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**ECONOMIC COMMISSION FOR EUROPE**

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

**REPORT OF THE THIRD MEETING**

The Conference of the Parties held its third meeting in Budapest on 27-30 October 2004. It considered the second report on implementation and decided to strengthen the implementation of the Convention. It adopted the internationally supported assistance programme for the East European, Caucasian and Central Asian and the South-East European countries. It established the Working Group on the Development of the Convention to review its annex I – the categories of substances and preparations and named substances and their quantities for the purpose of defining hazardous activities. The Conference of the Parties amended the Guidelines to facilitate the identification of hazardous activities for the purpose of the Convention and its early warning tool, the UNECE Industrial Accident Notification System. It also established a task force to review the System's communication procedures. Finally, it reviewed the implementation of its activities and decided on the priorities, the programme of work and the resources for 2005-2006.

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- V. Decision 2004/5 on the priorities, programme of work and resources under  
the Convention for 2005-2006

## **Introduction**

1. The third meeting of the Conference of the Parties to the UNECE Convention on the Transboundary Effects of Industrial Accidents took place in Budapest from 27 to 30 October 2004, at the invitation of the Government of Hungary.
2. It was attended by delegations from the following 34 UNECE member countries: Albania; Armenia; Austria; Azerbaijan; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Estonia; Finland; France; Georgia; Germany; Greece; Hungary; Italy; Kyrgyzstan; Latvia; Lithuania; Monaco; Netherlands; Norway; Poland; Republic of Moldova; Romania; Russian Federation; Slovakia; Slovenia; Sweden; Switzerland; Tajikistan; Ukraine; and Uzbekistan; as well as from the European Community.
3. Representatives of the United Nations Institute for Training and Research (UNITAR) and the Regional Environmental Centre for Central and Eastern Europe also attended.

### **I. OPENING CEREMONY**

#### **A. Opening statements**

4. Mr. Ernst Berger (Switzerland), Chairperson, opened the meeting and welcomed all delegates. Ms. Krisztina Berta, Deputy State Secretary in the Ministry of the Interior of Hungary, Mr. Attila Tatár, Director General of the National Directorate General for Disaster Management, Ministry of the Interior, and Mr. Patrice Robineau, Acting Deputy Executive Secretary of the United Nations Economic Commission for Europe (UNECE), addressed the meeting.

#### **B. Adoption of the agenda**

<b>Document adopted:</b>	
Agenda for the third meeting of the Conference of the Parties	ECE/CP.TEIA/11

5. The Conference of the Parties adopted the agenda for its third meeting as contained in ECE/CP.TEIA/11, with an additional proposal to consider the results of an Italian-led project under item 11.

### **II. REPORT OF THE BUREAU ON THE ACTIVITIES UNDER THE CONVENTION SINCE THE SECOND MEETING OF THE CONFERENCE OF THE PARTIES**

6. Mr. Berger recalled the activities and meetings held under the auspices of the Conference of the Parties in 2003-2004, including its second joint special session with the governing body of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Kiev, 21 May 2003). Mr. Berger also reported on the work of the Bureau in this period, including the preparations for this third meeting. During their term,

Mr. La Grotta (Italy), Mr. Dinkloh (Germany) and Mr. Wettig (European Commission), had changed their duties, and Mr. Pal Popeylak (Hungary) had retired, and were no longer available to serve on the Bureau.

7. The Conference of the Parties endorsed the Chairperson's report and expressed its appreciation to the Bureau for its work and initiatives.

8. Mr. Berger then informed the Conference of the Parties that he was stepping down as Chairperson following his decision to retire early in 2005 as Head of Section of Safety of Installations at the Swiss Agency for the Environment, Forests and Landscape. The Conference of the Parties expressed its sincere appreciation to Mr. Berger for his long-term involvement in the activities under the Convention and in particular for his leadership and substantial input to the work since the Convention's entry into force in 2000.

### **III. ELECTION OF OFFICERS AND OTHER MEMBERS OF THE BUREAU OF THE CONFERENCE OF THE PARTIES**

9. The Conference of the Parties unanimously elected Mr. Ryszard Grosset (Poland) as its Chairperson and Mr. Lajos Katai-Urban (Hungary) and Mr. Sergey Mokrousov (Russian Federation) as its Vice-Chairpersons.

10. Furthermore, Mr. Gerhard Winkelmann-Oei (Germany), Mr. Cristiano Piacente (Italy), Ms. Jasmina Karba (Slovenia) and Mr. Tobias Biermann (European Commission) were elected as Bureau members representing Parties. Ms. Irma Gurguliani (Georgia) was elected as a Bureau member representing other UNECE member countries.

### **IV. REPRESENTATION AND CREDENTIALS**

11. Mr. Sergiusz Ludwiczak, Secretary of the Conference of the Parties, reported on the status of ratification of the Convention and on the designation of competent authorities (CP.TEIA/2004/7). At the time of the third meeting 32 UNECE member countries and the European Community had become Parties to the Convention.

12. The Chairperson stated that 28 of these 33 Parties were represented and reported on the credentials submitted by their delegations.

13. The Conference of the Parties took note of this information. It also expressed its disappointment that the delegations of Denmark, Kazakhstan, Luxembourg, Spain and the United Kingdom did not attend the meeting.

14. The delegation of the Netherlands reported that the ratification process in its country was near completion and that it hoped to become a Party in early 2005.

15. The delegation of Poland reported that its country had designated the Headquarters of the State Fire Services as a second competent authority for the Convention.

## V. IMPLEMENTATION OF THE CONVENTION

<b>Document endorsed:</b>	
Second report on the implementation of the Convention	CP.TEIA/2004/1

### A. Report on the activities of the Working Group on Implementation

16. In accordance with decision 2002/1, the UNECE Executive Secretary had written to the Ministers of Foreign Affairs of the Parties that had not reported on implementation during the first reporting round to urge them to comply with their reporting obligations. Five of the six Parties concerned had submitted their reports in the second reporting round.

17. Mr. Bernard Gay (Switzerland), Chairman of the Working Group on Implementation, reported that it had held one meeting in Budapest on 16-17 March 2004 (report: WGI4/12 May 2004) and several consultations by electronic means to draw up the second report on the implementation of the Convention.

### B. Presentation of the second report on the implementation of the Convention

18. The Conference of the Parties took note with satisfaction that in all 27 Parties (90 per cent) and 3 other UNECE member countries had submitted their reports in the second round of reporting. However, three Parties and one other UNECE member country had submitted their reports too late to be taken into account in the overall implementation report. The following three Parties had not submitted reports at all: Albania, Finland and the Russian Federation. The delegation of Finland stated that it had not submitted a report because there had been no changes since its first implementation report. The delegation of the Russian Federation stated that it would still submit a report.

19. Mr. Gay introduced the second report on implementation (CP.TEIA/2004/1). Its overall conclusion was that while the Convention's implementation was quite advanced in Central and Western Europe, most of the other countries of the UNECE region faced numerous obstacles to applying it in practice. They should, therefore, be assisted.

