



# Economic and Social Council

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## 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

## Report of the Conference of the Parties on its eleventh meeting

### I. Introduction

1. The eleventh meeting of the Conference of the Parties to the United Nations Economic Commission for Europe (ECE) Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) was held from 7 to 9 December 2020 as a hybrid meeting in Geneva and online, over three two-hour sessions. The decisions adopted at the meeting and other outcomes may be found in document ECE/CP.TEIA/42/Add.1.

#### A. Attendance

2. The eleventh meeting was attended by delegations from the following Parties: Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czechia, Estonia, European Union, Finland, France, Germany, Greece, Hungary, Italy, Kazakhstan, Latvia, Lithuania, Montenegro, Netherlands, 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.

3. Delegations from the following ECE member States that are not Parties also attended, namely Kyrgyzstan, Tajikistan, Ukraine and Uzbekistan.

4. Representatives of the six following United Nations organizations participated in the meeting: the International Labour Organization (ILO), the United Nations Office for Disaster Risk Reduction (UNDRR), the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the United Nations Industrial Development Organization (UNIDO) and the World Health Organization (WHO). Representatives of the following international organizations attended: the Organisation for Economic Cooperation and Development (OECD), the Organisation for the Prohibition of Chemical Weapons (OPCW) and the Organization for Security and Cooperation in Europe (OSCE). Representatives of the following regional organizations attended: the Commonwealth of Independent States Inter-State Council on Industrial Safety, the Central Asia Centre for Emergency Situations and Disaster Risk Reduction, the European Union European Investment Bank and the European Commission Joint Research Centre.



## B. Organizational matters

5. The Chair of the Conference, Ms. Torill Tandberg (Norway), opened the meeting. She thanked Germany, which had initially intended to host the Conference, for its financial contribution to the preparation of the Conference and its preparatory events. She also thanked the secretariat and the Bureau for organizing the meeting while adapting to the extraordinary circumstances due to the coronavirus disease (COVID-19) pandemic, including through the development of operation procedures and the conduct of an advance information session (online, 30 October 2020). The Chair further underlined the importance of seminars to exchange knowledge, such as the seminar on mine tailings safety in the ECE region and beyond (online, 1 December 2020), held in preparation of the Conference.

6. The Executive Secretary of ECE, in her opening remarks, highlighted the opportunity for the Conference to: review the implementation of the Convention, including the progress made towards implementing the long-term strategy until 2030 (ECE/CP.TEIA/38/Add.1) adopted at the tenth meeting of the Conference of the Parties (Geneva, 4–6 December 2018); take decisions for determining the way forward; and discuss how the COVID-19 pandemic had an impact on industrial safety.

7. The Conference of the Parties adopted the annotated provisional agenda for the eleventh meeting (ECE/CP.TEIA/41).

8. The Chair introduced the updated draft operating procedures to facilitate remote participation and decision-making in the eleventh meeting of the Conference of the Parties due to the extraordinary circumstances caused by the COVID-19 pandemic (ECE/CP.TEIA/2020/L.5, based on the original draft ECE/CP.TEIA/2020/11). She recalled in particular the “advance circulation procedure” included in paragraph 25 of the draft operating procedures, and thanked the European Union and the Russian Federation for having made use of the procedure by submitting advance comments on the five circulated draft decisions and documents with the aim of reaching consensus prior to the meeting.

9. A representative of the European Union asked the secretariat to confirm that paragraph 29 (a) (v) of the draft operating procedures was compliant with the Rules of Procedure for the Meeting of the Conference of the Parties (ECE/CP.TEIA/37), in particular rule 16 thereof.<sup>1</sup> The Secretary to the Convention confirmed that it was compliant. She further explained that, should a head of delegation wish to authorize a member of his/her delegation to vote on behalf of that delegation, in accordance with new paragraph 29 (a) (v), the nominated member should be from among those representatives of the Parties listed in the credentials.

10. The Conference of the Parties adopted the operating procedures to facilitate remote participation and decision-making in the eleventh meeting of the Conference of the Parties due to the extraordinary circumstances caused by the COVID-19 pandemic, including all updates proposed (available in ECE/CP.TEIA/42/Add.1).

## II. Representation and credentials

11. The Secretary presented information on whether Parties had designated competent authorities and points of contact, as required under article 17 of the Convention. She mentioned that the number of Parties to the Convention remained unchanged (41) and there had been no change in the status of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (not in force). She also reported an increase in the number of countries designating points of contact (currently 47) and provided information on the nomination of competent authorities (46), highlighting that Georgia had not yet designated a new competent authority.

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<sup>1</sup> The consolidated version of the Rules of Procedure (ECE/CP.TEIA/37) contains the amendments agreed by the Conference of the Parties at its fourth (ECE/CP.TEIA/15, paras. 12 and 13) and ninth meetings (ECE/CP.TEIA/32/Add.1).

12. The Conference of the Parties took note of the ratification status of the Convention and the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (ECE/CP.TEIA/2020/1). It requested the secretariat to report on the ratification status in a similar manner at the next meeting.

13. The Secretary highlighted that 38 Parties were present at the meeting. Denmark, Luxembourg and Monaco — all Parties to the Convention — were not represented.

14. The outgoing Vice-Chair, Ms. Jasmina Karba (Slovenia) reported on the advance electronic copies of the credentials submitted by the representatives of the Parties to the secretariat, through the permanent missions. Thirty-four credentials had been received by the time of the opening of the eleventh meeting of the Conference of the Parties in line with the operating procedures, namely paragraph 14 thereof. Three more credentials had been received before the closing of the meeting. One Party had failed to provide credentials during the meeting.<sup>2</sup> The Chair and Vice-Chair invited all Parties that had not yet done so to provide the original credentials to the secretariat as soon as feasible, against the background of the pandemic.<sup>3</sup>

15. The Conference of the Parties accepted the report on credentials and noted that, in accordance with rule 27 of the Rules of Procedure, the number of Parties present was sufficient to take decisions at the eleventh meeting. The Conference entrusted the Chair, in cooperation with the secretariat, to ensure that a quorum was secured at the beginning of each day of the meeting and at any moment of decision-making, which was subsequently the case.

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

16. The Chair recalled that a small group, composed of Mr. Michael Struckl (Austria), Vice-Chair of the Conference of the Parties, Mr. Gerhard Winkelmann-Oei (Germany), Co-Chair of the Joint ad-hoc Expert Group on Water and Industrial Accidents (Joint Expert Group), Ms. Tandberg (Norway), Chair, Ms. Martine Rohn-Brossard (Switzerland) and the ECE secretariat, had prepared a seminar on mine tailings safety in the ECE region and beyond (online, 1 December 2020, see ECE/CP.TEIA/2020/2 for further background information and CP.TEIA/2020/INF.1 for the seminar programme), and expressed gratitude to the group for its efforts.

17. The Vice-Chair from Austria, who had moderated the seminar on mine tailings safety together with the Chair of the Conference, presented a summary of the conclusions of the seminar (see annex below). He reported that the seminar had been attended by 107 participants, including 43 participants from competent authorities and 37 from industry and international organizations. Among other conclusions, he highlighted that prevention was key and that the Convention's tools and instruments, such as the *Safety Guidelines and Good Practices for Tailings Management Facilities*,<sup>4</sup> were relevant within and beyond the ECE region. The Conference took note of the conclusions of the seminar.

