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

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**ASSISTANCE PROGRAMME FOR THE COUNTRIES OF EASTERN EUROPE,  
CAUCASUS AND CENTRAL ASIA AND SOUTH-EASTERN EUROPE TO ENHANCE  
THEIR EFFORTS IN IMPLEMENTING THE CONVENTION**

**Report on the results of the preparatory phase of the Assistance Programme**

Prepared by the Chairman of the Conference of the Parties and the Chairman of the Working  
Group on Implementation in cooperation with the Convention's secretariat

1. The Assistance Programme for the Countries of Eastern Europe, Caucasus and Central Asia (EECCA) and South-Eastern Europe (SEE) was adopted by the Conference of the Parties at its third meeting in Budapest on 27–30 October 2004. It consists of two phases, a preparatory phase and an implementation phase.
2. In accordance with the programme, the Bureau, together with the Working Group on Implementation and the support of the Convention's secretariat, was requested to report to the Conference of the Parties on the results of the programme's preparatory phase (CP.TEIA/2004/2, para. 52).

3. The present document contains a report on the activities that took place during the programme's preparatory phase through September 2006. It is, however, not the final report, since the preparatory phase is still ongoing (see para. 13).

### **Steps under the preparatory phase**

4. The preparatory phase was designed in order to prepare the countries of EECCA and SEE to receive assistance in implementing the Convention within the programme's implementation phase. It should ensure that assistance is rendered to those countries of EECCA and SEE which implemented the basic tasks under the Convention as defined in the Assistance Programme (document CP.TEIA/2004/2, chap. IV) and that expressed a commitment to implementing the Convention fully.

5. The preparatory phase consisted of the following steps:

Step 1 – Agreement on the final version of the programme, its presentation for adoption at the third meeting of the Conference of the Parties and its subsequent adoption;

Step 2 – A High-level Commitment Meeting to obtain commitment from the countries of EECCA and SEE to full implementation of the Convention; and

Step 3 – Fact-finding missions to countries of EECCA and SEE to verify the implementation of the Convention's basic tasks and to identify needs for future capacity building activities.

#### **Step 1**

6. The draft version of the Assistance Programme was available and open for comments to all Parties and other UNECE member countries before and during the third meeting of the Conference of the Parties. At the same meeting, the Conference of the Parties adopted the Assistance Programme.

#### **Step 2**

7. In the context of preparations for the High-level Meeting, a commitment declaration to be adopted by the heads of delegations of countries of EECCA and SEE was drawn up and consulted on with representatives of all Parties and other UNECE member countries.

8. The negotiation of the text of the declaration (CP.TEIA/2005/10) was finalized at the open-ended joint meeting of the Bureau and the Working Group of Implementation (Warsaw, 14 September 2005). Thirty countries, including 17 countries of EECCA and SEE, were present at this meeting and took part in the negotiations of the declaration.

9. The High-level Meeting took place on 14–15 December 2005 in Geneva. The participants included delegations from 34 UNECE member countries, among these 17 countries of EECCA and SEE, as well as representatives of international organizations and the private sector (see report CP.TEIA/2005/12).

10. The meeting achieved its three key objectives:

(a) A common understanding was reached of the different tasks under the Convention and what it would take to implement them;

(b) A firm commitment to implementing the Convention was expressed by 17 countries of EECCA and SEE (Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Kazakhstan, Kyrgyzstan, the Republic of Moldova, Romania, the Russian Federation, Serbia and Montenegro, Tajikistan, The former Yugoslav Republic of Macedonia, Ukraine and Uzbekistan) through adoption of the declaration (CP.TEIA/2005/12, annex); and

(c) Support for implementing the Assistance Programme, through both financial and in-kind contributions, was expressed by the countries of Central and Western Europe.

### Step 3

11. The concept for the fact-finding missions to those countries of EECCA and SEE which have adopted the declaration was presented at the High-level Meeting.

12. The countries of EECCA and SEE were requested to nominate a mission coordinator, who would be responsible for preparing the missions. They were also asked to inform the secretariat about their preferred time frame for the mission.

13. Out of 17 countries that adopted the commitment declaration, 16 provided the requested information to the secretariat. Of these, eight countries (Armenia, Azerbaijan, Belarus, Bulgaria, the Republic of Moldova, Romania, The former Yugoslav Republic of Macedonia and Tajikistan) indicated a preference for hosting a fact-finding team between May and June 2006. Four countries (Georgia, Kazakhstan, Kyrgyzstan and Ukraine) specified autumn 2006. Four other countries (Bosnia and Herzegovina, Croatia, Serbia and Uzbekistan) informed the secretariat that they would be not able to host a mission before 2007. The date for the mission to Montenegro has to be further investigated.<sup>1</sup> The only country that did not provide any information to the secretariat was the Russian Federation.

