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ECONOMIC COMMISSION FOR EUROPE

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

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

Report of the fact-finding team on its mission to Kazakhstan¹

Summary

The fact-finding team, as a result of its mission to the Republic of Kazakhstan from 17 to 21 April 2007, concluded that the basic tasks under the Convention – as described in the assistance programme – have been implemented. The team recommends that the country participate actively in the next phase of the programme.

¹ The late submission of this report was caused by health problems of the team leader and his inability to continue work on the report for several months.

I. INTRODUCTION

1. Fact-finding missions are being organized to those countries of Eastern Europe, Caucasus and Central Asia (EECCA) and South-Eastern Europe (SEE) which adopted the declaration at the High-level Commitment Meeting² (Geneva, 14–15 December 2005) and committed themselves to implementing the Convention on the Transboundary Effects of Industrial Accidents, in particular the basic tasks as defined in the assistance programme (chapter IV, first paragraphs of sections A–J³).

2. In accordance with the assistance programme and the terms of reference⁴ the task of the fact-finding teams is to hold discussions with representatives of competent authorities at the national and local levels as well as representatives of points of contact and of hazardous activities, and to compile a report on:

(a) The implementation of the basic tasks;

(b) The particular areas where capacity-building activities and advisory services are needed, as well as the possibilities and needs for launching transboundary pilot projects and joint exercises with neighbouring EECCA and SEE countries.

3. This document contains the report of the fact-finding mission to Kazakhstan which took place from 17 to 21 April 2007 at the invitation of the Committee for State Control of Emergency Situations and Industrial Safety in the Ministry of Emergency Situations (MES) of the Republic of Kazakhstan.

A. Basic information on the mission

4. The fact-finding team consisted of:

(a) Mr. Ernst Berger, team leader, former head of the section on Safety of Installations, Swiss Federal Office for the Environment, and first Chairperson of the Conference of the Parties (2000–2004), now a consultant to the Convention secretariat;

(b) Mr. Jan Roed, Senior Engineer, Directorate for Civil Protection and Emergency Planning (Norway);

(c) Mr. Viktor Novikov, United Nations Environment Programme/GRID-Arendal Programme, expert in environment and security.

2 Report of the High-level Commitment Meeting (Geneva, 14–15 December 2005;CP.TEIA/2005/12);

3 Internationally Supported Assistance Programme for the EECCA and the SEE Countries to Enhance Their Efforts in Implementing the Convention (CP.TEIA/2004/2).

4 Terms of reference for fact-finding teams established within the framework of the assistance programme under the Convention.

5. The mission coordinator, Mr. Vadim Oglov, Deputy Chairman of the Committee for State Control of Emergency Situations and Industrial Safety of MES, and Ms. Laura Lukpanova, Head of the International Cooperation Department of MES, prepared the mission programme jointly with the Convention secretariat. The programme included meetings with the following authorities and industrial entities:

(a) MES in Astana and its Territorial Department in the Atyrau oblast, both of which are entrusted with the implementation of the national policy on emergency situations;

(b) The Committee for State Control of Emergency Situations and Industrial Safety (CSCESIS) within the MES in Astana and its territorial department in the Atyrau oblast, both of which are entrusted with the implementation of the national safety policy at industrial enterprises;

(c) The Ministry of Environmental Protection (MEP), which is entrusted with the implementation of the national policy on environmental protection;

(d) The Department for Mobilization, Training, Civil Defence, Notification and Liquidation of Accidents and Environmental Disasters in the Governor's Office (*akimat*) of Atyrau oblast (a regional executing authority located in the city of Atyrau), which is responsible for the enforcement and implementation of the legislation at the local level;

(e) The Tengizchevroil Company Ltd. (TCO), which has its headquarters in the city of Atyrau and its onshore oil production facilities in Tengiz. On a licensed area of 1,600 square miles, the oil is produced from a deep reservoir (about 3,800–5,000 m) containing approximately 7 billion barrels of recoverable oil at high pressures (about 800 bar) and with a high sour-gas content (13% hydrogen sulphide (H₂S)). Field operation started in 1993. Oil production was about 2 million tons in 1994 and 14 million tons in 2006. The production of 2006 is expected to double by the period 2009–2010 with the introduction of a new processing facility currently under construction. Today, the company employs 13,000 to 15,000 workers, including workers involved in the construction of the new processing facility;

