

Annex II

DECISION 2004/2

**AMENDING THE GUIDELINES TO FACILITATE THE IDENTIFICATION OF
HAZARDOUS ACTIVITIES FOR THE PURPOSES OF THE CONVENTION**

The Conference of the Parties,

Recalling its decision 2000/3 on Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention, taken at its first meeting on 22-24 November 2000 (ECE/CP.TEIA/2, annex IV), in accordance with article 18, paragraph 6, of the Convention,

Acknowledging the review of the location criterion related to the water path contained in the Guidelines carried out by the joint ad hoc expert group on water and industrial accidents,

1. Amends paragraph 5 of the Guidelines to facilitate the identification of hazardous activities for the purposes of the Convention as set out below;
2. Invites the Convention's secretariat to issue the Guidelines as a publication, together with the texts of this decision and decisions 2000/3 and 2002/1.

**AMENDMENT TO PARAGRAPH 5 OF THE GUIDELINES TO FACILITATE THE
IDENTIFICATION OF HAZARDOUS ACTIVITIES FOR THE PURPOSES OF THE
CONVENTION (ECE/CP.TEIA/2, annex IV, appendix)**

Location criteria

5. The following two location criteria shall apply for the purpose of identifying hazardous activities capable of causing transboundary effects under the Convention:

(a) Within 15 kilometres from the border, for activities involving substances that may cause a fire or explosion or involving toxic substances that may be released into the air in the event of an accident;

(b) Along or within catchment areas 2/ of transboundary and border rivers, transboundary or international lakes, or within the catchment areas of transboundary groundwaters, for activities involving substances that fall under category 3, 4, 5 or 8 of part I of annex I to the Convention and that may be released into watercourses in the event of an accident. Whether or not such an activity is capable of causing a transboundary effect in such an event should be decided by the competent authority of the Party of origin, preferably in consultation

with joint bodies. 3/ The decision should depend, among other things, on the existence of river warning and alarm systems and the distance 4/ between the location of the hazardous activity and the border.

Notes

2/ A catchment area of a transboundary river or lake is defined as the whole drainage area of this river or lake with a common outlet.

3/ Joint body means any bilateral or multilateral commission or other appropriate institutional arrangements for cooperation between Riparian Parties.

4/ The joint ad hoc expert group on water and industrial accidents recommended that this distance should correspond to approximately a flowing period of two days of average flow velocity.