14. The programmes of the missions included meetings with representatives of the competent authorities, points of contact under the UNECE Industrial Accident Notification (IAN) System, selected local authorities and hazardous activities. The programmes were drawn up by mission coordinators in cooperation with the secretariat.

15. The team leader and members were selected by the secretariat according to the terms of reference for the fact-finding teams accepted by the Bureau of the Conference of the Parties.

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<sup>1</sup> The Republic of Montenegro declared its independence on 3 June 2006 following a referendum which took place on 21 May 2006.

16. The task of the teams was to evaluate the implementation of the basic tasks; to draw up a list of areas for which capacity-building activities and advisory services are needed; to identify the possibilities and needs for launching transboundary pilot projects and joint exercises with neighbouring EECCA and SEE countries; and to compile a report on their findings.

17. Between May and September 2006, fact-finding teams visited 11 countries as listed in Table 1.

**Table 1. Missions, dates and teams**

<b>Country visited / mission's report</b>	<b>Date</b>	<b>Team leader</b>	<b>Team members</b>
Tajikistan / ECE/CP.TEIA/AP.1	9–13 May	Mr. Bruno Frattini (Italy)	Mr. Massimo Cozzone (Italy) Mr. Viktor Novikov (UNEP)
Belarus / ECE/CP.TEIA/AP.2	14–17 May	Mr. Ryszard Grosset (Poland)	Mr. Pavel Danihelka (Czech Republic) Ms. Ellena Veligosh (UNEP)
Azerbaijan / ECE/CP.TEIA/AP.3	21–25 May	Mr. Ernst Berger (Switzerland)	Mr. Jan Roed (Norway) Mr. Otto Simonett (UNEP)
Republic of Moldova / ECE/CP.TEIA/AP.4	28–31 May	Mr. Ludwig Dinkloh (Germany)	Ms. Lena Tellvik (Sweden) Ms. Ellena Veligosh (UNEP)
The former Yugoslav Republic of Macedonia / ECE/CP.TEIA/AP.5	28–30 May	Mr. Cornelis van Kuijen (Netherlands)	Mr. Ennio Aquilino (Italy) Ms. Tsvetelina Filipova (REC)
Bulgaria / ECE/CP.TEIA/AP.6	31 May – 2 June	Mr. Cornelis van Kuijen (Netherlands)	Mr. Ennio Aquilino (Italy) Ms. Tsvetelina Filipova (REC)
Romania / ECE/CP.TEIA/AP.7	12–14 June	Mr. Bruno Frattini (Italy)	Mr. Tomas Trcka (Slovakia) Mr. Daniele Roscino (Italy)
Armenia / ECE/CP.TEIA/AP.8	18–22 June	Mr. Ernst Berger (Switzerland)	Mr. Thord Tarnbrant (Sweden) Mr. Lukasz Wyrowski (UNECE)
Georgia / CRP.1	29 Aug. – 1 Sept.	Mr. Cornelis van Kuijen (Netherlands)	Ms. Hanna Makinen-Sundstrom (Sweden) Mr. Tomas Trcka (Slovakia)
Kyrgyzstan / CRP.2	12–15 Sept.	Mr. Bruno Frattini (Italy)	Mr. Massimo Cozzone (Italy) Mr. Viktor Novikov (UNEP)
Ukraine / CRP.3	17–20 Sept.	Mr. Cornelis van Kuijen (Netherlands)	Mr. Lajos Kataj-Urban (Hungary) Ms. Hanna Makinen-Sundstrom (Sweden)

18. A pre-mission was organized to Bosnia and Herzegovina. Its aim was to ensure that the authorities understand the basic tasks that the country would have to implement before organising the fact-finding mission. Mr. Lajos Kataj-Urban (Hungary) and Ms. Jasmina Karba (Slovenia) participated in this pre-mission visit, representing the Bureau and the Conference of the parties.

### Key findings

19. According to the mission reports (ECE/CP.TEIA/AP.1–8 and CRP.1–3, chaps. II and III), six countries (Armenia, Belarus, Bulgaria, the Republic of Moldova, Romania and Ukraine) implemented the basic tasks required by the programme. The fact-finding teams recommended that these countries be assisted within the programme.