18. The Chair introduced the updated draft decision on strengthening mine tailings safety in the United Nations Economic Commission for Europe region and beyond (ECE/CP.TEIA/2020/L.1, based on the original draft ECE/CP.TEIA/2020/3). She explained that it contained an additional paragraph added by the European Union, requesting the Bureau to prepare an orientation paper for consideration at the twelfth meeting of the Conference of the Parties, containing proposals for further actions under the Convention in the field of mine

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<sup>2</sup> Poland, Romania and Slovakia provided credentials during the meeting after the report on credentials had been delivered by the Vice-Chair. Serbia provided its credentials following the meeting.

<sup>3</sup> At the time of publication of the present report, 29 original credentials had been received from Parties.

<sup>4</sup> United Nations publication, ECE/CP.TEIA/26.

tailings safety, taking into account the activities of other international organizations, such as UNEP, in view of the United Nations Environment Assembly of UNEP.

19. A representative of the European Union expressed his support for the updated draft decision and his gratitude to the Joint Expert Group for its excellent work in the field of mine tailings safety, which showed the benefit of good cooperation between the ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the Industrial Accidents Convention. He then referred to the publication *Best Available Techniques (BAT) Reference Document for the Management of Waste from Extractive Industries in accordance with Directive 2006/21/EC. Joint Research Centre Science for Policy Report*,<sup>5</sup> which contained information relevant to the above-mentioned orientation paper.

20. With reference to the updated draft decision, the European Union proposed that the Bureau explore the potential for improving the reporting of mine tailings accidents and lessons learned, for example by specifying the conditions for reporting incidents and near misses. The secretariat mentioned that the update of the reporting format and guidelines by the Working Group on Implementation for the tenth reporting round (2019–2022) could provide an opportunity to improve reporting on mine tailings.

21. On that basis, the Conference of the Parties adopted decision 2020/1 on strengthening mine tailings safety in the United Nations Economic Commission for Europe region and beyond (see ECE/CP.TEIA/42/Add.1).

#### **IV. Election of officers and other members of the Bureau of the Conference of the Parties**

22. The Conference of the Parties elected or re-elected the following members of the Bureau for the period 2021–2022, whose candidatures for election as members of the Bureau had been received by the secretariat up to eight weeks ahead of the meeting, and which the secretariat had subsequently communicated to the Parties six weeks before the meeting (CP.TEIA/2020/INF.2), in accordance with rule 22 of the Rules of Procedure: Mr. Struckl (Austria), Mr. Evgeny Baranovsky (Belarus), Mr. Camille Siefriedt (European Union), Ms. Wivi-Ann Wagello-Sjölund (Finland), Ms. Marie-Claire Lhenry (France), Ms. Tandberg (Norway), Ms. Margarita Redina (Russian Federation), Ms. Suzana Milutinovic (Serbia), Ms. Karba (Slovenia), Mr. Martin Merkofer (Switzerland). From among the members of the Bureau, it elected or re-elected the following Officers, based on a proposal by the outgoing Bureau: Ms. Tandberg as Chair of the Conference of the Parties, and Mr. Struckl and Mr. Merkofer as Vice-Chairs.

23. The Chair congratulated the Conference on the election of a new Bureau and thanked the Conference for her re-election as Chair. She thanked the outgoing members of the Bureau for their long-lasting contributions to the Bureau and the work of the Convention, notably Mr. Winkelmann-Oei (Germany) and Mr. Pavel Forint (Czechia).

#### **V. Implementation of the Convention in the biennium 2019–2020 and election of members of the Working Group on Implementation**

##### **A. Activities of the Working Group on Implementation and ninth report on the implementation of the Convention**

24. The Chair of the Working Group on Implementation, Mr. Leo Iberl (Germany), presented key findings from the ninth report on the implementation of the Convention (2016–2018) (ECE/CP.TEIA/2020/5), prepared by the Working Group based on its review of the

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<sup>5</sup> Elena Garbino and others (Luxembourg, Publications Office of the European Union, 2018).

national implementation reports. Among other things, the Chair of the Working Group highlighted the following issues:

(a) The Working Group observed major improvements in the quality of reporting, thanks to changes made in the reporting format and guidelines, notably the introduction of the indicators from the user-friendly version<sup>6</sup> of the Benchmarks for the implementation of the Convention on the Transboundary Effects of Industrial Accidents (ECE/CP.TEIA/2010/6) into the questions;

(b) Thirty-one of the forty-one Parties to the Convention and one of the five committed countries submitted their reports within the deadline (31 October 2019), while several countries made their reports available after the deadline. He stressed the importance for the Working Group of receiving the missing reports by two Parties (Albania and Bosnia and Herzegovina) and three committed countries (Georgia, Kyrgyzstan and Tajikistan), as well as Turkmenistan;

(c) The Working Group on Implementation welcomed the fact that a wealth of good practices had been shared by countries in the ninth reporting round. As most of those good practices had been provided in languages other than English, the Working Group suggested organizing a seminar in order to make the good practices available to a broader audience in English and possibly Russian, in support of which an activity was included in the Convention's workplan for 2021–2022 (ECE/CP.TEIA/2020/L.3);

(d) While the level of implementation of the Convention had improved compared to the previous reporting round, there was still a need to improve national policies to ensure better transboundary cooperation, notably in the following areas: notification of hazardous activities; transboundary emergency planning; granting the same information and participation rights to the public of neighbouring countries; and transboundary decision-making on siting and land-use planning.

25. The Conference of the Parties adopted the ninth report on the implementation of the Convention (2016–2018) (ECE/CP.TEIA/2020/5). It requested the Working Group on Implementation to prepare a similar report for its thirteenth meeting.

26. The Conference of the Parties also adopted decision 2020/2 on strengthening the implementation of the Convention, based on the update proposed by the Russian Federation (ECE/CP.TEIA/2020/L.2, based on the original draft ECE/CP.TEIA/2020/6, final version contained in ECE/CP.TEIA/42/Add.1), containing several actions designed to improve the implementation of the Convention by Parties and countries benefiting from the Convention's Assistance and Cooperation Programme.

## **B. Election of the members of the Working Group on Implementation for the period 2021–2024**

27. The Conference of the Parties elected or re-elected the following members of the Working Group on Implementation for the period 2021–2024 (CP.TEIA/2020/INF.3), whose candidatures had been received by the secretariat up to eight weeks in advance of the meeting and communicated to Parties six weeks ahead of the meeting, in accordance with rule 23 of the Rules of Procedure, as amended at the ninth meeting of the Conference of the Parties (Ljubljana, 28–30 November 2016): Mr. Pavel Chukharev (Belarus), Ms. Reelika Kuusik (Estonia), Ms. Laura Vizbule (Latvia), Ms. Nicoletta Bouman (Netherlands), Mr. Vitalii Mutaf (Republic of Moldova), Ms. Anna Tsarina (Russian Federation), Ms. Sanja Stamenkovic (Serbia), Ms. Mária Šebestová (Slovakia), Ms. Helena Fridh (Sweden) and Mr. Raphaël Gonzalez (Switzerland).