#### 1. Designation of competent authorities

20. Up-to-date information on competent authorities was crucial for the communication and cooperation among the Parties and with the Convention's secretariat. Parties were thus invited to communicate to the secretariat any change to this information without delay. More than a quarter of the reports contained modifications. Mr. Gay noted that a third of the Parties had designated more than one competent authority and stressed the need to establish and maintain coordination between them. Two Parties, Albania and France, still had not submitted information on their competent authorities.

2. Identification and notification of hazardous activities

21. Notable progress had been achieved in identifying hazardous activities, a crucial step in implementing the Convention. For a number of East European, Caucasian and Central Asian (EECCA) and South East European (SEE) countries this task was still a problem, perhaps even an obstacle to acceding to the Convention and, therefore, assistance was required. Notification of hazardous activities was lagging behind, as only five Parties had notified all neighbouring countries of their hazardous activities.

22. The delegation of Italy reported that there were no hazardous activities within the scope of the Convention within its jurisdiction. Further investigation had revealed that the potential hazardous activities listed in its report were not capable of causing transboundary effects in the event of an accident.

3. Designation of points of contact

23. All reporting Parties had established points of contact for accident notification and mutual assistance and reported that they were operational at all times. Parties were urged to inform the secretariat of any change in the contact details of the points of contacts. Although the basic infrastructure was largely in place at the points of contact, the overall effectiveness of the UNECE Industrial Accident Notification (IAN) System, including the contents of the reports and the communication procedures, should be improved.

4. Establishment of bilateral, cross-border cooperation aimed at the prevention of, preparedness for and response to industrial accidents

24. The establishment and development of bilateral cooperation had progressed since the first reporting round, although this remained an area in which the Parties could take further initiative. The Convention could only work through bilateral cooperation between neighbouring countries. A number of examples, shown in the report, should be followed.

25. The delegation of Poland shared its country's experience and achievements in establishing cross-border contacts and in developing bilateral cooperation agreements with most of its neighbours.

C. Endorsement of the second report on the implementation of the Convention

26. The Parties stressed that the identification of hazardous activities and their notification to neighbouring countries should be a priority in the further application of the Convention. Further development of bilateral cooperation including the organization of joint meetings and cross-border response exercises were strongly encouraged. Assistance such as capacity-building activities or advisory services should be provided to strengthen the efforts of some countries, in particular in EECCA and SEE, to implement the Convention.

27. Parties endorsed the second implementation report and expressed their appreciation to the Working Group for its work. They also urged the delegations of Albania and the Russian Federation to submit their implementation reports as soon as possible and to comply with their countries' reporting obligations in the third round of reporting.

28. Based on the conclusions of the Working Group, the Parties discussed the differences in

quality of the individual country reports and recommended that a training session should be organized to share good practices on drawing up such reports.

29. The Conference of the Parties also evaluated and decided to maintain the existing reporting procedure. It requested all Parties and invited other UNECE member countries to report on the implementation in the third round by submitting up-to-date information to the secretariat eight months before its fourth meeting. At the same time, it invited the Working Group to explore the possibilities for further streamlining the reporting format.

## VI. STRENGTHENING THE IMPLEMENTATION OF THE CONVENTION

<b>Document endorsed:</b>	
Report on the subregional workshop on the implementation of the Convention on the Transboundary Effects of Industrial Accidents	CP.TEIA/2003/2
<b>Documents adopted:</b>	
Internationally supported assistance programme for the East European, Caucasian and Central Asian and the South-East European countries to enhance their efforts in implementing the Convention	CP.TEIA/2004/2
Decision on strengthening the implementation of the Convention	ECE/CP.TEIA/12, annex I

### A. Subregional workshop on the implementation of the Convention

30. Ms. Anahit Aleksandryan (Armenia) introduced the report of the subregional workshop on the implementation of the Convention by the Caucasian and Central Asian countries (CP.TEIA/2003/2), which had been held in Erevan on 13-15 March 2003. She recalled the preparatory process including the background document for the workshop (CP.TEIA/2002/7), which was prepared on the basis of responses to a questionnaire received from some of the Caucasian and Central Asian countries. She also described the workshop's results and in particular its conclusions, which together with the background paper served as a basis for further work aimed at designing assistance activities for the countries mentioned. The Conference of the Parties endorsed its report.

### B. Internationally supported assistance programme for the East European, Caucasian and Central Asian and the South-East European countries to enhance their efforts in implementing the Convention

31. Mr. Ludwiczak, on behalf of the former Bureau, introduced the draft internationally supported assistance programme for the East European, Caucasian and Central Asian (EECCA) and the South-East European (SEE) countries to enhance their efforts in implementing the Convention (CP.TEIA/2004/2).

32. Mr. Grosset referred to the draft assistance programme as a well-written and balanced document, which defined the enhancement of the implementation of the Convention as the key future priority for the Conference of the Parties. Its action plan contained a set of clearly defined short-term preparatory activities and specific assistance activities in its implementation phase. It was also clear how much it would cost to launch the programme.

33. Twenty-one delegations took part in an exhaustive discussion and strongly supported the assistance programme. They appreciated the two-phase approach (preparatory and



implementation) of the programme. They also strongly supported the organization of a high-level meeting to obtain a firm commitment from the recipient countries to improving industrial safety and of fact finding missions to verify the implementation of the basic tasks under the Convention.

34. Delegations from many of the recipient countries warmly welcomed the assistance programme. They were convinced that the programme would increase the awareness of the importance to properly address industrial safety in their countries. Some delegations indicated that the results of this programme might contribute to the implementation of the “Environmental Partnerships in the UNECE Region: Environmental Strategy for Countries of Eastern Europe, the Caucasus and Central Asia. Strategic framework” (EECCA Strategy).

35. A number of delegations offered support in kind to implement the assistance programme, such as organizing specific activities or making available experts. Some of the countries with economies in transition stated that, in some cases, they would be in a position to play a dual role of receiving and providing expertise. The representatives of UNITAR and REC expressed the interest of their organizations to be involved in the programme’s implementation.

36. The following delegations pledged financial contributions, which would allow the launch of the assistance programme:

- (a) Czech Republic – US \$ 4,000 in 2005; and US \$ 4,000 in 2006;
- (b) Italy – €30,000 in 2005; and €30,000 in 2006;
- (c) Netherlands – €60,000 in 2005;
- (d) Norway – €10,000 in 2004; and an unspecified amount in 2005 and 2006; and
- (e) Switzerland – Sw F 30,000 in 2004; and a similar amount in 2005 and 2006.

Other delegations, including those of Germany, Poland and Slovenia also expressed their intention to contribute after undertaking additional consultations in their capitals.

37. Mr. Kees Van Kuijen (Netherlands), speaking on behalf of the European Union, reiterated the support of its member States for the Environment Strategy for the EECCA countries recently expressed during the Ministerial Conference in Tbilisi. He also stated that, because the assistance programme was fully in line with this EECCA Strategy, the EU member States were willing to participate in identifying further sources of financing for it.

38. Mr. Grant Lawrence (European Commission) expressed the Commission's support for assistance to EECCA countries on environmental matters (as shown by the substantial projects under TACIS, PHARE and CARDS), including the proposed assistance programme. He also stated that the Commission was ready to explore future financial support for the programme through its new consolidated pre-accession instrument and its new neighbourhood instrument, which were expected to have a specific environmental chapter and a cross-border cooperation component.

