

# **Economic Commission for Europe**

## **Convention on the Transboundary Effects of Industrial Accidents**

**Capacity-building activity within the  
Assistance Programme**

### **Report of the regional training session on identification of hazardous activities for Kyrgyzstan and Tajikistan**

#### **I Introduction**

1 The regional training session on identification of hazardous activities for Kyrgyzstan and Tajikistan was held in Bishkek on 22-23 November 2011. It was organized within the framework of the implementation phase of the Assistance Programme for the countries of Eastern Europe, Caucasus and Central Asia and South-Eastern Europe and it was funded by the UNECE-GIZ programme “Regional Dialogue and Cooperation on Water Resources Management” and by the Swiss Federal Office for the Environment and expression of interest from both countries, which are not yet members of the Convention.

2 The Ministry of Natural Resources of the Kyrgyz Republic hosted the training session.

#### **II Objective**

3 The objective of the National training session was twofold: (i) to improve the knowledge of governmental experts in the area of identification of hazardous activities under the Convention and under the Seveso II Directive (96/82/EC) as well as to enhance awareness of industry with respect to the potential risk of hazardous activities; and (ii) to discuss with representatives of the countries about the follow-up to the workshop on indicators and criteria for the implementation of the Strategic Approach (Bratislava, 3-6 May 2011).

4 The detailed objectives of (i) were to provide participants with the possibility to:

(a) Learn about the application of the Annex I to the Convention, including differences between Annex I and the location criteria of the Convention and Annex I of the Seveso II Directive;

(b) Discuss other techniques used for identification of hazardous activities (worst-case scenarios analysis); and

(c) Discuss good practices for collecting, processing and inventorying information on hazardous activities.

#### **III Participation**

5 The regional training session was organized for governmental experts from relevant authorities of Kyrgyzstan and Tajikistan, responsible for industrial safety

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and identification of hazardous activities. In particular representatives from the following authorities participated in the training session: the Kyrgyz Ministry of Natural Resources and its Department on Industrial Safety and Supervision of the Mining Works (Bishkek and Osh offices), the Ministries/Committees on Emergencies of Kyrgyzstan and Tajikistan (Bishkek, Osh, Dushanbe and Khudjand offices), the Kyrgyz State Agency on Environment, Tajik President's Executive Office and its Department on Emergencies and Environment. The training session was supported by three international experts and by a member of the Secretariat.

#### **IV Opening, welcome address**

6 Mr. L. Oseledko, Deputy Minister of Natural Resources of the Kyrgyz Republic, welcomed the participants and opened the training session and wished success to the training session. He also expressed hope that the regional event would contribute to improved cooperation in the field of industrial safety with the support from the UNECE.

7 Mr. Nuriddin Nuraliev, Specialist of the President's Executive Office, Department on Emergencies and Environment, Republic of Tajikistan, greeted all participants and stressed that cross-border cooperation is a key for sustainable development and that UNECE is well positioned and welcomed to contribute to the positive developments in this regard..

8 Mr. Madumarov (GIZ), delivered a welcoming statement on behalf of GIZ and highlighted the importance of cross-border cooperation on water, emergencies and other vital issues, which could contribute to nations prosperity and people's safety.

9 The representative of the UNECE secretariat addressed the participants, and mentioned the dual role of the regional training session. She wished all the participants a fruitful work for the following two days

#### **V Programme**

10 The program of the training workshop consisted of three Sessions on the identification of hazardous activities and a final session on the follow-up of the Bratislava Workshop on Indicators and Criteria:

11 The programme started with brief introductions from the secretariat of the Convention aiming at providing a general framework and then continued with a presentation from representatives from Kyrgyzstan and Tajikistan on the level of implementation of the Convention in the respective countries. Experts from Italy and Serbia informed the participants about the national practices of identification of hazardous activities and the TEIA Secretariat clarified definitions and application of the Convention important for the countries.

12 Session II focused on Annex I to the Convention as an instrument to identify hazardous activities. The facilitators provided an overview of differences and similarities between the Annex I under the Convention and the Annexes of the

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Seveso II Directive<sup>1</sup>. Besides, a case study on identification of hazardous activities using Annex I was presented.

13 Session III focused on the application of the presentation of different tools provided by the Convention for the identification of hazardous activities falling under its provisions<sup>2</sup>: the application of worst-case scenarios, risk assessments and location criteria. The facilitators presented examples of using location criteria for identifying hazardous installations that, in the event of an accident, would cause the release of hazardous substances into water and air paths causing transboundary effects. The conclusion of this session aimed at drawing a possible follow-up for the two countries.