28. The Chair of the Conference recalled that the Working Group on Implementation would elect its own Chair at its first meeting after the meeting of the Conference of the Parties. She then congratulated the Conference on the election of a new Working Group. The Chair thanked the outgoing members of the Working Group on Implementation for their contributions, notably Mr. Hrvoje Buljan (Croatia), Ms. Rachel McCann (United Kingdom

<sup>6</sup> Available at [www.unece.org/env/teia/ap/tools.html](http://www.unece.org/env/teia/ap/tools.html).

of Great Britain and Northern Ireland) and Mr. Iberl, highlighting in particular Mr. Iberl's leadership as outgoing Chair. Mr. Iberl then thanked the outgoing members, the Bureau and the secretariat for their fruitful cooperation.

## **VI. Plan of action for the Convention for the biennium 2021–2022**

29. The Secretary presented the document setting out updated priorities, workplan and resources for 2021–2022 (ECE/CP.TEIA/2020/L.3, based on the original draft ECE/CP.TEIA/2020/9), which included adjustments made by the secretariat, in cooperation with the Chair, in view of the comments received by the European Union, notably to include all unfunded activities in table 3. She highlighted several gaps in the workplan in terms of lead countries and the availability of funds. The Chair and the Secretary invited Parties to express their leadership of respective workplan items and to communicate their financial and/or in-kind contributions to enable the workplan's implementation.

30. A representative of the European Union invited the secretariat to develop a proposal for a revised format for the workplan, which would: (a) increasingly distinguish between core and non-core activities; and (b) allow each activity to be matched with an expected deliverable and with a key objective/s of the long-term strategy. The Chair thanked the European Union for that proposal and recalled that the issue of differentiating between core and non-core activities had been discussed by the Bureau for numerous years. She proposed that the Bureau continue those discussions in the next biennium in order to review and refine the existing approach to core and non-core activities, and with the purpose of strengthening the alignment of future workplans with the long-term strategy.

31. The following pledges were made by delegations for the biennium 2021–2022:

(a) Czechia would provide \$13,000 annually, further to its in-kind support, including for activities of the Joint Expert Group;

(b) The European Union would continue its regular financial contribution of €35,000 per year, and support access to its funding programmes, where eligible and in accordance with European Union and Convention priorities;

(c) The European Investment Bank would provide targeted support to activities relating to Natural Hazards Triggering Technological Accidents (Natech) in the context of disaster risk reduction in 2021;

(d) France would raise its annual contribution to €100,000, with the objective of supporting activities under the workplan, subject to annual confirmation;

(e) Hungary would contribute \$10,000 per year; subject to annual confirmation, in addition to its regular in-kind contribution for the activities of the Joint Expert Group;

(f) Italy would continue to provide €50,000 per year, in order to secure a sustainable implementation of the long-term strategy;

(g) The Netherlands would take up the role of lead party in the organization of a, possibly online, seminar on the exchange of good practices on the implementation of the Convention, in cooperation with the Working Group on Implementation and the secretariat, based on its continued annual contribution of €30,000;

(h) Norway would provide a yearly financial contribution from the Norwegian Directorate for Civil Protection of \$40,000;

(i) Romania would provide a contribution of €10,000;

(j) Switzerland would provide a continued financial contribution of SwF 70,000 per year, as in the previous biennium, to support the activities on risk assessment and the Assistance and Cooperation Programme;

(k) The Russian Federation had provided \$250,000 for the implementation of the Project on National Policy Dialogues for Industrial Safety in Central Asia (Phase I: Launch) in 2020–2021;

(l) The United Kingdom of Great Britain and Northern Ireland was ready to provide in-kind support in areas to be discussed with the secretariat.

32. The secretariat informed the Conference that the following additional pledges or contributions had been communicated to it by representatives of the following Parties:

- (a) Austria would contribute €8,000 annually;
- (b) Bulgaria would continue its annual contribution of \$2,100;
- (c) Finland would contribute €10,000 per year, subject to annual confirmation;
- (d) Germany had provided a contribution of €26,278 for 2021 to follow up to the eleventh meeting of the Conference;
- (e) Poland would contribute \$10,000 for 2021;
- (f) Slovenia would contribute €8,000 for 2021.

33. The Chair and the Secretary welcomed the envisaged contributions to the implementation of the Convention's workplan in the next biennium. At the same time, they urged Parties and other ECE member States to provide additional voluntary financial and in-kind contributions to the budget of the Convention, in order to fully finance the workplan with its corresponding budget.

34. The Conference of the Parties adopted the priorities, workplan and resources for the Convention for 2021–2022 (available in ECE/CP.TEIA/42/Add.1) and its corresponding budget, on the basis of the Bureau's proposal made in cooperation with the secretariat and the updates made thereafter.

35. The Conference of the Parties also:

(a) Requested Parties and invited other ECE member States to participate actively in the implementation of the workplan for 2021–2022, including through taking the lead in the implementation of specific projects and activities contained therein;

(b) Welcomed the contributions to the budget pledged before and at the meeting by Parties to (and strategic partners of) the Convention, while urging other Parties and ECE member States to provide voluntary financial and in-kind contributions to the budget of the Convention;

(c) Mandated the Bureau, with the support of the secretariat, to monitor the implementation of the workplan for 2021–2022, including raising the remaining funds necessary for its full implementation. Further mandated the Bureau, with the support of the secretariat, to raise additional funds, including in the light of the additional resources needed to implement the workplan due to the extraordinary circumstances of the pandemic;

(d) Requested the secretariat to manage voluntary financial contributions and, at the next meeting, to report on the use of financial and in-kind resources;

(e) Requested the Bureau, in consultation with the secretariat, to continue its discussions on the differentiation between core and non-core activities, with a view to strengthening it;

(f) Further requested the Bureau to prepare, with the support of the secretariat, a workplan and budget for 2023–2024 for adoption at its next meeting, considering a stronger alignment with the long-term strategy;

(g) Requested the secretariat to service, and to provide the necessary meeting rooms, equipment, interpretation in the three official languages of ECE, official documents, virtual platforms and other resources for the holding of, meetings and other events as listed in the adopted workplan.

36. The Secretary presented the updated draft decision on guiding principles for financial assistance (ECE/CP.TEIA/2020/L.4, based on the original draft ECE/CP.TEIA/2020/10), which included revisions proposed by the European Union.

37. The European Union welcomed the fact that the updated draft decision took into account the fact that financial assistance should not be at the expense of core activities of the

Convention, that it should be covered through voluntary contributions provided specifically for that purpose by Parties or other donors, and that it should be provided for the benefit of the Parties.

38. On that basis, the Conference of the Parties adopted decision 2020/3 (available in ECE/CP.TEIA/42/Add.1) on guiding principles for financial assistance to support the participation of representatives of countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia in particular and, as resources allowed, of other developing and least developed countries.

## **VII. Report of the Bureau on its activities since the tenth meeting of the Conference of the Parties**

39. The Chair presented key elements of the report on the activities of the Bureau since the tenth meeting of the Conference (ECE/CP.TEIA/2020/4), showing that they had contributed to the implementation of the long-term strategy, and fostered alignment with the Sendai Framework for Disaster Risk Reduction 2015–2030 and the Sustainable Development Goals. She noted the Bureau’s conclusion that further action was needed to address emerging risks and developments (such as mine tailings safety, Natech risks, etc.) in the coming bienniums. She also called on Parties to fully contribute to the Convention’s activities, highlighting that, thus far, only approximately half of the Parties had contributed financially and/or in-kind.

