Summary

At its first meeting, the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents established the Working Group on Implementation to, among other tasks, prepare for each of its meetings a report on the implementation of the Convention on the basis of individual national reports (see ECE/CP.TEIA/2, annex III, appendix).

The present document contains the eighth such report, prepared based on national reports on the implementation of the Convention in the biennium 2014–2015.

The Conference of the Parties will be invited to consider and adopt the eighth report on implementation of the Convention.
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Introduction

1. In accordance with the Convention on the Transboundary Effects of Industrial Accidents, Parties have an obligation to report on their implementation of the Convention (art. 23) and the Conference of the Parties is required to review the state of implementation (art. 18, para. 2 (a)). To assist in the review process, the Conference of the Parties at its first meeting in November 2000 established the Working Group on Implementation and adopted its terms of reference (see ECE/CP.TEIA/2, annex III).

2. At its eighth meeting (Geneva, 3–5 December 2014), the Conference of the Parties adopted the seventh report on implementation (ECE/CP.TEIA/2014/4). It also elected the following persons to serve as members of the Working Group for the term lasting until the ninth meeting of the Conference of the Parties: Sandra Ashcroft (United Kingdom of Great Britain and Northern Ireland); Evgeny Baranovsky (Belarus); Lina Buciene (Lithuania); Hrvoje Buljan (Croatia); Helena Fridh (Sweden); Leo Iberl (Germany); Martin Merkofer (Switzerland); Suzana Milutinovic (Serbia); and Peter Westerbeek (Netherlands). The Russian Federation nominated the tenth member of the Working Group, Anna Tsarina, whose name was announced through the secretariat after the eighth meeting of the Conference of the Parties. The Working Group elected Ms. Ashcroft and Ms. Milutinovic as its Chair and Vice-Chair, respectively, for the period 2015–2016.

3. Also at its eighth meeting, the Conference of the Parties requested the Working Group to review the reporting format and guidelines before the eighth round of reporting, with the aim to further simplify reporting and focus on:

   (a) Updates from countries having previously provided full reports;

   (b) The inclusion of specific criteria to help countries assess the effectiveness of their policies for implementing the Convention.

   It further requested the Working Group to consider engaging in a dialogue with reporting countries. The Bureau subsequently approved the modification of the format and guidelines as prepared by the Working Group.

4. The Working Group held six meetings in the biennium 2015–2016, of which four meetings (Geneva, 29–30 January 2015; 30 June–1 July 2015; 30 November 2015; and 16–17 June 2016) focused primarily on monitoring the implementation of the Convention and various activities under the Assistance Programme, including the Strategic Approach.1 One meeting (Geneva, 27–28 April 2016) was organized to review the national implementation reports and another (Geneva, 28–29 January 2015) was held jointly with the Bureau of the Conference of the Parties to discuss tasks with joint responsibilities between the two bodies, in particular with regard to activities under the Assistance Programme and the development of the Convention.

I. Reporting

5. The secretariat initiated the eighth reporting round on the implementation of the Convention with letters sent to Parties on 28 August 2015, accompanied by the reporting format in English, French or Russian, as appropriate, as well as the reporting guidelines.

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1 The Strategic Approach for the Assistance Programme (ECE/CP.TEIA/2008/5) was adopted by the Conference of the Parties at its fifth meeting (ECE/CP.TEIA/19, para.50 (a)).
Letters inviting submission of an implementation report were also sent to non-Parties participating in the Assistance Programme, in the light of their commitment to report on their implementation of the Convention expressed at the High-level Commitment Meeting in 2005 (Geneva, 14–15 December 2005). The deadline for the submission of the reports was set for 31 January 2016. In accordance with decision 2014/1 of the Conference of the Parties, the Working Group assessed only reports received within the deadline during this reporting round (2014–2015).

A. Submission of reports

6. As at the Working Group’s thirtieth meeting (Geneva, 27–28 April 2016), at which it reviewed the national implementation reports in the eighth reporting round, 40 member States of the United Nations Economic Commission for Europe (ECE) in addition to the European Union had ratified, accepted or acceded to the Convention. The number of Parties was thus 41 in total.

7. Of the 41 Parties, 32 submitted their national implementation reports by the deadline: Austria, Belarus, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Germany, Hungary, Italy, Kazakhstan, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia and United Kingdom.

8. Four Parties — Armenia, the European Union, Finland and France — submitted their national implementation reports after the deadline, but before the thirtieth meeting and five Parties — Albania, Azerbaijan, Bosnia and Herzegovina, Greece and Montenegro — still had not submitted their reports by the thirtieth meeting.

9. In addition, of the five Assistance Programme countries that were not Parties but committed to report on the implementation of the Convention at the High-level Meeting in 2005 (committed countries), only Uzbekistan submitted a report by the deadline. Georgia, Kyrgyzstan, Tajikistan and Ukraine had not provided their implementation reports by the thirtieth meeting of the Working Group in April 2016.

10. All national implementation reports were made available on a password-protected website, accessible by Parties to the Convention and committed countries.

B. Reporting trends

11. The Working Group expressed its satisfaction that 32 Parties and one committed country had made their implementation reports available by the deadline. It welcomed in particular the timely submission of the implementation reports by Denmark, Kazakhstan and Spain, whose reports could not be analysed by the Working Group in the previous reporting round, as well as from Uzbekistan, which was not yet party to the Convention.

12. The Working Group regretted that nine Parties and four committed countries failed to submit their implementation reports within the deadline. It noted with concern that Bosnia and Herzegovina — a new Party since 21 May 2013 and a beneficiary country under the Assistance Programme — and Greece had again not submitted their implementation reports. The Working Group also expressed concern regarding the absence

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2 The reports were made available at http://www.unece.org/env/teia/report_login.html. Please contact the secretariat to receive the access information.
of the national implementation reports from Montenegro, which had provided its report for analysis in the last reporting round, and from the majority of committed countries (Georgia, Kyrgyzstan, Tajikistan and Ukraine) that were not yet Parties to the Convention.

