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## Economic Commission for Europe

### Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents

#### **Eighth meeting**

Geneva, 3–5 December 2014

### **Report of the Conference of the Parties on its eighth meeting**

#### **Addendum**

#### **Decisions adopted at the eighth meeting**

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## **Decision 2014/1**

### **Strengthening the implementation of the Convention**

*The Conference of the Parties,*

*Recalling* the provisions of articles 18 and 23 of the Convention on the Transboundary Effects of Industrial Accidents,

*Recognizing* that only 18 out of 41 Parties reported on the implementation of the Convention within the set deadline during the seventh (2013–2014) reporting round, while 16 more Parties reported after the deadline but still in time for the Working Group on Implementation's assessment,

*Also recognizing* that two committed countries<sup>1</sup> not yet Parties to the Convention reported on the implementation of the Convention in the seventh reporting round,

*Taking into account* and recognizing with appreciation the work done by the Working Group on Implementation to analyse and evaluate the national implementation reports and to compile the seventh report on the implementation of the Convention,

*Recognizing with appreciation* the valuable work carried out by the Working Group on Implementation and by members of the Bureau both in monitoring the implementation of the Strategic Approach and in the preparation of tools to support countries' efforts,

1. *Adopts* the seventh report on the implementation of the Convention as prepared and submitted by the Working Group on Implementation (ECE/CP.TEIA/2014/4), with a corrigendum to acknowledge the notification of hazardous activities by Slovenia to neighbouring countries (ECE/CP.TEIA/2014/4/Corr.1), and mandates the Working Group on Implementation to prepare the eighth report on implementation;

2. *Reiterates* the need for Parties to comply in a timely manner with their reporting obligations, with the understanding that, starting from the next reporting round, only reports received within the deadline will be assessed by the Working Group on Implementation;

3. *Calls on* committed countries to submit national implementation reports, and invites other non-Parties to submit such reports on a voluntary basis;

4. *Encourages*, in view of article 2, paragraph 1, and article 15 of the Convention, Parties, committed countries and other reporting countries to share through the national implementation reports information and weblinks on good practices as well as guidelines on the different working areas of the Convention prepared for national use, even if not specifically related to the transboundary aspects of the Convention. Those Parties and reporting countries with well-established practices in industrial accidents prevention, preparedness and response are especially encouraged to provide such information;

5. *Decides*, with a view to facilitating accession to the Convention, to also make national implementation reports available, through a password-protected web page, to non-Parties having submitted such reports;

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<sup>1</sup> Countries from Eastern and South-Eastern Europe, the Caucasus and Central Asia participating in the Assistance Programme and having committed to enhance industrial safety, through their participation in the Assistance Programme and the implementation of the Convention, as well as to submit national implementation reports (CP.TEIA/2005/10).

6. *Requests* the Working Group on Implementation, in cooperation with the secretariat, to make the information referred to in paragraph 4 above widely available;
7. *Also requests* the Working Group on Implementation to update the structure of the reporting format before the eighth reporting round to enable Parties and reporting countries to better describe areas for improvement and progress achieved in the past biennium. In carrying out this task, the Working Group should strive not to increase the reporting burden for Parties and reporting countries;
8. *Recommends* that Parties, committed countries and other reporting countries highlight in their national implementation reports areas for improvement and progress achieved since the last reporting round;
9. *Also recommends* that Parties, committed countries and other reporting countries intensify their efforts to implement the Convention's provisions on notification of hazardous activities to neighbouring countries and land-use planning or decision-making on siting with regard to hazardous activities, which were identified by the Working Group on Implementation as areas needing further attention;
10. *Further recommends* that Parties, committed countries and other reporting countries strengthen joint exercises on preparedness and response, as well as increase efforts to establish bilateral agreements, especially to facilitate interventions in the event of an accident with possible transboundary consequences;
11. *Encourages* the organization of activities addressing preparedness and response and the consultation of points of contact, as included in the workplan under the Convention for 2015–2016 (see ECE/CP.TEIA/2014/7);
12. *Urges* all Parties that have not done so, and invites committed countries, to nominate competent authorities in accordance with article 17 of the Convention;
13. *Also urges* all Parties that have not done so, and invites committed countries, to nominate points of contact in accordance with article 17 of the Convention for notification of industrial accidents as well as for mutual assistance;
14. *Calls on* countries that have not done so to nominate a focal point for communication between themselves and with the Convention secretariat, and to make the focal points aware of their roles and responsibilities;
15. *Welcomes* the activities conducted under the Assistance Programme in the period 2013–2014, as outlined in the document “A decade of assistance to countries in Eastern and South-Eastern Europe, the Caucasus and Central Asia: lessons learned and future prospects” (ECE/CP.TEIA/2014/5);
16. *Reminds* committed countries to use the Strategic Approach for the Assistance Programme (ECE/CP.TEIA/2008/5) and its tools, the self-assessment and action plans. Countries are encouraged to take advantage of the more user-friendly version of the indicators and criteria reviewed and presented at the eighth meeting of the Conference of the Parties. It is hoped that the user-friendly version of the indicators and criteria will improve the understanding and use of the Strategic Approach and its tools, and that it will contribute to the submission of sound project proposals based on good-quality self-assessments and action plans;
17. *Calls on* Parties and other donors to make available financial and in-kind resources for the implementation of the Assistance Programme and mandates the Bureau to make all efforts to ensure the availability of financial and in-kind resources for the implementation of the Programme;
18. *Mandates* the Working Group on Implementation to monitor the implementation of the Strategic Approach and its tools.

