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

Second session

Maastricht, the Netherlands, 3 and 4 July 2014

Report of the Meeting of the Parties on its second session

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I. Introduction

1. The second session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs) to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was held in Maastricht, the Netherlands, on 3 and 4 July 2014. The meeting was organized back to back with the fifth session of the Meeting of the Parties to the Convention, which was held on 30 June and 1 July 2014. A joint High-level Segment of the two bodies was held on 2 July 2014.¹

A. Attendance

2. The second session was attended by delegations from the following Parties and Signatories to the Protocol: Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, European Union (EU) (represented by the European Commission), Finland, France, Georgia, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, Ukraine and United Kingdom of Great Britain and Northern Ireland.

3. Delegations from Azerbaijan, Belarus, Chile, Kazakhstan, Kyrgyzstan and Uzbekistan were also present.

4. From the United Nations system, representatives of the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), the United Nations Environment Programme (UNEP), the United Nations Institute for Training and Research (UNITAR) and the United Nations University-Maastricht Economic and Social Research Institute on Innovation and Technology attended. Other international organizations represented at the meeting included the Organization for Economic Cooperation and Development (OECD), the Organization for Security and Cooperation in Europe (OSCE) and the OSCE Mission to Montenegro.

5. Representatives of Aarhus Centres, regional environmental centres, international financial institutions and business, professional, research and academic organizations were also present, as were representatives of international, regional and national environmental organizations. Many of the latter coordinated their input within the framework of the European ECO Forum.

B. Organizational matters

6. Mr. Michel Amand (Belgium), Chair of the Meeting of the Parties to the Protocol on PRTRs, opened the meeting and informed participants that, with a view to ensuring equal opportunities for English-, French- and Russian-speaking delegations and reducing the amount of paper used, the list of decisions and outcomes would be made available in the three official United Nations Economic Commission for Europe (ECE) languages electronically to delegations prior to their adoption. The adopted key outcomes and

¹ Documents for the meeting are available online from http://www.unece.org/prtrmopp2_docs.html. Statements delivered at the meeting that were made available to the secretariat by delegates are also accessible from this web page.

decisions (ECE/MP.PRTR/2014/CRP.3) would then be incorporated in the meeting report.² The Chair further recalled that the report on credentials with regard to the Protocol's Parties had taken place at the joint High-level Segment,³ and the Maastricht Declaration (ECE/MP.PP/2014/27 Add.1–ECE/MP.PRTR/2014/2 Add.1)⁴ had been adopted by consensus at that meeting.

7. The Meeting of the Parties took note of the information provided by the Chair and adopted the provisional agenda for its second session (ECE/MP.PRTR/2014/3).

II. Report on credentials

8. The Meeting of the Parties had approved the report on credentials presented at the High-level Segment by Mr. Øyvind Hetland, the Vice-Chair of the Bureau. As 26 Parties had submitted credentials, there was a quorum for the purposes of elections and the adoption of decisions.

III. Status of ratification of the Protocol

9. The secretariat reported on the status of ratification of the Protocol on PRTRs. Since the adoption of the Protocol in 2003, 38 States had become Signatories and there were currently 33 Parties. The Protocol had entered into force on 8 October 2009. Since the first session of the Meeting of the Parties to the Protocol on PRTRs (Geneva, 20–22 April 2010), eight States had become Parties: Slovenia, on 23 April 2010; the former Yugoslav Republic of Macedonia, on 2 November 2010; Serbia, on 23 November 2011; Ireland, on 20 June 2012; Poland, on 25 September 2012; Cyprus, on 5 November 2012; Israel, on 14 January 2013; and the Republic of Moldova, on 23 December 2013.⁵

10. The Meeting of the Parties took note of the report by the secretariat on the status of ratification of the Protocol on PRTRs and welcomed the accession of the new Parties to the Protocol. Signatories and other interested States were encouraged to proceed with accession to the Protocol as soon as possible.

