

Agenda item 6:
Report of the Bureau on its activities
since the eleventh meeting of the
Conference of the Parties

Twelfth meeting of the Conference of the Parties

Geneva, Switzerland and online, 29 November-1 December 2022

MANDATE TO ASSESS A NEED FOR A REVISION OF THE “LOCATION CRITERIA”

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LOCATION CRITERIA

- Guidelines to facilitate the identification of hazardous activities for the purpose of the Convention (“location criteria:”): currently 15 km from the border for substances that may cause fire or explosion or gaseous toxic substances (“air path”) and for toxic substances or substances hazardous to the aquatic environment along the “water path” within two days of average flow velocity
 - All sites falling under the criteria are subject to regular reporting under the Convention
- a) Invitation by Germany for the Bureau to discuss a possible extension of the “air path” to 50 km (following the Leverkusen and Rouen accidents) and consider including smoke plumes from fires and their components (discussed at the 48th and 49th meetings of the Bureau)
 - b) Proposal by Germany to include all tailings management facilities (TMF) with a capacity of more than one million cubic meters to be reported – without reference to hazardous substances and distance to the border (discussed at the 49th meeting of the Bureau)

LOCATION CRITERIA

- a) Bureau forwarded issue under consideration to the small group on risk assessment; at the 49th meeting of the Bureau the Chair of the group reported back; the result of the review was a recommendation not to update the location criteria for the air path.
 - The group concluded that 15 km is already a conservative assumption for a release scenario
 - Taking into account smoke plumes from fires and their components means difficult calculations with very uncertain results
 - Updating the location criteria for the air path to 50 km would mean a significant increase of the number of sites falling under the reporting obligation
- b) Proposal was made by the former JEG co-Chair and is one of the key conclusions at the special seminar of the Working Group on Implementation on 3rd/4th February 2022, it was later considered by the Group at its 46th meeting on 20/21 June 2022

LOCATION CRITERIA

- An extension of the location criteria according to b) including TMFs in general or exceeding a certain capacity would mean a significant change of the principles which are currently used for the location criteria, especially no more relation to the substance properties and no distance criterion and
- there may be implications to the scope of the Convention defined by annex I
- Being aware that such a decision needs to be prepared thoroughly, the Bureau recommends to undertake this preparatory work in the next biennium
- Therefore, the Bureau recommends that the Conference of the Parties mandate the Joint Expert Group, in cooperation with the Working Group on Implementation and the Bureau, to assess, in the next biennium, whether there exists a need for updating the location criteria and a related update of annex I of the Convention



THANK YOU FOR YOUR ATTENTION!