13. The Working Group noticed with satisfaction that the number of Parties and committed countries that had submitted their implementation reports to the secretariat by the deadline had almost doubled compared with the last reporting round, from 18 to 33. The Working Group wished to thank those 32 Parties and 1 committed country that had respected the agreed deadline, allowing sufficient time for the translation and analysis of the reports. In accordance with a decision by the Conference of the Parties, the Working Group assessed only those reports received within the deadline.

14. The Working Group welcomed the increase in the number of Parties that had submitted reports before its April meeting held to review the national implementation reports, which had risen from 34 to 36 since the last reporting round (see figure below). At the same time, it regretted that it could not assess the four implementation reports by Parties that were submitted late, as well as the missing reports from five Parties and four committed countries. Parties and committed countries that had not submitted their reports on time during the present reporting round were encouraged to do so in the future. The Working Group called on Parties and committed countries that had not yet submitted their reports for the current reporting round to do so as soon as possible.

15. At the same time, some Parties had still submitted their implementation reports to the secretariat after the deadline in order to comply with their reporting obligation. In that regard, it welcomed in particular the submission of the report by the European Union, which had not submitted a report in recent years. The Working Group thus wished to recall Parties’ obligation to report on the Convention’s implementation (art. 23) and invited the Conference of the Parties to stress to Parties, including those participating in the Assistance Programme, the need for timely submissions of national reports in the next reporting round.

16. With regard to the subregional submission of implementation reports, the Working Group expressed concern that only 6 of the 16 countries with economies in transition from Eastern and South-Eastern Europe, the Caucasus and Central Asia had submitted their implementation reports to the secretariat by the deadline, along with 1 more after the deadline. The Working Group regretted that it could not assess the progress made by such countries, notably in the Caucasus and from South-Eastern Europe, and their need for specific subregional support. It stressed the importance of receiving such information through the national implementation reports, particularly on weaknesses and good practices, in order to recommend the inclusion of relevant (assistance) activities in the next Convention workplan and to monitor effectively the implementation of the Strategic Approach, particularly in view of moving from a two- to a four-year reporting cycle.

17. The number of Assistance Programme countries that were not Parties and had not submitted an implementation report by the time of the meeting to review the reports had increased since the previous reporting round, from three to four countries. The Working Group expressed concern that these countries had not submitted their implementation reports despite the commitment taken by their Government to report. The Working Group therefore invited the Conference of the Parties to remind Assistance Programme countries that were not Parties about their commitment expressed in 2005 to report on the implementation of the Convention.
C. Overall quality of reporting

18. In general terms, the overall quality of reporting had improved compared with the previous reporting round and the majority of Parties and committed countries complied with the Convention. Many Parties and committed countries had followed the reporting guidelines adequately, although in some parts the descriptions still exceeded significantly the indicated word limit. Progress made, compared with the previous reporting round, was not always clearly described. The Working Group strongly called on Parties and committed countries to consult the guidelines before completing their reports to avoid misunderstandings and to ensure adequate and complete reporting on all questions.

19. The Working Group noted with satisfaction that more Parties than in the last reporting round — whether beneficiaries to the Assistance Programme (Belarus, Republic of Moldova, Serbia and the former Yugoslav Republic of Macedonia) or not (Croatia, Lithuania, Russian Federation and Slovenia) — used the indicators and criteria contained in the benchmarks document to report on the implementation of the Convention, as requested in the reporting guidelines. The Working Group noticed that, where they were used, the indicators and criteria had helped to identify the progress made in the implementation of the Convention, including areas for potential improvement, which contributed to improving the overall quality of the reports. The Working Group welcomed this approach and the way qualitative information on the implementation of certain provisions under the Convention had been provided, in particular the openness of those countries in reporting on areas for improvement, and encouraged others, especially committed countries, to do the same.

20. During the eighth reporting round, countries had been requested to copy their replies from the last full report into the current report and to add only information on updates or progress made since then. The Working Group noted, however, that countries had not always provided sufficient information to judge whether challenges from the previous

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reporting round had been addressed and whether progress had been made. The Working Group thus recommended that the reporting format and guidelines be reviewed before the next reporting round to improve clarity and facilitate reporting and review. In addition, it recommended the establishment of an online reporting mechanism and the allocation of the necessary resources for this purpose. The Working Group could oversee this development.

21. Countries were again requested during this reporting round to highlight, in their national implementation reports, good practices and guidelines on relevant areas of the Convention prepared for national use. The Working Group welcomed that more Parties than in the last reporting round had followed that approach, and recommended continuing the collection of good practices and guidelines through the national implementation reports. It specifically encouraged countries with economies in transition to highlight in their reports good practices, including the weblinks to them.

II. Overall assessment of the implementation of the Convention*

22. To assess the overall implementation of the Convention, the Working Group analysed the national implementation reports according to the reports’ sections, as follows:

(a) Policy for implementation of the Convention;
(b) Identification and notification of hazardous activities with the potential to cause transboundary effects;
(c) Prevention of industrial accidents;
(d) Emergency preparedness and response;
(e) Mutual assistance;
(f) Scientific and technological cooperation and exchange of information;
(g) Participation of the public;
(h) Decision-making on siting;
(i) Reporting on past industrial accidents.

23. Based on the analysis of the replies provided in the national implementation reports, the Working Group assessed that the level of implementation of the Convention by Parties and committed countries had steadily improved since the previous reporting round. The general conclusions and recommendations are set out below. Sections A–I below present a more detailed analysis of the different sections of the national implementation reports.

