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**CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE TRANSBOUNDARY
EFFECTS OF INDUSTRIAL ACCIDENTS**

REPORT OF THE SECOND MEETING

The Conference of the Parties held its second meeting in Chisinau (Republic of Moldova) on 6-8 November 2002. The Parties to the Convention considered the first report on the Convention's implementation and took a decision on strengthening the implementation of the Convention. They considered accession/ratification of the Convention by more UNECE member countries and its practical application as priorities. They also recognized the need to assist some countries with economies in transition in their efforts to apply the Convention in practice. To this end, the Conference of the Parties entrusted the Bureau to draw up an internationally supported assistance programme, taking into account the result of a subregional workshop on the implementation of the Convention. The Conference of the Parties also considered the exchange of safety technologies and of experience on safety management systems to be an important factor in the Convention's implementation, and took a decision on this subject. Finally, it reviewed the implementation of the activities under its auspices and took a decision on the priorities, programme of work and the resources under the Convention for 2002-2004.

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Introduction

1. The second meeting of the Conference of the Parties to the UNECE Convention on the Transboundary Effects of Industrial Accidents took place in Chisinau from 6 to 8 November 2002, at the invitation of the Government of the Republic of Moldova.
2. It was attended by delegations from the following 26 UNECE member countries: Albania; Armenia; Austria; Azerbaijan; Belarus; Czech Republic; Estonia; Finland; France; Georgia; Germany; Hungary; Italy; Kazakhstan; Kyrgyzstan; Lithuania; Poland; Republic of Moldova; Romania; Russian Federation; Slovenia; Sweden; Switzerland; Ukraine; United States; and Uzbekistan.
3. The meeting was attended by a representative of the European Community; the United Nations Development Programme (UNDP); and the European Chemical Industry Council (CEFIC).

I. OPENING CEREMONY

A. Opening statements

4. Mr. Ernst Berger (Switzerland), Chairperson of the Conference of the Parties to the Convention, opened the meeting and welcomed all delegations as well as the following special guests: Ms. Svetlana Dogotaru, First Deputy Minister of Ecology, Construction and Territorial Development of the Republic of Moldova, Mr. Andrei Conisescu, Deputy Head of the Committee for Ecology and Territorial Development of the Parliament of the Republic of Moldova, and Mr. Patrice Robineau, Senior Adviser to the Executive Secretary of the United Nations Economic Commission for Europe. Ms. Dogotaru and Mr. Robineau addressed the meeting.
5. Ms. Dogotaru welcomed the participants and stated that it was an honour for her Government to host the second meeting of the Conference of the Parties in Chisinau. She stressed the importance for all UNECE member countries of cooperating to prevent industrial accidents and to respond to them efficiently. To this end, she also stated that her country was committed to actively participating in the further application of the Convention domestically and bilaterally with its neighbours and supporting international initiatives.
6. On behalf of the UNECE Executive Secretary, Mr. Robineau thanked the Government of the Republic of Moldova for hosting this important meeting and offering a highly appreciated hospitality to all participants. Mr. Robineau placed the Convention and the second meeting of its governing body in a wider context, especially with regard to the outcome of the World Summit on Sustainable Development. Its Plan of Implementation in several instances referred to the transfer of technology and an integrated approach to addressing vulnerability, risk assessment and disaster management – issues close to the Convention. He also expressed satisfaction with the fact that the governing bodies of this Convention and of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes were making use of the existing synergies between the instruments to undertake joint work on the

prevention of accidental water pollution and on civil liability for damage caused by industrial accidents. Mr. Robineau welcomed the fact that proper application of the Convention on the Transboundary Effects of Industrial Accidents, including the first report on the Convention's implementation, was high on the meeting's agenda. Acknowledging the achievements made and the experience gained so far, he fully supported further activities to assist countries, in particular some countries with economies in transition, in implementing/acceding to the Convention. In this respect, he highly valued the preparations for the subregional workshop on the implementation of the Convention for the UNECE member countries of the Caucasus and Central Asia. As the Commission's regular budgetary resources were not sufficient to implement all activities under the Convention, Mr. Robineau stated that further support from Parties and other UNECE member countries, including financial contributions towards the implementation of the work plan, would be greatly appreciated.

B. Adoption of the agenda

Document adopted:	
Agenda for the second meeting of the Conference of the Parties	ECE/CP.TEIA/6

7. The Conference of the Parties adopted the agenda for its second meeting as contained in ECE/CP.TEIA/6.

II. WORK OF THE BUREAU AND ACTIVITIES UNDER THE AUSPICES OF THE CONFERENCE OF THE PARTIES

8. Mr. Berger recalled the activities and meetings held under the auspices of the Conference of the Parties in 2001-2002, including a joint special session with the governing body of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (2-3 July 2001). He also reported on the work of the Bureau in this period.

9. The Conference of the Parties endorsed the Chairperson's report and expressed its appreciation to the officers and other Bureau members for their work and initiatives taken since its first meeting.

10. The Conference of the Parties paid tribute to Mr. Jim Makris (United States), who had passed away in August 2002. For more than ten years, he had been deeply involved in the efforts of the Economic Commission for Europe to prevent industrial accidents.

III. ELECTION OF OFFICERS AND OTHER MEMBERS OF THE BUREAU

11. The delegation of the Czech Republic reported on the results of the consultations held among the Parties to the Convention and suggested, in accordance with the rules of procedure, three delegates as officers of the Conference of the Parties and five other delegates as members of its Bureau. The delegation of Finland supported this proposal.

12. The Conference of the Parties unanimously re-elected Mr. Ernst Berger (Switzerland) as Chairperson and Mr. Jürgen Wettig (European Commission) as Vice-Chairperson, and elected Mr. Pal Popelyak (Hungary) also as Vice-Chairperson.

13. Furthermore, Mr. Evgeny Gorshkov (Russian Federation), Mr. Ulf Bjurman (Sweden), Mr. Ludwig Dinkloh (Germany) and Mr. Pietro La Grotta (Italy) were elected as Bureau members representing Parties, and Mr. Tomas Trcka (Slovakia) was elected as a Bureau member representing other UNECE countries.

14. Mr. Berger, speaking on behalf of the newly elected officers and Bureau members, thanked the representatives of all Parties for their confidence and assured them that the Bureau would do its best to ensure the implementation of their decisions.

IV. REPRESENTATION AND CREDENTIALS

15. Mr. Sergiusz Ludwiczak, Secretary of the Conference of the Parties, reported on the status of ratification of the Convention based on a note by the secretariat (CP.TEIA/2000/8). At the time of the second meeting 25 UNECE member countries and the European Community had become Parties to the Convention.

16. The Chairperson stated that 17 of the 26 Parties were represented at the second meeting of the Conference of the Parties and reported on the credentials submitted by their delegations.

17. The Conference of the Parties took note and accepted this information. It also expressed its disappointment that the following nine Parties did not attend the meeting: Bulgaria, Croatia, Denmark, Greece, Luxembourg, Monaco, Norway, Spain and the United Kingdom. The representative of the European Community pointed, with regret, to the fact that five of these countries were EU member States.

V. REVIEW OF COMPLIANCE WITH DECISION 2000/2 ON THE IMPLEMENTATION OF THE CONVENTION

Document endorsed:	
Report on the implementation of the Convention	CP.TEIA/2002/9
<u>Document adopted:</u>	
Decision 2002/1 on strengthening the implementation of the Convention	ECE/CP.TEIA/7, annex I

A. Working Group on Implementation

18. Mr. Berger recalled that the Conference of the Parties, at its first meeting, had established a Working Group on Implementation (ECE/CP.TEIA/2, annex III, decision 2000/2) to monitor the

implementation of the Convention, prepare a report on this, and draw conclusions and make recommendations.

19. Mr. Wettig, Chairman of the Working Group on Implementation, reported that the Working Group had held one meeting (Brussels, 23-24 May 2002 – report: WGI2/10 June 2002) and several consultations by means of telephone and electronic communication in order to draw up its first report on the implementation of the Convention.

B. First report on the implementation of the Convention

20. Mr. Wettig informed the Conference of the Parties on the process of reporting on implementation. Seventeen Parties and two other UNECE member countries had reported on their implementation of the Convention.^{1/} While expressing appreciation to those who had submitted reports, he also pointed out that close to a third of the Parties had not done so.

