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From:	General Secretariat of the Council
To:	Delegations
Subject:	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) - Statements by the EU and its Member States

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Delegations will find in the Annex, for information, a compilation of statements delivered on behalf of the European Union and its Member States at the abovementioned meeting.

**Twelfth meeting of the Conference of the Parties to the Convention on the Transboundary  
Effects of Industrial Accidents (TEIA COP 12)**

**(Geneva, Switzerland, 29 November-1 December 2022)**

**- Statements by the EU and its Member States -**

**Agenda item 1: Opening**

Madam President, distinguished delegates, ladies and gentlemen,

It is my privilege and honour to deliver this statement on behalf of the European Union and its Member States.

We would like to thank the President, the Bureau, the Executive Secretary, the Secretariat of the TEIA Convention and the Directorate for Civil Protection (DSB) of Norway for their hard work in preparing this twelfth Conference of the Parties.

We are delighted that we can meet in-person, thereby ensuring the continuity in the work of the Convention, after four years without meeting physically because of the COVID-19 pandemic.

At European Union level we have experienced how much the community working on industrial safety has missed these face-to-face meetings, where discussions are so important to continue promoting the safety culture.

The European Union and its Member States wish to express their highest appreciation for the important intersessional work conducted since COP 11 and give thanks to all those involved in that work.

Also, let me express the full solidarity of the EU and its Member States with Ukraine and the Ukrainian people. The EU and its Member States condemn 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, our Convention objectives to protect human health and the environment and undermines international security and stability. The EU deplores also the involvement of Belarus in the aggression<sup>[1]</sup>.

The EU reiterates its demands that Russia immediately cease its military actions, withdraw all its troops from the entire territory of Ukraine and fully respect Ukraine's territorial integrity, sovereignty and independence within its internationally recognised borders and abide by UN General Assembly resolution entitled "Aggression against Ukraine, supported by 141 states at the 11th emergency special session.

At all times Russia must respect its obligations under international law, including international humanitarian and human rights law, in particular with respect to the protection of civilians, women and children.

Finally, I wish to finish with a very warm welcome to Ukraine as a Party to the UNECE Convention on the Transboundary Effects of Industrial Accidents, following the deposit of its instrument of accession with the UN Secretary-General in New York on 6 July 2022.

We wish to highlight Ukraine's continued commitment and dedication to preventing and mitigating the impacts of industrial accidents nationally, and across borders, even more in the current context of the war.

It proves, if still needed, the commitment of Ukraine towards the prevention of industrial accidents. We are looking forward to collaborating with Ukraine on enhancing industrial safety and related transboundary cooperation in order to safeguard the well-being of people and the environment in Ukraine, as well as in its neighbouring and riparian countries.

All of this would of course not have been possible without the full commitment of the Ukrainian authorities, the Secretariat to the Convention and the experts who contributed to Ukraine's accession to the TEIA Convention. I would like to express my warmest thanks and gratitude to all of you who have contributed with your dedicated work to this achievement.

The necessity to further improve industrial accident prevention, preparedness and response to, as well as the dissemination of the safety culture within the UNECE region, unites us all. It lies at the core of this Convention's mission. By fulfilling it, we will uphold our collective commitment to reaching a zero pollution ambition in favour of the protection of the environment and human beings.

These objectives can only be achieved through a continuous strengthening of the cooperation between Parties and the Secretariat of the Convention, but also through the full participation of civil society.

I know that I can count on your commitment and expertise to pursue these common objectives. You have accompanied the Convention implementation over the past decades. I am sure that we will be equally close partners in the future. And I am convinced that this involvement will be pursued and reinforced as we face new challenges.

I wish us all a fruitful COP 12.

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<sup>[1]</sup> Under Article 3 of UN General Assembly resolution 3314 (1974), Belarus, as a State that has “[allowed] its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State” is deemed equally responsible for an act of aggression against Ukraine.

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## **Agenda item 2: Thirtieth anniversary of the Convention**

Madam President, distinguished delegates, ladies and gentlemen,

At this COP, we celebrate a key milestone in the prevention, preparedness and response to major accidents with potential transboundary effects – the thirtieth anniversary of the entry into force of the UNECE Convention on Transboundary Effects of Industrial Accidents. With the recent deposit by Ukraine of its instrument of ratification, there are now 42 Parties to the Convention. This is a great achievement.

This milestone provides us with a renewed political momentum, giving us an excellent opportunity to look back with pride and forward with hope.

