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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 FIRST MEETING**

The Conference of the Parties was constituted as the governing body of the UN/ECE Convention on the Transboundary Effects of Industrial Accidents following its entry into force on 19 April 2000. The Parties to the Convention accepted the UN/ECE Industrial Accident Notification System as an early-warning tool. They adopted guidelines to facilitate the identification of hazardous activities that are capable of causing transboundary effects. They also agreed on the format and procedures for reporting on the implementation of the Convention and set up a Working Group on Implementation to monitor this process. The Conference of the Parties also approved the terms of reference for cooperation between the UN/ECE secretariat and the European Commission's Major Accident Hazards Bureau to collect and analyse information on past industrial accidents. The Parties agreed to continue work on the prevention of accidental water pollution in cooperation with the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes. A joint special session of the governing bodies of the two Conventions will also be prepared to consider entering into an intergovernmental negotiation process on civil liability for damage caused by hazardous activities.

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## INTRODUCTION

1. The first meeting of the Conference of the Parties to the UN/ECE Convention on the Transboundary Effects of Industrial Accidents took place in Brussels from 22 to 24 November 2000, at the invitation of the European Commission.
2. It was attended by delegations from 34 ECE member countries: Albania; Armenia; Austria; Azerbaijan; Belarus; Belgium; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Italy; Kyrgyzstan; Luxembourg; Netherlands; Norway; Poland; Portugal; Republic of Moldova; Romania; Russian Federation; Slovenia; Spain; Sweden; Switzerland; Tajikistan; Ukraine; United Kingdom; United States and Uzbekistan.
3. The meeting was attended by representatives of the European Community. The following international organizations were also represented: United Nations Environment Programme (UNEP); Joint Environment Unit of UNEP and the Office for the Coordination of Humanitarian Affairs (OCHA); World Health Organization's Regional Office for Europe (WHO/EURO); and Organisation for Economic Co-operation and Development (OECD). The non-governmental organization European Chemical Industry Council (CEFIC) attended. Representatives of the Regional Coordinating Centre for the Prevention of Industrial Accidents and the Regional Coordinating Centre for Industrial Accident Training and Exercises also took part in the meeting.

### I. OPENING CEREMONY AND CONSTITUTION

#### A. Opening statements

4. Mr. Janusz Żurek (Poland), the Chairman of the Meeting of the Signatories to the Convention, opened the meeting and highlighted the accomplishments that had preceded the Convention's entry into force on 19 April 2000. He also paid tribute to four colleagues who had been actively involved in the drawing-up of the Convention and further work under its framework: Mr. Jim Makris (United States); Mr. Hans-Jürgen Pettelkau (Germany); Mr. Kees J. van Kuijen (Netherlands); and Mr. Ulf Bjurman (Sweden). He also acknowledged the active role of the UN/ECE secretariat in this process.
5. Ms. Danuta Hübner, Executive Secretary of the United Nations Economic Commission for Europe, and Mr. Jean-François Verstryngne, Deputy Director-General of the European Commission's Directorate-General for the Environment, addressed the meeting.
6. Ms. Hübner welcomed the results of the international preparatory process for this meeting, carried out under the auspices of an open-ended group established by the Signatories. 1/ She stressed the importance for all UN/ECE member countries to cooperate to prevent industrial accidents and to efficiently respond to them and appealed to those countries that had not yet ratified the Convention to do so without further delay. Ms. Hübner welcomed the fact that proper application of the Convention was high on the meeting's agenda. She also

expressed the support of the Economic Commission for Europe for proposed work on developing a legally binding instrument on civil liability, as a joint activity with the Meeting of the Parties to the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes.

7. Mr. Verstryngge stated that implementing the Convention should be a top priority for the Parties over the coming years. He pointed out the benefits of achieving synergies between the Convention and the “Seveso II” Directive and expressed the European Commission’s strong support for drawing up an international instrument on liability. He also shared the following message from Ms. Margot Wallström, European Union’s Environment Commissioner, “Hosting this important conference in Brussels shows the Commission’s commitment to working together internationally beyond the boundaries of the European Union (EU). The approximation of national legislation to EU environmental laws will help the east European countries not only to prepare for accession to the EU but also to ratify the Convention and to become Parties”.

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

<b><u>Document adopted/accepted:</u></b>	
Agenda for the first meeting of the Conference of the Parties with one amendment (see para. 8)	ECE/CP.TEIA/1

8. Ms. Christina von Schweinichen, Deputy Director of the UN/ECE Environment and Human Settlements Division, introduced the provisional agenda for the first meeting of the Conference of the Parties and suggested an additional item: Presentation of the European Union’s Major Accident Reporting System (MARS) and the Seveso Plant Information Retrieval System (SPIRS) as well as the “Sevex View<sup>TM</sup>” software tool for off-site effects analysis and effective emergency planning (see para. 50).

9. The Conference of the Parties adopted the agenda for its first meeting as contained in ECE/CP.TEIA/1 with the above amendment.

### **C. Election of officers**

10. Ms. von Schweinichen presided over the election of officers and invited the Conference of the Parties to apply ad interim the draft rules of procedure (CP.TEIA/2000/2) until it formally adopted them. The delegation of Germany reported on the results of the consultations held among the Parties to the Convention and consequently suggested eight delegates as officers of the Conference of the Parties and as members of its Bureau.

11. The Conference of the Parties unanimously elected: Mr. Ernst Berger (Switzerland) as Chairperson; Mr. Jürgen Wettig (European Commission) and Mr. Evgeny Gorshkov (Russian Federation) as Vice-Chairpersons; and Mr. Pal Popelyak (Hungary) and Mr. Ulf Bjurman (Sweden) as Bureau members representing Parties. Mr. Fabrizio Colcerasa (Italy),

Mr. Janusz Żurek (Poland) and Mr. Jim Makris (United States) were elected as Bureau members representing other UN/ECE countries.

12. Mr. Berger, speaking also on behalf of the other officers, thanked the representatives of all Parties for their confidence and assured them that the Bureau would take responsibility for facilitating and monitoring the implementation of their decisions. He also recalled that international work on prevention, preparedness and response to major industrial accidents had been initiated by several such accidents in the 70s and 80s. This work, among other things, had resulted in the drawing-up of the UN/ECE Convention on the Transboundary Effects of Industrial Accidents, the European Union's "Seveso II" Directive, and the OECD Guiding Principles for Chemical Accident Prevention, Preparedness and Response.

**D. Constitution of the Conference of the Parties**

<b><u>Background document:</u></b>	
Note by the secretariat: Ratification status of the Convention	CP.TEIA/2000/1
<b><u>Documents accepted/adopted:</u></b>	
Rules of procedure for the meetings of the Conference of the Parties	CP.TEIA/2000/2
Terms of reference of the Bureau of the Conference of the Parties	ECE/CP.TEIA/2, annex I

13. Mr. Sergiusz Ludwiczak, Secretary of the Convention, informed the Conference of the Parties about the status of ratification of the Convention based on a note by the secretariat (CP.TEIA/2000/1). He reported that at the time of the first meeting 19 UN/ECE member countries and the European Community had ratified the Convention. He also pointed to the obligation for Parties to designate or establish a competent authority for the purposes of the Convention and reminded those Parties that had not fulfilled this obligation to do so without delay and to provide the necessary information to the UN/ECE secretariat.

14. The Chairperson stated that 18 of the 20 Parties were represented at the first meeting of the Conference of the Parties and reported on the credentials submitted by their delegations. The Conference of the Parties took note of this information.

15. The Conference of the Parties, following article 18, paragraph 2 (e), of the Convention, adopted the rules of procedure for its meetings as endorsed by the open-ended group and contained in CP.TEIA/2000/2. It also requested the UN/ECE secretariat to reissue the rules of procedure as a separate document.

16. The Conference of the Parties, in clarifying rule 42 of the rules of procedure, agreed that any decision imposing mandatory financial obligations would require unanimity among all the Parties to the Convention.

17. The Conference of the Parties adopted the terms of reference of its Bureau as endorsed by the open-ended group and contained in annex I to this report.

## **II. REVIEW OF THE WORK CARRIED OUT UNDER THE AUSPICES OF THE MEETING OF THE SIGNATORIES TO THE CONVENTION**

18. The Conference of the Parties acknowledged and reviewed the work done under the auspices of the Meeting of the Signatories to the Convention.

### **A. Activities aimed at implementing the Convention, assistance provided to countries with economies in transition**

<b><u>Document adopted/accepted:</u></b>	
Report of the Chairman of the Steering Group on the activities of the two Regional Coordinating Centres and their future role within the framework of the Convention	CP.TEIA/2000/4

19. The Conference of the Parties took note of the report on the activities of the two Regional Coordinating Centres and their future role within the framework of the Convention (CP.TEIA/2000/4), presented by Mr. Jim Makris, Chairman of the Steering Group.

20. It acknowledged the work done by the two Regional Coordinating Centres, in Budapest and Warsaw, to assist countries with economies in transition in implementing the Convention during their six years of activity. It expressed its appreciation to the two Governments involved for their support to the Centres. On the basis of the Steering Group's report and taking into account that their mandates had terminated, the Conference of the Parties recommended that the two Centres should continue their valuable work as national centres if the Governments of Hungary and Poland so decided. In this case, the Conference of the Parties believed that the two Centres would be well placed and capable of undertaking specific assignments that it or its Bureau may entrust to them in the future.

### **B. UN/ECE Industrial Accident Notification System**

<b><u>Documents adopted/accepted:</u></b>	
UN/ECE Industrial Accident Notification System	CP.TEIA/2000/5
Decision 2000/1 on the UN/ECE Industrial Accident Notification System	ECE/CP.TEIA/2, annex II

21. The Conference of the Parties accepted the UN/ECE Industrial Accident Notification System (CP.TEIA/2000/5), developed under the auspices of the Meeting of the Signatories, for notifying, at the national level, a major accident, which causes or is capable of causing transboundary effects or imminent threat thereof. It also requested the UN/ECE secretariat to

reissue the above document in a booklet form in the three official UN/ECE languages and make it widely available to all interested countries.

22. The Conference of the Parties adopted decision 2000/1 on the UN/ECE Industrial Accident Notification System (annex II below).

