

# 21<sup>st</sup> Meeting of the Joint Expert Group on Water and Industrial Accidents

Budapest and online, 9.30 – 13.00 CET, 6 October 2022

## Minutes

### **Attendance**

The meeting was moderated by the JEG co-Chairs Mr. Peter Kovacs (Hungary) from the Water Convention and Mr. Bojan Srdic (Serbia) from the Industrial Accidents Convention.

Further to them, the following members of the JEG were present at the meeting: Ms. Lubov Hertman (Belarus), Mr. Pavel Danihelka (Czech Republic), Mr. Gerd Winkelmann-Oei (Germany), Ms. Lendita Dika (North Macedonia), Mr. Ylber Mirta (North Macedonia), Mr. Vitalii Mutaf (Rep. of Moldova), Mr. Zoltan Torok (Romania), Ms. Kataryna Deineko (Ukraine),<sup>1</sup> Ms. Iryna Hrokhovetska (Ukraine).

The following JEG members participated online: Mr. Pavel Dobeš (Czechia Republic), Ms. Tuuli Tulonen (Finland), Ms. Esi Esuon Biney (Ghana).

The following JEG members were unable to participate in the meeting: Mr. Serik Akhmetov (Kazakhstan), Mr. Maratbek Ermatov (Kyrgyzstan), and Ms. Dobrila Kujundžić (Serbia) and Ms. Danka Thalmeinerova (Slovakia).

The meeting was hosted by the Ministry of Interior of Hungary, with the financial support of Germany, and organized with the support of the UNECE secretariat, represented by Ms. Franziska Hirsch, Ms. Claudia Kamke, and Ms. Leen Elewaut (online), Mr. Max Linsen (in-person), (Industrial Accidents Convention secretariat) as well as Ms. Hanna Plotnykova (Water Convention secretariat, online), in cooperation with the JEG co-Chairs.

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<sup>1</sup> On behalf of Mr. Taras Polischuk, nominated JEG member from Ukraine.

## 1. Opening of the meeting and adoption of the agenda

The Co-chair from Hungary opened the meeting and welcomed the JEG together with the Co-Chair from Serbia, and explained the objectives of the meeting. Max Linsen and Hanna Plotnykova provided introductory remarks, welcoming the new and renewed JEG members, with special emphasis on Ukraine, who had become a Party to the Industrial Accidents Convention one day before. The secretariat then reiterated the objectives of the meeting, notably following up to the seminar and establishing future work items.

The agenda was then adopted without changes.

## 2. Evaluation of the seminar “Emerging risks in accidental water pollution: focus on natural hazard-triggered accidents”

### A. Summary of key actions

Mr. Srdic presented the seminar conclusions for the review by the JEG. The JEG decided to update the seminar conclusions in order to serve the following purposes: to be reported to the twelfth meeting of the Conference of the Parties to the Industrial Accidents Convention (Geneva, 29 November-1 December 2022), to reflect the relevant issues that emerged from the seminar, and to align the conclusions with concrete next steps for the JEG to take. The secretariat was asked to provide the conclusions in writing, so that the JEG could then provide written comments by 21 November 2022.

### B. Further impressions and ongoing policy developments

The JEG shared further positive impressions of the seminar.

The Co-Chair from Hungary then opened the floor to discuss ongoing policy developments, mentioning a recent pollution event from a mine tailings incident and a transboundary pollution event covering Slovakian and Hungarian territory in 2022. In this regard, two issues were raised: the recent pollutions in the Odra and Slana Rivers, and implications of the ongoing military conflict between the Russian Federation and Ukraine on industrial safety and pollution.

- Concerning the recent pollution in the Odra River, a transboundary accidental pollution event covering Polish and German territory, the JEG articulated an ambition to further investigate the case, notably the question of why the existing channels of communication, including a warning and alert system for accidental water pollution, was not used to alert the authorities downstream of the pollution event. This investigation could be integrated into the workplan for the biennium 2023-2024 of the Industrial Accidents Convention.
- The JEG members from Ukraine presented how the military aggression of the Russian Federation against Ukraine was affecting hazardous installations, and how long-term contaminations of sites and aquifers could be a real threat that would last as a long-term effect of the war. They pointed out that Ukraine had joined the Convention the preceding day, after adoption by the Ukrainian government and subsequent signature by the Ukrainian president in May 2022. The delegation thanked the JEG and UNECE for their willingness to assist in this matter. The Ukrainian delegation requested to investigate the possibilities of receiving technical assistance, to exchange experience on management of