40. The Conference of the Parties endorsed the report on the activities of the Bureau since the tenth meeting of the Conference of the Parties, including the activities described therein. It requested the Bureau to prepare a similar report for presentation at the next meeting of the Conference of the Parties.

## **VIII. Assistance to countries in Eastern and South-Eastern Europe, the Caucasus and Central Asia — Progress report on assistance activities carried out in 2019–2020**

41. The Chair recalled that countries with economies in transition had benefited from assistance activities within the framework of the Convention’s Assistance Programme since it had been established in 2004 and continued to do so within the framework of the rebranded “Assistance and Cooperation Programme” as per the long-term strategy (ECE/CP.TEIA/38/Add.1, para. 25).

42. The secretariat presented highlights of key assistance activities organized within the framework of the Assistance and Cooperation Programme since the tenth meeting of the Conference of the Parties and thanked the beneficiary and donor countries for their active participation while adapting to the extraordinary circumstances caused by the pandemic. It announced the launch of the Project on National Policy Dialogues for Industrial Safety in Central Asia (Phase I: Launch), funded by the Russian Federation, and the initiation of the National Policy Dialogue process in Serbia, with financial support from France. The secretariat also briefly presented other assistance activities, including activities on the safety of tailings management facilities implemented under the leadership of Germany. It then highlighted selected evaluations of the effectiveness of activities carried out under the Assistance and Cooperation Programme and their results, notably the independent external evaluation of the project on strengthening industrial safety in Central Asia (2016–2019), which had been completed in 2019.

43. The following statements were made:

(a) A representative of the Russian Federation thanked the secretariat for its work under the Assistance and Cooperation Programme in the previous biennium enabling countries of Central Asia to strengthen industrial safety, thanks to the voluntary contributions by the Russian Federation. The delegate wished Central Asian countries further success,

notably under the new Project on National Policy Dialogues for Industrial Safety in Central Asia (Phase I: Launch);

(b) A representative of Serbia provided an update on the process of establishing National Policy Dialogues for Industrial Safety in Serbia, including its launch, which had been delayed due to the pandemic. She informed the Conference of steps taken in the current biennium to establish National Policy Dialogues in Serbia and the envisaged organization of a National Policy Dialogue launch meeting in Belgrade back-to-back with the Subregional workshop on land-use planning and industrial safety in autumn 2021;

(c) A representative of Tajikistan highlighted the country's progress in implementing the Project on Strengthening Industrial Safety in Central Asia through the implementation of and accession to the Convention and the Project on Supporting Countries of Central Asia in Strengthening the Safety of Mine Tailings. He highlighted the importance of environmental stewardship and disaster risk reduction through safety requirements for enterprises. He further expressed the readiness of Tajikistan to implement activities under the Project on National Policy Dialogues for Industrial Safety in Central Asia;

(d) A representative of Ukraine highlighted the country's progress with respect to accession, informing the Conference that it was taking steps to accede to the Convention in the near future. He also mentioned the organization of a technical mission to Ukraine, which had been postponed to the following biennium due to the pandemic;

(e) A representative of Kazakhstan acknowledged the importance of activities under the Assistance and Cooperation Programme, including the Project on Strengthening Industrial Safety in Central Asia through the implementation of and accession to the Industrial Accidents Convention (2016–2019); the Project to Strengthen the Safety of Mining Operations, in particular Tailings Management Facilities, in Kazakhstan and beyond in Central Asia (2018–2019); the Project on Supporting Countries of Central Asia in Strengthening the Safety of Mine Tailings (ongoing since 2019); and the Project on National Policy Dialogues for Industrial Safety in Central Asia (Phase I: Launch). The delegate noted that such projects contributed to knowledge- and experience-sharing, bringing benefits regarding the harmonization of national procedures and the strengthening of transboundary cooperation. He highlighted the Assistance and Cooperation Programme as an important means of enhancing industrial safety in the Central Asian subregion and a platform for dialogue and enhancing cross-border cooperation.

44. The Chair congratulated Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan for the successful implementation of the Project on Strengthening Industrial Safety in Central Asia through the implementation of and accession to the Industrial Accidents Convention (2016–2019) and thanked the Russian Federation for its continued support to the Central Asian countries.

45. She congratulated Serbia and the Central Asian countries for their role as pioneers in establishing National Policy Dialogues for Industrial Safety, which were part of the Convention's long-term strategy, and acknowledged the role of France and the Russian Federation as respective donor countries. She thanked Germany and Switzerland for their support, enabling countries to progress towards strengthening mine tailings safety in the Caucasus, the Danube region and Central Asia through mapping, identification of priority measures and by working towards strengthened inter-institutional cooperation.

46. The Chair reminded the Conference that assistance activities were fundamental to strengthen countries' capacity for the implementation of the Convention at the national level, through enhanced governance and policymaking, and to achieve more robust transboundary cooperation.

47. The Conference of the Parties:

(a) Took note of and endorsed the progress report on the implementation of assistance activities in 2019–2020 (ECE/CP.TEIA/2020/7), noting the benefits of key assistance activities organized in the framework of the Assistance and Cooperation Programme since the tenth meeting of the Conference of the Parties;

(b) Also took note of the progress in the implementation of the three-step approach, upon which it had decided at its ninth meeting (ECE/CP.TEIA/32, para. 62), and of the ongoing evaluations of activities under the Assistance and Cooperation Programme, as carried out by the secretariat;

(c) Welcomed the achievements of the Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) under the Project on Strengthening Industrial Safety in Central Asia through the implementation of and accession to the Industrial Accidents Convention (2016–2019), as evidenced by the independent external evaluation. It positively noted the continuation of support to those countries to address existing gaps and challenges, and thanked the Russian Federation as a donor country;

(d) Also welcomed the initiation of the process of establishing National Policy Dialogues on Industrial Safety, notably by countries of Central Asia (see above) and Serbia, the latter thanks to support from France. It invited other Assistance and Cooperation Programme beneficiaries to initiate such processes and donor countries to provide the required financing, in accordance with the Convention's long-term strategy;

(e) Further welcomed the achievements under the projects on strengthening the safety of mine tailings with a specific focus on the Caucasus, the Danube region and Central Asia, and thanked Germany and Switzerland for the leadership and financing provided;

(f) Welcomed the progress reported by Ukraine towards accession to the Convention. Based on the information received, it hoped to welcome Ukraine as a Party at its next meeting.

## IX. Use of financial and in-kind resources in 2019–2020

48. The Secretary presented the report on the use of financial and in-kind resources to implement the workplan in 2019–2020 (ECE/CP.TEIA/2020/8). She listed the financial and in-kind contributions received, and provided updates to the information contained in the report, including the following additional contributions:

- (a) France (€40,000);
- (b) Germany (€26,000 for the preparation of the Conference of the Parties, and additional in-kind contributions for projects on strengthening the safety of mine tailings in the Danube region and in Kyrgyzstan);
- (c) Italy (€50,000);
- (d) North Macedonia (\$600);
- (e) Poland (\$10,000);
- (f) Serbia (\$2,000);
- (g) Slovakia (\$5,000);
- (h) Slovenia (€8,000);
- (i) Sweden (a Swedish krona 70,000 in-kind contribution for the printing and re-printing of publications).

