speakers:</i> Mr. Alexandre Mindorashvili (Georgia) and Ms. Boyka Ivanova (Bulgaria)	
	Group Work: Georgia – Azerbaijan - Belarus Serbia – Armenia Ukraine – Romania Bulgaria – Moldova	Mr. B. Gay, Ms. T. Mitrofanenko Mr. R. Nilsson, Mr. T. Trcka Ms. K. Gorog, Mr. G. Winkelmann Mr. M. Cozzone, Mr. C. Piacente
<b>SESSION II: Preparation of the Plans of Action</b>		
<b>Conclusions and feedback</b>		

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