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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 FOURTH MEETING  
(Rome, 15-17 November 2006)**

**Part One: Proceedings**

**Summary**

The Conference of the Parties held its fourth meeting in Rome on 15–17 November 2006. It considered the third report on implementation and the report on the preparatory phase of the Assistance Programme.<sup>1</sup> It accepted the first countries of Eastern Europe, Caucasus and Central Asia and South-Eastern Europe to participate in the programme's capacity-building activities, which will be organized during its implementation phase and decided to further strengthen the implementation of the Convention. The Conference of the Parties also adopted the decision to amend annex I to the Convention. It agreed to enhance the communication procedure of the Industrial Accidents Notification System by introducing Web-based notification. The Parties endorsed the safety guidelines and good practices for pipelines. Finally, the Conference of the Parties reviewed the implementation of its activities and decided on the priorities, the programme of work and the resources for 2007–2008.

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<sup>1</sup> Assistance Programme for the Countries of Eastern Europe, Caucasus and Central Asia and South-Eastern Europe to Enhance Their Efforts in Implementing the Convention.

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## Part Two: Decisions

*For practical reasons, Part Two of the present report is being issued in a separate addendum (ECE/CP.TEIA/15/Add.1)*

### Decision

- 2006/1 Strengthening the implementation of the Convention
- 2006/2 Amending annex I to the Convention
- 2006/3 Increasing the effectiveness of and enhancing the communication procedures within the UNECE IAN System
- 2006/4 Priorities, workplan and resources under the Convention for 2007–2008
- Appendices
- I. Programme of work under the Convention
  - II. Resource requirements for 2007-2008
  - III. 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 and in the activities Under the assistance programme

## INTRODUCTION

1. The fourth meeting of the Conference of the Parties to the UNECE Convention on the Transboundary Effects of Industrial Accidents took place in Rome from 15 to 17 November 2006 at the invitation of the Government of Italy.
2. It was attended by delegations from the following 39 UNECE member countries: Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Montenegro, the Netherlands, Norway, Poland, Romania, the Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, the United Kingdom and Uzbekistan. The European Community was also represented.
3. Representatives of the United Nations Industrial Development Organization (UNIDO), the World Health Organization's European Centre for Environment and Health and the Regional Environmental Centre (REC) for Central and Eastern Europe also attended.

### I. OPENING CEREMONY

#### A. Opening statements

4. Mr. Ryszard Grosset (Poland), Chairperson, opened the meeting and welcomed all delegates. Mr. Giancarlo Piatti, Secretary of State in the Ministry of Environment, Land and Sea of Italy; Mr. Fabrizio Colcerasa, Deputy Director of the Civil Protection of Italy; and Mr. Kaj Bärhund, Director of the Environment, Housing and Land Management Division of the United Nations Economic Commission for Europe (UNECE), addressed the meeting.

#### B. Adoption of the agenda

<b>Document adopted:</b>	
Agenda for the fourth meeting of the Conference of the Parties	ECE/CP.TEIA/14

5. The Conference of the Parties adopted the agenda with the following modifications: (a) representation and credentials would be discussed as item 3; (b) item 6 (d) would include a presentation by the delegation of Italy on the project "Rapid Environmental and Health Risk Assessment in the Middle and Lower Danube River Basin" (REHRA and TEIAMM), and (c) the agenda would include discussion of a side event on how Italy is implementing the Convention's provisions, to take place in the afternoon of the second day of the meeting.

## II. REPORT OF THE BUREAU ON THE ACTIVITIES UNDER THE CONVENTION SINCE THE THIRD MEETING OF THE CONFERENCE OF THE PARTIES

6. Mr. Grosset recalled the activities and meetings held since the third meeting of the Conference of the Parties. He reported on the Bureau's input in implementing the preparatory phase of the Assistance Programme, in particular the High-level Commitment Meeting.

7. The Conference of the Parties approved the Chairperson's report and expressed its appreciation to the Bureau for its work and initiatives.

### **III. REPRESENTATION AND CREDENTIALS**

8. Mr. Sergiusz Ludwiczak, Secretary of the Conference of the Parties, reported on the status of ratification of the Convention and on the designation of competent authorities (ECE/CP.TEIA/2006/1). As of the fourth meeting 34 UNECE member countries and the European Community had become Parties to the Convention. In addition, Portugal had ratified the Convention on 2 November 2006.

9. The delegation of the Netherlands informed the Conference of the Parties that the country's Parliament had completed the ratification process for the Convention in October.

10. Mr. Ludwiczak said that 31 Parties of 35 were represented at the meeting and reported on credentials submitted by their delegations.

11. The Conference took note of the information. It also expressed its disappointment that four Parties – Albania, Denmark, Monaco and Luxembourg – were not represented at the meeting.

### **IV. AMENDMENT TO THE RULES OF PROCEDURE UNDER THE CONVENTION**

12. Mr. Grosset introduced a proposal by the Bureau to increase the number of its members from 8 to 10 and therefore to amend rule 22 of the rules of procedure. He motivated the proposal by the increase in the number of Parties to the Convention and the growing number of tasks and responsibilities assigned to the Bureau.

