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From: General Secretariat of the Council
To: Delegations

Subject: Ninth Meeting of the Conference of the Parties (COP 9) to the UNECE
Convention on Transboundary Effects of Industrial Accidents
(Ljubljana, 28-30 November 2016)
- Information from the Presidency and the Commission

Delegations will find in Annex an information note from the Presidency and the Commission on the outcome of the abovementioned meeting to be dealt with under "Any other business" at the meeting of the Council (Environment) on 19 December 2016.

**Ninth Meeting of the Conference of the Parties (COP 9)
to the UNECE Convention on Transboundary Effects of Industrial Accidents
(Ljubljana, 28 - 30 November 2016)**

- Information from the Presidency and the Commission -

1. INTRODUCTION

The ninth Conference of the Parties (COP 9) to the UNECE Convention on the Transboundary Effects of Industrial Accidents (TEIA, aka Industrial Accidents Convention) was held in Ljubljana (Slovenia), 28 - 30 November 2016.

The COP 9 was attended by delegations from 38 out of 41 Parties (absent Albania, Denmark and Monaco) and several observers. In total 158 participants registered, which constituted the largest number ever attending a TEIA COP. COP 9 was chaired by Ms Jasmina Karba (Slovenia).

The EU position was governed by a Council Decision related to negotiations on a potential amendment ¹.

2. MAIN OUTCOMES

This section lists the most important outcomes of COP 9 which were all in line with EU positions, except that the negotiations on an amendment will continue at COP 10 in 2018.

2.1. Amendment

Following the agreement on a draft amendment text by the open ended Working Group on the Development in April 2016, it was expected that COP 9 would adopt an amendment of the Convention. The draft amendment included:

¹ Council Decision of 1 December 2014 authorising the opening of negotiations on an amendment of the Convention on the Transboundary Effects of Industrial Accidents (doc. 15615/14).

- Strengthening of Article 9 on public participation, information to the public and access to justice.
- Opening the Convention to UN member states beyond the UNECE region.
- Adjusting several definitions and further editorial changes to align the text with relevant developments in other UNECE conventions since the adoption of TEIA.

The amendment proposal was formally submitted by the EU and its Member States, the Republic of Moldova, Norway, the Republic of Serbia and Switzerland. However, at the COP 9 unexpectedly the Russian Federation opposed the changes in Article 9 although it had previously agreed to the text in the Working Group on the Development. No justification was provided and offers by the EU to further discuss the text were rejected. For the EU, the changes in Article 9 were an indispensable component of the amendment, which was reiterated during EU co-ordination meetings on site. In the end, the Russian Federation accepted the EU proposal to revisit the issue of amendment at the next COP.

In informal consultations it was suggested that the problem may be linked to the fact that the Russian Federation was not a party to the Aarhus Convention and could not accept the adoption of Aarhus-like principles before it became a party. However, already now Article 9 includes such principles.

2.2. Other outcomes

All other outcomes of the COP 9 were as anticipated and in line with EU positions. Amongst others, COP 9 decided:

- To amend its Rules of Procedure and the Terms of References for its subsidiary bodies.
- To take note of guidance documents on Land-Use Planning.
- To clarify that mutual assistance in the context of TEIA refers only to cases of accidents with transboundary effects.

- To change the reporting cycle from 2 to 4 years.
- To task the Bureau to discuss improvements to the Conventions long-term strategy, its sustainable financial mechanism and its assistance programme.
- To approve the work programme for the biennium 2017-2018.

2.3. Seminar

The COP 9 included a seminar on 'Fostering Implementation of the 2030 Agenda for Sustainable Development and the Sendai Framework for Disaster Risk Reduction 2015-2030'. The seminar was organised jointly with OECD. It highlighted the multiple interlinks between TEIA, the 2030 Agenda and the Sendai Framework and how the existing mechanisms and tools of TEIA can support their implementation.

3. ELECTIONS

The COP 9 re-elected its chair (Slovenia). Poland was re-elected as vice chair and Finland was elected as new vice chair replacing Moldova. Despite best offers no candidate from a non-EU country came forward.

The COP 9 also elected the members of the Bureau and the Working Group on Implementation (WGI). The EU and its Member States are well represented in the Bureau and WGI. It was not possible to assure a full gender and regional balance, in particular for the Bureau. The only non-EU members of the Bureau are Switzerland and Norway. Despite significant efforts by the chair ahead and during the meeting no candidate from Eastern Europe or Central Asia came forward.

4. NEXT STEPS

COP 10 is scheduled for the end of 2018. Over the next two years the WGI and the Bureau will meet several times.

5. BACKGROUND

The 1992 Convention on the Transboundary Effects of Industrial Accidents entered into force in 2000 and aims at protecting people and the environment against adverse effects of major industrial accidents involving hazardous chemicals. The principle is to prevent accidents from occurring, or to reduce their frequency and severity and to mitigate their effects if required. The Industrial Accidents Convention also promotes active international cooperation between countries, before, during and after an industrial accident.

All EU Member States except for Ireland and Malta are Parties to the Industrial Accidents Convention. The European Union signed the Industrial Accidents Convention on 19 March 1992 and approved it on 24 April 1998.

In the EU the corresponding measures are included in Directive [2012/18/EU](#) (aka "Seveso III"), which is more stringent than the Industrial Accidents Convention.
