

PROGRAMME OF WORK UNDER THE CONVENTION

Introduction

The present annex sets out the long-term programme of work (Part One) as well as the work plan for the years 2001-2002 (Part Two) under the UN/ECE Convention on the Transboundary Effects of Industrial Accidents. The Conference of the Parties agreed that when implementing the long-term programme of work and the work plan for 2001-2002 the work done by other international organizations should be duly considered with a view to developing synergies and avoiding duplication of efforts.

Part One

LONG-TERM PROGRAMME OF WORK

The following long-term programme of work contains the intergovernmental tasks either provided for in the Convention or proposed by the Conference of the Parties at its first meeting.

PROGRAMME AREA 1: Monitoring of and assistance in the implementation of the Convention

1.1 Implementation of the Convention

Description: The Parties are to establish or designate one or more competent authorities for the purposes of the Convention (art. 17, para. 1). They also have to implement the Convention without undue delay and report on its implementation (art. 23). The Conference of the Parties will regularly review the implementation of the Convention (art. 18, para. 2 (a)), to which end it has established the Working Group on Implementation and approved a reporting format (CP.TEIA/2000/11). Other UN/ECE member countries are encouraged to ratify the Convention or accede to it as soon as possible and to report on its implementation using the same reporting format.

Work to be undertaken: The UN/ECE secretariat will maintain an up-to-date list of competent authorities and make it available on the Convention's Internet home page. The Working Group on Implementation will monitor the implementation of the Convention. On the basis of the individual country implementation reports submitted by the Parties and other UN/ECE member countries wishing to do so, the Working Group on Implementation will, with the assistance of the UN/ECE secretariat, prepare an overall report on the Convention's implementation. It will draw conclusions from this report, make draft recommendations to strengthen the implementation of the Convention and submit these to the Conference of the Parties for discussion and adoption. The implementation report will be available on the Convention's Internet home page.

1.2 Assistance to Parties in implementing the Convention and to Signatories and other

UN/ECE member countries wishing to become a Party in ratifying the Convention

Description: The Parties and other UN/ECE member countries are invited to report on the difficulties they have encountered in the implementation of the Convention or in its ratification. They will do this within the framework of their individual country implementation reports. The Conference of the Parties will identify obstacles in the implementation of the Convention and in the ratification processes and provide the necessary assistance wherever possible and requested.

Work to be undertaken: The Working Group on Implementation will review the needs and difficulties of countries, in particular those with economies in transition, and will facilitate the provision of assistance wherever possible. Workshops and seminars to facilitate the implementation and/or ratification of the Convention will be organized at the request of a country or group of countries.

PROGRAMME AREA 2: Scope of the Convention

2.1 Hazardous substances

Description: Annex I to the Convention defines categories of substances and preparations (part I) and named substances (part II) and their quantities for the purpose of defining hazardous activities under the Convention. Work is under way at the European Community level to redefine hazardous substances and the threshold quantities of substances "dangerous for the environment". Following a decision by the Signatories at their sixth meeting (CEP/WG.4/6, para. 43 (b)), this work has been extended to the entire UN/ECE region and is therefore being carried out within the framework of this Convention as well.

Work to be undertaken: The Conference of the Parties will discuss the recommendations of the European Community's Technical Working Group 7 concerning possible modifications to annex I to the Convention at its second meeting. According to annex XII, paragraph 1 (c), to the Convention, information on hazardous substances including their relevant characteristics and information on how to deal with them will be made widely available. Furthermore, according to paragraph 1 (f) of the same annex, a list of hazardous substances covered by annex I, part I, will be established and made widely available.

2.2 Hazardous activities

Description: According to article 4, paragraph 1, of the Convention, Parties are to identify any proposed or existing hazardous activities that are capable of causing transboundary effects in case of an accident and to notify potentially affected Parties of such activities. In order to ensure that all Parties take the same approach when identifying hazardous activities and notifying other Parties, pragmatic guidelines have been prepared. Following article 18, paragraph 6, the Conference of the Parties adopted them at its first meeting (decision 2000/3, ECE/CP.TEIA/2, annex IV).

Work to be undertaken: The list of hazardous activities referred to in annex XII, paragraph I (e), to the Convention, will be established by the Working Group on Implementation, with the assistance of the secretariat, on the basis of the individual country implementation reports. The Working Group on Implementation will report regularly to the Conference of the Parties on this list. A map showing the locations of the hazardous activities may be produced at a later stage.