11. Delegations reported on current work on developing and implementing their national PRTRs. Non-Parties also provided information about ongoing consultations with regard to the ratification of the Protocol. The representative of the EU observed that, to date, most Signatories had also ratified the Protocol and expressed the hope that the remaining ratifications would take place as soon as possible. The Meeting of the Parties took note of the statements made by the representatives of Armenia, Belarus, Bosnia and Herzegovina, the EU and Italy.

² For practical reasons, decisions adopted by the Meeting of the Parties are being issued in an addendum to the present report (ECE/MP.PRTR/2014/4/Add.1).

³ For practical reasons the report on credentials with regard to the Protocol's Parties is being included in the present report.

⁴ Available from <http://www.unece.org/env/pp/aarhus/mop5&mopp2/hls.html>.

⁵ Information on the status of ratifications is available at <http://www.unece.org/env/pp/ratification.html>.

IV. Promotion and capacity-building

A. Coordination mechanisms and synergies

12. The Chair of the International Pollutant Release and Transfer Registers Coordinating Group presented the Group's work as a global mechanism to facilitate cooperation on PRTRs, helping to avoid duplication and to identify possible synergies. He invited countries and organizations to participate in the Group's work.

13. Representatives of international organizations also made statements regarding coordination and synergies to be found in working on pollutant release and transfer registers (PRTRs). A representative of ECLAC observed that PRTRs were fundamental for achieving Principle 10 of the Rio Declaration on Environment and Development in Latin America, and that PRTRs helped to align economic incentives and achieve sustainable development. There was a need for strong cooperation between the ECE and ECLAC regions on PRTRs, and ECLAC offered its support to all Parties to the Protocol that would like to start initiatives in the ECLAC region.

14. A representative of UNEP affirmed strong support for PRTRs and their use within the implementation of other multilateral environmental agreements (MEAs), also mentioning strong links between PRTRs and the UNEP chemicals and products programme. Representatives of both UNEP and UNITAR provided information on joint recent and planned projects involving PRTRs, supported by mechanisms such as the Global Environmental Facility (GEF) and the Strategic Approach to International Chemicals Management (SAICM). Activities mentioned included piloting PRTRs as tools to report on priority chemicals, such as persistent organic pollutants, and to comply with certain reporting requirements of different MEAs, in particular the possible role of PRTRs in reporting for the Minamata Convention on Mercury, as well as with regard to chemical releases during the life cycle of products.

15. A representative of OECD congratulated Parties on the progress made in the implementation of the Protocol on PRTRs, and highlighted an important set of PRTR-related guidance documents published by OECD, as well as OECD work in collaboration with UNITAR on the design of a new interactive PRTR toolbox, and other freely accessible web-based PRTR databases. OECD stood ready to continue its good cooperation with Parties as well as with other organizations, as had been the case in organizing the Global Round Table on PRTRs held on 19 November 2013 in Geneva.

16. A representative of Tajikistan underlined the importance of documents developed by OECD, which could be of valuable assistance in the coordination of PRTR activities. A representative of the EU acknowledged progress made in providing technical assistance, welcomed the effort put into strengthening synergies with other instruments, bodies and organizations, in particular the coordination of activities between ECE, OECD and UNITAR.

17. A representative of the Regional Environmental Centre for Central and Eastern Europe (REC CEE) welcomed the efforts made by Parties and organizations, including such valuable events as the Global Round Table. A representative of the European ECO Forum found the initiatives mentioned extremely necessary and useful, and reaffirmed its commitment to continuing to work with Parties, Signatories and other stakeholders in that area. A representative of the Zero Discharge of Hazardous Chemicals Group provided details of the Group's "road map", which had been developed to help implement the right-to-know principle in the context of activities of the textile industry. In that context, a functioning PRTR system would help in achieving the Group's goal to increase the use of data that was already available.