24. In the section on policies for implementation of the Convention, the quality of the replies was generally good, although a number of countries did not make clear which policies and legislation were specifically related to transboundary issues. There was also limited evidence of criteria used to assess the effectiveness of the policies, although most countries indicated that their policy achieved the intended results. The Working Group thus recommended reviewing the reporting format and guidelines before the next reporting round in order to further facilitate reporting.

25. The Working Group was, as in the previous reporting round, satisfied with the information provided on procedures to identify hazardous activities capable of causing

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* The reporting format and guidelines for the eighth round of reporting (as well as for previous rounds) are available under the rubric “Reports on the Implementation of the Convention” at: www.unece.org/env/teia/wgimplementation.html.
transboundary effects, while noticing that the processes and arrangements for the notification of hazardous activities to neighbouring countries could still be improved. The Working Group encouraged Parties and committed countries to continue implementing an effective system for the identification and notification of hazardous activities and called on those Parties and committed countries not having totally implemented such a system to continue their efforts.

26. With regard to reporting on prevention of industrial accidents, there were few changes from the previous reporting round, which was not surprising as this area was not developing fast. The Working Group was of the opinion that the slow pace of developments in some reporting areas, especially regarding prevention of industrial accidents, generally justified a shift from a two- to a four-year reporting cycle.

27. Emergency preparedness and response was in general at an acceptable level, in particular at the national level. At the same time, it seemed that the testing, update and review of emergency plans, in cooperation with neighbouring countries, was still a challenge, and there was potential for improvement in this area for almost all Parties and committed countries. The Working Group called on Parties and committed countries to take further actions to strengthen emergency preparedness and response.

28. With regard to mutual assistance, the Working Group was generally satisfied with the findings from the reports, with the majority of countries having identified an authority to act as point of contact for mutual assistance and most having offered clear information about procedures for requesting and providing assistance in case of an accident with transboundary effects. All Parties and committed countries were encouraged to continue improving their procedures for mutual assistance and to establish an authority to act as a point of contact on mutual assistance if they have not yet done so.

29. The overall quality of reporting on scientific and technological cooperation and the exchange of information was good, with many reports providing a variety of examples for cooperation, although not all of them were strictly relevant to this question. The Working Group considered that it might be beneficial to learn more about some of the examples of cooperation and encouraged Parties and committed countries to share the reports or summaries of outcomes from joint exercises, commissions or groups with other Parties and committed countries for learning purposes.

30. Generally, the implementation of the provisions on public participation had improved slightly in most countries compared with the previous reporting round. Despite these improvements, however, the level of availability of procedures for involving the public varied significantly among the countries. The Working Group still saw a need for the exchange of good practices to reach a higher degree of public participation in the processes of establishing and implementing preventive and preparedness measures. It called on Parties to organize seminars, workshops and other relevant activities in this area to support putting in place laws and other legal acts that would grant the same rights to the domestic and foreign public.

31. With regard to decision-making on siting, most countries had basic regulations and policies for land-use planning in place. At the same time, the Working Group noticed with concern that nearly no substantial changes had been implemented compared with the previous reporting round, despite the many challenges reported by several countries in this area. The Working Group thus called on Parties and committed countries to improve further their policies on decision-making on siting, in particular with regard to the inclusion of transboundary aspects, in order to meet the Convention’s requirements.

32. The Working Group encouraged Parties and committed countries to provide details of existing good practices in the next reporting round, as well as the relevant weblinks, to help disseminate such good practices.
A. **Policy for implementation of the Convention (questions 1 and 2)**

33. In general, the overall quality of response to the questions regarding policy for implementation of the Convention was good, providing descriptions of policies and legislation in place for the prevention of, preparedness for and response to industrial accidents. However, a number of reports did not make clear which policies were specifically related to the provisions of the Convention, particularly the transboundary issues, while focusing on safety legislation covering hazardous substances in general. Also, the progress made from the previous to the current reporting round was unclear in many cases. Positively, some countries that had not reported or had reported late (Denmark, Kazakhstan and Spain) in the last reporting round had provided full reports with sufficient information for review in this round.

34. Norway and Portugal stated that they had no hazardous activities capable of causing transboundary effects and that therefore their legislation was not focused on that issue. Slovenia noted that, while its legislation did not specifically mention transboundary issues, it provided an adequate basis for implementing the Convention. Such additional explanations were helpful to understand the legislative context with regard to transboundary issues.

35. Many countries referred to recent or ongoing work to update or amend legislation to align it with the European Union Seveso III Directive\(^5\) and the regulation by the European Commission on classification, labelling and packaging of substances and mixtures.\(^6\) Some countries, including Estonia, referenced new or updated legislation specifically linked to transboundary issues. The majority of countries indicated that their policies were successful and achieved the intended results, although the Working Group found limited evidence of the use of specific criteria to reach this conclusion.

36. The new table for reporting legislation and other acts to implement policies under the Convention allowed a number of countries, including Croatia, Hungary and Lithuania, to highlight the bilateral agreements that they had in place with neighbouring countries. It proved to be helpful to see this information at an early stage rather than just in the sections on mutual assistance or scientific and technological cooperation. The requirement for Parties to indicate for the first time in this reporting round whether legislation was primary or secondary turned out to be very helpful, in particular when different terminology was used, such as ordinance, regulation and rulebook.

