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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

Draft decision on strengthening the implementation of the Convention

Submitted by the Working Group on Implementation

Summary

In accordance with its terms of reference (ECE/CP.TEIA/32/Add.1), the Working Group on Implementation shall make recommendations to strengthen the implementation of the Convention and submit these, through the Bureau, to the Conference of the Parties for adoption. The present decision contains such recommendations.

The Conference of the Parties will be invited to adopt the present decision on strengthening the implementation of the Convention. Parties with comments on the draft decision are invited to communicate these four weeks in advance of the meeting to the Chair and the secretariat (via email to ece-teia.conv@un.org), i.e. by 9 November 2020. This approach will facilitate the presentation of an updated draft decision in session, with a clear indication of proposed changes, and the reaching of a consensus on the decision to be taken by the Conference.



The Conference of the Parties,

Recalling articles 18 and 23 of the Convention on the Transboundary Effects of Industrial Accidents,

Recognizing that 31 out of 41 Parties reported on the implementation of the Convention within the deadline set for the ninth (2016–2018) reporting round,

Recognizing also that only one out of five committed countries¹ not yet Parties to the Convention reported on the implementation of the Convention within the deadline set for the ninth reporting round,

Taking into account and recognizing with appreciation the work done by the Working Group on Implementation to analyse and evaluate the national implementation reports and, with the support of the secretariat, to compile the ninth report on the implementation of the Convention,

Recognizing with appreciation also the valuable work carried out by the Working Group on Implementation in monitoring the implementation of the Strategic Approach for the Assistance Programme (ECE/CP.TEIA/2008/5) and the support provided by the Bureau to ensure the availability of financial and in-kind resources for the implementation of the Assistance and Cooperation Programme,

Welcoming the activities conducted under the Assistance and Cooperation Programme in the period 2019–2020, as outlined in the progress report on the implementation of assistance activities in 2019–2020 (ECE/CP.TEIA/2020/7),

General

1. *Adopts* the ninth report on the implementation of the Convention (2016–2018) (ECE/CP.TEIA/2020/5), as prepared and submitted by the Working Group on Implementation;

2. *Calls* on Albania, Bosnia and Herzegovina, Georgia, Kyrgyzstan and Tajikistan, which have not yet submitted their national implementation reports, to do so without further delay, and invites other non-Parties, including Turkmenistan, which also benefits from activities under the Assistance and Cooperation Programme, to submit such reports on a voluntary basis;

3. *Strongly urges* Bosnia and Herzegovina, Georgia, Kyrgyzstan and Tajikistan, which failed to provide their implementation reports for several consecutive rounds, to submit their national reports for the current reporting round without further delay;

4. *Stresses* the need for the timely submission of national implementation reports, in line with the agreed deadlines,² and calls on all Parties, committed countries and other reporting countries to comply with those deadlines in the future;

5. *Requests* all Parties and beneficiary countries of the Assistance and Cooperation Programme³ to review and, as appropriate, make use of existing good practices

¹ Through the adoption of the commitment declaration (CP.TEIA/2005/10) at the High-level Commitment Meeting (Geneva, 14 and 15 December 2005), countries of Eastern and South-Eastern - Europe, the Caucasus and Central Asia committed to enhancing industrial safety through their participation in the Assistance Programme and the implementation of the Convention, as well as to submitting national implementation reports. The committed countries are Georgia, Kyrgyzstan, Tajikistan, Ukraine and Uzbekistan.

² See decision 2016/2 on reporting requirements under the Convention (ECE/CP.TEIA/32/Add.1).

³ The following countries benefit from activities under the Assistance and Cooperation Programme: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Kazakhstan, Kyrgyzstan, North Macedonia, Montenegro, Republic of Moldova, Serbia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. In addition to all committed countries and some Parties, this list also includes Turkmenistan.

in the working areas of the Convention,⁴ including in the prevention of accidental water pollution,⁵ to overcome weaknesses and improve the implementation of the Convention;⁶

6. *Encourages* all Parties and beneficiary countries of the Assistance and Cooperation Programme, in view of article 2, paragraph 1, and article 15 of the Convention, to review the innovations, good practices, guidelines and other materials of interest on the working areas of the Convention, shared through the national implementation reports, and to continue to share such information through their implementation reports, including specific weblinks;

Identification and notification of hazardous activities and prevention of industrial accidents

7. *Calls* on all Parties and beneficiaries of the Assistance and Cooperation Programme that have not yet identified hazardous activities in line with the criteria under the Convention⁷ to comply with this essential requirement without further delay;

8. *Also calls* on all Parties and beneficiaries of the Assistance and Cooperation Programme that have not yet notified their hazardous activities to one or more affected countries, to proceed with such notifications⁸ without further delay;

9. *Encourages* all Parties and beneficiaries of the Assistance and Cooperation Programme, regardless of whether they currently have hazardous activities, to develop notification and consultation mechanisms or, if these are already in place, to strengthen such processes;

10. *Invites* all Parties and beneficiaries of the Assistance and Cooperation Programme to provide further information on the nature and location of their hazardous activities as part of their implementation reports, in order to improve understanding of the specific disaster risks and to prepare for them, in accordance with priority 1 (“Understanding disaster risk”) of the Sendai Framework for Disaster Risk Reduction 2015–2030;⁹

11. *Requests* all Parties and beneficiaries of the Assistance and Cooperation Programme to continue their efforts to develop policies, strategies and measures for the prevention of accidents at hazardous activities;

12. *Also requests* all Parties and beneficiaries of the Assistance and Cooperation Programme to strengthen their risk assessment and prevention measures for industrial accidents triggered by natural disasters;

⁴ Further information on good practices across all working areas under the Convention is available at <http://www.unece.org/environmental-policy/conventions/industrial-accidents/envteia-guidelines/tables-of-good-practices.html>.