(f) The Agip Kazakhstan North Caspian Operating Company N.V. (Agip KCO) has its district offices in the city of Atyrau. The company is developing the offshore Kashagan oilfield in the North Caspian Sea, which has an area of about 1800 km². This very large oilfield was discovered in 2000 and is located in shallow waters (2.5–4 m) approximately 80 km south-east of the city of Atyrau. It is estimated that out of the total reserves of 38 billion barrels, of which 9 to 13 billion barrels are recoverable. The oil is at a depth of about 4000 to 5000 m, with a high pressure of about 800 bar and a high sour-gas content (15–20% H₂S). The first production well was operational in 2006. The oil will be transported by underwater pipelines from artificial drilling islands to the onshore Boloshak processing plant, presently under construction near Atyrau. When fully operational, this plant will process 300,000 barrels of oil per day. It is planned to re-inject the H₂S back into the reservoir. The shallow waters and sensitive marine ecology, in combination with winter ice and stormy conditions, make this oil exploration project a difficult and challenging task.

6. The names and titles of the individuals who represented these entities at the meetings are shown in the following tables:

Ministry of Emergency Situations		
1	Mr. Valery Petrov	First Vice-Minister, Astana
2	Mr. Elmes Tukenov	Chief, Operational Department, Republican Crisis Centre, Astana
3	Mr. Alexander Lugovoy	Chief, Technical Department, Republican Crisis Centre, Astana
4	Ms. Laura Lukpanova	Head, International Cooperation Department, Astana
5	Mr. Ardak Jangujinov	Officer, International Cooperation Department, Astana
6	Mr. Serik Khairushev	Chief, Atyrau Territorial Department of MES in Atyrau oblast

Committee for State Control of Emergency Situations and Industrial Safety (in the MES)		
1	Mr. Nurachmet Bijanov	Chairman of the Committee, Astana
2	Mr. Vadim Oglov (Mission Coordinator)	Deputy Chairman of the Committee, Astana (As mission coordinator, Mr. Oglov accompanied the team to all the meetings)
3	Mr. Aijan Shagirov	Chief, Department of Control in the Oil-and-Gas Industry, Geology and Offshore Oil Operations, Astana
4	Mr. Timur Estebayev	Chief, Atyrau Territorial Department of the Committee, Atyrau
5	Mr. Radius Latfullin	Chief, State Inspectorate of Control for Industrial Safety in Offshore Oil Operations and Territorial Waters, Atyrau
6	Mr. Yerlan Sulkebayev	Deputy Chief, Astana Territorial Department of the Committee, Astana

Ministry of Environmental Protection		
1	Mr. Alexander Bragin	Director, Legal Policy and International Cooperation Department, Astana
2	Mr. Serik Achmetov	Senior Expert, Kazakhstan Caspian Environmental Issues

Regional Governor's Office (Akimat⁵) of Atyrau Oblast		
1	Mr. Janos Akimjanov	First Deputy Governor (<i>Akim</i>), Atyrau oblast Chairman, Regional Commission for Emergency Situations
2	Mr. Kalel Maksutov	Chief, Department for Mobilization Training, Civil Defence, Organization of Notice and Liquidation of Accidents and Environmental Disasters (in Akimat)

Tengizchevroil Company Ltd.		
1	Mr. Ronald Kasberger	General Manager, Health, Safety and Environment, Atyrau
2	Mr. Kalau Mussin	Manager, Public Affairs, Atyrau
3	Mr. Georgy Trukhin	Communication Specialist, Government and Public Affairs, Atyrau
4	Mr. Tim West	Manager Operations, Tengiz
5	Mr. Dan Weidlein	Superintendent, Health, Safety and Environment, Tengiz
6	Mr. Gil Van Gelder	Plant Manager, Tengiz
7	Mr. Vitaly Lee	Chief, Fire Department of Tengiz