PROGRAMME AREA 3: Prevention of industrial accidents

3.1 Prevention of industrial accidents

Description: According to article 6, paragraph 1, the Parties are required to take appropriate measures to prevent industrial accidents. According to paragraph 2 of the same article, they are also obliged to see that operators of hazardous activities take action to reduce the risk of industrial accidents and demonstrate the safe performance of such activities. The Parties to this Convention and the Parties to the UN/ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) agreed to cooperate closely on issues related to the prevention of accidental pollution of transboundary waters. Cooperation with the business sector will be strengthened, for instance by organizing joint workshops, seminars and study tours.

Work to be undertaken: The Conference of the Parties will promote policies and best practices aimed at increasing the safety of industrial operations, in particular hazardous activities, through the sharing of experience and will facilitate the provision of technical assistance, especially to countries with economies in transition. As jointly decided by the Conference of the Parties and the Meeting of the Parties to the Water Convention, the joint ad hoc expert group on water and industrial accidents will continue its work and concentrate on the prevention of accidental water pollution. The expert group's work programme was agreed on by the Conference of the Parties at its first meeting (decision 2000/5, para.7, ECE/CP.TEIA/2, annex VI).

PROGRAMME AREA 4: Points of contact and industrial accident notification

4.1 UN/ECE Industrial Accident Notification System

Description: According to article 17, paragraphs 2 and 3, the Parties are requested to designate or establish one point of contact for industrial accident notification and one for mutual assistance. These points of contact should preferably be the same. Parties are also to notify other Parties through the UN/ECE secretariat within three months of the date of entry into force of the Convention which bodies have been designated as points of contact. According to article 17, paragraph 4, the Parties have to notify other Parties through the UN/ECE secretariat of any changes in the contact details of their points of contact within one month of such decision. Other UN/ECE member countries that have not yet designated or established a point of contact are invited to do so as soon as possible and notify the secretariat accordingly. An up-to-date list of points of contact is available with restricted access on the Convention's Internet home page.

In order to make the notification procedure between the points of contact as efficient as possible and in accordance with articles 10, 12 and 17 as well as annex XII, paragraph 1 (a), to the Convention, the UN/ECE Industrial Accident Notification System (CP.TEIA/2000/5) was developed under the auspices of the Meeting of the Signatories. The Conference of the Parties adopted it at its first meeting for use by the Parties (decision 2000/1, ECE/CP.TEIA/2, annex II).

Work to be undertaken: The UN/ECE secretariat will update the list of points of contact and continue to make it available with restricted access on the Convention's Internet home page. According to annex IX, paragraph 4, to the Convention, the UN/ECE System will be periodically tested and reviewed to ensure that it is operational at all times. Furthermore, a manual for the points of contact will be developed. Cooperation with other institutions operating notification and alarm systems ^{1/} will be established to ensure the most effective flow of information and achieve better harmonization. Regular training of the personnel of points of contact will be continued, in accordance with annex IX, paragraph 4, to the Convention. The Conference of the Parties recommended that the above tasks should be carried out by the points of contact at regular consultations. Reports on the consultations of the points of contact and on their work will be made available to the Conference of the Parties.

PROGRAMME AREA 5: Emergency preparedness, response and mutual assistance

5.1 Emergency preparedness and response

Description: According to article 8, paragraph 1, the Parties have to establish and maintain adequate measures to respond to industrial accidents and to mitigate the transboundary effects of such accidents. Furthermore, the Parties are required to prepare and implement on- and off-site contingency plans and provide information on them to each other in order to make the latter compatible, in accordance with article 8, paragraphs 2 to 4. Furthermore, according to article 10, paragraph 3, and article 11, paragraph 1, the Parties are required to activate response measures and contingency plans in the event of an industrial accident.

Work to be undertaken: Experience will be shared and assistance provided in establishing and implementing preparedness and response measures. ^{2/} The organization of bilateral and multilateral response exercises is encouraged.

5.2 Provision of mutual assistance

Description: According to article 12 of the Convention, Parties may ask for assistance from other Parties in the event of an industrial accident. A Party to whom a request is directed shall promptly decide whether it is in a position to render the assistance and inform the requesting Party accordingly.