13. The Conference of the Parties endorsed the proposal, following a discussion during which Mr. Ludwiczak pointed out that the Bureau was the only intergovernmental body acting on behalf of the Conference of the Parties between its meetings, which was not the case for other multilateral environmental agreements. The rules of procedure were therefore amended accordingly.

### **V. ELECTION OF OFFICERS AND OTHER MEMBERS OF THE BUREAU OF THE CONFERENCE OF THE PARTIES**

14. The Conference of the Parties unanimously elected Ms. Giuliana Gasparrini (Italy) as its Chairperson and Mr. Lajos Katai-Urban (Hungary) and Mr. Bernard Gay (Switzerland) as its Vice-Chairpersons.

15. Ms. Anahit Aleksandryan (Armenia), Mr. Aleskandr Dokuchaev (Belarus), Mr. Nikolay Savov (Bulgaria), Mr. Gerhard Winkelmann-Oei (Germany), Mr. Chris Dijkens (Netherlands), Ms. Jasmina Karba (Slovenia) and Mr. Tobias Biermann (European Commission) were elected as Bureau members.

## VI. IMPLEMENTATION OF THE CONVENTION

<b>Document endorsed:</b>	
Report of the training session on drawing up national implementation reports	CP.TEIA/2005/6
<b>Document adopted:</b>	
Third report on the implementation of the Convention	ECE/CP.TEIA/2006/2

### A. Presentation of activities of the Working Group on Implementation

16. Mr. Bernard Gay, Chair of the Working Group on Implementation, recalled the mandate given to the Group and reported on its activities and meetings held since the third meeting of the Conference of the Parties. They included two joint meetings with the Bureau, a training session on drawing up national implementation reports, and the fifth meeting devoted to the preparation of the third report on implementation.

17. Mr. Gay described in detail the training session on drawing up national implementation reports. The key objective of the session had been to improve the completeness and overall quality of the reports. The members of the Group had presented good practices in writing national reports, had explained the meaning of the complex questions of the reporting format and had assisted participants in supplying the requested information. Mr. Gay presented the conclusions of the training, including in particular that reporting on implementation is very important and that therefore non-Parties should report even though they are not obliged to do so. He also shared participants' positive feedback regarding the usefulness of the session.

18. Mr. Gay reported on the preparation of the third report on implementation, including the distribution of tasks among members in evaluating the national reports and work done at the fifth meeting (in particular setting of criteria for evaluation and the discussion of the reports).

19. As the outgoing Chair, Mr. Gay introduced the tasks for the members of the new Group and its Chair. He specifically mentioned the support that the Group should provide to the Bureau in facilitating assistance to UNECE member countries facing difficulties in implementing the Convention and the preparation of the fourth report on implementation.

20. The Conference of the Parties endorsed the report of the training session. It expressed appreciation to the Group for its work and thanked Mr. Gay for his chairship and his substantial contribution to the activities of the Group.

### B. Presentation of the third report on the implementation of the Convention

21. Mr. Ludwiczak informed the meeting about the procedure and status of reporting on the implementation of the Convention by Parties and other UNECE member countries. Thirty-two Parties and seven other UNECE member countries had reported in the third round, submitting their reports in due time to be taken into account by the Working Group in its overall implementation report. In addition, the Russian Federation had submitted its report a few days before the meeting of the Conference of the Parties. The only Party that had not met its obligation to submit a report during the third round was Spain.

22. Mr. Gay introduced the third report on implementation (ECE/CP.TEIA/2006/2). He stressed that for the first time the Working Group had, in addition to evaluating the level of implementation of the Convention, also tried to assess the quality of reporting. This approach was aimed at singling out reports that, in the opinion of the Working Group, contained all the requested information and could serve as good examples to be followed by others. Furthermore, the Group had wanted to communicate that weak quality prevented assessment of implementation, and by doing so to invite some countries to further improve their reports.

23. Mr. Gay presented the conclusions and recommendations of the third round drawn by the Working Group. The overall conclusion had been that, although in many cases notable progress had been achieved in comparison with the previous round, there were still challenges and problems to be addressed, in particular by countries of Eastern Europe, Caucasus and Central Asia (EECCA) and South-Eastern Europe (SEE), which were unable to resolve these problems on their own and therefore needed help doing so. The Working Group recommended that the Conference of the Parties concentrate its activities on the Assistance Programme, through which the efforts of countries of EECCA and SEE to implement the Convention could be strengthened.

(a) Identification and notification of hazardous activities

24. The Working Group noted an improvement in identification of hazardous activities and some progress in their notification. It noted that the issue of identification caused problems for a number of countries of EECCA and SEE, which either did not provide a list of hazardous activities or included in the list activities that did not fall under the scope of the Convention. While the number of countries that notified their neighbours about hazardous activities had increased, many countries were still not fulfilling this obligation.

(b) Establishment of bilateral cross-border cooperation under the Convention

25. The Working Group had determined that countries mainly cooperated in exchanging scientific and technological knowledge and experience. Some cooperation was also identified regarding the Industrial Accident Notification System. There was, however, little cooperation in drawing up joint contingency plans or siting hazardous activities, which were difficult but nevertheless crucial areas.

