Special Session of the Working Group on Implementation:
Seminar on good practices and lessons learned in implementing the UNECE Convention on the Transboundary Effects of Industrial Accidents

Geneva and online, 3-4 February 2022
with interpretation in English, French and Russian

– Concept note –

Background information

The Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) provides a framework for countries to take appropriate measures and cooperate with each other to protect human beings and the environment against industrial accidents, including those that are capable of causing transboundary effects. The Convention’s overall vision until 2030, as outlined in its long-term strategy (ECE/CP.TEIA/38/Add.1, para. 18), is to significantly increase industrial safety and reduce the risk of technological disasters by ensuring its full implementation, its wide recognition as a legal instrument for risk reduction under the Sendai Framework and its contribution to achievement of the Sustainable Development Goals. By building on its strengths, critically evaluating its role in the wider context and considering existing challenges and new opportunities, the Convention will serve as an example of the prevention of and preparedness for industrial accidents through transboundary cooperation, including beyond the ECE region.

Achieving the full implementation of the Convention is central to the long-term strategy. In implementing the Convention, countries have a means to prevent industrial accidents, reduce their frequency and severity should they occur and mitigate their effects. Parties to the Convention are required to periodically report on their implementation (Art. 23) and several other countries have committed to doing so too, and the Conference of the Parties reviews the state of implementation (Art. 18). The Convention’s Working Group on Implementation (WGI), in accordance with its terms of reference (ECE/CP.TEIA/32/Add.1, decision 2016/3), has the specific role of monitoring the implementation of the Convention and making recommendations to strengthen the Convention’s implementation. It prepares a template for countries to submit national implementation reports, analyzes countries’ national implementation reports and prepares overall implementation reports for given periods of time as well as decisions on strengthening the implementation of the Convention. In its analysis, the WGI identifies gaps, trends and good practices in implementing the Convention. The WGI also facilitates exchanges of such information to support Parties and countries benefitting from activities under the Convention’s Assistance and Cooperation Programme in attaining full implementation.

Exchanging information and understanding good practices allow national authorities and operators to consider new and innovative approaches to strengthening their implementation. In recent years, the WGI has requested countries to specifically report on good practices, guidelines and projects in their national implementation reports, including the weblinks thereto. In the ninth report on the implementation of the Convention 2016–2018 (ECE/CP.TEIA/2020/5), the WGI welcomed the wealth of good practices that countries had provided. With the support of the secretariat, the WGI compiled the good practices reported in the national implementation reports of the eighth (2014–2015) and ninth (2016–2018) reporting periods and prepared a database on the Convention’s website. The database was enhanced with other good practices reported by countries or developed under the framework of the Convention and other UNECE databases (see the Online Toolkit and

2 The Tables of Good Practices are available at https://unece.org/tables-good-practices.
Training for Strengthening Mine Tailings Safety\(^3\) and Information Repository on Good Practices and Lessons Learned in Land-use Planning and Industrial Safety\(^4\)). These publicly accessible tools and compilations allow countries and anyone interested to learn about a diverse range of good practices and lessons learned.

The Conference of the Parties, at its eleventh meeting (Geneva and online, 7–9 December 2021), adopted the ninth report on implementation and the related decision on strengthening implementation of the Convention.\(^5\) The ninth report provided recommendations, among others, related to good practices in implementing the Convention. Since most good practices reported in the ninth reporting period were provided in languages other than English, the WGI encouraged countries speaking the same language to consult these documents. It recommended making these good practices available to a broader audience in English to strengthen implementation of the Convention across the UNECE region, including through the organization of seminars. The decision 2020/2 on strengthening implementation of the Convention provides concrete actions that countries should take to improve implementation. Finally, the Conference of the Parties adopted the 2021–2022 workplan (ECE/CP.TEIA/42/Add.1), which includes, among other activities, an exchange of experiences and good practices on the implementation of the Convention.