37. The report of Kazakhstan, which could not be analysed in the previous reporting round owing to its late submission, described the country’s policies on industrial safety. The Kazakh legislation seemed to be rather prescriptive and limited to specific industries or activities, and risked becoming outdated as industrial development moved on. That was likely to be a common issue for countries with prescriptive, rather than goal-setting legislation and could merit further discussion. Similarly, the report by the Russian Federation highlighted resources and the capability of inspectors as an issue and that that had led to the development of a prioritization system and new control measures being linked to risk-based supervision. As resources were likely to be a consideration for a number of Parties, that topic might also merit further discussion.

38. Uzbekistan was the only committed country to submit a report. Although the country did not use the reporting format to report on the implementation of the Convention,

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a good description of the country’s efforts to implement activities required for accession, and a commitment to enhance performance in industrial safety, was provided in this section.

B. **Identification and notification of hazardous activities with the potential to cause transboundary effects (questions 3–7)**

39. As in the previous reporting round, the Working Group was satisfied with the information provided on procedures to identify hazardous activities capable of causing transboundary effects, observing, however, that the notification of such activities to affected Parties could still be improved (see table).

40. Many countries indicated in their reports that they had hazardous activities falling under the Convention, with most of them also having identified them. A number of countries reported on the absence of hazardous activities (Bulgaria, Cyprus, Denmark, Estonia, Italy, Latvia, Monaco, Norway and Portugal) and a few countries seemed to have provided the total number of hazardous establishments, rather than those with transboundary effects only (Kazakhstan and the former Yugoslav Republic of Macedonia). The Russian Federation provided no information about hazardous activities.

41. Some countries (Austria, Hungary and United Kingdom) also provided in their reports the names and addresses of the hazardous activities that they had identified. That indication was relevant for consultations with neighbouring countries and encouraged other Parties and committed countries to provide further information about the nature and location of the hazardous activity, on a voluntary basis, to the secretariat. The Working Group considered that that would help improve the area of notification of hazardous activities, as well as the understanding of the specific disaster risks and to prepare for them, in accordance with the priorities one and three of the Sendai Framework for Disaster Risk Reduction 2015–2030.\(^7\)

42. The Working Group noted that most countries applied the identification criteria (annex I, location criteria) to identify the hazardous activities that might cause transboundary effects in the case of an accident. At the same time, several countries evaluated also the potential for transboundary effects by using estimations of possible damage arising from transboundary effects, as well as risk assessment methodologies (Belgium, Bulgaria, Estonia, Croatia, Germany, Latvia, Lithuania, Netherlands, Serbia and Switzerland).

43. Of the 18 countries having identified hazardous activities falling under the Convention in their reports,\(^8\) 14 had notified other countries of them (Austria, Belarus, Belgium, Croatia, Germany, Luxembourg, Netherlands, Poland, Romania, Slovakia, Slovenia, Sweden, Switzerland and United Kingdom), three had partially notified (Czechia, Hungary and Republic of Moldova) and one country (Serbia) stated that it had not yet notified. In addition, Lithuania reported that, despite the reduction from two hazardous activities in the previous round to none at present, one hazardous activity had been notified to a neighbouring country; however, in the consultation process it had been decided to shift the location to a place where the activity would not cause transboundary effects.

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\(^8\) *This excludes Kazakhstan and the former Yugoslav Republic of Macedonia, which seem not to have identified hazardous installations with transboundary effects, but rather the total number of such installations in their countries.*
44. The Working Group appreciated the ongoing and regular exchange between countries about hazardous activities causing transboundary effects and encouraged the Parties and committed countries to strengthen that kind of exchange. At the same time, the processes and arrangements for notification could still be improved. There were several countries that did not notify neighbouring countries about hazardous activities or where the description of the process and arrangements for informing neighbouring countries was missing or superficial compared with the detailed description of the identification of hazardous installations. A few countries described the process in a more detailed way (Germany, Lithuania, Poland, Slovenia, Romania and United Kingdom).

Identification of hazardous activities with the potential to cause transboundary effects (questions 4–6), showing changes in the number of hazardous activities identified since the previous report

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### | Parties and non-Parties | No. of HA (Q4–5) | Comments by the Working Group |
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<td>Ukraine(^e)</td>
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<td>Uzbekistan(^e)</td>
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Abbreviations and symbols: “—” means either that the Party provided no report or no answer, or that the Working Group had no comments; HA = hazardous activities with possible transboundary effects; n/a = not applicable, as either no HA or HA not yet identified; Q = question.

\(^a\) By the time of the meeting of the Working Group held on 27 and 28 April 2016.
\(^b\) In accordance with decision 2014/1, the Working Group assessed only reports received within the deadline.
\(^c\) Non-Party.
\(^d\) It seems that the total number of hazardous activities in the country was indicated, rather than the number of hazardous activities falling under the Convention.

C. **Prevention of industrial accidents (questions 8 and 9)**

45. In the section on prevention of industrial accidents, the reporting guidelines seem to have been better understood than in the last reporting round, leading to much shorter replies by most countries. At the same time, some countries still provided very exhaustive answers. Question 8, which refers to a brief description of the main preventive measures taken by operators and authorities, could thus be changed to specify a few topics in brackets that should be described, for example through applying the structure of Slovenia’s report: siting; design; operation; modifications; maintenance and repairs; and closure of an activity. This would help to focus the answers on the relevant topics.

46. In response to the lack of risk identification and assessment methodologies mentioned in the previous report, some countries presented their methodologies in this area. The Russian Federation mentioned that it had developed some documents with a methodological framework for risk assessment. Some countries mentioned effect or risk assessment methodologies in their implementation reports (e.g., Belgium, Estonia, Russian
Federation, Slovenia and Switzerland). The Working Group welcomed the sharing of effect and risk assessment methodologies developed in the different countries and considered that an exchange of these approaches in an area with growing interest would be helpful. The weblinks, where available, are referenced in the list of good practices in chapter IV below.