23. The UN/ECE secretariat provided the results of two recent tests of the UN/ECE Industrial Accident Notification System performed in January and June 2000 by Poland and Switzerland, respectively. The Conference of the Parties encouraged UN/ECE member countries that had not yet nominated points of contact to do so as soon as possible.

### **C. Prevention of accidental water pollution**

<b><u>Background document:</u></b>	
Report of the second meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (The Hague, Netherlands, 23-25 March 2000)	ECE/MP.WAT/5
<b><u>Document endorsed:</u></b>	
Report of the Seminar on the Prevention of Chemical Accidents and Limitation of their Impact on Transboundary Waters	CEP/WG.4/SEM.1/1999/3

24. The UN/ECE secretariat provided information on the work related to the prevention of accidental pollution of transboundary waters, carried out so far jointly with the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes. A workshop and a seminar on the prevention of chemical accidents and limitation of their impact on transboundary waters had been held in Berlin (7-9 May 1998) and in Hamburg, Germany (4-6 October 1999), respectively. Furthermore, a joint ad hoc expert group on water and industrial accidents had met twice in between both these events and played a significant role in the preparatory process for the seminar.

25. The Conference of the Parties took note of the results of this work and (see also para. 32-33) and expressed its appreciation to the Government of Germany for playing a leading role and hosting the above-mentioned events.

### **D. Convention's Internet home page**

26. The Conference of the Parties took note of the information provided by the UN/ECE secretariat on content and maintenance of the Convention's Internet home page at the following address: <http://www.unece.org/env/teia/welcome.html>. The home page contained, among other things, the full text of the Convention, its status of ratification, the lists of competent authorities/focal points and points of contact for the purpose of industrial accident notification and mutual assistance (restricted access), information on current activities under

the Convention and relevant documentation. The UN/ECE secretariat would welcome contributions and/or comments on the home page with a view to improving it.

### III. PLAN OF ACTION UNDER THE CONVENTION

#### A. Programme of work under the Convention

<b><u>Background document:</u></b>	
Note by the secretariat: Overview of the tasks under the Convention	CP.TEIA/2000/8
Note on responsibility and liability	CP.TEIA/2000/14
Note on responsibility and liability – Addendum - Civil Liability and Accidental Water Pollution – Preliminary report submitted by the Chairperson of the expert group on liability and industrial accidents	CP.TEIA/2000/14/Add.1
<b><u>Documents adopted/accepted:</u></b>	
Format for reporting on the implementation of the Convention	CP.TEIA/2000/11
Decision 2000/2 on the implementation of the Convention	ECE/CP.TEIA/2, annex III
Decision 2000/3 on guidelines to facilitate the identification of hazardous activities for the purposes of the Convention	ECE/CP.TEIA/2, annex IV
Decision 2000/4 on the reporting of past industrial accidents	ECE/CP.TEIA/2, annex V
Decision 2000/5 on the prevention of accidental water pollution	ECE/CP.TEIA/2, annex VI
Decision 2000/6 on responsibility and liability	ECE/CP.TEIA/2, annex VII
Decision 2000/7 on the priorities and the programme of work	ECE/CP.TEIA/2, annex VIII
Programme of work under the Convention	ECE/CP.TEIA/2, annex IX

27. The Conference of the Parties welcomed the background note by the UN/ECE secretariat on the tasks under the Convention (CP.TEIA/2000/8). Given the note's guiding nature, the Conference decided to change its title to "Guidance on the tasks under the Convention". It also requested all UN/ECE member countries to make specific comments on its content and to submit them to the secretariat by 1 March 2001. Moreover, it entrusted the Bureau and the UN/ECE secretariat to finalize it and requested the secretariat to make it available to the UN/ECE member countries.

#### 1. Implementation of the Convention

28. The Parties agreed that applying the Convention fully was a top priority for them and for the other UN/ECE member countries. To this end, they adopted decision 2000/2 on the implementation of the Convention (annex III below), by which they established the Working Group on Implementation to monitor this important process.



29. The Conference of the Parties also adopted the reporting format and reporting procedure contained in CP.TEIA/2000/11 for use by the Parties and other UN/ECE member countries when reporting on their implementation of the Convention.

## **2. Identification of hazardous activities**

30. The Conference of the Parties, in accordance with article 18, paragraph 6, of the Convention, adopted decision 2000/3 on guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (annex IV below). The guidelines offer the Parties and other UN/ECE member countries a common and pragmatic approach to identifying hazardous activities according to article 4, paragraph 1, of the Convention.

## **3. Reporting of past industrial accidents**

31. The Conference of the Parties, in accordance with annex XII, paragraphs 1 (b) and 2 (a), to the Convention, adopted decision 2000/4 on the reporting of past industrial accidents (annex V below). It established the UN/ECE Past Industrial Accident Reporting System, which would be operated within the framework of the existing EU- Major Accident Reporting System (MARS) in accordance with a cooperation agreement between UN/ECE and the European Commission's Directorate General – Joint Research Centre. The Conference of the Parties requested the Parties and invited other UN/ECE member countries to report past industrial accidents that had occurred since the entry into force of the Convention.

## **4. Prevention of accidental water pollution**

32. The Conference of the Parties, taking into account the results of the work done so far on the prevention of accidental water pollution (see also paras. 24-25), agreed that further work should be undertaken together with the Meeting of the Parties to the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes.

33. In this connection, the Conference of the Parties adopted decision 2000/5 on the prevention of accidental water pollution (annex VI below). It endorsed the report of the Seminar on the Prevention of Chemical Accidents and Limitation of their Impact on Transboundary Waters (Hamburg, 4-6 October 1999) and its conclusions and recommendations as contained in CEP/WG.4/SEM.1/1999/3. Furthermore, the Conference of the Parties extended the mandate of the joint ad hoc expert group on water and industrial accidents and agreed on specific tasks to be carried out by the group.

34. Mr. Carel De Villeneuve, Chairperson of the Meeting of the Parties to the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes, congratulated the Parties on the occasion of the constitution and first meeting of their governing body. He recalled that both Conventions were adopted and signed at the same place and time and referred to them as sister conventions. He stated that the Meeting of the Parties to the Water Convention attached great importance to the work on the prevention of accidental

water pollution and looked forward to cooperating within the joint ad hoc expert group. Referring to the specific tasks in the work plan for the group, he made a reservation concerning the drawing-up of safety guidelines/best practices for the navigation of ships, which did not fall within the scope of the Water Convention (see para. 7 (c) of decision 2000/5 on the prevention of accidental water pollution contained in annex VI to this report).

## **5. Responsibility and liability**

35. The Conference of the Parties welcomed the initiative on responsibility and liability (CP.TEIA/2000/14), introduced by the delegation of Switzerland. It expressed its appreciation to:

(a) Ms. Phani Daskalopoulou-Livada (Greece), the Chairperson of the expert group on liability and industrial accidents, established by the Meeting of the Parties to the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes, for submitting and presenting her preliminary report on civil liability and accidental water pollution (CP.TEIA/2000/14/Add.1); and

(b) Ms. Nathalie L.J.T. Horbach (Centre for Transboundary Damage and Compensation, Netherlands) for preparing and presenting a report on international legal instruments on civil liability applicable to water-related incidents – coverage and possible gaps.

36. As a result of an extensive discussion and in accordance with article 13 of the Convention, the Conference of the Parties adopted decision 2000/6 on responsibility and liability (annex VII below). It stressed the need for an appropriate regime, including a legally binding instrument, in the UN/ECE region on civil liability for damage caused by hazardous activities within the scope of the Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes.

37. The following issues were raised as matters which should be further considered by the Bureaux of the two governing bodies when preparing their joint special session in 2001 with a view to considering entering into an intergovernmental negotiation process:

(a) Existing instruments on liability that were not in force (e.g. Lugano Convention) - the reasons why they had so far failed to enter into force should be investigated so that conclusions could be drawn from past mistakes;

(b) Scope of a possible instrument;

(c) Need for parallel action and cooperation to produce synergies between the possible process of drawing-up of an international instrument within UNECE and that within EU to draw up a new directive.

38. Ms. Daskalopoulou-Livada stated that the first two issues would be sufficiently addressed in the final report on civil liability and accidental water pollution (see para. 35 (a)), which would be submitted at the joint meeting of the two Bureaux, which could then decide how these issues should be presented to the governing bodies at their joint special session.

39. Mr. De Villeneuve, on behalf of the Meeting of the Parties to the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes, welcomed the decision of the Conference of the Parties on responsibility and liability. He expressed the hope that further cooperation and synergies between the two instruments would be developed, including possible joint work on responsibility and liability.

#### **6. Long-term programme of work and work plan for 2001-2002**

40. The Conference of the Parties considered its long-term programme of work under the Convention on the basis of a draft endorsed by the open-ended group (CP.TEIA/2000/9, Part One) and the Guidance on the tasks under the Convention (formerly a note by the secretariat - Overview of the tasks under the Convention – see para. 27) (CP.TEIA/2000/8). It entrusted the Bureau with the assistance of the secretariat to amend the text according to the discussions held and decisions taken under previous agenda items.

41. The Conference of the Parties also agreed on its priority tasks to be undertaken within the work plan for 2001-2002, identified by the open-ended group and contained in CP.TEIA/2000/9, Part Two. Moreover, it accepted Hungary's proposal to organize an international workshop and exercise on "Industrial safety and water protection" within programme element 5.1.1 of the work plan.

42. The Conference of the Parties further decided that its Bureau:

(a) Would promote the exchange of information between the Parties and other UN/ECE member countries, with the assistance of the secretariat and national centres and with the support of interested Parties;

(b) Would draw up appropriate specifications regarding, for instance, personnel and financial resources, relationship with governmental authorities, and technical expertise, as outlined in CP.TEIA/2000/4, to be met by centres to facilitate the implementation and ratification of the Convention should the need for such centres arise in the future.

43. The Conference of the Parties also welcomed the offer of the delegation of Armenia to host a subregional workshop on facilitating the implementation and ratification of the Convention, provided that financial support for the event was provided.

44. As with the long-term programme, the Conference of the Parties entrusted the Bureau with the assistance of the secretariat to amend the work plan according to the discussions held and decisions taken under previous agenda items and the new proposals for specific activities made by delegations under this item.

45. The Conference of the Parties adopted decision 2000/7 on the priorities and programme of work under the Convention (annex VIII below). The programme of work under the Convention, including the long-term programme of work and the work plan for the years 2001-2002, is contained in annex IX to this report.

