

Key findings from the 9th report on the implementation of the Convention 2016-2018

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*

Helena Fridh, Chair of the Working Group on Implementation



UNECE

- Terms and reference

- The Working Group shall:
 - (a) **Monitor the implementation of the Convention;**
 - (b) Prepare the report on the implementation of the Convention, including conclusions, on the basis of the individual country reports, in line with article 23 of the Convention;
 - (c) Make draft recommendations to strengthen the implementation of the Convention on the basis of the above report and submit these, through the Bureau, to the Conference of the Parties for adoption;
 - (d) Engage with Parties, committed countries and other reporting countries where the Working Group becomes aware of possible difficulties in the implementation of the Convention, to understand the situation in these countries more accurately and to provide advice and make recommendations on the implementation of the Convention, share good practices and draw attention to existing guidance and tools;
 - (e) **Engage with Parties, committed countries and other reporting countries, based on the review of the national implementation reports, to gather information about innovations, good practices, national guidelines and other materials of interest;**
 - (f) **Identify good practices and facilitate the exchange of information among Parties and other countries;**
 - (g) Monitor the Convention's Assistance Programme, including the application of the Strategic Approach, and review national self-assessments and action plans;
 - (h) Review the substance and eligibility of project proposals submitted within the framework of the Assistance Programme and its Strategic Approach;
 - (i) Monitor the progress of assistance activities within the programme of work under the Convention and, if no progress is made in the implementation of the Convention, request the countries benefitting from such activities to provide an explanation; (
 - j) Carry out other tasks entrusted to it by the Conference of the Parties;
 - (k) Shall conduct its business in English.

Working Group on Implementation (WGI)

Role in monitoring implementation of the Convention

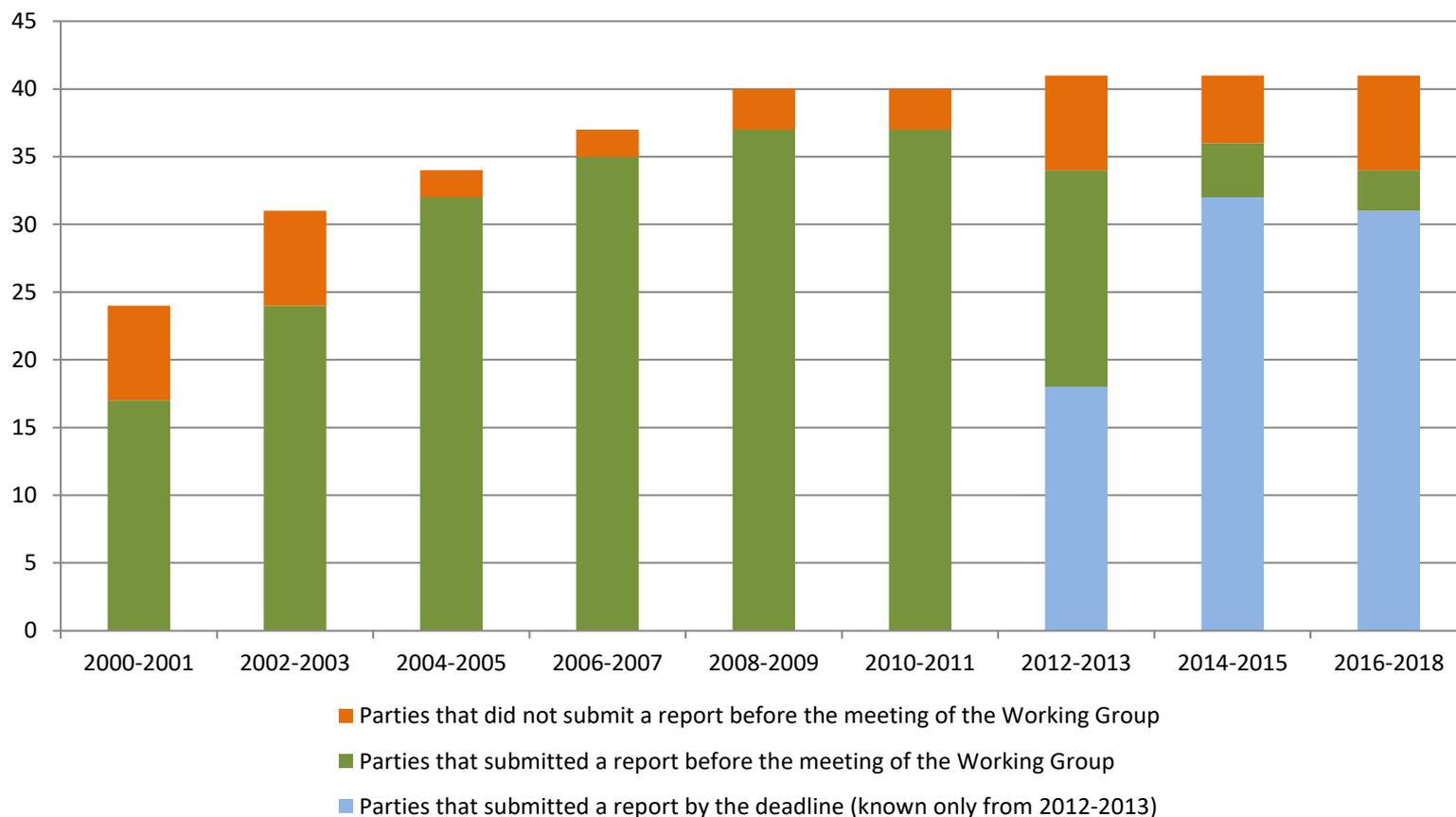
- At CoP-9 in 2016, reporting cycle was also extended from a 2-year-period to a 4-year-period, with a transition period of 3 years