39. The Conference of the Parties adopted the Internationally supported assistance programme for the East European, Caucasian and Central Asian and the South-East European

countries to enhance their efforts in implementing the Convention as contained in CP.TEIA/2004/2 and invited the secretariat to reissue it as a final document.

40. The Conference of the Parties expressed appreciation to those Parties and other UNECE member countries which had already pledged financial contributions and those which might provide such support for the assistance programme in the near future. At the same time, it noted with satisfaction that some Central European countries had decided to join the other traditional donors to financially support the programme. It also recognized the assistance offered by UNITAR and REC.

41. Ms. von Schweinichen, Deputy Director of the UNECE Environment and Human Settlements Division, reported on an informal meeting of actual and potential donors held on 28 October 2004. Its participants had stressed that the high-level meeting should preferably be held back to back with other high-level meetings already scheduled and that a preparatory meeting to draw up a draft declaration should be held at an earlier date. The participants also agreed that financial institutions should be involved in the assistance programme and thus also at the high-level meeting. The programme should start with the recipient countries implementing the basic tasks under the Convention as soon as possible and bilateral assistance projects should be compiled and included in the framework of the assistance programme.

**C. Election of members of the Working Group on Implementation for 2005-2006**

42. 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 fourth meeting (decision 2004/1, see annex I below).

**D. Decision on strengthening the implementation of the Convention**

43. The Conference of the Parties, taking into account its discussions on the status of implementation of the Convention and on how best to enhance its application, in particular in the EECCA and SEE countries, based on the findings of the second implementation report as well as the assistance programme, decided to strengthen the implementation of the Convention (decision 2004/1, see annex I), and to this end entrusted specific tasks to the Bureau and the Working Group on Implementation.

## **VII. AMENDMENT OF THE LOCATION CRITERION RELATED TO THE WATER PATH CONTAINED IN THE GUIDELINES TO FACILITATE THE IDENTIFICATION OF HAZARDOUS ACTIVITIES FOR THE PURPOSE OF THE CONVENTION**

<b>Document adopted:</b>	
Decision amending the guidelines to facilitate the identification of hazardous activities for the purposes of the Convention	ECE/CP.TEIA/12, annex II

44. Mr. Berger, on behalf of the former Bureau, introduced a proposal to amend the location criterion related to the water path contained in the Guidelines to facilitate the identification of hazardous activities for the purpose of the Convention. The proposal was based on a review of this criterion by the joint ad hoc expert group on water and industrial accidents at the request of the Conference of the Parties at its second meeting.

45. The Conference of the Parties adopted the amendment as proposed (decision 2004/2, see annex II below).

## **VIII. PREVENTION OF ACCIDENTAL WATER POLLUTION – REPORT ON PROGRESS IN THE WORK OF THE JOINT AD HOC EXPERT GROUP ON WATER AND INDUSTRIAL ACCIDENTS**

46. Mr. Manuel Varela (Spain), Chairman of the Meeting of the Parties to the Water Convention, provided information on the activities under the Water Convention's work plan for 2004-2006 of relevance to the Conference of the Parties. These key activities were: (a) assistance to EECCA countries, particularly under the Water Convention's "Capacity for Water Cooperation" project; (b) implementation of projects under the "Partnership on water for sustainable development"; and (c) activities on water and sanitation of the United Nations organizations, in particular the development of indicators to measure the performance of the water sector (see ECE/MP.WAT/15 and Add.1 and 2).

47. Mr. Varela stated that there were further opportunities for joint work under both Conventions, in addition to those already in the work plan of the joint ad hoc expert group on water and industrial accidents. The Conventions' assistance programmes for the EECCA countries were one area. Another was the possible assistance of the Water Convention's Legal Board related to legal and administrative issues linked to civil liability in the event of industrial accidents.

48. Mr. Péter Kovacs (Hungary), Co-Chairman of the joint ad hoc expert group on water and industrial accidents, reported on progress in its work and challenges in relation to future activities. He also noted that Mr. Gerhard Winkelmann-Oei (Germany) had replaced Mr. Martin Schiess (Switzerland) as the second Co-Chairman of the joint expert group.

49. Mr. Kovacs further stressed that the joint expert group had agreed on a pragmatic reporting scheme, which would soon be sent to the Parties to the Industrial Accidents and the Water Conventions in order to seek information on the implementation of the conclusions and recommendations of the Hamburg seminar. The responses would then be compiled by the joint expert group in a report to be submitted for consideration and endorsement by the Conference of

the Parties and the Meeting of the Parties to the Water Convention.

50. Mr. Kovacs also stated that according to its work plan, the joint expert group, at its fourth meeting in Kaliningrad (Russian Federation) on 30-31 October 2003, had commenced work aimed at drawing up safety guidelines/good practices for pipelines. To this end, two workshops were planned, one devoted to the prevention of water pollution and the other to the prevention of accidental release into the air due to pipeline accidents. The Governments of Germany and the Netherlands had offered to host these workshops.

51. The Parties discussed the joint expert group's report and supported fully its planned future activities on the safety of pipelines. The delegation of the Netherlands pledged €40,000 to the trust fund under the Convention for one of the workshops. The Conference of the Parties also reiterated its support for a report on the implementation of the conclusions and recommendations of the Hamburg seminar, which would prove useful for UNECE member countries, in particular EECCA and SEE countries. At the same time, it stressed that the report should be prepared in such a way as to keep the reporting burden to a minimum.

#### **IX. UNECE INDUSTRIAL ACCIDENT NOTIFICATION (IAN) SYSTEM**

<b>Documents endorsed:</b>	
Report on the first consultation and training session for points of contact for the purpose of accident notification and mutual assistance designated within the UNECE Industrial Accident Notification System	CP.TEIA/2003/9
Minutes of the task force to review the procedures and reports within the UNECE Industrial Accident Notification System	TFIANS2/9 July 2004
<b>Document adopted:</b>	
Decision on amending the UNECE Industrial Accident Notification System	ECE/CP.TEIA/12, annex III

52. Mr. Tomas Trcka (Slovakia) reported on the consultation and the training session (CP.TEIA/2003/9) held in Bratislava on 10-11 November 2003. He presented the main outcome of the consultation as well as the results of the test of the UNECE IAN System, which had been carried out in conjunction with the meeting.

53. The Conference of the Parties endorsed the report. It strongly supported the conclusion that testing of the UNECE IAN System should continue, in particular on a sub-regional basis, and agreed that further consultations among the points of contact should be held. To this end, it welcomed the offer of Italy to hold a consultation in 2005.

54. Mr. Ludwiczak reported on the first meeting of the task force to review the procedures and reports within the UNECE IAN System, held in Geneva on 22 June 2004 (see report – TFIANS/9 July 2004). He also reported on the meeting of the Joint UNEP/OCHA Environment Unit, UNECE and the European Commission to harmonize procedures and forms used in accident notification and requests for assistance, also held in Geneva on 21 June 2004 (see report – JM1/9 July 2004). Both meetings had been organized in accordance with recommendations of the representatives of the points of contact at their consultation in Bratislava. As a result of the two meetings, a new assistance request report had been drawn up to meet the requirements of the three above-mentioned organizations. The Joint UNEP/OCHA Environment Unit agreed to replace its form with the new one. Furthermore, the contents of the other two reports being used within the

UNECE IAN System were modified and the layout made identical to the new assistance request report.