⁵ Guidance developed by the Joint Expert Group on Water and Industrial Accidents is available at <http://www.unece.org/env/teia/jeg.html>.

⁶ Further guidance developed under the Convention is available at <http://www.unece.org/environmental-policy/conventions/industrial-accidents/publications.html>.

⁷ Decision 2014/2 amending annex I to the Convention, 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.

⁸ Parties and committed countries may make use of the template developed and recommended for their use when notifying potentially affected Parties of hazardous activities. Available at http://www.unece.org/fileadmin/DAM/env/documents/2020/TEIA/Guidelines_and_good_practice/ENG_sample_HA_notification.pdf.

⁹ General Assembly resolution 69/283 on the Sendai Framework for Disaster Risk Reduction 2015–2030, annex II (A/RES/69/283). Available at http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/69/283.

Emergency preparedness, response and mutual assistance

13. *Calls* on all Parties and beneficiaries of the Assistance and Cooperation Programme that either have hazardous activities themselves or can be affected by those of other countries to take further actions to strengthen joint transboundary emergency preparedness and response;

14. *Urges* all Parties and beneficiaries of the Assistance and Cooperation Programme with hazardous activities to further strengthen the development and implementation of external emergency plans in cooperation with neighbouring countries, including with regard to their testing, updating and review;

15. *Encourages* all Parties and beneficiaries of the Assistance and Cooperation Programme to conduct joint exercises on preparedness and response, including through practising their procedures for notification of industrial accidents to affected countries, mutual assistance and command and control structures;

16. *Urges* Montenegro to nominate a point of contact for the notification of industrial accidents and mutual assistance, in accordance with article 17 of the Convention;

17. *Invites* Turkmenistan to nominate a point of contact for the notification of industrial accidents and mutual assistance, in accordance with article 17 of the Convention;

18. *Urges* all Parties and beneficiaries of the Assistance and Cooperation Programme to continue to improve their procedures for mutual assistance;

19. *Invites* all Parties and beneficiaries of the Assistance and Cooperation Programme to use the Industrial Accident Notification system to notify potentially affected countries of an accident or request assistance and calls on them to initiate and/or participate in the system's connectivity tests and consultations of the points of contact;

Scientific and technological cooperation and exchange of information

20. *Recommends* that Parties, committed countries and other reporting countries that have not done so increase their efforts to establish bilateral and multilateral agreements, as appropriate, especially between countries sharing the same river basin or border and among different regional economic integration organizations, as a basis for effective prevention of, preparedness for and response to industrial accidents with transboundary effects;

Information to and participation of the public

21. *Calls* on Parties and beneficiaries of the Assistance and Cooperation Programme to organize seminars, workshops and other relevant activities to support the putting in place of laws and other legal acts that would grant the same information and participation rights to the domestic and neighbouring public;

Decision-making on siting and land-use planning

22. *Also calls* on Parties and beneficiaries of the Assistance and Cooperation Programme that have not yet done so to develop policies on decision-making on siting and land-use planning, in particular with regard to the inclusion of transboundary aspects, and to ensure their implementation in practice;

23. *Further calls* on all Parties and beneficiaries of the Assistance and Cooperation Programme to further improve their transboundary cooperation for decision-making on siting and land-use planning, including the involvement of the public of neighbouring countries;

Other recommendations

24. *Requests* the Working Group on Implementation to update the reporting format and guidelines¹⁰ before initiating the tenth reporting round to facilitate concise reporting, including on progress made between reporting periods, though striving not to increase the reporting burden;

25. *Calls* on Parties and reporting countries to consult the reporting guidelines before completing their reports to ensure adequate and complete reporting on all questions, even in the absence of hazardous activities that fall under the scope of the Convention;

26. *Calls* on countries that have not yet done so to nominate a competent authority or authorities under the Convention and a focal point for communication among themselves and with the Convention secretariat, and to make the focal points aware of their roles and responsibilities;¹¹

27. *Reminds* beneficiaries under the Assistance and Cooperation Programme to use the Strategic Approach and its tools, the self-assessment and action plans, and to take advantage of the more user-friendly version of the Benchmarks for the implementation of the Convention;¹²

28. *Calls* on Parties and other donors to make available financial and in-kind resources for the implementation of the Assistance and Cooperation Programme;

29. *Mandates* the Bureau to make all efforts to ensure the availability of financial and in-kind resources for the implementation of the Assistance and Cooperation Programme.

¹⁰ Available under the heading “Reports on the Implementation of the Convention” at <http://www.unece.org/env/teia/wgimplementation.html>.

¹¹ Further information on the role and tasks of national focal points can be found in the document entitled “Guidance on the role and tasks of national focal points to the UNECE Convention on the Transboundary Effects of Industrial Accidents”. Available at www.unece.org/env/teia/contact.html.

¹² Available at www.unece.org/env/teia/ap/tools.html.