



Recommendation 949 (1982)¹

Concentration of industrial installations and nuclear power stations in frontier regions

Parliamentary Assembly

The Assembly,

1. Noting that the concentration of industrial installations and nuclear power stations creates areas likely to present grave risks for man and his environment, with particular consequences in continental and coastal frontier regions ;
2. Considering that the coexistence in such regions of differing national policies on industrialisation, regional planning, energy production and environment protection causes particular problems ;
3. Convinced of the need to institute common monitoring and civil defence systems, and to inform the public about emergency measures to cope with any major incident ;
4. Aware of the special gravity of the consequences of an accident in a nuclear power station ;
5. Aware of the potential gravity of accidental releases into the environment of radioactivity, heavy metals and highly toxic chemicals ;
6. Considering that the risks and nuisances resulting from the siting of industrial installations and nuclear power stations in frontier regions justify compensation, particularly of an economic nature, for local and regional authorities in the frontier areas of the neighbouring state(s) ;
7. Considering that appropriate steps must be taken to ensure public participation, on both sides of the frontier, in the process of deciding on the siting of industrial installations and of nuclear power stations ;
8. Noting that transfrontier co-operation may be hindered by language barriers and by disparities between the powers of local and regional authorities in countries with a common frontier ;
9. Conscious of the difficulties caused in matters of transfrontier co-operation by the division of functions among central, regional and local authorities ;
10. Recalling that the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities affords Contracting Parties the possibility of setting up joint commissions to promote transfrontier consultation in such fields as energy production, protection of the environment and mutual assistance in disaster relief,
11. Recommends that the Committee of Ministers :
 - i. urge the governments of member states to harmonise, in the light of the work done at the Council of Europe and by adopting the necessary legislation, their policies on :
 - a. consultation of the general public on all activities involving serious risks of pollution or accident in frontier regions ;

1. *Assembly debate* on 1 October 1982 (12th Sitting) (see [Doc. 4871](#), report of the Committee on Regional Planning and Local Authorities). *Text adopted by the Assembly* on 1 October 1982 (12th Sitting).



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- b.* rapid information of the authorities in frontier regions in the event of any mishaps whether they have consequences or not on the other side of the frontier ;
 - c.* reciprocal information of the authorities in frontier regions on emergency plans foreseen in case of accident ;
 - d.* right of appeal, on an equal footing, for citizens in the frontier regions of the states concerned ;
 - e.* application to citizens in these regions of the principle of non-discrimination when impact studies are being made and public inquiries held ;
 - f.* conclusion of bilateral agreements on surveillance, monitoring and warning systems ;
 - g.* implementation of the "polluter pays" principle ;
 - ii. urge governments of member states, which have not yet done so, to sign and ratify the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities ;
 - iii. recommend the governments of member states which have ratified the Outline Convention to consider the models and outline agreements appended thereto, in particular the model interstate agreement on regional transfrontier consultation, which provides for the establishment of joint commissions ;
 - iv. instruct the Steering Committee for Regional and Municipal Matters to study :
 - a.* the possibility for local and regional authorities in frontier areas to receive a share of the financial resources deriving from large industrial installations sited in the frontier area of the neighbouring state(s) ;
 - b.* the possibility of concluding between towns and regions in frontier areas, in the event of the siting of large industrial installations in a frontier zone, contracts in the matter of employment, the supply of electricity at "proximity" rates, the provision of services and the establishment of transfrontier industrial zones ;
 - v. draft, on the lines of the Nordic Convention for the Protection of the Environment, legal instruments designed to ensure prior consultation of the population in frontier regions in cases where nuclear power stations or major industrial installations are to be sited in those regions ;
 - vi. conclude without delay the European Outline Convention for the Protection of International Watercourses Against Pollution ;
 - vii. instruct a unit to be created within the Directorate of Local and Regional Authorities to keep under review and promote experiments in transfrontier co-operation ;
12. Decides to submit this recommendation for opinion to the Conference of Local and Regional Authorities of Europe.