Economic Commission for Europe

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

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Programme of work and operation of the Protocol:
implementation of the work programme for 2015–2017

Report on the implementation of the work programme of the Protocol on Pollutant Release and Transfer Registers for 2015–2017

Note by the secretariat

Summary

The present report was prepared by the secretariat pursuant to decision II/3 of the 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 (see ECE/MP.PRTR/2014/4/Add.1, decision II/3, para. 2). It provides an overview of the implementation of the Protocol’s work programme for 2015–2017 as of 31 May 2017.
I. Introduction

1. The present document provides an overview of the implementation of the work programme for 2015–2017 for the Protocol on Pollutant Release and Transfer Registers1 to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) as of 31 May 2017, focusing on operational and organizational aspects. It also provides information on the linkages between the activities of the work programme and focal areas and objectives laid down in the strategic plan for 2015–2020.2 In that context, it needs to be noted that, while the report on implementation is centred around activities carried out by the secretariat and the Protocol’s bodies, the strategic plan includes objectives which are intended to be implemented not only by the secretariat and the Protocol bodies, but also by the Parties, civil society organizations and other partners.

2. In implementing the work programme, the secretariat made serious efforts to avoid duplication of work and inefficient use of resources through:

   (a) Pursuing synergies with activities under other partner organizations;
   
   (b) Conducting specific thematic surveys prior to activities in order to respond better to the needs of Parties and stakeholders;
   
   (c) Continuously increasing the use and development of electronic tools for Protocol activities (e.g., email consultations, phone conferences, online databases, the online reporting tool for national implementation reports, the clearinghouse mechanism and the PRTR.net global portal).

II. Overview of implementation of the work programme

A. Compliance mechanism

3. In the reporting period (2015 up to 31 May 2017), the Protocol Compliance Committee held its fourth and fifth meetings (Geneva, 27–29 April 2015 and 22–23 May 2017, respectively) and undertook several subsequent email consultations.3 Its sixth meeting will take place in Budva, Montenegro, on 14 and 15 September 2017, just prior to and in tandem with the third session of the Meeting of the Parties. The main focus of the Committee’s work has been on assisting Parties in their efforts to implement the Protocol through preparing a number of documents based on lessons learned from the first reporting cycle. In this context, the Committee, with the support of the secretariat, prepared three documents for the consideration of the Meeting of the Parties at its present session:

   (a) Two draft documents developed with inputs from Parties and stakeholders that were approved by the Working Group of the Parties at its fifth meeting (Geneva, 23–24 November 2016):
      
      (i) Guidance for reporting on implementation of the Protocol (ECE/MP.PRTR/WG.1/2016/6);

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1 ECE/MP.PRTR/2014/4/Add.1, decision II/3, annex.
2 Ibid., decision II/2, annex.
3 Meeting documents and other information on the work of the Compliance Committee are available from http://www.unece.org/env/pp/prtr-cc.html.
(ii) Systemic issues concerning the implementation of the Protocol and recommendations on how to address them (ECE/MP.PRTR/WG.1/2016/5):4

(b) A synthesis report on the implementation of the Protocol and overview of progress in implementing the strategic plan for 2015-2020 (ECE/MP.PRTR/2017/10)5 based on national implementation reports submitted in the 2017 reporting cycle.

4. The Committee also discussed the need to amend the format for the implementation reports (ECE/MP.PRTR/2010/2/Add.1, decision I/5, annex). Based on the comments received from Parties, the Committee agreed that there was no need to revise the format at this stage. At the same time, it considered that all the concerns raised by Parties in relation to the format should be addressed through the guidance for reporting currently being developed.

5. In the context of the preparation of the synthesis report, the Committee discussed whether European Union member States that are Parties to the Protocol are required under the Protocol to introduce their own national pollutant release and transfer registers (PRTRs) to supplement what is done at the European Union level. This question goes to the effect of the declaration of competence of the European Union made under article 26, paragraph 4, of the Protocol. The Committee identified a number of issues that would require further analysis and agreed to discuss the matter at its sixth meeting.

6. In the course of considering the synthesis report and the overview of progress in implementing the strategic plan for 2015-2020, the Committee also discussed the necessity for the evaluation of the effectiveness and the success of the Protocol, and the desirability of the development of more indicators for the purposes of measuring progress towards the Protocol’s goals. A paper setting out the Committee’s suggestions for more work on evaluation and indicators is annexed to the report on the Committee’s fifth meeting (see ECE/MP.PRTR/C.1/2017/2). The Committee agreed to bring the matter to the attention of the Meeting of the Parties at its third session.

7. The Committee has to date received no submissions by Parties concerning compliance by other Parties, no submissions by Parties concerning their own compliance, no formal referrals by the secretariat and no formal communications from the public regarding compliance with the Protocol.

