

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 3 of the provisional agenda

Decision on strengthening mine tailings safety in the United Nations Economic Commission for Europe region and beyond

Conclusions of the seminar on mine tailings safety in the United Nations Economic Commission for Europe region and beyond

Note by the Chair and Vice-Chairs, in cooperation with the secretariat

Summary

At its eleventh meeting, the Conference of the Parties will be invited to adopt an updated draft decision on strengthening mine tailings safety in the United Nations Economic Commission for Europe (ECE) region and beyond (ECE/CP.TEIA/2020/L.1), which includes taking note of the conclusions of the seminar on mine tailings safety in the ECE region and beyond (online, 1 December 2020).

The present document contains the conclusions of the seminar on mine tailings safety in the ECE region and beyond, as supported by the seminar participants.

Introduction

1. On 1 December 2020, a seminar on mine tailings safety in the United Nations Economic Commission for Europe region and beyond was held, with the objective to provide support to United Nations Economic Commission for Europe (ECE) member States, including the Parties to the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) and the beneficiary countries of its Assistance and Cooperation Programme, in their efforts to implement the Convention and to take action to strengthen mine tailings safety. The seminar was held online and prepared by a small group preparing the seminar on mine tailings safety, with support from the secretariat (see ECE/CP.TEIA/2020/2 for further background information and CP.TEIA/2020/INF.1 for the seminar programme).

2. The three-hour seminar consisted of four sessions:
 - (a) Session I: Setting the scene in the area of mine tailing safety at the ECE and global levels;
 - (b) Session II: Exchanging experiences and lessons learned from the application of the safety guidelines and methodologies for improving tailings safety in ECE countries;
 - (c) Session III: Sharing experiences, lessons learned and proposed actions for safe management of mine tailings from stakeholders and countries in and beyond the ECE region; and
 - (d) Session IV: Presenting proposed actions to strengthen mine tailings safety in the ECE region and beyond by the Industrial Accidents Convention.
3. The online seminar was chaired by Torill Tandberg, Norway, Chair of the Convention and Michael Struckl, Austria, Vice-Chair of the Convention. It was attended by 115 participants from countries and organizations in the ECE region and beyond, including Focal Points to the Convention, members of the Bureau and of the Joint ad-hoc Expert Group on Water and Industrial Accidents, as well as representatives from international organizations, industry and academia.

Seminar conclusions

4. The conclusions of the seminar were presented by the Chair of the Convention before closing the seminar and, as such, supported by the seminar participants. They are presented below per session.

5. Conclusions regarding mine tailing safety at the ECE and global levels:

- (a) Sustainable development and the transition to a green economy require an increased extraction of minerals and metals. Tailings safety is a crucial part of achieving sustainability in the mining life cycle, in relation to the Sustainable Development Goals of the 2030 Agenda for Sustainable Development and the Sendai Framework for Disaster Risk Reduction 2015–2030. Financing should also be redirected to the sustainable and safe management of these activities.
- (b) To achieve mine tailings safety as part of sustainable development, international good practices and standards for mine tailings safety should be integrated into regulatory frameworks and business practice, such as the recently issued Global Industry Standard on Tailings Management.
- (c) The ECE region is and will be a key player in mining, in terms of growing demand (using mineral resources) and supply (through the extraction industry). Mine tailings safety plays a central role in the United Nations Environment Assembly resolutions on Mineral Resource Governance (UNEP/EA.4/Res. 19) and Sustainable Infrastructure (UNEP/EA.4/Res.5).
- (d) Climate change is likely to increase environmental risks of failure in general by more frequent and stronger extreme weather events as well as slow-onset changes. The Industrial Accidents Convention is highly relevant for addressing Tailings Management Facilities (TMF) risks, including Natural Hazards Triggering Technological Accidents (Natech) risks.
- (e) In the absence of harmonized international guidelines, the ECE Safety Guidelines and Good Practices for TMF, complemented by the TMF methodology (developed by the German Environment Agency) offer a strong regional tool, available for application also beyond the region. The fifth meeting of the United Nations Environment Assembly presents an opportunity to promote these globally.

