



Economic and Social Council

Distr.: General
25 September 2020

Original: English

Economic Commission for Europe

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

Eleventh meeting

Geneva, 7–9 December 2020

Item 5 (a) of the provisional agenda

Implementation of the Convention: activities of the Working Group on Implementation and ninth report on the implementation of the Convention

Ninth report on the implementation of the Convention (2016–2018)

Report by the Working Group on Implementation

Summary

At its ninth meeting (Ljubljana, 28–30 November 2016), the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents adopted a decision on reporting requirements under the Convention, amending the length of the reporting period and requesting the Working Group to prepare the ninth report on the implementation of the Convention for review and adoption by the Conference of the Parties at its eleventh meeting (ECE/CP.TEIA/32/Add.1, decision 2016/2, paras. 1 and 2).

Pursuant to paragraph 4 of its terms of reference (ECE/CP.TEIA/32/Add.1), 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 present document contains the ninth report on the implementation of the Convention, prepared on the basis of the national reports for the period 2016–2018. The Conference of the Parties will be invited to adopt the ninth report.



Introduction

1. In accordance with the Convention on the Transboundary Effects of Industrial Accidents, Parties have an obligation to report on their implementation of the Convention (art. 23) and the Conference of the Parties is required to review the state of implementation (art. 18, para. 2 (a)). To assist in the review process, the Conference of the Parties at its first meeting (Brussels, 22–24 November 2000) established the Working Group on Implementation and adopted its terms of reference (ECE/CP.TEIA/2, annex III, decision 2000/2).

2. At its ninth meeting (Ljubljana, 28–30 November 2016), the Conference of the Parties amended the Working Group's terms of reference (ECE/CP.TEIA/32/Add.1, decision 2016/3), among other things, extending the term of office of the members to four years and strengthening the Working Group's mandate to engage with countries on implementation issues. At the same meeting, the Conference of the Parties amended the reporting requirements under the Convention (ECE/CP.TEIA/32/Add.1, decision 2016/2), extending the reporting period to four years as of 2019, with an exceptional period of three years (2016–2018) to allow for a smooth transition.

3. Also at its ninth meeting, the Conference of the Parties adopted the eighth report on the implementation of the Convention (ECE/CP.TEIA/2016/10) and elected or re-elected the following candidates as Working Group members for the period 2017–2020: Mr. Hrvoje Buljan (Croatia); Mr. Pavel Chukharev (Belarus); Ms. Helena Fridh (Sweden); Mr. Raphael Gonzalez (Switzerland); Mr. Leo Iberl (Germany); Ms. Rachel McCann (United Kingdom of Great Britain and Northern Ireland);¹ Ms. Suzana Milutinovic (Serbia), later replaced by Ms. Sanja Stamenkovic; Ms. Anna Tsarina (Russian Federation); Ms. Laura Vizbule (Latvia); and Mr. Peter Westerbeek (Netherlands), followed by Ms. Anneke Raap, who was later replaced by Ms. Nicolette Bouman. The Working Group elected Mr. Iberl as its Chair and Mr. Gonzalez and Mr. Chukharev as its Vice-Chairs for the period 2017–2020 at its thirty-second meeting (Geneva, 31 January 2017) and its thirty-third meeting (Geneva, 1 February 2017), respectively.

4. During the period 2017–2020, the Working Group held nine meetings: the fortieth meeting (online, 12 and 13 May 2020) and the thirty-third to thirty-seventh meetings (respectively, Geneva, 1 February 2017, 26 and 27 September 2017, 20 and 21 February 2018, 13 and 14 June 2018, and 11 February 2019), focusing on monitoring the implementation of the Convention and activities under the Assistance and Cooperation Programme, including the Strategic Approach for the Assistance Programme (ECE/CP.TEIA/2008/5), as adopted by the Conference of the Parties at its fifth meeting (ECE/CP.TEIA/19, para. 50 (a)); the thirty-ninth meeting (Geneva, 21–23 January 2020), involving review of the national implementation reports; and the thirty-second and thirty-eighth meetings (Geneva, 31 January 2017 and 12 February 2019, respectively), which were held jointly with the Bureau of the Conference of the Parties to discuss tasks with joint responsibilities. During its meetings, the Working Group also conducted seven teleconferences with the focal points of Albania, Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, Montenegro and the Republic of Moldova to inquire as to the status of the Convention's implementation and support them in its strengthening.

I. Reporting

5. In accordance with decision 2016/2, the Working Group updated the reporting format and guidelines for the ninth reporting round. The key updates included references to the Benchmarks for the implementation of the Convention (ECE/CP.TEIA/2010/6) and its user-friendly version,² with the aim of improving the measurement of national progress from one reporting round to another. Questions related to land-use planning and the Sendai Framework for Disaster Risk Reduction 2015–2030 were added to ensure alignment and the tracking of

¹ Changed posts in April 2020.

² Available at <http://www.unece.org/env/teia/ap/tools.html>.

progress against the 2030 Agenda for Sustainable Development. The template for the notification of hazardous activities (ECE/CP.TEIA/38/Add.1), recommended for use by the Conference of the Parties at its tenth meeting (Geneva, 4–6 December 2018), was also included for completion on a voluntary basis.

6. The secretariat initiated the ninth reporting round on the implementation of the Convention by sending letters, accompanied by the updated reporting format and guidelines, to Parties on 7 June 2019 by email. The secretariat also sent letters inviting submission of a national implementation report (further national report) to non-Parties participating in the Assistance and Cooperation Programme.³

7. In accordance with decision 2016/2, the deadline for the submission of national reports for the ninth reporting round (2016–2018) was 31 October 2019, and the Working Group assessed only those reports received within the deadline.

A. Submission of reports

8. During the Working Group's thirty-ninth meeting, at which it reviewed the national reports for the ninth reporting round, 40 member States of the United Nations Economic Commission for Europe (ECE) and the European Union ratified, accepted or acceded to the Convention. The number of Parties was 41 in total.

9. Of the 41 Parties, 31 submitted national reports by the deadline: Armenia, Austria, Belarus, Belgium, Bulgaria, Croatia, Cyprus, Czechia, European Union, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Monaco, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland.

10. Three Parties — the Netherlands (1 November 2019), Estonia (4 November 2019) and Denmark (29 November 2019) — submitted national reports after the deadline, but in advance of the Working Group's thirty-ninth meeting. Seven Parties — Albania, Azerbaijan, Bosnia and Herzegovina, Greece, Kazakhstan, Luxembourg and Montenegro — had not submitted national reports before that meeting.⁴

11. In addition, at the High-level Commitment Meeting (Geneva, 14 and 15 December 2005), five Assistance Programme countries, albeit not Parties, committed to report on the implementation of the Convention (hereafter referred to as "committed countries").⁵ Only Ukraine submitted a national report by the deadline. Uzbekistan submitted a national report late (1 November 2019), but in advance of the Working Group's thirty-ninth meeting. Georgia, Kyrgyzstan and Tajikistan had not submitted national reports before that meeting.

12. In line with decision 2016/2, the Working Group analysed the 32 national reports submitted in a timely manner — 31 by Parties and one by a committed country — for preparation of the present report. All national reports were made available on a password-protected website,⁶ accessible to Parties and committed countries. The Working Group considered the national reports submitted late to contain valuable good practices and therefore decided to include them on the Convention's website.⁷

³ Georgia, Kyrgyzstan, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

⁴ Following official reminder letters in April 2020, Montenegro submitted its national report on 29 April 2020, Greece on 11 May 2020, Azerbaijan on 22 May 2020, Luxembourg on 5 June 2020 and Kazakhstan on 4 July 2020.

⁵ Georgia, Kyrgyzstan, Tajikistan, Ukraine and Uzbekistan.

