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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	United Nations Economic Commission for Europe (UNECE) Twelfth Meeting of the Conference of the Parties to the Convention on Transboundary Effects of Industrial Accidents (TEIA COP 12) (Geneva, Switzerland, 29 November-1 December 2022) - Information from the Presidency and the Commission

Delegations will find in the Annex, for information, a summary report from the Czech Presidency and the Commission on the outcome of the abovementioned meeting.

United Nations Economic Commission for Europe (UNECE)
Twelfth Meeting of the Conference of the Parties
to the Convention on Transboundary Effects of Industrial Accidents (TEIA COP 12)
(Geneva, Switzerland, 29 November-1 December 2022)

- Information from the Presidency and the Commission -

Key highlights

The twelfth meeting of the Conference of the Parties (COP 12) to the United Nations Economic Commission for Europe (UNECE) Convention on Transboundary Effects of Industrial Accidents (TEIA) was held successfully in hybrid mode from 29 November to 1 December 2022. Around 100 participants attended the COP in the UNECE headquarters in Geneva.

Among the highlights of this COP meeting were the welcoming of Ukraine as a new Party, the celebration of the Convention's thirtieth anniversary, an UNECE/OECD Seminar on the effective management of technological risks of accidents triggered by natural hazards (Natech), and the adoption of a Decision on Natech risk management in the UNECE region and beyond.

Parties also endorsed a Roadmap for action for strengthening tailings safety in follow-up to Decision 2020/1 on tailings safety taken at CoP 11.

To note that both the Russian Federation and Belarus participated physically and delivered statements negating among others the aggression of the Russian Federation towards Ukraine and the targeting of civilians, arguing that some UNECE documents were politicised and biased. Skilfully managed by the Chair, these statements did not lead to reopening decisions or reports or their submission to a vote but will be mentioned in the meeting report.

On various occasions, the EU and its Member States expressed their full solidarity with Ukraine and condemned in the strongest possible terms Russia's unprovoked and unjustified act of aggression against Ukraine, supported by Belarus, which grossly violates international law and the UN Charter, threatens the Convention objectives to protect human health and the environment and undermines international security and stability¹.

¹ These statements were in line with the Council/EEAS agreed 'Principles regarding Russia and Belarus in multilateral fora following the Russian aggression against Ukraine'.

A new Bureau was elected for the period 2023–2024, which includes three members from EU Member States and the Commission, and no longer members from Russian Federation and Belarus (contrary to 2021-2022).

The Chair and the Secretariat pointed to the current positive but fragile financial situation, as only half of the Parties are voluntarily contributing to the budget. They called on Parties to enhance their contribution for activities covered by the work plan for the biennium 2023-2024. The EU confirmed its 35 000 € annual financial contribution and its support for eligible TEIA projects

On the draft Decision on guiding principles for financial assistance, the EU and its Member States informed the Secretariat that, because of EU sanctions, contributions from the EU and its Member States shall neither be used to finance assistance for the benefit of Belarus and/or the Russian Federation, nor to co-finance assistance projects or activities undertaken together with the Russian Federation and/or Belarus.

Finally, the COP recognized the need to address emerging issues of concern for industrial safety, including energy transition and changes of energy sources, cybersecurity, Natech risks in view of wildfires from heatwaves, waste treatment and opportunities in risk reduction in relation to ore-sand and mine-tailing, and the Convention's relation to these.

The EU team (Presidency, DG ENV & EU Delegation Geneva) also participated in two informal meetings in the margins of the COP:

Informal bilateral meeting with Ukraine on 30 November 2022: attended by representatives of the Presidency, the Commission, the EU Delegation, several EU Member States, Switzerland, Moldova, Norway and the UK, as well as of the TEIA Secretariat. Ukraine highlighted in general terms the need for assistance and support for reconstruction. Beyond the damages to industrial facilities, Ukraine stressed the daily deaths of civilians, the Russian Federation takeover of nuclear power plants, and asked for any kind of support from other countries. Ukraine indicated having prepared a list of its essential needs, which it keeps regularly updated and shares with the Union's Civil Protection Mechanism.

The cooperation between the Presidency, the EU Delegation, as well as EU Member States in the context of preparations in the Council Working Party and at the COP was excellent and went smoothly and constructively.

The next COP is likely to be held in Geneva, Switzerland, in 2024, unless a Party proposes to host it.

Other elements

The COP took note of the ratification status of the Convention and of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters. Beyond the accession of Ukraine, no changes were reported to membership to the Convention and the Protocol is not in force yet².

The COP noted that the number of Parties with credentials and connected was sufficient to take decisions, and that the quorum was met.