55. The representative of the European Commission reported that its services, in particular the Monitoring and Information Centre (MIC), were also in a position to accept the new assistance request report.

56. The Conference of the Parties warmly welcomed the harmonization and amended the UNECE IAN System, in particular to incorporate the three new reports (decision 2004/3, see annex III below).

57. Following the discussions on the possibilities for improving communication procedures under the UNECE IAN System and within the Joint UNEP/OCHA Environment Unit, in Bratislava and in Geneva, the Joint Unit and the Convention's secretariat decided to jointly develop a prototype for a simple web-based communication application. The prototype was presented by Mr. Lukasz Wyrowski, a consultant to the Joint UNEP/OCHA Environment Unit and the UNECE secretariat. This presentation was intended to facilitate a possible decision by the Parties to improve the communication procedures within the UNECE IAN System.

58. The Conference of the Parties:

- (a) Decided to maintain the System's current communication to send the early warning, information and assistance request reports by fax;
- (b) Established a task force to review the communication procedures;
- (c) Mandated the task force to consider the possibilities for improving the communication procedures by introducing procedures which can interface with those existing or under development by the Parties to the Convention and the European Commission, taking into account the requirements to facilitate cooperation among Parties and the aim of achieving the best possible harmonization between UNECE, the Joint UNEP/OCHA Environment Unit and the European Commission, and report on its findings to the Bureau; and
- (d) Invited the Bureau, if appropriate, to make such proposals and recommendations to it at its next meeting for decision.

## **X. PROTOCOL ON CIVIL LIABILITY AND COMPENSATION FOR DAMAGE CAUSED BY THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL ACCIDENTS ON TRANSBOUNDARY WATERS**

59. The Secretary briefly recalled the main decisions taken by the Parties to the Industrial Accidents and Water Conventions at their second joint special session held in Kiev on 21 May 2003, in particular the adoption of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters.

60. Mr. Alexandros Kolliopoulos (Greece) presented the key provisions of the Protocol, the decisions taken in respect of it at the third meeting of the Parties to the Water Convention and the activities aimed at promoting its ratification and early entry into force.

61. Mr. Kovacs recalled the severe transboundary consequences of the 2000 toxic spill which

had contaminated the Tisza and Danube rivers and with other accidents had led the international community to draw up the Protocol. He stated that Hungary, due to its geographical situation, was particularly exposed to the transboundary effects of any industrial accidents. Therefore, his country was among the most active in the negotiation, was among the Signatories to the Protocol in Kiev and was the first UNECE member country to ratify it. Mr. Kovacs expressed his Government's hope that the Protocol would soon enter into force and encouraged other countries to ratify it as soon as possible.

62. Mr. Drost (Netherlands), speaking on behalf of the European Union, stated that it was currently assessing the exact implications of the complex relationship between the Protocol and community legislation, including its recent Directive on environmental liability and its legislation on jurisdiction and the recognition of judgements.

63. The Conference of the Parties welcomed the signature of the Protocol by 24 UNECE member countries and its ratification by one of them, and took note of the Declaration of Madrid adopted at the third meeting of the Parties to the Water Convention. It invited all countries to consider taking the necessary steps to become Parties to the Protocol.

64. It expressed its commitment to further joint work with the Meeting of the Parties to the Water Convention to prepare their third joint special session preferably in 2006, to report on the steps taken to ratify the Protocol.

## **XI. REPORTS ON BILATERAL ACTIVITIES UNDER THE CONVENTION**

### **A. Exchange of information and safety technologies – training programme for experts from countries with economies in transition to improve their knowledge and expertise in implementing safety measures**

65. Mr. Wolfgang Gierke and Mr. Winkelmann-Oei (both Germany) reported on the training programme for experts from seven countries with economies in transition held in Germany between 15 September and 14 November 2003, and shared their experience and challenges in organizing such events. The training programme's key aim had been to bolster the participants' expertise in addressing industrial safety. Representatives of some of the countries participating in the German-sponsored training programme expressed their appreciation.

### **B. Transboundary effects of industrial accidents management model in the mean and lower basin of the Danube**

66. Mr. Piacente and Mr. Bruno Frattini (Italy) introduced the results of an Italian-sponsored project entitled "Transboundary Effects of Industrial Accidents Management Model in the mean and lower basin of the Danube". The project was carried out to strengthen industrial risk management capacities in Romania and to assist its authorities in implementing the Industrial Accidents Convention. The project had identified hazardous activities, assessed their risks and the consequences of possible accidents, and ranked the risks. In addition, guidelines had been drawn up for the development of off-site contingency plans for the identified activities. The project's methodology was an improved, geographic information system (GIS) supported version of the Rapid Environment and Health Risk Assessment developed for the Danube river basin, which had been successfully used in Hungary, Bulgaria and Romania (2001-2002) and Serbia

and Montenegro (2003-2004). The methodology was currently being applied in three countries of Central Asia (Fergana Valley).

67. The Conference of the Parties welcomed both reports and expressed its appreciation to both Parties for undertaking these capacity building activities for the countries in transition. It encouraged further activities of this type in coordination with those under the assistance programme.

## **XII. PLAN OF ACTION UNDER THE CONVENTION**

<b>Document endorsed:</b>	
Note by the secretariat: The use of financial resources under the Convention in 2000-2004	CP.TEIA/2004/5
<b>Documents adopted:</b>	
Decision establishing the Working Group on the Development of the Convention	ECE/CP.TEIA/12, annex IV
Decision on the priorities, programme of work and resources under the Convention for 2005-2006	ECE/CP.TEIA/12, annex V

68. 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/2004/6), endorsed by the Bureau.

### **A. Priorities and programme of work**

69. Mr. Van Kuijen, speaking on behalf of the European Union and referring to suggestions made by a few Parties in their implementation reports to review annex I to the Convention, proposed to establish a working group to review the 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 and to draw up a possible amendment to it. He also suggested adding this task to the priorities for the activities under the Convention.

70. The Conference of the Parties agreed that a review of annex I to the Convention was due and thus established the Working Group on the Development of the Convention (decision 2004/4, see annex IV below).

71. Mr. Gierke reported on the intention of Germany to organize, together with Poland, a response exercise in 2005. The Conference of the Parties welcomed this initiative and encouraged the organization of further exercises, in particular transboundary ones.

72. It also took note of a proposal of the Working Group on Implementation to hold a seminar or workshop on land-use planning, possibly in cooperation with the UNECE Committee on Human Settlements and the EC Major Accident Hazards Bureau. It welcomed the initiative and entrusted its Bureau, together with the Working Group, to remain in contact with these entities to work out the most efficient way to implement it.

73. The Conference of the Parties considered its long-term programme of work. It entrusted the Bureau, with the assistance of the secretariat, to amend the text according to the discussions held and decisions taken under this and previous agenda items. The long-term programme of

work is contained in annex V, appendix I, part one. It also agreed on the priorities for its future activities as contained in decision 2004/5, paragraph 1 (see annex V below).

