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**ECONOMIC COMMISSION FOR EUROPE**

Meeting of the Parties to the  
Convention on Access to Information,  
Public Participation in Decision-making and  
Access to Justice in Environmental Matters

Working Group on Pollutant Release and Transfer Registers

Fourth meeting  
Geneva, 14–16 February 2007  
Item 4 (f) of the provisional agenda

**ELEMENTS FOR A REPORTING MECHANISM UNDER THE PROTOCOL\***

Prepared by the Bureau

1. According to its mandate under article 17, paragraph 2, of the Protocol on Pollutant Release and Transfer Registers (PRTRs), the Meeting of the Parties to the Protocol should keep under continuous review the implementation and development of the Protocol on the basis of regular reporting by the Parties.
2. Reporting is a vital element in ensuring that the Meeting of the Parties is informed about activities undertaken by Parties pursuant to the Protocol. It provides important contextual information which will facilitate the assessment of compliance under the Protocol and thereby

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\* This document was submitted on the above date to ensure its compatibility with related documents containing the draft decision on a compliance mechanism to the Protocol and further analysis of the options for establishment of subsidiary bodies to the Protocol (ECE/MP.PP/AC.1/2007/L.2 and L.4).

contribute to the functioning of the Protocol's compliance mechanism. It further facilitates, in accordance with article 17, paragraph 2 (j), the consideration by the Parties of additional action that may be required to further the objectives of the Protocol.

3. Regular reporting by Parties may also serve as a means to keep the public informed of measures taken to implement the Protocol.

4. Article 17, paragraph 2 (b), requires the Meeting of the Parties to establish guidelines facilitating reporting by the Parties, bearing in mind the need to avoid duplication of effort in this regard. This document sets out general considerations and possible elements for a reporting mechanism under the Protocol, pursuant to the mandate to establish guidelines.

## **I. GENERAL CONSIDERATIONS RELATING TO A REPORTING MECHANISM**

5. The reporting mechanism under the Protocol should be simple, concise and not excessively burdensome to the Parties. Using a standard format for reporting would provide a useful structure for organizing the information received and contribute to the comparability of reports. An efficient reporting mechanism would also promote timely submission and contribute to the review and synthesis of information contained in the reports.

6. In support of the objective of article 13, paragraph 1 – to ensure appropriate opportunities for public participation in the development of national pollutant release and transfer registers – the mechanism could require Parties to prepare their reports through a transparent and consultative process involving the public.

7. The electronic submission of reports would facilitate the incorporation of relevant parts of the reports into an online database and promote possibilities for using electronic tools to facilitate access to information on implementation and the functioning of the reporting regime. While recognizing the technical challenges posed by online reporting, the Parties may wish to consider online reporting for elaborating and submitting the reports.

8. Bearing in mind the need to avoid duplication of reporting, the reporting mechanism is not intended to facilitate the collection of national or regional-level data on releases and transfers generated through implementation of pollutant release and transfer registers. It will not serve as a repository of data on releases and transfers covering the Parties to the Protocol. If such a repository were to be established, this would be a separate step.

9. The reporting mechanism could require each Party to submit to the secretariat, in advance of the second ordinary session of the Meeting of the Parties, a report on national or, in the case of regional economic integration organizations, regional implementation of the Protocol in accordance with an agreed format. In advance of each subsequent meeting of the Parties, each Party could prepare and submit an updated version of the report to the secretariat.

10. The Parties could report on:

(a) The legislative, regulatory or other measures that they have taken to implement the provisions of the Protocol; and

(b) The practical implementation of the provisions of the Protocol at the national or, in the case of regional economic integration organizations, regional level.

11. Signatories and other States not Party to the Protocol could, pending their ratification of or accession to the Protocol, be invited to submit reports on measures taken to apply the Protocol, in accordance with the agreed-upon procedures.

12. Reports could be submitted to the secretariat electronically and on paper in one of the official languages of the Convention, as well as in the language(s) of the Party, so as to arrive no later than 150 days before the session of the Meeting of the Parties for which they are submitted.

13. A limit on the length of each national implementation report could be set (e.g. 8,500 words).

## **II. POSSIBLE ELEMENTS FOR A REPORTING MECHANISM**

14. The reporting format for the Protocol's implementation reports could include the following elements:

(a) The name of the Party or Signatory;

(b) The name and contact information of the officer responsible for submitting the report and, if different, the name and contact information of the technical officer responsible for preparing the report;

(c) Brief information on the process by which this report has been prepared, including information on which types of public authorities were consulted or contributed to its preparation; on how the public was consulted and how the outcome of the public consultation was taken into account; and on the material used as a basis for preparing the report;

(d) A list of legislative, regulatory and other measures that implement the general provisions in article 3 (general provisions), paragraphs 1 and 3, article 4 (core elements of a PRTR system) and article 5 (design and structure), paragraphs 1 and 4, of the Protocol;

(e) Where diffuse sources have been included in the register, a description of how these can be searched and identified by users, in an adequate spatial disaggregation, where practicable; where they have not been included, information on measures to initiate reporting on diffuse sources, in accordance with national priorities, as set out in article 5, paragraph 2, and article 7 (reporting requirements), paragraph 7, of the Protocol;

(f) The date on which the information required to be incorporated in each Party's register was made publicly available and, if applicable, the Uniform Resource Locator (URL) or Web address through which the information contained in the register can be accessed by the public;

(g) Links to relevant existing, publicly accessible databases on subject matter related to environmental protection, if any, and links to PRTRs of other Parties, in accordance with article 5, paragraphs 5 and 6, of the Protocol;

(h) The designated competent authority responsible for managing the national or regional register, including contact information;

(i) Where information contained in a Party's register is not easily publicly accessible by direct electronic means, the method of provision in response to a public request for access to information by other effective means, and the location where the Party facilitates electronic access to its registers in publicly accessible locations, in accordance with article 11 (public access to information), paragraphs 2 and 5, of the Protocol;

(j) Where any information on the register is kept confidential, an indication of the types and frequency of withheld information;

(k) A description of the opportunities for public participation in the development of the national PRTR, including any adopted procedures relevant to the decision-making process and the identification of the relevant authority or authorities responsible for taking due account of such public input, in accordance with article 13 (public participation in the development of national pollutant release and transfer registers);

(l) A description of the review procedure established by law for review of information requests which have been allegedly ignored, wrongfully refused or otherwise not dealt with, in accordance with the provisions of article 14 (access to justice), paragraph 1; and

(m) A description of how the Party has promoted public awareness of its PRTR and facilitated the understanding and use of the information contained in it.

15. The reporting format could allow for each Party to make general comments on the way in which the establishment of its PRTR has contributed to the objective of the Protocol as set out in article 1 (objective).

### **III. SYNTHESIS AND CAPACITY-BUILDING REPORTS**

16. The reporting mechanism could require the preparation of a synthesis report for each session of the Meeting of the Parties summarizing the progress made and identifying significant trends, challenges and solutions ("synthesis report"), and stipulate the means by which this report would be prepared.

17. International, regional and non-governmental organizations engaged in programmes or activities, including capacity-building activities, in support of the implementation of the Protocol could be invited to provide the secretariat with reports on such programmes or activities and any lessons learned.

18. The secretariat could circulate the synthesis report and the reports referred to in paragraphs 9 and 11 in the official languages of the Protocol to the Meeting of the Parties. The secretariat could further circulate the reports referred to in paragraph 17 or summaries thereof. Such reports and summaries would be posted on the UNECE website in the languages in which they are available.