21. Mr. Wettig introduced the first report on implementation (CP.TEIA/2002/9), which had been prepared by the Working Group on the basis of 19 individual country reports, and is available on the Convention's Internet home page (<http://www.unece.org/env/teia/welcome>). He highlighted some of the key issues of the report such as: (i) the designation of competent authorities; (ii) the identification of hazardous activities; (iii) the designation of points of contact and application of the UNECE Industrial Accident Notification System; (iv) the establishment of bilateral, cross-border cooperation aimed at the prevention of, preparedness for and response to industrial accidents and mitigation of their transboundary effects.

1. Designation of competent authorities

22. All of the 17 reporting Parties met their obligation of informing the other Parties through the secretariat of the designation of competent authorities under the Convention. The Working Group considered that coordination between national competent authorities, where there was more than one, was very important. Six Parties to the Convention had not yet informed the secretariat of the designation of their competent authority under the Convention. The Conference of the Parties urged these Parties to meet this basic requirement without delay.

2. Identification of hazardous activities – decision 2000/3

23. The identification of hazardous activities – a crucial task under the Convention – was found by the Working Group to be a major problem in many countries. It stressed the need for rapid and decisive progress, and pointed out that some countries needed assistance in meeting their obligations to identify hazardous activities and to notify neighbouring countries.

^{1/} An implementation report from Denmark was received just prior to the second meeting of the Conference of the Parties, which was after the deadline, and could not be taken into account by the Working Group on Implementation when preparing its first report on the implementation of the Convention.

3. Designation of points of contact and application of the UNECE Industrial Accident Notification System – decision 2000/1

24. Mr. Wettig presented the Working Group's overview of the process of designation of points of contact for accident notification and mutual assistance, and the status of application of the UNECE Industrial Accident Notification System. The Working Group concluded that further steps should be taken to ensure that the System was most effective.

25. Mr. Ludwiczak complemented this information with the results of three recent tests of the UNECE Industrial Accident Notification System.

4. Establishment of bilateral, cross-border cooperation

26. The Working Group concluded that so far the preferred way of exchanging information had been in a multilateral context. Bilateral exchange of information was rather limited, though some countries had been active in establishing and developing bilateral cooperation.

27. The delegations of Germany and Hungary shared their experience in establishing and expanding cooperation agreements with their neighbours.

C. Strengthening the implementation of the Convention

28. The Conference of the Parties discussed in detail the first report on the implementation of the Convention. It also expressed its appreciation to the Working Group for the work it had done to prepare the report and draw conclusions and recommendations.

29. In the discussion on the findings of the report, the Parties paid special attention to the process of identifying hazardous activities and notifying neighbouring Parties. It was agreed that identification needed to be intensified and that some countries, especially those with economies in transition, would require assistance. The acceleration of the process of notifying neighbouring Parties was also strongly encouraged.

30. Some Parties also complained that the location criterion related to the water path contained in the Guidelines to facilitate the identification and notification of hazardous activities for the purposes of the Convention (ECE/CP.TEIA/2, annex IV, appendix) was too broad, so that in some countries a great number of activities would be identified as falling within the scope of the Convention, though most of them might not have the potential for transboundary effects. They suggested that a review should be undertaken and further guidance provided on this criterion, possibly under the auspices of the joint ad hoc expert group on water and industrial accidents.

31. The Conference of the Parties also discussed the overall quality of the reports. It noted great differences in quality between the submitted reports and came to the conclusion that it would be useful for the next reporting round to have access to the individual country reports in order to learn from the

good examples mentioned in the first report on implementation. The Parties decided therefore that the individual reports submitted for the first reporting round would be made available to the competent authorities – and only to them – through a password-protected site within the Convention's home page.

32. The Conference of the Parties also evaluated the reporting procedure and requested all Parties and invited other UNECE member countries to report on the implementation of the Convention in the second round and send their implementation reports to the secretariat of the Convention eight months before its third meeting. The Parties also agreed that the reporting procedure was adequate and should be used again for the second reporting round with editorial changes to ensure that the questions were well understood and elicited the expected information. The task of clarifying the reporting format was entrusted to the Working Group on Implementation, which was also asked to take into consideration other reporting activities in order to achieve maximum synergy.

33. The Conference of the Parties, taking into account the first report on the implementation of the Convention, the conclusions and recommendations of the Working Group on Implementation and the outcome of the above discussion, endorsed the first report on the implementation of the Convention and took a decision on strengthening the implementation of the Convention (decision 2002/1 – see annex I), in which it entrusted specific tasks to the Bureau and the Working Group on Implementation.

D. Election of members of the Working Group on Implementation for 2003-2004

34. According to the terms of reference of the Working Group on Implementation, the Conference of the Parties, elected ten members of the Working Group for a term lasting until its third meeting (decision 2002/1 – see annex I).

VI. REVIEW OF THE IMPLEMENTATION OF THE 2001-2002 WORK PLAN AND OF COMPLIANCE WITH OTHER DECISIONS OF THE CONFERENCE OF THE PARTIES

Documents endorsed:	
Background document for the subregional workshop on the implementation of the UNECE Convention on the Transboundary Effects of Industrial Accidents	CP.TEIA/2002/7
Progress report of the joint ad hoc expert group on water and industrial accidents	CP.TEIA/2002/11
Report on the international workshop and exercise on industrial safety and water protection in transboundary river basins	CP.TEIA/2001/6
Report on the Polish-Russian transboundary response exercise "Kotki 2002" and international seminar on preparedness for and response to industrial accidents and the mitigation of their transboundary effects	CP.TEIA/2002/4
Conclusions of the workshop on the facilitation of the exchange of safety management systems and safety technologies	CP.TEIA/2002/14, annex I
<u>Document adopted:</u>	
Decision 2002/2 on facilitating the exchange of safety technologies and of experience of safety management systems	ECE/CP.TEIA/7, annex II

A. Assistance to Parties and other UNECE member countries in implementing/ratifying the Convention

35. Ms. Aleksandryan (Armenia) provided the Conference of the Parties with information concerning the concept and preliminary organizational details of the workshop on the implementation of the Convention to be held in Erevan from 13 to 15 March 2003. Mr. Berger and Mr. Ludwiczak introduced the background paper prepared for the workshop and based on responses to a questionnaire received from some of the countries of the Caucasus and Central Asia. They also explained that each of the invited countries would be represented at the workshop by three experts representing: (i) prevention authorities; (ii) preparedness and response authorities; and (iii) a hazardous installation. They would all be invited to make presentations aimed at identifying the obstacles to acceding to the Convention or to implementing it. Invited Western speakers would share information on the Convention and on how it was applied in their countries. The workshop was also expected to draw up an internationally supported assistance programme.

36. The Conference of the Parties expressed its strong support for the concept of this workshop and looked forward to its outcome. Many delegations, including those of Germany, Italy, Poland, the Russian Federation, Sweden and the United States, expressed their interest in taking part in this event.

B. Prevention of accidental water pollution – report on progress in the work of the joint ad hoc expert group on water and industrial accidents – decision 2000/5

37. Mr. Ludwiczak introduced the progress report of the joint ad hoc expert group on water and industrial accidents on behalf of its Co-Chairmen (CP.TEIA/2002/11). He described the joint expert group's major activities and accomplishments as well as unforeseen activities at the request of the Working Group on Civil Liability. He also highlighted the joint expert group's planned activities and an assessment of the conditions under which it was currently operating.

38. The Conference of the Parties endorsed the progress report. It agreed that the joint expert group had the potential to substantially support the work carried out under both Conventions and could become an important forum for the exchange of information on issues related to the prevention of accidental pollution of transboundary waters. The Parties also expressed their willingness to meet the conditions for the further successful work of the joint expert group expressed in the progress report (para. 27).

39. The Conference of the Parties recommended that its Bureau together with the Bureau of the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) should discuss how best to support the further work of the joint ad hoc expert group.

40. The Conference of the Parties also agreed on additional requests to the joint expert group. It agreed, on condition of receiving a similar agreement from the Meeting of the Parties to the Water Convention, that the joint expert group should:

(a) Establish a common reporting scheme ^{2/} on the implementation of the conclusions and recommendations of the Hamburg seminar (CEP/WG.4/SEM.1/1999/3, annex I), adopted by both governing bodies in 2000;

(b) Evaluate individual country responses and compile a first joint implementation report to be presented to both governing bodies, possibly at a joint meeting in 2006.