## Decision 2014/2 Amending annex I to the Convention

*The Conference of the Parties,*

*Recognizing* the need to update the categories of substances and mixtures and the named substances and their threshold quantities, as contained in annex I to the Convention on the Transboundary Effects of Industrial Accidents, for the purposes of introducing the criteria of the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (ST/SG/AC.10/30/Rev.4) and of maintaining consistency with the corresponding European Union legislation,

*Bearing in mind* its decision to undertake a revision of the hazardous substances and their quantities as contained in annex I, and its decision 2004/4 on establishing the Working Group on the Development of the Convention,

*Acknowledging* the proposal to amend annex I, drawn up by the Working Group on the basis of a thorough review,

*Amends* annex I to the Convention on hazardous substances for the purposes of defining hazardous activities by replacing it with the text set out in the annex to this decision.

### Annex

#### Hazardous substances for the purposes of defining hazardous activities<sup>1</sup>

Where a substance or mixture named in Part II also falls within one or more categories in Part I, the threshold quantity given in Part II shall be used.

For the identification of hazardous activities, Parties shall take into consideration the actual or anticipated hazardous properties and/or quantities of all hazardous substances present or of hazardous substances which it is reasonable to foresee may be generated during loss of control of an activity, including storage activities, within a hazardous activity.

Part I.

#### Categories of substances and mixtures not specifically named in Part II

<i>Category in accordance with the United Nations Globally Harmonized System (GHS) of Classification and Labelling of Chemicals</i>	<i>Threshold quantity (metric tons)</i>
1. Acute toxic, Category 1, all exposure routes <sup>2</sup>	20
2. Acute toxic: Category 2, all exposure routes <sup>3</sup> Category 3, inhalation exposure route <sup>4</sup>	200
3. Specific Target Organ Toxicity (STOT) — Single Exposure (SE) STOT, Category 1 <sup>5</sup>	200
4. Explosives — unstable explosives or explosives, where the substance, mixture or article falls under division 1.1, 1.2, 1.3, 1.5 or 1.6 of chapter 2.1.2 of the GHS criteria or substances or mixtures having explosive properties according to Test series 2 of Part I of the United Nations <i>Recommendations on the Transport of Dangerous Goods: Manual of Tests and Criteria</i> (Manual of Tests and Criteria) and do not belong to the hazard classes Organic peroxides or Self-reactive substances and mixtures <sup>6,7</sup>	50
5. Explosives, where the substance, mixture or article falls under division 1.4 of chapter 2.1.2 of the GHS <sup>7,8</sup>	200

