

**CONVENTION ON THE TRANSBOUNDARY  
EFFECTS OF INDUSTRIAL ACCIDENTS**

**CONVENTION ON THE PROTECTION AND  
USE OF TRANSBOUNDARY WATERCOURSES  
AND INTERNATIONAL LAKES**

Joint Ad Hoc Expert Group on Water and Industrial Accidents

Eighth meeting  
Yerevan, 15 November 2007

**REPORT OF THE JOINT AD HOC EXPERT GROUP  
ON ITS EIGHT MEETING**

**Introduction**

1. The Joint Ad Hoc Expert Group on Water and Industrial Accidents (JEG) held its eighth meeting on 15 November 2007 in Yerevan. Mr. Gerhard Winkelmann-Oei (Germany) and Mr. Peter Kovacs (Hungary) co-chaired the meeting.
2. The meeting was attended by Ms. Anahit Aleksandryan, Mr. Karapet Karapetyan, Ms. Erna Sahakyan, Ms. Nelly Tsughunyan, Mr. Edan Sngryan, Mr. Michael Ghazaryan, Ms. Gayane Yerenyan, Ms. Lusine Gurgeyan, Ms. Emma Mkrtchyan, (Armenia); Mr. Pavel Danihelka (Czech Republic); Ms. Irma Gurgulani (Georgia); Ms. Svetlana Stirbu (Moldova); Mr. Wilfred van Gogh (the Netherlands); Mr. Pawel Janik (Poland); Mr. Dan Dascalita (Romania); Mr. Mikael Eriksson (Sweden); Ms. Lendita Dika (The former Yugoslav Republic of Macedonia); and Ms. Nana Janashia (Caucasus Environmental NGO<sup>1</sup> Network). The meeting was serviced by the UNECE secretariat: Mr. Lukasz Wyrowski (Industrial Accidents Convention<sup>2</sup>) and Ms. Ella Behlyarova (Water Convention<sup>3</sup>).

**I. Opening of the meeting and adoption of the agenda**

3. Mr. Winkelmann-Oei opened the meeting and welcomed the participants. The Expert Group adopted the agenda for its eighth meeting as set out in the document JEG 15/1 October 2007.
4. Mr. Winkelmann-Oei and the secretariat briefed the Expert Group on outcomes of the meetings of the Industrial Accidents and Water Conventions' governing bodies (Rome, 15–17 November 2006, and Bonn, Germany, 20–22 November 2006, respectively) with regard to the decisions on the Expert Group's activities and in particular the programme

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<sup>1</sup> Non-governmental organization.

<sup>2</sup> Convention on the Transboundary Effects of Industrial Accidents.

<sup>3</sup> Convention on the Protection and Use of Transboundary Watercourse and Lakes.

of work as contained in the document ECE/CP.TEIA/2006/9 – ECE/MP.WAT/2006/7, which was adopted during the meetings of the governing bodies. This programme includes the following priority items:

- (a) Provision of guidance and assistance to countries with economies in transition for the prevention of chemical accidents and limitation of their impact on transboundary waters (implementation of the recommendations and conclusions of Hamburg seminar<sup>4</sup>);
- (b) Drawing up of guidelines and good practices for tailing dams;
- (c) Facilitation of the exchange of information on the functioning of alarm and notification systems at the national, regional and local levels established within the framework of the two Conventions and/or international river commissions;
- (d) Provision of guidance for establishing cross-border contingency plans;
- (e) Promotion of the organization of response exercises, in particular in the transboundary context and exchange of experience and lessons learned.

## **II. Safety guidelines/good practices for tailing management facilities**

5. Mr. Winkelmann-Oei briefed the Expert Group on the progress made in developing the safety guidelines and good practices for tailing management facilities and, in particular, about the outcomes of the first meeting of the steering group that took place in July 2007 and of the workshop on the subject held in Yerevan on 12 and 13 November 2007.

6. The Expert Group discussed the timeline for the preparation of the guidelines with the aim of their adoption by the Conference of the Parties to the Industrial Accidents Convention (November 2008) and the Meeting of the Parties to the Water Convention (November 2009), and agreed on the following:

- (a) On the basis of the comments provided at the Yerevan workshop, the steering group would prepare a second consolidated draft to be finalized by the end of January 2008 and to be distributed to the focal points of both Conventions, operators and NGOs for their comments, at the latest by mid-February 2008. Thereafter, the second consolidated draft would be distributed in English and Russian;
- (b) On the basis of the comments provided by the focal points, the steering group would prepare the third consolidated draft for the JEG meeting in May 2008, for its finalization, approval and submission to the Bureau of the Industrial Accidents Convention and to the Working Group on Integrated Water Resource

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<sup>4</sup> Seminar on the prevention of chemical accidents and limitation of their impact on transboundary waters (Hamburg, Germany, 4-6 October 1999).