49. She further highlighted that, while certain in-kind contributions were reflected in the report in monetary terms, in accordance with the sustainable financial mechanism (ECE/CP.TEIA/24, annex I) adopted at the seventh meeting of the Conference of the Parties (Stockholm, 14–16 November 2012), it was not possible to assign a monetary value to all in-kind contributions.

50. In addition, she highlighted numerous important project-related contributions received in 2019–2020 and their respective extension into 2021–2022 due to the circumstances caused by the pandemic. She noted that the contribution received from the Russian Federation for the Assistance and Cooperation Programme — Project on National Policy Dialogues for Industrial Safety in Central Asia (Phase I: Launch) would be reflected in the next biennium, when most expenditures would be incurred.

51. The Conference endorsed the report on the use of financial and in-kind resources to implement the workplan in 2019–2020. It requested the secretariat to prepare a similar report on the use of financial and in-kind resources for the twelfth meeting of the Conference of the Parties.

## X. Prevention of accidental water pollution

52. Mr. Winkelmann-Oei, outgoing Co-Chair from Germany of the Joint Expert Group, presented activities carried out by the Group since the tenth meeting of the Conference. He presented the tools contributing to reducing risks at tailings management facilities developed by the Joint Expert Group, such as the Tailings Hazard Index, the Tailings Risk Index<sup>7</sup> and the updated Tailings Management Facility Methodology, as well as an outlook for future activities.

53. The Chair thanked Mr. Winkelmann-Oei for his long-standing support and leadership of the Joint Expert Group and informed the Conference that a new Co-Chair would be elected by the Bureau at its first meeting after the eleventh meeting of the Conference.

54. Mr. Bojan Srdic, current member from Serbia of the Joint Expert Group, thanked the outgoing German Co-Chair for his commitment and achievements, and expressed an interest in co-chairing the Group in the next biennium.

55. Mr. Péter Kovács, Co-Chair from Hungary of the Joint Expert Group, thanked Mr. Winkelmann-Oei for their cooperation as Co-Chairs and then reported on the outcome of the seminar on contingency planning, early warning and mitigation (Budapest, 4 and 5 November 2019). He highlighted the need for transboundary cooperation in establishing contingency plans and stressed that there was an opportunity to collaborate more closely with river basin organizations.

56. The secretariat presented information on other activities by the Joint Expert Group, carried out with the support of the secretariat, including the publication of the *Safety guidelines and good practices for the management and retention of firefighting water*<sup>8</sup> and actions taken to strengthen cooperation with river basin organizations. The secretariat also presented the future activities of the Joint Expert Group, as included in the Convention's workplan for 2021–2022.

57. The Deputy Minister of Construction, Housing and Utilities of the Russian Federation highlighted the importance of preventing the impact of industrial accidents on water supply and the consequences of such accidents for the urban environment and human health, including in transboundary regions. He underlined the importance of transboundary cooperation in monitoring, responding to, forecasting and, in particular, preventing water pollution caused by industrial accidents, also with a view to achieving the Sustainable Development Goals, notably Goals 6 and 11.

58. The Conference of the Parties took note of the activities carried out by the Joint Expert Group since the tenth meeting of the Conference of the Parties, including the outcome of the seminar on accidental transboundary water pollution prevention — contingency planning, early warning, mitigation, and actions taken to strengthen cooperation with the river basin commissions. It also welcomed the publication of the *Safety guidelines and good practices for the management and retention of firefighting water* in the three official languages of ECE and promotional materials.

59. It also took note of the proposed activities of the Joint Expert Group, as contained in the adopted workplan for the Convention for 2021–2022.

<sup>7</sup> Adam Kovacs and others (Dessau-Roßlau, Umweltbundesamt, 2020). Available at [https://www.umweltbundesamt.de/sites/default/files/medien/5750/publikationen/2020\\_11\\_30\\_texte\\_185-2020\\_danube\\_river\\_basin\\_0.pdf](https://www.umweltbundesamt.de/sites/default/files/medien/5750/publikationen/2020_11_30_texte_185-2020_danube_river_basin_0.pdf)

<sup>8</sup> United Nations publication, Sales No. E.19.II.E.29.

## **XI. United Nations Economic Commission for Europe Industrial Accident Notification System**

60. The secretariat presented an informal report on a connectivity test of the ECE Industrial Accident Notification (IAN) System (4 May 2020) and on the seventh online consultation of the points of contact (online, 10 June 2020, see CP.TEIA/2020/INF.4). It presented the findings and outcomes of the consultation, including the agreement by points of contact on the need to conduct more tests, including at the subregional level.

61. A representative of Belarus reported on a subregional connectivity test conducted by Belarus in the current biennium. He also highlighted the need to regularly conduct such tests to ensure enhanced preparedness for transboundary effects of industrial accidents.

62. The Conference of the Parties took note of the outcomes of the connectivity test and the results of the seventh online consultation of the points of contact. It requested Montenegro and encouraged Turkmenistan to register a point of contact in the IAN System, operating 24 hours per day, seven days per week, in accordance with article 17 of the Industrial Accidents Convention. It welcomed the conduct of a subregional connectivity test by Belarus in the current biennium and encouraged the organization of future such connectivity tests at the subregional level by Parties and beneficiary countries of the Assistance and Cooperation Programme.

## **XII. Development of the Convention**

63. The Chair recalled that the Conference of the Parties at its tenth meeting had:

(a) Resumed consideration of the draft amendment to the Convention (articles 1, 9, 18, 29 and related provisions, articles and annexes) and the accompanying draft decision (ECE/CP.TEIA/2016/7), developed and agreed by the Convention's Working Group on Development in the biennium 2015–2016 and considered at the ninth meeting of the Conference;

(b) Been unable to reach a consensus on: the proposed changes to article 9 on information to the public, public consultation and participation in decision-making and access to justice; and, subsequently, on the draft decision on amending the Convention;

(c) Encouraged the Parties concerned to continue informal consultations on that matter and had invited the Chair and Vice-Chairs of the Bureau to facilitate those consultations with a view to respective positions possibly becoming closer, and to report back on the outcome of those consultations to the eleventh meeting of the Conference.

64. The Chair informed the Conference of the informal dialogue with the Parties concerned since the tenth meeting of the Conference of the Parties, which had revealed that the respective positions had not changed. An informal consultation meeting had been held in advance of the Conference, on 3 December 2020, involving the Parties that had submitted and supported the proposal for an amendment to the Convention (the European Union, Norway, the Republic of Moldova, Serbia and Switzerland) and the Russian Federation, in addition to the Chair, Vice-Chairs and the secretariat. During the meeting, which had been convened by the Chair, Parties had confirmed that their positions, as communicated at the ninth and tenth meetings of the Conference of the Parties, had not changed.

