



Recommendation of the Council  
concerning Chemical Accident  
Prevention, Preparedness and  
Response

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## **Date(s)**

Adopted on 15/01/2004

## **Background Information**

The Recommendation concerning Chemical Accident Prevention, Preparedness and Response was adopted by the OECD Council on 15 January 2004 on the proposal of the Environment Policy Committee and the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology (today under the responsibility of the Chemicals Committee). Under this instrument, Adherents are recommended to establish or strengthen national programmes for the prevention of, preparedness for, and response to accidents involving hazardous substances and to take into account the OECD Guiding Principles for Chemical Accident Prevention, Preparedness and Response (the Guiding Principles) and the OECD Guidance on Safety Performance Indicators (the Guidance on SPI). The Guiding Principles were first developed between 1989 and 1992 building on a series of workshops that were designed to address the wide range of issues associated with accident prevention, preparedness and response, and to consider the roles and responsibilities of the various parties who are necessarily involved in such activities. The Guidance on SPI were then developed to facilitate implementation of the Guiding Principles, and to help stakeholders assess whether actions taken to enhance chemical safety in fact lead to improvements over time.

## **THE COUNCIL,**

**HAVING REGARD** to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

**HAVING REGARD** to the Decision of the Council of 8 July 1988 on the Exchange of Information concerning Accidents Capable of Causing Transfrontier Damage [C(88)84(Final)];

**HAVING REGARD** to the Decision-Recommendation of the Council of 8 July 1988 concerning Provision of Information to the Public and Public Participation in Decision-Making Processes related to the Prevention of, and Response to, Accidents Involving Hazardous Substances [C(88)85(Final)];

**HAVING REGARD** to the Recommendation of the Council of 7 July 1989 concerning the Application of the Polluter-Pays Principle to Accidental Pollution [C(89)88(Final)];

**HAVING REGARD** to the Environment Chapter in the OECD Guidelines for Multinational Enterprises as adopted by the Council on 27 June 2000 [C/M(2000)17];

**HAVING REGARD** to the Declaration on Environment: Resource for the Future, adopted at the session of the Environment Committee at Ministerial Level on 20 June 1985 stating that "they will ensure the existence of appropriate measures to control potentially hazardous installations including measures to prevent accidents";

**HAVING REGARD** to the Communiqué of the Environment Committee meeting at Ministerial Level on 31 January 1991; "An Environmental Strategy in the 1990s", in which Ministers pledged to strengthen the capacity of the international community to prevent and confront environmental disasters, taking particular account of the situation of developing countries;

**HAVING REGARD** to the conclusions adopted by the Third High-Level Meeting of the Chemicals Group on 18 March 1987 regarding the prevention of, and response to, unintended releases of hazardous substances to the environment;

**HAVING REGARD** to the Concluding Statement of the OECD Conference on Accidents Involving Hazardous Substances of 10 February 1988 in which Ministers and other high-level officials called on the OECD to elaborate a Code of Good Practice relating to accident prevention and response and guiding principles for investments and aid programmes with respect to hazardous installations in developing countries [Environment Monograph No. 24, page 12];

**HAVING REGARD** to the "OECD Environmental Strategy for the First Decade of the 21st Century", adopted by OECD Environment Ministers on 16 May 2001 which states that with regard to environmental issues related to health and safety risks, OECD countries would take action to "reduce potential effects on human health from environmental and ecosystems changes, including those resulting from natural and man-made disasters and climate changes";

**HAVING REGARD** to the international co-operation work through the Inter-Organisation Programme for the Sound Management of Chemicals (IOMC) Co-ordinating Group on Chemical Accidents initiated in 1995;

**HAVING REGARD** to the conclusions and recommendations of all the workshops organised under the auspices of the OECD on the subject;

**CONSIDERING** the need for strengthening efforts related to prevention of accidents involving hazardous substances and for limiting adverse consequences should such an accident occur;

**CONSIDERING** that appropriate accident prevention, preparedness and response requires the active involvement of public authorities, management of hazardous installations, employees at hazardous installations at all levels and their representatives where they exist, as well as the public;

**CONSIDERING** that certain general principles for accident prevention, preparedness and response apply to hazardous installations irrespective of location;

**CONSIDERING** that, in applying general principles, due account must be taken of the specific circumstances of the local community where the installation is located;