47. Of the 32 reporting countries, 18 mentioned that there were no significant changes from the previous reporting round. Many countries referred also to the Seveso III Directive and some explicitly stated that the national implementation of the Seveso III Directive had strengthened industrial accident prevention (Bulgaria, Croatia, Estonia, Hungary, Italy, Lithuania, Luxembourg, Poland and Slovakia).

48. A number of countries stressed in their reports the importance of a safety management system. The Republic of Moldova and Romania highlighted many improvements in this area thanks to the successful implementation of the Convention’s Danube Delta project. Belgium emphasized that authorities had to ensure constant cooperation and communication among themselves and with the industry for an effective implementation and to ensure high-level protection.

49. The Netherlands mentioned the development of a programme by the chemical industry to enhance safety awareness. It would be interesting to know whether that programme could be made available electronically.

50. Poland underlined in its report that the method of joint inspections carried out between the State Fire Service, the National Labour Inspection and the Inspectorate of Environmental Protection was very useful and achieved the desired results. Latvia performed trainings to estimate preparedness plans and capability to react in emergencies.

51. Some countries (e.g., Croatia and Switzerland) stressed that all measures were only successful as long as they were not considered routine by authorities and operators. Serbia warned that safety was not just paper work.

52. With respect to the question on the extent to which prevention measures delivered the intended results (question 9 (a)), several countries (e.g., Czechia and Switzerland) stated that indicators to measure the success of such measures were very hard to identify and validate. The reason for this was that, fortunately, accidents rarely happened.

53. Germany presented statistics of reportable events and fatalities, including a decrease in the overall number of accidents. Slovenia and Serbia highlighted the problems related to economic or financial difficulties, such as limited resources and reduced control over idle premises.

54. Only very few countries (e.g., Lithuania, Republic of Moldova and Russian Federation) made reference to the indicators and criteria in this section.

D. Emergency preparedness and response (questions 10–19)

55. Emergency preparedness and response was in general at an acceptable level, in particular at the national level. On-site (internal) and off-site (external) contingency plans existed in almost all countries. A few countries reported the absence of such plans (Denmark and the former Yugoslav Republic of Macedonia) or their partial existence (Estonia, Kazakhstan, Republic of Moldova and Serbia).

56. Almost all countries reported that plans were tested, reviewed and updated, as necessary, and that the results of hazard and risk assessments were taken into account. At the same time, testing, updating and reviewing of emergency plans in cooperation with neighbouring countries was still a challenge in many countries, and there was potential for improvement in this area for almost all Parties and committed countries. The Working
Group wished to stress the importance of regular testing, reviewing and updating of off-site contingency plans in cooperation with neighbouring countries, including through practising the procedures for notification of affected Parties, mutual assistance and command and control structures.

57. In the previous reporting round, the Working Group found that there was a need for the development of emergency plan guidelines to improve the transboundary cooperation between neighbouring States. At its eighth meeting, the Conference of the Parties decided to get back to this issue, following the application of the checklist for contingency planning for accidents affecting transboundary waters (ECE/MP.WAT/2015/9), developed and tested by the ECE Joint Ad Hoc Expert Group on Water and Industrial Accidents (Joint Expert Group). Following the review of the checklist by the Working Group on Implementation, and its consultation with the Joint Expert Group, the Working Group concluded that the checklist met the demand identified in the previous reporting round. It encouraged Parties and committed countries to apply the checklist, where applicable, for improving cooperation between neighbouring countries in the preparation of joint off-site emergency plans. While it was important to cooperate with affected Parties in the preparation of off-site emergency plans, there was also a need to keep in mind that some countries reported that they did not test, review or update such plans with neighbouring countries because they did not have hazardous installations at which an accident could lead to transboundary effects.

58. This section contained only a few changes in the answers compared with the last reporting round, but almost all the changes were positive, as they included better descriptions of the systems in place, more examples and more information on steps taken. Only a few countries (Belarus, Croatia and Lithuania) referred to the indicators and criteria in their responses to the questions in this section.

59. The majority of countries had successfully introduced the ECE Industrial Accident Notification system and identified a point of contact. Only a few countries seemed not to have identified or named a point of contact that was available 24 hours a day (Cyprus, Estonia, Kazakhstan and Monaco). The point of contact of the Netherlands had changed. Almost all countries used additional notification and information systems in case of emergencies at the national and international levels.

60. The presence of guidance documents in the area of preparing joint off-site emergency plans varied greatly, with some countries having guidance documents for more than one level and others having no guidance documents at all. Only Germany and Sweden included Internet links to the guidelines they had developed (see chapter IV). In order to improve cooperation between neighbouring countries in the preparation of joint off-site emergency plans, the checklist for contingency planning for accidents affecting transboundary waters should be used further. The Working Group welcomed the use of the checklist by the Republic of Moldova, Romania and Ukraine within a project in the Danube Delta and encouraged other Parties and committed countries to apply the checklist as a tool for harmonized contingency planning.

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E. Mutual assistance (questions 20 and 21)

61. The section on mutual assistance was a relatively new part, which was added to the reporting format in 2012–2013. The Working Group was satisfied with the findings from the reports.

62. The majority of reporting countries had identified an authority to act as point of contact for mutual assistance and most of them offered clear information about procedures for requesting and providing assistance in case of an accident with transboundary effects. Only a few countries seemed not to have identified or named a point of contact that was available 24 hours a day (Cyprus, Estonia, Kazakhstan and Monaco). Some countries seemed to confuse the point of contact — i.e., an institution that should be operational at all times for notification and mutual assistance (according to articles 10 and 12 of the Convention) — with the national focal point — a person nominated by one of the designated national competent authorities to allow for information exchange between the secretariat and the competent authorities.