41. Following the discussion on the Convention's implementation, in particular the identification of hazardous activities (see para. 30 above), the Conference of the Parties also requested the joint expert group to review and provide further guidance on the location criterion related to the water path contained in the Guidelines to facilitate the identification and notification of hazardous activities for the purposes of the Convention (ECE/CP.TEIA/2, decision 2000/3, annex IV, appendix, para. 5 (b)) with a view to possibly suggesting a limitation of this criterion, and report back to the Conference of the Parties through its Bureau.

C. Emergency preparedness and response

42. The Conference of the Parties was informed of two events, that had been held since its first meeting.

1. International workshop and exercise on industrial safety and water protection in transboundary river basins

43. The delegation of Hungary reported on the International workshop and exercise on industrial safety and water protection in transboundary river basins, which had taken place in Tiszaújváros (Hungary) on 3-5 October 2001.

2. Polish-Russian transboundary response exercise "Kotki 2002" and international seminar on preparedness for and response to industrial accidents and the mitigation of their transboundary effects

44. The delegation of Poland reported on the Polish-Russian transboundary response exercise "Kotki 2002" and international seminar on preparedness for and response to industrial accidents and the mitigation of their transboundary effects, which had taken place in Ketrzyn (Poland) on 13-15 June 2002. The delegation of the Russian Federation also commented on the positive experience of working with their Polish colleagues in preparing and conducting the joint response exercise. This event, among others, had led to the drawing-up of a bilateral agreement concerning preparedness for and response to industrial accidents or natural disasters.

^{2/} This reporting scheme would be sent by the secretariat, in 2005 to market economy countries and in 2010 to countries with economies in transition, according to the 5-year and 10-year implementation time frame.

45. The Conference of the Parties endorsed the reports on both events (CP.TEIA/2001/6 and CP.TEIA/2002/4, respectively), including their conclusions, and expressed its appreciation to the three Governments and their competent authorities for having initiated and successfully conducted the above-mentioned exercises and workshops.

46. The Conference of the Parties encouraged the organization of bilateral and multilateral response exercises because it felt that sharing experience and providing assistance in establishing and implementing preparedness and response measures were important elements of bilateral and intergovernmental activities under the Convention.

47. The delegation of Germany reported that a transboundary exercise with the Czech Republic was tentatively scheduled to take place in 2004. It would be held within the framework of the International Commission for the Protection of the Elbe and the UNECE Convention. The delegations of Sweden and the European Community also suggested that one of the European Community's civil defence exercises could be held under the framework of the Conference of the Parties.

D. Intergovernmental negotiation process to draw up a legally binding instrument on civil liability for transboundary damage caused by hazardous activities

48. Mr. Ludwiczak informed the Conference of the Parties on the follow-up of its decision to launch an intergovernmental negotiation process to draw up a new legally binding instrument on civil liability for transboundary damage caused by hazardous activities (Joint special session, 2-3 July 2001). He reported on the main decisions taken so far by the Working Group on Civil Liability, set up to draw up the instrument, including the one limiting the scope of application of the future instrument to damage due to industrial accidents with transboundary effects on transboundary waters. He also noted that the negotiations were proceeding relatively well, although there were still a few outstanding issues. The Working Group, comprising representatives of governments, industry, the insurance sector and NGOs, has already met four times and its fifth meeting was scheduled for 11-13 November 2002, at which it was expected to finalize the second reading of the draft protocol. It seemed realistic that the negotiations would be finalized in time for the draft protocol to be adopted within the framework of the fifth Ministerial Conference "Environment for Europe" on 21-23 May 2003 in Kiev (Ukraine).

49. The Conference of the Parties took note of the secretariat's progress report and welcomed the information that the negotiation was in its final stages and that the draft protocol would most likely be adopted at a joint special session of the governing bodies of the Industrial Accidents and the Water Conventions to take place during the Kiev Ministerial Conference.

50. The Conference of the Parties entrusted its Bureau to work closely with the Bureau of the Meeting of the Parties to the Water Convention and the Chairperson of the Working Group on Civil Liability to organize such a joint special session with the aim of adopting the draft protocol upon its completion.

E. Workshop on the facilitation of the exchange of safety management systems and safety technologies

51. In accordance with the work plan for the years 2001-2002 adopted by the Conference of the Parties at its first meeting, a workshop on the facilitation of the exchange of safety management systems and safety technologies had been organized. The workshop had been held in Chisinau, immediately before the second meeting of the Parties, on 4-5 November 2002 at the invitation of the Government of the Republic of Moldova. Its organization had been financed by the Government of Germany. The workshop, including a background paper, had been prepared by an open-ended group under the leadership of a representative of Germany.

52. Mr. Dinkloh, Chairman of the workshop, informed the Conference of the Parties of the outcome of the workshop on the exchange of safety management systems and safety technologies and presented the conclusions adopted by its participants (CP.TEIA/2002/14, annex I).

53. The Conference of the Parties discussed the conclusions and endorsed them. It agreed that the exchange of information, the transfer of safety technologies and the exchange of experience relating to safety management systems between Parties to the Convention were important elements of its implementation and an important factor in harmonizing safety standards throughout the UNECE region and assisting countries with economies in transition in preventing industrial accidents. The workshop was considered as a starting point for a wider programme to assist countries with economies in transition.

54. The Conference of the Parties, taking into account the workshop's conclusions, took a decision on facilitating the exchange of safety technologies and of experience of safety management systems (decision 2002/2 – see annex II), containing proposals for follow-up.

F. Reporting on past industrial accidents – decision 2000/4

55. Mr. Ludwiczak recalled decision 2000/4 on the reporting of past industrial accidents and informed the Conference of the Parties that the UNECE Past Industrial Accident Reporting System was now fully operational. All practical arrangements between UNECE and the European Commission's Directorate General – Joint Research Centre had been finalized. Parties had been invited to nominate a contact person responsible for reporting past industrial accidents. Only four Parties had replied so far. No industrial accidents had yet been reported to the System.

VII. PLAN OF ACTION UNDER THE CONVENTION

Document endorsed:	
Note by the secretariat: The use of financial resources under the Convention in 2001-2002	CP.TEIA/2002/12
<u>Document adopted:</u>	
Decision 2002/3 on the priorities, programme of work and resources under the Convention for 2003-2004	ECE/CP.TEIA/7, annex III

56. For consideration of this item, the Conference of the Parties had before it a draft decision on the priorities, programme of work and resources under the Convention (CP.TEIA/2002/13), endorsed by the Bureau.

A. Priorities and programme of work

57. The Conference of the Parties considered its long-term programme of work under the Convention. It entrusted the Bureau, with the assistance of the secretariat, to amend the text according to the discussions held and decisions taken under previous agenda items. The long-term programme of work is contained in annex III, appendix I, Part One.

58. The Conference of the Parties also agreed on the priorities for future activities as contained in decision 2002/3, paragraph 1 – see annex III.

59. The Conference of the Parties, based on the above priorities, also decided on specific intergovernmental activities and included them in the work plan under the Convention for 2003-2004. Moreover, it welcomed Slovakia's willingness to explore the possibility of organizing a consultation of the points of contact within the UNECE Industrial Accident Notification System. As with the long-term programme, the Conference of the Parties entrusted the Bureau with the assistance of the secretariat to amend the work plan according to the discussions held and decisions taken under previous agenda items and the new proposals for specific activities made by delegations under this item. The work plan for 2003-2004 is contained in annex III, appendix I, Part Two.

B. Resources

60. Mr. Ludwiczak reported on the use of resources under the Convention in 2001-2002 on the basis of a note (CP.TEIA/2002/12). He mentioned all the financial contributions and the contributions in kind made by the Parties and other UNECE member countries to the trust fund under the Convention and/or to specific activities carried out in 2001-2002 expressing appreciation on behalf of the UNECE secretariat. He also explained the expenditures that were covered from the trust fund within this period.

61. The Conference of the Parties welcomed this transparent information and endorsed the secretariat's report on the use of financial resources under the Convention in 2001-2002.

62. The UNECE secretariat informed the Conference of the Parties that its resources were not sufficient to implement and support all the programme elements in the work plan for the years 2003-2004. Therefore, its full implementation would require extrabudgetary funds. The Parties present and other UNECE member countries were invited to consider supporting the activities under the Convention financially and/or in kind.