Cooperation between countries is paramount to designing effective prevention, preparedness, and disaster response measures for industrial accidents. The Sandoz disaster, where 30 tonnes of toxic chemicals were released into the Rhine River, resulted in the negotiation of the 1992 UNECE TEIA Convention. Since its inception, the Convention has supported countries in improving industrial safety and disaster response preparedness to avoid future accidents, especially those with transboundary effects.

Prevention of major industrial accidents is also a long-standing concern in the European Union. The first piece of regulation that addressed this challenge was the Seveso I Directive, adopted already 40 years ago, in 1982. For 20 years, while the number of industrial plants has increased from approximately 4 000 to 12 000 in the EU, we have reduced the number of major accidents to around 30.

We have also reaffirmed the importance of protecting the environment, including human health, against industrial pollution. In the European Green Deal, the European Commission committed itself to strengthening its action in favour of industrial safety at both EU and international level.

Furthermore, public awareness, support and action are increasing, as governments, NGOs, and businesses promote and spread the industrial safety culture and policies.

However, as we are sadly used to saying, one accident is still one accident too much.

These celebrations should not distract us from the many tasks ahead. Much needs to be done, at country level and through international cooperation, in order to prevent industrial disasters from happening, such as the recent Beirut explosion in 2020, where more than 200 people were killed and over 7000 injured, as well as the recent toxic chlorine gas leak in the Port of Aqaba in Jordan in 2022, where at least 10 people died and more than 251 were injured.

Besides, industrial accidents prevention, preparedness and response are important concerns in the context of the ongoing global environmental crises, with the loss of biodiversity, the global warming, as well as the war in Ukraine.

Droughts and extreme fires threaten safety of industrial plants located in the surroundings of forests. Solutions deployed to address the climate crisis or the many issues caused by the war in Ukraine also trigger the emergence of new risks. This is the case for the development of maritime gasification platforms to accommodate deliveries of liquid gas transiting by boat, or of the large-scale batteries storage to support the energy transition through massive electrification. We will hopefully have the opportunity during this COP 12 to exchange on these emerging issues.

In addition, we denounce and regret the Russian aggression of Ukraine. The invasion of Ukraine by Russia is causing serious environmental degradation which will have profound long-term effects on the country's natural resources, ecosystems, and biodiversity. These effects will not be restricted to Ukraine, as pollution and other damaging impacts are likely to spread well beyond national borders. The repeated and deliberate military strikes on refineries, chemical plants, energy facilities, industrial depots or pipelines, the country's air, water and soil have been polluted by toxic substances which cause longer-term environmental and health threats. Post-war recovery and reconstruction will be a monumental task and will require comprehensive, well-co-ordinated and well-funded efforts. Our support to and cooperation with Ukraine will be of utmost importance during this phase also. We would need to think carefully about how to effectively mobilise the resources available in the different fora to avoid overlapping and unnecessary expenditures.

Finally, I wish to highlight and congratulate the TEIA Convention for its proactive work on this challenge of industrial safety and recognize the commitment of its Secretariat, Chair and Bureau members. The outstanding work they have performed for 30 years with still limited resources has proven to be of great value for the Parties to the Convention but also beyond.

To help achieve the objectives of the Convention, we must collectively continue to support its full implementation and ensure stable and sufficient funding.

We look forward to further exchanges under your capable leadership, Madam President. As in the past years, you can count on the EU and its Member States' strong support for the future of the Convention.

Again, I congratulate the UNECE TEIA Convention on its 30th anniversary.

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#### **Agenda item 4: Election of officers and other members of the Bureau of the Conference of the Parties**

Madam President, distinguished delegates, ladies and gentlemen,

The EU and its MS would like to congratulate the newly elected Bureau of the TEIA Convention. The Bureau plays a very important role in many aspects of the implementation of the Convention, and we are convinced that hard work of the whole bureau, under the able leadership of Norway, will greatly contribute to achieving the goals that we are about to agree upon in the coming days.

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#### **EU Statement on agenda item 5: Natech risk management**

Madam President, distinguished delegates, ladies and gentlemen,

The EU and its Member States welcome the outcome of the joint United Nations Economic Commission for Europe (UNECE)/Organisation for Economic Co-operation and Development (OECD) seminar on effective management of technological risks of accidents triggered by natural hazards (Natech). In our view, it should provide an opportunity to exchange information and share experience and practices regarding Natech risk management.

The seminar aims at providing support to UNECE Member States and OECD countries in their efforts to implement the Convention and the OECD Guiding Principles for Chemical Accident Prevention, Preparedness and Response (notably their addendum on Natech), and to act to anticipate and strengthen the management of Natech risks. Furthermore, the outcome of the seminar will feed into the development of a joint OECD/United Nations guidance document on Natech risk management.

