Project on hazard and crisis management in the Danube Delta

Hazard and Crisis Management Week

Trilateral Agreement on Hazard and Crisis Management in the Danube Delta Region

Draft

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Structure of the presentation

1. Trilateral Agreement: objectives
2. Trilateral Agreement: outline
3. Key aspects for consideration
4. The way forward
Trilateral Agreement: objectives

to provide the legal frame for
strengthening the cooperation and
coordination among the Parties on crisis and
hazard management, in the Danube Delta
Region, in order to protect human health,
the marine and coastal environment
from pollution.
Trilateral Agreement: outline (1)

Preamble

I. GENERAL PROVISIONS

Article 1 Objective of this Agreement
Article 2 Terms and Definitions
Article 3 Scope of Application of this Agreement
Article 4 General Provisions

II. INSTITUTIONAL ARRANGEMENTS

Article 5 Competent Authorities and Contact/Focal Points
Article 6 Meetings of the Parties within the frame of the Danube Delta Region – Joint Commission
III. MECHANISMS FOR CRISIS AND HAZARD MANAGEMENT IN THE DANUBE DELTA REGION

Article 7 Danube Delta Region system of operational response to industrial pollution crisis and hazard management

Article 8 Mechanism for Notification

Article 9 Mechanism for Preparedness and Response

Article 10 Monitoring

Article 11 Requests for Assistance and Coordination and Cooperation in Response Operations

Article 12 Movement and Removal of Resources across borders

Article 13 Coordinating and managing the operations of assistance during industrial incidents
Trilateral Agreement: outline (3)

IV. IMPLEMENTATION AND COMPLIANCE

Article 14 Resources
Article 15 Reimbursement of Costs of Assistance
Article 16 Compensations
Article 17 Joint Review of Industrial Pollution Incident Response Operations
Article 18 Cooperation and Exchange of Information
Article 19 Protection of personal data
Article 20 Joint Exercises and Training
V. FINAL CLAUSES

Article 21 Effect of the Agreement on National Legislation
Article 22 Relationship with Other International Treaties
Article 23 Non-Parties
Article 24 Settlement of Disputes
Article 25 Amendments to this Agreement
Article 26 Annexes
Article 27 Operational Guidelines
Article 28 Provisional application, Entry into Force and Withdrawal
Article 29 Depositary
Trilateral Agreement: outline (5)

ANNEXES

Competent authorities (Art. 5.3)
Joint Contingency Plan (Art. 4.5)
The Trilateral Agreement implementation
Key aspects

- Administrative
- Legal & Normative
- Infrastructure and technical
- Education and Awareness raising

UNECE Convention on the Transboundary Effects of Industrial Accidents
Key aspects for consideration

Administrative/Political decisions

- Negotiation and signing of the Tri-lateral Agreement
- Allocation of tasks between relevant ministries and government authorities
- Signing the Danube Delta Tri-lateral Agreement

Legal framework

- Coordination with the existing bilateral commissions/agreements

Tri-lateral Agreement enforcement

- Operational guidelines

Institutional and Technical framework

- Danube Delta Regional Mechanism

Financial framework

- Implementation costs

Horizontal activities

- Communication & awareness raising
- International coordination.
The way forward...

Suggestions for the tasks

Initiation of the approval process of the Trilateral Agreement (TA) within the frame of the Bilateral Commissions, consisting of several intermediate preparatory steps:
- Clarification of the institutional roles and responsibilities in the approval process
- Discussion:
  (i) The technical aspects and solutions for implementing TA
  (ii) Monitoring of TA implementation
  (iii) Knowledge, education and awareness to ensure proper TA implementation
  (iv) TA provisions/content.

- Integration of related legal aspects of the TA in the competencies of the rules of the bilateral commissions
- Approval of the Joint Contingency Plan as a key component of the TA

Suggestions for the timeline

Preparatory process should be initiated before the next Bilateral Commission scheduled for 2015.

At the Bilateral Commissions, discussions and clarifications will facilitate the final approval foreseen during the final project workshop, planned for September 2015.
Thank you for your attention!

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