63. The delegation of Switzerland pledged 50,000 Swiss francs to support the implementation of the work plan under the Convention. The representative of the European Commission stated that it would explore the possibility of making a financial contribution or a contribution in kind as well.

64. The Conference of the Parties welcomed these pledges and expressed its gratitude to the donors.

65. The Conference of the Parties also decided on the funding arrangements under the Convention and the budget to facilitate the implementation of the 2003-2004 work plan (annex III, appendix II) as well as the criteria for financial support for experts from countries with economies in transition attending meetings held under its auspices (annex III, appendix III).

C. Decision on the priorities, programme of work and resources under the Convention for 2003-2004

66. The Conference of the Parties adopted decision 2002/3 on the priorities, programme of work and resources under the Convention for 2003-2004 (see annex III).

**VIII. DATE AND VENUE OF THE THIRD MEETING
OF THE CONFERENCE OF THE PARTIES**

67. Mr. Popelyak informed the Conference of the Parties of the invitation of the Government of Hungary to hold its third meeting in Budapest.

68. The Conference of the Parties expressed its gratitude to the delegation of Hungary for its kind offer. Recalling article 18, paragraph 1, of the Convention, in particular the possibility of holding a meeting of the Conference of the Parties at the written request of any Party, and the terms of reference of its Bureau (ECE/CP.TEIA/2, annex I), in particular paragraphs 1 and 2 (c), and stressing the need to use human and financial resources, including those of the UNECE secretariat, efficiently, the Parties to the Convention decided unanimously to hold the third ordinary meeting of the Conference of the Parties in Budapest in the second half of 2004.

69. The delegations of Finland and Sweden suggested that the Conference of the Parties, at its next meeting should revisit article 18, paragraph 1, of the Convention with a view of possibly amending the Convention. The mentioned delegations should take the necessary steps to initiate such a process.

IX. OTHER BUSINESS

70. Mr. Gheorghe Duca, Minister of Ecology, Construction and Territorial Planning of the Republic of Moldova, addressed the Meeting. He underlined the importance that his Government attached to issues of sustainable development and the protection of man and the environment, including the prevention of industrial accidents. In particular, he expressed the hope that, through this multilateral process within the framework of the Convention, the concept of industrial accident prevention would be applied and enforced in as many countries as possible. Mr. Duca expressed his personal satisfaction that the Parties had accepted his country's invitation to hold this meeting in Chisinau. He also thanked the Government of Italy for supporting the organization of this meeting.

X. REVIEW OF DECISIONS

71. The Chairperson summed up all the decisions taken by the Conference of the Parties at its second meeting. The Conference of the Parties entrusted the UNECE secretariat, in consultation with the Bureau, with finalizing the report of its second meeting.

XI. CLOSING OF THE MEETING

72. The Chairperson, Mr. Berger, speaking on behalf of all delegations and the secretariat, expressed his appreciation to the Government of the Republic of Moldova for hosting the second meeting of the Conference of the Parties in Chisinau and thanked its representatives for the excellent arrangements made for the meeting itself and the side events. He also thanked the Government of Italy for providing financial resources to organize the meeting and support the participation of experts from the eligible countries with economies in transition.

73. Mr. Berger thanked the representatives of the Parties and the other UNECE member countries for their active participation in the meeting. He also expressed his appreciation to the UNECE secretariat for its active role in preparing and conducting the meeting. Speaking also on behalf of the Bureau, he expressed the hope that all the UNECE member countries would take part in implementing the work plan under the Convention in the coming two years. He then closed the second meeting of the Conference of the Parties.

Annex I**DECISION 2002/1
ON STRENGTHENING THE IMPLEMENTATION OF THE CONVENTION****The Conference of the Parties,**

Recalling the provisions of articles 18 and 23 of the UNECE Convention on the Transboundary Effects of Industrial Accidents,

Recognizing that seventeen Parties and two other UNECE member countries reported on the implementation of the Convention according to its decision 2000/2,

Acknowledging the work done by the Working Group on Implementation to facilitate the review of the implementation of the Convention, including the analysis of the responses from the different countries and the compilation of the “First report on the implementation of the Convention”,

1. Endorses the “First report on the implementation of the Convention” as prepared and submitted by the Working Group on Implementation (CP.TEIA/2002/9);
2. Invites the Executive Secretary of the United Nations Economic Commission for Europe, with the support of the Chairperson of the Conference of the Parties, to contact the Governments of those Parties that have not submitted a report, i.e. Albania, Greece, Lithuania, Luxembourg, Monaco and Spain, in order to urge them to comply with their reporting obligations under the Convention;
3. Encourages in particular the member States of the European Union and the EU candidate countries that are not yet Parties to ratify or accede to the Convention and to implement it as soon as possible, as compliance with the “Seveso II” Directive in practice also implies, to a large extent, compliance with the Convention;
4. Requests all Parties to assign the highest priority to the identification, and notification to all potentially affected Parties, of the hazardous activities within their jurisdiction as a starting point for effective cooperation between neighbouring Parties;
5. Entrusts:
 - (a) The Bureau, together with the Working Group on Implementation, with undertaking initiatives to facilitate the implementation of the Convention, in particular in the fields highlighted in the “First report on the implementation of the Convention”, such as in: (i) collecting data on hazardous substances at hazardous activities; (ii) identifying hazardous activities, (iii) notifying neighbouring Parties, (iv) establishing bilateral cooperation, and (v) informing the public and enabling it to participate as required by the Convention;

(b) The Working Group on Implementation with clarifying the reporting format to be used for the next period of reporting by providing guidance on certain questions and taking into consideration other reporting activities in order to achieve maximum synergy;

(c) The Bureau, together with the Working Group on Implementation with drawing up a needs-driven internationally supported assistance programme, comprising partnership arrangements, workshops, training sessions and/or exchange of experts, to help countries with economies in transition, in particular the countries of the Caucasus and Central Asia, in acceding to and applying the Convention;

6. Requests:

(a) The joint ad hoc expert group on water and industrial accidents to review, and provide further guidance on, the location criterion related to the water path contained in the Guidelines to facilitate the identification and notification of hazardous activities for the purposes of the Convention (ECE/CP.TEIA/2, annex IV, appendix);

(b) The Bureau to make appropriate arrangements with the Bureau of the Meeting of the Parties to the Water Convention concerning the above request;

(c) The Convention's secretariat to coordinate testing of the UNECE Industrial Accident Notification System and to organize a consultation among the points of contact within its framework;

(d) The Convention's secretariat to make available individual country implementation reports through a password-protected site within the Convention's Internet home page for access and use by the competent authorities;

7. Elects, on the basis of nominations by the Parties, the following persons to serve as members of the Working Group on Implementation until the third meeting of the Conference of the Parties: Ms. A. Aleksandryan (Armenia), Mr. E. Malasek (Czech Republic), Mr. L. Iberl (Germany), Mr. L. Katai-Urban (Hungary), Mr. C. Piacente (Italy), Mr. S. Galitchi (Republic of Moldova), Ms. J. Karba (Slovenia), Mr. U. Bjurman (Sweden), Mr. B. Gay (Switzerland), and Mr. J. Wettig (European Commission).

Annex II

**DECISION 2002/2
ON FACILITATING THE EXCHANGE OF SAFETY TECHNOLOGIES AND OF
EXPERIENCE OF SAFETY MANAGEMENT SYSTEMS**

The Conference of the Parties,

Recognizing that especially the countries with economies in transition need the transfer of know-how on both technological safety measures and organizational capabilities to improve production efficiency and risk management,

Acknowledging the importance of creating favourable conditions for the required transfer of technology and for encouraging potential outside investors,

Taking note of the conclusions of the Workshop on the Facilitation of the Exchange of Safety Management Systems and Safety Technologies, held within its framework on 4-5 November 2002 in Chisinau (Republic of Moldova),

1. Encourages Parties and other UNECE member countries to:
 - (a) Promote the recognition and application of harmonized technical standards and guidelines on safety in order to reduce trade barriers among them;
 - (b) Support efforts to introduce modern technology step by step in old hazardous establishments which are of great importance for the economy and employment in countries with economies in transition;
 - (c) Promote the introduction of strategic programmes for the implementation of safety management systems and clean technology;
 - (d) Take steps to organize regular meetings and round tables of national and international experts, e.g. experts from selected branches of industry or different regions with common interests;
2. Invites Parties and other UNECE member countries to take the leadership for further workshops relevant to the exchange of information and experience of safety technologies and safety management systems in order to facilitate their introduction and application;

3. Entrusts the Bureau with:

(a) Developing partnerships for training programmes and exchanges of experts on different levels, involving also the business community with the aim, among other things, of establishing industry organizations, in order to create a self-sustaining capacity and capability;

(b) Enhancing cooperation with international financial institutions and the European Union to facilitate the use of existing financing instruments and initiate new programmes to introduce safety management systems and the best available technologies in hazardous activities in countries with economies in transition.