### **B. Human and financial resources**

<b><u>Document adopted/accepted:</u></b>	
Decision 2000/8 on the resources for 2001-2002	ECE/CP.TEIA/2, annex X

46. The Conference of the Parties reviewed both the Parties' and the UN/ECE secretariat's human and financial resources and the requirements for meetings under the Convention. It also made arrangements to support the participation of experts from countries with economies in transition in these meetings.

47. The UN/ECE secretariat informed the Conference of the Parties that its resources were not sufficient to implement and support all the programme elements in the work plan for the years 2001-2002. Therefore, its full implementation would require extrabudgetary funds. The Parties present and other UN/ECE member countries were invited to consider supporting the activities under the Convention financially and/or in kind.

48. The following delegations stated their readiness to contribute to the resources under the Convention:

(a) Germany and Hungary each intended to host one of the meetings of the joint ad hoc expert group on water and industrial accidents;

(b) Italy pledged US\$ 20,000 for the organization of the second meeting of the Conference of the Parties;

(c) Switzerland pledged Sw F 50,000 to support the activities within the work plan, including support for experts from countries in transition; and

(d) The European Commission pledged 50,000 euros for activities within the work plan.

49. The Conference of the Parties welcomed these contributions and expressed its gratitude to the donors.

50. The Conference of the Parties adopted decision 2000/8 on the resources for 2001-2002 (annex X below).

### **C. Presentation of software tools with relevance to the Convention**

51. Mr. Stuart Duffield (European Commission, Major Accident Hazards Bureau) presented the Major Accident Reporting System (MARS), which would be used under the Convention as a tool for reporting past industrial accidents, and the Seveso Plant Information Retrieval System (SPIRS) used to collect data on hazardous activities under the "Seveso II" Directive. Mr. Alexis Dutrieux (Belgium, ATM PRO) presented "Sevex View<sup>TM</sup>", a software tool for off-site effects analysis and effective emergency planning.

## **IV. DATE AND VENUE OF THE SECOND MEETING OF THE CONFERENCE OF THE PARTIES**

52. The Conference of the Parties, recalling: (i) 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 (ii) the terms of reference of its Bureau (annex I to this report), in particular paragraphs 1 and 2 (c); and stressing the need to use human and financial resources, including those of the UN/ECE secretariat, efficiently, decided unanimously to hold its second ordinary meeting in 2002.

53. Offers to host the second meeting of the Conference of the Parties were put forward by the delegations of Armenia and the Republic of Moldova, on behalf of their Governments. The Conference of the Parties welcomed and thanked both delegations for their countries' initiatives.

54. In view of the withdrawal of its offer by the delegation of Armenia, the Conference of the Parties decided to hold its second meeting in the Republic of Moldova.

55. The Conference of the Parties also expressed its appreciation to the Government of Italy for its offer to contribute financially to the organization of its second meeting (see para. 7 (b)). It also invited other Parties and other UN/ECE member countries to explore the possibilities for supporting the host country and covering the costs of participation of countries in transition in this meeting, in accordance with the guiding principles contained in appendix II to annex X to this report.

## **V. OTHER BUSINESS**

56. The delegations of Germany and Italy provided information on bilateral and multilateral assistance projects to facilitate the implementation of the Convention in some countries of central and eastern Europe. The Conference of the Parties welcomed this information and decided to mention it under related activities in its work plan for 2001-2002 (annex IX below).

## **VI. REVIEW OF DECISIONS**

57. The Chairperson summed up all the decisions taken by the Conference of the Parties at its first meeting. The Conference of the Parties entrusted the UN/ECE secretariat, in consultation with the Bureau, with finalizing the report of its first meeting.

## **VII. CLOSING OF THE MEETING**

58. Ms. von Schweinichen, speaking on behalf of the Economic Commission for Europe, expressed its appreciation to the European Commission for hosting the first meeting of the Conference of the Parties and thanked its representatives for the excellent arrangements made for the meeting itself and the side events. Speaking on behalf of all delegations, she thanked Mr. Berger for his leadership and efficient chairmanship during the meeting.

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

### Note

1/ The open-ended group was established by the Signatories to the Convention at their seventh meeting to prepare the first meeting of the Conference of the Parties. Its three meetings in Moscow, Warsaw and Rome were chaired by a representative of Switzerland.

**Annex I**

**TERMS OF REFERENCE OF THE BUREAU  
OF THE CONFERENCE OF THE PARTIES**

1. The Bureau shall meet at least annually. Depending on the agenda, the Chairperson may invite representatives of UN/ECE member countries, regional economic integration organizations and international organizations as observers to the meeting of the Bureau.
2. The Bureau, with the assistance of the secretariat, shall:
  - (a) Carry out the tasks entrusted to it by the Conference of the Parties;
  - (b) Take the lead in, and take initiatives to strengthen, the implementation of the Convention;
  - (c) Monitor the implementation of the programme of work and take appropriate decisions in this respect between the meetings of the Conference of the Parties;
  - (d) Consult with the Chairpersons of subsidiary bodies under the Conference of the Parties on progress in carrying out their tasks;
  - (e) Prepare the meetings of the Conference of the Parties;
  - (f) Maintain liaison with the bureaux of governing bodies of other environmental conventions, the Bureau of the UN/ECE Committee on Environmental Policy, international organizations, financial institutions, environmental-policy-making bodies and non-governmental organizations to strengthen the implementation of the Convention, and take other appropriate measures to facilitate the implementation of the programme of work.

**Annex II**

**DECISION 2000/1  
ON THE UN/ECE INDUSTRIAL ACCIDENT NOTIFICATION SYSTEM**

The Conference of the Parties,

Recalling the provisions of articles 10, 12, and 17 of the UN/ECE Convention on the Transboundary Effects of Industrial Accidents,

Stressing the importance of prompt and effective notification of all potentially affected countries in the event of an accident in order to activate adequate response measures immediately,

Acknowledging the work done under the auspices of the Signatories to the Convention to develop the UN/ECE Industrial Accident Notification System,

Taking into account the recommendation of the Signatories to the Convention made in this respect, at their sixth meeting on 12-14 March 1997 (CEP/WG.4/6, para. 23 (b)),

1. Accepts the UN/ECE Industrial Accident Notification System, as contained in CP.TEIA/2000/5, 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 UN/ECE member countries to:
  - (a) Ensure that points of contact, designated or established according to article 17, paragraph 2, of the Convention, use the UN/ECE Industrial Accident Notification System or an equivalent system for the transmission of early-warning, information and assistance request reports, at national level, 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 preferably English or one of the two other official UN/ECE 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 UN/ECE member countries having an interest in the accident, whether affected or not, and to the UN/ECE 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 UN/ECE Industrial Accident Notification System;
4. Invites the Parties to the Convention and other UN/ECE countries to use, when needed, the Environment Emergency Notification/Request for International Assistance form of the Joint UNEP/OCHA Environment Unit 1/ to supplement the above assistance request report;
5. Recommends that regular consultations among the points of contact should be held in order to:
  - (a) Coordinate the testing and review the UN/ECE Industrial Accident Notification System;
  - (b) Develop a manual for the points of contact and organize training for its personnel;
  - (c) Work towards harmonization of the UN/ECE Industrial Accident Notification System with other systems, in particular those which are operational within the framework of the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the Joint UNEP/OCHA Environment Unit;
6. Requests the UN/ECE secretariat to maintain a list of points of contact on the Convention's Internet home page with restricted access.

Note

1/ To avoid unnecessary duplication of work and save resources, both at the national and at the intergovernmental levels, the UN/ECE secretariat and the Joint UNEP/OCHA Environment Unit have reached an agreement on the interface procedures between the two entities concerning cooperation and information exchange.

**Annex III**

**DECISION 2000/2  
ON THE IMPLEMENTATION OF THE CONVENTION**

The Conference of the Parties,

Recalling the provisions of article 18, paragraph 2 (a), and article 23 of the UN/ECE Convention on the Transboundary Effects of Industrial Accidents,

Stressing the importance of the Convention in reducing the risk of industrial accidents in order to protect human beings and the environment,

Acknowledging the work done under the auspices of the Meeting of the Signatories to the Convention to assist countries, and in particular countries with economies in transition, in their efforts to ratify or accede to the Convention and implement its provisions,

1. Encourages all UN/ECE member countries that are not yet Parties to ratify or accede to the Convention and to implement it as soon as possible;
2. Adopts the reporting format and reporting procedure contained in CP.TEIA/2000/11 for use by Parties when reporting on their implementation of the Convention;
3. Invites other UN/ECE member countries, pending their ratification or accession, also to report on the implementation of the Convention in accordance with CP.TEIA/2000/11;
4. Establishes the Working Group on Implementation as a subsidiary body to monitor the implementation of the Convention and adopts its terms of reference as contained in the appendix to this decision;
5. Elects, on the basis of nominations by the Parties, Mr. A. Heidler (Austria), Mr. E. Malasek (Czech Republic), Mr. L. Katai-Urban (Hungary), Mr. S. Galitchii (Republic of Moldova) and Mr. J. Wettig (European Commission) to serve as members of the Working Group on Implementation until the second meeting of the Conference of the Parties;
6. Entrusts the Bureau to accept further nominations to the Working Group and in this respect notes the interest of the delegation of Italy in nominating a member once it has become a Party;
7. Requests the UN/ECE secretariat to coordinate the reporting procedure and assist the Working Group on Implementation to prepare a report on the implementation of the Convention.

## **Appendix**

### **TERMS OF REFERENCE OF THE WORKING GROUP ON IMPLEMENTATION**

1. The Working Group on Implementation shall be composed of not more than ten members representing and nominated by Parties. They shall serve as members of the Working Group until the next meeting of the Conference of the Parties and be eligible for re-election.
2. The Working Group shall meet at least once before each meeting of the Conference of the Parties.
3. Depending on the agenda, the Chairperson may invite representatives of UN/ECE member countries other than those represented by its members as observers to meetings of the Working Group.
4. The Working Group shall:
  - (a) Monitor the implementation of the Convention, taking into account the tasks mentioned in decision 2000/3 (ECE/CP.TEIA/2000/2, annex IV, para. 4);
  - (b) Prepare the report on the implementation of the Convention on the basis of the individual country reports;
  - (c) Draw conclusions and make draft recommendations to strengthen the implementation of the Convention on the basis of the above report;
  - (d) Submit these conclusions and draft recommendations to the Conference of the Parties for adoption;
  - (e) Assist the Bureau in facilitating the assistance to UN/ECE member countries facing difficulties in implementing the Convention and/or in ratifying it, for instance, through workshops or seminars;
  - (f) Carry out other tasks entrusted to it by the Conference of the Parties.

