Project on hazard and crisis management in the Danube Delta
Hazard and Crisis Management Week

Results of the comparative analysis of the national legal frameworks

CRISIS MANAGEMENT

Dr. Mihaela Popovici
Structure of the presentation

Objectives of the Comparative Analysis
Methodology
Outline of the Report
Similarities – general and specific
Differences – general and specific
Gaps
Prioritized action
Conclusions
Objectives of the Comparative Analysis

A cross national analysis may improve HCM, through:

– Improved understanding of the shortcomings and challenges
– Enhanced acceptance of transboundary dimension and the need of the international cooperation to provide solutions when dealing with accidental pollution with transboundary impacts
– Exchange of concepts and attitude towards responding to industrial accidents
– Learning from successes and failures to improve the HCM practices
– Enhanced national contribution towards meeting the international commitments.
Comparative Analysis: methodology

1) **Analysis of the existing national legal frameworks for HCM**, in the context of the most relevant international frameworks:

- UNECE Industrial Accidents Convention, the DRPC, the WFD, and
- relevant material like the benchmarks (criteria and indicators for self-assessment of the progress achieved towards the implementation of the Industrial Accidents Convention).

2) Assessment on how the efforts for implementing the respective Conventions facilitate meeting the WFD objectives for a Good Ecological Status.

3) The Comparative analysis is performed for **specific HCM components**:

   **Crisis Management components**
   1. Preparedness
   2. Response and mutual assistance
   3. Information to the public and public participation.

4) Identification of **similarities and differences, gaps and contradictions, and priority actions**.
Outline of the Report

List of Acronyms
Glossary of Terms and Definitions used in the legal instruments

1 Introduction
Overview of the UNECE Project on HCM in DD; Aims of the report; Methodology.

2 The legal reference frame
Global policy context, Industrial Accidents Convention; DRPC, WFD

3 Synergies between the Conventions and the WFD

4 Introduction to the studied area
Description of Danube Delta Region; Characteristics, SWMIs

5 Comparative analysis of national legal frameworks per working area
Identification; Notification; Prevention; Preparedness; Response and mutual assistance; Information to the public and public participation

6 Gap analysis and prioritized actions in hazard management within and across the DRR
Implementation, enforcement, acceptance and compliance; institutional capacity

7 Conclusions

Annexes.
Crisis Management
Main general similarities

- DRPC, UNECE: platform for cooperation
- EU WFD Driving forces, similar arguments
  - Synergetic aspects
- Danube Delta, Black Sea – sensitive areas
  - Legislation in place
- Existing Agreements in DDR which include provisions for response and mutual assistance during industrial accidents
- Concept of transboundary pollution and its impacts
- Measures for prevention, control and reduction of transboundary impact
  - Transboundary cooperation + coherent action
  - Foreign assistance (projects, training)
    - Mutual assistance
- Commitment and enthusiasm!
Crisis Management
Main general differences

UNECE Convention: status
Focus: UNECE Convention – industrial accidents
Implementing mechanisms: Secretariats/ Platform
Synergy with other policies, conventions
Accidental pollution – compensation mechanism
EU commitments/ reporting obligations
Binding provisions in the existing legislation
Dissemination and public involvement
Insufficient awareness
Emergency Preparedness
Main specific similarities (1)

The main common elements of the preparedness for interventions:

- the **on-site emergency plans**, prepared by the operator, and implemented under the supervision of the authorities and
- the **external emergency plans**, prepared by the competent authority

These plans are revised, tested, updated and harmonized in the transboundary context.

It is assessed that **the plans are the most advanced existing mechanism capable to respond to the accidents and satisfy international requirements**.
Emergency Preparedness
Main specific similarities (2)

Participation in the Danube AEWS – activated when there is a risk of a transboundary pollution
UNECE: mechanisms in place for accidental pollution - Safety Management System in place for sites under the UNECE Convention
UNECE IAN system
Emergency Preparedness
Main specific differences

Information, dissemination and public involvement
Legal procedures
Technical resources
Response and mutual assistance

Main specific similarities

Procedures exist for notification, warning, dissemination
ICPDR: PIAC used for international notification
UNECE: mechanisms in place for accidental pollution - Safety Management System in place for sites under the UNECE Convention, UNECE IAN system
The system for ensuring adequate response and mutual assistance exists (active intervention, damage containment, remediation, mobilization of human and material resources)
Response and mutual assistance
Main specific differences

Legal arrangements
System in place, but not yet approved
Differences in the specific procedures
PIAC system not completely tailored to the needs
Use of the Industrial Accident Notification (IAN) System of the Convention
Discontinuous communication between point of contacts
Information and public participation
Main specific similarities

- Exchange of information during workshops
- Public access to safety reports
Information and public participation
Main specific differences

Dissemination and public involvement
Insufficient awareness
Crisis management
Main gaps

MAIN GAPS

Insufficient legal procedures in place
Lack of qualified experts
Insufficient awareness
Limited resources: staff, equipment, financial
Crisis management
Priority actions (1)

NEED TO IMPROVE:

The involvement of the local authorities
The process of informing and preparing the population
The necessary materials and means of intervention forces
The detection and assessment of incidents
Information at the plant level
Crisis communication at all level
Cooperation for alarm management and mutual assistance
Transboundary cooperation
Training the personal.
Crisis management
Priority actions (2)

NEED TO:
- Harmonise the external emergency planning between countries
- Conclude a tri-lateral agreement on HCM
- Develop a joint contingency plan
- Ensure early warning and alert systems
- Organize joint exercises for testing the existing systems and quantifying the needs and exchange experience
- Establish an integrated response and clear responsibilities for involvement of operators, also from a different country in the DDR
- Develop procedures for assistance request
- Ensure capacity for response of the operators: staff and equipment
- Improve information needed on the capabilities of the involved countries in the DDR.
CONCLUSIONS

1. The preparation of the **Joint Contingency Plan for the DDR**
2. The development of a **Tri – lateral Agreement for HCM**
3. Harmonise **procedures and methodologies** considering the transboundary implications
4. Strengthen the expertise and **facilitate training of the personnel**
5. Ensure **effective communication** with the public
6. Improve **awareness and public involvement**

**Republic of Moldova, Romania and Ukraine committed to meet the challenges that exist regarding transboundary cooperation on HCM activities, following good international practices.**
Thank you for attention!

Dr. Mihaela Popovici
International Expert
Email: mihaela_popovici@yahoo.com