⁶ The national reports are available at <https://wiki.unece.org/display/TEIA/Implementation+Reports>. Access information is available via each country's focal point for the Convention. The secretariat can be contacted if there is a need to be reminded of the login information.

⁷ Available at <http://www.unece.org/environmental-policy/conventions/industrial-accidents/envteiaguidelines/tables-of-good-practices.html>.

B. Reporting trends

13. The Working Group expressed satisfaction that 31 Parties and one committed country had made their national reports available by the ninth reporting period deadline. This represents an equivalent level of reporting compared to the last reporting round, at which the number of timely submissions among Parties was one higher and remained the same among committed countries (see figure I below). The Working Group also noted with appreciation that four countries — the Netherlands, Uzbekistan, Estonia and Denmark — submitted their national reports before its thirty-ninth meeting.

14. The Working Group welcomed the fact that Armenia, Finland, France and the European Union, which had submitted their reports late in the previous reporting round, provided them on time in the ninth reporting round. It also welcomed the timely submission of the national reports of six beneficiary countries of the Assistance and Cooperation Programme — Armenia, Belarus, North Macedonia, the Republic of Moldova, Serbia and Ukraine. Notably, Ukraine did not submit a national report in the previous round and is the only non-Party among the above-mentioned beneficiary countries

15. The Working Group expressed regret that ten Parties and four committed countries failed to submit national reports within the ninth reporting period deadline. It noted with concern that Bosnia and Herzegovina, for the third consecutive time since becoming a Party in 2013 and the fifth consecutive time since becoming a beneficiary of the Assistance Programme in 2005, failed to submit a national report and has, to date, also failed to submit a self-assessment and an action plan under the Strategic Approach. The Working Group is concerned about this development, in particular in view of the 13 transboundary incidents in the country in 2016–2017, which affected Croatia.⁸

16. The Working Group expressed regret at the fact that Denmark, Estonia, Kazakhstan, Luxembourg, the Netherlands and Uzbekistan — which submitted national reports on time in the eighth reporting round — failed to submit these reports by the deadline in the current round. It also regretted and noted with concern that Georgia for the second, Kyrgyzstan for the fifth and Tajikistan for the sixth consecutive times failed to submit national reports, including for the deadline in the current round; however, the Working Group appreciated that these countries previously provided information under the Strategic Approach.

17. The Working Group expressed concern that only 6 of the 16 countries benefiting from activities under the Assistance and Cooperation Programme had submitted their reports to the secretariat by the deadline (Armenia, Belarus, North Macedonia, the Republic of Moldova, Serbia and Ukraine), while acknowledging that a few others had, subsequently, made their reports available. The Working Group regretted that it could not assess the progress made by such countries, notably in the Caucasus (Azerbaijan and Georgia), Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan⁹ and Uzbekistan) and South-Eastern Europe (Albania, Bosnia and Herzegovina and Montenegro). It stressed the importance of receiving information through the national reports, particularly on weaknesses and good practices, to recommend the inclusion of relevant (assistance) activities in the next Convention workplan and to effectively monitor the implementation of the Strategic Approach.

18. With regard to the above, the Working Group:

(a) Recalls the Parties' obligation and committed countries' commitment to report on the implementation of the Convention;

(b) Stresses the need for timely submission of reports, in line with the agreed deadlines, and calls on all Parties and committed countries to comply with those deadlines;

⁸ Croatia reported on 13 industrial accidents, while indicating no serious effects.

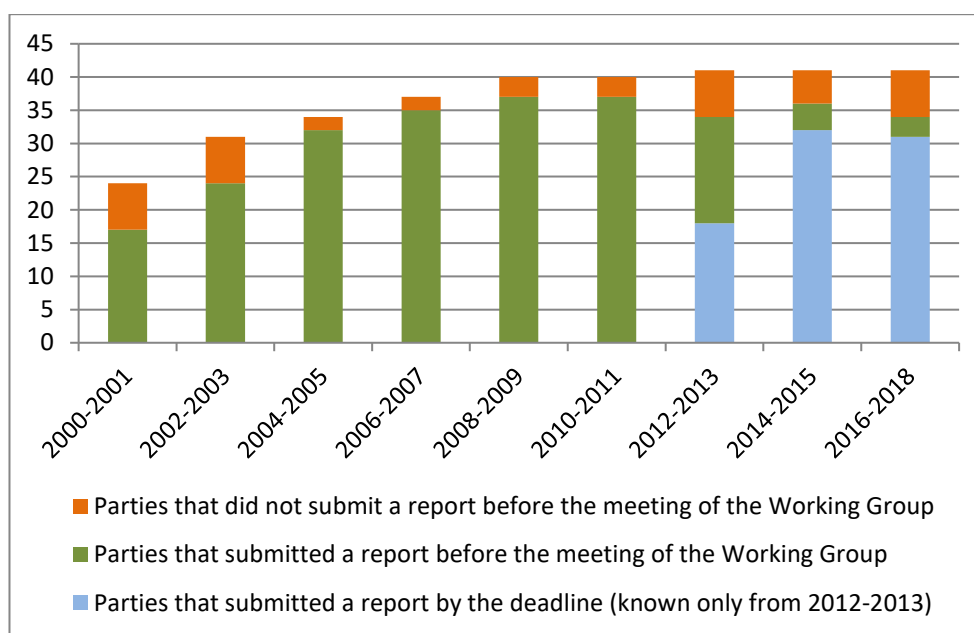
⁹ Turkmenistan did not express a commitment to report on the implementation of the Convention (although, as a country benefiting from assistance activities, it was invited to submit a national report).

(c) Strongly urges Parties that failed to provide their national report for the present or several consecutive rounds to submit it for the current reporting round without further delay;

(d) Calls on committed countries that failed to provide their national report for the present or several consecutive rounds to submit it for the current reporting round without further delay.

Figure I

Reporting by Parties from the first (2000–2001) to the ninth (2016–2018) reporting rounds



C. Overall quality of reporting

19. Parties and committed countries were requested to provide full replies to the questions, rather than copying replies from previous reporting rounds and providing updates only. Parties were also requested to provide information on activities or actions undertaken to achieve further progress in implementing the Convention.

20. The Working Group noted major improvements in the reporting quality in replies, thanks to several changes in the reporting format, notably the introduction of the indicators from the user-friendly version of the Benchmarks into the questions. It seems that most countries described their level of implementation according to these indicators, which allowed the Working Group to gain a much better understanding of the level of implementation of the Convention, areas for improvements and progress made.

21. It seems that the reporting guidelines were well understood and most countries made good use of them. At the same time, some countries significantly exceeded the indicated word limit in the sections on policy for implementation of the Convention, information to and participation of the public and decision-making on siting and land-use planning. The Working Group therefore sees potential for countries to report more clearly and concisely in these sections.

22. The Working Group noted with satisfaction a significant increase in the provision of good practices and national guidelines in this reporting round, while noticing also that only a few beneficiary countries under the Assistance and Cooperation Programme provided such information.

23. With regard to the above, the Working Group:

(a) Calls on Parties and committed countries to consult the guidelines before completing their reports to ensure adequate and complete reporting on all questions;

(b) Recommends that the reporting format and guidelines be updated before the next round to facilitate concise reporting by Parties and committed countries, including on progress made between reporting periods;

(c) Specifically encourages countries with economies in transition to highlight in their national reports good practices and guidelines, including the weblinks thereto.

II. Overall assessment of the implementation of the Convention¹⁰

24. To assess the overall implementation of the Convention, the Working Group analysed the 32 national reports according to the reports' sections. General conclusions and recommendations per section are set out below. Sections A–I present a more detailed analysis. Based on the replies provided, the Working Group concluded that the level of implementation of the Convention by Parties and committed countries had improved in comparison to the previous reporting round, and that many countries complied with the Convention.

