

Item 3 (c): Ninth report on the implementation of the Convention and draft decision on strengthening the implementation of the Convention

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Claudia Kamke; Secretary to the Working Group on Implementation

Advance information session to the
11th Conference of the Parties to the UNECE Convention on the
Transboundary Effects of Industrial Accidents

Geneva (Online), 30 October 2020



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Outline of the Presentation



Part 1 – Leo Iberl

- Working Group on Implementation – Mandate, composition, reporting role
- 9th report on implementation (2016-2018) – Report submissions and key findings

Part 2 – Claudia Kamke

- Draft decision on strengthening implementation of the Convention

Working Group on Implementation (WGI)

Mandate, composition and terms of reference

- Terms of Reference of WGI amended at the 9th CoP (Ljubljana, 2016)
- Important amendments:
 - Term of office prolonged from 2 to 4 years, beginning with 2017-2020;
 - 10 members: Germany (Chair), Belarus (Vice-Chair), Switzerland (Vice-Chair), Croatia,¹ Latvia, Netherlands, Russian Federation, Serbia, Sweden, United Kingdom of Great Britain and Northern Ireland²
 - New provisions to strengthen implementation of the Convention, i.e. engagement with countries, role to share good practices, etc.;
- Unchanged mandate – WGI shall:
 - Monitor the implementation of the Convention;
 - Prepare report on implementation of the Convention, incl. conclusions;
 - Make recommendations to strengthen the implementation of the Convention on the basis of the above report and submit these, through the Bureau, to the Conference of the Parties for adoption.

¹ Until May 2020 without replacement.

² Until April 2020 without replacement

Working Group on Implementation (WGI)

Role in monitoring implementation of the Convention

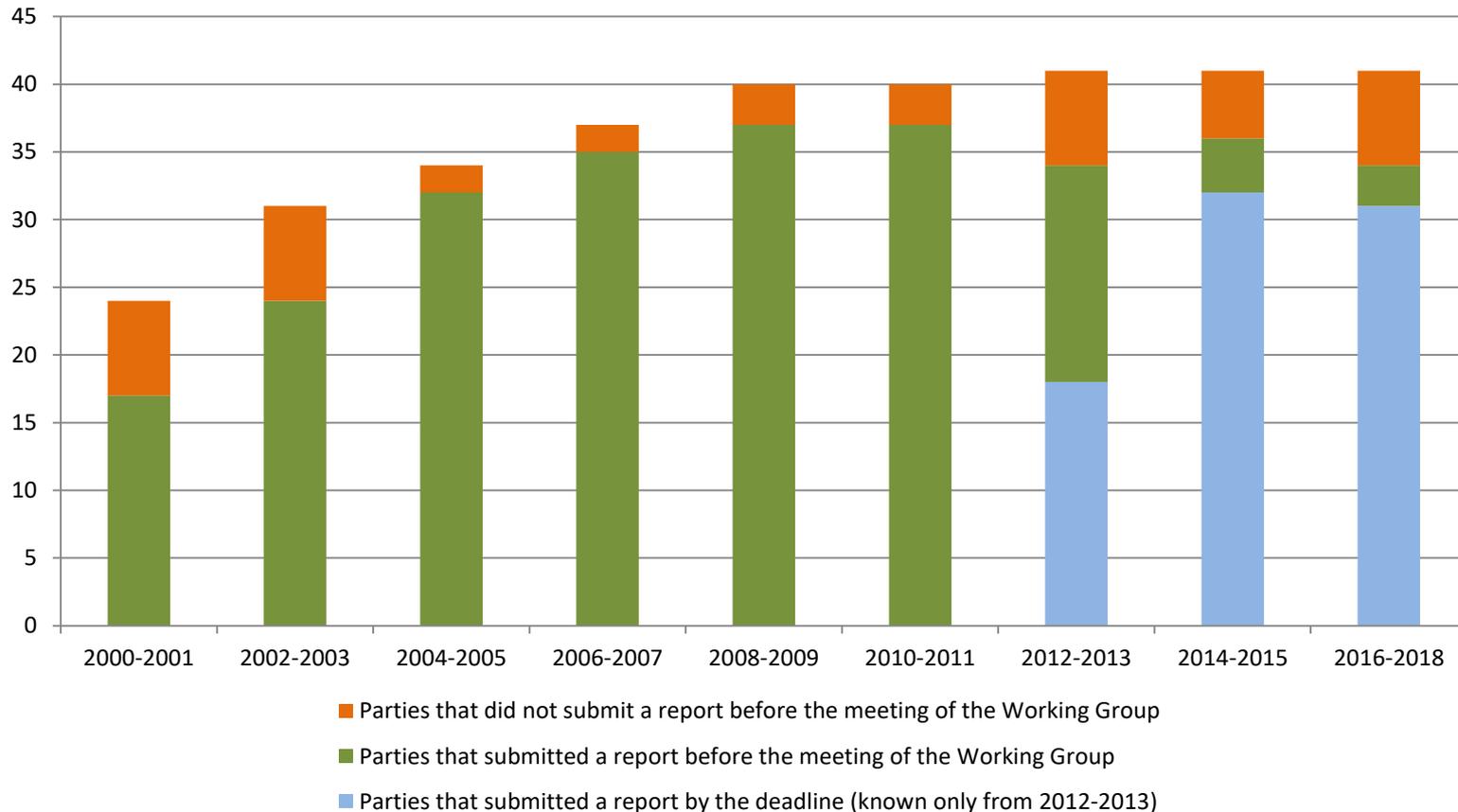
- At CoP-9 in 2016, reporting cycle was also extended from a 2-year-period to a 4-year-period, with a transition period of 3 years