Work to be undertaken: According to article 18, paragraph 2 (b), the Conference of the Parties shall facilitate the provision of technical assistance and advice at the request of

Parties faced with industrial accidents. The Conference of the Parties may also decide to strengthen cooperation with other international organizations and institutions, and in particular with the Joint UNEP/OCHA Environment Unit, with a view to better coordinating and harmonizing assistance procedures.

PROGRAMME AREA 6: Responsibility and liability

6.1 Responsibility and liability regime

Description: According to article 13 of the Convention, Parties shall support appropriate international efforts to draw up rules, criteria and procedures in the field of responsibility and liability. Switzerland has proposed that negotiations for a protocol to both the UN/ECE Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes should be started. At its second meeting, the Parties to the latter Convention (The Hague, Netherlands, 23-25 March 2000) entrusted their task force on legal and administrative aspects to draw up a report identifying gaps in multilateral legislation on responsibility and liability and suggesting possible ways of bridging these gaps. The draft of this report was made available to the Conference of the Parties for discussion at its first meeting.

Work to be undertaken: Preparation of a special joint session of the governing bodies of the UN/ECE Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes with a view to considering entering into an intergovernmental negotiation process for an appropriate regime, including a legally binding instrument, in the UN/ECE region on civil liability for damage caused by hazardous activities within the scope of both Conventions.

PROGRAMME AREA 7: Scientific and technological cooperation

7.1 Facilitation of the exchange of information and safety technologies

Description: According to articles 14, 15 and 16 of the Convention, the Parties shall initiate and cooperate in research and development of technologies for the prevention of, preparedness for and response to industrial accidents; exchange reasonably obtainable information; and facilitate the exchange of the above technologies.

Work to be undertaken: According to article 18, paragraph 5, of the Convention, the Conference of the Parties will consider procedures to create more favourable conditions for the exchange of safety technologies. It will promote multilateral and bilateral cooperation aimed at facilitating the exchange of information and safety technologies among the Parties to the Convention. It will also promote education and training on the application of preventive, preparedness and response measures by means of workshops, seminars and training sessions.

According to annex XII, paragraph 1 (d), to the Convention, a register of experts capable of providing assistance regarding preventive, preparedness and response measures will be

established. The Conference of the Parties may also inspect hazardous activities and provide assistance in organizing national inspections at the request of a Party, in accordance with annex XII, paragraph 3 (b), to the Convention.

PROGRAMME AREA 8: Past industrial accidents

8.1 Reporting of past industrial accidents

Description: In accordance with annex XII, paragraphs 1 (b) and 2 (a), to the Convention, the Conference of the Parties decided to establish and maintain a data bank for the reception, processing and distribution of information on past industrial accidents. To this end the Conference of the Parties accepted the proposal of the European Commission to make available the UN/ECE Past Industrial Accident Reporting System and operate it within the framework of its existing EU-Major Accident Reporting System (MARS). It furthermore adopted decision 2000/4 on the reporting of past industrial accidents (ECE/CP.TEIA/2, annex V).

Work to be undertaken: The Parties to the Convention, as well as other UN/ECE member countries wishing to do so, will report on industrial accidents with transboundary effects using the UN/ECE Past Industrial Accident Reporting System. The Conference of the Parties will periodically review the process of reporting past industrial accidents as well as the conclusions drawn and lessons learnt from these accidents on the basis of reports prepared by the Major Accident Hazard Bureau of the European Commission. Information on past industrial accidents will be made available to all UN/ECE member countries in order to strengthen the prevention, preparedness and response to industrial accidents.

PROGRAMME AREA 9: Exchange of information

9.1 Exchange of information

Description: According to article 15 to the Convention, the Parties shall exchange reasonably obtainable information, including elements contained in annex XI.

Work to be undertaken: The Conference of the Parties will encourage the exchange of information on legislative and administrative measures, policies, objectives and priorities for the prevention, preparedness and response to industrial accidents and the sharing of experiences in developing policies on the siting of new hazardous activities and on significant modifications to existing ones.

Part Two

WORK PLAN FOR THE YEARS 2001-2002

The following are specific programme elements selected from the long-term programme of work (Part One) as priority tasks to be implemented in the period between the first and second meetings of the Conference of the Parties (2001-2002).

