

ANNEX III

PROCEDURES PURSUANT TO ARTICLE 4

1. A Party of origin may request consultations with another Party, in accordance with paragraphs 2 to 5 of this Annex, in order to determine whether that Party is an affected Party.

2. For a proposed or existing hazardous activity, the Party of origin shall, for the purposes of ensuring adequate and effective consultations, provide for the notification at appropriate levels of any Party that it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed or existing activity. For existing hazardous activities such notification shall be provided no later than two years after the entry into force of this Convention for a Party of origin.

3. The notification shall contain, inter alia:

(a) Information on the hazardous activity, including any available information or report, such as information produced in accordance with Article 6, on its possible transboundary effects in the event of an industrial accident;

(b) An indication of a reasonable time within which a response under paragraph 4 of this Annex is required, taking into account the nature of the activity;

and may include the information set out in paragraph 6 of this Annex.

4. The notified Parties shall respond to the Party of origin within the time specified in the notification, acknowledging receipt of the notification and indicating whether they intend to enter into consultation.

5. If a notified Party indicates that it does not intend to enter into consultation, or if it does not respond within the time specified in the notification, the provisions set down in the following paragraphs of this Annex shall not apply. In such circumstances, the right of a Party of origin to determine whether to carry out an assessment and analysis on the basis of its national law and practice is not prejudiced.

6. Upon receipt of a response from a notified Party indicating its desire to enter into consultation, the Party of origin shall, if it has not already done so, provide to the notified Party:

(a) Relevant information regarding the time schedule for analysis, including an indication of the time schedule for the transmittal of comments;

(b) Relevant information on the hazardous activity and its transboundary effects in the event of an industrial accident;

(c) The opportunity to participate in evaluations of the information or any report demonstrating possible transboundary effects.