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Annex III**DECISION 2002/3
ON THE PRIORITIES, PROGRAMME OF WORK AND RESOURCES
UNDER THE CONVENTION FOR 2003-2004**

The Conference of the Parties,

Recalling the provisions of articles 18, paragraph 2 (b) and (c), and 4, and annex XII to the UNECE Convention on the Transboundary Effects of Industrial Accidents,

Bearing in mind its decisions on strengthening the implementation of the Convention and on facilitating the exchange of safety technologies and of experience of safety management systems,

Recognizing that the successful implementation of the Convention and the work plan within its framework depends on adequate administrative and financial resources,

1. Sets the following priorities for its future activities:

(a) Provision of assistance to Parties in implementing the provisions of the Convention and to other UNECE member countries in ratifying or acceding to it so that as many as possible do so as soon as possible;

(b) Acceleration of the identification and notification of hazardous activities for the purpose of the Convention;

(c) Finalization of negotiations of a legally binding instrument on civil liability for transboundary damage caused by hazardous activities;

(d) Promotion of measures to prevent industrial accidents, especially accidental water pollution, thus protecting the public and the environment;

(e) Promotion of bilateral cooperation under the Convention, in particular in implementing preparedness and response measures;

(f) Improvement of the efficiency of the UNECE Industrial Accident Notification System;

(g) Encouragement of reporting of past industrial accidents and their analysis;

2. Adopts the programme of work under the Convention, including the updated long-term programme of work as set out in appendix I, Part One, and the work plan for 2003-2004 as

set out in appendix I, Part Two, to this decision;

3. Requests the Parties and invites Governments of other UNECE member countries to actively participate in the implementation of the work plan for 2003-2004 and to take the lead in specific projects within the work plan;

4. Decides that the Parties will contribute financially and/or in kind to the budget of the Convention on a voluntary basis and recommends them to make their contributions as soon as possible;

5. Invites other UNECE member countries to contribute to this budget as well;

6. Welcomes the contribution of 50,000 Swiss francs to the budget pledged by Switzerland;

7. Accepts the secretariat's report on the use of financial resources under the Convention in 2001-2002 (CP.TEIA/2002/12) and adopts the budget of the Convention for the 2003-2004 period as set out in appendix II to this decision;

8. Endorses the guiding principles for financial assistance to support the participation of experts and representatives from countries with economies in transition in meetings organized within the framework of the Conference of the Parties, depending on the availability of funds, as set out in appendix III to this decision;

9. Invites the Executive Secretary of UNECE, strengthened with additional extrabudgetary resources, to continue to provide secretariat support for the tasks outlined in the work plan for 2003-2004;

10. Requests the UNECE secretariat to manage the voluntary financial contributions in agreement with the donor countries/institutions;

11. Requests the Bureau, with the support of the UNECE secretariat, to draw up a budget for the next two-year period for adoption at the third meeting of the Conference of the Parties.

Appendix I

PROGRAMME OF WORK UNDER THE CONVENTION

Introduction

The present appendix sets out the long-term programme of work (Part One) as well as the work plan for the years 2003-2004 (Part Two) under the UNECE Convention on the Transboundary Effects of Industrial Accidents. The Conference of the Parties agreed that when implementing the long-term programme of work and the work plan for 2003-2004 the work done by other international organizations should be duly considered with a view to developing synergies and avoiding duplication of efforts.

Part One

LONG-TERM PROGRAMME OF WORK

The following long-term programme of work contains the intergovernmental tasks either provided for in the Convention or proposed by the Conference of the Parties at its first and second meetings.

PROGRAMME AREA 1: Monitoring of and assistance in the implementation of the Convention

1.1 Implementation of the Convention

Description: The Parties are to establish or designate one or more competent authorities for the purposes of the Convention (art. 17, para. 1). They also have to implement the Convention without undue delay and report on its implementation (art. 23). The Conference of the Parties will regularly review the implementation of the Convention (art. 18, para. 2 (a)). Other UNECE member countries are encouraged to ratify the Convention or accede to it as soon as possible and to report on its implementation using the same reporting format.

Work accomplished: The UNECE secretariat maintained an up-to-date list of competent authorities and made it available on the Convention's Internet home page (<http://www.unece.org/env/teia/authorities>). The Conference of the Parties, at its first meeting, established the Working Group on Implementation to assist the Conference in monitoring and reviewing the implementation of the Convention by the Parties and approved a reporting format to be used by Parties and other UNECE member countries (ECE/CP.TEIA/2, annex III, decision 2000/2 on the implementation of the Convention). With the assistance of the secretariat and based on individual country implementation reports, the Working Group on Implementation prepared the first

report on the implementation of the Convention. The Working Group also prepared a draft decision on strengthening the implementation of the Convention containing recommendations drawn up on the basis of the report. The Conference of the Parties discussed the current status of the Convention's implementation and adopted decision 2002/1 on strengthening the implementation of the Convention at its second meeting.

Work to be undertaken: The UNECE secretariat will continue to maintain an up-to-date list of competent authorities. The Working Group on Implementation will further monitor the implementation of the Convention. On the basis of the individual country implementation reports submitted by the Parties and other UNECE member countries wishing to do so, the Working Group will, with the assistance of the UNECE secretariat, prepare further reports on the implementation of the Convention, draw conclusions from these reports, make draft recommendations to strengthen its implementation and submit these to the Conference of the Parties for discussion and adoption. The Working Group's reports on implementation will be publicly available on the Convention's Internet home page and the individual country reports will be available only to competent authorities through a password-protected site.

1.2 Assistance to Parties in implementing the Convention and to Signatories and other UNECE member countries wishing to become a Party in ratifying the Convention

Description: The Parties and other UNECE member countries are invited to report on the difficulties they have encountered in the implementation of the Convention or in its accession/ratification. They will do this within the framework of their individual country implementation reports. The Conference of the Parties will identify obstacles in the implementation of the Convention and in the accession/ratification processes and provide the necessary assistance wherever possible and requested.

Work accomplished: A background document for the subregional workshop on the implementation of the Convention (originally scheduled for 19-21 September 2002, postponed until 13-15 March 2003) was prepared on the basis of replies from some newly independent States (NIS) to a questionnaire designed for this purpose. The Conference of the Parties discussed the background document for the workshop and endorsed it at its second meeting.

Work to be undertaken: A subregional workshop on the implementation of the Convention will be held on 13-15 March 2003. The Bureau together with the Working Group on Implementation will continue to review the needs and difficulties of countries, in particular those with economies in transition, and will facilitate the provision of assistance wherever possible. Further workshops and seminars to facilitate the implementation and/or accession/ratification of the Convention will be organized at the request of a country or group of countries.

PROGRAMME AREA 2: Scope of the Convention

2.1 Hazardous substances

Description: Annex I to the Convention defines categories of substances and preparations (part I) and named substances (part II) and their quantities for the purpose of defining hazardous activities under the Convention.

Work accomplished: Expert work was completed at the European Community level, in cooperation with UNECE, to re-evaluate the threshold quantities of substances “dangerous for the environment”.

Work to be undertaken: The Conference of the Parties will discuss the recommendations of the European Community’s Technical Working Group 7 (operating in the UNECE context as well) concerning possible modifications to annex I to the Convention, possibly at its third meeting. According to annex XII, paragraph 1 (c), to the Convention, information on hazardous substances including their relevant characteristics and information on how to deal with them will be made widely available. Furthermore, according to paragraph 1 (f) of the same annex, a list of hazardous substances covered by annex I, part I, will be established and made widely available.

2.2 Hazardous activities

Description: According to article 4, paragraph 1, of the Convention, Parties are to identify any proposed or existing hazardous activities that are capable of causing transboundary effects in case of an accident and to notify potentially affected Parties of such activities.

