

DECISION 2006/4
THE PRIORITIES, WORKPLAN AND RESOURCES UNDER THE CONVENTION FOR 2007–2008

The Conference of the Parties

1. Sets the following priorities for its activities in 2007 and 2008:
 - (a) Provision, on a needs-driven basis, of assistance to Parties in implementing the Convention and to other UNECE member countries in ratifying or acceding to it;
 - (b) Provision of guidance and assistance in applying the amended annex I to the Convention and guidelines to facilitate the identification of hazardous activities for the purposes of the Convention;
 - (c) Further progress in the identification of hazardous activities and 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 and enhancement of the communication procedures within 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 workplan for 2007–2008 as set out in appendix I, Part Two, to this decision;
3. *Requests* the Parties, and invites Governments of other UNECE member countries, to participate actively in the implementation of the workplan for 2007–2008, and invites Parties to take the lead in specific projects within the workplan;
4. *Accepts* the secretariat's report on the use of financial resources under the Convention in 2000–2006 (ECE/CP.TEIA/2006/12);
5. *Adopts* the budget of the Convention for 2007–2008 as set out in appendix II to this decision;

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

7. *Invites* other UNECE member countries to contribute to this budget as well;
8. *Welcomes* the contributions to the budget pledged, at the meeting, by the following Parties to the Convention: the Czech Republic, Italy, Norway and Switzerland;
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 and in the activities under the Assistance Programme, depending on the availability of funds, as set out in appendix III to this decision;
10. *Invites* the Executive Secretary of UNECE to continue to provide secretariat support for the tasks outlined in the workplan for 2007–2008;
11. *Requests* the UNECE secretariat to manage voluntary financial contributions in agreement with the donor countries/institutions;
12. *Requests* its Bureau to draw up, with the support of the secretariat, a budget for the next two-year period for adoption at the fifth 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 2007–2008 (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 2007–2008 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: 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), organized a training session to share good practices in drawing up individual country implementation reports before the third round of reporting. This led to improvements in quality of reports that were then submitted by countries. The Working Group with the assistance of the secretariat, based on these reports, prepared the third 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 fourth 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's reports on implementation will be publicly available on the Convention's website 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 and in addition countries of EECCA and SEE shall also report on their problems to fact-finding teams visiting the countries within the framework of the Assistance Programme. 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: Under the preparatory phase of the Assistance Programme a High-level Commitment Meeting was organized on 14–15 December 2005 in Geneva, at which 17 countries of EECCA and SEE through adopting a declaration committed towards implementing the Convention and expressed their willingness to participate in further activities under the Programme. Fact-finding missions were also organized to 11 countries of EECCA and SEE, during which fact-finding teams verified the implementation of basic tasks and identified needs for assistance in implementing more complex tasks under the Convention. The Conference of the Parties discussed the outcome of the preparatory phase of the Assistance Programme and endorsed its report. It also accepted the first countries to be assisted with the implementation phase of the Programme and entrusted the Bureau together with the Working Group on Implementation and with support of the secretariat to further elaborate the action plan on the concrete capacity building activities.

Work to be undertaken: The Bureau together with the Working Group on Implementation will define and help to organize activities according to the priorities of the action plans agreed by the Conference of the Parties within the framework of the internationally supported Assistance Programme. It will continue to review the needs and difficulties of countries, in particular the countries of EECCA and SEE. Fact-finding missions will be organized to remaining countries of EECCA and SEE. 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: The Working Group on the Development of the Convention reviewed the annex I to the Convention and made a proposal for amendment. The Conference of the Parties at its fourth meeting agreed with the proposal made by the Group and amended the annex I to the Convention.

Work to be undertaken: According to annex XII, paragraph I (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. The Conference of the Parties, at its third meeting, amended the Guidelines.

Work to be undertaken: Guidance on the application of the amended annex I to the Convention will be elaborated. Information on hazardous activities will be maintained by the Working Group on Implementation, with the help 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 website. 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 implementation of the conclusions and recommendations of the Hamburg seminar. It evaluated the responses to a reporting scheme and prepared 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 also organized a series of workshops on pipeline safety and drew up safety guidelines/best practices for pipelines. It established an Internet-based platform, which is available under the Water and Industrial Accidents website and provides an inventory of existing safety guidelines and best practices for prevention of accidental transboundary water pollution. The Conference of the Parties, at its fourth meeting, endorsed the report on the implementation of the conclusions and recommendations of the Hamburg seminar. It also endorsed the safety guidelines and good practices for pipelines.

Work to be undertaken: The Conference of the Parties will promote, with the assistance of the Joint Ad Hoc Group of Experts on Water and Industrial Accidents, policies and best practices aimed at increasing the safety of industrial operations, in particular hazardous activities, through the sharing of experience. It will provide assistance in improving the industrial safety within the framework of the Assistance Programme for the countries of EECCA and SEE. The Joint Expert Group

will continue providing guidance and assistance for countries with economies in transition in implementing the conclusions and recommendations of the Hamburg seminar. It will also organize a workshop to draw up safety guidelines/best practices for tailing dams. Also, guidance on drafting cross-border contingency plans and other requested guidance will be developed.

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 website.

Work accomplished: In order to make the notification procedure between the points of contact as efficient as possible and in accordance with articles 10, 12 and 17 as well as annex XII, paragraph 1 (a), to the Convention, the UNECE Industrial Accident Notification System (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 tested regularly every half a year periods following the second consultation for points of contact, which took place in Rome on 19–20 October 2005. The tests are performed on a subregional basis in English for Central, Western and South-East European and North American countries and in Russian for countries of Eastern Europe, Caucasus and Central Asia. A task force, established to review the communication procedures, made its recommendation to the Conference of the Parties on how to enhance the procedure. The Conference of the Parties at its fourth meeting agreed to enhance the current communication procedure by introducing Web-based notification. Forty-two 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 website (<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 website. 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. The decision to enhance the communication procedure by introducing Web-based notification will be implemented. 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, Parties on bilateral basis organized transboundary response exercise, e.g. exercise between Germany and Poland in 2005.

Work to be undertaken: The Conference of the Parties will promote and organize transboundary response exercises to simulated industrial accidents. Experience will be further shared and assistance provided in establishing and implementing preparedness and response measures, in particular to countries of EECCA and SEE within the framework of the Assistance Programme.

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: A consultation among Parties to Industrial Accidents and Water Conventions will be organized in order to review the steps that the Parties have taken to ratify the Protocol and to identify the reasons for low ratification status.

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 I (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 I (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.