<i>Category in accordance with the United Nations Globally Harmonized System (GHS) of Classification and Labelling of Chemicals</i>	<i>Threshold quantity (metric tons)</i>
6. Flammable gases, Category 1 or 2 <sup>9</sup>	50
7. Aerosols, <sup>10</sup> Category 1 or 2, containing flammable gases Category 1 or 2 or flammable liquids Category 1	500 (net)
8. Aerosols, <sup>10</sup> Category 1 or 2, not containing flammable gases Category 1 or 2 nor flammable liquids Category 1 <sup>11</sup>	50 000 (net)
9. Oxidizing gases, category 1 <sup>12</sup>	200
10. Flammable liquids: Flammable liquids, Category 1, or Flammable liquids, Category 2 or 3, maintained at a temperature above their boiling point, <sup>13</sup> or Other liquids with a flash point $\leq 60^{\circ}\text{C}$ , maintained at a temperature above their boiling point <sup>14</sup>	50
11. Flammable liquids: Flammable liquids, Category 2 or 3, where particular processing conditions, such as high pressure or high temperature, may create industrial accident hazards, <sup>15</sup> or Other liquids with a flash point $\leq 60^{\circ}\text{C}$ where particular processing conditions, such as high pressure or high temperature, may create industrial accident hazards <sup>14</sup>	200
12. Flammable liquids, Categories 2 or 3, not covered by 10 and 11 <sup>16</sup>	50 000
13. Self-reactive substances and mixtures and organic peroxides: Self-reactive substances and mixtures, Type A or B, or Organic peroxides, Type A or B <sup>17</sup>	50
14. Self-reactive substances and mixtures and organic peroxides: Self-reactive substances and mixtures, Type C, D, E or F, or Organic peroxides, Type C, D, E, or F <sup>18</sup>	200
15. Pyrophoric liquids and solids, Category 1	200
16. Oxidizing liquids and solids, Category 1, 2 or 3	200
17. Hazardous to the aquatic environment, Category Acute 1 or Chronic 1 <sup>19</sup>	200
18. Hazardous to the aquatic environment, Category Chronic 2 <sup>20</sup>	500
19. Substances and mixtures which react violently with water, such as acetyl chloride, titanium tetrachloride	500
20. Substances and mixtures which in contact with water emit flammable gases, Category 1 <sup>21</sup>	500
21. Substances and mixtures which in contact with water liberate toxic gas (substances and mixtures which in contact with water or damp air evolve gases classified for acute toxicity in category 1, 2 or 3, such as aluminium phosphide or phosphorus pentasulphide)	200

## Part II.

**Named substances**

<i>Substance</i>	<i>Threshold quantity (metric tons)</i>
1a. Ammonium nitrate <sup>22</sup>	10 000
1b. Ammonium nitrate <sup>23</sup>	5 000
1c. Ammonium nitrate <sup>24</sup>	2 500
1d. Ammonium nitrate <sup>25</sup>	50
2a. Potassium nitrate <sup>26</sup>	10 000
2b. Potassium nitrate <sup>27</sup>	5 000
3. Arsenic pentoxide, arsenic (V) acid and/or salts	2
4. Arsenic trioxide, arsenious (III) acid and/or salts	0.1
5. Bromine	100
6. Chlorine	25
7. Nickel compounds in inhalable powder form: nickel monoxide, nickel dioxide, nickel sulphide, trinickel disulphide, dinickel trioxide	1
8. Ethyleneimine	20
9. Fluorine	20
10. Formaldehyde (concentration $\geq 90\%$ )	50
11. Hydrogen	50
12. Hydrogen chloride (liquefied gas)	250
13. Lead alkyls	50
14. Liquefied flammable gases, Category 1 or 2 (including liquefied petroleum gas) and natural gas <sup>28</sup>	200
15. Acetylene	50
16. Ethylene oxide	50
17. Propylene oxide	50
18. Methanol	5 000
19. 4, 4'-Methylene bis (2-chloraniline) and/or salts, in powder form	0.01
20. Methyl isocyanate	0.15
21. Oxygen	2 000
22. Toluene diisocyanate (2,4 -Toluene diisocyanate and 2,6 -Toluene diisocyanate)	100
23. Carbonyl dichloride (phosgene)	0.75
24. Arsine (arsenic trihydride)	1
25. Phosphine (phosphorus trihydride)	1
26. Sulphur dichloride	1
27. Sulphur trioxide	75
28. Polychlorodibenzofurans and polychlorodibenzodioxins (including tetrachlorodibenzodioxin (TCDD)), calculated in TCDD equivalent <sup>29</sup>	0.001
29. The following carcinogens or the mixtures containing the following carcinogens at concentrations above 5% by weight: 4-Aminobiphenyl and/or its salts, Benzotrichloride, Benzidine and/or salts, Bis (chloromethyl) ether, Chloromethyl methyl ether, 1,2-Dibromoethane, Diethyl sulphate, Dimethyl sulphate,	2