14 The final part of the workshop was devoted to the outcome and follow up of the Workshop on Indicators and Criteria (Bratislava, Slovakia 4-6 May 2011) to which representatives of the two countries participated. The secretariat took the opportunity to remind to the participants that the use of indicators and criteria for the implementation of the Strategic Approach was mandatory for all countries participating to the Assistance Programme, even if not yet Party to the Convention.

15 This was also an opportunity for the secretariat to remind the commitment made by both countries at the abovementioned meeting in Bratislava to send to the secretariat the respective self-assessment on the level of implementation of the Convention. She also added that the Self-assessment would be a useful instrument for all the countries to identify the elements to be improved and possible needs for assistance.

### **Discussion and findings of the training session**

16 Concerning the first part of the training session, the following elements on the situation of Kyrgyzstan and Tajikistan were highlighted during **presentations of the national experts**:

a) In both countries, standards and approaches for industrial safety established during the Soviet Union period were still in use in combination with more recent methods. While mining was predominant in Kyrgyzstan, metallurgy and chemical industries were the sectoral specificities in Tajikistan, where chemical installations increased in number in recent years;

b) Both countries established a legal and regulatory framework on industrial safety. The legal framework was largely based on the approaches and traditions from the Soviet period and was being coordinated within the framework of the Commonwealth of Independent States (CIS);

c) The two countries signed bilateral agreements through the Kyrgyz-Tajik intergovernmental commission. In the framework of the CIS countries worked on information exchange, legislation harmonization and expert workgroups. At the time of the meeting the two countries were in the process of

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<sup>1</sup> Directive on Major accidents involving dangerous substances. Council Directive 96/82/EC, as amended by Directive 2003/105/EC

<sup>2</sup> It was précised, though that the tools provided could also be used to identify hazardous activities not necessarily falling under the Convention.

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identifying cross-border sources and sites of risks and threats both of man-made and of natural origin;

d) At the time of the meeting Tajikistan listed 43 industrial sites/installations. According to a preliminary inventory, there were no hazardous facilities in Tajikistan which pose the risk to Kyrgyzstan. The country was also in the process of creating a new list of hazardous activities;

e) Tajikistan also recently adopted new legislation on industrial safety, which still needed to be implemented. Experts expressed the need for possible assistance and training, advice and capacity building activities, involving both state-run and private industrial operators especially concerning structure and composition, as well as evaluation of safety reports from hazardous installations;

f) In both countries the need to proceed with environmental inspections was limited by resources; therefore the inspectorates and the relevant bodies of both countries were struggling to set the right frequency of inspections and to prioritise;

g) Kyrgyzstan was in the phase of discussing the institutional framework for the division of responsibilities connected to the management of hazardous installations and to the prevention, preparedness and response to possible accidents deriving from them;

h) The risk of Natural Hazard Triggering a Technological Disaster (Natech) in both countries could be high because of the predominantly mountainous territory of the countries. For instance some of the old sites were located in landslides-prone areas. In addition, in Tajikistan instability of energy supply was an additional possible cause for industrial accidents;

i) Tajikistan had recently established crisis management centre and expressed the willingness to introduce modelling tools (e.g. ALOHA) for chemical accidents impact control/prediction.

17 The following elements were also highlighted in the **presentations of the facilitators as well as in the discussions:**

a) The identification of hazardous activities (and the preparation of a list of them) was to be aimed to get to a list of hazardous activities to be regularly updated. Therefore the preparation of such a list needed to be a dynamic process with constant updates. The result should be a mechanism able to function over time, independently from the change of personnel in the authorities;

b) The cooperation between authorities and public sector was very important to reach effective industrial safety;

c) Kyrgyzstan, being in the situation of discussion of the national legal and institutional framework and division of responsibilities, expressed the need to receive support in the form of sharing of good practices from other countries concerning the division of responsibilities between authorities. They would also need support for creating a map representing the major hazardous installations. During the discussion they could hear that Serbia had a memorandum between 5 ministries for the split of responsibilities and competencies for the work under the Convention;

d) Both countries expressed the need to receive good practice on how to work with small operators and how to ensure that they are enabled to implement the legislation (for this training might be necessary);

e) Tajikistan at the time of the meeting faced some issues in implementing the newly adopted legislation requiring safety reports and frequency of inspections. The experts from the country were of the opinion that receiving a specific training on that aspect could be advantageous for them;

f) Both countries agreed that there would be the need to review the national legislation. They expressed the view that this could be inserted in the self-assessments and action plans as one of the assistance activities to be requested under the Convention;

g) There were doubts from the two countries on how effectively provide information to the public concerning possible hazards deriving from the presence of hazardous installations and also what kind of procedures to use to notify the presence of hazardous activities with possible transboundary consequences to neighbouring countries;

h) Participants from both countries asked information on how compensation in case of transboundary industrial accidents is regulated under the Convention;

i) Countries expressed interest to hear about Kazakhstan's experience of the implementation of the Convention (at the time of the meeting Kazakhstan was the only Central Asian country to be a Party to the Convention).