63. The majority of Parties had established bilateral and multilateral agreements for mutual assistance. Only Cyprus, Italy, Kazakhstan, Serbia and the United Kingdom did not report on international agreements in this field. At the same time, the responses on bilateral and multilateral agreements for mutual assistance differed considerably between countries. Some had only answered “Yes” or “No”, while others explained which agreements they had signed and with which countries. The Working Group recommended that Parties and committed countries put further effort into the establishment of bilateral agreements, especially between neighbouring countries and different regional economic integration organizations (e.g., between the European Union and the Commonwealth of Independent States), as a basis for rapid and successful intervention in case of industrial accidents with transboundary effects.

F. Scientific and technological cooperation and exchange of information (question 22)

64. The overall quality of reporting on scientific and technological cooperation and exchange of information was good and many countries provided good examples of mutual cooperation and information sharing programmes in response to question 22. It might be beneficial to learn more about some of them, including the joint Czech-German group that had carried out some joint inspections since 2001 and the exercise in Oslo Harbour hosted by Norway in 2015. Where reports or summaries of outcomes from joint exercises, commissions or groups were mentioned, it would also be useful for these to be shared with other Parties for learning purposes.

65. Estonia, Latvia and Lithuania provided some good examples of bilateral and multilateral cooperation regarding the sharing of information and identification of gaps in existing systems. Latvia mentioned, for example, a trilateral programme with Estonia and Lithuania regarding the Daugava River and other bilateral programmes with these two countries. The Russian Federation referred to using networks established through the Commonwealth of Independent States to develop regulations for information exchange. Belarus mentioned a Joint Scientific and Technical Council, established within the framework of the Eurasian Economic Union between Belarus, Kazakhstan and the Russian Federation, to exchange experience and technologies. A number of countries referred to transboundary cooperation that was not specifically linked to the Convention, such as groups on transboundary waters, in their reports.
66. The reporting guidelines appeared to have been generally well understood although some responses referred to benefiting from activities carried out under the Assistance Programme or from direct support from other Parties, which was not strictly relevant to this question. The next round of reporting may benefit from giving countries beneficiaries of the Assistance Programme the opportunity to specify activities they have been involved in and the benefits derived.

G. Participation of the public (questions 23–28)

67. Generally, the implementation of the provisions on public participation had slightly improved in most countries compared with the previous reporting round. Several Parties reported that they had strengthened public participation by adopting new legislation in this area (e.g., Poland, Russian Federation and the former Yugoslav Republic of Macedonia) or having clarified responsibilities of authorities in the case of an accident with transboundary effects (Czechia). Switzerland reported on its ratification of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters in March 2014 and its subsequent implementation of the obligations arising from it. Some European Union member States (e.g., Hungary, Italy, Lithuania, Poland and United Kingdom) specifically referred to the transposition of the Seveso III Directive to demonstrate that they had strengthened public participation in the current reporting round.

68. In general, appropriate possibilities for participation were given to the public. Often there was a good involvement in emergency response and land-use planning procedures. However, some countries still reported that public participation was not granted fully, for example, only for preparedness measures but not for establishing or implementing preventive measures, or restricted to the domestic public. The Working Group called on Parties and committed countries to overcome these weaknesses.

69. Regarding participation of the public from neighbouring countries, the Working Group encouraged Parties and committed countries to describe procedures for involving the public of neighbouring countries, even if hazardous installations within the scope of the Convention were not present on their territory.

70. In general, the overall level of reporting was good and the guidelines seemed to have been well understood for this section. Only a few countries used the indicators and criteria in this section (e.g., Russian Federation and Slovenia).

H. Decision-making on siting (questions 29–31)

71. The Working Group noted with great satisfaction that 31 out of 32 Parties that had submitted their reports by the deadline indicated that they had basic regulations and policies for land-use planning in place. Only one Party (Kazakhstan) gave an unclear answer. Seven Parties (Belgium, Hungary, Lithuania, Luxembourg, Russian Federation, Slovakia and United Kingdom) reported minor changes and two Parties (Croatia and Latvia) reported substantial changes in this field compared with the previous reporting round. Nineteen Parties mentioned explicitly that transboundary effects were taken into account (Bulgaria, Croatia, Czechia, Denmark, Estonia, Germany, Hungary, Latvia, Lithuania, Luxembourg, Poland, Portugal, Romania, Russian Federation, Serbia, Slovenia, Sweden, Switzerland and United Kingdom).

72. The Working Group noted with great satisfaction that some Parties described quite well the procedures for taking into account transboundary issues (e.g., Czechia and Hungary), and in particular that some Parties that currently had no hazardous activity under
their jurisdiction described the way in which neighbouring countries would be involved in the process of decision-making on siting if they had hazardous activities (Denmark, Latvia, Norway and Portugal). That represented a substantial improvement in reporting and other Parties and reporting countries were encouraged to do the same. The Working Group also welcomed the progress made in decision-making on siting, and noted that an increasing number of Parties described explicitly the transboundary aspects in that area. Other reporting countries were invited to follow that approach.

73. Regarding question 31, on the extent to which the siting policy achieved the intended results, 17 Parties declared that their policies were adequate to a reasonable or full degree (Belgium, Bulgaria, Croatia, Cyprus, Estonia, Germany, Hungary, Latvia, Lithuania, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Sweden, Switzerland and United Kingdom). One Party (Czechia) mentioned that it still faced difficulties with wrong siting decisions. Some Parties replied that they had no indicators to measure the extent of their policy’s success (e.g., Kazakhstan and Republic of Moldova) or that they did not carry out a specific review on the effectiveness of the siting policy (Slovenia).