Work accomplished: In order to ensure that all Parties take the same approach when identifying hazardous activities, pragmatic guidelines have been drawn up. Following article 18, paragraph 6, the Conference of the Parties adopted them at its first meeting (ECE/CP.TEIA/2, annex IV, decision 2000/3 on the guidelines to facilitate the identification of hazardous activities for the purposes of the Convention). A number of Parties notified their neighbouring countries of these hazardous activities and reported them within their implementation reports.

Work to be undertaken: The water-path-related criterion for the purpose of identifying hazardous activities capable of causing transboundary effects on transboundary waters contained in the Guidelines to facilitate the identification of hazardous activities for the purpose of the Convention (ECE/CP.TEIA/2, decision 2000/3, annex IV, appendix, paragraph 5 (b)) will be reviewed by the joint ad hoc expert group on water and industrial accidents with a view to possibly suggesting a limitation of this criterion. Information on hazardous activities will be maintained by the Working Group on Implementation, with the assistance of the secretariat, on the basis of the individual country implementation reports and made available to competent authorities through a password-protected

site on the Convention's Internet home page. A map showing the locations of the hazardous activities may be produced at a later stage.

PROGRAMME AREA 3: Prevention of industrial accidents

3.1 Prevention of accidental water pollution

Description: According to article 6, paragraph 1, of the Convention, the Parties are required to take appropriate measures to prevent industrial accidents. According to paragraph 2 of the same article, they are also obliged to see that operators of hazardous activities take action to reduce the risk of industrial accidents and demonstrate the safe performance of such activities. The Parties to the Industrial Accidents and the Water Conventions agreed to cooperate closely on issues related to the prevention of accidental pollution of transboundary waters. Cooperation with the business sector will be strengthened, for instance by organizing joint workshops, seminars and study tours.

Work accomplished: The joint ad hoc group of experts on water and industrial accidents continued its work concentrating on the prevention of accidental water pollution, as jointly decided by the Conference of the Parties and the Meeting of the Parties to the Water Convention. The expert group's work programme was agreed on by the Conference of the Parties at its first meeting (ECE/CP.TEIA/2, annex VI, decision 2000/5 on the prevention of accidental water pollution, paragraph 7). The Conference of the Parties, at its second meeting, endorsed the group's progress report.

Work to be undertaken: The Conference of the Parties, together with the Meeting of the Parties to the Water Convention, will review the implementation of the conclusions and recommendations of the Hamburg seminar (CEP/WG.4/SEM.1/1999/3, annex I) with the assistance of the joint ad hoc expert group on water and industrial accidents. A common reporting scheme will be developed by the group, which will evaluate the responses and prepare an implementation report. The Conference of the Parties, with the assistance of the joint ad hoc expert group, will promote policies and best practices aimed at increasing the safety of industrial operations, in particular hazardous activities, through the sharing of experience and will facilitate the provision of technical assistance, especially to countries with economies in transition.

PROGRAMME AREA 4: Points of contact and industrial accident notification

4.1 UNECE Industrial Accident Notification System

Description: According to article 17, paragraphs 2 and 3, the Parties are requested to designate or establish one point of contact for industrial accident notification and one for mutual assistance. These points of contact should preferably be the same. Parties are also to notify other Parties through the UNECE secretariat within three months of the date of entry into force of the Convention which bodies have been designated as points of contact.

According to article 17, paragraph 4, the Parties have to notify other Parties through the UNECE secretariat of any changes in the contact details of their points of contact within one month of such decision. Other UNECE member countries that have not yet designated or established a point of contact are invited to do so as soon as possible and notify the secretariat accordingly. An up-to-date list of points of contact is available with restricted access on the Convention's Internet home page.

Work accomplished: In order to make the notification procedure between the points of contact as efficient as possible and in accordance with articles 10, 12 and 17 as well as annex XII, paragraph 1 (a), to the Convention, the UNECE Industrial Accident Notification System (CP.TEIA/2000/5) was developed under the auspices of the Meeting of the Signatories. The Conference of the Parties accepted it at its first meeting for notifying, at the national level, a major accident, which causes or is capable of causing transboundary effects or an imminent threat thereof (ECE/CP.TEIA/2, annex II, decision 2000/1 on the UNECE Industrial Accident Notification System). Thirty-seven UNECE member countries and the European Commission have so far designated points of contact. The UNECE secretariat maintained an up-to-date list of the points of contact and made it available with restricted access on the Convention's Internet home page (<http://www.unece.org/env/teia/contact>). The UNECE System was tested twice in 2001, by Croatia and Hungary.

Work to be undertaken: The UNECE secretariat will continue to update the list of points of contact and keep it available with restricted access on the Convention's Internet home page. According to annex IX, paragraph 4, to the Convention, the UNECE System will further be periodically tested and reviewed to ensure that it is operational at all times. Furthermore, a manual for the points of contact will be developed. Cooperation with other institutions operating notification and alarm systems, in particular with systems developed and operational within the framework of the Water Convention, will be established to ensure the most effective flow of information and achieve better harmonization. Training of the personnel of points of contact will be continued, in accordance with annex IX, paragraph 4, to the Convention. The above tasks will be carried out as part of consultations of the points of contact. Reports on the consultations of the points of contact and on their work will be made available to the Conference of the Parties.

PROGRAMME AREA 5: Emergency preparedness, response and mutual assistance

5.1 Emergency preparedness and response

Description: According to article 8, paragraph 1, the Parties have to establish and maintain adequate measures to respond to industrial accidents and to mitigate the transboundary effects of such accidents. Furthermore, the Parties are required to prepare and implement on- and off-site contingency plans and provide information on them to each other in order to make the latter compatible, in accordance with article 8, paragraphs 2 to 4. Furthermore, according to article 10,

paragraph 3, and article 11, paragraph 1, the Parties are required to activate response measures and contingency plans in the event of an industrial accident.

Work accomplished: The Conference of the Parties and the joint ad hoc expert group on water and industrial accidents promoted cooperation between Parties, and in particular, the sharing of experience in implementing preparedness and response measures. To this end, two response exercises were held under the joint auspices of the Conference of the Parties and the Meeting of the Parties to the Water Convention. Both practical events were supplemented by lectures: (i) International workshop and exercise on industrial safety and water protection in transboundary river basins - Tiszaújváros (Hungary), 3-5 October 2001 (Report: CP.TEIA/2001/6 – MP.WAT/WG.1/2001/4); and (ii) Polish-Russian transboundary response exercise “Kotki 2002” and the international seminar on the preparedness for and response to industrial accidents and the mitigation of their transboundary effects – Ketrzyn (Poland), 13-15 June 2002 (Report: CP.TEIA/2002/4-MP.WAT/WG.1/2000/3). The Conference of the Parties endorsed the conclusions contained in the reports of both events at its second meeting.

Work to be undertaken: Experience will be further shared and assistance provided in establishing and implementing preparedness and response measures. The organization of further bilateral and multilateral response exercises will be encouraged and supported.

5.2 Provision of mutual assistance

Description: According to article 12 of the Convention, Parties may ask for assistance from other Parties in the event of an industrial accident. A Party to whom a request is directed shall promptly decide whether it is in a position to render the assistance and inform the requesting Party accordingly.

Work to be undertaken: According to article 18, paragraph 2 (b), the Conference of the Parties shall facilitate the provision of technical assistance and advice at the request of Parties faced with industrial accidents. The Conference of the Parties may also decide to strengthen cooperation with other international organizations and institutions, and in particular with the Joint UNEP/OCHA Environment Unit, with a view to better coordinating and harmonizing assistance procedures.

PROGRAMME AREA 6: Responsibility and liability

6.1 Responsibility and liability regime

Description: According to article 13 of the Convention, Parties shall support appropriate international efforts to draw up rules, criteria and procedures in the field of responsibility and liability.