6. Conclusions regarding experiences and lessons learned from the application of the safety guidelines and methodologies for improving tailings safety in ECE countries:

(a) Accidents at TMF often have transboundary effects, making mine tailings safety a regional issue, not just a national matter.

(b) TMF can cause accidental water pollution. Integrating TMF risk into transboundary river basin management plans or agreements can help governments in accounting for mine tailings safety in their policy planning.

(c) Inter-institutional cooperation and cross-border coordination are instrumental in preventing transboundary TMF accidents and their impacts. The further implementation of and accession to the Industrial Accidents Convention, supported by capacity-development, will help improve TMF safety at the regional level.

(d) Experience with the aforementioned Safety Guidelines and the related TMF methodology is growing – not only in countries with economies in transition but all over the ECE region.

(e) The way forward towards increased mine tailings safety includes a broader uptake of the Safety Guidelines and methodology, and increased experience with the Tailings Risk Index. The more these tools are used, the better risks can be understood and addressed, and the more risk awareness grows.

(f) Prevention is key for tailings management. Countries should take urgent action to review and, if need be, update their regulatory frameworks and policies for tailings management to ensure alignment with international good practices and safety standards.

7. Conclusions regarding experiences, lessons learned and proposed actions for safe management of mine tailings from stakeholders and countries in and beyond the ECE region:

(a) Tailings safety is a common concern, where regions around the globe can learn from each other.

(b) Economic development and social and environmental safety are closely linked. Prevention is a financial cost, cleaning up after a disaster is an economic loss.

(c) Preparedness and response are important, but prevention is key – examples show how national policies are adapting to acknowledge the importance of prevention, but more needs to be done.

(d) The Safety Guidelines and related methodology can also be useful tools for countries outside the region. ECE should share its experience and knowledge with those countries wishing to apply these tools (e.g. through the activities of the Joint ad-hoc Expert Group on Water and Industrial Accidents).

(e) Preventing and managing risks provoked by TMFs are a precondition for sustainable mining. Minerals that are extracted to facilitate the transition to a low-carbon economy, should be handled safely.

(f) The Global Tailings Review is a cooperation between international organizations, industry and Investors. Its Global Industry Standard on Tailings Management strives to reach zero harm and strengthens environmental, social and governance (ESG) requirements. It has been developed with the involvement of industry, governments, affected communities and investors.

(g) Only with a consistent regulatory framework and a good understanding of risks, mine waste can be processed according to modern standards (and can even create

value), especially in orphaned and abandoned sites. There is a potential to incorporate circular economy principles into mining.

(h) With accidents getting more severe and costly worldwide, preventing tailings accidents is a common commitment of industries and governments. Identification is an important first step, but concrete objectives to reduce risks need to follow. It is important to engage all stakeholders, including affected communities, when devising measures to improve safety across the mineral resources' life cycle, ranging from land-use planning and siting decisions to operational safety measures and off-site contingency planning.

(i) The tools of the Industrial Accidents Convention can support cross-sectoral cooperation, through a broader use and further updates of the Safety Guidelines and Good Practices on TMF, and its related methodology.

8. Conclusions regarding proposed actions to strengthen mine tailings safety in the ECE region and beyond by the Industrial Accidents Convention

(a) The updated draft decision on strengthening mine tailings safety in the ECE region and beyond (ECE/CP.TEIA/2020/L.1) proposes action to address key challenges in managing tailings risks and its transboundary consequences.

(b) The actions aim to enhance implementation of ECE tools and instruments, and to improve regulatory frameworks and inter-institutional coordination, information sharing, capacity-development and related financing.

(c) The decision aims to be future-oriented, respond to trends such as climate change, and connect the work on mine tailings safety under the Industrial Accidents Convention to other relevant international organizations' work (e.g. the fifth United Nations Environment Assembly).

(d) The decision strongly encourages Parties to the ECE Industrial Accidents Convention to manage mine tailings risks and invites countries beyond the region to do the same.