74. Based on the above priorities, the Conference of the Parties also decided on specific activities for the work plan for 2005-2006. 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 this and previous agenda items. The work plan for 2005-2006 is contained in annex V, appendix I, part two.

## **B. Resources**

75. Mr. Ludwiczak reported on the use of resources under the Convention in 2000-2004 (CP.TEIA/2004/5). He mentioned, in particular, 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 in 2003-2004 expressing appreciation on behalf of the UNECE secretariat. He explained the expenditures that were covered from the trust fund within this period. He also acknowledged the receipt of €50,000 from the European Commission that arrived too late to be reflected in the note by the secretariat.

76. The Conference of the Parties welcomed the information and endorsed the secretariat's report on the use of financial resources under the Convention in 2000-2004.

77. The UNECE secretariat reported that its resources were not sufficient to implement and support all the programme elements in the work plan for the years 2005-2006. Therefore, its full implementation would require extrabudgetary funds. The Parties welcomed all the pledges of financial support made during the discussion on the assistance programme as well as the contribution from the European Commission and expressed its gratitude to the donors. The Conference of the Parties also invited other Parties and other UNECE member countries to consider supporting the activities under the Convention financially and/or in kind.

78. The Conference of the Parties also decided on the funding arrangements under the Convention and the budget to facilitate the implementation of the 2005-2006 work plan (annex V, app. II) as well as the criteria for financial support for experts from countries with economies in transition attending meetings under its auspices (annex V, app. III).

## **C. Decision on the priorities, programme of work and resources under the Convention for 2005-2006**

79. The Conference of the Parties adopted a decision on the priorities, programme of work and resources under the Convention for 2005-2006 (decision 2004/5, see annex V below).

## **XIII. DATE AND VENUE OF THE FOURTH MEETING OF THE CONFERENCE OF THE PARTIES**

80. 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 Conference of the Parties decided unanimously to hold its fourth ordinary meeting in the second half of 2006. At the same time, it requested the Bureau to consult



the Parties to find the best suitable venue.

#### **XIV. REVIEW OF DECISIONS AND CLOSING STATEMENTS**

81. Mr. Ludwiczak summed up the decisions taken during the meeting. The Conference of the Parties entrusted the secretariat, in consultation with the Bureau, with finalizing the report of the meeting.

82. Mr. Grosset and Ms. Von Schweinichen warmly thanked the Government of Hungary and in particular the National Directorate General for Disaster Management of the Ministry of the Interior for hosting the meeting.

83. Mr. Grosset also thanked the representatives of the Parties and the other UNECE member countries for their active participation in the meeting. 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 reminded the participants of that the last agenda item – the technical visit to the MOL Danubean Oil Refinery on Saturday, 30 October 2004.

#### **XV. TECHNICAL VISIT TO THE MOL DANUBEAN OIL REFINERY**

84. The technical visit to the MOL Danubean Oil Refinery near Budapest consisted of a guided tour of the refinery, a response exercise to a simulated accident and a series of presentations on safety policies for the prevention of, preparedness for and response to industrial accidents in Hungary and at the MOL refinery.

85. The technical visit was highly appreciated by its participants, who thanked the Hungarian authorities and the management of the MOL refinery for organizing it.

#### **XVI. CLOSING OF THE MEETING**

86. The Chairperson, Mr. Grosset, closed the third meeting of the Conference of the Parties.

**Annex I**

**DECISION 2004/1  
ON STRENGTHENING THE IMPLEMENTATION OF THE CONVENTION**

The Conference of the Parties,

Recalling the provisions of articles 18 and 23 of the Convention,

Recognizing that twenty-seven Parties and three other UNECE member countries reported on the implementation of the Convention,

Taking into account the work done by the Working Group on Implementation to analyse and evaluate the country implementation reports and to compile the second Report on the implementation of the Convention,

Acknowledging the initiative taken by the Bureau and the Secretary of the Conference of the Parties to draw up an internationally supported assistance programme for the East European, Caucasian and Central Asian (EECCA) and the South-East European (SEE) countries,

1. Endorses the second Report on the implementation of the Convention as prepared and submitted by the Working Group on Implementation (CP.TEIA/2004/1);
2. Adopts the internationally supported assistance programme for the East European, Caucasian and Central Asian (EECCA) and the South-East European (SEE) countries to enhance their efforts to implement the Convention (CP.TEIA/2004/2);
3. Entrusts the Bureau, in cooperation with the Working Group on Implementation, to assist the Convention's secretariat to coordinate the activities under the assistance programme;
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 and to use the notification as a starting point to build up effective cooperation with neighbouring Parties;
5. Reiterates its request to the Working Group on Implementation to prepare a report on the implementation of the Convention for each of the meetings of the Conference of the Parties. To this effect, Parties are required and other UNECE countries are invited to submit up-to-date information on their implementation of the Convention in the form of: a full report, based on the existing reporting format; or an update indicating any changes since the previous report; or a communication that no change has occurred in the reporting period;

6. Requests the Working Group on Implementation to organize a training session, before the third round of reporting, on drawing up national implementation reports for countries in need of assistance in this respect;

7. Invites the Working Group on Implementation to explore possibilities for further streamlining the reporting format to be used in the fourth reporting round;

8. Elects, on the basis of nominations by the Parties, the following persons to serve as members of the Working Group on Implementation until the fourth meeting of the Conference of the Parties: Ms. A. Aleksandryan (Armenia), Mr. Armin Heidler (Austria), Mr. Nikolai Savov (Bulgaria), Mr. Pavel Forint (Czech Republic), Mr. Leo Iberl (Germany), Ms. Judit Mogor (Hungary), Mr. Massimo Cozzone (Italy), Mr. Dmitri Y. Poletaev (Russian Federation), Mr. Tomas Trcka (Slovakia) and Mr. B. Gay (Switzerland).

**Annex II**

**DECISION 2004/2**  
**AMENDING THE GUIDELINES TO FACILITATE THE IDENTIFICATION OF**  
**HAZARDOUS ACTIVITIES FOR THE PURPOSES OF THE CONVENTION**

The Conference of the Parties,

Recalling its decision 2000/3 on Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention, taken at its first meeting on 22-24 November 2000 (ECE/CP.TEIA/2, annex IV), in accordance with article 18, paragraph 6, of the Convention,

Acknowledging the review of the location criterion related to the water path contained in the Guidelines carried out by the joint ad hoc expert group on water and industrial accidents,

1. Amends paragraph 5 of the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention as set out below;
2. Invites the Convention's secretariat to issue the Guidelines as a publication, together with the texts of this decision and decisions 2000/3 and 2002/1.

