

Bureau of the Conference of the Parties (eleventh meeting)
Working Group on Implementation (seventh meeting)

Joint meeting, 23-24 October 2007

MINUTES OF THE JOINT MEETING

Introduction

1. A joint meeting of 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) was held in Tønsberg (Norway) on 23-24 October 2007 at the invitation of the Norwegian Directorate for Civil Protection and Emergency Planning.
2. The following members of the Bureau and WGI attended the meeting: Ms. Giuliana Gasparri (Italy), Chairperson of the CoP, Mr. Bernard Gay (Switzerland) and Mr. Lajos Katai-Urban (Hungary), Vice Chairpersons, Mr. Gunnar Hem (Norway), Chairman of the WGI, Mr. Nikolay Savov (Bulgaria), Mr. Pavel Forint (Czech Republic), Mr. Tobias Biermann (European Commission), Mr. Gerhard Winkelmann-Oei and Mr. Leo Iberl (Germany), Ms. Judit Mogor (Hungary), Mr. Massimo Cozzone (Italy), Mr. Chris Dijkens (Netherlands), Mr. Francisc Senzaconi (Romania), Mr. Tomas Treka (Slovakia), Ms. Jasmina Karba (Slovenia) and Ms. Helena Nasslander (Sweden). Mr. Lukasz Wyrowski, officer in charge for the Industrial Accidents Convention also attended. In addition, Mr Cristiano Piacente and Ms. Elisabetta Scialanca (Italy) participated in the meeting.
3. Ms. Anahit Aleksandryan (Armenia), Mr. Aleksadr Dokuchaev (Belarus) and Ms. Anna Balakireva (Russian Federation) did not attend.
4. Ms. Ausra Sablinskiene (Lithuania) has left the Fire and Rescue Department of the Ministry of Interior and is no longer available as member of the WGI.
5. The joint meeting expressed its concern that the representative of the Russian Federation did not participate in two consecutive meetings.

I. Assistance Programme

I.I. Fact-finding missions

6. Ms. Gasparri recalled the decision of the CoP with regard to fact-finding mission and organization of further missions in 2007.
7. The secretariat reported on the fact-finding missions carried out in 2007 to Kazakhstan, Serbia, Uzbekistan and Croatia. The joint meeting was informed about the absence of the report

of the fact-finding mission to Kazakhstan and about problems the secretariat was facing to contact the mission's team leader Mr. Berger¹.

8. The secretariat presented the results of the missions to Serbia, Uzbekistan and Croatia as described in the reports prepared by the fact-finding teams. The reports show that Serbia and Croatia implemented all the basic tasks under the Convention and were recommended to actively participate in the capacity building activities organized within the second phase of the Assistance Programme. Uzbekistan did not finalize the implementation of two tasks and the country was recommended to take the necessary steps to implement the remaining tasks and to report on it to the Bureau as soon as possible.

9. The joint meeting expressed its concern about the absence of the report of the fact-finding mission to Kazakhstan and decided to give a mandate to Mr. Gay to contact the mission's team leader and request the finalization of the report, should the secretariat not be able to establish contact. In case the mission's team leader cannot be contacted or is not able to finalize the report in time, the secretariat would contact the two other team members and support them in finalizing the report. The joint meeting also agreed that every effort should be taken to finalize the report of the mission to Kazakhstan before 15 November 2007.

10. The joint meeting welcomed the results of the fact-finding missions to Serbia and Croatia and agreed to invite the two countries to participate in the capacity building activities addressing their needs. It decided that a document will be prepared by the Bureau for endorsement by the next meeting of the CoP containing the decisions regarding (a) the acceptance of reports of the fact-finding missions carried out between fourth and fifth meetings of the CoP and (b) providing assistance in the second phase of the Assistance Programme.

11. The results of the fact-finding mission to Uzbekistan were acknowledged by the joint meeting, who invited Uzbekistan to finalize the remaining tasks as soon as possible and report on the finalization in a report to the Bureau.

I.II. Reports on the completion of the implementation of basic tasks

12. Ms. Gasparrini and the secretariat recalled that Georgia, Kyrgyzstan and Tajikistan had been invited at the 4th CoP in Rome to finalize the implementation of the remaining basic tasks and report on their finalization in a report to the Bureau. They informed that the Bureau received reports from Kyrgyzstan on 15 May 2007 and from Georgia on 17 September 2007 and introduced both reports.

