

**ECONOMIC COMMISSION FOR EUROPE**

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

**GUIDELINES**

**TO REPORTING FORMAT FOR THE FIFTH REPORT ON THE IMPLEMENTATION  
OF THE CONVENTION ON THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL  
ACCIDENTS**

These guidelines have been prepared to direct countries to respond as fully and precisely as possible to the questions in the reporting format.

**Front Page of the reporting format**

On the front page, please fill in the name of the reporting country and the name, organization and coordinates (e-mail address and phone number) of the person who coordinates the reporting nationally.

Question [I-A] - Please state whether the person coordinating the reporting is a Focal Point for the Convention. The focal point is an officer working within any established competent authority nominated for being the contact person for the secretariat and focal points of other Parties for the purposes of the Convention. The focal points can be also nominated by other UNECE member countries not Parties to the Convention. In this case focal point represents one of authorities usually coordinating the work falling under the scope of the Convention.

Question [I-B] - Please state if the organization, for which the person is working, is a formally designated/established Competent Authority. The competent authority (Art. 17 of the Convention) is a public authority formally designated or established at the ratification/accession/acceding competent for the purposes of the Convention.

Question [I-C] - On the question on cooperation, please specify which are the other organizations, if any, at national, regional and local levels that are engaged in the implementation of the Convention. Please indicate their areas of responsibility and inform if they were also designated/established competent authorities.

Question [I-D] - Describe then how the organizations mentioned in [I-C] have been involved in the preparation of the report, and whether the completed report has also been approved/controlled by them.

## **POLICY FOR IMPLEMENTATION OF THE CONVENTION**

*According to article 3 of the Convention the parties shall take appropriate measures and cooperate to protect human beings and the environment against industrial accidents by applying preventive, preparedness and response measures.*

### **Questions 1-2**

Question [1] – Please provide a general description of your country’s policy and strategies for prevention of, preparedness for and response to industrial accidents, focusing particularly on the implementation of the Convention. Explain how this policy is reflected in national legislation and administered by public authorities at different levels:

For administration of public authorities please give a complete general picture of the administrative set up in your country, and how responsibility is divided between different authorities at national, regional and local level (if relevant). Possible co-ordination mechanisms should also be explained.

For the legislation, please mention the most important legislation in this respect and how this legislation is enforced. Refer only to legislation (acts or regulations) that pertains to the implementation of the Convention that is legislation which is fundamental in the context of the implementation of the Convention, and which is directly applicable to the substances specified in annex I to the Convention. Please avoid describing legislation which is not covered by the Convention. For general legislation having a broader area of application than only implementation of the Convention, specify this legislation and explain how it covers its implementation.

Question [2] – Please explain whether your country’s policy delivers the intended results. Please also report on how successful you have been in putting your policy into practice – are the legislative, control and enforcement mechanisms described in your answer to Question [1] adequate to fulfill the requirements of the Convention? In particular, please indicate any difficulties your country may have encountered in implementing the Convention and in particular whether any shortcomings in legislation or control mechanisms have been identified. Please list any steps that your country has taken in the last two years to compensate or remedy such possible shortcomings. In case no steps have been taken yet, inform if any are planned or considered and if so what the timeframe is for it.

## **IDENTIFICATION OF HAZARDOUS ACTIVITIES WITH THE POTENTIAL TO CAUSE TRANSBOUNDARY EFFECTS**

*According to article 4 of the Convention the Parties shall identify hazardous activities according to annex I that are capable of causing transboundary effects in the case of an industrial accident within their jurisdiction. The Parties shall ensure that the neighbouring Parties are duly notified of any existing such hazardous activity or proposed new hazardous activities.*

### **Questions 3-7**

Question [3] - Please describe briefly the mechanism/arrangements being used for the identification of hazardous activities. Explain your mechanism for collecting data from operators, that is who collects data and how, and how this mechanism is reflected in the legislation. If there is any mandatory notification procedure for operators of hazardous activities describe it. Explain also the mechanism for data assessment (use of system of classification of chemicals, use of annex I and location criteria, worst case scenario analysis, risk assessment, other).

The Criteria and Guidelines to Facilitate the Identification and Notification of Hazardous Activities adopted at the first Conference of the Parties and subsequently amended are available on the Convention's website. [<http://www.unece.org/env/teia/welcome.htm>].

Question [4] - Indicate how many hazardous activities (in the meaning of the Convention and its annex I) have been identified in your country in accordance with the mechanism. Please do not indicate any other installations than those identified as falling under the Convention.

Question [5] - Explain any changes in the number of identified hazardous activities since last reporting round. If there has been any change, please provide information on how many hazardous activities have been identified since last reporting round (new activity, increased production capacity) / how many are no longer hazardous activities and why (decreased production capacity, closure, etc).

Question [6] - The notification due to neighbouring parties/countries should be provided in the table. Indicate clearly in column I the neighbouring Party/country, in column II the number of notified hazardous activities and in column III whether any consultations were held prior to notification. In column IV (comments) explain if there is any hazardous activity not yet notified and what the reasons are for it.

Question [7] - Provide a general evaluation on how the identification mechanism/system works within your country. Describe how successful the system has been and specify any areas for possible improvements, if such were identified, and list any steps that your country has taken in the last two years to implement the improvements. If no steps on the improvements have been taken yet, indicate if any are planned or considered and if so what the timeframe is for it.

### **PREVENTION OF INDUSTRIAL ACCIDENTS**

*According to article 6 of the Convention the Parties shall take appropriate measures for the prevention of industrial accidents. They are also obliged to see that operators of hazardous activities take action to reduce the risk and demonstrate the safe performance of such activities.*

### **Questions 8-9**

Question [8] - In light of the general answer already given under Question [1] above, please describe how preventive measures are taken and followed up by operators, public authorities and other stakeholders during all phases of a relevant industrial activity (cradle to grave).