**Annex IV**

**DECISION 2000/3  
ON GUIDELINES TO FACILITATE THE IDENTIFICATION OF  
HAZARDOUS ACTIVITIES FOR THE PURPOSES OF THE CONVENTION**

The Conference of the Parties,

Recalling the provisions of article 4, paragraph 1, and article 18, paragraph 6, of the UN/ECE Convention on the Transboundary Effects of Industrial Accidents,

Stressing the importance of determining the scope of the Convention through the identification of hazardous activities,

Acknowledging that a common, pragmatic approach is needed by the Parties and other UN/ECE member countries when identifying hazardous activities within their jurisdiction,

1. Agrees on the guidelines to facilitate the identification of hazardous activities for the purposes of the Convention as contained in the appendix to this decision;

2. Requests the Parties to identify hazardous activities within their jurisdiction with the help of these guidelines, as soon as possible but not later than the time frame provided for in annex III, paragraph 2, to the Convention;

3. Invites other UN/ECE member countries, pending their ratification of or accession to the Convention, to also identify hazardous activities within their jurisdiction in accordance with these guidelines;

4. Requests the Working Group on Implementation to:

(a) Report on the process of identification of hazardous activities on the basis of the implementation reports from Parties and other UN/ECE member countries;

(b) Maintain a list of hazardous activities, according to annex XII, paragraph 1 (e), to the Convention, on the basis of the information received from Parties and other UN/ECE member countries in reply to question 7 of the implementation reporting form;<sup>1/</sup>

(c) Review these guidelines as appropriate and report to it regarding possible modifications;

(d) Suggest ways of establishing a map of the location of these activities at a later stage;

5. Encourages further cooperation between this Convention and that on the Protection and Use of Transboundary Watercourses and International Lakes within the joint ad hoc expert group on water and industrial accidents concerning the identification of hazardous activities that are capable of causing transboundary effects in the event of an accident and where hazardous substances are or may be present in quantities below the threshold listed in annex I to the Convention.

Note

1/ The information contained in the reply to question 7 of the implementation reporting form is the same as that provided by EU member States about hazardous activities capable of causing transboundary effects to the EU Major Accident Hazards Bureau (MAHB) and recorded in the EU Seveso Plant Information Retrieval System (SPIRS).

## **Appendix**

### **GUIDELINES TO FACILITATE THE IDENTIFICATION OF HAZARDOUS ACTIVITIES FOR THE PURPOSES OF THE CONVENTION** (in accordance with article 4, paragraph 1, of the Convention)

1. According to the definitions of the Convention, hazardous activities are activities capable of causing transboundary effects that involve the manufacture, use, storage, handling or disposal of hazardous substances in quantities above the threshold limits laid down in annex I to the Convention.

2. A transboundary effect means a serious effect in one Party as a result of an industrial accident occurring in another Party. An effect is a direct or indirect, immediate or delayed adverse consequence caused by an industrial accident on, inter alia, human beings, soil, water, air, landscape, material assets or cultural heritage.

3. Taking into account the definition of hazardous activity and the fact that industrial accidents with transboundary effects are more likely to occur in activities close to a border or in a river basin having a transboundary outlet, it is clear that both substance and quantity criteria and location criteria are needed for the purpose of identifying hazardous activities. These criteria are given below. They are intentionally kept pragmatic so that the Parties can start implementing the Convention swiftly.

#### **Substance and quantity criteria**

4. The following substance and quantity criteria shall apply for the purpose of identifying hazardous activities capable of causing transboundary effects under the Convention: one or more hazardous substances are present or may be present in quantities at or in excess of the threshold quantities listed in annex I to the Convention.<sup>1/</sup>

#### **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 the catchment areas of transboundary and border rivers, transboundary or international lakes, or within the catchment areas of transboundary groundwaters, <sup>2/</sup> for activities involving substances falling under category 3, 4, 5 or 8 of part I of annex I to the Convention. 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.

Notes

1/ According to Council Decision 98/685/EC of 23 March 1998, for EU member States all establishments covered by article 9 of Council Directive 96/82/EC of 9 December 1996 (Seveso II), i.e. upper-tier establishments, are taken to meet these criteria.

2/ A list of major transboundary watercourses (i.e. any surface waters or groundwaters which mark, cross or are located on boundaries between one or more States) and international lakes has been compiled within the framework of the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes on the basis of information provided by Parties and other UN/ECE member countries. The term “major” implies that there may be a significant transboundary impact through these waters. It was, however, left to the discretion of the countries to decide which of these waters were considered to fulfil the condition of “significant transboundary impact”. Thus, the list includes not only big, but also medium and small watercourses. This list will soon be available through the Internet at the following address: [www.unece.org/env/water](http://www.unece.org/env/water) and will be updated regularly.

**Annex V**

**DECISION 2000/4  
ON THE REPORTING OF PAST INDUSTRIAL ACCIDENTS**

The Conference of the Parties,

Recalling the provisions of annex XII, paragraphs 1 (b) and 2 (a), to the UN/ECE Convention on the Transboundary Effects of Industrial Accidents,

Acknowledging that the analysis of past industrial accidents and their causes may contribute to preventing similar accidents from happening in the future,

Recognizing the need to develop effective scenarios for prevention, preparedness and response measures based on experience from past industrial accidents,

1. Establishes the UN/ECE Past Industrial Accident Reporting System for the purpose of receiving, processing and distributing the necessary information on past industrial accidents having occurred in the UN/ECE member countries;
2. Invites all Parties to the Convention and other UN/ECE member countries to report past industrial accidents that have happened since 19 April 2000 using the UN/ECE Past Industrial Accident Reporting System;
3. Decides that reporting past industrial accidents with transboundary effects shall be mandatory for all Parties to the Convention;
4. Welcomes the proposal of the European Commission to make available and operate the UN/ECE Past Industrial Accident Reporting System within the framework of its existing EU-Major Accident Reporting System (MARS) and accepts it;
5. Adopts the terms of reference 1/ as contained in appendix I to this decision for the cooperation between the United Nations Economic Commission for Europe and the European Commission's Directorate General - Joint Research Centre;
6. Decides to periodically review the process of reporting past industrial accidents as well as the conclusions drawn and lessons learnt from past accidents, and make this information available to all UN/ECE member countries.

Note

1/ The terms of reference were approved by the Committee of Competent Authorities (CCA) responsible for the implementation of Directive 96/82/EC („Seveso II Directive“) at its 4<sup>th</sup> meeting on 27-29 September 2000 in Marseilles, France.



## Appendix I

### TERMS OF REFERENCE

**FOR THE COOPERATION BETWEEN  
THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE (UN/ECE)  
AND  
THE EUROPEAN COMMISSION'S DIRECTORATE GENERAL - JOINT  
RESEARCH CENTRE (DG-JRC)**

**ON THE ESTABLISHMENT AND OPERATION OF  
THE UN/ECE PAST INDUSTRIAL ACCIDENT REPORTING SYSTEM**

Given that these terms of reference refer to the accident reporting under the European Community's „Seveso II Directive“ and the UN/ECE Convention on the Transboundary Effects of Industrial Accidents, they were approved by the Committee of Competent Authorities (CCA) responsible for the implementation of the „Seveso II Directive“ at its 4<sup>th</sup> meeting on 27-29 September 2000 in Marseilles, France, and adopted by the Conference of the Parties to the Convention at its first meeting on 22-24 November 2000 in Brussels, Belgium.

#### **Preamble**

1. These terms of reference define the cooperation between the United Nations Economic Commission for Europe (UN/ECE) and the European Commission's Directorate General - Joint Research Centre (DG-JRC) on establishing and operating *the UN/ECE Past Industrial Accident Reporting System* in the context of the UN/ECE Convention on the Transboundary Effects of Industrial Accidents. The underlying basis for this cooperation is the willingness to openly exchange accident information between all UN/ECE member countries.
2. The UN/ECE is represented by the Convention's secretariat (UN/ECE secretariat).
3. The DG-JRC is represented by the Major Accident Hazards Bureau (MAHB).
4. The UN/ECE member countries are strongly invited to report past industrial accidents that have occurred on their territory as specified in this document, and thus actively support the *UN/ECE Past Industrial Accident Reporting System*.

#### **General provisions**

5. The UN/ECE secretariat shall facilitate the successful implementation of the UN/ECE Past Industrial Accidents Reporting System by providing the services specified in this document.

6. MAHB shall (a) develop and provide to all UN/ECE member countries a software tool capable of registering and evaluating past industrial accidents reported within the framework of the Convention, and (b) operate the resulting UN/ECE Past Industrial Accidents Reporting System.

### **Specific provisions**

7. The UN/ECE secretariat will ask each UN/ECE member country to nominate a **contact point for accident reporting** (name of person, affiliation, postal address, telephone number, E-mail address) and inform MAHB of the nominations and of any subsequent changes in contact details. The contact point shall be responsible for sending accident report files to the designated person at MAHB (see para. 19).

8. MAHB shall develop and provide the UN/ECE member countries with the new electronic version of its Major Accident Reporting System (MARS), the "**MARS 4.0 software**". This software will consist of one central database operated at MAHB and locally distributed databases operated in the UN/ECE member countries. The MARS 4.0 software will be made available on CD-ROM to UN/ECE member countries by the MAHB through the UN/ECE secretariat.

9. To distinguish the reporting to MARS 4.0 by EU Member States under the "Seveso II Directive" (*EU-Major Accident Reporting System*) from the reporting to MARS 4.0 by UN/ECE member countries (*UN/ECE Past Industrial Accident Reporting System*), the MARS 4.0 software will include a limited number of additional data fields, e.g. for the addition of the ISO country name and for the characterization of transport accidents (which are not formally covered by the "Seveso II Directive").

