

Working Area 5: Response and Mutual Assistance

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Major accidents happen



Arrangement need to be in place to provide swift response and mutual assistance

- Identify and notify an industrial accident or threat of one
- Procedures in place to request or offer assistance
- Practical arrangements in place

**What does the Convention require?
Article 10 – Industrial accident notification
system**

- The country shall have an effective system to notify industrial accidents to counteract transboundary effects.
- In the event of an accident (or threat of) which causes or is capable of causing transboundary effects, the country of origin shall notify affected parties without delay.
- The notification shall include the information set out in Annex IX
- The emergency plan (prepared according to Article 8) shall be put into effect.

**What does the Annex IX require?
Industrial accident notification system**

- Effectively it require the use of United Nations Economic Commission for Europe (UNECE) Industrial Accident Notification (IAN) System.
- The system enables the country to transmit the required information:
 - Type & magnitude of accident
 - Hazardous substances involved, & severity of possible effects
 - Time of accident and exact location
 - Any other information necessary for efficient response
 - Further relevant information as needed
- Regular tests and reviews of the effectiveness of the system shall be undertaken, including training of personnel.
- Tests, reviews and training shall be performed jointly, as appropriate.

**What does the Convention require?
Article 11 - Response**

- Each country shall ensure that in the event of an industrial accident (or threat of) response measures are taken as soon as possible to contain and minimise the effects of the incident.
- The most efficient practices shall be used.
- In the event of an incident (or threat of) which causes or is capable of causing transboundary effects, the Countries involved shall ensure that the effects are assessed, jointly where appropriate in order to take adequate response measures.
- The countries concerned shall endeavour to co-ordinate their response measures.

What does the Convention require? Article 12 – Mutual Assistance

- If a country needs assistance in the event of an industrial accident, it may ask for assistance from other countries.
- The country should describe the scope and type of assistance required.
- The country receiving the request shall deal with it promptly. It should inform the country seeking assistance whether it can help, and describe what the help would be.
- Countries involved should co-operate to facilitate and provide the assistance which has been agreed. This could involve taking action to minimise the consequences and effects of the incident, as well as providing more general assistance.
- Countries without bilateral or multilateral agreements for assistance shall provide assistance in line with Annex X of the Convention

What does the Annex X require? Mutual Assistance – no bilateral or multilateral agreement in place

- The country requesting assistance has overall control inline with its national laws.
- It is responsible for: directing, controlling, coordinating & supervising the assistance.
- It shall provide provide the necessary facilities, including as far as possible protection of personnel, equipment and materials brought into the country.
- Unless agreed otherwise, the requesting country should pay for the assistance.
- It should endeavour to facilitate the necessary arrangements to ensure personnel from the assisting country can provide the assistance required.
- Either party can terminate the arrangement, but must consult one another to make the proper arrangements.

How do the indicators help with implementation?

- implementation is achieved when countries have **in place** and are **implementing** a comprehensive system ensuring that:
 - Accidents (or of threat of one) are identify quickly enabling transboundary cooperation
 - Procedures in place to request assistance
 - Procedures in place to offer assistance
- Policy (formal, enabling) arrangements
- Practical (doing) arrangements

How do the indicators help with implementation?

These **indicators** define the different mechanisms that need to be in place to implement response and mutual assistance articles (**columns**):

1. A mechanism giving responsibility to the competent authority to promptly recognise industrial accidents or threat of;
2. A mechanism to ensure the use of notification systems at the local level;
3. A mechanism to ensure use of IAN System;
4. A mechanism giving responsibility to the competent authority to request and to provide assistance.

How do the criteria help?

- The **criteria** define the level (**progress stages**) of policy and practical implementation of the mechanisms (indicators) (**rows**)
- There are 6 progress stages against each of the indicators (mechanisms to implement response and mutual assistance)

What are the criteria (progress stages)?

A mechanism giving responsibility to the competent authority to promptly recognise industrial accidents (or threat of):

- **Stage 1:** *Little awareness* amongst CA of the need for mechanism to quickly recognise an industrial accident (or threat of)
- **Stage 2:** *Initial discussions* at expert level leading to understanding of the legal context & proposal for mechanism
- **Stage 3:** *Decision* taken by policy makers to introduce mechanisms and give responsibility to the CA. All relevant stakeholders identified.
- **Stage 4:** *Intensive and detailed discussions* on legislation and procedures needed involving all stakeholders.
- **Stage 5:** *Mechanism adopted*, but not yet operational. Training programme designed.
- **Stage 6:** *Mechanism adopted and fully operational* – continuous training & resourcing.