25. Countries provided good descriptions of their policies and legislation for the prevention of, preparedness for and response to industrial accidents. While almost all countries clearly indicated which policies and legislation were specifically related to transboundary issues, their replies to the new question on linkages with countries' national policies for the Sendai Framework remained general. Compared to previous rounds, in which the effectiveness of countries' policies remained unclear, 63 percent reported that their policy had achieved the intended results. **The Working Group welcomes this improvement and encourages all countries to indicate in the future the relation of their national policy to issues related to transboundary cooperation. It also recommends that all countries provide a clear explanation of how their national policies on the implementation of the Convention link with those for the Sendai Framework in the area of technological hazards.**

26. With regard to the identification of hazardous activities, the Working Group was satisfied with the answers provided, with almost all countries having identified hazardous activities or concluding that they did not have any. At the same time, countries continue to face difficulties with notification and consultation processes with neighbouring¹¹ countries. **The Working Group encourages all Parties and committed countries to take further actions to strengthen their notification¹² of the hazardous activities identified and related consultation processes. It also calls on those Parties and committed countries that have not yet identified hazardous activities in line with the criteria under the Convention¹³ to comply with this essential requirement as soon as possible.**

27. In the area of prevention of industrial accidents, the Working Group noticed with satisfaction an improved quality of reporting and generally high level of implementation. The distribution of responsibilities between competent authorities and operators, including their joint efforts on prevention, seemed to be effective at the national level. The Working Group

¹⁰ The reporting format and guidelines for the ninth reporting round (and previous rounds) are available under the heading "Reports on the Implementation of the Convention" at www.unece.org/env/teia/wgimplementation.html.

¹¹ "Neighbouring countries" is understood in the present report to mean bordering and riparian countries.

¹² Parties and committed countries may make use of the template developed and recommended for their use when notifying affected Parties of hazardous activities. Available at http://www.unece.org/fileadmin/DAM/env/documents/2020/TEIA/Guidelines_and_good_practice/EN_G_sample_HA_notification.pdf.

¹³ Decision 2014/2 amending annex I to the Convention and available at http://www.unece.org/fileadmin/DAM/env/documents/2020/TEIA/CoP_Decisions/Decision_2014.2pdf.pdf; and Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (para. 5), available at http://www.unece.org/fileadmin/DAM/env/documents/2019/TEIA/ENG_Guidelines_to_facilitate_the_identification_of_hazardous_activities_for_the_purposes_of_the_UNECE_Industrial_Accidents_Convention_Location_Criteria.pdf

welcomes the numerous measures taken or planned by Parties and committed countries to improve their prevention mechanisms. **The Working Group, recalling that prevention is strongly linked with the identification and notification of hazardous activities, encourages all Parties and committed countries to continue their efforts to improve preventive measures in a transboundary context.**

28. Emergency preparedness and response were generally at an acceptable level, in particular nationally. The Working Group considers that testing, updating and review of emergency plans in cooperation with neighbouring countries continue to be challenging for many Parties and beneficiary countries under the Assistance and Cooperation Programme. **The Working Group calls on Parties and committed countries with hazardous activities to further strengthen their testing, updating and review of emergency plans in cooperation with neighbouring countries — and their development, implementation and testing of joint or harmonized plans.**

29. With regard to mutual assistance, the Working Group was generally satisfied with the replies, noting that almost all countries identified an authority to act as a point of contact for mutual assistance and provided clear information about their procedures for requesting and providing assistance in case of an accident with transboundary effects. **The Working Group encourages the remaining Parties and committed countries to establish an authority to act as a point of contact on mutual assistance. It also encourages all Parties and committed countries to improve their procedures for mutual assistance.**

30. The overall quality of reporting on scientific and technological cooperation and the exchange of information was good. Many countries mentioned a variety of examples for cooperation through bilateral and/or multilateral programmes and concrete projects to exchange information, experience and technology. **The Working Group encouraged Parties and committed countries to share their experiences and make available reports or summaries of outcomes from joint exercises, commissions or groups, for learning purposes and to improve the implementation of the Convention.**

31. Information to and participation of the public was implemented at a high level for the domestic public in most countries. However, some countries still do not grant the same rights to the public of neighbouring countries. At the same time, the procedures for involving the domestic and neighbouring public varied among countries; in some cases, it was unclear how judicial and administrative opportunities were implemented in practice. **The Working Group calls on Parties to review and consider the application of existing good practices on information to and participation of the public, including those presented or prepared under the Convention,¹⁴ to improve implementation. The Working Group also calls on Parties and committed countries to organize seminars, workshops and other activities to support legislation that would grant the same information and participation rights to the domestic and neighbouring public and further foster implementation in practice.**

32. In the area of decision-making on siting and land-use planning, the Working Group noticed with satisfaction that all countries reported having established policies to regulate the siting of new installations, significant modifications to existing installations and new developments in the vicinity of hazardous activities. In almost all countries, cooperation between industrial safety experts and land-use planners at the national level was formally required or, when not formally required, took place in practice. At the same time, only half of the Parties reported having taken transboundary issues into account in their policies in these fields. **The Working Group welcomes the policies and cooperation mechanisms on decision-making and land-use planning, both within and across countries. It calls on all Parties and committed countries to further improve their transboundary cooperation in this area, considering also the involvement of the public of neighbouring countries**

¹⁴ Specific good practices on information to and participation of the public were presented at previous ECE seminars and will be made available in the information repository on land-use planning and industrial safety, developed jointly with the European Union/European Investment Bank in the biennium 2019–2020.

and the ECE publication *Guidance on Land-use Planning, the Siting of Hazardous Activities and Related Safety Aspects*.¹⁵

A. Policy for implementation of the Convention (questions 1–3)

33. Countries provided good descriptions of their policies and legislation in place for the prevention of, preparedness for and response to industrial accidents. Most countries also clearly indicated in the ninth reporting round the relation of their policies and legislation to transboundary issues. **The Working Group welcomes this improvement and encourages all countries to indicate the relation of policies to transboundary issues in the future.**

34. While the reporting format was updated to allow for a clearer overview of countries' policies and legislation to implement the Convention, not all countries provided an overall description of their national systems. Sweden, as a good example, reported on its domestic regulations based on the provisions of the Convention, which makes it easier to monitor progress in specific areas. **The Working Group encourages Parties and committed countries to report more clearly on progress made from one round to another, including on the status of actions mentioned in the previous reporting round.**

35. There are considerable differences in how countries described their policies for the implementation of the Convention. Many countries provided an overview of the applicable legal system and competent authorities, without describing the contents or underlying background of the legal system. Some countries provided very detailed descriptions of their policies (Belarus, Czechia, Hungary, Italy, Latvia, Lithuania and the Republic of Moldova), while others significantly exceeded the word limit (Armenia and Croatia) or left questions blank (Monaco). **The Working Group calls on Parties to consult the reporting guidelines before completing the format and to respect the indicated word limitations.**

36. Many countries referred to the European Union Seveso III Directive¹⁶ in their implementation of national policy and legislation related to the Convention, including non-European Union member States in Eastern Europe, South-Eastern Europe and the Caucasus. Some countries indicated a few shortcomings in their policy (Armenia, Belgium, Czechia, Lithuania, Portugal, Romania, Slovenia and Spain), others indicated many shortcomings (North Macedonia, the Republic of Moldova, Serbia and Ukraine) and several mentioned that they needed to undertake further revisions of their policies and legislation to align them with the Seveso III Directive and the Convention. Most countries indicated that their policy fully delivered the intended results.