10. To ensure consistency between existing and new data, 1/ the "**criteria**" for reporting past industrial accidents should be the ones in Annex VI to the 'Seveso II Directive' (see appendix II to these terms of reference). New events can be reported by UN/ECE member countries under "fulfilling mandatory Seveso II criteria" (as stated in Annex VI, part I), under "fulfilling voluntary Seveso II criteria" (as stated in Annex VI, part II), or under "fulfilling other criteria" (e.g. transport accidents, or other accidents that do not fulfil the reporting criteria but which are regarded as being of particular interest for preventing major accidents and limiting their consequences).

11. UN/ECE member countries should send accident reports to MARS 4.0 using electronic format (either E-mail or diskettes). The structure of the MARS "Report Profile" and the MARS "Short Report" are shown in paper format in appendix III to these terms of reference 2/. MAHB will make no provisions to be able to process reports submitted in paper copy.

12. Accident reports to be sent to MAHB under the *UN/ECE Past Industrial Accident Reporting System* shall be written in English 3/. Reports established in Russian shall be sent to the UN/ECE secretariat, which will facilitate their translation into English and send them to MAHB for insertion in the database.

13. UN/ECE member countries shall endeavour to prepare **high-quality accident reports**. If the information reported is inconsistent or unclear, MAHB can request further information and clarification from the reporting country through the UN/ECE secretariat and modify the information in the original reports received. UN/ECE member countries' reporting authorities can request modification of their reports in the database if they do not agree with the MAHB assessment. If there are continuing concerns about the quality of a report, MAHB will consider keeping reports out of the database in order to maintain the quality of the database.

14. MAHB will **distribute a complete set of all accident reports** (and/or updates, as appropriate) in electronic format to all UN/ECE member countries in the course of the meetings of the Conference of the Parties 4/. MAHB will distribute there all information on accidents received from UN/ECE member countries reported under "fulfilling Seveso II mandatory criteria", "fulfilling Seveso II voluntary criteria" and under "fulfilling other criteria". Moreover, in the course of meetings of the Conference of the Parties, MAHB will give a **presentation on general trends** in the accidents reported by the UN/ECE member countries. To balance the exchange of information between EU Member States and other UN/ECE member countries, this distribution will start as soon as accidents from the latter countries begin to be reported to MAHB in the MARS 4.0 electronic format.

15. At any time, the UN/ECE secretariat can request MAHB to perform specific data analyses of the events reported. For such tasks, the UN/ECE secretariat will agree with the MAHB on the financial aspects on a case-by-case basis.

16. MAHB reserves the right to use the accidents data reported under the *UN/ECE Past Industrial Accident Reporting System* for any other data analysis projects it might be interested in. In this case, MAHB will inform the UN/ECE secretariat of its intentions.

### **Constitution**

17. The cooperation of UN/ECE with DG-JRC in the development and operation of an *UN/ECE Past Industrial Accident Reporting System* is formally constituted from the day of signature of the terms of reference. The *UN/ECE Past Industrial Accident Reporting System* is practically constituted from the day of distribution of the final version of MARS 4.0 to the UN/ECE member countries, after which they should start reporting accidents.

### **Reporting**

18. MAHB shall report to the UN/ECE secretariat under the above-described conditions.

19. The contact details of the two entities responsible for this activity are:

for the UN/ECE secretariat:

Mr. Sergiusz Ludwiczak  
Secretary to the Convention on the Transboundary  
Effects of Industrial Accidents  
United Nations Economic Commission for Europe  
Environment and Human Settlements Division  
8-14, avenue de la Paix  
CH-1211 Geneva 10  
Switzerland  
Tel.: +41 22 917 3174  
Fax : +41 22 907 0107  
E-mail: [sergiusz.ludwiczak@unece.org](mailto:sergiusz.ludwiczak@unece.org)

for the MAHB:

Mr. Christian Kirchsteiger  
European Commission, DG-JRC-MAHB  
TP 670  
I-21020 Ispra (VA)  
Italy  
Tel.: +39 0332 78 9391  
Fax : +39 0332 78 9007  
E-mail: [christian.kirchsteiger@jrc.it](mailto:christian.kirchsteiger@jrc.it)

**Duration**

20. The initial duration of this cooperation, starting from the date of signature of these terms of reference, will be limited to the end of the current EU Research Framework Programme (31 December 2002).

21. In a sufficient period of time prior to the end of the initial duration of the cooperation, the functioning of the "*UN/ECE Past Industrial Accident Reporting System*" should be reviewed by a "Review Group" consisting of interested UN/ECE member countries. Following this review, the cooperation can either expire or be continued on the same or new terms of reference, as appropriate.

**Costs**

22. MAHB will develop the *UN/ECE Past Industrial Accident Reporting System* at no cost to the UN/ECE secretariat. If the operation of the *UN/ECE Past Industrial Accident Reporting System* involves costs for MAHB which are not covered by its budget, a revision of these terms of reference will be discussed.

Done at \_\_\_\_\_ on \_\_\_\_\_

**For the UN/ECE:**

**For the DG-JRC:**

Mr. Kaj Barlund  
Director  
United Nations  
Economic Commission for Europe  
Environment and Human Settlements  
Division

Dr. David R. Wilkinson  
Director  
European Commission  
DG-JRC  
Institute for Systems Informatics  
and Safety

Notes

1/ “Existing” events already reported by the EU Member States (using MARS 3.0 software) are currently subdivided into accidents reported under the “Seveso I Directive”, under the “Seveso II Directive” and under “other”. “New” events will be reported by the EU Member States following the procedure described in paragraph 10, also using the MARS 4.0 software.

2/ The reporting form for the MARS 4.0 software shall be in English only. The EU and UN/ECE logos will appear jointly on all electronic forms.

3/ This does not affect the existing arrangements with EU Member States concerning languages for reporting accidents, as required by Seveso II.

4/ The data distributed by MAHB will be in English only. If there is a wish to distribute or publish data also in Russian, the UN/ECE secretariat will facilitate the relevant translations.

## **Appendix II**

### *ANNEX VI to Directive 96/82/EC ("Seveso II Directive")*

#### **CRITERIA FOR THE NOTIFICATION OF AN ACCIDENT TO THE COMMISSION AS PROVIDED FOR IN ARTICLE 15 (1) [OF THE DIRECTIVE]**

I. Any accident covered by paragraph 1 or having at least one of the consequences described in paragraphs 2, 3, 4 and 5 must be notified to the Commission.

##### **1. Substances involved**

Any fire or explosion or accidental discharge of a dangerous substance involving a quantity of at least 5% of the qualifying quantity laid down in column 3 of Annex I [to the Directive].

##### **2. Injury to persons and damage to real estate**

An accident directly involving a dangerous substance and giving rise to one of the following events:

- a death,
- six persons injured within the establishment and hospitalized for at least 24 hours,
- one person outside the establishment hospitalized for at least 24 hours,
- dwelling(s) outside the establishment damaged and unusable as a result of the accident,
- the evacuation or confinement of persons for more than 2 hours (persons x hours): the value is at least 500,
- the interruption of drinking water, electricity, gas or telephone services for more than 2 hours (persons x hours): the value is at least 1 000.

##### **3. Immediate damage to the environment**

*permanent or long-term damage to terrestrial habitats:*

- 0.5 ha or more of a habitat of environmental or conservation importance protected by legislation,
- 10 or more hectares of more widespread habitat, including agricultural land,

*significant or long-term damage to freshwater and marine habitats, 1/*

- 10 km or more of river or canal,
- 1 ha or more of a lake or pond,
- 2 ha or more of delta,
- 2 ha or more of a coastline or open sea,

*significant damage to an aquifer or underground water, 1/*

- 1 ha or more.

##### **4. Damage to property**

damage to property in the establishment: at least ECU 2 million,  
damage to property outside the establishment: at least ECU 0.5 million.

**5. Cross-border damage**

Any accident directly involving a dangerous substance giving rise to effects outside the territory of the Member State concerned.

II. Accidents or 'near misses' which Member States regard as being of particular technical interest for preventing major accidents and limiting their consequences and which do not meet the quantitative criteria above should be notified to the Commission.

Note

1/ In assessing damage, reference could be made where appropriate to Directives 75/440/EEC, 76/464/EEC and Directives adopted for its application in relation to certain substances, namely, Directives 76/160/EEC, 78/659/EEC, 79/923/EEC, or to the Lethal Concentration (LC) for 50% of the species representative of the environment affected as defined by Directive 92/32/EEC for the criterion 'dangerous for the environment'.

### Appendix III

## **STRUCTURE OF THE UN/ECE PAST INDUSTRIAL ACCIDENT REPORTING PROFILE**

### **I. STRUCTURE OF THE REPORT PROFILE**

#### **1. Introduction**

The Report Profile is designed to provide sufficient information to unambiguously identify an accident, e.g. in terms of the name and address of the industrial establishment where the accident occurred, date of accident etc. It also assigns to the accident a unique identification code, by which the accident can be identified in a unique way.

#### **2. Data Variables in Report Profile**

##### **2.1 GENERAL INFORMATION**

###### **A. Identification of Report**

- Accident Code (automatically assigned)
- Affected Neighbouring Countries:
  - Neighbour 1
  - Neighbour 2
  - Neighbour 3

###### **B. Date of Reports**

- Short Report
- [ - Full Report (not applicable under UN/ECE Convention) ]
- Reporting Authority:
  - Name
  - Address
  - Country
- Authority Contact:
  - Name
  - Phone
  - Fax
  - Email

###### **C. Date/Time of Major Occurrence:**



- Start Date
- Time
- Finish Date
- Time

#### D. Establishment:

[ - Seveso Plant Code (not applicable under UN/ECE Convention)]

- Name of the Plant
- Address of the Plant
- Type of Industry
  - General chemicals manufacture
  - Petrochemical, refining, processing
  - Plastics and rubber manufacture
  - Pesticides, pharmaceuticals, other fine chemicals
  - Power supply and distribution (electric, gas, etc.)
  - Water and sewage (collection, supply, treatment)
  - Waste treatment, disposal
  - Wholesale and retail storage and distribution (includes LPG bottling and bulk distribution, tank storage farms, cold storage distribution warehousing, etc.)
  - Handling and transportation centres (ports, airports, lorry parks, marshalling yards, etc.)
  - Ceramics (bricks, pottery, glass, cement, plaster, etc.)
  - Metal refining and processing (includes foundries, electrochemical refining, plating, etc.)
  - Electronics and electrical engineering
  - Shipbuilding, shipbreaking, ship repair
  - General engineering, manufacturing and assembly
  - Agriculture
  - Medical, research, education (includes hospitals, universities, colleges, etc.)
  - Textiles, clothing and footwear
  - Paper manufacture, printing, publishing
  - Food and drink
  - Timber and furniture
  - Building and works of engineering construction
  - Fairgrounds/amusements
  - Other

[ - Seveso II Status (not applicable under UN/ECE Convention)]

#### 2.2 ADDITIONAL COMMENTS

## **II. STRUCTURE OF THE SHORT REPORT**

### **1. Introduction**

The Short Report has the purpose of collecting the basic information describing an accident event in terms of its type, substances directly involved, immediate source(s), suspected cause(s), immediate effects, emergency measures taken and immediate lessons learned. It is designed in a way that permits its completion within a few days after the accident occurred. It serves as a synopsis of the accident and should give a concise overview of all the important characterizing elements of the accident event.