(c) Challenges in implementing/acceding to the Convention

26. Great improvement was noted regarding the identification of challenges and problems, which is relevant mainly for countries of EECCA and SEE. In the third round these countries had reported on the challenges faced and had duly taken them into account in formulating their needs for assistance. The Working Group was therefore able to make an assessment of needs and to draft a list for capacity-building activities, legal and technical advisory services and pilot projects through which the needs could be addressed.

### **C. Discussion and adoption of the third report on the Convention's implementation**

27. The Conference of the Parties noted with satisfaction that, apart from Spain, all Parties and seven other UNECE member countries had submitted their national reports on implementation within the third round. It welcomed the first-ever qualitative assessment by the



Working Group and expressed satisfaction at the fact that many reports were considered to be of good quality. The Conference also welcomed the assessment of needs prepared by the Working Group and the drawing up of a list grouping countries seeking assistance in the same areas.

28. Parties urged the delegation of Spain to submit the country's implementation report as soon as possible and to comply with the reporting obligation in the future. To this end they invited the Executive Secretary of the UNECE, with the support of the Chairperson of the Conference of the Parties, to contact the Government of Spain.

29. Parties expressed their appreciation to the Working Group for its work and adopted the third report on implementation of the Convention. They decided to maintain the existing reporting procedure for the fourth round of reporting. Following the recommendation by the Working Group they requested countries ranked in group "c" according to paragraph 59 of the third report on the Convention's implementation (ECE/CP.TEIA/2006/2) to provide detailed national reports. They also requested all countries, while reporting on the legislation, to provide a clear description of the legislative acts and always to refer to specific articles of the Convention.

#### **D. Good practices in implementing the Convention**

30. Mr. Lajos Katai-Urban presented the Hungarian experience in establishing and expanding cooperation agreements with neighbouring countries in the field of prevention of, preparedness for and response to industrial accidents. He first pointed out those provisions of the Convention which concern cross-border cooperation and then described how the Convention is implemented in Hungary and which bodies are responsible for it. He informed the meeting about the existing bilateral agreements between Hungary and its neighbours and which bodies oversee the agreements.

31. Mr. Bruno Frattini (Italy) and Mr. Francisc Senzaconi (Romania) presented the results of the project "Rapid Environmental and Health Risk Assessment in the Middle and Lower Danube River Basin" (REHRA TEIAMM), funded by the Government of Italy in Romania. They explained the project methodology and its application. They also mentioned that a system for risk assessment developed as part of the project was available on the Web.

#### **E. Election of members of the Working Group on Implementation for 2007–2008**

32. The Conference of the Parties, following a consultation, elected 10 members for the Working Group on Implementation for the term lasting until its fifth meeting (decision 2006/1; see annex I below).

**VII. ASSISTANCE PROGRAMME FOR THE EAST EUROPEAN, CAUCASIAN AND CENTRAL ASIAN AND SOUTH-EAST EUROPEAN UNECE MEMBER COUNTRIES TO ENHANCE THEIR EFFORTS IN IMPLEMENTING THE CONVENTION**

<b>Documents endorsed:</b>	
Report on the results of the preparatory phase of the Assistance Programme	ECE/CP.TEIA/2006/3
Draft action plan for the implementation phase of the Assistance Programme <sup>2</sup>	ECE/CP.TEIA/2006/4
Report on the fact-finding mission to Tajikistan	ECE/CP.TEIA/AP.1
Report on the fact-finding mission to Belarus	ECE/CP.TEIA/AP.2
Report on the fact-finding mission to Azerbaijan	ECE/CP.TEIA/AP.3
Report on the fact-finding mission to Moldova	ECE/CP.TEIA/AP.4
Report on the fact-finding mission to The former Yugoslav Republic of Macedonia	ECE/CP.TEIA/AP.5
Report on the fact-finding mission to Bulgaria	ECE/CP.TEIA/AP.6
Report on the fact-finding mission to Romania	ECE/CP.TEIA/AP.7
Report on the fact-finding mission to Armenia	ECE/CP.TEIA/AP.8
Report on the fact-finding mission to Georgia	ECE/CP.TEIA/AP.9
Report on the fact-finding mission to Kyrgyzstan	ECE/CP.TEIA/AP.10
Report on the fact-finding mission to Ukraine	ECE/CP.TEIA/AP.11

**A. Report on the results of the preparatory phase of the Assistance Programme**

33. The secretariat, on behalf of the outgoing Chairperson and the Chair of the Working Group on Implementation, introduced the report on the results of the preparatory phase of the Assistance Programme (ECE/CP.TEIA/2006/3).

34. Mr. Ludwiczak recalled the preparation process for the High-level Commitment Meeting. In particular, he mentioned the negotiation of the commitment declaration that had taken place at the joint meeting of the Bureau and the Working Group on Implementation in Warsaw in September 2005.

