

**UNECE****United Nations Economic Commission for Europe**

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GOVERNMENTS REACH AGREEMENT ON NEW UNITED NATIONS TREATY ON POLLUTION INFORMATION DISCLOSURE

Negotiations on a new international treaty under which companies will be required to publicly disclose information on their output of pollutants came to a successful conclusion in Geneva yesterday evening.

The ground-breaking treaty has been developed over the past two years under the auspices of the United Nations Economic Commission for Europe, in the form of a legally binding protocol to the Aarhus Convention¹, the UN's flagship convention on environmental democracy issues. Under the new protocol, companies will be required to report annually on their releases (into the environment) and transfers (to other companies) of certain pollutants. The information will then be placed on a public register, known as a pollutant release and transfer register or PRTR.

Among the features of the new PRTR protocol are the following:

- Each Party to the protocol will be required to establish a publicly accessible and user-friendly PRTR which is based on a mandatory scheme of annual reporting.
- The register will cover information on 86 pollutants considered to pose the most significant threats to environment or health, including greenhouse gases, acid rain pollutants, heavy metals and cancer-causing chemicals such as dioxins.
- Reporting will be required for a wide range of activities, including refineries, thermal power stations, the chemical and mining industries, waste incinerators, wood and paper production and processing, and intensive agriculture and aquaculture among others, where these activities are carried out on a significant scale. While the primary focus of the protocol is on large point sources of pollution, it also provides a framework for reporting on pollution from diffuse sources such as traffic, agriculture and small and medium-sized enterprises.

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¹ The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was adopted in the Danish city of Aarhus in June 1998 and entered into force in October 2001. It has 40 Signatories, including the European Community, and 23 Parties.

- Some of the reported information may be kept confidential, for example where disclosure could affect commercial confidentiality, national defence or public security, but such exemptions should be interpreted in a restrictive way, taking into account the public interest served by disclosure.
- Information should be provided and made available on the register on a facility-specific basis. This means that a member of the public will be able to find out about the annual pollution output of a given factory in his or her neighbourhood when it is covered by the protocol. The register should be accessible through the Internet.

Although regulating information on pollution, rather than pollution directly, the protocol is expected to exert a significant downward pressure on levels of pollution, as no company will want to be identified as among the biggest polluters.

The Protocol will be formally adopted and signed at the forthcoming Fifth Ministerial 'Environment for Europe' Conference, which will take place in Kiev, Ukraine, 21-23 May 2003. More than 30 States have taken part in the negotiations and might be expected to sign the Protocol in Kiev.

Although the protocol has been developed under the auspices of UNECE, it will be open to accession by any State which is a member of the United Nations. In this way, it is expected to establish a new global benchmark in this area.

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