18. Following the discussions on coordination mechanisms and synergies, the Meeting of the Parties:

(a) Took note of statements by countries and international, regional and non-governmental organizations (NGOs);

(b) Thanked partner organizations for the support provided to furthering implementation of PRTR systems, thereby strengthening countries' capacities to accede to the Protocol on PRTRs;

(c) Requested the secretariat to continue servicing the International Coordinating Group on PRTRs;

(d) Took note of the outcomes of the joint Global Round Table on PRTRs, and mandated the Bureau and the secretariat to explore possibilities for organizing a second global event in the future. The secretariat was requested to produce the agendas, meeting reports and other documents for the future global round table as official documents, so that they would be available in the three official languages of ECE, without recourse to additional extrabudgetary resources.

(e) Took note of the report by the Chair on relevant outcomes of the four informal meetings of representatives of the governing bodies of the ECE MEAs,⁶ the nineteenth meeting Committee on the Environmental Policy (Geneva, 22–25 October 2013),⁷ and the first meeting of the Group of Friends of the Shared Environmental Information System (Geneva, 12 May 2014);⁸

(f) Called upon partner organizations, MEAs and other stakeholders to cooperate closely and, where possible, to create synergies that furthered the implementation of projects and programmes related to PRTRs;

(g) Mandated the Bureau and the secretariat to continue global promotion of the Protocol;

(h) Requested that publications prepared by the secretariat with a view to furthering global outreach of the Protocol be processed, translated and published by the United Nations Conference Service and made available in the six official languages of the United Nations without recourse to additional extrabudgetary resources;

(i) Called upon Governments to strengthen cooperation between experts dealing with the Protocol on PRTRs and those dealing with the ECE Convention on Long-range Transboundary Air Pollution, the ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes and other relevant agreements, as well as experts involved in projects carried out by international organizations, so as to ensure coordination at the national level.

B. Provision of technical assistance

19. Opening a discussion on the provision of technical assistance, a representative of Belarus presented a document on the Promotion of the Protocol in Eastern Europe, the Caucasus and Central Asia (ECE/MP.PRTR/2014/L.6), which had been prepared by Armenia and Belarus on the basis of the outcomes of a consultation with national focal

⁶ See <http://www.unece.org/environmental-policy/treaties/envenvironment-conventions/all/informal-networks.html>.

⁷ See <http://www.unece.org/env/cep/welcome.html>.

⁸ See <http://www.unece.org/env/cep/friendsofseis2014sessionmay.html>.

points of the countries concerned, and described an overall framework for possible areas of bilateral and multilateral cooperation on PRTRs.

20. A representative of Armenia highlighted the participatory nature and transparency of the process of development of the cooperation framework document. A representative of the EU affirmed the commitment of the EU to future work on capacity-building, and thanked those who had been involved in drafting the document on the promotion of the Protocol in Eastern Europe, the Caucasus and Central Asia. The European ECO Forum representative also supported the promotion of the Protocol's benefits for countries with economies in transition. A representative of REC CEE reported on the Centre's capacity-building projects in the South Eastern European region and expressed the Centre's readiness to continue its work to support Parties and Signatories in implementing and ratifying the Protocol.

21. Following the discussion on the provision of technical assistance, the Meeting of the Parties took note of the statements made by countries and organizations and endorsed the document on the promotion of the Protocol in Eastern Europe, the Caucasus and Central Asia.

C. Communication tools and materials

22. A representative of the National Institute for Public Health and the Environment of the Netherlands presented an Atlas of the Living Environment, a digital system that gathered, integrated and combined information about the physical living environment and made that data accessible to the public in a tailored way, according to specific needs.

23. In the discussion on communication tools and materials, Belarus mentioned the usefulness of events such as the international workshop on "Electronic PRTR Systems — Using Open Source for providing Open Data" (Berlin, 29–30 October 2013), organized by the Ecologic Institute and the German Federal Environment Agency (Umweltbundesamt) on behalf of the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety.

24. A representative of the EU highlighted the importance of the outcomes of the survey (ECE/PRTR/WG.1/2013/Inf.2)⁹ on the Communication Strategy (ECE/MP.PP/2011/2/Add.2),¹⁰ which reflected the relevance of the communication activities for countries and stakeholders, but also the need to improve certain areas of work.