35. Mr. Ludwiczak recalled the three objectives of the High-level Commitment Meeting and expressed his satisfaction at the fact that they had been reached. He stressed that 17 countries of EECCA and SEE had adopted the commitment declaration, while Central and Western European countries had expressed continuing strong support for the activities under the programme.

36. Mr. Zaal Lomtadze (Georgia), Chair of the High-level Commitment Meeting, addressed the Conference of the Parties and gave his personal assessment of the meeting. Mentioning that countries of EECCA and SEE had committed because they wanted to strengthen implementation

<sup>2</sup> The Conference of the Parties entrusted the Bureau, together with the Working Group on Implementation and with the assistance of the secretariat, to further elaborate this document (decision 2006/1; see annex I below).

of the Convention, he nevertheless stressed the need to consider the fact that they needed assistance in this process.

37. Mr. Lukasz Wyrowski (secretariat) reported on the preparations and findings of the fact-finding missions. The preparations had included drafting of terms of reference for the fact-finding teams and a common structure for reports; the selection of team members; and the organization of a coordination meeting for team leaders. To date missions had been organized to the following 11 countries (in chronological order): Tajikistan, Belarus, Azerbaijan, Moldova, The former Yugoslav Republic of Macedonia, Bulgaria, Romania, Armenia, Georgia, Kyrgyzstan and Ukraine.

38. Six countries – Armenia, Belarus, Bulgaria, Moldova, Romania and Ukraine – had implemented the basic tasks under the Convention and were ready to receive assistance on complex tasks. For four countries – Azerbaijan, Georgia, Kyrgyzstan and Tajikistan – one to three basic tasks remained uncompleted. In The former Yugoslav Republic of Macedonia, the authorities, even though very committed, did not for the moment have the capacity to implement the basic tasks. A similar situation had been identified in Bosnia and Herzegovina during a pre-mission organized there.

39. The key areas in which needs for assistance had been identified during the missions concerned, among others, (a) enhancing the legislative framework, (b) identifying hazardous activities, (c) implementing effective preventive measures and (d) strengthening emergency preparedness and response. Another issue highlighted was the correspondence between the needs identified by the fact-finding teams and the needs included in the list drawn up by the Working Group on Implementation on the basis of national implementation reports.

40. The meeting received information about the resources spent in the preparatory phase of the Assistance Programme and about donors which had made financial or in-kind contributions.

#### **B. Panel discussion on the outcome of the first cluster of fact-finding missions**

41. The outcome of the fact-finding missions was further discussed by a panel composed of the five team leaders who had led missions to date: Mr. Ernst Berger, Mr. Ludwig Dinkloh, Mr. Bruno Frattini, Mr. Ryszard Grosset and Mr. Kees van Kuijen. They shared their impressions and experience from the missions in a discussion moderated by Mr. Ludwiczak.

42. The team leaders concentrated on three main topics. They evaluated whether the approach requiring that countries of EECCA and SEE implement the basic tasks as specified in the Assistance Programme and demonstrate such implementation during the fact-finding missions was the right one. They then described the extent of the commitment to implementing the Convention they had witnessed in the visited countries. Finally they attempted to assess their work while discussing the issue of objectiveness in verifying countries' performance and pointing out the achievements of the missions.

43. At the end of the discussion, Mr. Ludwiczak drew the following conclusions:

- (a) The applied approach had proved to be the right one, as, by thoroughly implementing the basic tasks, the countries of EECCA and SEE had already at this stage

strengthened not only their implementation but also their capacities, and they were now in a position to receive assistance and benefit from it.

(b) The countries of EECCA and SEE had shown their commitment during the missions. Their representatives were aware that the countries needed to implement the Convention themselves. Nevertheless, they expected to be assisted by the Conference of the Parties through capacity-building activities.

(c) The missions had been valuable and had served their purposes, although they had not been perfect in all instances. Through the missions and their organization, countries of EECCA and SEE had developed ownership of the programme. Open discussions had led to the launch of a process of building trust and learning from each other, and partnerships for future effective work had been established. The missions had also made it possible to gain experience and knowledge of all actors involved.

44. The Conference of the Parties discussed the report of the preparatory phase of the Assistance Programme. The delegations of Armenia, Azerbaijan, Belarus, Georgia, Kyrgyzstan, Moldova and Tajikistan shared their opinions of the process. The key points made in the discussions can be summarized as follows:

(a) Satisfaction was expressed regarding the preparatory process and in particular the fact-finding missions. It was stressed that the preparation for the missions had required, in each country, cooperation between different ministries, and in many cases cooperation had been strengthened as a result of the mission.

(b) Countries valued highly the discussions with fact-finding teams to identify the level of implementation of the Convention and the needs for assistance. They indicated that they were looking forward to receiving the assistance in the near future. Moldova stressed the need to improve safety measures and to apply them effectively at the oil terminal under construction in Giurgiulesti.

(c) Azerbaijan said it had finished establishing a point of contact under the UNECE Industrial Accidents Notification System. The country is therefore ready to participate in the Programme's implementation phase.

(d) Other countries that had not completed the basic tasks said they were taking steps to do so and that they would shortly report on implementation.