## **2. Data Variables in the Short Report**

### A. Accident Type(s)

Selections are to be made between release, water contamination, fire, explosion, transport and other. A concise description of the accident should be included, giving as much free text details as possible. The reasons for reporting, e.g. major accident with 10 severe injuries inside establishment, or near-miss, etc., should be given in the description.

### B. Substance(s) Directly Involved

Selections are to be made between toxic, ecotoxic, flammable, explosive and other, always according to Annex I of the Seveso II Directive. The name, CAS number and estimates of the quantities of the most important dangerous substances involved in the accident as well as any relevant information on their characteristics, e.g. whether liquid, powder, etc., should be mentioned in the description field.

### C. Immediate Source(s) of Accident

Selections are to be made between storage, process, transfer and other. A detailed description of the system / component in which the accident occurred should also be given. It shall be noted that the storage, process, transfer and other activities are to be understood as the activities related to the immediate accident source and not necessarily as the overall activities of the establishment. Concerning the precise definitions of these activities, loading and unloading activities are part of transfer activities. Transfer includes always on-site transfer (transport) activities only.

### D. Suspected Cause(s)

Selections are to be made between plant or equipment, human, environmental and other. In the free text field, a detailed description of the nature of the failure (human, technical), subtype of error, intervention, malfunction, etc. should be given, together with an indication of how certain the identification of the causes is (preliminary analysis, root cause analysis, etc.). It should clearly be distinguished between immediate and underlying causes of an accident.

### E. Immediate Effects

Selections are to be made between human deaths, human injuries, ecological harm, national heritage loss, material loss, community disruption and other. A detailed description of the consequences of the accident should be made by trying to be as quantitative as possible (X number of persons injured, Y% of surrounding area contaminated, etc.). Clear distinction should be made between on-site and off-site effects.

#### F. Emergency Measures Taken

Selections are to be made between on-site systems, external services, sheltering, evacuation, contamination, restoration and other. Details on the extent, duration, exact type of measures taken or envisaged, as well as on their effectiveness in implementation should be included in the free text field. A clear distinction should be made between on-site and off-site measures.

#### G. Immediate Lessons Learned

Any lessons learned on the prevention, mitigation of the consequences or other should be indicated here. A detailed discussion should be made in the free text field on the exact nature of the lessons learned, and whether any of them were already implemented or are going to be implemented in the future.

.

**Annex VI**

**DECISION 2000/5  
ON THE PREVENTION OF ACCIDENTAL WATER POLLUTION**

The Conference of the Parties,

Stressing that major industrial accidents may cause far-reaching transboundary effects and may lead to accidental water pollution,

Recalling the decision of the Signatories to the UN/ECE Convention on the Transboundary Effects of Industrial Accidents and the Parties to the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes to cooperate closely on issues related to the prevention of accidental pollution of transboundary waters,

Acknowledging the work already done, in particular the outcome of the workshop and the Seminar on the prevention of chemical accidents and limitation of their impact on transboundary waters 1/ held in Berlin (7-9 May 1998) and in Hamburg, Germany (4-6 October 1999), respectively, as well as the results of two meetings of a joint ad hoc expert group on water and industrial accidents,

1. Endorses the conclusions and recommendations of the Seminar in Hamburg (CEP/WG.4/SEM.1/1999/3, annex I); 2/

2. Requests the Parties and encourages other UN/ECE member countries to implement these recommendations;

3. Extends the mandate of the joint ad hoc expert group on water and industrial accidents 3/ to support and provide guidance in the implementation of the above recommendations; 4/

4. Welcomes the nominations of experts from the following Parties to the Convention: Finland, Germany, Hungary, Republic of Moldova, Russian Federation and Switzerland, and from the following other UN/ECE member countries: France, Italy, Netherlands and Poland, to participate in the work of this group and invites experts from other UN/ECE countries to participate as well;

5. Decides that the joint ad hoc expert group will be co-chaired by experts representing the two Conventions 5/ and that the frequency of its meetings will be decided by the two Chairpersons, in consultation with the Bureaux of the governing bodies;

6. Entrusts the Bureau to schedule the next meeting of the joint ad hoc expert group in conjunction with the Bureau of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes;

7. Agrees on the following elements, proposed at a consultative meeting held in Budapest on 6-7 April 2000, 6/ as the work programme for the joint ad hoc expert group on water and industrial accidents:

(a) Drawing up an inventory of already existing safety guidelines/best practices for the prevention of accidental transboundary water pollution and making these guidelines/best practices available to the competent authorities and focal points designated under this Convention;

(b) Assisting in the adaptation of these guidelines/best practices to the specific needs and circumstances of river basins in the UN/ECE region;

(c) Drawing up safety guidelines/best practices concerning installations or activities for which they are not available so far, such as: tailing dams, pipelines and the navigation of ships on rivers, to be used by UN/ECE member countries and/or joint bodies;

(d) Facilitating the exchange of information on the functioning of existing alarm and notification systems at national, regional and local levels within the framework of this Convention and the international river commissions (Rhine, Elbe and Danube) through joint consultations of points of contact and river alarm experts;

(e) Initiating an international response exercise within the framework of this Convention and one of the international river commissions;

(f) Drawing up guidelines for establishing model cross-border contingency plans and disseminating them widely among UN/ECE member countries. This work will be based on experience gained with the pilot study to draw up a joint contingency plan for the Samos river shared between Hungary and Romania;

(g) Drawing up guidelines to identify dangerous facilities handling smaller amounts of hazardous substances than specified in annex I to the Convention.

#### Notes

1/ These events were organized under the joint auspices of the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the Meeting of the Signatories to the Convention on the Transboundary Effects of Industrial Accidents.

2/ At their second meeting (The Hague, Netherlands, 23-25 March 2000), the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International

Lakes adopted the report of the Hamburg Seminar (CEP/WG.4/SEM.1/1999/3), including its conclusions and recommendations. It underlined the importance for the Parties to both Conventions and, when applicable, joint bodies to implement the recommendations.

3/ The joint expert group will report to the Parties to both Conventions.

4/ It was suggested by the Meeting of the Parties to the Water Convention that a joint reporting scheme should be drawn up by the Parties to both Conventions. This would be a task for the joint ad hoc expert group on water and industrial accidents.

5/ The joint ad hoc expert group will elect the two chairpersons at its next meeting.

6/ Consultative meeting of the joint ad hoc expert group on water and industrial accidents, organized on the initiative of the secretariats of both Conventions.

**Annex VII**

**DECISION 2000/6  
ON RESPONSIBILITY AND LIABILITY**

The Conference of the Parties,

Recalling article 13 of the Convention,

1. Welcomes the initiative by Switzerland on responsibility and liability as contained in document CP.TEIA/2000/14;
2. Takes note of the decisions taken on the subject of responsibility and liability by the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) at their second meeting in The Hague, Netherlands, in March 2000 (ECE/MP.WAT/5);
3. Also takes note of the support in this respect expressed by delegations at the seventh session of the UN/ECE Committee on Environmental Policy (ECE/CEP/74);
4. Recognizes, on the basis of the preliminary report by the Chairperson of the expert group on liability and industrial accidents established by the Parties to the Water Convention (CP.TEIA/2000/14/Add.1) and the background study International Legal Instruments on Civil Liability Applicable to Water-related Incidents: Coverage and Possible Gaps, commissioned by this expert group, the shortcomings of existing international civil liability instruments, in particular due to their lack of specificity in certain cases and to the fact that they have not entered into force;
5. Stresses the need for an appropriate regime, including a legally binding instrument, in the UN/ECE region on civil liability for damage caused by hazardous activities within the scope of both Conventions;
6. Mandates its Bureau to work closely with the Bureau of the Meeting of the Parties to the Water Convention to prepare a joint special session of the governing bodies of both Conventions in 2001 with a view to considering entering into an intergovernmental negotiation process;
7. Requests its Bureau, to that end, to prepare, in conjunction with the Bureau of the Meeting of the Parties to the Water Convention, elements for defining the scope of a regime on civil liability, taking into account the issues raised during its first meeting (see ECE/CP.TEIA/2, para. 37).

**Annex VIII**

**DECISION 2000/7  
ON THE PRIORITIES AND THE PROGRAMME OF WORK**

The Conference of the Parties,

Recalling the provisions of articles 18, paragraph 2 (b) and (c), 4 and 5, and annex XII to the UN/ECE Convention on the Transboundary Effects of Industrial Accidents,

Acknowledging the intergovernmental tasks under the Convention as outlined in CP.TEIA/2000/8, the current needs of the Parties and the other UN/ECE member countries as well as the work done under the auspices of the Signatories to the Convention aimed at applying the Convention in practice,

1. Sets the following priorities for its future work programme:
  - (a) Implementation of the provisions of the Convention by its Parties and ratification or accession to it by as many UN/ECE member countries and as soon as possible;
  - (b) Identification and notification of hazardous activities for the purpose of the Convention;
  - (c) Promotion of measures to prevent industrial accidents, including accidental water pollution;
  - (d) Preparation of a special joint session of the governing bodies of the UN/ECE Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes with a view to considering entering into an intergovernmental negotiation process for an appropriate regime, including a legally binding instrument, in the UN/ECE region on civil liability for damage caused by hazardous activities within the scope of both Conventions;
  - (e) More efficient industrial accident notification;
  - (f) Reporting of past industrial accidents and their analysis;
  - (g) Facilitation of the exchange of information and safety technologies;
2. Adopts the programme of work under the Convention, including the long-term programme of work and the work plan for 2001-2002 contained in ECE/CP.TEIA/2, annex IX;



3. Mandates the Bureau, with the assistance of the UN/ECE secretariat, to ensure that the long-term programme of work and the work plan for 2001-2002 are implemented taking into consideration the work done by other international organizations with a view to developing synergies and avoiding duplication of efforts;
  
4. Requests the Parties and invites Governments of other UN/ECE member countries to actively participate in the implementation of the work plan for 2001-2002 and to take the lead in specific projects within the work plan.