Please focus on various main categories of preventive measures to be taken by industry at different stages, such as

- safety management
- creation of a safety culture
- hazard identification, risk assessment
- siting, design and construction
- operation
- modifications, maintenance and repairs
- review of safety performance
- decommissioning/closure

Also the main preventive measures taken by public authorities should be described, such as

- safety strategies
- control, inspection and enforcement framework
- land use planning
- safety performance review and evaluation

Please also indicate how industry and public authorities, as well as other stakeholders (public at large, labour organizations, NGOs etc), interact and/or co-operate with the aim of preventing industrial accidents, unless you plan to describe it under the chapter public participation Question [17].

Question [9] - Provide a general evaluation on the effectiveness of the overall system for preventive measures taken by industry and public authorities, and identify possible weaknesses in this regard. Please list any steps that your country has taken in the last two years to address the possible weaknesses. If no steps have been taken yet, indicate if any are planned or considered and if so what the timeframe is for it.

## **EMERGENCY PREPAREDNESS**

*According to article 8 of the Convention the Parties shall take appropriate measures to establish and maintain adequate emergency preparedness to respond to industrial accidents. To that effect the Parties shall ensure the preparation and implementation of on-site and off-site contingency plans. According to article 9 of the Convention these plans should be compatible with those of their neighbouring countries. The Parties shall also ensure that adequate information is given to the public in the areas capable of being affected by an industrial accident.*

### **Questions 10-15**

Question [10] - Please indicate whether on-site (internal) and off-site (external) emergency plans exist for all hazardous activities identified in your country. If such plans do not exist, or only exist to a certain extent, please provide information on why this is the situation.

Question [11] - Provide information on how the plans are being established, e.g. whether they take account of hazard/risk assessments.

Question [12] - Describe the coordination mechanism between industry and competent authorities for preparations of the plans, unless it does not exist.

Questions [13] and [14] - Please also describe the mechanisms for testing, review and updating of such plans within your country [13] or in cooperation with neighbouring countries [14].

Question [15] - Give a general evaluation of the system for the establishment and maintenance of emergency preparedness plans and procedures. Are there any features of your system that work particularly well, or any matters that are a barrier to success? If there are areas with an improvement potential, please specify. List also any steps that your country has taken in the last two years to implement the improvements. If no steps on the improvements have been taken yet, indicate if any are planned or considered and if so what the timeframe is for it.

## **SCIENTIFIC AND TECHNOLOGICAL CO-OPERATION AND EXCHANGE OF INFORMATION**

*According to articles 14, 15 and 16 of the Convention the Parties shall promote scientific and technological cooperation for the prevention of, preparedness for and response to industrial accidents, as well as for the exchange of information and technology.*

### **Questions 16**

Question [16] - Please say whether your country has set up any bilateral or multilateral activities/programmes to exchange information, experiences or technology with the aim of strengthening the fulfilment of the Convention's requirements. If so, please explain with whom, on what subjects/activities and list the possible results.

## **PARTICIPATION OF THE PUBLIC**

*According to article 9 of the Convention the public in areas capable of being affected in the Affected Party and in the Party of Origin should have equal opportunity to participate in relevant procedures and have equal access to and treatment in relevant administrative and judicial proceedings.*

### **Questions 17-22**

Question [17] - Please describe the opportunities given to the public regarding participation relating to preventive and emergency preparedness measures and how these have been manifested in national legislation.

Question [18] - Please indicate how the opportunities for participation have been communicated to the public.

Question [19] - Given that opportunities exist for public participation, please indicate whether the public does participate and explain to what extent they take advantage of these opportunities. If the public does not participate, please indicate according to your knowledge why this is the situation.

Question [20] - Indicate whether your system allows for participation by the public of neighbouring countries in the same way as own public.

Question [21] - Do natural or legal persons have access to equal relevant administrative and judicial procedures in your country.

Question [22] - Provide a general evaluation of the system for public participation. Explain how successful you have been in encouraging opportunities for public participation, and indicate if there are possible areas with an improvement potential. If so, list any steps that your country has taken in the last two years to implement the improvements. If no steps on the improvements have been taken yet, indicate if any are planned or considered and if so what the timeframe is for it.

## **DECISION-MAKING ON SITING**

*According to article 7 of the Convention the Parties shall, within the framework of their legal systems, seek the establishment of policies on the siting of new hazardous activities and on significant modifications to existing activities.*

### **Questions 23-25**

Question [23] - To which extent does your country have special siting or land use policies for the location of hazardous activities or significant modifications of such activities. Please explain the policy and how it is followed up in practice and reflected in legislation.

Question [24] - Provide information on whether the policy takes into account transboundary issues, and if so, please also provide information about current bilateral activities on siting in light of the Convention's requirements.

Question [25] - If a siting policy has been established, give a general evaluation and indicate possible areas with improvement potential. Explain whether the policy achieves the intended results and list also any steps that your country has taken in the last two years to implement the improvements or the siting policy at all. If no steps on the improvements or implementation of siting policy have been taken yet, indicate if any are planned or considered and if so what the timeframe is for it.

## **REPORTING ON PAST INDUSTRIAL ACCIDENTS**

*According to annex XII of the Convention, the parties shall establish a databank for the reception, processing and distribution of information on past industrial accidents.*

### **Questions 26-27**

Question [26] - Please indicate whether any industrial accidents with transboundary consequences have taken place in your country in last two years. If so, please indicate date, location and type of accident.

Question [27] – Please say whether the accident(s) have been reported to UNECE Past Industrial Accidents Notification System and if not report on the reasons for it.