**AMENDMENT TO PARAGRAPH 5 OF THE GUIDELINES TO FACILITATE THE**  
**IDENTIFICATION OF HAZARDOUS ACTIVITIES FOR THE PURPOSES OF THE**  
**CONVENTION (ECE/CP.TEIA/2, annex IV, appendix)**

**Location criteria**

5. The following two location criteria shall apply for the purpose of identifying hazardous activities capable of causing transboundary effects under the Convention:

(a) Within 15 kilometres from the border, for activities involving substances that may cause a fire or explosion or involving toxic substances that may be released into the air in the event of an accident;

(b) Along or within catchment areas 2/ of transboundary and border rivers, transboundary or international lakes, or within the catchment areas of transboundary groundwaters, for activities involving substances that fall under category 3, 4, 5 or 8 of part I of annex I to the Convention and that may be released into watercourses in the event of an accident. Whether or not such an activity is capable of causing a transboundary effect in such an event should be decided by the competent authority of the Party of origin, preferably in consultation

with joint bodies. 3/ The decision should depend, among other things, on the existence of river warning and alarm systems and the distance 4/ between the location of the hazardous activity and the border.

#### Notes

2/ A catchment area of a transboundary river or lake is defined as the whole drainage area of this river or lake with a common outlet.

3/ Joint body means any bilateral or multilateral commission or other appropriate institutional arrangements for cooperation between Riparian Parties.

4/ The joint ad hoc expert group on water and industrial accidents recommended that this distance should correspond to approximately a flowing period of two days of average flow velocity.

**Annex III**

**DECISION 2004/3  
AMENDING THE UNECE INDUSTRIAL ACCIDENT NOTIFICATION SYSTEM**

The Conference of the Parties,

Recalling the provisions of articles 10, 12 and 17 of the Convention,

Taking into account the recommendations of the task force to review the procedures and reports used within the UNECE Industrial Accident Notification (IAN) System.

Acknowledging the efforts to harmonize the three different assistance request reports used by the points of contact within the UNECE IAN System, within the Joint United Nations Environment Programme/Office for the Coordination of Humanitarian Affairs (UNEP/OCHA) Environment Unit and within the Civil Protection Unit of the European Commission's Directorate-General (DG) Environment,

1. Amends the UNECE IAN System, as contained in CP.TEIA/2004/8, 1/ for notifying, at the national level, a major accident which causes or is capable of causing transboundary effects or an imminent threat thereof;

2. Requests the Parties to the Convention and invites other UNECE member countries to:

(a) Ensure that points of contact, designated or established according to article 17, paragraph 2, of the Convention, use the UNECE IAN System or an equivalent system for the transmission of early-warning, information and assistance request reports in the event of a major accident or during tests;

(b) Transmit the above reports by facsimile and/or e-mail and acknowledge receipt by facsimile or telephone, using one of the official UNECE languages, taking into account which of these languages the authorities in the affected countries are most likely to understand, unless the countries concerned have agreed otherwise;

(c) Address the early-warning and information reports, as appropriate, to UNECE member countries having an interest in the accident, whether affected or not, and to the UNECE secretariat;

3. Encourages and supports the establishment, at local and regional levels, of bilateral or, as appropriate, multilateral agreements for industrial accident notification as a supplement to the UNECE IAN System;

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1/ The brackets around the words "European Commission Civil Protection Co-operation Mechanism" were deleted.

4. Requests the UNECE secretariat to maintain a list of points of contact on the Convention's Internet home page with restricted access;

5. Invites the Convention's secretariat to issue the amended UNECE IAN System as a publication.

**Annex IV**

**DECISION 2004/4  
ESTABLISHING THE WORKING GROUP ON THE DEVELOPMENT  
OF THE CONVENTION**

The Conference of the Parties,

Recalling article 18, paragraph 2 (c), of the Convention,

1. Establishes the Working Group on the Development of the Convention to:
  - (a) Keep under review the developments in other regulatory instruments concerning the prevention of, preparedness for and response to industrial accidents, including relevant legislation adopted by the European Community and other Parties, and assess their legal and practical implications for the Convention;
  - (b) Review, as a priority, annex I to the Convention in the light of the corresponding legal requirements of the Seveso II Directive of the European Community; and
  - (c) Submit, if appropriate, to the Bureau recommendations and proposals for amending the Convention as part of the preparations for the meetings of the Conference of the Parties;
2. Entrusts the Bureau to appoint the Chairman of the Working Group;
3. Decides that the Working Group will be open to representatives from all Parties and recommends that it should regularly use inter alia electronic tools to facilitate active communication among its members and with the secretariat.



**Annex V**

**DECISION 2004/5  
ON THE PRIORITIES, PROGRAMME OF WORK AND RESOURCES  
UNDER THE CONVENTION FOR 2005-2006**

The Conference of the Parties,

1. Sets the following priorities for its future activities:
  - (a) Provision, on a need-driven basis, of assistance to Parties in implementing the Convention and to other UNECE member countries in ratifying or acceding to it;
  - (b) Review of annex I to the Convention – 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;
  - (c) Further progress in the identification of hazardous activities and especially their notification to neighbouring Parties;
  - (d) Promotion of measures to prevent industrial accidents, including accidental water pollution;
  - (e) Promotion of bilateral cooperation under the Convention, in particular in implementing preparedness and response measures; and
  - (f) Improvement of the efficiency of the UNECE Industrial Accident Notification System;
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 2005-2006 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 2005-2006 and invites Parties 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 contributions to the budget pledged by or received from the Czech

Republic, Italy, Netherlands, Norway, Switzerland and the European Commission;

7. Endorses the secretariat's report on the use of financial resources under the Convention in 2000-2004 (CP.TEIA/2004/5);

8. Adopts the budget of the Convention for the 2005-2006 period as set out in appendix II to this decision;

9. 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 its framework, depending on the availability of funds, as set out in appendix III to this decision;

10. 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 2005-2006;

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

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

## **Appendix I**

### **PROGRAMME OF WORK UNDER THE CONVENTION**

The present appendix sets out the long-term programme of work (Part One) as well as the work plan for the years 2005-2006 (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 2005-2006 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 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:** With the assistance of the secretariat and based on individual country implementation reports, the Working Group on Implementation, established by the Conference of the Parties (ECE/CP.TEIA/2, annex III, decision 2000/2 on the implementation of the Convention), prepared the second report on the implementation of the Convention. The Conference of the Parties discussed the current status of the Convention's implementation and adopted a decision on strengthening the Convention's implementation at its third meeting.

**Work to be undertaken:** The UNECE secretariat will continue to maintain an up-to-date list of competent authorities (<http://www.unece.org/env/teia/authorities.htm>). The Working Group on Implementation will further monitor the implementation of the Convention. It will 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 will organize a training session to share good practices on drawing up individual country implementation reports. The Working Group's reports on implementation will be publicly available on the Convention's web site and the individual country reports will be available only to competent authorities through a password-protected folder.

## 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 accession/ratification and implementation of the Convention and on the difficulties that they have encountered in this process. 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 subregional workshop on the implementation of the Convention was held in Erevan on 13-15 March 2003. A background paper on key obstacles to acceding to and implementing the Convention by Caucasian and Central Asian countries was prepared for the workshop on the basis of their responses to a questionnaire. The workshop identified the needs of these countries and elements for an internationally supported assistance programme. The Conference of the Parties discussed the outcome of the subregional workshop and endorsed its report and conclusions. Taking into account the workshop's conclusions and the recommendations contained in the second implementation report, it also adopted an action-oriented document launching an internationally supported assistance programme to enhance the efforts of the East European, Caucasian and Central Asian (EECCA) countries as well as the South-East European (SEE) countries in implementing the Convention.