65. A representative of the European Union highlighted the work undertaken by member States of the European Union in the current biennium to strengthen the implementation of the ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters within the European Union legal order and reiterated the commitment of the European Union to the proposed changes to article 9 of the Industrial Accidents Convention. She expressed the regret felt by the European Union at the lack of progress since the ninth meeting of the Conference of the Parties, suggesting that no agreement was possible in the foreseeable future on the adoption of the full package of amendments. The European Union would only be in favour of placing that item on the agenda of a future meeting of the Conference of the Parties if the Chair had been informed of a

change in position of the Parties concerned. It also believed that the Convention should focus all its energy on encouraging non-Parties in the ECE region to accede to the Convention, and on supporting good implementation of the Convention by Parties, among other things, through capacity-building activities.

66. A representative of the Russian Federation reconfirmed that the position of the Russian Federation remained unchanged, as communicated at the informal consultation meeting. She reiterated that while the Russian Federation was not in a position to accept the proposed amendment to article 9, it would readily accept the proposed amendments to the other articles.

67. The Conference of the Parties took note of the information provided by the Chair, notably that the informal consultations on the draft amendment to the Convention held during the biennium with the Parties concerned (the European Union, Norway, the Republic of Moldova, the Russian Federation, Serbia and Switzerland) had revealed that there had been no change in the positions communicated at the ninth and tenth meetings of the Conference. It invited the Parties to communicate any future change in positions to each other, the Chair and the secretariat. The Conference requested the Chair and the secretariat to provide it with any updates communicated on the matter and agreed to consider resuming its considerations on the draft amendments to the Convention, as contained in the draft decision amending the Convention (ECE/CP.TEIA/2016/7), in case of a change in position communicated by the Parties concerned.

### **XIII. Implications of the coronavirus disease pandemic for industrial safety**

68. The Chair introduced the topic, outlining how the pandemic was a health crisis with widespread and global impacts. She underlined the relevance of the pandemic for Parties, as measures taken to control it affected industrial safety, notably risk assessment, risk management, disaster preparedness and continuity planning for operations. She invited the Conference to discuss the pandemic and its impact on industrial facilities, authorities and Governments, and to consider how to safeguard the continued production of critical chemicals.

69. A representative of the European Commission Joint Research Centre presented the key findings of the survey on implications of the pandemic for industrial safety, developed by the Centre in cooperation with OECD and ECE. She highlighted that:

(a) The survey had targeted mainly chemical hazard inspectorates, while being open for participation to national, regional and local levels of government. Thirty-two respondents from 29 countries had participated, out of which thirty-one had represented ECE member States;

(b) Pandemic response measures had had impacts on staffing and on-site presence, as well as compliance with and enforcement of safety management system issues and regulations;

(c) Inspections during the pandemic lockdowns had been affected in terms of protocols, practical aspects and thematic aspects, including the impact of lockdown measures on storage of certain substances, site safety of periodically non-functional sites and staff resilience. High-hazard sites had faced additional challenges, such as reorganization of inspections, ensuring continuity of critical sites for the normal functioning of society (including supply chain issues) and maintaining the morale of critical staff;

(d) No accidents had been reported yet by the survey respondents. Generally, operators had made enormous efforts to adapt quickly to the extraordinary situation, for example through communication practices with authorities, development of guidelines and adaptation of operating programmes, while strictly enforcing pandemic measures;

(e) Typical process safety advice given by the authorities during the pandemic pertained to:

- (i) Staffing issues, such as the need to maintain a minimum level of staff presence to secure continuity of operations, which should be carefully planned, including in terms of managing fatigue, and to interrupt operations if that level of presence could not be secured;
- (ii) Continued compliance with legislative requirements, while applying (and developing) compliance guidelines and discretionary enforcement respecting the extraordinary conditions as a result of the pandemic, for example, on notification of authorities when interrupting and restarting operations;
- (iii) Safety management system issues, reflecting changes in management processes in case of reduced staff levels, taking into account possible delays in obtaining safety-critical components; and, looking beyond the pandemic, resuming to a normal situation, including by evaluating responses to the pandemic at the site level;
- (f) Inspection approaches had changed during the pandemic and inspectorates had made considerable efforts to adapt them (and relevant legislation) for remote inspections. She specified that, while continued inspections were a top priority among respondents:
  - (i) Over half of the respondents had reported that inspections had stopped, while about one third had reported that inspections had continued remotely rather than physically. Only three respondents had documented a continuation of inspections as usual;
  - (ii) When physical inspections had restarted, they had often included an inspection of pandemic measures;
  - (iii) Remote inspection techniques had continued to be used in combination with physical inspections in many jurisdictions even after the lockdown;
  - (g) Good practices could be identified based on the responses provided in the survey, including the following:
    - (i) Good communication observed between authorities and site operators in similar situations had helped in finding and deploying adequate responses, in some cases also resulting in agreements between neighbouring Seveso sites on exchanging experience and providing support during similar incidents; both at the national and the transboundary level;
    - (ii) Special attention had been given to storage and handling conditions for specific types of substances;
    - (iii) A systematic approach, including expert consultations, had been adopted for decision-making and evaluation on the need to interrupt production lines, review risks and determine which activities to postpone;
    - (iv) Rapid adaptation of workspaces and schedules had been respectful of strict enforcement of pandemic response measures;
    - (h) An outlook for future actions could include:
      - (i) New protocols for inspections during a pandemic, allowing for a quicker reaction to similar situations in the future, with increased attention on on-site pandemic response measures during inspections and safety report reviews;
      - (ii) Updated emergency and contingency plans addressing temporarily reduced availability of personnel and the need to adapt the strategy for testing on- and off-site contingency plans.

70. The Chair invited Parties to respond to questions on the pandemic's implications and impacts for authorities and industry in the area of industrial safety, namely:

- (a) The kind of guidance provided by authorities to industry and whether it had addressed the shutdown and start-up of operations;
- (b) How authorities had maintained contact with industry during the pandemic and how scheduled inspections had been handled;

(c) How disruptions of the operation of hazardous installations had been integrated into existing risk assessments and future plans in that respect;

(d) Whether countries had experienced any incidents or near misses that could be related to the consequences of the pandemic — for example, due to the start-up of operations following a period of shutdown — and the lessons learned from that experience.

71. In response to the afore-mentioned questions, the following statements were made:

(a) A representative of Belarus indicated that inspection, monitoring and training had been reduced in the country, in order to limit the spread of COVID-19, while implementing alternatives online and remotely. He also stated that there had been no sudden interruptions and that industrial safety had been continuously ensured;

(b) A representative of Norway stated that a survey had been carried out, the results of which would soon be published and shared. However, he also indicated that a lower number of audits and inspections had been completed in Norway than initially planned;

(c) A representative of Switzerland highlighted that production had been globally maintained, and that, depending on the canton, inspections had either been carried out on-site with protection concepts, delayed or carried out online;

(d) A representative of the United Kingdom of Great Britain and Northern Ireland thanked the European Commission Joint Research Centre for leading the conduct of the survey and elaborated on guidance produced and measures taken to protect the workforce and specific hazardous sites, including implications for inspection activities;

(e) The Chair of the OECD Working Group on Chemical Accidents, presented the key findings of a thematic session on the impact of the COVID-19 pandemic on the operation of hazardous installations, held at the Working Group's thirtieth meeting (Paris (online), 27–29 October 2020).