18 The discussion on the **follow-up to the training session on the Benchmarks** under the Convention brought to the following conclusions:

a) The self-assessment (the first step to be done to use the Benchmarks) revealed to be a useful tool for the countries to monitor their progresses and to individuate needs for assistance. It could also be a useful tool in the preparation of project proposal for external assistance

b) Participants requested clarification on the use of the indicators and criteria under the Benchmarks for the implementation of the Convention and they were explained that the indicators and criteria were to be used by all the countries participating to the Assistance Programme irrespectively on whether Party or not to the Convention;

c) In order to better proceed with the self-assessment using the Benchmarks, the facilitators suggested to proceed as follows: (i) to gather in a group representing the authorities dealing with the topic of the Convention in the country; (ii) to read the document and think together what elements of those listed in the document were present in the country and to which extent; (iii) to discuss what was missing and what kind of action should be taken to improve the situation;

d) The participants requested also better clarification on the difference between having reached progress stage 5 and progress stage 6 in the benchmarks;

e) Kyrgyzstan submitted to the secretariat an incomplete version of the self-assessment and Tajikistan did not submit any assessment to the secretariat. The representatives of both countries showed awareness in their duties.

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## Conclusions

19. The presentations from the national experts revealed that in both countries there was legal and institutional framework that contained procedures related to the identification of hazardous activities including classification of chemicals and data collection.
20. Both countries had some elements in common such as: mountain terrain, elevated risk of natural hazards, stronger impacts of climate change, abandoned (chemically hazardous) soviet industries and mining legacies, increased risk of accidents due to reliable energy/electricity provision problems.
21. Being Kyrgyzstan in the process of preparing new legal requirements for risk assessment at the time of the training, it was also expecting changes in institutional framework/responsibilities. Consequently the national experts were of the opinion that they could greatly benefit from familiarization with good practices under the Convention also from other countries.
22. Tajikistan would also benefit from assistance in the evaluation of safety reports, in addition this could include good practices for identifying the content of safety reports, in order to provide the best support to the operators requested to submit them and to increase their awareness, as well as the awareness of those responsible for the validation process.
23. Given the fact that both countries were participating to the CIS council on industrial safety, it would be useful to promote joint activities together with the CIS countries; activities could include the promotion of harmonization of legislation with the Convention and also improvement of their own legislation.
24. Finally, countries suggested using more specific language to avoid confusion over several common terms and definitions frequently used in the TEIA Convention - for example notifications of hazardous activities to neighbouring countries and notification of industrial accidents.
25. Concerning the follow-up to the Benchmarks seminar, the national experts informed that the self-assessment as was partly concluded by Kyrgyzstan, but not yet by Tajikistan. Kyrgyzstan informed that on most parameters, the country reached progress stage 5, except for the Industrial Accidents Notification system, where the country was most likely at progress stage 3. Tajikistan experts were of the opinion that their country could be approximately in the same situation.
26. The Secretariat informed the two countries that they should provide the respective self-assessments by 15 December 2011. Tajikistan informed that a new governmental rules requiring approval of reports to international conventions could delay the submission of the document.
27. The two countries would find advantageous to cooperate more together in the issues of the training session in the future. It would be very positive if one of the outcomes was a better coordination in the Region.

## VI Closing of the training session

28. The representatives of Kyrgyzstan and Tajikistan expressed their satisfaction with the regional training session and detailed discussion of the Convention's approaches to the identification of hazardous activities, including examples from

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Italy and Serbia. Participants appreciated the material made available by the international experts and the Secretariat.

30 The representative of the secretariat thanked the Ministry of Natural Resources of the Kyrgyz Republic as a formal meeting host, other Kyrgyz authorities and the delegation of the Republic of Tajikistan for productive work, interest in Convention and discussions.

31 Mr. Ermatov thanked the participants and the facilitators and closed the training session.

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