20. Three countries (Azerbaijan, Kyrgyzstan and Tajikistan) did not finalize all the basic tasks under the Convention. Azerbaijan did not complete the establishment of the point of contact under the IAN System (task G). Kyrgyzstan and Tajikistan did not finalize the implementation of the UNECE IAN System at the national level and did not designate an authority responsible for bilateral cooperation, including notification of hazardous activities to neighbouring countries (tasks E and H). In addition, Kyrgyzstan has yet to identify the roles of the competent authorities in implementing the Convention. The teams recommended that the three countries complete their task as soon as possible, preferably before November 2006, in order to report on their accomplishment of the tasks at the fourth meeting of the Conference of the Parties.

21. Finally, the mission to The former Yugoslav Republic of Macedonia revealed that this country lacks the necessary capacities to implement the basic tasks and requires the assistance of the Conference of the Parties in this respect. The teams recommended organizing an awareness-raising activity regarding the Convention and providing assistance in setting up an institutional framework under which the tasks could be best addressed. Assistance was also needed in drawing up a plan of action for implementing the Convention's basic tasks.

22. At the time of finalizing this document, the report of the fact-finding mission to Georgia was not yet available.

### Needs for assistance

23. Each team also identified the various needs for capacity-building activities. These were discussed mainly with representatives of competent authorities, but also with representatives of authorities at the local level and of hazardous activities (ECE/CP.TEIA/AP.1–8 and CRP.1–3, chap. IV). The needs were identified according to the areas under sections A–J in the Assistance Programme. Following is a summary of the results.

24. *Section B (The Convention and the national legal framework)*: Several countries requested legal advisory services to help them improve their legislation. Some seek assistance in assessing existing legislation and in identifying gaps with regard to the Convention. Others have specific needs such as: (a) assistance in introducing the polluter-pays principle, (b) provisions regarding the liability and responsibility of the operators of hazardous activities, and (c) obligatory civil liability insurance systems for damages resulting from industrial accidents.

25. *Section C (Competent authority)*: Further improvements are needed in cooperation between national authorities, between them and regional and local authorities, and with industry. Countries expressed their interest in workshops addressing these issues, with the aim of strengthening the qualifications of personnel of competent authorities. Furthermore, training is

requested in best practices regarding the effective use of available human and financial resources.

26. *Section D (Identification of hazardous activities)*: A workshop and training for personnel of competent authorities are needed to improve their ability to apply annex I to the Convention and the substance and location criteria. Most of the visited countries expressed interest in such activities. They also seek access to databases of chemicals, and to training in using them.

27. *Section E (Notification of hazardous activities to neighbouring countries)*: Many missions identified a need for assistance in strengthening cross-border cooperation, including notification of hazardous activities. Furthermore, Central Asian countries seek support in developing a common understanding in this respect.

28. *Section F (Preventive measures)*: The majority of countries seek assistance in drawing up and implementing effective preventive measures. The personnel of authorities should be trained in this area. Training is also sought for inspectors dealing with implementation of safety systems. Some countries are interested in a seminar on risk assessment methodologies, safety management systems and safety standards. Assistance is also requested in the development and improvement of monitoring systems for hazardous activities.

29. *Sections G and H (Point of contact for the purpose of industrial accident notification and mutual assistance, industrial accident notification system)*: Training for personnel at points of contact was requested in operating the UNECE IAN System.

30. *Section I (Emergency preparedness and response, mutual assistance)*: Seminars on best practice in developing emergency plans are needed, in particular concerning compatible off-site emergency plans in border areas. The majority of countries expressed a need to strengthen the capacity for mutual assistance through multilateral training, and for familiarization with best practice in mitigating the effects of emergency situations in border areas. Some countries made specific requests for (a) assistance in implementing software for mathematical modelling of zones of chemical contamination, and personnel training in this area; (b) best practice for mitigating the effects of industrial accidents on rivers, and (c) improvement or development of new organizational structures for emergency preparedness on the national, regional and local scales, with an indication of the human and financial resources required.

31. *Section J (Information to and participation of the public)*: There is interest in training or a seminar on how to involve the public in issues linked to prevention of, preparedness for and response to industrial accidents.

32. The needs identified by the fact-finding teams complement the list of needs drawn up by the Working Group on Implementation on the basis of implementation reports for countries of EECCA and SEE. These two sources of information provide a good basis for identifying priorities for assisting these countries.

### **Resources in the preparatory phase**

33. The implementation of the preparatory phase, in particular the High-level Meeting and the fact-finding missions, required human and financial resources.