Agip Kazakhstan North Caspian Operating Company N.V. (Agip KCO)		
1	Mr. Luciano Vasques	District Director, Atyrau
2	Mr. Francisco Vacas	District Manager, Health, Safety and Environment (HSE), Atyrau
3	Mr. Jon Richard	Manager, Health and Safety, Atyrau
4	Mr. David Pashley	Manager, HSE Emergency Response, Atyrau
5	Mr. Marc Shepherd	Manager, HSE Oil Spill Response, Atyrau
6	Mr. Francesco Alessi	Chief, Training Centre in Atyrau

B. Basic information on the country

7. As a result of the disintegration of the former Soviet Union, the Republic of Kazakhstan declared itself independent on 16 December 1991. It is the largest country of Central Asia, with a population of about 15 million and an area of about 2.7 million km² (larger than Western Europe). It is a member of the Commonwealth of Independent States (CIS) and the Shanghai

⁵ See paragraph 9.

Cooperation Organization. Kazakhstan is bordered by the Russian Federation, China and the Central Asian countries Kyrgyzstan, Turkmenistan and Uzbekistan, and has a coastline on the Caspian and Aral Seas.

8. Kazakhstan is an emerging democracy, whose President has substantial executive powers. The political situation is stable and the country has good relations with its neighbours. The Government of Kazakhstan transferred its capital from Almaty to Astana on 10 December 1997. Kazakhstan has a very active industrial development strategy and intends to become one of the 50 largest economies in the world as measured by gross national product (GNP).

9. Kazakhstan is divided into 14 oblasts (and two cities - Astana and Almaty). Each oblast is headed by the regional governor (Akim), appointed by the president. The oblast governor's office (Akimat) represents the executive body (branch) of the central government in the region.

10. Economically, the country shares all the formidable problems faced by the other countries of Central Asia vis-à-vis making the transition from a centrally planned to a free market economy. Enterprises are in the process of adjusting to market conditions, which is difficult and in many cases requires substantial financial investments and changes in production methods. However, over the last five years Kazakhstan has seen strong economic growth due to its abundant fossil fuel supplies and mineral resources (oil, gas, uranium, zinc, copper, coal, iron, gold) and its agricultural production (meat, wheat, fruits, vegetables). Because of the considerable oil reserves, including the three major oil and gas fields of Tengiz, Karachaganak and offshore Kashagan, the country is likely to become a significant player in the global oil market over the next decade with production exceeding 100 million tons per year. To this end, the issue of environmental and industrial safety in energy production has received increased attention from the Government, which is taking steps to strengthen the industrial safety to prevent industrial accidents and ensure sustainable growth.

11. Kazakhstan acceded to the Convention on 11 January 2001 on the basis of the Law of the Republic of Kazakhstan on the accession of the Republic of Kazakhstan to the Convention on the Transboundary Effects of Industrial Accidents of 23 October 2000. Kazakhstan has participated in the activities of the Convention for a number of years as a UNECE member State, and since early 2001 as a Party.

II. REVIEW OF THE IMPLEMENTATION OF THE BASIC TASKS UNDER THE CONVENTION

A. Availability of the Convention and other documentation in the national language

12. Today, all laws established by the Parliament and all decisions by the Government are written in both the Kazakh and Russian languages. The Parliament established by the "Law on languages in the Republic of Kazakhstan (11 July 1997, No. 151-1)" that along with the Kazakh language, Russian is officially used by the central government and the local administrations.

13. The Convention and other documents vital for its implementation are available in Russian to the competent authorities, regional authorities and industry.