**CONSIDERING** increased co-operation between Member countries will help to address international problems which can arise with hazardous installations located in their frontier regions;

**CONSIDERING** the economic and practical benefits that result from the application of similar safety objectives for hazardous installations in all OECD Member countries including the avoidance of distortions of trade;

**CONSIDERING** that sharing of experience among countries can help lead to improvements in safety of hazardous installations;

**CONSIDERING** that the first edition of the Guiding Principles were widely used world wide, translated into many languages, and supported by relevant international organisations;

**RECOGNISING** that representatives of industry, labour, non-governmental organisations, and international organisations were actively involved in the preparation of the second edition of the OECD Guiding Principles for Chemical Accident Prevention, Preparedness and Response;

**RECOGNISING** the experience gained by countries and international organisations since the first edition of the Guiding Principles in 1992;

**RECOGNISING** the value of assessing performance to help industry, authorities and communities measure the extent to which actions help improve safety.

**On the proposal of the Environment Policy Committee and the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology:**

**I. RECOMMENDS** that Member countries establish or strengthen national programmes for the prevention of, preparedness for, and response to accidents involving hazardous substances and that in doing so, to the extent it has not already been undertaken, they:

- a) Develop overall safety objectives related to the prevention of, preparedness for, and response to accidents involving hazardous substances;
- b) Develop and implement control frameworks covering all aspects of accident prevention, emergency preparedness and mitigation of accidents, emergency response, and follow-up to incidents, recognising appropriate roles of all stakeholders including industry, labour and the public;
- c) Consider the use of safety performance indicators to assess the performance related to the prevention of, preparedness for, and response to chemical accidents;
- d) Encourage and/or facilitate processes in which all stakeholders, including industry, public authorities, communities, and other stakeholders, can take action and help ensure effective communication and co-operation;
- e) Establish arrangements for monitoring safety of hazardous installations and for enforcing any requirements related to the control framework;
- f) Arrange for the development and implementation of compatible off-site and on-site emergency preparedness plans for hazardous installations;
- g) Establish appropriate arrangements for siting new hazardous installations and for preventing inappropriate developments near existing hazardous installations in order to mitigate possible off-site effects of an accident involving hazardous substances, recognising also the need to take into account the possibility of accidents which are capable of causing transfrontier damage;
- h) Share information and experience on accident case histories by reporting past accidents to the Major Accident Reporting System (MARS) scheme; and
- i) Support and promote related research, including co-operative international activities.

**II. RECOMMENDS** that, in undertaking the activities referred to in Paragraph I above, Member countries take into account the second edition of the OECD Guiding Principles for Chemical Accident Prevention, Preparedness and Response<sup>1</sup> and the OECD Guidance on Safety Performance Indicators<sup>2</sup>.

**III. RECOMMENDS** that, in relation to transfer of technology and international investments related to hazardous installations in non-OECD countries and in relation to bilateral technical and financial assistance, Member countries actively promote application of the relevant parts of the OECD Guiding Principles, and use of the Guidance on SPI.

**IV. RECOMMENDS** that Member countries promote the wide dissemination and use of the OECD Guiding Principles and of the OECD Guidance on SPI among all relevant parties in their countries and support their application in non-OECD countries.

**V. INSTRUCTS** the Secretary-General to take the necessary steps to facilitate the wide distribution of the OECD Guiding Principles and Guidance on SPI, both within and outside the Member countries;

**VI. INVITES** other international organisations to use and disseminate the OECD Guiding Principles and Guidance on SPI; and

**VII. INSTRUCTS** the Environment Policy Committee and the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology to pursue a programme of work designed to facilitate the implementation of the OECD Guiding Principles and Guidance on SPI, and to review within three years the implementation of this Recommendation.

This Recommendation replaces the Recommendation of the Council C(92)1/FINAL which is hereby repealed.

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<sup>1</sup> Published by OECD on the responsibility of the Secretary General as Environment, Health and Safety Publication, Series on Chemical Accidents, No. 10; and referred to herein as the "OECD Guiding Principles".

<sup>2</sup> Published by OECD on the responsibility of the Secretary General as Environment, Health and Safety Publication, Series on Chemical Accidents No. 11; and referred to herein as the "OECD Guidance on SPI".

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