25. A representative of UNITAR announced that UNEP and UNITAR were collaborating to develop Mercury:Learn, a platform that would offer online training modules on how to identify and quantify mercury releases from different anthropogenic activities. Furthermore, OECD and UNITAR were jointly working on a PRTR component for the Inter-Organization Programme for the Sound Management of Chemicals toolbox,¹¹ a problem-solving tool that enabled countries to identify the most appropriate and efficient national actions to address specific national problems related to chemicals management. The PRTR component would take countries through a decision-making scheme on implementing a PRTR.

26. A representative of REC CEE suggested that geographic information systems or other maps for the presentation of information should be an integral part of the design of

⁹ Available from http://www.unece.org/prtr_wgp3.html.

¹⁰ See <http://www.unece.org/env/pp/mop4/mop4.doc.html>.

¹¹ See <http://iomtoolbox.oecd.org/>.

electronic tools such as web portals. Also, the involvement of environmental and health experts in designing such tools could be useful and in the interest of a variety of stakeholders.

27. The Meeting of the Parties took note of the presentation and statements on communication tools and materials, and requested the secretariat, OECD and UNITAR to continue working closely to ensure the effective use of PRTR.net and PRTR:Learn.

V. Procedures and mechanisms facilitating the implementation of the Protocol

A. Reporting mechanism

28. The Chair of the Compliance Committee introduced the synthesis report (ECE/MP.PRTR/2014/5) on the status of implementation of the Protocol by Parties, which was based on the information provided in national implementation reports¹² (NIRs) submitted by Parties. The Chair of the Meeting of the Parties then introduced draft decision II/1 on reporting requirements (ECE/MP.PRTR/2014/L.3).

29. In the ensuing discussion, the German delegation noted some factual mistakes in the synthesis report regarding information about the German NIR (paras. 39 and 62).

30. The representative of the EU welcomed draft decision II/1, considering in particular that the timely submission of NIRs and a consultative and transparent process for their preparation was of the utmost importance. The EU also supported the availability of the synthesis report in the three official ECE languages and reiterated the invitation to the Parties to provide voluntary translations of their NIRs.

31. The representative of the European ECO Forum was concerned about the limited involvement of civil society in preparing NIRs. That was likely linked to the technical complexity of the subject. More information, more trainings and the direct involvement of the public in analysing PRTR data were crucial to get civil society more involved. A further concern was that the information provided in the NIRs was not always specific and complete, and that some Parties had not submitted an NIR under either the Protocol or the Aarhus Convention. It appeared that more regular monitoring of how data were provided and implementation was achieved was necessary.

32. The representative of REC CEE wondered about the reasons for the lack of public consultation during the preparation of NIRs in some Parties, and underlined the usefulness of sharing successful examples of public involvement with regard to the implementation of the Protocol.

33. Having considered the issue of reporting, the Meeting of the Parties:

(a) Took note of information provided in the NIRs submitted by Parties, the synthesis report on the status of implementation of the Protocol, and the statements made by Parties and NGOs on reporting;

(b) Recognized the need for timely submission of NIRs in order to ensure a good quality of the synthesis report and its timely submission for translation;

¹² Please see http://www.unece.org/prtr_nirs_2014.html for NIRs in national languages and <http://www2.unece.org/prtr-nir/> for NIRs in the official ECE languages (English, French and Russian).

(c) Noted with regret that several Parties had not submitted their reports by the established deadline;

(d) Urged Parties that had not yet submitted their NIRs, namely, Albania, Cyprus and Slovenia, to do so by 1 October 2014 at the latest;

(e) Adopted decision II/1 on reporting requirements, amending paragraph 6 to account for Parties that had since submitted their NIRs.

B. Compliance mechanism

34. The Chair of the Compliance Committee reported on the Committee's activities since the first session of the Meeting of the Parties, as well as on outcomes of the open round table on compliance matters held on 4 July 2014 in the margins of the second session in Maastricht. The Meeting of the Parties took note of the report.