14. Due to knowledge of Russian among government and industry employees, this situation is considered acceptable.

B. The Convention and the national legal framework

15. The provisions of the Convention are reflected in a number of national laws and government decrees, which are all written in Kazakh and Russian and are widely used by the authorities involved in the implementation of the Convention. The following are the most important national laws and decrees with respect to the Convention:

(a) Provisions on the inter-State council for emergency situations of natural and man-made character (24 September 1993), approved by the decision of the Council of Heads of Governments of the Commonwealth of Independent States;

(b) Law of the Republic of Kazakhstan on licensing (17 April 1995, No. 2200);

(c) Decree of the Government of the Republic of Kazakhstan on the inter-departmental State commission for prevention of and response to emergencies (3 May 1996, No. 553) ;

(d) Law of the Republic of Kazakhstan on natural and anthropogenic emergencies (5 July 1996, No. 19-1);

(e) Law of the Republic of Kazakhstan on rescue services and status of the rescuers (27 March 1997, No. 87-I);

(f) Law of the Republic of Kazakhstan on civil defence (7 May 1997, No. 100-I);

(g) Law of the Republic of Kazakhstan on languages in the Republic of Kazakhstan (11 July 1997, No. 151-1);

(h) Law of the Republic of Kazakhstan on the Preservation of the Environment (15 July 1997, No. 160-I);

(i) Decree of the Government of the Republic of Kazakhstan on the State system of prevention and remediation of emergencies (28 August 1997, No. 1298);

(j) Decree of the Government of the Republic of Kazakhstan on approval of the national plan on the prevention of oil spills and response to them on the sea and inland water bodies of the Republic of Kazakhstan (6 May 2000, No. 676);

(k) Decree of the Government of the Republic of Kazakhstan on establishing the regulations of the notification and format of safety declaration of an industrial facility (19 May 2000, No. 764);

(l) Law of the Republic of Kazakhstan on the accession of the Republic of Kazakhstan to the Convention on the Transboundary Effects of Industrial Accidents (23 October 2000, No. 91-II);

(m) Decree of the Government of the Republic of Kazakhstan on the appointment of the competent authorities and point of contact for the Convention on the Transboundary Effects of Industrial Accidents (13 December 2001, No. 1634);

(n) Agreement on cooperation in the field of industrial safety of hazardous industrial installations (Moscow, 28 September 2001), approved by a Decree of the Government of the Republic of Kazakhstan (31 January 2003, No. 113);

(o) Law of the Republic of Kazakhstan on industrial safety at hazardous industrial facilities (3 April 2002, No. 314-II);

(p) Law of the Republic of Kazakhstan on the state of emergency (8 February 2003, No. 387-II);

(q) Law of the Republic of Kazakhstan on compulsory liability insurance for owners of objects whose activities present a risk to harm a third party (7 July 2004, No. 580-II);

(r) Law of the Republic of Kazakhstan on technical regulation (9 November 2004, No. 603-II);

(s) Order of the MES of the Republic of Kazakhstan on the prevention of, preparedness for and response to industrial accidents and their transboundary effects (9 August 2005, No. 81);

(t) Law of the Republic of Kazakhstan on obligatory ecological insurance (13 December 2005, No. 93-III).

16. On the basis of discussions and presentations during the mission, the team concluded that the Republic of Kazakhstan transposed into national legislation the relevant provisions of the Convention, in particular on establishment of competent authorities, identification of hazardous activities and establishment of preventive, preparedness and response measures.

C. Competent authorities

17. According to the Decree on the appointment of the competent authorities for the purpose of the Convention, MES and MEP are responsible for the implementation of the Convention. The contact details of the competent authority are available to other Parties through the UNECE website.

18. The focal point for the Convention at the time of the mission was Mr. Oglov, Deputy Chairman of the Committee for State Control of Emergency Situations and Industrial Safety in

MES. He worked directly under Mr. Bijanov, Chairman of the Committee, who reported to the Minister of Emergency Situations, Mr. Viktor V. Khrapunov. The focal point coordinates the implementation of the Convention at the national and cross-border levels and is supported by Ms. Laura Lukpanova, Head of the International Cooperation Department of MES in international communication.

19. CSCESIS has good contacts with other government units relevant for the implementation of the Convention, in particular with the Republican Crisis Centre and MEP.