37. Many countries provided general replies to the new question on the implementation of the Sendai Framework. The analysis shows that most countries have established linkages between the Convention and the Sendai Framework; however, the replies lacked clear explanations of how the Convention's implementation policy linked to national policies for implementing the Sendai Framework, especially in the field of technological hazards. Slovenia included a clear explanation in that regard. **The Working Group recommends that all countries provide a clear explanation of how the Convention's implementation policy is linked to their national policy for implementing the Sendai Framework, especially in the field of technological hazards.**

B. Identification and notification of hazardous activities (questions 4–8)

38. The Working Group noticed with satisfaction that a growing number of countries seemed to apply the criteria under the Convention to identify hazardous activities, i.e. those in which one or more hazardous substances are present or may be present in quantities at or in excess of the threshold quantities listed in annex I to the Convention, and which are capable of causing transboundary effects (location criteria). From the 32 reports analysed, 21 Parties

¹⁵ United Nations publication, Sales No. E.18.II.E.6.

¹⁶ Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC, *Official Journal of the European Union*, L 197 (2012), pp. 1–37.

identified hazardous activities (Armenia, Austria, Belarus, Belgium, Croatia, Czechia, Finland, France, Germany, Hungary, Lithuania, Poland, the Republic of Moldova, Romania, the Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland). The Working Group also noticed with satisfaction that the majority of those Parties (Austria, Belarus, Croatia, Finland, France, Germany, Hungary, Lithuania, Poland, the Republic of Moldova and Switzerland) provided in their national reports further information on their hazardous activities (for example, names, addresses and/or the location, etc.). **The Working Group welcomes this positive trend and encourages all Parties and committed countries to provide such information as part of their national reports.**

39. From the 32 national reports analysed, eight Parties (Bulgaria, Cyprus, Italy, Latvia, Monaco, Norway, Portugal and Spain) mentioned that they had no hazardous activities, and Ukraine, the only non-Party, reported that it had not yet identified hazardous activities. The European Union mentioned that about 5,192 upper-tier establishments, which fulfil the criteria of annex I of the Convention, had been reported to it — representing an 8.1 per cent increase of establishments compared to the last reporting period — but that it did not hold information on how many of those establishments could cause transboundary effects of accidents. North Macedonia mentioned that it had not yet determined how many of its hazardous facilities identified in line with annex I to the Convention could have transboundary effects. Detailed information about countries' identified and notified hazardous activities is annexed to the present report. **The Working Group calls on all countries that have not yet identified hazardous activities in line with the criteria under the Convention¹⁷ to comply with this essential requirement as soon as possible. It also encourages the European Union to consider asking its member States to make this information available.**

40. Most countries implement the notification of hazardous activities to affected Parties¹⁸ through bilateral and multilateral agreements, joint meetings, formal and informal letters or a dedicated website. Out of the 21 countries that identified hazardous activities, 15 countries notified all affected Parties (Austria, Belarus,¹⁹ Belgium, Croatia, Czechia, Finland, France, Hungary, Lithuania, Poland, Romania, Slovakia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland), four countries (Germany, the Republic of Moldova, the Russian Federation²⁰ and Slovenia) notified partially and two countries (Armenia and Serbia) stated that they had not yet notified neighbouring countries.

41. The Working Group noticed an increased number of countries that had not notified or had only partially notified affected Parties about their hazardous activities in comparison to the previous reporting round (see figure II below). It also noticed that some countries with hazardous activities, which in the previous reporting round had notified all affected Parties, only partially notified in this round (Germany and Slovenia). **The Working Group calls on those Parties that have only partially notified to ensure the full notification of their hazardous activities. It also strongly urges those Parties and committed countries that have not yet notified to proceed with such notification without further delay.**

¹⁷ Annex I to the Convention and Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (para. 5), available at

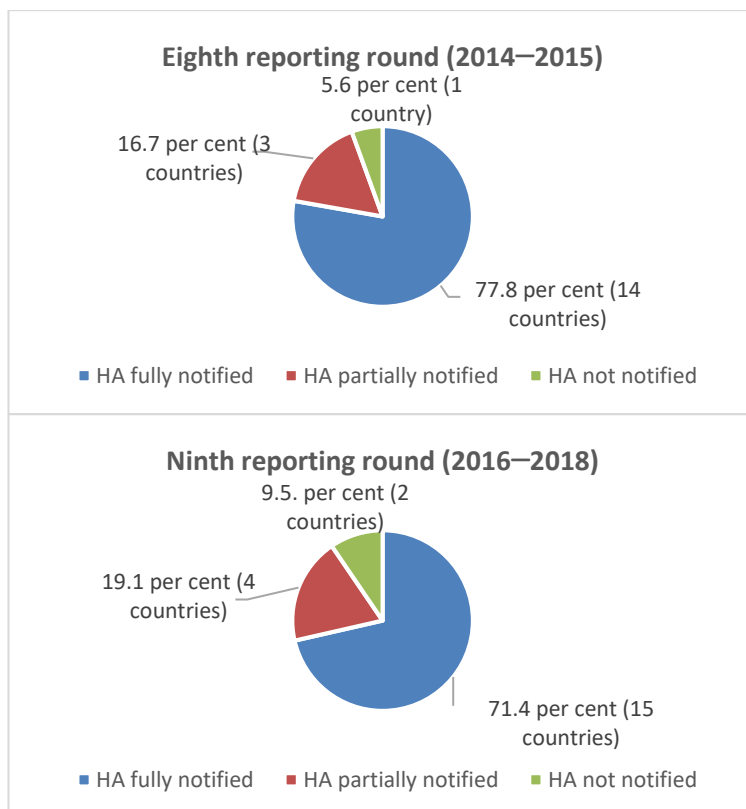
http://www.unece.org/fileadmin/DAM/env/documents/2019/TEIA/ENG_Guidelines_to_facilitate_the_identification_of_hazardous_activities_for_the_purposes_of_the_UNECE_Industrial_Accidents_Convention_Location_Criteria_.pdf.

¹⁸ “Affected Parties” is understood in the present report to mean countries affected, or capable of being affected, by the transboundary effects of an industrial accident. This is not limited to Parties to the Convention.

¹⁹ Belarus had notified all affected Parties in the previous reporting round and undertook additional consultations and notifications for three out of its seven hazardous activities in the ninth reporting round.

²⁰ It was later clarified by the Russian Federation that, during the ninth reporting period, it had notified all affected Parties about newly developed or modified hazardous activities.

Figure II
**Notification of countries with hazardous activities
 in the eighth and ninth reporting rounds**



Abbreviations: HA, hazardous activities.

42. The Working Group stresses that, even if a country does not have hazardous activities, it can be affected in case of an accident in a neighbouring country. **The Working Group encourages all Parties and committed countries, regardless of whether they currently have hazardous activities, to develop notification and consultation mechanisms.**

43. Some countries were very pleased with the template for the notification of hazardous activities in accordance with article 4 of and annex III to the Convention. For example, Lithuania used this template to notify Latvia, and the Republic of Moldova used it to notify Romania and Ukraine. Serbia mentioned its intention to use the template for notification.

44. The Working Group noticed with satisfaction that most countries seemed to use the user-friendly version of the Benchmarks on the implementation of the Convention to describe their mechanisms and identify their progress stages for the hazardous activities' identification, notification and consultations. It saw a good level of implementation regarding the identification mechanism (almost three quarters of all countries indicated progress stage 6), but less than half of the countries indicated such progress for the notification and consultation mechanisms (see annex to the present document for an overview of the progress stages). At the same time, the Working Group noticed that some countries, which had identified progress stage 6, did not reply with sufficient evidence to substantiate this finding. Some countries also misunderstood the difference between the notification and consultation mechanisms with neighbouring countries. **The Working Group calls on all countries to provide accurate and complete information when reporting on the implementation of the Convention.**

45. Armenia reported that it would, if necessary, provide information to Azerbaijan and Turkey through Georgia, while indicating that, due to the lack of diplomatic relations, it had no mechanisms for notification of and consultation regarding hazardous activities. Croatia mentioned the need to establish better cooperation with Bosnia and Herzegovina, in the light of the recurrent transboundary incidents through which it had been affected.