72. The Conference of the Parties took note of the outcome of the European Union/OECD/ECE survey on the implications of the pandemic for industrial safety. It also took note of the information shared by delegations and invited speakers on the implications and impact of the pandemic for authorities and industry in the area of industrial safety and on how industry managed risks during those disruptive times.

73. The Conference called on delegations to learn from those extraordinary circumstances, so as to prevent sudden disruption of operations from leading to increased technological risks. It also invited delegations to share good practices in risk prevention, inspection and management of hazardous activities in the unprecedented situation provoked by the pandemic.

## **XIV. Facilitation of implementation**

### **A. Risk Assessment**

74. Mr. Merkofer (Switzerland), newly elected Vice-Chair of the Convention and member of the Bureau's small group on risk assessment, provided an update on the progress made in developing two reports on risk assessment following up on the risk assessment seminar held at the tenth meeting of the Conference of the Parties (Geneva, 4–6 December 2018). He reported that, in the current biennium, the small group had prepared terms of reference for the development of two reports on risk assessment by a consultancy company and explained that the ongoing contracting process had taken longer than anticipated. He also reported that the small group, which had initially been composed of Mr. Struckl (Vice-Chair from Austria), Ms. Karba (former Vice-Chair from Slovenia), Mr. Merkofer (Vice-Chair from Switzerland) and Mr. Gonzalez (Switzerland), included since the current biennium four new members of the Bureau and the Working Group on Implementation, namely Mr. Baranovsky (Belarus), Ms. Vizbule (Latvia), Ms. Stamenkovic (Serbia) and Ms. Milutinovic (Serbia). Mr. Merkofer thanked the small group and the secretariat for their support of that work.

75. The Conference of the Parties took note of the progress made and requested the small group on risk assessment to submit, for review at its twelfth meeting, two reports on risk assessment methodologies for chemical installations in the ECE region: one providing an introduction to risk assessment methodologies for industrial accident prevention and available software tools, and another one presenting specific case studies on risk assessment methodologies applied at selected industrial facilities in the ECE region.

## **B. The Global Assessment Report on Disaster Risk Reduction**

76. The Secretary highlighted the Convention's role in addressing technological risks and its contribution to the *2019 Global Assessment Report on Disaster Risk Reduction*,<sup>9</sup> in particular to section 3.1.8 on chemical and industrial hazards. The Chair thanked the secretariat for its continued efforts to enhance the Convention's recognition as a legal instrument for technological disaster risk reduction and its enhanced cooperation with the United Nations Office for Disaster Risk Reduction (UNDRR) in that respect. The Conference of the Parties took note of the Convention's contribution to the *2019 Global Assessment Report on Disaster Risk Reduction* and its cooperation with UNDRR.

## **C. Land-use Planning and industrial safety**

77. The secretariat reported on the development of an information repository of good practices and lessons learned on land-use planning and industrial safety. The repository included over 40 relevant case studies, also covering aspects of disaster risk reduction, environmental impact assessment/strategic environmental assessment, public information/participation and transboundary cooperation.

78. A representative of the European Investment Bank thanked the secretariat and the Bureau for the cooperation regarding the matter in question. He invited all participants to review and learn from the case studies presented.

79. The Conference of the Parties took note of the development of an information repository of good practices on land-use planning and industrial safety, in cooperation with the European Investment Bank.

# **XV. Outreach, awareness-raising and strategic partnerships**

## **A. Targeted communication**

80. The Secretary gave a presentation on targeted communication activities, including press releases, new web pages and videos published in the 2019–2020 biennium. She highlighted the development of a video on mine tailings safety,<sup>10</sup> a brochure on the Joint Expert Group<sup>11</sup> and four postcards in the safety guidelines and good industry practices series.<sup>12</sup> The Conference of the Parties took note of the secretariat's report.

<sup>9</sup> United Nations Office for Disaster Risk Reduction (UNDRR) (Geneva, 2019).

<sup>10</sup> Available in English at [https://www.youtube.com/watch?v=0cW\\_0Z-jbNw&list=PL4iZR0KyjSQ9v9bxtbiwEg6HAE2EDJtcs&index=9](https://www.youtube.com/watch?v=0cW_0Z-jbNw&list=PL4iZR0KyjSQ9v9bxtbiwEg6HAE2EDJtcs&index=9). Available in Russian at <https://www.youtube.com/watch?v=RQ9NF6TsAvI&list=PL4iZR0KyjSQ9v9bxtbiwEg6HAE2EDJtcs&index=3>. Both versions available with subtitles at <https://www.youtube.com/playlist?list=PL4iZR0KyjSQ9v9bxtbiwEg6HAE2EDJtcs>.

<sup>11</sup> Available at <https://unece.org/environment-policy/publications/brochure-joint-expert-group-water-and-industrial-accidents>.

<sup>12</sup> Available at <https://unece.org/publications/industrial-accidents>.

## **B. Natural Hazards Triggering Technological Accidents**

81. The secretariat presented the key activities of the biennium 2019–2020 relating to Natech risk management, including the ongoing Natech Risk Management (Natech III) project under the leadership of OECD and Germany, in partnership with the Joint Environment Unit of UNEP and the Office for the Coordination of Humanitarian Affairs and the European Commission Joint Research Centre. The Conference of the Parties took note of the secretariat's report on the follow-up to the United Nations/OECD workshop on Natural Hazards Triggering Technological Accidents (Natech) risk management (Potsdam, Germany, 5–7 September 2018), and of the information shared on its contribution to the Natech-III project, as well as other activities, including the development of a dedicated web page on Natech.<sup>13</sup>

82. A representative of OECD thanked the secretariat for its contributions to past projects and ongoing cooperation on the Natech-III project and expressed its eagerness to continue to work together in areas of mutual interest.

## **C. Strategic partnerships**

83. The Secretary reported on actions to maintain and enhance strategic partnerships with other international organizations, including the sixth Inter-Agency Coordination Meeting on Major Industrial Accidents hosted by the International Labour Organization (Geneva and online, 22 September 2020).

84. The Conference of the Parties reflected on the continued importance of strategic partnerships, in view of the implementation of the long-term strategy. It encouraged the maintenance and continued development of strategic partnerships with existing and new partners.

## **XVI. Date and venue of the twelfth meeting of the Conference of the Parties**

85. The Chair recalled that the twelfth meeting of the Conference of the Parties would be held in 2022 and suggested keeping the tradition of holding it at the end of the year. She invited Parties to contact the secretariat if they wished to offer to host the next meeting.

86. In the absence of an immediate offer, the Conference of the Parties entrusted the Bureau with the identification of a host country, failing which the meeting would be held in Geneva.

## **XVII. Other business**

87. A representative of the European Union raised the issue of the accident in the port of Beirut on 4 August 2020, which had had major consequences within the city as well as impacts on neighbouring countries. The European Union considered it worthwhile having an exchange of views on the questions of if and how that accident could have been handled under the Convention and suggested that the Bureau prepare a proposal to facilitate a discussion on that topic, through an online workshop.