<i>Reporting round</i>	<i>Reporting period</i>	<i>Deadline for the submission of reports</i>	<i>Availability of an overall report on the implementation of the Convention</i>
Ninth	2016–2018 (three years)	31 October 2019	End of 2020 (eleventh meeting of the Conference of the Parties)
Tenth	2019–2022 (four years)	31 October 2023	End of 2024 (thirteenth meeting of the Conference of the Parties)
Eleventh	2023–2026 (four years)	31 October 2027	End of 2028 (fifteenth meeting of the Conference of the Parties)

→ CoP decision 2016/2: WGI to consider only reports submitted on time when preparing its overall report for implementation of Convention

9th reporting round (2016–2018): Submission of reports ⁽¹⁾

- Of 41 Parties, 31 submitted report by the deadline, as well as 1 non-Party
- Submission rate similar to the 8th round (32 Parties plus 1 non-Party).



9th reporting round (2016–2018): Submission of reports ⁽²⁾



On time

Armenia, Austria, Belarus, Belgium, Bulgaria, Croatia, Cyprus, Czechia, European Union, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Monaco, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine (non-Party, committed) and United Kingdom of Great Britain and Northern Ireland

Late (before the WGI meeting)

Denmark, Estonia, Netherlands and Uzbekistan (non-Party, committed)

Very late (after the WGI meeting)

Azerbaijan, Greece, Kazakhstan, Luxembourg and Montenegro



Still missing

Albania, Bosnia and Herzegovina, Georgia (non-Party, committed), Kyrgyzstan (non-Party, committed), Tajikistan (non-Party, committed), Turkmenistan (non-Party)

9th report – Key findings: Overall quality of reporting

- **Major improvements** in the reporting quality, thanks to several changes in the reporting format, notably the introduction of the indicators from the user-friendly Benchmarks into the questions;
- **Reporting guidelines were well understood** and most countries made good use of them;
- A **significant increase in the provision of good practices** and national guidelines was noted → Made available on the website: <http://www.unece.org/environmental-policy/conventions/industrial-accidents/envteiaguidelines/tables-of-good-practices.html>
- **Weaknesses:**
 - Some countries significantly exceeded the indicated word limit or/and changed the reporting format;
 - Only a few beneficiary countries under the Assistance and Cooperation Programme provided information on good practices.