Management under the Water Convention. The above bodies would consider the draft guidelines and decide on their possible submission to the Conventions' governing bodies, for adoption.

7. Mr. Winkelmann-Oei also informed the meeting about a German project on raising public awareness of mining issues to take place in 2008 in Armenia. One possible outcome of the project could be a guideline on raising public awareness on hazardous activities, which could be further presented to the Expert Group for consideration.

### **III. Technical visit to a hazardous activity to study the implementation of conclusions and recommendations of Hamburg seminar**

8. The Expert Group discussed possible organization of the technical visit(s). The secretariat stressed that the activity should include the aspects of capacity-building and transfer of know-how and good practice in implementing the conclusions and recommendations of Hamburg seminar from countries with market economies to countries with economies in transition. The visit(s) should be open to all interested UNECE member States, as was mandated by the governing bodies of two Conventions.

9. JEG members from countries with market economies were not in a position to confirm the organization of the technical visit(s). Furthermore, Mr. Kovacs stressed that it would be very difficult to attract countries to take part in such visit as a stand-alone activity. Therefore, he offered to explore the possibility of organizing a combined event that would include a technical visit and a workshop on the subject.

10. Mr. Winkelmann-Oei informed the Expert Group about the German project "Transboundary Risk Management of the Dniester River Basin" carried out in cooperation with the competent authorities of Ukraine and Moldova. One of the components of the project was training for inspectors combined with a practical exercise at hazardous facilities. The training would be conducted in accordance with the following methodology: "Checklists for the investigation and assessment of industrial plants with substances and preparations, which are hazardous for waters" based on the safety recommendations of the international river commissions. The training course would be performed at a hazardous facility in the harbor of Odessa, Ukraine, scheduled to take place in the end of May 2008. The project foresaw, as a first priority, the involvement of inspectors from the subnational authorities of Ukraine and Moldova, and possibly a few invited experts from other countries. Mr. Winkelmann-Oei informed that the invitation could be also extended to some additional inspectors from countries of Eastern Europe, Caucasus and Central Asia (EECCA) and South-Eastern Europe (SEE) and interested members of the Expert Group. One of the outcomes of this exercise would be an evaluation prepared by the EECCA and SEE experts and JEG members on how to best address the transfer of knowledge on the implementation of the recommendations and conclusions of the Hamburg seminar to EECCA and SEE countries

11. The Expert Group discussed the issue and agreed that:

- (a) The German project described in paragraph 10 could be used as a complementary pilot activity in support of the implementation of the Hamburg recommendations. A number of inspectors from SEE and EECCA countries and interested JEG members should be invited to the exercise in Odessa and prepare the evaluation, as described above;
- (b) The results of the project, including the evaluation, should be presented to the Expert Group at its next meeting. After considering the results, the Expert Group would then decide on how to proceed with the fulfillment of the mandate of transferring knowledge on the implementation of the recommendations and conclusions of Hamburg seminar to EECCA and SEE member countries.

#### **IV. Provisions of guidance for cross border contingency plans**

12. Mr. Winkelmann-Oei made a presentation on a first draft concept of cross-border contingency planning. The draft concept was approved by the Expert Group.

13. The Expert Group discussed some components of the contingency planning as well as organizational and technical proceedings to develop the guidance on the subject. Majority of delegates confirmed that the contingency planning was developed in their respective countries. Furthermore, several delegates also informed the meeting about their experience in contingency planning in transboundary context. The Expert Group stressed that contingency planning was a rather complex matter and therefore a systemic approach should be applied for its development. Another point was that responsibility for the issue was shared by various authorities in different countries (e.g. Rescue Services, Ministries of Internal Affairs), which had to be taken into account while employing the relevant expertise. The international bodies mentioned that might have experience in the subject were the river basin commissions and the United Nations Office for the Coordination of Humanitarian Affairs.

14. Mr. Kovacs, with the support of Mr. van Gogh, volunteered to prepare the first draft of the guidance by mid-February 2008 for distribution among the members of the Expert Group for their comments. The Expert Group agreed that establishment of a core group with the relevant expertise should be the next step for the development of the guidance. It requested the Chairpersons and the secretariat to follow up on this.

#### **V. Promotion of international response exercises**

15. The secretariat presented, on behalf of Italy, a joint project for Romania and Bulgaria, supported by Italy, to organize a response to large hazardous spills in the Danube River. The secretariat reported that the organizers were currently discussing how to arrange this exercise in a way that all other interested UNECE member States could take part as observers. The exercise was scheduled to take place in 2008

16. The Expert Group welcomed this proposal and requested the secretariat to keep it informed of future developments.

17. Mr. Winkelmann-Oei reported on the planned response exercise involving Germany and Poland in 2009 that would be organized back-to-back with a workshop on lessons learned from transboundary response exercises. Mr. Winkelmann-Oei would inform the Expert Group at its next meeting about the progress in this activity.