74. Fourteen Parties reported that they had identified no weaknesses, whereas another fourteen reported weaknesses to varying degrees. The latter Parties reported, among others, on the suboptimal coordination and/or cooperation among authorities and problems resulting from historically grown situations (Austria, Romania, Serbia and Slovenia), the need to improve risk assessment and/or land-use planning (Estonia and Lithuania) and the lack of experience and/or knowledge of authorities in this specific field (Norway and Switzerland). Only a few Parties reported steps taken in the current reporting round or planned in the near future, for example, revision of guidelines (Austria, Germany and Switzerland), better coordination and/or supervision of local authorities (Norway and Republic of Moldova) or new regulations on land-use planning (Portugal, Serbia and Sweden). The Working Group appreciated the open-minded reflection on weaknesses by some Parties in this area, noting at the same time that nearly all reporting countries had indicated that there was no substantial change in this area compared with the last reporting round. Parties and other reporting countries were encouraged to improve their policies and coordination in the area of decision-making on siting.

I. Reporting on past industrial accidents (question 32)

75. As in the last reporting round, no accidents with transboundary effects were reported for the period 2014–2015.

III. Areas for follow-up

76. The Working Group identified several areas where countries assessed that improvements could be made. The list below contains such areas, for which activities could be organized under the Convention, possibly in cooperation with other organizations. Some of those areas were included in the previous report from the reporting round 2012–2013 and remain valid, as they have not yet been addressed. The areas were listed because the issues had been highlighted by one or more countries. The Working Group was aware that it might not be possible to address all the areas listed below in the biennium 2017–2018:

(a) In the previous reporting round, Parties and committed countries identified a number of specific weaknesses or areas for potential improvement in the section on policies for the implementation of the Convention, such as:

(i) An imperfect legislative base;
(ii) A lack of willingness or ability to cooperate with neighbouring countries;
(iii) An insufficient institutional capacity or a lack of experts and qualified personnel, including appropriate education;
(iv) An insufficient safety culture within industry;
(v) A lack of software for risk assessment;
(vi) A lack of financial and other resources;
(vii) An unclear division of responsibilities between authorities at all levels and/or complicated governmental systems that made cooperation challenging.

These weaknesses remained valid, following the review of replies from the eighth reporting round;

(b) In the section on the identification and notification of hazardous activities with the potential to cause transboundary effects, the Working Group still saw a need for Parties and committed countries to improve their procedures for the notification of hazardous activities to neighbouring countries, and suggested that the Conference of Parties should, where necessary, provide adequate support;

(c) In the previous reporting round, a number of weaknesses were identified in the section on prevention, such as the lack of:
(i) Human resources;
(ii) Training of staff regarding authorities and/or operators;
(iii) Risk identification and assessment;
(iv) Quality of the safety reports;
(v) Coordination between authorities as well as between authorities and operators.

The replies from the current reporting round showed that these concerns remained valid and that assistance was needed particularly in the area of training of staff of authorities and operators. A few countries (e.g., Republic of Moldova, Romania and Spain) mentioned weaknesses in training of inspectors and prevention measures for authorities and operators. The former Yugoslav Republic of Macedonia said the lack of human resources was the main weakness preventing the country from evaluating its Major Accident Prevention Policy and safety reports. The exchange of experiences in training of inspectors and in the area of prevention measures could provide a way to improve the situation. For Parties with a more advanced level of implementation of the Convention, a priority remained addressing the risk of complacency in ensuring prevention and maintaining a high level of safety;

(d) In the previous reporting round, countries had mentioned the following areas for improvement in the section on emergency preparedness and response:
(i) Cooperation with neighbouring countries;
(ii) The shortage of individual protection equipment and specialized emergency response equipment;
(iii) Crises communication;
(iv) The sharing of capabilities in response to emergencies.

The replies from the current reporting round showed that these remained areas for improvement and that there was a particular need to improve the sharing of off-site
contingency plans between neighbouring countries and to conduct joint emergency exercises of such plans. The Working Group recommended that these be pursued, using the checklist for contingency planning for accidents affecting transboundary waters developed by the ECE Joint Expert Group (see also sect. II.D), and the Guiding Principles for Chemical Accident Prevention, Preparedness and Response,\(^{10}\) developed by the Organization for Economic Cooperation and Development;

\[\text{(e) In the section on mutual assistance, several countries did not mention an authority to act as point of contact for mutual assistance in their implementation report. There was a need for all Parties to the Convention to establish an authority to act as point of contact for mutual assistance;}\]

\[\text{(f) In the section on scientific and technological cooperation and the exchange of information, several countries referred to exercises having been carried out or groups having been set up. The Working Group found that the sharing of any related documentation, if available in a common language, with others could be useful, for example in the framework of the Conference of the Parties or other forums. It encouraged Parties and committed countries to provide further information, especially weblinks, on this issue;}\]

\[\text{(g) In the section on decision-making on siting, there was still potential for Parties and committed countries to improve their policies in order to meet the Convention’s requirements. In line with its previous recommendation to elaborate criteria or standards for safety and land-use planning incorporating long-term trends, the Working Group welcomed the development of the guidance document on land-use planning, the siting of hazardous activities and related safety aspects,}\(^{11}\) \text{It recommended that the guidance be used by countries and that they further exchange experience in that regard, including during workshops specifically organized on this topic.}\]

77. In the light of these weaknesses or areas for potential improvement, the Working Group saw a continuing need for the implementation of tailor-made assistance activities in ECE countries with economies in transition, as well as for sharing good practices with ECE countries at all stages of implementation of the Convention.