Work to be undertaken: The Bureau together with the Working Group on Implementation will continue to review the needs and difficulties of countries, in particular the EECCA and SEE countries. Further activities aimed at facilitating the implementation and/or accession/ratification of the Convention such as workshops, seminars, exchange of experts, study tours, training sessions, awareness raising activities aimed at local capacity-building will be organized within the framework of the internationally supported assistance programme. In addition, bilateral assistance projects will be further encouraged.

### **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 Working Group on the Development of the Convention, established by the Conference of the Parties at its third meeting, will review annex I to the Convention and prepare possible amendments to it. The Conference of the Parties will discuss the recommendations of the Working Group at its fourth 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 the event 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, the Conference of the Parties adopted the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (ECE/CP.TEIA/2, annex IV, decision 2000/3), in accordance with article 18, paragraph 6. At the request of the Conference of the Parties, at its second meeting, the joint ad hoc expert group on water and industrial accidents reviewed the water-path-related location criterion for the purpose of identifying hazardous activities capable of causing transboundary effects on transboundary waters, and in cooperation with the Bureau proposed to amend it. The Conference of the Parties, at its third meeting, amended the Guidelines. A number of Parties identified their hazardous activities and reported them within their implementation reports but to a lesser extent notified them to neighbouring countries.

Work to be undertaken: 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 folder within the Convention's web site. 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 industrial accidents

Description: According to article 6, paragraph 1, 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 joint expert group reviewed the water-related location criterion contained in the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention. It also finalized a common reporting scheme on

the implementation of the conclusions and recommendations of the Hamburg seminar (CEP/WG.4/SEM.1/1999/3, annex I). The Conference of the Parties, at its third meeting, endorsed the joint expert group's oral report on progress in implementing its tasks.

**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 with the assistance of the joint expert group. The joint expert group will evaluate the responses to a reporting scheme and prepare an overall implementation report for consideration by the Conference of the Parties and the Meeting of the Parties to the Water Convention in 2006. The joint expert group will also organize a series of workshops to draw up safety guidelines/best practices for pipelines. 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 web site.

**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 I (a), to the Convention, the UNECE Industrial Accident Notification System (UNECE IAN System) was accepted by the Conference of the Parties 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. The UNECE IAN System was last tested on 9 November 2003 by Slovakia. The first consultation and a training session for points of contact for the purpose of accident notification and mutual assistance designated within the UNECE Industrial Accident Notification System were held in Bratislava on 10-11 November 2003. Following a recommendation of the consultation, a task force on the procedures and reports within the UNECE IAN System was established and held its meeting in Geneva on 22 June 2004. A meeting between UNECE, the Joint UNEP/OCHA Environment Unit and the European Commission took place on 21 June 2004 with the aim of harmonizing reports for accident notification and assistance requests. Following a recommendation of the task force, the UNECE IAN System was amended by the Conference of the Parties at its third meeting (ECE/CP.TEIA/12, annex III, decision 2004/3 amending 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, available on the Convention's web site (<http://www.unece.org/env/teia/contact.htm>) with restricted access.

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 web site. According to annex IX, paragraph 4, to the Convention, the UNECE IAN System will further be periodically tested on a subregional basis and reviewed to ensure that it is operational at all times. A task force to review the communication procedures under the UNECE IAN System was established at the third meeting of the Conference of the Parties. 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 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: (i) International workshop and exercise on industrial safety and water protection in transboundary river basins - Tiszaújváros (Hungary), 3-5 October 2001; 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.

Work to be undertaken: A response exercise will be organized by Germany, together with Poland, in 2005. 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 Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes. 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 was completed within seven meetings of the Working Group. The Parties to both Conventions adopted the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters at their second joint special session on 21 May 2003. The Protocol was signed by 24 UNECE member countries and so far ratified by one.

Work to be undertaken: Promotion of the early entry into force of the Protocol. Make preparations for a third joint special session, preferably in 2006, at which UNECE member countries would report on the steps that they have taken to ratify the Protocol. Set the thresholds, limits of liability and minimum limits of financial securities for pipelines referred to in article 29, paragraph 2, of the Protocol. Eventually, make preparations for the first meeting of the Parties to the Protocol.

## **PROGRAMME AREA 7: Scientific and technological cooperation**

### **7.1 Facilitation of the 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.

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 databank 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 2005-2006**

The following are specific programme elements selected from the long-term programme of work (Part One) as priority tasks to be implemented in 2005-2006.

#### **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 and of the password-protected folder containing individual country implementation reports within the Convention's web site (UNECE secretariat);

1.1.2. Organization of a training session to share good practices on drawing up individual country implementation reports (Working Group on Implementation)

1.1.3. Preparation of the third 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 a high-level meeting in order to obtain a firm commitment from the EECCA and SEE countries towards the practical application of the basic tasks of the Convention (Ministers of competent authorities from EECCA and SEE countries /Bureau/Working Group on Implementation/UNECE secretariat);

1.2.2. Organization of field missions and/or meetings with high-level officials from the EECCA and SEE countries (Bureau/Working Group on Implementation/UNECE secretariat);

#### **PROGRAMME AREA 2: Scope of the Convention**

##### **2.1 Hazardous substances**

2.1.1 Review of annex I to the Convention – 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/drawing up of a possible amendment to annex I (Working Group on the Development of the Convention)

## 2.2 Hazardous activities

2.2.1 Maintenance of information on hazardous activities in a password-protected folder within the Convention's web site (Working Group on Implementation/UNECE secretariat).

### **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 (ECE/CP.TEIA/2, annex VI) (Joint ad hoc expert group on water and industrial accidents);

3.1.2 Preparation of a report 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);

3.1.3 Organization of two workshops to draw up safety guidelines/best practices in relation to pipelines (Germany/Netherlands/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);

4.1.2 Testing of the UNECE IAN System (Points of contact/UNECE secretariat);

4.1.3 Organization of consultations/training sessions for personnel of points of contact (Points of contact/UNECE secretariat);

4.1.4 Review of the communication procedures under the UNECE IAN System (Task force to review the communication procedures/Bureau/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 simulated industrial accidents (Germany/Poland/UNECE secretariat).

### **PROGRAMME AREA 6: Responsibility and liability**

## 6.1 Responsibility and liability regime

6.1.1 Promotion of the early entry into force of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (Bureau in cooperation with the Bureau of the Water Convention/Conventions' secretariats);

6.1.2 Make preparations for a third joint special session of the Meeting of the Parties to the Water Convention and the Conference of the Parties, to take place preferably in 2006, at which the Parties would be able to report on the steps taken to ratify the Protocol (Bureau in cooperation with the Bureau of the Water Convention/Conventions' secretariats).