Work accomplished: In 2000, following the accident at Baia Mare (Romania), the delegation of Switzerland proposed to launch negotiations of a protocol on civil liability to both the

UNECE Industrial Accidents and the Water Conventions. At their second meeting, the Parties to the Water Convention (on 23-25 March 2000) entrusted a task force on legal and administrative aspects to draw up a report identifying gaps in multilateral legislation on responsibility and liability and suggesting possible ways of bridging these gaps. Based on the findings of this report, the Conference of the Parties, at its first meeting, stressed the need for an appropriate regime, including a legally binding instrument, in the UNECE region on civil liability for damage caused by hazardous activities within the scope of both Conventions. The Conference of the Parties also entrusted its Bureau to work closely with the Bureau of the Meeting of the Parties to the Water Convention to prepare a joint special session of the governing bodies in 2001 with a view to considering entering into a negotiation process (ECE/CP.TEIA/2, annex VII, decision 2000/6 on responsibility and liability). At their joint special session, held at Geneva on 2-3 July 2001, the two governing bodies decided to launch an intergovernmental negotiation process to draw up a legally binding instrument for transboundary damage caused by hazardous activities within the framework of both Conventions. To this end, the Parties established an Intergovernmental Working Group on Civil Liability (ECE/MP.WAT/7 - ECE/CP.TEIA/5). The negotiation process to draw up the instrument, with a scope of application limited to damage due to an industrial accident occurring at a hazardous activity having caused transboundary effects on transboundary waters, is near completion. The Working Group has held four negotiation meetings so far.

Work to be undertaken: Finalization of negotiations to draw up a legally binding instrument on civil liability for transboundary damage caused by hazardous activities within the scope of the UNECE Industrial Accidents and the Water Conventions. Submission of the draft instrument to the governing bodies of the two Conventions at a special joint session for its adoption.

PROGRAMME AREA 7: Scientific and technological cooperation

7.1 Exchange of information and safety technologies

Description: According to articles 14, 15 and 16 of the Convention, the Parties shall initiate and cooperate in research and development of technologies for the prevention of, preparedness for and response to industrial accidents; exchange reasonably obtainable information; and facilitate the exchange of the above technologies.

Work accomplished: The Conference of the Parties promoted the exchange of information, safety management systems and safety technologies between Parties and other UNECE member countries. At its second meeting, the Parties considered procedures to create more favourable conditions for such exchange, according to article 18, paragraph 5, of the Convention, and endorsed the conclusions drawn by participants of the workshop on the facilitation of the exchange of safety management systems and safety technologies. The workshop was held in Chisinau (Republic of Moldova) on 4-5 November 2002, immediately before the meeting of the Conference.

Work to be undertaken: The Conference of the Parties will further promote multilateral and bilateral cooperation aimed at facilitating the exchange of information and safety technologies among the Parties to the Convention. It will also promote education and training on the application of preventive, preparedness and response measures by means of workshops, seminars and training sessions.

According to annex XII, paragraph 1 (d), to the Convention, a register of institutions and experts capable of providing assistance regarding preventive, preparedness and response measures will be established. The Conference of the Parties may take measures to inspect hazardous activities and provide assistance in organizing national inspections by these institutions and experts, at the request of a Party, in accordance with annex XII, paragraph 3 (b), to the Convention.

PROGRAMME AREA 8: Past industrial accidents

8.1 Reporting of past industrial accidents

Description: In accordance with annex XII, paragraphs 1 (b) and 2 (a), to the Convention, a data bank for the reception, processing and distribution of information on past industrial accidents should be established and maintained.

Work accomplished: The Conference of the Parties established the UNECE Past Industrial Accident Reporting System to be used by Parties and other UNECE member countries when reporting past industrial accidents with transboundary effects. Furthermore, the Conference accepted the proposal of the European Commission to make available the UNECE Past Industrial Accident Reporting System and operate it within the framework of its existing EU-Major Accident Reporting System (MARS). To this end, the terms of reference for the cooperation between the United Nations Economic Commission for Europe and the European Commission's Directorate General – Joint Research Centre (DG-JRC) were adopted (ECE/CP.TEIA/2, annex V, decision 2000/4 on the reporting of past industrial accidents).

Work to be undertaken: The Parties to the Convention, as well as other UNECE member countries wishing to do so, will designate contact persons responsible for reporting on past industrial accidents. The necessary software support will be provided to them by the Major Accident Hazards Bureau of the DG-JRC. Parties and other UNECE member countries will report on industrial accidents with transboundary effects using the UNECE Past Industrial Accident Reporting System. The Conference of the Parties will periodically review the process of reporting past industrial accidents as well as the conclusions drawn and lessons learnt from these accidents on the basis of reports prepared by the Major Accident Hazards Bureau. Information on past industrial accidents will be made available to all UNECE member countries in order to strengthen the prevention, preparedness and response to industrial accidents.

Part Two**WORK PLAN FOR THE YEARS 2003-2004**

The following are specific programme elements selected from the long-term programme of work (Part One) as priority tasks to be implemented in the period between the second and third meetings of the Conference of the Parties (2003-2004).

PROGRAMME AREA 1: Monitoring of and assistance in the implementation of the Convention**1.1 Implementation of the Convention**

- 1.1.1 Maintenance of the list of competent authorities available on the Convention's Internet home page (UNECE secretariat);
- 1.1.2 Placement of the first report on the implementation of the Convention on the Convention's Internet home page and creation of a password-protected site to place individual country reports (UNECE secretariat);
- 1.1.3 Preparation of the second report on the implementation of the Convention. (Working Group on Implementation);
- 1.1.4 Drawing-up of draft conclusions and recommendations to strengthen the implementation of the Convention on the basis of the report on the Convention's implementation (Working Group on Implementation).

1.2 Assistance to Parties in implementing the Convention and to Signatories and other UNECE member countries wishing to become a Party in ratifying the Convention

- 1.2.1 Organization of the subregional workshop on the implementation of the Convention (Erevan, Armenia, 13-15 March 2003). (Armenia/Bureau/Working Group on Implementation/UNECE secretariat);
- 1.2.2 Drawing-up a needs-driven assistance programme to help countries in transition in acceding to and applying the Convention (Bureau/Working Group on Implementation/UNECE secretariat).

PROGRAMME AREA 2: Scope of the Convention

2.1 Hazardous activities

- 2.1.1 Maintenance of information on hazardous activities on a password-protected site within the Convention's Internet home page (Working Group on Implementation/UNECE secretariat);
- 2.1.2 Review the water-path-related criterion for the purpose of identifying hazardous activities capable of causing transboundary effects on transboundary waters (Joint ad hoc expert group on water and industrial accidents).

PROGRAMME AREA 3: Prevention of industrial accidents

3.1 Prevention of accidental water pollution

- 3.1.1 Continuation of work on the prevention of accidental water pollution as specified in decision 2000/5 on the prevention of accidental water pollution (ECE/CP.TEIA/2, annex VI) (Joint ad hoc expert group on water and industrial accidents);
- 3.1.2 Drawing-up of a reporting scheme on the implementation of the conclusions and recommendations of the Hamburg seminar (CEP/WG.4/SEM.1/1999/3, annex I) (Joint ad hoc expert group on water and industrial accidents).

PROGRAMME AREA 4: Points of contact and industrial accident notification

4.1 UNECE Industrial Accident Notification System

- 4.1.1 Maintenance of the list of points of contact (UNECE secretariat/points of contact);
- 4.1.2 Testing of the UNECE Industrial Accident Notification System (European Community/points of contact/UNECE secretariat);
- 4.1.3 Review of the System and organization of consultations/training sessions for the personnel of points of contact (Slovakia/points of contact/ UNECE secretariat);
- 4.1.4 Facilitate the harmonization of the UNECE System with notification and alarm systems under the Water Convention (points of contact/Joint ad hoc expert group on water and industrial accidents/UNECE secretariat).

PROGRAMME AREA 5: Emergency preparedness, response and mutual assistance

5.1 Emergency preparedness and response

- 5.1.1 Organization of transboundary response exercises to a simulated industrial accident (Germany/Czech Republic/European Commission/UNECE secretariat).

PROGRAMME AREA 6: Responsibility and liability

6.1 Responsibility and liability regime

- 6.1.1 Finalization of negotiations to draw up a legally binding instrument on civil liability for transboundary damage caused by hazardous activities within the scope of the UNECE Industrial Accidents and Water Conventions. (Intergovernmental Working Group on Civil Liability/UNECE secretariat);
- 6.1.2 Organization of a joint special session of the two governing bodies to adopt the draft protocol upon its completion (Bureau/UNECE secretariat).

PROGRAMME AREA 7: Scientific and technological cooperation

7.1 Exchange of information and safety technologies

- 7.1.1 Initiation of country partnerships, training programmes and exchange of experts and enhancement of cooperation with international financial institutions and the European Union in this respect (Bureau);
- 7.1.2 Organization of a training programme for experts from countries with economies in transition enhancing their knowledge and expertise in implementing safety measures (Germany);
- 7.1.3 Establishment of a register of institutions and experts capable of providing assistance regarding preventive, preparedness and response measures (UNECE secretariat).