On this basis, the WGI started preparing a special session to hold a seminar on good practices and lessons learned in implementing the UNECE Industrial Accidents Convention. It established a preparatory group, comprised of WGI members and the UNECE secretariat, to organize the seminar.\(^6\) The Netherlands is the lead Party of the seminar, organized with the support of the WGI and secretariat. The preparatory group has convened several online meetings to review implementation gaps and trends and to identify suitable good practices which would help overcome implementation gaps and be of added value for other UNECE countries. In covering numerous working areas of the Convention, the seminar will provide a basis for countries to exchange information and see examples that could support their effort to reach full implementation. The preparatory group, with the support of the UNECE secretariat, prepared a draft seminar agenda and the present note to outline further information on the special session, namely its objectives, scope, content and organizational and practical matters.

**Objectives of the special session**

The main objective of the special session is to hold a seminar that promotes good practices and lessons learned in the implementation of the Industrial Accidents Convention in order to help overcome implementation gaps by facilitating the exchange of information among Parties and other countries. National authorities will present on good practices and lessons learned from their countries to a broad audience. The target audience includes national authorities, operators of hazardous installations, partner organizations, scholars and students, within and beyond the UNECE region. In bringing together these stakeholders, the special session aims to achieve the following sub-objectives:

- Inform participants of good practices and lessons learned under the working areas of the Convention, notably those addressing transboundary cooperation, to support closing implementation gaps;
- Present implementation trends and gaps, based on the WGI’s analysis of the national implementation reports from the ninth reporting round, discuss how to address them and identify further needs;

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\(^5\) The decision is available at [https://unece.org/sites/default/files/2021-04/Decision%202020%202-.pdf](https://unece.org/sites/default/files/2021-04/Decision%202020%202-.pdf).

\(^6\) The members of the group are Ms. Nicolette Bouman (Chair, Netherlands), Mr. Vitalii Mutaf (Republic of Moldova), Ms. Sanja Stamenkovic (Serbia) and Mr. Raphaël Gonzalez (Switzerland). Mr. Pavel Chukharev (Belarus) and Ms. Laura Vizbule (Latvia) were formerly part of the group.
- Provide a platform for participants to exchange information and knowledge on industrial accident prevention, preparedness and response and to ask questions on experiences across jurisdictions;
- Present guidelines, methodologies, national/regional tools and exercises that could be useful for other UNECE countries in strengthening their implementation of the Convention;
- Introduce participants to and encourage them to use existing good practices and publicly accessible databases and tools, including those in the UNECE Tables of Good Practices;
- Support countries in implementing decision 2020/2 on strengthening the implementation of the Convention, including by drawing attention to available guidance and good practices; and
- Draw up recommendations for follow-up activities to further collect, develop, apply and/or promote good practices in implementing the Convention, for consideration by the Conference of the Parties.

Scope

The scope of the seminar is limited to good practices and lessons learned in implementing the Industrial Accidents Convention, particularly those with transboundary elements or transboundary cooperation. The good practices and lessons learned selected cover trends and should help overcome implementation gaps identified in the WGI’s analysis of the national implementation reports. They were primarily selected from national implementation reports from the ninth reporting round. Where no suitable examples could be identified or speakers were unavailable, the good practices and lessons learned presented were enhanced with examples from the eighth reporting round and those that countries submitted to the Information Repository of Good Practices and Lessons Learned in Land-use Planning and Industrial Safety. Limiting the selection to these sources allows the seminar to facilitate an exchange of information and views on relevant and recent examples of implementing the Convention.

Moreover, the preparatory group also considered geographic representation across the UNECE subregions; however, this was dependent upon which countries submitted good practices and lessons learned in their national implementation reports or under the Convention.

Content

The seminar is organized into six thematic sessions, in recognition of the different sections in the national implementation reports. Each thematic session will include: an overview of relevant provisions of the Convention, gaps that the WGI identified in the ninth report on the implementation of the Convention 2016–2018; and relevant actions contained in decision 2020/2 related to the thematic session; country presentations on their good practices and/or lessons learned in addressing those gaps or on addressing a new and emerging risk under the thematic session; and discussion between the moderator, presenters, secretariat and audience. A list of themes with summaries of the identified gaps follows:

1. **Identification and notification of hazardous activities**: With regard to the identification of hazardous activities, the WGI was satisfied with the answers provided, with almost all countries having identified hazardous activities or concluding that they did not have any. At the same time, countries continue to face difficulties with notification and consultation processes with neighbouring countries. The WGI encourages all Parties and committed countries to take further actions to strengthen their notification of the hazardous activities identified and related consultation processes. It also calls on those Parties and committed countries that have not yet identified hazardous activities in line with the criteria under the Convention to comply with this essential requirement as soon as possible (see ninth report on implementation, para. 26).