<i>Substance</i>	<i>Threshold quantity (metric tons)</i>
Dimethylcarbamoyl chloride, 1,2-Dibromo-3-chloropropane, 1,2-Dimethylhydrazine, Dimethylnitrosamine, Hexamethylphosphorotriamide, Hydrazine, 2-Naphthylamine and/or salts, 4-Nitrodiphenyl, and 1,3 Propanesultone	
30. Petroleum products and alternative fuels:	25 000
(a) Gasolines and naphthas;	
(b) Kerosenes (including jet fuels);	
(c) Gas oils (including diesel fuels, home heating oils and gas oil blending streams);	
(d) Heavy fuel oils;	
(e) Alternative fuels serving the same purposes and with similar properties as regards flammability and environmental hazards as the products referred to in points (a) to (d)	
31. Anhydrous ammonia	200
32. Boron trifluoride	20
33. Hydrogen sulphide	20
34. Piperidine	200
35. Bis(2-dimethylaminoethyl) (methyl)amin	200
36. 3-(2-Ethylhexyloxy)propylamin	200
37. Mixtures of sodium hypochlorite classified as Aquatic Acute Category 1 [H400] containing < than 5% active chlorine and not classified under any of the other hazard categories in Part 1 of annex I. <sup>30</sup>	500
38. Propylamine <sup>31</sup>	2 000
39. Tert-butyl acrylate <sup>31</sup>	500
40. 2-Methyl-3-butenenitrile <sup>31</sup>	2 000
41. Tetrahydro-3,5-dimethyl-1,3,5,-thiadiazine-2-thione (dazomet) <sup>31</sup>	200
42. Methyl acrylate <sup>31</sup>	2 000
43. 3-Methylpyridine <sup>31</sup>	2 000
44. Bromo-3-chloropropane <sup>31</sup>	2 000

#### Notes

- <sup>1</sup> Criteria according to the United Nations Globally Harmonized System (GHS) of Classification and Labelling of Chemicals (ST/SG/AC.10/30/Rev.4). Parties should use these criteria when classifying substances or mixtures for the purposes of Part I of this annex, unless other legally binding criteria have been adopted in the national legislation. Mixtures shall be treated in the same way as the pure substance, provided they remain within concentration limits set according to their properties in accordance with the GHS unless a percentage composition or other description is specifically given.
- <sup>2</sup> According to the criteria in chapters 3.1.2 and 3.1.3 of GHS.
- <sup>3</sup> According to the criteria in chapters 3.1.2 and 3.1.3 of GHS.
- <sup>4</sup> Substances that fall within acute toxic Category 3 via the oral route shall fall under entry 2 acute toxic in those cases where neither acute inhalation toxicity classification nor acute dermal toxicity classification can be derived, for example due to lack of conclusive inhalation and dermal toxicity data.
- <sup>5</sup> Substances that have produced significant toxicity in humans, or that, on the basis of evidence from studies in experimental animals can be presumed to have the potential to produce significant toxicity in humans following single exposure. Further guidance is given in figure 3.8.1. and table 3.8.1 of part 3 of GHS.