PROGRAMME AREA 8: Past industrial accidents

8.1 Reporting of past industrial accidents

- 8.1.1 Operation of the UNECE Past Industrial Accident Reporting System within the framework of the existing EU-Major Accident Reporting System (MARS) and

distribution of information on past industrial accidents (Major Accident Hazards Bureau/UNECE secretariat).

Appendix II
Resource requirements for 2003-2004

No. a/	Programme area/element/activity	Lead country/institution supporting countries/institutions	Contributions	Expected budget	Expected output
1.	Monitoring of and assistance in the implementation of the Convention				
1.1	Implementation of the Convention				
1.1.1	Maintenance of the list of competent authorities available on the Convention's Internet home page	UNECE secretariat			List of competent authorities on the Internet
1.1.2	Placement of the first report on the implementation of the Convention on the Convention's Internet home page and creation of a password-protected site to place individual country reports	UNECE secretariat			Implementation reports on the Internet
1.1.3	Preparation of the second report on the implementation of the Convention	Working Group on Implementation	To be arranged by the Working Group	€10,000	Second report on the implementation of the Convention
1.1.4	Drawing-up of conclusions and recommendations to strengthen the implementation of the Convention on the basis of the report on the Convention's implementation	Working Group on Implementation	To be arranged by the Working Group		Conclusions and recommendations for adoption by the Conference of the Parties
1.2	Assistance to Parties in implementing the Convention and to Signatories and other UNECE member countries wishing to become a Party in ratifying the Convention				
1.2.1	Organization of the subregional workshop on the implementation of the Convention in Armenia	Armenia Bureau Working Group on Implementation UNECE secretariat	To be arranged by the Bureau and the Working Group on Implementation	€30,000	Recommendations and assistance to overcome obstacles to ratification and implementation
1.2.2	Drawing-up a needs-driven assistance programme to help countries in transition in acceding to and applying the Convention	Bureau Working Group on Implementation UNECE secretariat			Recommendations and assistance to overcome obstacles to ratification and implementation
2.	Scope of the Convention				

No. a/	Programme area/element/activity	Lead country/institution supporting countries/institutions	Contributions	Expected budget	Expected output
2.1	Hazardous activities				
2.1.1	Maintenance of information on hazardous activities on a password-protected site within the Convention's Internet home page	Working Group on Implementation UNECE secretariat			Information on hazardous activities
2.1.2	Review the water-path-related criterion for the purpose of identifying hazardous activities capable of causing transboundary effects on transboundary waters	Joint ad hoc expert group on water and industrial accidents	To be arranged by the expert group		Recommendations for possible amendments to the guidelines
3.	Prevention of industrial accidents				
3.1	Prevention of accidental water pollution				
3.1.1	Continuation of work on the prevention of accidental water pollution	Joint ad hoc expert group on water and industrial accidents Hungary Switzerland	Russian Federation (in kind - one meeting)	€25,000	Implementation of the programme of work
3.1.2	Drawing up of a reporting scheme on the implementation of the conclusions and recommendations of the Hamburg seminar	Joint ad hoc expert group on water and industrial accidents			Reporting scheme on the implementation
4.	Points of contact and industrial accident notification				
4.1	UNECE Industrial Accident Notification System				
4.1.1	Maintenance of the list of points of contact	UNECE secretariat Points of contact			List of points of contact on the Internet
4.1.2	Testing of the UNECE Industrial Accident Notification System	European Commission Points of contact UNECE secretariat	European Commission		Test of the System
4.1.3	Review of the System and organization of consultations/training sessions for the personnel of points of contact	Slovakia Points of contact UNECE secretariat	To be arranged by the Bureau and the UNECE secretariat with donors	€25,000	Recommendations to make the system more effective and consultations/training sessions

No. a/	Programme area/element/activity	Lead country/institution supporting countries/institutions	Contributions	Expected budget	Expected output
4.1.4	Facilitate the harmonization of the UNECE System with notification and alarm systems under the Water Convention	Joint ad hoc expert group on water and industrial accidents Points of contact UNECE secretariat			Recommendations on harmonization
5.	Emergency preparedness, response and mutual assistance				
5.1	Emergency preparedness and response				
5.1.1	Organization of transboundary response exercises to a simulated industrial accident	Germany Czech Republic European Commission UNECE secretariat	To be arranged by the Bureau and the UNECE secretariat with donors	€25,000 €25,000	Exchange of experience in establishing and implementing preparedness and response measures
6.	Responsibility and liability				
6.1	Responsibility and liability regime				
6.1.1	Finalization of negotiations to draw up a legally binding instrument on civil liability for transboundary damage caused by hazardous activities within the scope of the Industrial Accidents and the Water Conventions	Intergovernmental Working Group on Civil Liability UNECE secretariat	To be arranged by the Bureaux and the UNECE secretariat with donors	€30,000	Draft protocol on civil liability
6.1.2	Organization of joint special session to adopt the draft protocol on civil liability	Bureau UNECE secretariat		€25,000	Protocol on civil liability
7.	Scientific and technological cooperation				
7.1	Exchange of information and safety technologies				
7.1.1	Initiation of country partnerships, training programmes and exchange of experts and enhancement of cooperation with international financial institutions and the European Union in this respect	Bureau	To be arranged by the Bureaux and the UNECE secretariat with donors		Country partnerships, training programmes, exchange of experts

No. <u>a/</u>	Programme area/element/activity	Lead country/institution supporting countries/institutions	Contributions	Expected budget	Expected output
7.1.2	Organization of a training programme for experts from countries with economies in transition enhancing their knowledge and expertise in implementing safety measures	Germany	Germany		Training programme
7.1.3	Establishment of a register of institutions and experts capable of providing assistance regarding preventive, preparedness and response measures	UNECE secretariat			Register of institutions and experts
8.	Past industrial accidents				
8.1	Reporting of past industrial accidents				
8.1.1	Operation of the UNECE Past Industrial Accident Reporting System within the framework of the existing EU-Major Accident Reporting System (MARS) and distribution of information on past industrial accidents	European Commission - DG JRC UNECE secretariat	In kind In kind		UNECE Past Industrial Accident Reporting System
	Third meeting of the Conference of the Parties	Hungary Bureau UNECE secretariat		€45,000	Third meeting of the Conference of the Parties
	Two meetings of the Bureau (2003 and 2004)	Bureau UNECE secretariat	To be arranged by the Bureau	€5,000	Bureau meetings
	Promotion of the Convention and assistance in implementation of the work plan	UNECE secretariat Bureau	To be arranged by the Bureau and the UNECE secretariat with donors	€10,000	Promotional material, substantive background papers and equipment

a/ The numbers correspond to the ones assigned in the work plan for 2003-2004.

Appendix III

**CRITERIA FOR FINANCIAL ASSISTANCE TO
SUPPORT THE PARTICIPATION OF EXPERTS AND
REPRESENTATIVES FROM COUNTRIES WITH ECONOMIES IN
TRANSITION IN MEETINGS WITHIN THE FRAMEWORK OF
THE CONFERENCE OF THE PARTIES**

Country	US\$ - GDP per capita 2001	Eligibility note : threshold set for financial support for 2003-2004 = US\$ 2500; countries with GDP per capita below \$1550 are eligible for financial support (travel expenses and DSA 1/); countries with GDP per capita between \$1550 and \$2500 are eligible for financial support (DSA only)				
Russian Federation	2140	Eligible for financial support (DSA only)				
Romania	1772					
The FYR of Macedonia	1727					
Bulgaria	1705					
Kazakhstan	1510	Eligible for financial support (travel and DSA)				
Belarus	1220					
Albania	1201					
Bosnia and Herzegovina	1125					
Turkmenistan	1083					
Yugoslavia	986					
Ukraine	766					
Azerbaijan	705					
Georgia	693					
Armenia	558					
Uzbekistan	461					
Republic of Moldova	407					
Kyrgyzstan	308					
Tajikistan	167					
COUNTRIES ELIGIBLE	18					
COUNTRIES ELIGIBLE FOR DSA ONLY	4					
COUNTRIES ELIGIBLE FOR TRAVEL EXPENSES + DSA	14					

1/ DSA – daily subsistence allowance.