<i>Reporting round</i>	<i>Reporting period</i>	<i>Deadline for the submission of reports</i>	<i>Availability of an overall report on the implementation of the Convention</i>
Ninth	2016–2018 (three years)	31 October 2019	End of 2020 (eleventh meeting of the Conference of the Parties)
Tenth	2019–2022 (four years)	31 October 2023	End of 2024 (thirteenth meeting of the Conference of the Parties)
Eleventh	2023–2026 (four years)	31 October 2027	End of 2028 (fifteenth meeting of the Conference of the Parties)

→ CoP decision 2016/2: WGI to consider only reports submitted on time when preparing its overall report for implementation of Convention

9th reporting round (2016–2018): Submission of reports ⁽¹⁾

- Of 41 Parties, 31 submitted report by the deadline, as well as 1 non-Party
- Timely submission rate similar to the 8th round (32 Parties plus 1 non-Party)



Article 1, Definitions



For the purposes of this Convention

"Industrial accident" means an event resulting from an uncontrolled development in the course of any activity involving hazardous substances either:

- (a) In an installation, for example during manufacture, use, storage, handling, or disposal; or
- (b) During transportation in so far as it is covered by paragraph 2(d) of Article 2.

"Hazardous activities" (HA) means any activity in which one or more hazardous substances are present or may be present in quantities at or in excess of the threshold quantities listed in Annex I hereto, and which is capable of causing transboundary effects.

Article 1, Definitions



"Effects" - any direct or indirect, immediate or delayed adverse consequences caused by an industrial accident on, inter alia:

- (i) Human beings, flora and fauna;
- (ii) Soil, water, air and landscape;
- (iii) The interaction between the factors in (i) and (ii);
- (iv) Material assets and cultural heritage, including historical monuments.

"Transboundary effects" - serious effects within the jurisdiction of a Party as a result of an industrial accident occurring within the jurisdiction of another Party.

9th report – Key findings: Quality of reporting and Good Practices

- **Major improvements** in the reporting quality, thanks to several changes in the reporting format, notably the introduction of the indicators from the user-friendly Benchmarks into the questions;
 - Some weaknesses (exceeding word limit)
- A **significant increase in the provision of good practices** and national guidelines was noted → Made available on the website:
<http://www.unece.org/environmental-policy/conventions/industrial-accidents/envteiaguidelines/tables-of-good-practices.html>



9th report – Key findings of the WGI: Prevention

- High level of prevention at national level but need to improve preventive measures in a transboundary context →

Prevention is strongly linked with the identification and notification of hazardous activities (HA)

WGI calls on those **countries that have not yet identified HA** to comply with this essential requirement as soon as possible

- WGI encourages all countries to indicate in the future the relation of their national policy to **issues related to transboundary cooperation** (including an explanation of how their national policies on the implementation of the Convention link with those for the **Sendai Framework** in the area of technological hazards);

9th report – Key findings of the WGI: Preparedness, Response & Assistance

- Emergency preparedness at acceptable level nationally but **cross-border cooperation remains challenging** for many countries;
WGI calls on 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;
- Mutual assistance generally at acceptable level but WGI encourages all countries to improve their procedures for mutual assistance;
WGI encourages the countries which have not done so yet to establish an authority acting as a **point of contact on mutual assistance**.

9th report – Key findings of the WGI: UNECE

Public participation and siting

- Information to and participation of the public at high level for the domestic public in most countries but some still do not grant the same rights to the public of neighbouring countries;
WGI calls on countries to review and consider the application of existing good practices on **information to and participation of the public** to further foster implementation in practice;
- 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.
- WGI welcomes the policies and cooperation mechanisms on **decision-making on siting and land-use planning**, 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.



COP decision 2020/2 Strengthening the implementation of the Convention



ECE/CP.TEIA/42/Add.1

Decision 2020/2 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,

- Conference of the Parties adopted the decision at CoP-11
- Contains recommendations for strengthening the implementation of the Convention
- Prepared by the Working Group on Implementation, based on the review of the national implementation reports from the 9th reporting round

https://unece.org/sites/default/files/2021-04/Decision%202020_2-.pdf

COP decision 2020/2

Strengthening the implementation of the Convention

- **General recommendations**

6. *Encourages* all Parties and beneficiary countries of the Assistance and Cooperation Programme [...] to continue to share such information through their implementation reports, including specific weblinks

- **Identification and notification of HA and prevention of industrial accidents**

9. *Encourages* all Parties and beneficiaries of the [...] Programme, regardless of whether they currently have hazardous activities, to develop notification and consultation mechanisms or [...] to strengthen such processes;

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

- **Emergency preparedness, response and mutual assistance**

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

COP decision 2020/2

Strengthening the implementation of the Convention



- **Scientific and technological cooperation and exchange of information**

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

- **Information to and participation of the public**

21. *Invites* Parties and beneficiaries of the [...] Programme to organize [...] relevant activities to support the putting in place of laws and other legal acts that would grant the same information and participation rights to the domestic and neighbouring public;

- **Decision-making on siting & land-use planning**

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

- **Further recommendations**



Thank you for your
attention!

Convention on the Transboundary
Effects of Industrial Accidents

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<http://www.unece.org/env/teia>