45. The Conference of the Parties, concluding the discussion of the Programme's preparatory phase, endorsed the report on its results and accepted the reports of the 11 fact-finding missions. It decided to provide assistance under the Programme to those countries of EECCA and SEE that had successfully completed the preparatory phase (decision 2006/1; see annex I below). It also authorized the Bureau to accept further reports of fact-finding missions and, depending on the results, to provide assistance in the Programme's implementation phase.

46. The Conference of the Parties also decided to support The former Yugoslav Republic of Macedonia and Bosnia and Herzegovina, which thus far lacked the necessary capacities to

implement the basic tasks. It invited the Bureau and the Working Group on Implementation to develop and provide appropriate guidance in this respect (decision 2006/1; see annex I below).

### **C. Presentation of the draft action plan for the implementation phase of the Assistance Programme**

47. Mr. Wyrowski, on behalf of the outgoing Chairperson and the Chair of the Working Group on Implementation, introduced the action plan for the implementation phase of the Assistance Programme. He recalled that the objective of the implementation phase was to strengthen the capacity of countries of EECCA and SEE to implement the Convention. This, however, would be possible only when the Conference of the Parties provided the needed expertise and resources.

48. Mr. Wyrowski presented the priorities of the implementation phase as they were outlined in the action plan: to provide adequate assistance and carefully prepare each of the capacity-building activities and advisory services.

49. The action plan specified an activity for each identified area of needs. It also described how each need would be addressed through the activities and which groups of receivers would be targeted. For the period 2007–2008 seven capacity-building activities and 12 months of advisory services were proposed.

50. Finally he presented the costs of organizing the proposed activities in 2007–2008 and an overall estimate of the resources required to cover the costs.

51. The Conference of the Parties was then invited to initiate the implementation phase of the Programme and thus to assist those countries of EECCA and SEE which completed the preparatory phase in strengthening their capacities to implement the Convention.

### **D. Discussion on the draft action plan**

52. The Conference of the Parties discussed the proposed action plan extensively. The delegations of Armenia, Belarus, Georgia, Germany, Italy, the Netherlands, the Russian Federation, Switzerland and Ukraine as well as the European Commission took the floor to share their views. The key points raised in the discussions can be summarized as follows:

(a) The action plan was considered relevant, and appreciation was expressed regarding the fact that the planned activities are closely tailored to the identified needs. Satisfaction was expressed regarding the fact that the activities would lead to effective transfer of knowledge and would include hands-on sessions to train trainers.

(b) Further details should be added to the action plan to complement the existing good framework.

(c) A strategic plan should be developed for financing the programme in the long term. A set of indicators to evaluate the impact of the activities under the Assistance Programme should be drawn up.

53. The delegation of the European Community, joining the discussion on the action plan, said that the Commission had established three instruments from which projects falling under the action plan and aimed at strengthening the implementation of the Convention could be financed. It introduced the pre-accession instrument for countries of SEE, the new neighbourhood policy for countries of Eastern Europe and Caucasus and the general development programme for Central Asia. Countries interested in receiving funds through these instruments would need to submit project proposals to the Commission.

54. The delegation of Italy informed the Conference of the Parties that Italy was willing to support financially the activities under the action plan and pledged EUR 50,000 for each 2007 and 2008. The delegation of the Czech Republic said its Government would provide financial resources to support a project targeted for Moldova under the Programme. The delegations of Norway and Switzerland said they would support the activities under the Convention, including the Assistance Programme, at the same level as in the past.

55. The delegation of the Russian Federation expressed willingness to share with countries participating in the Assistance Programme the Russian experience of the Convention's implementation and related areas.

56. The Conference of the Parties, concluding the discussion, expressed its appreciation for the development of the action plan determining a general framework and entrusted the Bureau in cooperation with the Working Group on Implementation and the secretariat to elaborate it further. It also requested the secretariat to implement the elaborated action plan.

#### **VIII. DISCUSSION AND ADOPTION OF THE DECISION ON STRENGTHENING THE IMPLEMENTATION OF THE CONVENTION**

<b>Document adopted:</b>	
Decision on strengthening the implementation of the Convention	ECE/CP.TEIA/15/Add.1

57. The Conference of the Parties, taking into account the findings of the third report on implementation, the report on the results of the preparatory phase of the Assistance Programme and its discussions and conclusions on how to best enhance further implementation of the Convention, in particular in the countries of EECCA and SEE based on the action plan, decided to strengthen the implementation of the Convention (decision 2006/1; see annex I below), and to this end entrusted the Bureau and the Working Group on Implementation with specific tasks.

## IX. REVIEW OF ANNEX I TO THE CONVENTION AND ITS AMENDMENT

<b>Document adopted:</b>	
Decision amending annex I to the Convention	ECE/CP.TEIA/15/Add.1

### A. Review of annex I to the Convention by the Working Group on the Development of the Convention

58. Mr. Tobias Biermann (European Commission), Chair of the Working Group on the Development of the Convention, recalled the mandate given to the Group by the Conference of the Parties at its third meeting. He then reported on the work carried out to review the annex I and in particular informed about the Group's two meetings held in Geneva on 20 May 2005 and 28 March 2006 and a number of smaller consultations.