13. Kyrgyzstan provided information on implementation of two out of three basic tasks that were reviewed unimplemented during the fact-finding mission – the report did not contain information on the implementation of the UNECE Industrial Accident Notification (IAN) System. The country was therefore invited with a letter from the secretariat to send additional information to the Bureau on the implementation of IAN System. Such information was not received before the joint meeting.

14. Georgia submitted the report with attached additional information in which it contained the implementation of all the remaining tasks.

¹ In the mean time, the secretariat succeeded in establishing contact with Mr. Berger.

15. The joint meeting acknowledged the steps taken by Georgia and Kyrgyzstan to implement the unaccomplished basic tasks. It assessed the Georgian report as sufficient and invited the country to join the capacity building activities of the second phase of the Assistance Programme.

16. The joint meeting requested the secretariat to contact again Kyrgyzstan to obtain information on the implementation of the IAN System. It also asked the secretariat to urge Tajikistan to report on the implementation of the basic tasks that were still not implemented at the time of the 4th CoP.

17. The joint meeting agreed that if countries will provide unambiguous reports on the finalization of basic tasks, such reports should be circulated within the members of the Bureau and chairman of WGI by e-mail for acceptance.

I.III. Capacity building activities under the implementation phase of the Assistance Programme

18. Ms. Gasparrini recalled the mandate given to the secretariat by the joint meeting in Geneva in February 2007 to organize the first capacity building activities for countries of EECCA and SEE under the Assistance Programme.

19. The secretariat reported on the preparations to the capacity building activity on strengthening legal and institutional frameworks in the countries of EECCA and SEE accepted to participate in the implementation phase of the Assistance Programme. It was agreed, after a long consultation process with potential host countries, that the activity will be held in Kiev (Ukraine) from 5 to 7 December 2007. The secretariat also informed that all of the invited countries of EECCA and SEE confirmed their participation in principle and some (Armenia, Azerbaijan and Moldova) already nominated their representatives.

20. The joint meeting expressed its satisfaction over the countries' interest in analysing and further strengthening the legal and institutional frameworks under the Convention. It then discussed the important role of the Western experts to facilitate this analysis and advised that the experts should be involved strongly in the final preparations to the activity. The meeting also encouraged the members of the Bureau and WGI to support the secretariat in contacting the experts and ensuring that an adequate number of Western experts take part in the activity.

21. Mr. Forint reported on the preparations for the workshop on strengthening safety at hazardous activities, agreed to be held in Vadul lui Voda in Moldova on 13-14 December 2007 for inspection authorities from Moldova as well as Romania and Ukraine. He informed that the preparations needed a long consultation with representatives of the Moldovan Ministry of Ecology and Natural Resources, in particular to agree on how to conduct the workshop and which Moldovan hazardous activities should be used as a case study.

22. The joint meeting expressed satisfaction about the progress in organizing the workshop on strengthening the safety at hazardous activities and thanked the Czech Republic for the lead in preparing this activity. It insisted that a participation of experts from other countries than Moldova was essential.

23. The joint meeting agreed that preparation for the training on the identification of hazardous activities should be started as soon as possible taking into account the experience and difficulties faced in the preparations of the first two activities. The members of the Bureau and WGI exchanged first ideas how the training should be conducted. It then decided that the secretariat should be supported in preparing the concept for the training. To this end Mr. Dijkens proposed that his colleague from the Ministry of Housing, Spatial Planning and Environment of the Netherlands would make an analysis and prepare a concept for carrying out the training. The joint meeting welcomed the proposal of Mr. Dijkens.

24. Mr. Piacente together with Mr. Senzaconi presented a project proposal with the aim to promote the joint management of transboundary emergencies involving large spills of hazardous substances to the Danube River for two countries: Bulgaria and Romania. The project should consist of two phases: (a) analysis of tools for risk assessment and of the past accidents, which results should be presented in the workshop and (b) preparations of and in field exercise to test the emergency plans.

25. The Joint meeting expressed its appreciation to Italy for promoting good practice on improving the management of emergencies. At the same time the joint meeting advised that experts from other EECCA and SEE countries accepted to implementation phase of the Assistance Programme should be given the possibility to take part in the project as observers and to learn from it. Therefore it should be considered to invite them to (a) the workshop to be organized in the first project's phase, at which results of the analysis will be presented and to (b) the planned in-field exercise of the second phase of the project. It also mentioned that the activity should take into account the existing systems used under International River Commissions. Mr. Piacente thanked for the recommendations and informed that they will be taken into account in further developing the project.