C. Prevention of industrial accidents (questions 9 and 10)

46. The Working Group noticed with satisfaction that the answers provided in this reporting round were clear and well-structured and, contrary to previous rounds, did not exceed the set word limits. However, for some countries, the answers given in this round were very similar to those in the previous round. Some reports also included little information on preventive measures (Bulgaria, France and Ukraine), making it difficult to understand the country's level of implementation or progress made, while most others presented detailed information, allowing for a good overview of the implementation of the Convention. It seems that the level of prevention has generally improved compared to the previous round.

47. Countries described well the preventive measures taken by competent authorities and operators, both separately and jointly, in this reporting period. The analysis showed that the system of allocating responsibilities between the stakeholders is very similar in many instances and that the described framework seems to be effective. Almost all reporting Parties and committed countries assessed that they meet progress stages 6 (81 per cent) or 5 (13 per cent) in the area of prevention. North Macedonia identified progress stage 3. Monaco did not provide an answer to this question.

48. Approximately half of the reporting Parties and committed countries said that they had taken steps in the current reporting period to improve preventive measures. Mostly, these improvements were related to the following:

(a) Development, renewal and update of their legislation (for example, on spatial planning in Czechia and on chemical safety in Armenia);

(b) Implementation of natural hazard-triggered technological accident principles (Belgium, Hungary, Italy and Norway);

(c) Implementation of preventive measures in the alignment with the Seveso III Directive (for the majority of the Parties);

(d) Facilitation of seminars, workshops and training sessions on prevention and/or awareness-raising activities by operators (for example, Hungary, Slovakia and Slovenia);

(e) Development and implementation of guidance, for example, on cyber security (United Kingdom of Great Britain and Northern Ireland), and the revision of technical criteria (for example, Italy, for its major accident prevention policy);

(f) Establishment of cooperation at different levels, such as improving coordination between prevention and land-use planning (for example, Italy, Norway and Switzerland).

49. Furthermore, some countries provided specific examples of measures taken to improve prevention, notably the following:

(a) Croatia reported on the development of a unique Central Seveso Information System that seems to be a multifunctional and integrated software-based tool that facilitates environmental information monitoring and reporting processes;

(b) Hungary noted that, since 2015, it has organized annual seminars for operators, safety consultants and other experts on various industrial safety topics (for example, maintenance, ageing, lessons learned from international accidents, safety subcontracting, etc.);

(c) Serbia underlined that industrial safety is an ongoing process that is not completed through the operator's preparation of the related safety documents alone, stressing that these are living documents that must be regularly updated and implemented in practice by the operator and its personnel;

(d) Slovakia underlined that, in the reporting period, it had implemented several training activities (for example, courses, professional training sessions, seminars and

conferences), including for its State administration, professionally qualified persons and operators of lower- and higher-level enterprises, in connection with the adoption of national legislation in the field of major industrial accident prevention;

(e) Slovenia reported on the organization of a school on industrial safety for representatives of hazardous activities operators, initiated by the Chamber of Commerce, with courses of over six months in duration, practical assignments and final exams;

(f) Sweden presented its scheme for allocating the obligations of authorities at all levels, including from national to local, and interactions between authorities, operators and the public. It also highlighted the increased supervision of the regional authorities by national competent authorities.

50. Half of the countries indicated that they would continue to make improvements in the area of prevention, focusing on the priorities from this round.

D. Emergency preparedness and response (questions 11–20)

51. In this reporting round, the Working Group got a better picture of countries' levels of implementation in the area of emergency preparedness and response, which is now an established area within the ECE region, with on-site (internal) and off-site (external) contingency plans existing in almost all countries.

52. Almost all countries reported that their emergency plans were tested, reviewed and updated at the national level, as necessary, and that the results of hazard and risk assessments were taken into account. A few countries reported on the absence of contingency plans. For example, in North Macedonia, on- and off-site contingency plans do not exist for all facilities due to the lack of administrative capacities and inspections at the central and local levels, overlapping responsibilities and low awareness among operators. In Serbia, off-site contingency plans are in the drafting phase, and are expected to be completed in the coming period.

53. Twelve countries (Austria, Belarus, Belgium, Croatia, Czechia, Finland, France, Hungary, Poland, Slovakia, Switzerland and the United Kingdom of Great Britain and Northern Ireland) reported that they had tested, updated and reviewed emergency plans, in cooperation with neighbouring countries. Four countries (Germany, the Republic of Moldova, Romania and the Russian Federation) indicated that they had partly done this. Five countries (Armenia, Lithuania, Serbia, Slovenia and Sweden) did not test, update and review emergency plans in cooperation with neighbouring countries, despite having identified hazardous activities. In practice, this means that testing, updating and reviewing of emergency plans in cooperation with neighbouring countries remain challenging for many countries. **The Working Group sees potential for improvement in this area and calls on Parties and committed countries with hazardous activities to take further actions to strengthen emergency preparedness and response in cooperation with neighbouring countries.**

54. Some countries without hazardous activities indicated that identifying a progress stage for the mechanism for transboundary emergency plans was not applicable. The Working Group reminds those countries that they could still be affected by industrial accidents from neighbouring countries, and therefore they also need a mechanism to be able to cooperate with such countries, which in most cases seemed to have been created through a bilateral agreement. Several Parties replied that they had no mechanism for transboundary emergency plans, while some nevertheless indicated a progress stage, and some Parties and committed countries did not provide an answer. The answers of those countries which replied were spread widely between progress stages (see table below).

Table
Progress stage for the mechanism on transboundary emergency plans in the ninth reporting round (2016–2018)

<i>Progress stage</i>	<i>Countries*</i>	<i>Percentage</i>
6	Armenia, France, Poland, Romania, Slovakia	16
5	Belarus, Croatia, Germany, Hungary, Italy, Russian Federation, Slovenia, Switzerland	26
4	Rep. of Moldova	3
3	–	–
2	Belgium, North Macedonia, Serbia	10
1	–	–
No mechanism	Bulgaria, Czechia, Lithuania, Monaco, Sweden, United Kingdom	19
Not applicable or no progress stage indicated	Austria, Cyprus, Finland, Latvia, Norway, Portugal, Spain, Ukraine,	26

* The European Union is not included in this overview.

55. Some countries also indicated weaknesses in their emergency preparedness and response (for example, lack of coordination between authorities, insufficient cooperation between neighbouring countries, lack of equipment for first response and of experienced and trained staff) or reported on improvements (for example, development of guidance for emergency preparedness and strengthened cooperation between neighbouring countries).

56. Almost all countries use the ECE Industrial Accident Notification system and identified a point of contact. Only France seemed to use the European Union Common Emergency Communication and Information System rather than the ECE Industrial Accident Notification system. Almost all countries used additional notification and information systems in case of emergencies at the national and international levels.

57. The Republic of Moldova and Romania mentioned in their national reports that their cooperation, notably regarding joint contingency planning, had been significantly strengthened through the implementation of the Project on hazard and crisis management in the Danube Delta (2010–2015), involving also Ukraine.²¹ Significant progress was noted by the countries, while they indicated that further assistance was needed to finalize the draft trilateral joint contingency plan and improve their transboundary emergency preparedness and response.

E. Mutual assistance (questions 21 and 22)

58. The Working Group noticed that almost all reporting countries had identified an authority to act as point of contact for mutual assistance and all of them offered clear information about procedures for requesting and providing assistance in case of an accident with transboundary effects. Only Cyprus and Monaco seemed not to have named a point of contact that was available 24 hours a day.²² Finland pointed out that the point of contact for the notification of industrial accidents pursuant to article 10 of the Convention could be contacted for mutual assistance. **The Working Group calls on those countries that have**

²¹ See www.unece.org/env/teia/ap/ddp.html.