59. Mr. Biermann said the Group had submitted its proposal for amendment together with a draft decision to the Bureau, which had endorsed the proposal and the decision at its ninth meeting, held in Warsaw on 22–23 May 2006.

### B. Presentation of the Group's proposal to amend annex I to the Convention

60. Mr. Biermann, on behalf of Working Group on Development of the Convention, presented the draft decision amending annex I to the Convention. He introduced the proposal for amending annex I, pointing out the main changes, the substances added or deleted and the thresholds modified. He said the document had been circulated to the Parties before the meeting in accordance with article 26, paragraph 2 of the Convention.

### C. Discussion and adoption of the draft decision to amend annex I

61. The Conference of the Parties unanimously adopted the decision to amend annex I to the Convention (decision 2006/2, see annex II below). It also expressed appreciation to the Working Group on Development and its Chair for the work done.

62. The amendment of annex I will be communicated to the Parties and recommended for approval. Provided that fewer than 16 Parties disapprove the amendment within 12 months from its communication, it will become effective for all Parties that approve it (article 26, para. 4 of the Convention).

## X. UNECE INDUSTRIAL ACCIDENT NOTIFICATION (UNECE IAN) SYSTEM

<b>Document adopted:</b>	
Decision on increasing the effectiveness of and enhancing the communication procedures within the UNECE IAN System	ECE/CP.TEIA/15/Add.1

**A. Outcome of the second consultation for points of contact for the purpose of accident notification and mutual assistance designated within the UNECE IAN System**

63. Mr. Fabrizio Colcerasa (Italy), who had chaired the second consultation for points of contact, informed the Conference of the Parties that the consultation had taken place on 19–20 October 2005 in Rome. One of its main objectives had been to discuss the results of the subregional tests of the UNECE Industrial Accident Notification System which had been performed by Italy and the Russian Federation prior to the consultation. He also reported that during the consultation points of contact had had the opportunity to exchange experience on how to organize the response actions and had shared lessons learned from past accidents.

64. Mr. Colcerasa informed the meeting that the points of contact at their consultation had decided to perform subregional tests at regular intervals twice a year in order to maintain the system's effectiveness. In each round one test should be carried out in English and the exercise notification sent to countries of Central and Western Europe and North America. The second test should be done in Russian and the notification sent to countries of EECCA.

65. Such tests were carried out, and their results will be presented and discussed at a future consultation for points of contact.

**B. Outcome of the first meeting of the task force to review the communication procedures within the UNECE IAN System**

66. Ms. Gasparrini reported on the outcome of the first task force meeting to review the communication procedure, which had taken place in Rome on 21 October 2005 back to back with the second consultation for points of contact. The representatives of points of contact had an opportunity to learn about three applications: a simple Web-based prototype, a Dutch Infra-web and Natural and Environmental Disasters Information Exchange System (NEDIES) by European Commission as options for enhancing the communication procedure of the UNECE IAN System. They also had heard an independent analysis comparing the three applications that had been carried out and presented by Mr. Carcassi.

67. Ms. Gasparrini reported that the points of contact, taking into account the presentations on the applications and the analysis by Mr. Carcassi, had decided on the following recommendation. If the Conference of the Parties maintains the current tasks for points of contact under the IAN System, the communication procedure should be enhanced by implementing the simple Web-based prototype. If, however, the Conference of the Parties decides to extend the tasks for points of contact to include a role in the management of response to industrial accidents, then the Dutch Infra-web should be introduced. Ms. Gasparrini said that the representatives of points of contact had found the NEDIES being developed by the European Commission too complex to be implemented under the UNECE IAN System, not to mention the fact that only member States will be authorized to use it.

68. Mr. Wyrowski briefly recalled the simple Web-based prototype, pointing out its advantages and user-friendliness in comparison with fax-based notification. He presented the four steps involved in delivering the notification application based on the prototype for use by points of contact. These steps are (a) preparation of the implementation process, (b) development of the application's code, (c) testing, and (d) final adjustment and release. The first step would



involve selecting a consultant and finalizing the functional requirements for the application. The maximum cost was estimated at EUR 35,000, and the process should not take longer than six months.

**C. Adoption of the decision on increasing the effectiveness of and enhancing the communication procedures within the UNECE IAN System**

69. The Conference of the Parties expressed its appreciation to the task force for the work done to compare the three applications and for making the recommendation. It decided to maintain the current requirements of the UNECE IAN System and to develop the simple Web-based prototype into a working application to be used by points of contact under the UNECE IAN System (decision 2006/3; see annex III below).

