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**MEETING OF THE PARTIES TO THE
CONVENTION ON THE PROTECTION AND USE
OF TRANSBOUNDARY WATERCOURSES AND
INTERNATIONAL LAKES**

**CONFERENCE OF THE PARTIES TO THE
CONVENTION ON THE TRANSBOUNDARY EFFECTS
OF INDUSTRIAL ACCIDENTS**

Intergovernmental Working Group on Civil Liability

Fourth meeting,
Geneva, 2-4 September 2002

**DRAFT ANNEX II TO THE DRAFT LEGALLY BINDING INSTRUMENT ON CIVIL
LIABILITY FOR TRANSBOUNDARY DAMAGE CAUSED BY HAZARDOUS
ACTIVITIES, WITHIN THE SCOPE OF BOTH CONVENTIONS**

Prepared and submitted by the joint ad hoc expert group on water and industrial accidents

This document contains the draft of annex II on financial limits, as agreed by participants of an extended meeting of the joint ad hoc expert group on water and industrial accidents, held at Geneva on 4 July 2002. The Working Group on Civil Liability, at its third meeting, requested the joint expert group, with the assistance of interested legal experts from UNECE member countries and representatives of the insurance sector to prepare such a draft (MP.WAT/AC.3/2002/6 – CP.TEIA/AC.1/2002/6, paragraph 44). The minutes of the extended meeting of the joint expert group are contained in JEG5/10 July 2002.

Annex II

FINANCIAL LIMITS

1. For the purposes of defining the financial limits for liability under article 4, pursuant to articles 9 and 11, the hazardous activities are grouped in three categories, according to their hazard potential.

2. These categories are as follows:

Category A: Hazardous activities in which one or more hazardous substances falling into categories specified in Part I of Annex I are or may be present in quantities not exceeding four times the threshold quantities specified in Annex I.

Category B: Hazardous activities in which one or more hazardous substances falling into categories specified in Part I of Annex I are or may be present in quantities exceeding four times the threshold quantities specified in Annex I.

Category C: Hazardous activities in which one or more hazardous substances named in Part II of Annex I are or may be present in quantities at or in excess of the threshold quantity specified in Annex I.

3. The financial limits for the three categories of hazardous activities are as follows:

Category A hazardous activities5 million units of account
Category B and C hazardous activities 20 million units of account