D. Identification of hazardous activities

20. The Law on industrial safety at hazardous industrial facilities provides the basis for the identification of industrial facilities which handle, store or produce hazardous substances in “large” quantities. The hazardous facilities are identified on the basis of the amounts of hazardous substances present at these facilities and by comparing this information with threshold quantities. The criteria have been established taking into account the dangerousness of the different chemicals.

21. At the time of the fact-finding mission, some 18,000 enterprises (including 8,000 small enterprises) producing, handling or storing hazardous substances had been identified in Kazakhstan and were monitored by inspectors from the territorial and specialized departments of CSCESIS. Of these 18,000, 387 were considered most dangerous within the scope of the above-mentioned law, and it is expected that a number of them may fall within the scope of the Convention. However, this information should be verified using on one hand the threshold quantities given in annex I of the Convention as well as the location criteria given in the document, “Criteria and Guidelines to Facilitate the Identification and Notification of Hazardous Activities”.

22. The CSCESIS representatives agreed with the team that applying the threshold quantities given in Annex I of the Convention and the location criteria would result in determining those enterprises which according to the Convention may cause transboundary effects and should be notified to neighbouring countries. A preliminary list of the hazardous activities is provided in the national implementation reports.

E. Notification of hazardous activities to neighbouring countries

23. Neighbouring countries of Kazakhstan in the UNECE region are Kyrgyzstan, the Russian Federation, Turkmenistan, Uzbekistan and Azerbaijan (through Caspian Sea). Kazakhstan also has a border with China. So far, no official notification of hazardous activities as defined under the Convention to these countries has taken place, because there is still some uncertainty as to which of the 387 most dangerous installations listed by Kazakhstan are hazardous activities according to the Convention. Nevertheless, according to the information provided to the fact-finding team, Kazakhstan is exchanging information with its neighbouring countries on hazardous installations such as major industrial plants and oil and gas pipelines. This exchange of information is based on several multilateral agreements signed with the Kazakhstan’s neighbours.

24. Kazakhstan has signed the Agreement on the Cooperation in the Field of Provision of Industrial Safety at Dangerous Production Facilities of 28 September 2001. It is also cooperating with the countries bordering the Caspian Sea under the Framework Convention on the Protection of the Marine Environment of the Caspian Sea (Tehran Convention). Through these channels the information is exchanged freely and competently.

25. The authority responsible for the international cooperation on industrial safety is MES, in particular CSCESIS and its local branches.

F. Preventive measures

26. The Law on industrial safety establishes a clear safety policy in the sense of a “controlled owner responsibility”. This safety policy is founded on the three pillars:

(a) The main responsibility for taking appropriate safety measures lies with the owner of the enterprise. The safety measures have to comply with existing norms and standards and the state of technology;

(b) The owner of the enterprise has to report the safety measures to the authorities by means of a safety declaration. This document forms the basis for applied organizational and technical safety measures to be controlled by independent safety experts and by the State inspectors, who issue a safety licenses to operate a hazardous activity. The inspectors belong mainly to either territorial or sectoral (e.g. marine oil operations, nuclear-energy operations) branches of CSCESIS. They have the right in case of violation of safety regulations to impose fines and even to withdraw the license for operation of the hazardous installation;

(c) According to the Law on compulsory liability insurance for owners of objects whose activities present a risk to harm a third party and the Law on obligatory ecological insurance, enterprises are required to have compulsory liability insurance covering ecological damage with respect to third parties. These requirements form an important third pillar of the safety policy.

27. To support authorities in ensuring safety, the scientific institutes of the CSCESIS conduct research on industrial safety in metallurgy (Ust-Kamenogorsk), petrochemicals (Shimkent), oil and gas (Atyrau) and coal (Karaganda), and assist in developing and updating the national norms and regulations and safety documents for enterprises.

28. The managers of the hazardous industrial enterprises responsible for safety should pass a safety exam at CSCESIS to be licensed for managing the safety at the enterprise level.