²² However, both countries have registered a point of contact in the Industrial Accident Notification system.

not yet done so to identify and register a point of contact in the ECE Industrial Accident Notification system.

59. The Working Group noted that the quality of reporting on mutual assistance had increased significantly compared to the previous reporting round. Countries seem to have understood the reporting guidelines in this section generally well. Except for Cyprus, Monaco and the United Kingdom of Great Britain and Northern Ireland, which did not provide information, all Parties and committed countries reported that they had established bilateral and multilateral agreements for mutual assistance.

60. The Working Group noticed with satisfaction that, in this reporting round, almost all reporting Parties and committed countries explained which agreements they had signed and with which countries. The analysis of this section of the national reports shows that the majority of reporting Parties or committed countries have established bilateral and multilateral agreements, giving reason to conclude that mutual assistance in the ECE region is at a good level. It seems that the only gap in some countries is the lack of diplomatic relations with their neighbours. **The Working Group encourages all countries to set up financial and technical plans and procedures for mutual assistance, especially if countries share a common resource, such as a lake, river or forest.**

F. Scientific and technological cooperation and exchange of information (questions 23 and 24)

61. The quality of reporting on scientific and technological cooperation and exchange of information was good. Many countries replied positively to both questions in this section and provided good examples of mutual cooperation and information-sharing programmes, including weblinks. **The Working Group encourages countries to continue sharing such information, including, for learning purposes, weblinks to reports or summaries from transboundary exercises, as part of their national report.**

62. Some countries indicated that they had no bilateral or multilateral activities/programmes for exchange of information, experiences and/or technology (Bulgaria, Cyprus, Slovakia, Sweden and the United Kingdom of Great Britain and Northern Ireland) or that they had not enhanced institutional cooperation with other departments responsible for managing aspects related to disaster risk reduction (Belgium, Bulgaria, Germany, the European Union and the United Kingdom of Great Britain and Northern Ireland).

63. Some countries provided good examples of institutional cooperation. North Macedonia, for example, mentioned having established a working group for the implementation of a national platform implementing the Sendai Framework. Norway reported having established a national network for natural disasters²³ in 2016 — which has the status of the Norwegian national platform for the implementation of the Sendai Framework — to strengthen the cooperation between the different authorities, including on natural hazard-triggered technological accident risks. Portugal explained that, under the framework of the National Platform for Disaster Risk Reduction, its National Authority for Emergency and Civil Protection works jointly (at the national and local levels) with other departments and organizations responsible for managing disaster risk reduction-related aspects, including by chairing a subcommission.

G. Information to and participation of the public (questions 25–30)

64. The implementation of the provisions on information to and participation of the public was at a high level for the domestic public in most countries in this reporting round. Some Parties reported that they had strengthened public participation by adopting new legislation (Armenia, Germany, Italy and North Macedonia) or other means (for example, Belarus had established an Aarhus Centre to implement the provisions of the Convention on Access to

²³ See <https://naturfareforum.com> (in Norwegian only).

Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters). Some Parties also indicated that regulations or guidelines were under way or had been amended to strengthen the role of the public (Armenia, Croatia and Italy). Ukraine adopted the Law on Environmental Impact Assessment in 2017, which provides the public with a significant role in permitting processes for facilities.

65. Most countries reported that the public were informed about opportunities to participate in preventive and preparedness measures through official journals, mass media, the Internet, round tables and hearings during licensing or planning procedures, or they referred to the fact that all legislation was publicly available. In Norway, it seems that the industry is responsible for: informing the public about their rights; gathering statements of opinion from the local public; and taking into consideration their comments regarding siting and planned measures for preparedness, response and safety.

66. More than 60 per cent of the countries seem to grant appropriate possibilities for participation on preventive and preparedness measures to the neighbouring public. However, several Parties reported that this was still restricted to the domestic public (Armenia, Czechia, North Macedonia and the Russian Federation). Cyprus reported that public participation was limited to preparedness measures and some other countries provided unclear or incomplete answers (Croatia, Hungary, Latvia, North Macedonia, the Republic of Moldova and Slovakia). Belarus stated that the neighbouring public could not participate in the same way as its own public, although anyone could use publicly available information. Monaco and Ukraine did not answer this question. Similar restrictions were reported concerning access to relevant administrative and judicial procedures for persons in neighbouring countries. **The Working Group calls on Parties and committed countries to overcome these weaknesses.**

67. Most countries stated that no weaknesses were identified in their system for public participation (Armenia, Belarus, Cyprus, Czechia, Germany, Hungary, Italy, Latvia, Lithuania, North Macedonia, Poland, the Russian Federation, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland), while some reported on weaknesses (Austria, the Republic of Moldova, Romania, Serbia and Spain) and others did not provide an answer (Bulgaria, Finland, France, Monaco and Ukraine). **The Working Group encourages all countries to provide information on weaknesses, if any.**

68. In the previous reporting round, the Working Group encouraged Parties and committed countries to describe their procedures for involving the public of neighbouring countries, even if they had no hazardous activities on their territory. **The Working Group noticed with satisfaction that Bulgaria, Cyprus, Italy, Latvia, Norway, Portugal and Spain described these procedures, despite the absence of hazardous activities. At the same time, the Working Group expressed regret that Monaco did not reply to any questions in this section.**

H. Decision-making on siting and land-use planning (questions 31–36)

69. All Parties and committed countries indicated that they had basic regulations and policies for decision-making on siting and land-use planning in place. Many countries also reported that they had established policies with the aim of keeping or establishing gradual zones — for hazardous activities, vulnerable areas (for example, residential areas) and areas of public use, at least in the long term — by calculating appropriate (safety) distances or using risk assessment procedures. Some countries reported on enhancements in existing bilateral activities on siting decisions, improvements in land-use planning and the establishment of a database for receiving, processing and disseminating information on hazardous activities and major accidents (for example, France and Spain).

70. As to the question on how transboundary issues were taken into account in these policies, the replies revealed a broad range of answers:

(a) No special policies were necessary because there was no difference between domestic and transboundary issues (for example, France, Germany, Poland and Portugal);

- (b) A legal system had been established but no bilateral activities on siting issues were conducted (Russian Federation);
- (c) The legal system did not cover transboundary matters, however, in practice, bilateral agreements were possible, if necessary (Armenia);
- (d) Some countries without hazardous activities reported that they would activate bilateral consultation mechanisms if necessary (Italy and Norway);
- (e) Transboundary issues would be covered during the development and update of bilateral agreements and in guidance for cross-border cooperation (Republic of Moldova);
- (f) There were no agreements with neighbouring countries (Ukraine);
- (g) Several countries did not answer this question, provided no clear reply or rated the question as not applicable.

71. The Working Group concluded that, while almost half of the Parties had taken transboundary issues into account in the field of decision-making on siting and land-use planning, the remaining countries either did not consider transboundary aspects in this area or did not provide information. The Working Group therefore considered that further improvement of the Convention's implementation was needed, especially regarding bilateral consultations and data exchange. **The Working Group calls on Parties and committed countries that have not yet done so to develop their policies on decision-making on siting and land-use planning, especially to include transboundary aspects, and to ensure their implementation in practice.**

72. Fifteen countries (Armenia, Austria, Bulgaria, Cyprus, Czechia, France, Germany, Italy, Lithuania, North Macedonia, Poland, Romania, Serbia, Slovenia and Sweden) reported that they considered the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment in the implementation of the Convention on the Transboundary Effects of Industrial Accidents. These countries are also Parties or signatories to the Espoo Convention and its Protocol. Other countries indicated that they were a Party or signatory to one or both of the instruments or did not respond to the questions.