### **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 Establishment of a register of institutions and experts capable of providing assistance regarding preventive, preparedness and response measures (Parties/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 2005-2006**

No. <i>a/</i>	Programme area/element/activity	Lead country/institution supporting countries/institutions	Contributions	Expected budget	Expected output
<b>1.</b>	<b>Monitoring of and assistance in the implementation of the Convention</b>				
<b>1.1</b>	<b>Implementation of the Convention</b>				
1.1.1	Maintenance of the list of competent authorities and of the password-protected folder containing individual country implementation reports within the Convention's web site	<b>UNECE secretariat</b> All Parties			List of competent authorities on the web site
1.1.2	Organization of a training session to share good practices on drawing up individual country implementation reports	<b>Working Group on Implementation</b>	To be arranged by the Working Group	€15,000	Enhanced local capacities
1.1.3	Preparation of the third report on the implementation of the Convention to be available on the Convention's web site	<b>Working Group on Implementation</b> All Parties	To be arranged by the Working Group	€4,000	Third 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	<b>Working Group on Implementation</b>			Conclusions and recommendations for adoption by the Conference of the Parties
<b>1.2</b>	<b>Assistance to Parties in implementing the Convention and to Signatories and other UNECE member countries wishing to become a Party in ratifying the Convention</b>				
1.2.1	Organization of a high-level meeting in order to obtain a firm commitment from the EECCA and SEE countries towards the practical application of the basic tasks of the Convention	<b>EECCA and SEE countries Bureau Working Group on Implementation</b> UNECE secretariat	To be arranged by the Bureau	€75,000	Commitments to implement the assistance programme
1.2.2	Organization of field missions and/or meetings with high-level officials from the EECCA and SEE countries	<b>Bureau Working Group on Implementation</b> UNECE secretariat		€43,000-64,000	Verification of implementation of part one and definition of needs for part two of the assistance programme

<b>2.</b>	<b>Scope of the Convention</b>				
<b>2.1</b>	<b>Hazardous substances</b>				
2.1.1	Review of annex I to the Convention – 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/drawing up of a possible amendment to annex I	<b>Working Group on the Development of the Convention/Bureau</b>	To be arranged by the Working Group	€4,000	Possible amendment to annex I to the Convention
<b>2.2</b>	<b>Hazardous activities</b>				
2.2.1	Maintenance of information on hazardous activities in a password-protected folder within the Convention's web site	<b>Working Group on Implementation</b> All Parties/UNECE secretariat			Information on hazardous activities
<b>3.</b>	<b>Prevention of industrial accidents</b>				
<b>3.1</b>	<b>Prevention of accidental water pollution</b>				
3.1.1	Continuation of work on the prevention of accidental water pollution as specified in decision 2000/5	<b>Joint ad hoc expert group on water and industrial accidents</b> <b>Hungary/Switzerland</b>	<i>Host countries</i> (in kind - two meetings)	€10,000	Implementation of the programme of work
3.1.2	Preparation of a report on the implementation of the conclusions and recommendations of the Hamburg seminar	<b>Joint ad hoc expert group on water and industrial accidents</b>			Implementation report
3.1.3	Organization of two workshops to draw up safety guidelines/best practices in relation to pipelines	<b>Germany/Netherlands/</b> <b>Joint ad hoc expert group on water and industrial accidents</b> Conventions' secretariats	Germany/ Netherlands	€60,000	Safety guidelines/best practices in relation to pipelines

<b>4</b>	<b>Points of contact and industrial accident notification</b>				
<b>4.1</b>	<b>UNECE Industrial Accident Notification System</b>				
4.1.1	Maintenance of the list of points of contact	<b>UNECE secretariat</b> Points of contact			List of points of contact on the web site
4.1.2	Testing of the UNECE IAN System	Points of contact UNECE secretariat		€2,000	Test of the System
4.1.3	Organization of consultations/training sessions for personnel of points of contact	<b>Italy</b> Points of contact UNECE secretariat	<b>Italy</b>	€20,000	Consultations/training sessions
4.1.4	Review of the communication procedures under the UNECE IAN System	<b>Task force/Points of contact</b> Convention secretariats			Recommendations for enhanced communication procedures
<b>5.</b>	<b>Emergency preparedness, response and mutual assistance</b>				
<b>5.1</b>	<b>Emergency preparedness and response</b>				
5.1.1	Organization of a transboundary response exercise to a simulated industrial accident	<b>Germany/Poland</b> UNECE secretariat	To be arranged by the Bureau and the UNECE secretariat with donors	€30,000	Exchange of experience in establishing and implementing preparedness and response measures
<b>6.</b>	<b>Responsibility and liability</b>				
<b>6.1</b>	<b>Responsibility and liability regime</b>				
6.1.1	Promotion of the early entry into force of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters	<b>Bureau</b> Conventions' secretariats			Entry into force
6.1.2	Make preparations for a third joint special session of the Meeting of the Parties to the Water Convention and the Conference of the Parties, to take place preferably in 2006, at which, among other things, the Parties would be able to report on the steps taken to ratify the Protocol	<b>Bureau</b> Conventions' secretariats		€20,000	Third joint special session, reports on ratification status



<b>7.</b>	<b>Scientific and technological cooperation</b>				
<b>7.1</b>	<b>Exchange of information and safety technologies</b>				
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	<b>Bureau</b>	To be arranged by the Bureau and the UNECE secretariat with donors		Country partnerships, training programmes, exchange of experts
7.1.2	Establishment of a register of experts capable of providing assistance regarding preventive, preparedness and response measures	<b>UNECE secretariat</b> All Parties			Register of experts
<b>8.</b>	<b>Past industrial accidents</b>				
<b>8.1</b>	<b>Reporting of past industrial accidents</b>				
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	<b>European Commission - DG JRC</b> UNECE secretariat	In kind  In kind		UNECE Past Industrial Accident Reporting System
	<b>Fourth meeting of the Parties</b>	<i>Host country</i> Bureau UNECE secretariat		€50,000	Fourth meeting of the Conference of the Parties
	<b>Two meetings of the Bureau (2005 and 2006)</b>	<b>Bureau</b> UNECE secretariat	To be arranged by the Bureau	€7,000	Bureau meetings
	<b>Promotion of the Convention and assistance in implementation of the work plan</b>	<b>UNECE secretariat</b> Bureau	To be arranged by the Bureau and the UNECE secretariat with donors	€12,000	Promotional material, substantive background papers and equipment
	<b>Additional staffing in the Convention's secretariat (2005-2006)</b>		To be arranged by the secretariat with donors	€210,000	Initiation and monitoring of the assistance programme

a/ The numbers correspond to the ones assigned in the work plan for 2005-2006.

### **Appendix III**

#### **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**

1. The following East European, Caucasian and Central Asian countries: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, Tajikistan, Turkmenistan, Ukraine and Uzbekistan; as well as the following South-East European countries: Albania, Bosnia and Herzegovina, Serbia and Montenegro, and the former Yugoslav Republic of Macedonia, are eligible for full financial assistance (travel expenses and daily subsistence allowance (DSA)) to support the participation of their experts and representatives in activities organized within the framework of the Conference of the Parties. Bulgaria, Romania and the Russian Federation are eligible for partial financial assistance (DSA only).
2. The East European, Caucasian and Central Asian countries and South-East European UNECE member countries, as defined for the purpose of the internationally supported assistance programme to enhance their efforts to implement the Industrial Accidents Convention, are eligible for full financial assistance (travel expenses and DSA) to support the participation of their experts and representatives in activities organized within the programme.