35. The Compliance Committee Chair also presented his note on the possible role of the Compliance Committee in facilitating implementation of the Protocol on Pollutant Release and Transfer Registers (PRTR/C.1/2014/Inf.1).¹³ A representative of REC CEE expressed interest in the proposed process and in the systemic review suggested in the document. The representative of the European ECO Forum said the ECO Forum was willing to participate in the future work of the Committee, encouraging it to continue its consultative approach and cooperation with bodies of other MEAs dealing with similar subjects. The Meeting of the Parties welcomed the note by the Compliance Committee Chair and noted the statements by REC CEE and European ECO Forum in that regard.

36. The Meeting of the Parties also welcomed the offer of the Compliance Committee to prepare an informal guidance document on reporting to assist in the preparation process for the next reporting cycle.

37. The Meeting of the Parties re-elected by consensus the following Compliance Committee members: Mr. Alistair McGlone, nominated by the United Kingdom; Mr. Akos Fehervary, nominated by Hungary; and Mr. Merab Barbakadze, proposed by Georgia and nominated by Spain. It elected by consensus the following new members to the Committee: Mr. Ralid Ajabboune, nominated by France; Ms. Nataša Kacic-Bartulovic, nominated by Croatia; and Mr. Dmytro Skrylnikov, proposed by the European ECO Forum and Environment People Law and nominated by Norway.

38. Furthermore, the Meeting of the Parties established the formal mandate for Compliance Committee documents and requested the secretariat to continue to produce the agendas, meeting reports, findings and other documents of the Compliance Committee as official United Nations documents, so that they would be available in the three official languages of ECE without recourse to additional extrabudgetary resources.

VI. Programme of work and operation of the Protocol

A. Implementation of the work programme for 2011–2014

39. The Meeting of the Parties took note of the report on the implementation of the work programme of the Protocol for 2011–2014 (ECE/MP.PRTR/2014/6) and the list of contributions and pledges for the implementation of the work programmes of the Aarhus

¹³ Available from http://www.unece.org/prtr_committee_2014_3.html.

Convention and the Protocol on PRTRs (AC/MOP-5/Inf.2-PRTR/MOPP-2/Inf.1). In that connection, it expressed appreciation for the work done by the secretariat and recognized the difficulties posed by limited and unpredictable funding.

40. The Meeting of the Parties took note of the following information on pledges provided by some delegations:

(a) The delegation of Croatia announced it would contribute US\$ 3,000 for 2014 and the same amount for 2015;

(b) The EU representative confirmed the general EU commitment for 2014–2017 to contribute at a level of 2.5 per cent of the total needed for core activities not covered by the United Nations regular budget;

(c) The delegation of France agreed to renew its annual contribution of €30,000;

(d) The representative of Germany pledged US\$ 60,000 for 2014 for the Convention and the Protocol.

B. Strategic plan for 2015–2020

41. The Chair of the Meeting of the Parties presented decision II/2 on the strategic plan for 2015–2020 (ECE/MP.PRTR/2014/L.2).

42. In the following discussion, speakers welcomed the long-term vision provided in the strategic plan for 2015–2020, and supported the three focal areas. The representative of the EU considered focal area two, “lifting barriers to ratification and expansion beyond the ECE region”, to be one of the main challenges. The OECD representative underlined the importance of focal area three, which sought to include in PRTRs issues such as releases from diffuse sources and information on new aspects, such as information on energy and water consumption and on-site transfer of waste or the storage of pollutants. The representative of the European ECO Forum reminded delegations that implementation was always going to be a key priority. With regard to the issues raised in focal area three, as well as in paragraphs 19 to 22 of the Maastricht Declaration (ECE/MP.PP/2014/27/Add.1–ECE/MP.PRTR/2014/2/Add.1),¹⁴ touching on future areas of concern with regard to transparency and availability of information, the European ECO Forum noted that it might be necessary to establish expert groups on the Protocol’s list of pollutants, the list of facilities and on issues regarding pollution from products, storage and diffuse sources.