73. Fifteen countries estimated their siting policy as positive (Belarus, Belgium, Bulgaria, Cyprus, Finland, France, Hungary, Italy, Norway, Poland, Portugal, Romania, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland). Austria, Czechia, Romania and Sweden reported that — despite the overall success of their policies — they still had some problems arising from siting decisions from the time before the implementation of the provisions of the Convention and the Seveso III Directive. Serbia reported that about 150 plans had been drafted or redesigned in this reporting period. Spain mentioned that some infrastructure in the vicinity of hazardous activities had to be redesigned to meet the goals of land-use planning. France reported on a probably unique rule for the area around existing industrial sites: Technological Risk Prevention Plans define various sectors in which property measures can be prescribed, particularly building expropriation.

74. Several countries reported on past or planned improvements of their siting and land-use planning policies: Norway, Romania, Sweden and Switzerland had started to develop guidelines; Czechia, Republic of Moldova and Russian Federation had amended or issued new legislation; and Italy, Lithuania, Poland and Serbia had made plans to update or develop their legislation or guidelines in the near future.

75. Consultation and cooperation among industrial safety and land-use planning experts is formally required in 25 countries, i.e. in three quarters of the reporting Parties and committed countries. In Czechia, Portugal, the Republic of Moldova, Slovenia and Sweden there is no formal requirement; however, in practice cooperation and consultation takes place, because, for example, safety issues must be considered in planning decisions. Ukraine explained that its law provided for interaction between land-use and industrial safety authorities, while it remained open how this takes place in practice and whether it is formally required. The European Union considered this question not applicable.

I. Reporting on past industrial accidents (question 37)

76. Only Croatia reported on transboundary accidents, while stating they did not have serious effects. In particular, it reported on 13 accidents that occurred in the period 2016–2017 in Bosnia and Herzegovina and had an impact on Croatia, further to one accident that occurred in 2018 in Croatia and had an impact on Slovenia. After consultation with the Croatian focal point, those incidents were classified as not being covered by the definitions contained in article 1 of the Convention. **The Working Group calls on Bosnia and Herzegovina to strengthen its implementation of the provisions of the Convention, starting with the submission of a national report and a self-assessment.**

77. The Working Group invites Parties and committed countries to also share information with neighbouring countries on incidents that may not have transboundary effects, especially if they happen frequently. This procedure can facilitate notification and exchange of information on a potential major industrial accident with transboundary effects under the scope of the Convention.

III. Areas for follow-up

78. The Working Group identified several areas where countries assessed that improvements could be made and for which activities could be organized under the Convention. The areas were listed because the issues had been highlighted by one or more countries. The Working Group is aware that it might not be possible to address all the areas listed below in the biennium 2021–2022.

79. In the section on policies for the implementation of the Convention, Parties and committed countries identified a number of specific weaknesses or areas for potential improvement in previous reporting rounds, which, following the review of replies from this reporting round, remain largely valid and have been updated as follows:

- (a) An imperfect legislative framework (Armenia and Ukraine);
- (b) Insufficient institutional capacity or a lack of experts and qualified personnel, including appropriate training and education (Armenia and Serbia);
- (c) Inadequate transboundary cooperation and/or information-sharing (Romania and Ukraine);
- (d) A lack of financial and other resources (Armenia, North Macedonia and Serbia);
- (e) Lack of coordination among authorities at all levels and/or operators (for example, Serbia and Ukraine).

80. In the section on identification and notification of hazardous activities, the Working Group still saw a need for Parties and committed countries to improve their procedures for the notification of hazardous activities to neighbouring countries and their consultation procedures. Several Parties, all beneficiaries of the Assistance and Cooperation Programme, also specifically expressed the following needs:

- (a) North Macedonia requested assistance on the identification of hazardous activities;
- (b) Serbia mentioned the need to improve the knowledge of both operators and competent authorities through the exchange of information and experience;
- (c) The Republic of Moldova requested good practices on risk identification and assessment, especially on the use of worst-case scenarios.

81. In the section on prevention, a number of weaknesses were identified in the previous reporting round, such as the lack of, human resources; training of staff regarding authorities and/or operators; and coordination between authorities, as well as between authorities and operators. While the review of the replies from this reporting round showed that some of these system-linked concerns remain valid and that assistance is needed, particularly in the

area of training of staff of authorities and operators, it can be concluded that the implementation of preventive measures has improved since most challenges are now focused on specific shortcomings. By listing them in their reports, countries demonstrated that they put effort into addressing these challenges and know what further steps to take.

82. As regards emergency preparedness and response, the analysis of the responses showed that the areas for improvement are very similar to those in the previous round:

- (a) Cooperation with neighbouring countries;
- (b) Shortage of individual protection equipment and specialized emergency response equipment;
- (c) Sharing of capabilities in response to emergencies.

There is a particular need to improve the sharing of external contingency plans between neighbouring countries and to carry out joint emergency exercises of such plans. The Working Group recommends that these be pursued using the: *Checklist for contingency planning for accidents affecting transboundary waters, with introductory guidance* — developed by the ECE Joint Ad Hoc Expert Group on Water and Industrial Accidents;²⁴ and *OECD Guiding Principles for Chemical Accident Prevention, Preparedness and Response: Guidance for Industry (including Management and Labour), Public Authorities, Communities and other Stakeholders* — Second edition.²⁵

83. In the previous reporting round, several countries did not mention an authority to act as point of contact for mutual assistance in their report. The replies from the current reporting round showed that some countries still need to establish an authority to act as point of contact for mutual assistance.

84. On scientific and technological cooperation and the exchange of information, it is important that all countries — notably those sharing a river basin or border — continue to strengthen cooperative efforts in this area and, if they have not already done so, begin cooperation initiatives, including in the form of agreements, for the effective prevention of, preparedness for and response to transboundary industrial accidents. Furthermore, it is important that countries continue to improve their institutional cooperation with other departments or organizations at all levels that are responsible for managing aspects concerning disaster risk reduction.

85. In the section on information to and participation of the public, the following key weaknesses have been mentioned:

- (a) Terrorist attacks to Seveso sites in some countries stimulated a discussion on safety versus transparency (Austria);
- (b) Opportunities for strengthening and further developing public participation have been identified (Republic of Moldova);
- (c) Means to increase the interest of public are needed (Romania);
- (d) Awareness among the public of their participation and information rights, and communication of information by the operators (Serbia);
- (e) Regular training and public participation campaigns to provide information on alarm mechanisms and self-protection measures are needed (Spain).

86. In the area of decision-making on siting and land-use planning, some weaknesses have been mentioned:

- (a) Improvement is needed in information technology-based administrative tools and in exercising additional control of compliance with principles of industrial safety in the course of legalization of any newly constructed and reconstructed real estate (Belarus);

²⁴ United Nations publication, ECE/TEIA.CP/34.

²⁵ Organization for Economic Cooperation and Development (OECD), OECD Environment, Health and Safety Publications Series on Chemical Accidents No. 10 (Paris, 2003). Available at www.oecd.org/chemicalsafety/chemical-accidents/.

- (b) Conflict if, for example, a residential area is expanding too close to a hazardous activity and the public asks for further safety restrictions (Czechia);
- (c) The need to clarify the definition of an appropriate safety distance or, more broadly, to develop criteria for siting decisions (for example, Lithuania, Poland and Portugal);
- (d) A lack of subsidiary laws and cooperation or communication among different authorities in these fields (for example, North Macedonia and Slovenia);
- (e) Lack of expertise among local authorities to make qualified decisions on risk-related topics and municipalities not always monitoring and maintaining restrictions on land-use in the vicinity of existing installations (Norway);
- (f) A need for indicators and criteria for measuring progress (Republic of Moldova).