## **Annex IX**

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

#### **Introduction**

The present annex sets out the long-term programme of work (Part One) as well as the work plan for the years 2001-2002 (Part Two) under the UN/ECE 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 2001-2002 the work done by other international organizations should be duly considered with a view to developing synergies and avoiding duplication of efforts.

#### **Part One**

##### **LONG-TERM PROGRAMME OF WORK**

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

#### **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)), to which end it has established the Working Group on Implementation and approved a reporting format (CP.TEIA/2000/11). Other UN/ECE 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 to be undertaken:** The UN/ECE secretariat will maintain an up-to-date list of competent authorities and make it available on the Convention's Internet home page. The Working Group on Implementation will monitor the implementation of the Convention. On the basis of the individual country implementation reports submitted by the Parties and other UN/ECE member countries wishing to do so, the Working Group on Implementation will, with the assistance of the UN/ECE secretariat, prepare an overall report on the Convention's implementation. It will draw conclusions from this report, make draft recommendations to strengthen the implementation of the Convention and submit these to the Conference of the

Parties for discussion and adoption. The implementation report will be available on the Convention's Internet home page.

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

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

Work to be undertaken: The Working Group on Implementation will review the needs and difficulties of countries, in particular those with economies in transition, and will facilitate the provision of assistance wherever possible. Workshops and seminars to facilitate the implementation and/or ratification of the Convention will be organized at the request of a country or group of countries.

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

2.1 Hazardous substances

Description: Annex I to the Convention defines categories of substances and preparations (part I) and named substances (part II) and their quantities for the purpose of defining hazardous activities under the Convention. Work is under way at the European Community level to redefine hazardous substances and the threshold quantities of substances "dangerous for the environment". Following a decision by the Signatories at their sixth meeting (CEP/WG.4/6, para. 43 (b)), this work has been extended to the entire UN/ECE region and is therefore being carried out within the framework of this Convention as well.

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

2.2 Hazardous activities

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

ensure that all Parties take the same approach when identifying hazardous activities and notifying other Parties, pragmatic guidelines have been prepared. Following article 18, paragraph 6, the Conference of the Parties adopted them at its first meeting (decision 2000/3, ECE/CP.TEIA/2, annex IV).

Work to be undertaken: The list of hazardous activities referred to in annex XII, paragraph 1 (e), to the Convention, will be established by the Working Group on Implementation, with the assistance of the secretariat, on the basis of the individual country implementation reports. The Working Group on Implementation will report regularly to the Conference of the Parties on this list. 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 this Convention and the Parties to the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) 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 to be undertaken: The Conference of the Parties 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. As jointly decided by the Conference of the Parties and the Meeting of the Parties to the Water Convention, the joint ad hoc expert group on water and industrial accidents will continue its work and concentrate on the prevention of accidental water pollution. The expert group's work programme was agreed on by the Conference of the Parties at its first meeting (decision 2000/5, para.7, ECE/CP.TEIA/2, annex VI).

### **PROGRAMME AREA 4: Points of contact and industrial accident notification**

#### 4.1 UN/ECE 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 UN/ECE 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 UN/ECE secretariat of any changes in the contact details of their points of contact within one month of such decision. Other UN/ECE member countries that have not yet designated or established a point of contact are invited to do so as soon as possible and notify the secretariat accordingly. An up-to-date list of points of contact is available with restricted access on the Convention's Internet home page.

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 UN/ECE Industrial Accident Notification System (CP.TEIA/2000/5) was developed under the auspices of the Meeting of the Signatories. The Conference of the Parties adopted it at its first meeting for use by the Parties (decision 2000/1, ECE/CP.TEIA/2, annex II).

Work to be undertaken: The UN/ECE secretariat will update the list of points of contact and continue to make it available with restricted access on the Convention's Internet home page. According to annex IX, paragraph 4, to the Convention, the UN/ECE System will be periodically tested and reviewed to ensure that it is operational at all times. Furthermore, a manual for the points of contact will be developed. Cooperation with other institutions operating notification and alarm systems <sup>1/</sup> will be established to ensure the most effective flow of information and achieve better harmonization. Regular training of the personnel of points of contact will be continued, in accordance with annex IX, paragraph 4, to the Convention. The Conference of the Parties recommended that the above tasks should be carried out by the points of contact at regular consultations. 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 to be undertaken: Experience will be shared and assistance provided in establishing and implementing preparedness and response measures. 2/ The organization of bilateral and multilateral response exercises is encouraged.

## 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. Switzerland has proposed that negotiations for a protocol to both the UN/ECE Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes should be started. At its second meeting, the Parties to the latter Convention (The Hague, Netherlands, 23-25 March 2000) entrusted their task force on legal and administrative aspects to draw up a report identifying gaps in multilateral legislation on responsibility and liability and suggesting possible ways of bridging these gaps. The draft of this report was made available to the Conference of the Parties for discussion at its first meeting.

Work to be undertaken: Preparation of a special joint session of the governing bodies of the UN/ECE Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes with a view to considering entering into an intergovernmental negotiation process for an appropriate regime, including a legally binding instrument, in the UN/ECE region on civil liability for damage caused by hazardous activities within the scope of both Conventions.

## **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 to be undertaken: According to article 18, paragraph 5, of the Convention, the Conference of the Parties will consider procedures to create more favourable conditions for the exchange of safety technologies. It will 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 experts capable of providing assistance regarding preventive, preparedness and response measures will be established. The Conference of the Parties may also inspect hazardous activities and provide assistance in organizing national inspections 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, the Conference of the Parties decided to establish and maintain a data bank for the reception, processing and distribution of information on past industrial accidents. To this end the Conference of the Parties accepted the proposal of the European Commission to make available the UN/ECE Past Industrial Accident Reporting System and operate it within the framework of its existing EU-Major Accident Reporting System (MARS). It furthermore adopted decision 2000/4 on the reporting of past industrial accidents (ECE/CP.TEIA/2, annex V).

Work to be undertaken: The Parties to the Convention, as well as other UN/ECE member countries wishing to do so, will report on industrial accidents with transboundary effects using the UN/ECE 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 Hazard Bureau of the European Commission. Information on past industrial accidents will be made available to all UN/ECE member countries in order to strengthen the prevention, preparedness and response to industrial accidents.

## **PROGRAMME AREA 9: Exchange of information**

### 9.1 Exchange of information

Description: According to article 15 to the Convention, the Parties shall exchange reasonably obtainable information, including elements contained in annex XI.

Work to be undertaken: The Conference of the Parties will encourage the exchange of information on legislative and administrative measures, policies, objectives and priorities for the prevention, preparedness and response to industrial accidents and the sharing of experiences in developing policies on the siting of new hazardous activities and on significant modifications to existing ones.



## **Part Two**

### **WORK PLAN FOR THE YEARS 2001-2002**

The following are specific programme elements selected from the long-term programme of work (Part One) as priority tasks to be implemented in the period between the first and second meetings of the Conference of the Parties (2001-2002).

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

##### **1.1 Implementation of the Convention**

- 1.1.1 Maintenance of an up-to-date list of competent authorities to be made available on the Convention's Internet home page (UN/ECE secretariat);
- 1.1.2 Preparation of the first report on the Convention's implementation. Report to be made available on the Convention's Internet home page (Working Group on Implementation);
- 1.1.3 Drawing-up of conclusions and recommendations 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 UN/ECE member countries wishing to become a Party in ratifying the Convention**

- 1.2.1 Organization of a subregional workshop facilitating the implementation and ratification of the Convention (Armenia, Working Group on Implementation and UN/ECE secretariat).

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

##### **2.1 Hazardous activities**

- 2.1.1 Establishment of a list of hazardous activities (Working Group on Implementation);
- 2.1.2 Review, as appropriate, the guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (Working Group on Implementation).

### **PROGRAMME AREA 3: Prevention of industrial accidents**

#### **3.1 Prevention of accidental water pollution**

- 3.1.1 Continuation of work on the prevention of accidental water pollution as specified in decision 2000/5 on the prevention of accidental water pollution (ECE/CP.TEIA/2, annex VI) (Joint ad hoc expert group on water and industrial accidents).

### **PROGRAMME AREA 4: Points of contact and industrial accident notification**

#### **4.1 UN/ECE Industrial Accident Notification System**

- 4.1.1 Maintenance of an up-to date list of points of contact (UN/ECE secretariat);
- 4.1.2 Testing of the UN/ECE System and review on the basis of the results of the testing (Croatia, Switzerland, Points of contact and UN/ECE secretariat);
- 4.1.3 Development of a manual for points of contact and organization of consultations/training sessions for their personnel (Points of contact and UN/ECE secretariat);
- 4.1.4 Facilitate the harmonization of the UN/ECE System with notification and alarm systems under the Water Convention 3/ (Points of contact, joint ad hoc expert group on water and industrial accidents and UN/ECE secretariat).

### **PROGRAMME AREA 5: Emergency preparedness, response and mutual assistance**

#### **5.1 Emergency preparedness and response**

- 5.1.1 Organization of a response exercise including an industrial accident involving accidental water pollution with transboundary effects 3/ - International workshop and exercise on “Industrial safety and water protection”

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

#### **6.1 Responsibility and liability regime**

- 6.1.1 Preparation of a special joint session of the governing bodies of the UN/ECE Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and

International Lakes with a view to considering entering into an intergovernmental negotiation process for an appropriate regime, including a legally binding instrument, in the UN/ECE region on civil liability for damage caused by hazardous activities within the scope of both Conventions.

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

### **7.1 Facilitation of the exchange of information and safety technologies**

- 7.1.1 Preparation of background material for the Conference of the Parties on creating more favourable conditions for the exchange of safety technologies;
- 7.1.2 Organization of a workshop on the facilitation of the exchange of safety management systems and safety technologies;
- 7.1.3 Establishment of a register of experts capable of providing assistance regarding preventive, preparedness and response measures.

