

- 2.3. Exchange of information between the Parties in accordance with this Paragraph shall be subject to their respective laws or any understanding with respect to confidentiality.
- 2.4. The Parties shall keep each other informed of:
- I) the agencies responsible for coordinating response operations in the event of a pollution incident,
 - II) the organizations and officials responsible within the aforementioned agencies,
 - III) the procedures to initiate the contingency plans for the areas concerned,
 - IV) such personnel, equipment and other resources as may be available.

Paragraph 3.

- 3.1. In the event of a pollution incident that affects or threatens to affect the areas of responsibility of both Parties, the Party in whose area of responsibility the pollution incident has occurred shall immediately notify the other Party. The notification shall if possible include:
- I) the geographical position of the pollution incident,
 - II) the source of the pollution incident,
 - III) a description of the nature of the pollution incident and of the type and amount of the harmful substance,
 - IV) other relevant details and such further information as may reasonably be requested by the other Party.
- 3.2. The notifying Party and the Party receiving notification shall keep each other fully informed of developments relating to the pollution incident, and of any action they may take or plan to take in order to combat the pollution incident.

Paragraph 4.

- 4.1. The Party in whose area of responsibility the pollution incident occurs shall, upon request by the other Party, provide facilities for a representative or representatives of the other Party to observe the planning, evaluation and implementation of response operations to combat the pollution incident.

Paragraph 5.

- 5.1. The Party in whose area of responsibility a pollution incident occurs shall supervise and command response operations within such area by designating an On-Scene Commander (OSC), who for this purpose need not necessarily be located in the geographical position of the incident.