industrial risks nationally and on the transboundary level, and to provide assistance to support Ukraine in dealing with the industrial risks resulting from the military aggression. The secretariat presented items in the workplan for the biennium 2023-2024 that related to industrial safety and accidental water pollution in Ukraine. ICPDR expressed support to Ukraine as well. The Co-Chair from Serbia indicated that Serbia had experience with consequences of NATO bombing during the war in 1999, when most of Seveso establishments and hazardous activities were air-raided, causing long term transboundary pollution and accumulated hazardous waste, with consequences in human lives for operators and responders, and long term consequences for environment and international water courses like Danube river. The JEG proposed additional actions that could support Ukraine in dealing with war-induced water pollution, including field visits to assess the state of contamination at sites, aquifers and transboundary river basins, and exchanges of good practice on managing contaminated sites (based on experience of Serbia). The secretariat added that projects (e.g., funded by the EU) and dialogues with the Ukrainian government (Ministry of Environmental Protection and Natural Resources, Ministry of Health and State Water Agency of Ukraine) on the scale and nature of support are ongoing, and that resources for this work are necessary in order for these actions to be implemented as part of the next workplan and beyond in other areas.

Regarding the proposed actions, the JEG requested the secretariat to identify the correct procedure for these actions to be integrated into the workplan for the biennium 2023-2024, and to inform the Co-Chairs accordingly about the steps to take. The secretariat indicated that for each additional action, additional resources would be needed.

### 3. Reporting on JEG activities in the biennium 2021–2022

The secretariat presented the activities of the JEG in the ongoing biennium. The Co-Chairs opened the floor for a tour de table of JEG members that were in the lead or contributing to ongoing and finalized activities.

- Various JEG members commented on cooperation with River Basin Organizations. ICPDR shortly explained their work related to accidental water pollution in the past biennium, including activities implementing the Danube Project, and the development of the 3<sup>rd</sup> generation River Basin Management Plans (RBMPs, 2021 - 2027) that specifically mention hazardous hotspots and accident hazard maps. Its representative then mentioned that the RBMPs entailed a Danube Declaration with commitments from all responsible Ministers of the Danube riparian states to address accidental pollution during the RBMP cycle of 6 years. The ICPDR also mentioned their project on Alert and Early Warning Systems, highlighting the functionalities of formal, semi-formal and informal communication, as well as a project proposal under priority area 5 of the Danube Strategy, targeting TMF risks.
- As a good example for promotion of JEG related guidance, the Co-Chair from Serbia provided feedback on the regional event on spatial planning that was held in Belgrade<sup>2</sup>, at which also the JEG developed guidance was promoted. The event was further welcomed by the JEG member from North Macedonia, who highlighted the provisions and actions of the Convention related to Land-use Planning.
- Regarding the promotion and translation of guidance and good practice documents developed by the JEG, two issues were raised:

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<sup>2</sup> More information can be found here: [Sub-Regional Workshop on land-use planning and industrial safety for South-Eastern Europe | UNECE](#).

- a) The extent to which translations are official. This issue was raised by the JEG member from the Republic of Moldova, who wished to be aware of the requirements regarding translations before finalizing the guidelines and good industry practice on firefighting water retention and management. The Co-Chair from Hungary explained that the translation of the TMF guidance and the firefighting water retention and management guidance into Hungarian were carried out by an official translator. The secretariat explained that it has no capacity to verify the translation or conformity with official translation requirements. The JEG post cards improved the visibility of the JEG work, for which the Co-Chair from Hungary thanked the secretariat. The JEG then decided that the requirements for translations were flexible, as long as the translations were correct and usable by the intended target audience.
- b) The need to translate guidance documents and adopt at the national level, in national languages. After a short discussion, the JEG concluded that JEG members were free in their choice to provide in-kind contributions by translating documents of which they deemed translation useful for (promotion and) implementation by users with limited knowledge of any of the official UNECE languages.
- The JEG member from Romania mentioned their work on national risk assessment methodologies to improve the national disaster risk management strategy, listing a number of activities related to prevention, preparedness and response of TMF risks and Natech/multi-risk analysis of natural and technological risks. He expressed the desire to use these tools more broadly.
  - The JEG member from Germany presented the results of the Project on improving the safety of TMFs in Kyrgyzstan - Training and legislative options<sup>3</sup>. He mentioned that the TMF methodology, comprising of the checklist for authorities and companies, the Tailing Hazard Index and the Tailings Risk Index, is now final, also offering future applications for land-use planning and contingency planning, while the methodology could be adjusted to local characteristics when being implemented in different countries.