## **PROGRAMME AREA 8: Past industrial accidents**

### **8.1 Reporting of past industrial accidents**

- 8.1.1 Establishment and operation of the UN/ECE 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 – UN/ECE secretariat).

## **RELATED ACTIVITIES:**

### **(A) Promotion of best practices aimed at increasing the safety of industrial activities**

Further elaboration of the methodology for rapid health and environmental risk assessment of industrial activities endorsed by the European Environment and Health Committee and support for its application (Italy – lead and financing country, WHO, Hungary, Romania, Bulgaria, World Wide Fund for Nature (WWF), Regional Environmental Center (REC), Joint ad hoc expert group on water and industrial accidents).

- (B) Bilateral and multilateral assistance pilot projects (Germany – lead and financing country, Republic of Moldova, Romania, Russian Federation and Ukraine).**

Notes

1/ In particular with systems developed and operational within the framework of the Water Convention.

2/ With the participation and cooperation of experts from the Water Convention.

3/ As part of the work programme of the joint ad hoc expert group on water and industrial accidents.

**Annex X**

**DECISION 2000/8  
ON THE RESOURCES FOR 2001-2002**

The Conference of the Parties,

Recalling its decision 2000/7 on the priorities and the programme of work, and in particular the work plan for 2001-2002,

Recognizing that the successful implementation of the UN/ECE Convention on the Transboundary Effects of Industrial Accidents and the work plan within its framework depends on adequate administrative and financial resources,

1. Decides that the Parties will contribute financially and/or in kind to the resources under the Convention on a voluntary basis and recommends them to make their contributions as soon as possible;
2. Invites other UN/ECE member countries to contribute as well;
3. Welcomes the contributions pledged by the following Parties to the Convention: Germany, Hungary, Switzerland and the European Community and by Italy;
4. Adopts the Convention's resource requirements for the 2001-2002 period as set out in appendix I to this decision;
5. Endorses the guiding principles for financial assistance to support the participation of experts and representatives from countries with economies in transition in meetings organized within the framework of the Conference of the Parties, depending on the availability of funds, as set out in appendix II to this decision;
6. Invites the Executive Secretary of UN/ECE, strengthened with additional extrabudgetary resources, to continue to provide secretariat support for the tasks outlined in the work plan for 2001-2002;
7. Requests the UN/ECE secretariat to manage the voluntary financial contributions in agreement with the donor countries/institutions;
8. Requests the Bureau, with the support of the UN/ECE secretariat, to draw up resource requirements for the next two-year period for adoption at the second meeting of the Conference of the Parties.

**Appendix I**

**Resource requirements for 2001-2002**

No. <u>a/</u>	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 an up-to-date list of competent authorities to be made available on the Convention's Internet home page	<b>UN/ECE secretariat</b> All Parties			List of competent authorities on the Internet
1.1.2	Preparation of the first report on the Convention's implementation to be available on the Convention's Internet home page	<b>Working Group on Implementation</b> All Parties	To be arranged by the Working Group		Convention's implementation report
1.1.3	Drawing-up conclusions and recommendations on the basis of the report on the Convention's implementation	<b>Working Group on Implementation</b>	To be arranged by the Working Group		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 UN/ECE member countries wishing to become a Party in ratifying the Convention</b>				
1.2.1	Organization of a subregional workshop facilitating the implementation and ratification of the Convention	<b>Armenia</b> <b>Working Group on Implementation</b> UN/ECE secretariat	Armenia (in kind) To be arranged by the Bureau and the Working Group on Implementation	US\$ 25,000	Recommendations to overcome obstacles to ratification and implementation
<b>2.</b>	<b>Scope of the Convention</b>				
<b>2.1</b>	<b>Hazardous activities</b>				
2.1.1	Establishment of a list of hazardous activities	<b>Working Group on Implementation</b> All Parties	To be arranged by the Working Group		List of hazardous activities
2.1.2	Review, as appropriate, the guidelines to facilitate the identification of hazardous activities for the purposes of the Convention	<b>Working Group on Implementation</b>	To be arranged by the Working Group		Recommendations for possible amendments to the guidelines

No. <u>a/</u>	Programme area/element/activity	Lead country/institution supporting countries/institutions	Contributions	Expected budget	Expected output
<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	<b>Joint ad hoc expert group on water and industrial accidents</b> Germany Hungary	Germany (in kind - one meeting) Hungary (in kind - one meeting)	US\$ 25,000	Implementation of the programme of work
<b>4.</b>	<b>Points of contact and industrial accident notification</b>				
<b>4.1</b>	<b>UN/ECE Industrial Accident Notification System</b>				
4.1.1	Maintenance of an up-to-date list of points of contact	<b>UN/ECE secretariat</b>			List of points of contact on the Internet
4.1.2	Testing of the UN/ECE Industrial Accident Notification System and review on the basis of the results of the tests	<b>Croatia Switzerland</b> Points of contact UN/ECE secretariat	Croatia (in kind-one test) Switzerland (in kind-one test)		Recommendations to make the system more effective
4.1.3	Development of a manual for points of contact and organization of consultations/training sessions for their personnel	Points of contact UN/ECE secretariat	To be arranged by the Bureau and the UN/ECE secretariat with donors	US\$ 25,000	Manual for points of contact and consultations/training sessions
4.1.4	Facilitate the harmonization of the UN/ECE System with notification and alarm systems under the Water Convention	<b>Joint ad hoc expert group on water and industrial accidents</b> Points of contact UN/ECE secretariat			Recommendations on harmonization

No. <u>a/</u>	Programme area/element/activity	Lead country/institution supporting countries/institutions	Contributions	Expected budget	Expected output
<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 response exercise including an industrial accident involving accidental water pollution, with transboundary effects – International workshop and exercise on industrial safety and water protection	<b>Hungary</b> UN/ECE secretariat	Hungary (in kind) To be arranged by the Bureau and the UN/ECE secretariat with donors	US\$ 25,000	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	Preparation of a special session of the governing bodies of the Industrial Accidents and the Water Conventions with a view to considering entering into an intergovernmental negotiation process for an appropriate regime, including a legally binding instrument, on civil liability	<b>Bureaux of the two governing bodies</b> UN/ECE secretariat	To be arranged by the Bureaux and the UN/ECE secretariat with donors	US\$ 25,000	Special session of the governing bodies of the Industrial Accidents and the Water Conventions and their decisions
<b>7.</b>	<b>Scientific and technological cooperation</b>				
<b>7.1</b>	<b>Facilitation of the exchange of information and safety technologies</b>				
7.1.1	Preparation of background material for the Conference of the Parties on creating more favourable conditions for the exchange of safety technologies	Lead country to be identified	To be arranged by the Bureau and the UN/ECE secretariat with donors	US\$ 5,000	Discussion paper – recommendations for decision by the Conference of the Parties
7.1.2	Organization of a workshop on the facilitation of the exchange of safety management systems and safety technologies	Host to be identified	To be arranged by the Bureau and the UN/ECE secretariat with donors	US\$ 25,000	Recommendations on facilitating the exchange of safety technologies
7.1.3	Establishment of a register of experts capable of providing assistance regarding preventive, preparedness and response measures	<b>UN/ECE secretariat</b> All Parties			Register of experts



No. <u>a/</u>	Programme area/element/activity	Lead country/institution supporting countries/institutions	Contributions	Expected budget	Expected output
<b>8.</b>	<b>Past industrial accidents</b>				
<b>8.1</b>	<b>Reporting of past industrial accidents</b>				
8.1.1	Establishment and operation of the UN/ECE 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> UN/ECE secretariat	In kind  In kind		UN/ECE Past Industrial Accident Reporting System
	<b>Second meeting of the Conference of the Parties</b>	<b>Republic of Moldova</b> Bureau UN/ECE secretariat	Italy (US\$ 20,000)	US\$ 45,000	Second meeting of the Conference of the Parties
	<b>Two meetings of the Bureau (2001 and 2002)</b>	<b>Bureau</b> UN/ECE secretariat	To be arranged by the Bureau	US\$ 5,000	Bureau meetings
	<b>Promotion of the Convention and assistance in implementation of the work plan</b>	<b>UN/ECE secretariat</b> Bureau	To be arranged by the Bureau and the UN/ECE secretariat with donors	US\$ 10,000	Promotional material, substantive background papers and equipment

a/ The number correspond to the ones assigned in the work plan for 2001-2002 (ECE/CP.TEIA/2, annex IX, Part Two)

**Appendix II**

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

<b>Country</b>	<b>US\$ per capita 1999</b>	<b>Note:</b> threshold set for financial support in 1999 = US\$ 2000; countries with GDP per capita below \$1000 are eligible for financial support (travel expenses and DSA <sup>1/</sup> ); countries with GDP per capita between \$1000 and \$2000 are eligible for financial support (DSA only); countries exceeding the threshold are not eligible for financial support			
Slovenia	9886	Not eligible for financial support			
Czech Republic	5176				
Croatia	4507				
Hungary	4813				
Poland	3983				
Slovakia	3501				
Estonia	3605				
Lithuania	2892				
Latvia	2767				
<b>The FYR of Macedonia</b>	1715	Eligible for financial support (DSA only)			
<b>Yugoslavia</b>	1680				
<b>Romania</b>	1519				
<b>Bulgaria</b>	1462				
<b>Russian Federation</b>	1235				
<b>Bosnia and Herzegovina</b>	1172				
<b>Albania</b>	1160				
<b>Belarus</b>	1070				
<b>Kazakhstan</b>	974	Eligible for financial support (travel and DSA)			
<b>Turkmenistan</b>	746				
<b>Uzbekistan</b>	686				
<b>Ukraine</b>	607				
<b>Georgia</b>	546				
<b>Armenia</b>	525				
<b>Azerbaijan</b>	520				
<b>Republic of Moldova</b>	261				
<b>Kyrgyzstan</b>	260				
<b>Tajikistan</b>	179				
<b>TOTAL COUNTRIES</b>	<b>27</b>				
<b>COUNTRIES ELIGIBLE</b>	<b>18</b>				
<b>COUNTRIES ELIGIBLE FOR DSA ONLY</b>	<b>8</b>				
<b>COUNTRIES ELIGIBLE FOR TRAVEL EXPENSES + DSA</b>	<b>10</b>				
1/ DSA - daily subsistence allowance.					