- <sup>6</sup> Testing for explosive properties of substances and mixtures is only necessary if the screening procedure according to appendix 6, part 3, of the Manual of Tests and Criteria identifies the substance or mixture as potentially having explosive properties.
- <sup>7</sup> The hazard class Explosives includes explosive articles. If the quantity of the explosive substance or mixture contained in the article is known, that quantity shall be considered for the purposes of this Convention. If the quantity of the explosive substance or mixture contained in the article is not known, then, for the purposes of this Convention, the whole article shall be treated as explosive.
- <sup>8</sup> If Explosives of division 1.4 are unpacked or repacked, they shall be assigned to the entry 4 (Explosive), unless the hazard is shown to still correspond to division 1.4, in accordance with GHS.
- <sup>9</sup> According to the criteria in chapter 2.2.2 of GHS.
- <sup>10</sup> Aerosols are classified according to the criteria in chapter 2.3 of GHS and the Manual of Tests and Criteria, Part III, section 31 referred to therein.
- <sup>11</sup> In order to use this entry, it must be documented that the aerosol dispenser does not contain flammable gas Category 1 or 2 nor flammable liquid Category 1.
- <sup>12</sup> According to the criteria in chapter 2.4.2 of GHS.
- <sup>13</sup> According to the criteria in chapter 2.6.2 of GHS.
- <sup>14</sup> Liquids with a flash point of more than 35°C may be regarded as non-flammable liquids for some regulatory purposes (e.g., transport) if negative results have been obtained in sustained combustibility test L.2, in part III, section 32 of the Manual of Tests and Criteria. This is, however, not valid under elevated conditions such as high temperature or pressure, and therefore such liquids are included in this entry.
- <sup>15</sup> According to the criteria in chapter 2.6.2 of GHS.
- <sup>16</sup> According to the criteria in chapter 2.6.2 of GHS.
- <sup>17</sup> According to the criteria in chapters 2.8.2 and 2.15.2.2 of GHS.
- <sup>18</sup> According to the criteria in chapters 2.8.2 and 2.15.2.2 of GHS.
- <sup>19</sup> According to the criteria in chapter 4.1.2 of GHS.
- <sup>20</sup> According to the criteria in chapter 4.1.2 of GHS.
- <sup>21</sup> According to the criteria in chapter 2.12.2 of GHS.
- <sup>22</sup> Ammonium nitrate (10,000): fertilizers capable of self-sustaining decomposition.  
This applies to ammonium nitrate-based compound/composite fertilizers (compound/composite fertilizers containing ammonium nitrate with phosphate and/or potash), which are capable of self-sustaining decomposition according to the Trough Test (see Manual of Tests and Criteria, part III, subsection 38.2), and in which the nitrogen content as a result of ammonium nitrate is:
- (a) Between 15.75% and 24.5% by weight (15.75% and 24.5% nitrogen content by weight as a result of ammonium nitrate correspond to 45% and 70% ammonium nitrate, respectively) and which either contain not more than 0.4% total combustible/organic materials or fulfil the requirements of an appropriate test of resistance to detonation (e.g., 4-inch-steel-tube test);
  - (b) 15.75% by weight or less and unrestricted combustible materials.
- <sup>23</sup> Ammonium nitrate (5,000): fertilizer grade.  
This applies to straight ammonium nitrate-based fertilizers and to ammonium nitrate-based compound/composite fertilizers in which the nitrogen content as a result of ammonium nitrate is:
- (a) More than 24.5% by weight, except for mixtures of straight ammonium nitrate-based fertilizers with dolomite, limestone and/or calcium carbonate with a purity of at least 90%;
  - (b) More than 15.75% by weight for mixtures of ammonium nitrate and ammonium sulphate;
  - (c) More than 28% (28% nitrogen content by weight as a result of ammonium nitrate corresponds to 80% ammonium nitrate) by weight for mixtures of straight ammonium nitrate-based fertilizers with dolomite, limestone and/or calcium carbonate with a purity of at least 90%;
- and which fulfil the requirements of an appropriate test of resistance to detonation (e.g., 4-inch-steel-tube test).
- <sup>24</sup> Ammonium nitrate (2,500): technical grade.  
This applies to:
- (a) Ammonium nitrate and mixtures of ammonium nitrate in which the nitrogen content as a result of ammonium nitrate is:

- (i) Between 24.5% and 28% by weight and which contain not more than 0.4% combustible substances;
- (ii) More than 28% by weight, and which contain not more than 0.2% combustible substances;
- (b) Aqueous ammonium nitrate solutions in which the concentration of ammonium nitrate is more than 80% by weight.
- <sup>25</sup> Ammonium nitrate (50): “off-specs” material and fertilizers not fulfilling the requirements of an appropriate test of resistance to detonation (e.g., 4-inch-steel-tube test).  
This applies to:
- (a) Material rejected during the manufacturing process and to ammonium nitrate and mixtures of ammonium nitrate, straight ammonium nitrate-based fertilizers and ammonium nitrate-based compound/composite fertilizers referred to in notes 23 and 24 that are being or have been returned from the final user to a manufacturer, temporary storage or reprocessing plant for reworking, recycling or treatment for safe use because they no longer comply with the specifications in notes 23 and 24;
- (b) Fertilizers referred to in note 22 (a) and note 23 which do not fulfil the requirements of an appropriate test of resistance to detonation (e.g., 4-inch-steel-tube test).
- <sup>26</sup> Potassium nitrate (10,000): composite potassium nitrate-based fertilizers (in prilled/granular form) which have the same properties as pure potassium nitrate.
- <sup>27</sup> Potassium nitrate (5,000): composite potassium nitrate-based fertilizers (in crystalline form) which have the same hazardous properties as pure potassium nitrate.
- <sup>28</sup> Upgraded biogas: for the purpose of the implementation of the Convention, upgraded biogas may be classified under entry 14 of Part 2 of annex I where it has been processed in accordance with applicable standards for purified and upgraded biogas ensuring a quality equivalent to that of natural gas, including the content of methane, and which has a maximum of 1% oxygen.
- <sup>29</sup> Polychlorodibenzofurans and polychlorodibenzodioxins.  
The quantities of polychlorodibenzofurans and polychlorodibenzodioxins are calculated using the following World Health Organization (WHO) human and mammalian toxic equivalency factors (TEF) for dioxins and dioxin-like compounds as re-evaluated in 2005:

**WHO 2005 TEF**

<i>Dioxins</i>	<i>TEF</i>	<i>Furans</i>	<i>TEF</i>
2,3,7,8-TCDD	1	2,3,7,8-TCDF	0.1
1,2,3,7,8-PeCDD	1	2,3,4,7,8-PeCDF	0.3
1,2,3,4,7,8-HxCDD	0.1	1,2,3,7,8-PeCDF	0.03
1,2,3,6,7,8-HxCDD	0.1	1,2,3,4,7,8-HxCDF	0.1
1,2,3,7,8,9-HxCDD	0.1	1,2,3,7,8,9-HxCDF	0.1
1,2,3,4,6,7,8-HpCDD	0.01	2,3,4,6,7,8-HxCDF	0.1
OCDD	0.0003	1,2,3,7,8,9-HxCDF	0.1
		1,2,3,4,6,7,8-HpCDF	0.01
		1,2,3,4,7,8,9-HpCDF	0.01
		OCDF	0.0003

*Abbreviations:* Hx = hexa, Hp = hepta, O = octa, P = penta, T = tetra.

*Reference:* Martin Van den Berg and others, “The 2005 World Health Organization Reevaluation of Human and Mammalian Toxic Equivalency Factors for Dioxins and Dioxin-like Compounds”, *Toxicological Sciences*, vol. 93, No. 2 (October 2006), pp. 223–241.

- <sup>30</sup> Provided that the mixture in the absence of sodium hypochlorite would not be classified as aquatic acute, Category 1.
- <sup>31</sup> In cases where this dangerous substance falls within the category 10 flammable liquids or category 11 flammable liquids, for the purposes of the Convention the lowest qualifying quantities shall apply.

## **Decision 2014/3**

### **Guiding principles for financial assistance**

*The Conference of the Parties*

1. *Decides* that the countries of Eastern Europe (Belarus, Republic of Moldova and Ukraine), South-Eastern Europe (Albania, Bosnia and Herzegovina, Montenegro, Serbia and the former Yugoslav Republic of Macedonia), the Caucasus (Armenia, Azerbaijan and Georgia) and Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) are eligible to receive financial assistance to support the participation of their experts and representatives in activities organized within the framework of the Conference of the Parties and under the Assistance Programme, as follows:

(a) To support the participation of experts and representatives from Eastern and South-Eastern Europe and the Caucasus, the secretariat will provide participants with financial support to help them cover the expenses related to their participation, including travel and accommodation;

(b) To support the participation of experts and representatives from Central Asia, the secretariat will provide participants with financial support and air tickets to help them cover the expenses related to their participation, including accommodation;

2. *Agrees* to test these guiding principles for financial assistance in the biennium 2015–2016 and to review them at the ninth meeting of the Conference of the Parties in 2016.

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