43. The Meeting of the Parties took note of the statements by representatives of the EU, OECD and REC CEE and adopted decision II/2 on the strategic plan for 2015–2020.

C. Work programme for 2015–2017

44. The Chair of the Meeting of the Parties presented decision II/3 on the work programme for 2015–2017 for the Protocol (ECE/MP.PRTR/2014/L.4).

45. The representative of REC CEE highlighted the linkages between the work programme and the strategic plan, and the importance that the different programmes and projects funded outside the work programme were nevertheless also well aligned with the goals specified therein. In that connection, it was proposed that a capacity-building meeting should be held to further improve the coordination of activities.

¹⁴ Available from <http://www.unece.org/env/pp/aarhus/mop5&mopp2/hls.html>.

46. The Meeting of the Parties took note of statements by delegations from the EU, REC CEE and the European ECO Forum in support of the work programme and adopted decision II/3 on the work programme for 2015–2017 for the Protocol on PRTRs.

47. The Meeting of the Parties further reiterated its request that documents for meetings of the Protocol's governing and subsidiary bodies, as well as Global Round Tables on PRTRs organized under the auspices of the Protocol, should be processed, translated and published by the United Nations Conference Services and made available in the three official languages of ECE without recourse to additional extrabudgetary resources.

D. Financial arrangements

48. The Chair of the Meeting of the Parties introduced decision II/4 on financial arrangements under the Protocol (ECE/MP.PRTR/2014/CRP.2).

49. The representative of Armenia voiced concern about the potential participation of Signatories in a possible mandatory scheme of contributions. The delegations of Norway and Switzerland highlighted the discrepancy between the intention of the financial arrangement to ensure stable and predictable funding and the actual functioning of the current financial scheme in the period 2011–2014.

50. A compromise text on financial arrangements was agreed. The revised text maintained the interim voluntary scheme of contributions, but mandated the Bureau and the Working Group of the Parties to explore in the next intersessional period options for more predictable, stable and equitably shared funding. It was also agreed that the Meeting of the Parties would revisit the question of the funding scheme again at its third session.

51. A representative of the EU endorsed the compromise text of the decision on financial arrangements and gave further details of the rationale behind the proposed amendments. The representative of the European ECO Forum voiced disappointment over the compromise text, which fell short of what would be desirable from an NGO perspective. However, the European ECO Forum supported the commitment of the Meeting of the Parties to revert to the issue at its next session.

52. The Meeting of the Parties adopted decision II/4, as amended.

VII. Election of officers and other members of the Bureau

53. In accordance with rule 18 of the rules of procedure (see ECE/MP.PRTR/2010/2/Add.1, decision I/1, annex), the Meeting of the Parties elected by consensus Ms. Tina Skarman (Sweden) as Chair and Mr. Oyvind Hetland (Norway) and Ms. Ulrike Schöler (Germany) as Vice-Chairs from among the representatives of the Parties present at the meeting. The following members of the Bureau were also elected by consensus from among the representatives of the Parties in accordance with rule 22, paragraph 1 (b), of the rules of procedure: Ms. Carmen Canales (Spain); Ms. Manuela Musella (EU); Mr. Nebojsa Redzic (Serbia); and Mr. Roland Ritter (Switzerland).

54. The Meeting of the Parties took note of the appointment by the European ECO Forum of Ms. Mara Silina to attend the meetings of the Bureau as an observer invited by the Bureau, in accordance with paragraph 3 of decision I/1.

VIII. Date and venue of the third ordinary session

55. The Meeting of the Parties decided to hold its next ordinary session in 2017 and mandated the Working Group of the Parties to consider at its next meeting a possible date and venue for the third ordinary session.

IX. Review and adoption of outcomes of the session

56. The Meeting of the Parties adopted the major outcomes presented by the Chair at the session (ECE/MP.PRTR/2014/CRP.3) and requested the secretariat, in consultation with the Chair, to finalize the report on the second session incorporating the adopted outcomes and decisions.

57. The Chair thanked the participants for their contributions, the interpreters and the secretariat for their support, and the host country for an excellent organization of the event.