What are the criteria (progress stages)?

A mechanism to ensure the use of a notification systems at local level:

- **Stage 1:** *Little awareness* amongst CA of the importance of a well functioning notification system involving local actors
- **Stage 2:** *Initial discussions* at expert level leading to understanding of the legal context & proposal for mechanism & implications at local level
- **Stage 3:** *Decision* taken by policy makers to introduce mechanisms and give responsibility to the CA. Buy-in at a local level.
- **Stage 4:** *Intensive and detailed discussions* on legislation and procedures needed involving national & local stakeholders.
- **Stage 5:** *Mechanism adopted*, but not yet operational. Training programme designed.
- **Stage 6:** *Mechanism adopted and fully operational* – clear understanding of roles & responsibilities at local level.

What are the criteria (progress stages)?

A mechanism to ensure the use of the UNECE IAN system:

- **Stage 1:** *Little awareness* amongst CA of the IAN system & how to use it
- **Stage 2:** *Initial discussions* at expert level leading to understanding of the legal context & proposal to ensure designated point of contact to use system at international level
- **Stage 3:** *Decision* taken by policy makers to introduce a designated point of contact. Understanding of stakeholders at international, cross -government & local level.

What are the criteria (progress stages)?

A mechanism to ensure the use of the UNECE IAN system:

- **Stage 4:** *Intensive and detailed discussions* on the use of the IAN system. Involvement of national & local stakeholders.

Discussion will cover: changes to national legislation, equipment, training, arrangements to test & review system
- **Stage 5:** *Mechanism adopted*, but not yet operational eg obligation to use system, identification of point of contact, training programme designed.
- **Stage 6:** *Mechanism adopted and fully operational* – resources (staff, funding etc) in place, clear understanding of roles & responsibilities, contingency plans to ensure continuity of point of contact & use of IAN system.

What are the criteria (progress stages)?

A mechanism to giving responsibility to competent authority to request and provide mutual assistance:

- **Stage 1:** *Little awareness* amongst CA of the need to establish a mechanism
- **Stage 2:** *Initial discussions* at expert level leading to understanding of the legal context & proposal for mechanism & ensuring point of contact for assistance is assigned

Point of contact for IAN system and mutual assistance ideally should be the same person/team

- **Stage 3:** *Decision* taken by policy makers to introduce mechanisms for requesting/providing assistance & assigning point of contact. Consultation between government & local stakeholders.

What are the criteria (progress stages)?

A mechanism to giving responsibility to competent authority to request and provide mutual assistance:

- **Stage 4:** *Intensive and detailed discussions* on:
 - legal basis to be used to request/respond to a request for assistance (national legislation, bilateral/multilateral agreements, Party to the Convention),
 - scope of decisions of when to request assistance and when to provide or reject requests for assistance,
 - procedures needed, and division of responsibilities.
- **Stage 5:** *Mechanism adopted* through government act or other form of national practice defining the points above. Training programme designed.
- **Stage 6:** *Mechanism adopted and fully operational* – resources in place (staff, funding, experts trained to carry out roles & responsibilities) to quickly & reliably respond, contingency plans to ensure continuity of point of contact .

Why are these arrangements important?

- Without arrangements for response & mutual assistance any action in the event of an accident would be chaotic;
- If response actions were chaotic, mitigation of effects would be ineffective and the accidents, as the past shows, would have severe consequences



What to do to make procedures & implementation arrangements effective

Uncertainty on response & assistance arrangements across the country & with neighbours



Detailed discussion needed on the parameters/rules



But for the discussion to take place there needs to be policy agreement & practical procedures in place



This requires adequate awareness & training

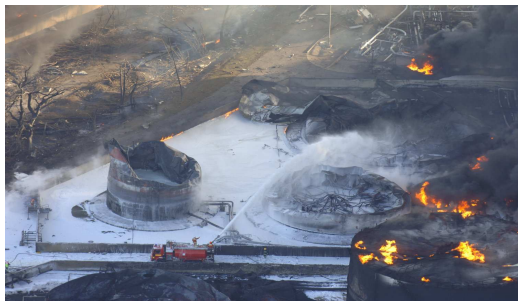


For good level of response & mutual assistance a good system is necessary – the four mechanisms need to be fully in place

Accidents do happen.....



And effective arrangements need to be in place to mitigate the effects....



Thank you for listening