A new Bureau was elected for the period 2023–2024, without the Russian Federation and Belarus (contrary to 2021-2022). The Bureau now includes:

Party	Name
Armenia	Ms. Armine Hayrapetyan
Austria	Mr. Michael Struckl
European Union	Mr. Camille Siefriidt
Finland	Ms. Wivi-Ann Wagello-Sjölund
France	Ms. Marie-Claire Lhenry
Montenegro	Ms. Dragana Raonić Popović
Norway	Ms. Torill Tandberg
Serbia	Ms. Suzana Milutinovic
Switzerland	Mr. Martin Merkofer
United Kingdom of Great Britain and Northern Ireland	Ms. Gill Smart

² The Protocol on Civil Liability, adopted at Kyiv on 21 May 2003, has been signed by 24 countries and ratified by 1. The Protocol is not yet in effect; 15 further ratifications are needed in order for it to enter into force.

After taking note of the conclusions of the seminar on effective management of technological risks of accidents triggered by natural hazards (Natech) in the UNECE region and beyond (29 November 2022), the COP adopted decision 2022/1 on strengthening Natech risk management in the UNECE region and beyond.

The COP also took note of the regular report of the Bureau on its activities since the COP 11. It mandated the Joint Expert Group on Water and Industrial Accidents (JEG), in cooperation with the Working Group on Implementation (WGI) and the Bureau, to assess in the next biennium whether there exists a need to revise the “*Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention*” in order to cover more comprehensively the hazards and risks arising from tailings management facilities (TMFs), and to share its findings in the form of an official document with the COP at its thirteenth meeting.

The COP heard a brief overview of key assistance activities organized in the framework of the Assistance and Cooperation Programme since COP 11. It also heard a report on the progress made by Ukraine in strengthening implementation of the Convention, culminating in its accession, in line with the intentions expressed at the COP 10 and 11. The COP welcomed progress made by Azerbaijan, Montenegro, Ukraine and four Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan) in the implementation of the Convention’s Strategic Approach, by preparing updated national self-assessments and action plans. It encouraged other beneficiary countries to consider such updates, to further progress in implementation.

Furthermore, the COP took note of the expressed needs of beneficiary countries of South-Eastern Europe, Eastern Europe, the Caucasus and Central Asia, to improve national governance, through e.g. National Policy Dialogues on Industrial Safety, to further strengthen policies and legislation on industrial safety and transboundary cooperation. It appreciated the support provided by donor countries for past assistance activities and requested Parties to further support these in the next biennium and beyond to address the expressed needs.

Besides, the COP endorsed the *Road map for action to strengthen mine tailings safety within and beyond the United Nations Economic Commission for Europe region*. It outlines the key objectives to further strengthen mine tailings safety and calls upon Parties and UNECE member states not party to the Convention to take specific actions until 2030 to achieve them.

In addition, the COP took note with appreciation of the *Report on risk assessment for industrial accident prevention: Overview of risk assessment methods* drafted by a small group of Parties with the support of a consultant following a request expressed at a previous COP.

The COP also took note of the conclusions of the “*UN/OECD Seminar in follow-up to the 2020 Beirut port explosion: Lessons learned, experiences and good practices in managing risks of ammonium nitrate storage, handling and transport in port areas, preventing accidents and mitigating their consequences*”, and encouraged the uptake of the actions therein to strengthen safety, address challenges and gaps. It also encouraged Parties to widely distribute and support implementation of the seminar conclusions, contribute to further work and support the follow-up activities.

The COP endorsed the proposed activities of the JEG, as contained in the draft workplan for the Convention for 2023–2024, notably the organization of a JEG workshop on preventing accidental water pollution, including early warning and alert systems, comprising the identification and exchange of good practices and collection of examples of Natech accidents affecting transboundary waters.

Moreover, the COP encouraged Parties and beneficiary countries, through their nominated Points of contact, to make use of the Industrial Accident notification (IAN) System in case of industrial accidents with transboundary effects or imminent threats thereof and to request mutual assistance. It also requested Parties to provide the financing necessary to ensure regular maintenance of the IAN System and to enable an upgrade of the IAN system to fix glitches, enhance its technical functionalities and ensure full compliance with the current cyber security standards.

Under item 13, the COP adopted the priorities, workplan and resources for 2023–2024 and its corresponding budget. The Chair and the Secretariat pointed out the current positive but fragile financial situation as only half of the Parties are voluntarily contributing to the budget. The EU made a pledge for an annual contribution of EUR 35 000 for the biennium 2023-2024. In addition, the EU offered its support to help access to EU funding programmes for TEIA projects where eligible and in accordance with the TEIA and EU priorities.