29. CSCESIS has an electronic database with legislation and the list of hazardous installations with potential risk and information regarding the capacities to respond to accidents. In addition, the akimats have specialized departments responsible for industrial safety monitoring and emergency management. They closely cooperate with the territorial departments of CSCESIS and MES.

G. Point(s) of contact for the purpose of industrial accident notification and mutual assistance

30. The point of contact for the purpose of industrial accidents notification and mutual assistance is the Republican Crisis Centre (RCC) in Astana, which is integrated with MES. It is the national command centre for coordinating all emergency and rescue activities in the country. The centre is well equipped and operates on a 24-hour basis.

31. For the purpose of industrial accident notification and mutual assistance, RCC has established contacts with neighbouring UNECE countries.

32. The fact-finding team visited RCC and discussed the purpose of the fact-finding mission and in particular the implementation of the basic tasks with its staff. The representatives of the RCC were made aware of the Convention's website with restricted access on points of contacts and were advised to visit the site regularly.

H. Industrial accident notification system

33. RCC is tasked with (a) monitoring emergencies on the provincial, regional and national levels; (b) assessing the risk of emergencies which may be caused by severe weather, sea storms, and earthquakes; and (c) ensuring coordination of emergency management and notification of neighbouring countries, including use of UNECE Industrial Accident Notification (IAN) System or national and regional (within CIS members) uses of recommended formats for notification of emergencies.

34. Systems and arrangements for accident notification and coordination of response action are regularly practiced by MES, sometimes involving the neighbouring States.

I. Emergency preparedness and response and mutual assistance

35. MES and CSCESIS and their territorial departments are responsible for the control of preparedness and response measures at the hazardous installations. The policy of emergency planning requires both on-site and off-site contingency plans, where the on-site plans are subject to approval by the relevant authorities. Akimats are involved into response to emergencies through their Departments on Civil Defence, Mobilization and Notification.

36. On-site emergency plans – which contain, inter alia, information on accident scenarios at installations, corresponding mitigation and response measures to be taken on site, on-site alarm schemes and procedures for communicating with local authorities, local fire and civil defence services, and the population – are prepared by enterprises. In the case of emergencies which can not be handled on site, the enterprises alert local authorities and fire and civil defence services according to their established alarm schemes and communication procedures.

37. The team's visit to TCO and Agip KCO provided insights into how large industrial enterprises meet the requirements for emergency preparedness. The team was shown emergency

plans and learned how these plans were linked to the concrete training exercises for the staff and the management with the involvement of local authorities and local fire and civil defence services. The team also learned about the companies' systems and facilities for emergency response and elimination of incidents and for rendering mutual assistance in the Caspian Sea region. Both companies have their own rescue teams, medical brigades and crisis management centres, which are well equipped. There are plans that these teams and brigades will be introduced into a North Caspian Sea Spill Response Network, together with the forces of the state and of other companies operating in the region.

38. Off-site emergency plans have been developed and implemented by the local fire and civil defence services in close cooperation with the enterprises. According to the government representatives, some of the off-site plans need to be updated. Also, off-site emergency plans are being exercised.

39. In terms of response, there are several schemes organized, depending on the type and scale of accident, e.g.: limited to the installation; limited to the industrial site; and local, region wide, or nationwide; and/or with transboundary effects. Depending on the scale, adequate emergency response teams can be called to act. These teams can be the territorial or national departments of MES and CSCESIS, or in the cases of most severe accidents, international forces can be enlisted (e.g. emergency corps of the CIS).

40. MES is well equipped for emergency response. It has several helicopters and aircraft, three regiments of civil defense and specialized teams, etc. CSCESIS has several specialized rescue services, e.g. a coal brigade in Karaganda, a mining brigade in Ust-Kamenogorsk, a gas brigade in Taraz, and an oil brigade in Atyrau, according to regional priorities.

41. In the event of an accident, it is reported to the emergency officers on duty in the territorial departments (e.g. districts, provinces) of MES and through them to RCC. If the accident has regional implications, the Deputy Governor is responsible for disaster management and civil protection, whereas the Prime Minister of Kazakhstan takes responsibility for national-scale emergencies. The decisions taken are transmitted to response teams through RCC or MES territorial departments.