87. On the basis of the above, the Working Group saw a continuing need for the implementation of tailor-made assistance activities in ECE countries with economies in transition, and for sharing good practices with ECE countries at all stages of implementation of the Convention. It recommended that the above-mentioned activities, where possible, be carried out in coordination with relevant stakeholders.

88. The Working Group recommends that the beneficiaries of the Assistance and Cooperation Programme submit a specific request or project proposal for an assistance activity, if so desired, to address the identified weaknesses or challenges. It also invites all countries to contact the Working Group, through the secretariat, to discuss the implementation of specific aspects under the Convention.

89. The Working Group recalls the recent development of the *Implementation Guide for Central Asia on the UNECE Convention on the Transboundary Effects of Industrial Accidents*²⁶ and recommends its use by countries facing challenges in the implementation of certain provisions of the Convention. The Guide offers a practical explanation of what compliance with the Convention means. Although it is based primarily on the needs and challenges of the Central Asian countries, it can also be useful for other countries with economies in transition and beyond that wish to increase their level of implementation of the Convention.

IV. Good practices

90. The Working Group welcomed the fact that many Parties provided a wealth of good practices and guidelines on various working areas under the Convention with their national reports. All good practices, including from national reports that were submitted late, will be made available together with the weblinks, where available, on the Convention's website.²⁷ **The Working Group encourages all Parties and beneficiary countries under the Convention's Assistance and Cooperation Programme to review the list of good practices on the Convention's website and to consider their application to overcome weaknesses and improve their implementation of the Convention.**

91. The Working Group noted that many good practices were available in languages other than English, and it encouraged countries speaking the same language to consult these documents. **The Working Group also recommends making the information and good practices available to a broader audience in English to strengthen the implementation of the Convention across the ECE region.** That could be done through the organization of seminars to exchange information on specific topics, which could be held back-to-back with other meetings, for example, the meeting of the Conference of the Parties

²⁶ United Nations publication, Sales No. E.20.II.E.1.

²⁷ See www.unece.org/environmental-policy/conventions/industrial-accidents/envteia-guidelines/tables-of-good-practices.html.

Annex

Identification and notification of hazardous activities (questions 4–8) showing changes since the eighth report

<i>Parties and non-Parties</i>	<i>No. of HA Eighth report</i>	<i>No. of HA Ninth report</i>	<i>Notification</i>	<i>Progress stage of the mechanism for:</i>			<i>Comments by the Working Group</i>
				<i>Identification of HA</i>	<i>Notification with neighbouring countries</i>	<i>Consultation with neighbouring countries</i>	
Albania	7	—	—	—	—	—	No report submitted ^a
Armenia	1	1	no	6	—	—	Due to diplomatic issues, information to Azerbaijan and Turkey goes, if necessary, through Georgia
Austria	42	46	yes	6	6	6	Provided further data on its HA
Azerbaijan	10	—	—	—	—	—	No report submitted ^a
Belarus	8	7	yes	6	5	5	Provided further data on its HA
Belgium	9	6	yes	6	6	6	
Bosnia and Herzegovina	—	—	—	—	—	—	No report submitted ^a
Bulgaria	n/a	n/a	n/a	6	4	4	
Croatia	2	1	yes	6	6	6	Provided further data on its HA
Cyprus	n/a	n/a	n/a	—	—	—	
Czechia	60	40	yes	6	6	6	
Denmark	n/a	—	—	—	—	—	Report submitted late: 29 November 2019 ^b
Estonia	n/a	—	—	—	—	—	Report submitted late: 4 November 2019 ^b

<i>Parties and non-Parties</i>	<i>No. of HA Eighth report</i>	<i>No. of HA Ninth report</i>	<i>Notification</i>	<i>Progress stage of the mechanism for:</i>			<i>Comments by the Working Group</i>
				<i>Identification of HA</i>	<i>Notification with neighbouring countries</i>	<i>Consultation with neighbouring countries</i>	
European Union	—	5192*	—	6	5 and 6	5 and 6	Capability of transboundary effects of the hazardous facilities not determined
Finland	4	1	yes	6	6	6	Provided further data on its HA
France	61	54	yes	6	6	6	Provided further data on its HA
Georgia ^c	—	—	—	—	—	—	No report submitted ^a
Germany	173	184	partly	6	6	6	Provided further data on its HA
Greece	n/a	n/a	—	—	—	—	No report submitted ^a
Hungary	35	15	yes	5	5	5	Provided further data on its HA
Italy	n/a	n/a	n/a	6	6	6	
Kazakhstan	11 908*	—	—	—	—	—	No report submitted ^a
Kyrgyzstan ^c	—	—	—	—	—	—	No report submitted ^a
Latvia	n/a	n/a	n/a	6	6	6	
Lithuania	n/a	2	yes	6	2	2	Used template to notify its HA to Latvia; provided further data on its HA
Luxembourg	1	—	—	—	—	—	No report submitted ^a
Monaco	n/a	n/a	n/a	—	—	—	
Montenegro	—	—	—	—	—	—	No report submitted ^a
Netherlands	57	—	—	—	—	—	Report submitted late: 1 November 2019 ^b
North Macedonia	19*	20* (19**)	no	5	3	3	Hazardous facilities capable of causing transboundary effects not yet identified
Norway	n/a	n/a	n/a	6	—	—	

<i>Parties and non-Parties</i>	<i>No. of HA Eighth report</i>	<i>No. of HA Ninth report</i>	<i>Notification</i>	<i>Progress stage of the mechanism for:</i>			<i>Comments by the Working Group</i>
				<i>Identification of HA</i>	<i>Notification with neighbouring countries</i>	<i>Consultation with neighbouring countries</i>	
Poland	18	18	yes	6	6	6	Provided further data on its HA
Portugal	n/a	n/a	n/a	5	—	—	
Rep. of Moldova	8*	8*	partly	4	2	4	Used template to notify its HA to Ukraine and Romania; provided further data on its HA
Romania	7	7	yes	6	4	6	
Russian Federation	—	13	partly	6	3	3	
Serbia	9	5	no	5	5	4	Intends to use the template to notify neighbouring countries; informal contacts with Romania established in this regard
Slovakia	9	9	yes	6	6	6	
Slovenia	4 ^d	7	partly	5	5	5	
Spain	—	n/a	n/a	—	—	—	
Sweden	1	1	yes	6	6	6	Considering notifying neighbouring countries with updated information about its HA
Switzerland	33	34	yes	6	6	5	Plans consultations with France before the next reporting round; provided further data on its HA
Tajikistan ^c	—	—	—	—	—	—	No report submitted ^a
Ukraine ^c	—	—	—	—	—	—	HA not yet identified
United Kingdom	5	5	yes	6	5	5	

<i>Parties and non-Parties</i>	<i>No. of HA Eighth report</i>	<i>No. of HA Ninth report</i>	<i>Notification</i>	<i>Progress stage of the mechanism for:</i>			<i>Comments by the Working Group</i>
				<i>Identification of HA</i>	<i>Notification with neighbouring countries</i>	<i>Consultation with neighbouring countries</i>	
Uzbekistan ^c	—	—	—	—	—	—	Report submitted late: 1 November 2019; ^b does not use the reporting format

Abbreviations and symbols: “—” means either no national report by the deadline or no answer provided; HA, hazardous activities with possible transboundary effects; n/a, not applicable, as either no HA, or HA not yet identified;

* Refers to the total number of hazardous facilities identified in line with annex I to the Convention, rather than to the number of hazardous activities falling under the Convention, i.e. those facilities with transboundary effects.

** The answer on HA differs in between two questions.

^a By the thirty-ninth meeting of the Working Group on Implementation (Geneva, 21–23 January 2020).

^b In accordance with decision 2016/2, the Working Group assessed only national reports received within the deadline (31 October 2019).

^c Non-Party.

^d Number of HA was corrected compared to the eighth report on implementation.