**XI. PREVENTION OF ACCIDENTAL WATER POLLUTION**

<b>Documents endorsed:</b>	
Progress report of the Joint Ad Hoc Expert Group on Water and Industrial Accidents	ECE/CP.TEIA/2006/9 ECE/MP.WAT/2006/7
Report on the implementation of the conclusions and recommendations of the seminar on the prevention of chemical accidents and limitation of their impact on transboundary waters in Central and Western Europe	ECE/CP.TEIA/2006/10 ECE/MP.WAT/2006/9
Safety guidelines and good practices for pipelines	ECE/CP.TEIA/2006/11 ECE/MP.WAT/2006/8

**A. Progress report of the Joint Ad Hoc Expert Group on Water and Industrial Accidents**

70. Mr Gerhard Winkelmann-Oei, Co-Chair of the Joint Expert Group, presented the progress report (ECE/CP.TEIA/2006/9). He introduced the Group's major accomplishments, in particular a report on the implementation of the conclusions and recommendations of the seminar on the prevention of chemical accidents and limitation of their impact on the transboundary waters in Central and Western Europe (Hamburg seminar) as well as the safety guidelines and good practices for pipelines.

71. Mr. Winkelmann-Oei also presented the Group's draft workplan as contained in the progress report. He mentioned in particular the continued provision of guidance and assistance for countries with economies in transition in implementing the conclusions and recommendations of the Hamburg seminar and the safety guidelines and good practices for pipelines. He also mentioned the Group's goal to draw up safety guidelines and good practices for tailing dams and to prepare guidance for drafting cross-border contingency plans.

72. Mr. Manuel Varela, Chairperson of the Meeting to the Water Convention, reported on the outcome of his meeting with Mr. Grosset (Geneva, 25 April 2006) to discuss issues of concern to both Conventions, in particular the work of the Joint Expert Group. While recognizing the Group's achievements and supporting the proposed workplan, both chairpersons had stressed that experts representing the Water Convention needed to be more engaged in the Group's work,

and they had pointed out the need for funds to support the participation of experts from countries with economies in transition in the Group's activities.

73. The Conference of the Parties took note of the information provided by Mr. Serguei Kouzmine, Secretary of the UNECE Working Party on Regulatory Cooperation and Standardization Policies, concerning the Group's intention to elaborate technical requirements on the safety of pipelines (linked to relevant international, regional and national standards). On behalf of the Working Party he invited experts from member countries interested in the project to share their expertise.

74. The Conference of the Parties expressed its appreciation to the Joint Expert Group for its work. It then endorsed the progress report and adopted the workplan with a remark that the Group should examine the work done under other forums related to guidelines on navigation of ships on rivers, before preparing such guidelines in its own capacity.

**B. Report on the implementation of the conclusions and recommendations of the seminar on the prevention of chemical accidents and limitation of their impact on transboundary waters in Central and Western Europe**

75. Mr. Winkelmann-Oei informed the Conference of the Parties in detail about the process of drawing up the report on the implementation of the conclusions and recommendations of the Hamburg seminar. He mentioned the questionnaire which had been sent to 26 Western European countries and the fact that only 13 countries had replied. The report can therefore give only a partial picture of the implementation of the conclusions and recommendations.

76. The Conference of the Parties expressed its dissatisfaction about the low reply rate. It then endorsed the report on the implementation of conclusions and recommendations of the Hamburg seminar.

**C. Safety guidelines and good practices for pipelines**

77. Ms. Gasparrini introduced the subject of the safety guidelines and good practices for pipelines, mentioning that these guidelines were not a binding document under the Convention.

78. Mr. Winkelmann-Oei provided information about the process of drafting the guidelines, which included establishing a steering group with experience on pipelines and two workshops. The first workshop was organized by Germany and focused on exchange of information on existing legal frameworks and best practices to prevent, control and reduce the impact of oil pipeline failures and accidents on the terrestrial and aquatic environment, including transboundary waters. The second workshop, organized by the Netherlands, had as its key objective the exchange of information on national and international developments in the field of gas pipeline safety. The workshop focused mainly on: risk assessment, land use planning and information policy. Both workshops provided a forum for discussion and wide consultation on the guidelines, in which UNECE member countries and the representatives of the private sector, in particular some pipeline operators, took part.

79. Mr. Winkelmann-Oei presented the guidelines, which address the following issues: design and construction of pipelines, pipeline management system, emergency planning,

inspections, risk assessment and land-use planning. He expressed his hope that the guidelines would be extensively applied, which should help limit the number of pipeline accidents and the severity of their consequences for human health and the environment.

80. The Conference of the Parties expressed its appreciation to the steering group and the Joint Expert Group for developing the guidelines and endorsed them.

## **XII. PROTOCOL ON CIVIL LIABILITY AND COMPENSATION FOR DAMAGE CAUSED BY THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL ACCIDENTS ON TRANSBOUNDARY WATERS**

81. Mr. Ludwiczak recalled briefly the main decisions taken by the Parties to the Industrial Accidents and to the Water Conventions at their second joint special session, held in Kiev on 21 May 2003 regarding the adoption of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters. He also recalled the decisions taken by the Conference of the Parties in this respect at its third meeting.

82. Mr. Varela reported on the outcome of the meeting between the chairpersons of the Water and Industrial Accidents Conventions with respect to the Protocol and introduced a proposal to organize a consultation (in place of a formal third joint special session of the two governing bodies) among the Parties to the Conventions in order to review the steps taken by the UNECE member countries to ratify the Protocol and to identify the reasons for its current ratification status (one ratification).