We welcome and endorse its outcome, call on Parties to ensure follow-up, such as establishing an information repository providing examples of good practice, and provide financial resources to such a follow up.

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## **Agenda item 10b: Facilitation of Implementation**

Madam President, distinguished delegates, ladies and gentlemen,

The European Union greatly appreciates that, based on its request at the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents (December 7-9, 2020), the secretariat initiated the organization of a seminar in follow-up to the 2020 Beirut port explosion.

The seminar was organized in cooperation with other United Nations partner organizations and the Organisation for Economic Co-operation and Development (OECD). The international organizations came together in a unique partnership as the seminar's Organizing Committee.

The final part of the seminar drew conclusions on existing experiences and good practices, as well as on implementation gaps and challenges, and ways to strengthen risk management of storing, handling and transporting AN and AN-based fertilizers particularly in port areas and related accident prevention, preparedness and response, including in a transboundary context.

Within the European Union, the Seveso-III directive covers this issue, only partially, some aspects are implemented through other legislative instruments, e.g. for transport and storage.

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## **EU statement on agenda item 11: Prevention of accidental water pollution**

Madam President, distinguished delegates, ladies and gentlemen,

The EU and its Member States welcome and appreciate the work of the Joint Expert Group, the only body serving both the Industrial Accident and Water Conventions since 1998, which is facilitating exchange of knowledge and good practices on accidental water pollution prevention, as well as preparedness and response, e.g. through transboundary preparedness and response exercises. Due to the climate change, we are experiencing the extremisation of natural hazards, increasing the risks of accidents (Natech).



The EU would like to express its special thanks to Germany for their continuous financial and expert support of the group. We also appreciate the involvement of river basin organisations in the work of the JEG, which will be even more important in the future. We also welcome the proposal to extend JEG activities related to the recovery and reconstruction of Ukraine.

We would like to encourage EU MS and other Parties to further support, financially and with expertise, the JEG activities in the incoming biennium and beyond.

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**Agenda item 13: Workplan and resource requirements for the Convention  
for 2023–2024 and the draft Decision on guiding principles for financial assistance**

Madam President, distinguished delegates, ladies and gentlemen,

The EU and its MS would like to thank the Bureau and the Secretariat for the preparation of the draft workplan and resource requirements for the Convention for 2023–2024. We acknowledge the new structure of the document and welcome the inclusion of expected deliverables for each activity, as well the indication which key objectives of the long-term Strategy of the Convention, the Sendai Framework and Sustainable Development Goals they support.

The EU and its Member States consider the implementation of the activities listed in Table 1 that aim at implementing the long-term strategy as a priority. In this respect, the EU and its Member States consider that it is the sole role of the Parties to decide which activities need to be funded first with regular contributions and non-earmarked contributions. The EU and its Member States are convinced that regular contributions and non-earmarked contributions should be used first to carry out the activities identified as core, or in the current draft as “Activities to implement the long-term strategy for the Convention until 2030 (other than assistance activities)”. Considering the recurrent difficulties to fund all the activities listed in this Table 1, the EU and its Member States request the Bureau and the Secretariat to propose a prioritisation of the activities listed in this table considering their role in achieving the long-term strategy objectives. Furthermore, we acknowledge the role of the Bureau in following up on the implementation of the workplan of the Convention in close cooperation with the Secretariat as stipulated in the sustainable financial mechanism, adopted at the 7<sup>th</sup> meeting of the Conference of the Parties in 2012.

What concerns specific activities, the EU recognises that the JEG is and has been underfunded in terms of the ambitions set out in the workplan, and therefore encourages Parties to join the group of leading/contributing Parties, currently Hungary, Germany and Serbia, and to make available financial resources to enable the respective items included in the workplan to be implemented. With a time horizon of 2023-2024, activities included in the workplan can contribute to recovery and reconstruction activities in Ukraine.

With regard to the need to ensure stable and predictable financing, we would like to ask the Secretariat to:

- Explain the procedures for using the extrabudgetary contributions compared to the regular budget;
- Explain the financial rules for the use of the regular budget and non-earmarked extrabudgetary contribution;
- Provide the Parties with a reference to a percentage linked to the GDP or other similar relevant indicators to clarify the “*equitability and proportionality*” as stipulated in part IV, point 17(a) on financing;
- Provide the Parties with an explanation on what are the precise quality criteria / terms of reference (ToR) for a Guidance on good practices on the implementation of the Convention.

On the draft Decision on guiding principles for financial assistance, the EU and its Member States inform the Secretariat that, because of EU sanction, 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 together with the Russian Federation and/or Belarus.

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