88. The Secretary expressed the secretariat's readiness to support the Bureau and the Working Group on Implementation in the preparation of a proposal for such an online event, which could be implemented under the workplan item "Experiences and good practice on implementation," in cooperation with partner organizations. The European Commission Joint Research Centre, the Joint Environment Unit of UNEP and the Office for Cooperation on Humanitarian Affairs and OECD had already preliminarily expressed their readiness to cooperate in the organization of such an event.

<sup>13</sup> See <https://unece.org/industrial-accidents-convention-and-natural-disasters-natech>.

89. The Conference of the Parties took note of the proposal and the suggested follow-up.

## **XVIII. Final statements and closing of the meeting**

90. The Chair thanked all participants for engaging in constructive discussions and adopting important decisions. She also thanked the secretariat for the excellent organization of the meeting. She emphasized the need for continued efforts to secure industrial safety and underlined that the long-term strategy and workplan were important tools to that effect.

91. The Director of the Environment Division congratulated the Conference of the Parties on its effective decision-making during the six-hour meeting, expressing his appreciation to the Convention's secretariat for its effective organization. He particularly thanked — on behalf of the secretariat and the Convention's entire community — Mr. Sergiusz Ludwiczak, outgoing Deputy-Director and first Secretary of the Convention, for his visionary leadership over the previous 20 years, which had led to numerous successes, including the founding and development of the Assistance Programme, the Joint Expert Group and other cross-sectoral initiatives. The Chair also expressed the community's gratitude for Mr. Ludwiczak's outstanding contributions, furthering the impact and outreach of the Convention.

92. Mr. Ludwiczak thanked the Chair and the Director for their words of appreciation. He recalled the significance of all meetings of the Conference of the Parties in bringing industrial safety forward, while both the first Conference, setting the scene, and the current Conference, taking place in a hybrid format, deserved to be highlighted in particular. He said that, in his view, the Convention was well-equipped to support member States in meeting their commitments in the long-term strategy, progressing towards its vision. He expressed a wish to see the Convention further enhance its outreach, eventually as an open instrument for global accession in the future.

93. The Chair closed the meeting.

## Annex

### **Summary of the conclusions of the seminar on mine tailings safety in the United Nations Economic Commission for Europe region and beyond (online, 1 December 2020)**

1. The 3-hour online seminar consisted of four sessions:
  - (a) Session I: Setting the scene in the area of mine tailing safety at the United Nations Economic Commission for Europe (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;
  - (d) Session IV: Presenting proposed actions to strengthen mine tailings safety in the ECE region and beyond through the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention).

### **Mine tailing safety at the United Nations Economic Commission for Europe and global levels**

2. Sustainable development and the transition to a green economy require 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.
3. 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 “Global Industry Standard on Tailings Management.”<sup>1</sup>
4. 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 United Nations Environment Assembly of the United Nations Environment Programme resolutions 4/19 on mineral resource governance<sup>2</sup> and 4/5 on sustainable infrastructure.<sup>3</sup>
5. Climate change is likely to increase environmental risks of failure 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 facility risks, including Natural Hazards Triggering Technological Accidents (Natech) risks.

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<sup>1</sup> International Council on Mining and Metals/United Nations Environment Programme/Principles for Responsible Investment (August 2020), available at [https://globaltailingsreview.org/wp-content/uploads/2020/08/global-industry-standard\\_EN.pdf](https://globaltailingsreview.org/wp-content/uploads/2020/08/global-industry-standard_EN.pdf).

<sup>2</sup> UNEP/EA.4/Res. 19.

<sup>3</sup> UNEP/EA.4/Res.5.

6. In the absence of harmonized international guidelines, the ECE *Safety Guidelines and Good Practices for Tailings Management Facilities*,<sup>4</sup> complemented by the Tailings Management Facility methodology (developed by the German Environment Agency) offer a strong regional tool, also available for application beyond the region. The fifth meeting of the United Nations Environment Assembly of UNEP presents an opportunity to promote these elements globally.

### **Experiences and lessons learned from the application of the safety guidelines and methodologies for improving tailings safety in United Nations Economic Commission for Europe countries**

7. Accidents at tailings management facilities often have transboundary effects, making mine tailings safety a regional, not just a national, issue.

8. Tailings management facilities can cause accidental water pollution. Integrating tailings management facility risk into transboundary river basin management plans or agreements can help Governments in accounting for mine tailings safety in their policy planning.

9. Inter-institutional cooperation and cross-border coordination are instrumental in preventing transboundary tailings management facility accidents and their impacts. Further implementation of and accession to the Industrial Accidents Convention, supported by capacity-development, will help improve tailings management facility safety at the regional level.

10. The body of experience with the *Safety Guidelines* and the related tailings management facility methodology is growing — not only in countries with economies in transition but all over the ECE region.

11. The way forward towards improved mine tailings safety includes a broader uptake of the *Safety Guidelines* and methodology, and increased experience with the Tailings Risk Index.<sup>5</sup> The more these tools are used, the better risks can be understood and addressed, and the more risk awareness grows.

12. 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.

### **Experiences, lessons learned and proposed actions for safe management of mine tailings from stakeholders and countries in and beyond the United Nations Economic Commission for Europe region**

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

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

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<sup>4</sup> United Nations publication, ECE/CP.TEIA/26.

<sup>5</sup> Adam Kovacs and others (Dessau-Roßlau, Umweltbundesamt, 2020). Available at [https://www.umweltbundesamt.de/sites/default/files/medien/5750/publikationen/2020\\_11\\_30\\_texte\\_185-2020\\_danube\\_river\\_basin\\_0.pdf](https://www.umweltbundesamt.de/sites/default/files/medien/5750/publikationen/2020_11_30_texte_185-2020_danube_river_basin_0.pdf)

15. Preparedness and response are important, while prevention is key — examples show how national policies are adapting to acknowledge the importance of prevention, but more needs to be done.
16. 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 (for example, through the activities of the Joint Expert Group on Water and Industrial Accidents).
17. Prevention and management of risks provoked by tailing management facilities is a precondition for sustainable mining. Minerals extracted to facilitate the transition to a low-carbon economy should be handled safely.
18. The Global Tailings Review is a joint venture between international organizations, industry and investors. Its “Global Industry Standard on Tailings Management” strives to achieve zero harm and strengthens environmental, social and governance requirements. It has been developed with the involvement of industry, Governments, affected communities and investors.
19. Only with a consistent regulatory framework and a good understanding of risks, can mine waste be processed according to modern standards (and even create value), in particular at orphaned and abandoned sites. There is potential for incorporating circular economy principles into mining.
20. 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, while 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.
21. The tools of the Convention can support cross-sectoral cooperation, through a broader use and further updates of the *Safety Guidelines* and its related methodology.

### **Proposed actions to strengthen mine tailings safety in the United Nations Economic Commission for Europe region and beyond through the Industrial Accidents Convention**

22. Decision 2020/1 on strengthening mine tailings safety in the ECE region and beyond proposes action to address key challenges in managing tailings risks and its transboundary consequences.
23. 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.
24. The decision aims to be future-oriented, respond to trends such as climate change, and connect the work on mine tailings safety under the Convention to other relevant international organizations’ work (for example, the United Nations Environment Assembly of UNEP).
25. The decision strongly encourages Parties to the Convention to manage mine tailings risks and invites countries beyond the region to do the same.
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