83. Mr. Bärlund supported the idea proposed by Mr. Varela, underlining that, while the Protocol had been expected to enter into force rather quickly, instead, three years after its adoption, it had received only one ratification. Mr. Bärlund invited the Conference of the Parties to take appropriate steps to review the status of ratification.

84. The delegation of Hungary expressed its strong interest in the Protocol's ratification and offered to hold the consultation among the Parties in Budapest.

85. The delegation of European Commission informed the meeting that the European Union is continuing to assess the exact implications of the relationship between the Protocol and the Community legislation, including the Directive on environmental liability and the legislation on jurisdiction and recognition of judgments. Because of interlinkages with existing legislation, the European Union is forced to act in a coordinated fashion. The delegation also stressed that until an internal examination is completed the European Union will not be able to have a final position.

86. The Conference of the Parties, taking note of these discussions, invited the Bureaux of the two Conventions to decide jointly on the format, date and place of the above-mentioned consultation. Moreover, the joint decision should take into account the discussions at the meetings of the Conference of the Parties to the Industrial Accidents Convention and the Meeting of the Parties of the Water Convention as well as the European Union's position as presented.

### XIII. PLAN OF ACTION UNDER THE CONVENTION

<b>Document endorsed:</b>	
The use of financial resources under the Convention in 2000–2006	ECE/CP.TEIA/2006/12
<b>Document adopted:</b>	
Decision 2006/4 on the priorities, workplan and resources under the Convention for 2007–2008	ECE/CP.TEIA/15/Add.1

#### A. Priorities and workplan

87. The Conference of the Parties entrusted the Bureau, with the assistance of the secretariat, to amend the long-term programme of work according to the discussions held at the meeting and decisions taken under the previous agenda items. (The long-term programme of work is contained in annex IV, appendix I, Part One of this report.) It also agreed on its priorities and the elements of the workplan for 2007–2008 (as contained in annex IV, appendix I, Part Two of this report).

#### B. Resources

88. Mr. Ludwiczak reported on the use of resources under the Convention in 2000–2006 (ECE/CP.TEIA/2006/12). He expressed thanks for the financial and in-kind contributions already made or pledged by UNECE member countries to the trust fund under the Convention and/or to specific activities. He detailed the expenditures made from the trust fund during this period.

89. The Conference of the Parties welcomed the information and endorsed the secretariat's report on the use of financial resources under the Convention in 2000–2006.

90. The secretariat reported that available resources are not sufficient to cover the costs of implementing the elements contained in the workplan for the years 2007–2008. It invited Parties and other UNECE member countries to consider supporting the activities under the Convention financially and/or in kind so that the workplan could be implemented in full.

91. The delegations of the Czech Republic, Italy, Norway and Switzerland informed the meeting that their governments would support financially the activities under the Assistance Programme and the Convention (see para. 54).

#### C. Draft decision on the priorities, programme of work and resources under the Convention for 2007–2008

92. The Conference of the Parties adopted the decision on the priorities, programme of work and resources under the Convention for 2007–2008 (decision 2006/4; see annex IV below).

#### **XIV. DATE AND VENUE OF THE FIFTH MEETING OF THE CONFERENCE OF THE PARTIES**

93. Recalling 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 the terms of reference of the Bureau (ECE/CP.TEIA/2, annex I), in particular paragraphs 1 and 2 (c), and stressing the need to use human and financial resources, including those of the UNECE secretariat, efficiently, the Conference of the Parties decided unanimously to hold its fifth ordinary meeting in the second half of 2008. It requested the Bureau to consult the Parties to find the best suitable venue.

#### **XV. REVIEW OF DECISIONS AND FINAL STATEMENTS**

94. Ms. Gasparrini summarized the decisions taken during the fourth meeting. The Conference of the Parties entrusted the secretariat, in consultation with the Bureau, with finalizing the report of the meeting.

95. Ms. Gasparrini thanked the representatives of the Parties and other UNECE member countries for their active participation in the meeting. She expressed the hope that all the UNECE member countries would take part in implementing the workplan under the Convention in 2007–2008.

96. Mr. Ludwiczak warmly thanked the Government of Italy and in particular the Ministry for Environment, Land and Sea for hosting the meeting.

#### **XVI. CLOSING OF THE MEETING**

97. The Chairperson, Ms. Gasparrini, closed the meeting.

#### **XVII. SIDE EVENT**

98. An awareness-raising workshop devoted to the implementation of the Convention in Italy was held as a side event on the afternoon of Thursday, 16 November 2006 at the Istituto Superiore Antincendi (ISA) of the Ministry of Interior of Italy. During the event four presentations were held. Mr. Ludwiczak introduced the Convention, Mr. Colcerasa spoke about the work of the Ministry of Interior of Italy under the Convention. Mr. Aquilino presented his experience from participation as a team member in the fact-finding missions to Bulgaria and The former Yugoslav Republic of Macedonia. Mr. Frattini introduced the project on Rapid Environment and Health Risk Assessment (REHRA) in Central Asia funded by Government of Italy.

99. Participants appreciated the side event, which was followed by a dinner hosted by the Ministry of Interior of Italy.

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