78. Furthermore, the Working Group made the following recommendations and observations for follow-up, based on the analysis of the implementation reports:

\[\text{(a) Some countries (e.g., Belgium, Russian Federation and Switzerland) used risk assessment methodologies to evaluate the potential transboundary effects of hazardous activities. The Working Group recommended exploring these advances in approach against the location criteria set out in the Guidelines to Facilitate the Identification of Hazardous Activities for the Purposes of the Convention,}\(^{12}\) \text{and invited the countries in question to deliver more details of their approaches to the Working Group;}\]


\(^{11}\) \text{Currently presented in two draft documents for adoption: policy and legal guidance (ECE/MP.EIA/WG.2/2016/10–ECE/CP.TEIA/2016/8); and technical guidance (ECE/CP.TEIA/2016/9). More information on this topic is available from http://www.unece.org/index.php?id=41522.}

\(^{12}\) \text{See decision 2003/3 (ECE/CP.TEIA/2, annex IV, appendix), as amended by decision 2004/2 (ECE/CP.TEIA/12, annex II), both available from http://www.unece.org/env/teia/guidelines.html.}
(b) Several beneficiary countries of the Assistance Programme reported they had identified no weaknesses in their implementation of the Convention. The Working Group encouraged those countries to critically assess their level of implementation, identify possible shortcomings in their self-assessments and to submit those reflections to the Working Group, through the secretariat, with a view to receiving support through the Assistance Programme.

79. The Working Group recommended that all the above-mentioned activities, where possible, be carried out in coordination with relevant stakeholders.

80. The Working Group also wished to stress that countries were always invited to contact the Working Group, through the secretariat, to discuss the implementation of specific aspects under the Convention.

IV. List of good practices

81. Parties and committed countries were again requested during this reporting round to highlight in their national implementation reports good practices and guidelines on relevant areas of the Convention prepared for national use. The Working Group welcomed the fact that more Parties had followed this approach than in the previous reporting round. Below is a list of good practices that some countries highlighted in their reports:

82. Regarding policies for the implementation of the Convention, the following good practices were highlighted:

(a) The Russian Federation reported on a prioritization system to handle resource limitations;

(b) Austria, Czechia and the United Kingdom mentioned that they reviewed their legislation continuously.

83. In the section on prevention, the following good practices were highlighted:

(a) Estonia reported that in 2015 it had developed a methodology for preparing external emergency response plans. It would be helpful to receive a weblink to the methodology, if it is electronically available;

(b) Germany mentioned the Commission on Process Safety, established in 2005, as a good source of information;

(c) Portugal referred to guidelines related to the obligations of operators. It would be helpful to include an English translation of the titles of the documents presented in the report to make the information more useful to a broader audience;

(d) The Russian Federation approved 11 safety guidelines that presented methodologies for risk assessment in different spheres. It would be useful to receive the weblinks to the documents, if electronically available;

(e) Sweden finished a project with the objective to improve land-use planning around the siting of hazardous activities;

(f) In the last biennium Switzerland developed a guidance document on the safety of refrigerating plants.

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13 Further information on the Commission and its guidance, which is also provided in English, is available from http://www.kas-bmu.de/publikationen/pub_gb.htm.

84. Concerning emergency preparedness and response, the following good practices were highlighted:

(a) Germany provided two weblinks with information on contingency planning;\(^{16}\)

(b) Sweden reported on the existence of new guidelines, available in Swedish only, on the following topics: safety reports,\(^{17}\) the major-accident prevention policy and safety management system,\(^{18}\) external emergency plans\(^{19}\) and land-use planning.\(^{20}\)

85. With regard to scientific and technological cooperation, the following good practices were highlighted:

(a) Kazakhstan, the Russian Federation and Slovenia provided some good examples of multilateral cooperation in their reports;

(b) Latvia referred to joint programmes with Estonia and Lithuania aimed at sharing information, improving preparedness and identifying any gaps in existing systems;

(c) The Russian Federation mentioned regulations for information exchange developed through crisis management bodies within the Commonwealth of Independent States;

(d) Germany referred to bilateral implementation groups with Czechia and Poland. Czechia mentioned six joint inspections that the group had carried out since 2001;

(e) The Netherlands reported that it has established a public risk map on hazardous activities, containing also information on possible transboundary effects;\(^{21}\)

(f) Germany also mentioned warning and alarm plans for both the Rhine\(^{22}\) and the Elbe\(^{23}\) Rivers.

86. In the section on public participation, the following good practices were highlighted:

(a) Portugal mentioned that since July 2015 it had been operating the Internet site “Participa”, which was exclusively dedicated to promoting public consultations;\(^{24}\)

(b) Switzerland reported on a joint Franco-Genevan Regional Committee on Security to encourage transboundary public participation.

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\(^{19}\) Available https://www.msb.se/sv/Produkter--tjanster/Publikationer/Publikationer-fran-MSB/Insatsplanering---Attastegsmodellen/.


\(^{21}\) See http://www.risicokaart.nl.


\(^{24}\) Further information is available from http://www.participa.pt.
87. The Working Group recalled that, in accordance with the Long-term Strategy for the Convention (ECE/CP.TEIA/22, annex I), it was crucial to exchange information to strengthen the implementation of the Convention across the ECE region. To that end, it recommended continuing the collection of good practice examples through the national implementation reports. It called on Parties and committed countries to highlight good practices and guidelines, including the provision of weblinks, in their national implementation reports for the next reporting round, to help disseminate such good practices. The Working Group also wished to learn more about the good practices provided by countries in this reporting round and it invited those countries mentioned above to send further information on their good practices, including weblinks, to the secretariat.

88. The Working Group acknowledged that a number of good practices were available in languages other than English, and it encouraged countries speaking the same language to share those documents with each other. At the same time, there was a need to make good practices provided in languages other than English also available to a broader audience in English. That could be done, among others, through the organization of seminars to exchange information on specific topics, which could be organized back to back with the meetings of the Conference of the Parties.