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7 The Tables of Good Practices are available at [https://unece.org/tables-good-practices](https://unece.org/tables-good-practices).

8 The seminar will cover all sections on implementation from the report (under Part II) with the exception of ‘Policy for Implementation of the Convention’, because many countries did not report good practices for this. Furthermore, the seminar will combine the sections on ‘Emergency preparedness and response’ and ‘Mutual assistance’ due to some good practices overlapping these.
2. **Prevention of industrial accidents**: In the area of prevention of industrial accidents, the WGI noticed with satisfaction an improved quality of reporting and generally high level of implementation. The distribution of responsibilities between competent authorities and operators, including their joint efforts on prevention, seemed to be effective at the national level. The WGI welcomes the numerous measures taken or planned by Parties and committed countries to improve their prevention mechanisms. The WGI, recalling that prevention is strongly linked with the identification and notification of hazardous activities, encourages all Parties and committed countries to continue their efforts to improve preventive measures in a transboundary context (see ninth report on implementation, para. 27).

3. **Emergency preparedness, response and mutual assistance**: Emergency preparedness and response were generally at an acceptable level, in particular nationally. The WGI considers that testing, updating and review of emergency plans in cooperation with neighbouring countries continue to be challenging for many Parties and beneficiary countries under the Assistance and Cooperation Programme. The WGI calls on Parties and committed countries with hazardous activities to further strengthen their testing, updating and review of emergency plans in cooperation with neighbouring countries — and their development, implementation and testing of joint or harmonized plans (see para. 28 of the ninth report on implementation). With regard to mutual assistance, the WGI was generally satisfied with the replies, noting that almost all countries identified an authority to act as a point of contact for mutual assistance and provided clear information about their procedures for requesting and providing assistance in case of an accident with transboundary effects. The WGI encourages the remaining Parties and committed countries to establish an authority to act as a point of contact on mutual assistance. It also encourages all Parties and committed countries to improve their procedures for mutual assistance (see ninth report on implementation, para. 29).

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

5. **Decision-making on siting and land-use planning**: In the area of decision-making on siting and land-use planning, the WGI noticed with satisfaction that all countries reported having established policies to regulate the siting of new installations, significant modifications to existing installations and new developments in the vicinity of hazardous activities. In almost all countries, cooperation between industrial safety experts and land-use planners at the national level was formally required or, when not formally required, took place in practice. At the same time, only half of the Parties reported having taken transboundary issues into account in their policies in these fields. The WGI welcomes the policies and cooperation mechanisms on decision-making and land-use planning, both within and across countries. It calls on all Parties and committed countries to further improve their transboundary cooperation in this area, considering also the involvement of the public of neighbouring countries and the UNECE publication Guidance on Land-use Planning, the Siting of Hazardous Activities and Related Safety Aspects⁹ (see ninth report on implementation, para. 32).

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

The preparatory group has identified good practices and/or lessons learned that fill these gaps (see the draft seminar agenda). In presenting these, the content of the seminar will provide for an exchange of information so other countries can see examples of how to fill implementation gaps and strengthen their implementation, including with respect to actions within decision 2020/2. Some themes will have different formats for presenting the good practices and lessons learned and may contain interactive components to further engage the audience.

**Organizational and practical matters**

The special session is scheduled for 3 and 4 February 2022 as a hybrid meeting, including in-person participation at the United Nations Office at Geneva (UNOG) and online participation via a remote simultaneous interpretation provider. On both days, the special session is envisaged to run from 11:00–13:00 CET and 15:00–17:00 CET. The special session will be held with English, French and Russian interpretation. Registration will be made available on the event webpage in early December 2021. Members of the WGI who are involved in the respective preparatory groups will moderate the thematic sessions. The lead party for the organization of the special session is the Netherlands; it has been organized with support from the Ministry of Infrastructure and Water Management of the Netherlands.