J. Information to and participation of the public

42. The primary legal basis for implementing the Convention's provisions regarding information to and participation of the public is the Law on natural and anthropogenic emergencies. The team was informed that appropriate information is provided to the public in areas where accidents involving hazardous substances may happen. Information about ongoing or past emergencies is available on the official MES website (<http://www.emer.kz/>).

43. The public is also given the opportunity to participate in the approval process for industrial installations when accidents involving hazardous substances occur. Natural and legal persons who can prove that they are affected by the installation are allowed to intervene. The representative of akimat gave the team examples of concrete cases where action had been taken in response to public demand for improvement of environmental standards at industrial sites.

III. CONCLUSIONS ON THE IMPLEMENTATION OF THE BASIC TASKS

44. The fact-finding team carefully examined all the information regarding the institutional and legal frameworks aimed at prevention of, preparedness for and response to industrial accidents, and hence the implementation of the provisions of the Convention in Kazakhstan. The team concluded that all the basic tasks under the Convention – as described in the assistance programme – had been implemented. Therefore, the team strongly recommends that Kazakhstan actively participate in the next phase of the assistance programme.

45. In addition to the overall positive conclusion, the team would like to express its appreciation for what they have seen regarding the basic safety policies for prevention of industrial accidents in industrial enterprises and for preparedness and response to industrial accidents (especially those with the potential for transboundary effect), as well as for the institutional and legal instruments for industrial safety in place in the country. The team also had the impression that the controlling and licensing process for safety measures seems rather complex and could possibly hinder an effective implementation. This could be improved by simplifying the processing, hopefully eliminating duplication and improving horizontal coordination and transfer of information between the different government entities involved in the approval process.

46. The team members would like to thank the representatives of government and industry for the friendly reception in Kazakhstan and their cooperative approach in the discussions. The team believes that these discussions enabled the exchange of very useful information, which was of mutual interest and would lead to further strengthening implementation of the Convention in Kazakhstan.

47. The team especially appreciated the work of the mission coordinator, Mr. Oglov, in organizing this mission and make it a successful and enjoyable event, as well as the efforts of Mr. Sulkebayev who accompanied the team during its stay in Astana and Mr. Estebayev who did so during all meetings in Atyrau. The team also appreciated the work of Ms. Lukpanova in facilitating cooperation with the Convention Secretariat, with fact-finding mission members and, at the national level, with relevant organizations.

IV. NEEDS FOR FURTHER ASSISTANCE

Identification of hazardous activities

48. There is a need to train government personnel in the identification of hazardous activities according to annex I of the Convention and the location criteria established by the Conference of the Parties. The representatives of the MES agreed with the team that this training could be done by analysing the potential hazardous activities together with experts in this area of work.

Legal framework

49. MES representatives emphasized the need for learning about good practices in setting up a legal framework on safety that would allow the country to further strengthen the national legislation.

Competent authorities

50. MES representatives should also look for good practices in setting up an institutional framework and in applying integrated system for inspections, licensing, etc., which would lead to better cooperation between the authorities and the industrial sector and at the same time allow for improving the enforcement of the legislation.

Preventive measures

51. MES is interested in exchanging good practices regarding preventive measures, risk assessment methods, criteria for verification of safety documentation prepared by operators and standards to follow during inspections. There is also interest in learning about the systems applied by other countries for integrated inspections and licensing. To this end, it would be beneficial for Kazakhstan inspection authorities to cooperate more closely with inspection authorities in Western European countries.

Emergency preparedness and response and mutual assistance

52. MES representatives are looking to exchange information on good practices regarding the creation of off-site emergency plans, and are seeking to involve all the relevant stakeholders, including the public, in this process. It would be beneficial for the country if its response services could share their experience and share knowledge with Western European countries. A good way to do so would be through organizing joint exercises in simulated industrial accidents.