I.IV. Strategic planning

26. Ms. Gasparrini recalled the decision of the last joint meeting to establish a task force to develop a basis for strategic plan.

27. Mr. Chris Dijkens presented the basis for a strategic plan as worked out by the task force. He introduced the main objectives of the plan and told about a five steps approach, which should be used as a tool for verification per country what has been done and where lie the needs for assistance. He presented a draft for a matrix, which should be used as an action plan on the steps to be taken by each country with external support if applicable in strengthening the implementation. At the same time the matrix should contain information on actions undertaken and results achieved and therefore serve as a tool for monitoring of strengthening the implementation by the EECCA and SEE countries themselves as well as by the WGI, Bureau and CoP. Finally Mr. Dijkens informed that the task force needs still to work out the fund raising mechanism and invited the joint meeting to assist in it.

28. The joint meeting expressed its appreciation to the task force for the work carried out on the strategic plan and for very interesting ideas proposed as a mechanism for steering the programme. At the same time, it was suggested that the members of the WGI and the Bureau should evaluate whether the two bodies are able to carry out the proposed tasks, especially linked to monitoring of the progress and evaluating the countries' matrixes. It was decided therefore that the members of the Bureau and WGI will carefully examine the basis for strategic plan as

prepared by the task force and provide their comments and advice before 30 November 2007. The comments should also contain proposal for a guidance principle on how to measure the implementation of the Convention.

29. While discussing the basis for strategic plan a proposal was made that the mechanism as designed for the strategic plan should be used to draft a project to be submitted to European Commission and/or NATO to raise funds for several years for the activities within the Assistance Programme. The joint meeting invited the task force to investigate such a possibility.

I.V. Assistance to countries, who lack capacities in implementing the basic tasks

30. Ms. Gasparrini recalled the decision of the last joint meeting that the awareness-raising mission should be organized to the countries that were identified as lacking capacities in implementing the basic tasks under the Convention.

31. The secretariat reported that invitation letters were sent to The former Yugoslav Republic of Macedonia, Bosnia and Herzegovina and Montenegro to host an awareness-raising mission during which the roles and tasks of authorities to implement the Convention would be explained and the draft plan of actions for the authorities to implement the basic tasks would be designed. From the invited countries the Republic of Macedonia welcomed the organization of the awareness-raising mission and started working with the secretariat on preparing the mission. The mission will be organized on 26-27 November 2007. The other two countries will not be able to organize the mission in 2007.

32. The joint meeting took note of secretariat's report.

I.VI. Other issues linked to the Assistance Programme

33. The secretariat reported on developments regarding Albania. The secretariat received a letter from the Minister of Environment of Albania, in which the country expressed its interest to join the activities under the Assistance Programme and thus benefit from the needs-tailored assistance to further strengthen the implementation of the Convention.

34. The joint meeting welcomed the letter from the Minister of Environment of Albania. It considered it as a commitment and agreed accordingly to invite the country to enter the process to join the first phase of the Assistance Programme. To this end it requested the secretariat to contact Albania and start preparations for organizing the fact-finding mission to verify the implementation of basic tasks and identify the needs for assistance.

II. UNECE Industrial Accident Notification (IAN) System

35. The secretariat informed that it has faced lots of difficulties in finding an appropriate IT consultant for developing the web-based notification application and that the consultant was only selected at the beginning of October, and not as preliminary planned in May. The date of the third consultation for points of contact had to be moved to March 2008. The consultation will be organized together with the training session. Romania, who offered to host the consultation, agreed to these changes.

36. The secretariat also informed that a steering group meeting was organized in Geneva on 8 October 2007 to agree on the user requirements to be taken into account in the web-based application and draw up a list of standard replies for notification. The steering group reached agreement. The results are given in the minutes of the meeting.

37. The joint meeting took note of the process.

III. Activities carried out under the Joint Expert Group (JEG) on Water and Industrial Accidents

38. Mr. Gerhard Winklemann-Oei, Co-Chairman of the JEG reported on the establishment of a steering group to draw up the safety guidelines and good practices for tailing dams. He informed that the steering group held a meeting in Geneva on 3 July 2007, at which it discussed the structure for the guidelines and the agenda for the workshop on tailing dams. The short account of the meeting contains all the decisions on drawing up the guidelines and preparing the workshop as agreed by the steering group.

39. In the absence of Ms. Anahit Aleksandryan, the secretariat reported that the workshop on the safety of tailing dams will be held in Yerevan (Armenia) from 12 to 13 November 2007 and followed by a field visit to a tailing dam at Ararat on 14 November 2007.