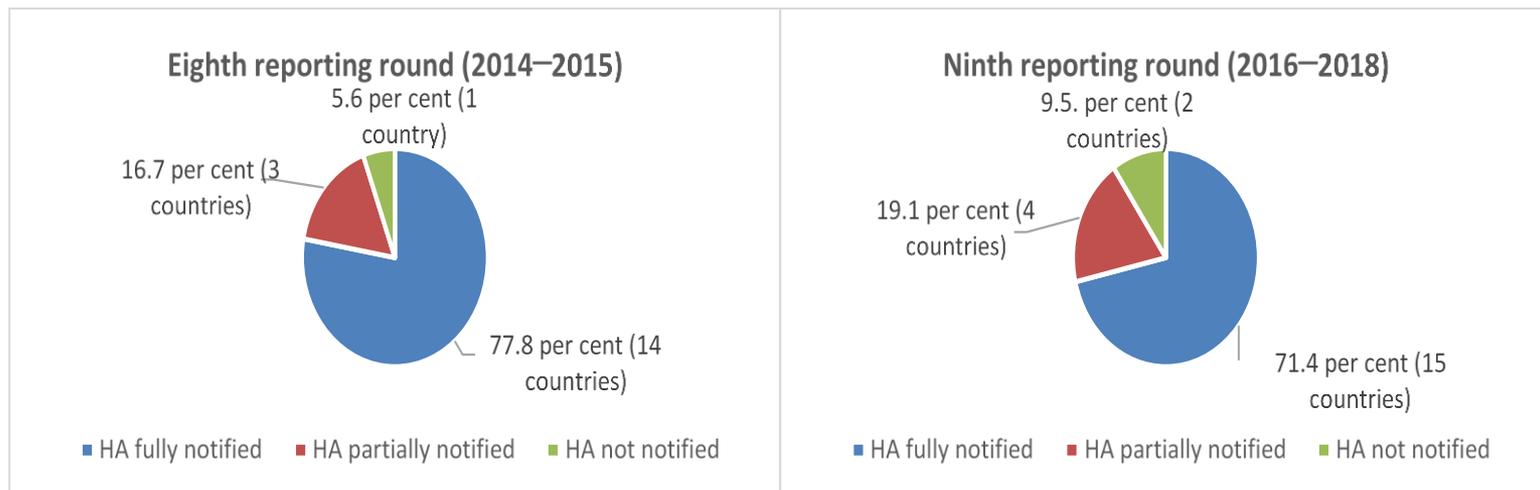


9th report – Key findings: Identification and notification of hazardous activities

- 21 of 32 Parties/countries identified hazardous activities (HA) – 3 not yet done so
- Growing number of countries apply the Convention criteria to identify HA
- 15 of 21 Parties/countries with HA notified all affected Parties

→ WGI encourages all **countries to strengthen their notification of the HA identified** and related consultation processes. WGI calls on those **countries that have not yet identified HA** to comply with this essential requirement asap;

Figure II
Notification of countries with hazardous activities
in the eighth and ninth reporting rounds



9th report – Key findings of the WGI: Accident prevention and policies



- High level of prevention at national level but need to improve preventive measures in a transboundary context → **Prevention is strongly linked with the identification and notification of HA;**
- WGI encourages all countries to indicate in the future the relation of their national policy to **issues related to transboundary cooperation** (including an explanation of how their national policies on the implementation of the Convention link with those for the **Sendai Framework** in the area of technological hazards);



9th report – Key findings of the WGI: UNECE

Preparedness, Response & Assistance

- Emergency preparedness at acceptable level nationally but **cross-border cooperation remains challenging** for many countries;
- WGI calls on countries with hazardous activities to further strengthen their testing, updating and review of emergency plans **in cooperation with neighbouring countries** — and their development, implementation and testing of joint or harmonized plans;
- Mutual assistance generally at acceptable level but WGI encourages all countries to improve their procedures for mutual assistance;
- WGI encourages the countries which have not done so yet to establish an authority acting as a **point of contact on mutual assistance**.

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9th report – Key findings of the WGI: UNECE

Public participation and siting

- Information to and participation of the public at high level for the domestic public in most countries but some still do not grant the same rights to the public of neighbouring countries;
- WGI calls on countries to review and consider the application of existing good practices on **information to and participation of the public** to further foster implementation in practice;
- In almost all countries, **cooperation between industrial safety experts and land-use planners at the national level** formally required or took place in practice but **only half of the Parties take transboundary issues into account** in their policies in these fields.
- WGI welcomes the policies and cooperation mechanisms on **decision-making on siting and land-use planning**, both within and across countries. It calls on all **countries to further improve their transboundary cooperation in this area**, considering also the involvement of the public of neighbouring countries.



Draft decision on strengthening implementation

- Contains recommendations for strengthening the implementation of the Convention
- Prepared by the Working Group on Implementation, based on the review of the national implementation reports from the 9th reporting round
- Conference of the Parties invited to adopt the decision at CoP-11



General recommendations

The Conference of the Parties:



1. *Adopts* the ninth report on implementation of the Convention [...];
2. *Calls on* Albania [...] and invites [...] Turkmenistan [...] to submit their reports;
3. *Strongly urges* Bosnia and Herzegovina, Georgia, Kyrgyzstan and Tajikistan, which failed to provide their implementation reports for several consecutive rounds, to submit their national reports for the current reporting round without further delay;
4. *Stresses* the need for the timely submission of [...] reports [...];
5. *Requests* all Parties and beneficiary countries of the [...] Programme to review and, as appropriate, make use of existing good practices [...];
6. *Encourages* all Parties and beneficiary countries of the Assistance and Cooperation Programme [...] to continue to share such information through their implementation reports, including specific weblinks;