PROGRAMME AREA 1: Monitoring of and assistance in the implementation of the Convention

1.1 Implementation of the Convention

1.1.1 Maintenance of an up-to-date list of competent authorities to be made available on the Convention's Internet home page (UN/ECE secretariat);

1.1.2 Preparation of the first report on the Convention's implementation. Report to be made available on the Convention's Internet home page (Working Group on Implementation);

1.1.3 Drawing-up of conclusions and recommendations on the basis of the report on the Convention's implementation (Working Group on Implementation).

1.2 Assistance to Parties in implementing the Convention and to Signatories and other UN/ECE member countries wishing to become a Party in ratifying the Convention

1.2.1 Organization of a subregional workshop facilitating the implementation and ratification of the Convention (Armenia, Working Group on Implementation and UN/ECE secretariat).

PROGRAMME AREA 2: Scope of the Convention

2.1 Hazardous activities

2.1.1 Establishment of a list of hazardous activities (Working Group on Implementation);

2.1.2 Review, as appropriate, the guidelines to facilitate the identification of hazardous activities for the purposes of the Convention (Working Group on Implementation).

PROGRAMME AREA 3: Prevention of industrial accidents

3.1 Prevention of accidental water pollution

3.1.1 Continuation of work on the prevention of accidental water pollution as specified in decision 2000/5 on the prevention of accidental water pollution (ECE/CP.TEIA/2, annex VI) (Joint ad hoc expert group on water and industrial accidents).

PROGRAMME AREA 4: Points of contact and industrial accident notification

4.1 UN/ECE Industrial Accident Notification System

4.1.1 Maintenance of an up-to date list of points of contact (UN/ECE secretariat);

4.1.2 Testing of the UN/ECE System and review on the basis of the results of the testing (Croatia, Switzerland, Points of contact and UN/ECE secretariat);

4.1.3 Development of a manual for points of contact and organization of consultations/training sessions for their personnel (Points of contact and UN/ECE secretariat);

4.1.4 Facilitate the harmonization of the UN/ECE System with notification and alarm systems under the Water Convention 3/ (Points of contact, joint ad hoc expert group on water and industrial accidents and UN/ECE secretariat).

PROGRAMME AREA 5: Emergency preparedness, response and mutual assistance

5.1 Emergency preparedness and response

5.1.1 Organization of a response exercise including an industrial accident involving accidental water pollution with transboundary effects 3/ - International workshop and exercise on “Industrial safety and water protection”

PROGRAMME AREA 6: Responsibility and liability

6.1 Responsibility and liability regime

6.1.1 Preparation of a special joint session of the governing bodies of the UN/ECE Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes with a view to considering entering into an intergovernmental negotiation process for an appropriate regime, including a legally binding instrument, in the UN/ECE region on civil

liability for damage caused by hazardous activities within the scope of both Conventions.

PROGRAMME AREA 7: Scientific and technological cooperation

7.1 Facilitation of the exchange of information and safety technologies

7.1.1 Preparation of background material for the Conference of the Parties on creating more favourable conditions for the exchange of safety technologies;

7.1.2 Organization of a workshop on the facilitation of the exchange of safety management systems and safety technologies;

7.1.3 Establishment of a register of experts capable of providing assistance regarding preventive, preparedness and response measures.

PROGRAMME AREA 8: Past industrial accidents

8.1 Reporting of past industrial accidents

8.1.1 Establishment and operation of the UN/ECE Past Industrial Accident Reporting System within the framework of the existing EU-Major Accident Reporting System (MARS) and distribution of information on past industrial accidents (Major Accident Hazards Bureau – UN/ECE secretariat).

RELATED ACTIVITIES:

(A) Promotion of best practices aimed at increasing the safety of industrial activities

Further elaboration of the methodology for rapid health and environmental risk assessment of industrial activities endorsed by the European Environment and Health Committee and support for its application (Italy – lead and financing country, WHO, Hungary, Romania, Bulgaria, World Wide Fund for Nature (WWF), Regional Environmental Center (REC), Joint ad hoc expert group on water and industrial accidents).

(B) Bilateral and multilateral assistance pilot projects (Germany – lead and financing country, Republic of Moldova, Romania, Russian Federation and Ukraine).

Notes

1/ In particular with systems developed and operational within the framework of the Water Convention.

2/ With the participation and cooperation of experts from the Water Convention.

3/ As part of the work programme of the joint ad hoc expert group on water and industrial accidents.