40. Mr. Winkelmann informed that the eighth JEG meeting will be held back to back with the workshop on 15 November 2007 in Yerevan, and presented the agenda for the meeting. It contains a discussion on the realization of the agreed work programme which includes among others (a) the finalization of the safety guidelines for tailing dams, (b) the organization of technical visit to study the conclusions and recommendations of the Hamburg seminar, (c) the organization of a transboundary response exercise to a simulated industrial accidents, and (d) the provision of guidance for cross-border contingency planning.

41. The joint meeting thanked Mr. Winkelmann for the report on the activities carried out and being prepared under the JEG.

IV. Reporting on the implementation of the Convention

42. The secretariat informed the joint meeting that the fourth round of reporting on the implementation was initiated with a letter of 22 August 2007 sent by the secretariat to the competent authorities of all Parties under the Convention and to the focal points of other UNECE member states. Attached to the letter was the reporting format.

43. The joint meeting thanked the secretariat for initiating the fourth round of reporting. At the same time the members of the WGI agreed that they will hold their meeting on evaluating the national implementation reports on 15-16 April 2008. Ms. Nasslander offered to hold the meeting in Karlstad (Sweden) and the WGI welcomed this offer.

V. Civil Liability Protocol

44. Ms. Gasparrini reported on the key findings of the workshop on transboundary accidental water pollution, liability and compensation: challenges and opportunities, held in Budapest, Hungary, 21-22 May 2007. One of the objectives of this workshop was to discuss between the experts the way forward for the Civil Liability Protocol.

45. Ms. Gasparrini briefly presented the category II document, which contained the key findings of the workshop and was submitted to the Ministerial Conference “Environment for Europe” held in Belgrade 10-12 October 2007. The document was circulated and agreed within the Bureau prior to the submission. Ms Gasparrini also informed that the Civil Liability Protocol was discussed together with other Multilateral Environmental Agreements during the Conference in Belgrade but no specific decisions were taken on it.

46. The joint meeting took note of the report.

VI. EU developments

47. Mr. Biermann presented a short update on the activities carried out and planned under the Seveso II directive including information on the directive’s application by EU member states based on the reporting 2003-2005, adaptations to the Global Harmonization System (GHS), EC inspections programme and land use planning issues.

48. The joint meeting thanked Mr. Biermann for the presentation.

VII. Funds in the Convention’s trust fund

49. The secretariat reported briefly on the use of financial resources, indicating the contributions provided in 2007 and the provisional figure on the expenditures for the period January – September 2007. The secretariat also indicated the expected expenditures for the activities to be organized between October and December 2007.

50. The joint meeting took note of the report.

VIII. Next joint meeting, meeting of the Bureau

51. The Bureau and WGI members agreed, following the offer by Ms. Nasslander, to hold their next joint meeting on 17 April 2008 in Karlstad back to back with WGI meeting on evaluation of the national implementation report.

52. The Bureau also agreed to hold its preparatory meeting for the fifth meeting of the CoP from 7 to 8 July 2008. The venue should be agreed at the latest during the next joint meeting.

IX. Other business

IX.I. Publications

53. The secretariat informed that it is finalizing the administrative procedure to publish on paper the safety guidelines and good practice for pipelines.

IX.II. Venue for the fifth meeting of the CoP

54. The secretariat informed that it did not receive any offer on hosting the fifth meeting of the CoP.

55. The joint meeting agreed that members of the Bureau and WGI should consult in their countries the possibilities to host the next meeting of the CoP and contact the secretariat before 30 November 2007 if it was possible. Otherwise the secretariat should take steps to organize the meeting in Geneva. Furthermore, the joint meeting proposed to hold the fifth meeting of the CoP in November 2008.

IX.III. Belgrade Conference

56. The secretariat presented briefly the Chair's Summary of the Belgrade Ministerial Conference (ECE/BELGRADE.CONF/2007/9) and the Declaration (ECE/BELGRADE.CONF/2007/8) in particular with regard to Multilateral Environmental Agreements including the Industrial Accidents Convention.

57. The joint meeting took note of it.

X. Closing of the joint meeting

58. Ms. Gasparrini thanked the Bureau and WGI members for intensive two days of work, expressed her appreciation to Mr. Hem and the Norwegian Directorate for Civil Protection and Emergency Planning for hosting the joint meeting in Tønsberg and closed it.