

Thematic session 3: Decision-making on siting and land-use planning

UNECE Convention on the Transboundary Effects of Industrial Accidents

*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

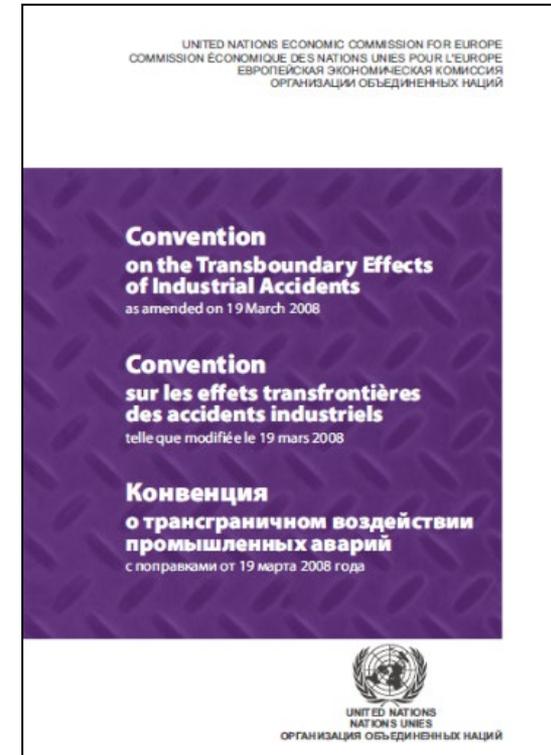
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Industrial Accidents Convention: Article 7 on decision-making on siting

- Parties of origin shall, with the objective of minimizing the risk to the population and the environment of all affected Parties, seek the establishment of policies on the siting of new hazardous activities and on significant modifications to existing hazardous activities.
- Affected Parties shall seek the establishment of policies on significant developments in areas which could be affected by transboundary effects of an industrial accident arising out of a hazardous activity so as to minimize the risks involved.
- Annex V(2)(1)-(8) and Annex VI set out matters Parties should consider in making these policies

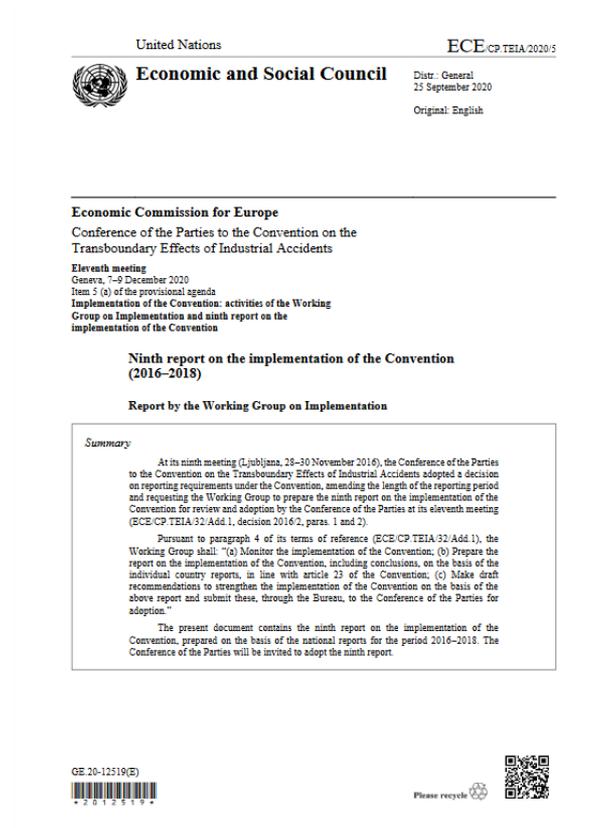


Importance of implementing Article 7

- Authorities need to know the external risk that new or modified existing facilities pose due to the siting, modification or new developments nearby. This allows for informed decision-making.
- The establishment of LUP policies and associated procedures for identifying, assessing and managing risk imply a close cooperation between planning and industrial safety authorities and is a key element to better protect lives and the environment. In neighbouring countries too!!

9th report on implementation: *Key findings of the WGI*

- All countries reported having established policies to regulate the siting of new installations, significant modifications to existing one 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 formally required or took place in practice but only half of the Parties take transboundary issues into account in their policies in these fields.



9th report on implementation:

Key recommendations of the WGI

- WGI welcomes policies and cooperation mechanisms on decision-making on siting and LUP, both within and across countries. It calls on all countries to further improve their transboundary cooperation in this area, considering also the involvement of the public of neighbouring countries.
- WGI calls on Parties and beneficiaries of the [...] Programme that have not yet done so to develop policies on decision-making on siting and LUP, including with regard transboundary aspects, and to ensure their implementation,
- WGI calls on all Parties and beneficiaries of the [...] Programme to further improve their transboundary cooperation for decision-making on siting and LUP, including the involvement of the public of neighbouring countries

Decision 200/2: Strengthening the implementation of the Convention

- Calls on Parties and beneficiaries of the Assistance and Cooperation Programme that have not yet done so to develop policies on decision-making on siting and LUP, in particular with regard to the inclusion of transboundary aspects, and to ensure their implementation in practice (para. 22)
- Also calls on all Parties and beneficiaries of the Assistance and Cooperation Programme to further improve their transboundary cooperation for decision-making on siting and LUP, including the involvement of the public of neighbouring countries” (para. 23)

ECE/CP.TEIA/42/Add.1

Decision 200/2 Strengthening the implementation of the Convention

The Conference of the Parties,

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

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

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

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

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

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

General

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

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

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

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

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

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

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

³ The following countries benefit from activities under the Assistance and Cooperation Programme: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Kazakhstan, Kyrgyzstan,

How to implement Article 7, the related WGI recommendations and Decision 2020/2?

- Switzerland and Kyrgyzstan will demonstrate good practices in implementing Article 7 in their presentations in this session; additional Good Practices exist too (next slide)
- The table of good practices on the UNECE website provides many very good examples, including with transboundary aspects
- The UNECE/EIB Information Repository of Good Practices and Lessons Learned in Land-Use Planning and Industrial Safety provides case studies submitted by countries to the secretariat; these show different LUP approaches
- Review and apply the UNECE Guidance on land-use planning, the siting of hazardous activities and related safety aspects

Other relevant good practices (reported)

Austria	Guidelines for siting
Sweden	Guidance on siting of new developments in the vicinity of existing establishments.
Netherlands	Legislation takes into account potential transboundary effects of stationary plants by informing potentially affected neighbouring countries about applies for licenses. This applies in case that an establishment may cause important negative environmental consequences in another EU member state or upon request of another EU member state.
Estonia	Land-use planning methodology was developed in 2012 (updated in 2018) by Estonian Rescue Board (based on safety zones and sensitivity levels). Land-use planning guidance for planning of hazardous establishments is developed in 2019 by Estonian Rescue Board.