Identification/notification of HA and prevention of industrial accidents

7. *Calls* on all Parties and beneficiaries of the [...] Programme that have not yet identified hazardous activities [...] to comply with this [...];

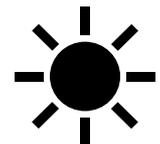
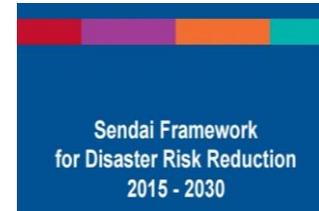
8. *Also calls* on all Parties and beneficiaries of the [...] Programme that have not yet notified their hazardous activities to one or more affected countries, to proceed with such notifications without further delay;

9. *Encourages* all Parties and beneficiaries of the [...] Programme, regardless of whether they currently have hazardous activities, to develop notification and consultation mechanisms or [...] to strengthen such processes;

10. *Invites* all Parties and beneficiaries of the [...] Programme to provide further information on the nature and location of their hazardous activities [...] to improve understanding of the specific disaster risks and to prepare for them [...];

11. *Requests* all Parties and beneficiaries of the [...] Programme to continue their efforts to develop policies, strategies and measures for the prevention [...];

12. *Also requests* all Parties and beneficiaries of the [...] Programme to strengthen their risk assessment and prevention measures for industrial accidents triggered by natural disasters;



Emergency preparedness, response and mutual assistance

13. Calls on all Parties and beneficiaries of the [...] Programme that either have hazardous activities themselves or can be affected by those of other countries to take further actions to strengthen joint transboundary emergency preparedness and response;

14. Urges all Parties and beneficiaries of the [...] Programme with hazardous activities to further strengthen the development and implementation of external emergency plans in cooperation with neighbouring countries, including [...] their testing, updating and review;

15. Encourages all Parties and beneficiaries of the [...] Programme to conduct joint exercises on preparedness and response, including through practising their procedures for notification [...], mutual assistance and command and control structures;

16. Urges Montenegro to nominate a point of contact for the notification of industrial accidents and mutual assistance, in accordance with article 17 of the Convention;

17. Invites Turkmenistan to nominate a point of contact for the notification of industrial accidents and mutual assistance, in accordance with article 17 of the Convention;

18. Urges all Parties and beneficiaries of the Assistance and Cooperation Programme to continue to improve their procedures for mutual assistance;

19. Invites all Parties and beneficiaries of the [...] Programme to use the Industrial Accident Notification system to notify potentially affected countries of an accident or request assistance and calls on them to initiate and/or participate in the system's connectivity tests and consultations of the points of contact;

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Scientific and technological cooperation and exchange of information



20. *Recommends* that [...] countries that have not done so increase their efforts to establish bilateral and multilateral agreements, as appropriate, especially between countries sharing the same river basin or border and among different regional economic integration organizations, as a basis for effective prevention of, preparedness for and response to industrial accidents with transboundary effects;

Information to and participation of the public

21. *Calls* on Parties and beneficiaries of the [...] Programme to organize [...] relevant activities to support the putting in place of laws and other legal acts that would grant the same information and participation rights to the domestic and neighbouring public;

Decision-making on siting & land-use planning

22. *Also calls* on Parties and beneficiaries of the [...] Programme that have not yet done so to develop policies on decision-making on siting and land-use planning, in particular with regard to the inclusion of transboundary aspects, and to ensure their implementation in practice;

23. *Further calls* on all Parties and beneficiaries of the [...] Programme to further improve their transboundary cooperation for decision-making on siting and land-use planning, including the involvement of the public of neighbouring countries;

Further recommendations

24. *Requests* the Working Group [...] to update the reporting format and guidelines before initiating the tenth reporting round [...];
25. *Calls* on [...] countries to consult the reporting guidelines [...] to ensure adequate and complete reporting on all questions [...];
26. *Calls* on countries that have not yet done so to nominate a competent authority or authorities under the Convention and a focal point [...];
27. *Reminds* beneficiaries under the [...] Programme to use the Strategic Approach and its tools, the self-assessment and action plans, and to take advantage of the more user-friendly version of the Benchmarks for the implementation of the Convention;
28. *Calls* on Parties and other donors to make available financial and in-kind resources for the implementation of the [...] Programme;
29. *Mandates* the Bureau to make all efforts to ensure the availability of financial and in-kind resources for the [...] Programme.





Thank you for your attention.

Please provide any comments on the draft decision to the Chair and the Secretariat (ece-teia.conv@un.org) by 9 November 2020.