The Co-Chair requested the secretariat to provide an (informal) document on the progress of implementation of JEG work items, to be circulated for comments by the JEG members.

JEG work item	Status	JEG members willing to lead/contribute
<b>Strengthening of cooperation with river basin commissions</b> (Hungary and Germany, with the support of the JEG, in cooperation with the Water Convention)	Ongoing The JEG can cooperate more closely with RBOs on communicating, operating and decision-making regarding accidental pollution	Slovakia, Germany, Hungary, ICPDR
<b>Promotion and translation into national languages of JEG developed guidance and good industry practices</b> (on firefighting water retention and management)	Ongoing	Czechia, Republic of Moldova, Romania

<sup>3</sup> All relevant information presented, including a link to a training video, can be found here: <https://www.umweltbundesamt.de/en/topics/sustainability-strategies-international/cooperation-eece-centraleastern-european-states/project-database-advisory-assistance-programme/improving-the-safety-of-tailings-management-0>.

<b>Project on improving the safety of TMFs in Kyrgyzstan - Training and legislative options</b> (Kyrgyzstan, in cooperation with Kazakhstan, with financial support from Germany)	Concluded	The project has been finalized; information available in link shared in footnote 1.
<b>Development of a catalogue/web page for accidental pollution events and good practice by countries, river basin commissions, including bilateral cooperation examples and one meeting on good practices</b> (To be determined, with the support of the JEG and river basin organizations)	Planned	Romania (tbc), North Macedonia, Finland
<b>Organization of a workshop on good practices for preventing accidental water pollution</b> (To be determined, with the support of the JEG and river basin organizations, incl. ICPDR)	Planned	Rep. of Moldova, Slovakia, Germany, North Macedonia, Finland, Romania

#### 4. Proposed JEG activities in the biennium 2023–2024

The secretariat presented the proposed activities in the draft work plan of the Industrial Accidents Convention, to be presented at CoP-12 for adoption, namely:

- Preventing Accidental Water Pollution, including an exchange of experiences and good practices among riparian countries and river basin commissions, focused specifically on early warning and alert systems and Natech events, based on a collection of examples of Natech accidents, and a JEG workshop on preventing accidental water pollution, including early warning and alert systems;
- The development of a catalogue/web page that will provide information on accidental water pollution events, including Natech events, good practice by countries and river basin commissions, and bilateral cooperation examples;
- Holding a JEG meeting in during the biennium 2023-2024.

These items could be implemented through a workshop covering the items of the recent Odra and Slana pollutions, further investigation of the components of Warning and Alert Systems (technical input, including links with WMO ambition to cover the globe with early warning systems before 2027, communication and decision-making processes concerning transboundary accidental pollutions) and deployment of Warning and Alert Systems/Early Warning Systems by river basin organizations. As an output of the workshop, and the idea of an online repository of early warning systems and accidental water pollution events could be worked out further.

The JEG then discussed which of the JEG activities would require further discussion, including on availability of resources. The following points were raised:

- To further investigate cases such as the accidental pollutions in the Odra and Slana rivers, together with other examples e.g., in Ghana or elsewhere, and including River Basin Organizations. ICPDR indicated that it could offer to host the workshop.
- To further develop the knowledge exchange on accidental water pollutions by including both recent pollution events and early warning as a topic.
- To strengthen operational capacity to prevent and be better prepared for industrial accidents as a consequence of the ongoing war in Ukraine; and enhance transboundary cooperation, such as transboundary preparedness and response exercises, and

assessment(s) of contaminated sites. Depending on available resources, this could include field trips, knowledge exchange between other UNECE countries having experience with contaminated sites as a consequence of war.

The Co-Chairs requested the secretariat to elaborate an internal implementation plan for the activities proposed. The secretariat added the need for JEG members to secure resources for the implementation of the JEG-related activities, following which it would develop the plan.

For information, the secretariat shared in the margins of the meeting that the draft provisional agenda of the twelfth meeting of the Conference of the Parties would also include an item in which the CoP would be invited to mandate the JEG, in cooperation with the Working Group on Implementation and the Bureau, to consider an update to the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention in the biennium 2023 – 2024, aiming to cover more comprehensively the hazards and risks arising from tailings management facilities (or in other words, to review the ‘location criteria’ for water borne accidental pollution from mine tailings accidents).

### Closing of the meeting

The Co-chairs closed the meeting at 13.00 and thanked all JEG members for their contributions as well as the secretariat for its organization.