## **VI. Regional activities addressing accidental water pollution**

18. Mr. Winkelmann-Oei briefed the Expert Group on the outcome of the subregional seminar led by Germany on criteria for warning and alert system on international rivers, held in Chernovtsy, Ukraine, on 15 October 2007. The workshop allowed for an exchange of experiences among water experts on the major impact criteria that should apply at international level in the Dniestr River Basin (see <http://www.dnestrschutz.com/> and <http://www.umweltbundesamt.de/index-e.htm>).

19. Mr. Winkelmann-Oei stressed that one of the important observations related to the work on accidental water pollution was the absence of links between relevant provisions of the Seveso Directive (96/82/EC) and the European Union (EU) Water Framework Directive. In this regard, he informed the Expert Group about the meeting organized by the Hamburg Institute for Hygiene on strategies for implementation of the requirements of the Water Framework Directive under article 11 (3) (L) for prevention and reduction of the effects of unforeseeable water pollution of industrial plants, to be held in Leipzig, Germany, on 29 and 30 November 2007. One of the outcomes of this activity would be the preparation of an action programme with a possible element on contingency planning, by the end of 2008. The Expert Group requested Mr. Winkelmann-Oei to inform it about the progress made with respect to this project at the next JEG meeting and requested Mr. Kovacs and Mr. van Gogh to take the results of the project into consideration for the preparation of the draft guidance for cross-border contingency plans.

## **VII. Facilitation of the exchange of information on the functioning of alarm and notification systems.**

20. Mr. Winkelmann-Oei presented the Internet-based information platform available at the UNECE website (<http://www.unece.org/env/teia/water/inventory.htm>) and encouraged participants to use this tool for sharing relevant information. Mr. Kovacs offered to provide updated information related to Danube River Basin. Mr. Winkelmann-Oei also proposed that the secretariat should regularly contact the secretariats of the Joint River Bodies in order to be updated on the relevant safety recommendations for the various transboundary rivers in the UNECE region. The secretariat informed that due to lack of resources, it had not been able to update the website regularly. However, it planned to hire an intern who would undertake this work.

### **VIII. JEG plan of work**

21. The Expert Group agreed that the following areas of work would not receive a priority in the current workplan: (a) maintenance and updating of existing safety guidelines and good practices for the prevention of accidental transboundary water pollution and provision of guidance on their adaptation to the specific needs and circumstances in river basins; and (b) development of methodologies to identify hazardous activities that handle smaller amounts of substances than those specified in annex I to the Industrial Accidents Convention. As for the activity related to the drawing up of guidelines and good practices for the navigation of ships on rivers, the Expert Group confirmed that the prerequisite should be a study on existing materials developed on the topic and the identification of the added value of the new instruments to be developed. In this respect, Mr. Kovacs noted the guidelines related to the pollution from ships developed under the Convention on Cooperation for the Protection and Sustainable Use of the Danube River, and Mr. van Gogh brought the meeting's attention to the EU project related to river information systems.

### **IX. Other business**

22. The secretariat stressed the crucial importance of involving experts with relevant substance-oriented competence rather than experts in general water-related issues in JEG work. Another point made by the secretariat was the lack of commitment and availability of the members of the Expert Group. To this end, the Expert Group agreed that:

- (a) To ensure an effective realization of the workplan and continuity of the process, a core group should be established with the following major responsibilities: (a) addressing progress and problems and giving strategic guidance related to JEG work; (b) preparing agendas and other key documents for the meetings; and (c) identifying and involving relevant experts in JEG work;
- (b) The interested countries should submit to the secretariat their candidatures for the membership in a core group by the end of 2007<sup>5</sup>.

23. In order to strengthen cooperation between two Conventions, at the proposal of Mr. Winkelmann-Oei it was also agreed that Mr. Kovacs (or a Hungarian delegate, on his behalf), would report on the progress in JEG activities to the Bureau of the Water Convention.

### **X. Date and venue of future meetings**

24. The Expert Group preliminary agreed to hold its next meeting, at the earliest, in the end of May 2008 in Odessa or in Geneva<sup>6</sup>, and requested the Chairpersons and the secretariat to follow up on this.

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<sup>5</sup> Due to the late release of the report, the deadline was extended by the end of January 2008.

<sup>6</sup> It was agreed after the meeting that the Expert Group will meet next time in Geneva.