34. These resources were provided by the United Nations regular budget, the extrabudgetary financial contributions of Central and Western European countries to the Convention's trust fund, and in-kind contributions. The latter were mainly made by countries offering their experts as members of fact-finding teams. Table 2 shows the extrabudgetary financial and in-kind contributions provided to the Assistance Programme so far.

**Table 2. Extrabudgetary financial and in-kind contribution**

<b>Donor country</b>	<b>Financial contribution in US\$</b>	<b>In-kind contribution</b>
Italy	106 994	Expert services and travel expenses for missions to Tajikistan, TTYR of Macedonia, Bulgaria, Romania and Kyrgyzstan
Netherlands	79 576	
Switzerland	49 877	Expert services and travel expenses of UNEP experts for missions to Tajikistan, Belarus, Azerbaijan, Republic of Moldova and Kyrgyzstan
Norway	37 998	Expert services and travel expenses for a mission to Azerbaijan
Czech Republic	4 000	Expert services for a mission to Belarus
Slovenia	6 024	Expert services and travel expenses for a pre-mission to Bosnia and Herzegovina
Poland	5 882	Expert services for a mission to Belarus
Austria	5 000	-
Sweden	-	Expert services and travel expenses for missions to Republic of Moldova, Armenia, Georgia and Ukraine
Slovakia	-	Expert services and travel expenses for missions to Romania and Georgia
Hungary	-	Expert services for a mission to Ukraine and expert services and travel expenses for a pre-mission to Bosnia and Herzegovina
REC Central Europe	-	Expert services for missions to TTYR of Macedonia and Bulgaria

35. The participation of 32 representatives from countries of EECCA and SEE in the High-level Meeting was supported through the trust fund. This support amounted to US\$ 47,500.

36. The costs of 11 fact-finding missions were estimated at US\$ 125,000, 60 per cent of which was covered as in-kind contributions. These included the services of all team members and one team leader as well as the travel expenses of a majority of the team members. Table 3 gives the estimated costs of these missions.

**Table 3. Costs of fact-finding missions<sup>2</sup>**

Country	Total estimated cost of the fact-finding missions	Part covered from the trust fund	Estimated value of in-kind contribution
Tajikistan	14 500	5 700	8 800
Belarus	9 500	2 500	7 000
Azerbaijan	13 000	5 100	7 900
Republic of Moldova	9 500	4 000	5 500
TfYR of Macedonia	9 500	3 200	6 300
Bulgaria	9 500	2 700	6 800
Romania	9 500	3 500	6 000
Armenia	13 000	7 300	5 700
Georgia	13 000	4 400	8 600
Kyrgyzstan	14 500	4 200	10 300
Ukraine	9 500	5 000	4 500
	<b>125 000</b>	<b>47 600</b>	<b>77 400</b>

37. Programme management and meeting facilities and interpretation were provided through the United Nations regular budget. Programme support costs from May 2005 through September 2006 (amounting to US\$ 117,000) were covered from the Convention's trust fund.

### Conclusions and lessons learned

38. Of 19 countries of EECCA and SEE, 17 participated actively in the preparations for the High-level Meeting and expressed at the meeting their commitment to implementing the Convention. Eleven of them have already hosted fact-finding teams.

39. Six countries implemented all basic tasks defined by the Assistance Programme, and by doing so demonstrated that they are ready to participate in the programme's implementation phase. Together with the fact-finding teams, they identified areas in which they need assistance in order to continue work towards full implementation of the Convention. This was also the case for three other countries that should finalize the implementation of basic tasks before the fourth meeting of the Conference of the Parties.

<sup>2</sup> The Bureau agreed on the following costing for the experts' services: US\$ 2,400 for countries of Central Asia, US\$ 2,200 for countries of Caucasus and US\$ 2,000 for other EECCA and SEE countries for team leaders, and 75 per cent of these values for team members.

40. The preparatory phase of the Assistance Programme thus proved to be very successful in preparing countries of EECCA and SEE for assistance activities. It also ensured that these countries would benefit from such activities.

41. Nevertheless, this phase also revealed that some countries are not yet ready to receive assistance on more complex issues, but rather seek assistance to strengthen their capacities to be able to implement the basic tasks. The Conference of the Parties is therefore invited to decide on means and ways to assist these countries. Furthermore, it should be understood that these countries will be invited to participate in the activities within the implementation phase as soon as they complete the basic tasks.

42. The preparatory phase will continue for those countries which have not yet hosted a fact-finding team. These countries should inform the Convention's secretariat about their readiness to demonstrate the implementation of basic tasks.