8. Chairs of compliance or implementation bodies under the United Nations Economic Commission for Europe (ECE) multilateral environmental agreements continued to liaise at informal meetings to exchange information on challenges and good practices in relation to the work of the respective bodies. The third meeting took place on 29 June 2015, back to back with the forty-ninth meeting of the Aarhus Convention Compliance Committee (Geneva, 30 June to 3 July 2015). The fourth meeting took place on 20 June 2016, back to back with the fifty-third meeting of the Convention’s Compliance Committee (Geneva, 21-24 June 2016). The participants highlighted that this informal network provided a valuable opportunity for exchange of experience.6

9. The work under the Protocol’s compliance mechanism is relevant for the achievement of objectives I.1, I.3-I.6 under focal area I and for all the objectives of focal area III of the strategic plan for 2015-2020.

5 Available from the web page for the third session of the Meeting of the Parties: http://www.unece.org/env/pp/prtr/mopp3_docs.html/.
B. Technical assistance

10. Technical assistance activities may involve specific projects in countries needing assistance, including training workshops, guidance materials and expert assistance. Such assistance is mainly relevant for the achievement of focal areas I and II of the strategic plan.

1. Workshops and country-specific projects

11. During the reporting period, the secretariat continued providing substantive support to the implementation of the project under the Environment and Security Initiative umbrella on the promotion of the Aarhus Convention and its Protocol in Belarus. This included the promotion of the Protocol at a technical meeting with representatives from industry and the local authorities (Grodno, Belarus, 23 June 2015).

12. The secretariat presented and promoted the Protocol within the framework of the United Nations Institute for Training and Research (UNITAR) “Global Project on the Implementation of PRTRs as a Tool for POPs’ Reporting, Dissemination and Awareness Raising for Belarus, Cambodia, Ecuador, Kazakhstan, Moldova and Peru”, namely: at a global inception workshop in Madrid (26–28 November 2015); at a regional workshop for project countries from Eastern Europe, the Caucasus and Central Asia in Minsk (22 September 2016); and at a national PRTR inception workshop for Kazakhstan (Astana, 26 January 2017).

13. From 19 to 21 September 2016 the secretariat organized and serviced the second subregional workshop on the Protocol for countries in Eastern Europe, the Caucasus and Central Asia, “Get Your Right to A Healthy Community”, in Minsk. The workshop aimed to promote ratification and implementation of the Protocol in these countries and to discuss synergies with the ECE Convention on Long-range Transboundary Air Pollution (Air Convention) in data collecting and reporting. It was the first opportunity for national experts involved in the work of the two instruments to meet and share their experience. The workshop was organized in cooperation with the Ministry of Natural Resources and Environmental Protection of Belarus and its scientific and research centre and the secretariat of the Air Convention.

14. The secretariat also provided advisory support and promoted the Protocol in the context of a project to promote pollutant release and transfer registers in South-Eastern Europe and the Republic of Moldova, including at the workshop “Successes, challenges and best practices in developing and operating PRTRs in the Western Balkans and in the Republic of Moldova” (Skopje, 8–9 November 2016). The project was funded by Germany and implemented by the Regional Environmental Centre for Central and Eastern Europe.

2. Technical assistance through electronic tools

15. The secretariat has continued managing the Aarhus Clearinghouse for Environmental Democracy8 and the PRTR.net global portal.9 PRTR.net is used to facilitate the collection, dissemination and exchange of information related to pollutant release and transfer registers. The Protocol secretariat maintained and updated PRTR.net in cooperation with UNITAR and the Organization for Economic Cooperation and Development (OECD), and continues pursuing close cooperation with UNITAR in order to ensure the effective use of PRTR.net and PRTR:Learn10 by national focal points and stakeholders. In addition, the

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7 Persistent organic pollutants.
8 See http://aarhusclearinghouse.unece.org/.
9 See http://www.prtr.net/.
10 See http://prtr.unitar.org/.
secretariat upgraded these two web portals to make them more attractive and user-friendly by integrating new technologies, web features and search options.

16. The secretariat also continues to administrate a database on capacity-building activities,\(^{11}\) which provides information on past, future and ongoing PRTR capacity-building activities. This includes a feature on PRTR.net to enable national focal points and stakeholders to log in and add data to the PRTR capacity-building activities database.

17. The Protocol section of the ECE website has been regularly updated in the intersessional period. In addition, section D below includes information regarding the online reporting tool.

18. The secretariat also contributed to the work of other international forums dealing with access to environmental information and electronic information tools. For instance, a number of inputs related to the development of the shared environmental information system (SEIS) across the pan-European region were provided, including the participation of the secretariat in the first meeting of the Group of Friends of SEIS (Geneva, 12 May 2014) and inputs to the ECE Committee on Environmental Policy at its special session in February 2016. The secretariat also provided a number of inputs for documents produced by the Conference of European Statisticians, raising awareness about the relevance of the Convention and the Protocol with regard to the production of official statistics on environmental matters. It also briefed the ECE Joint Task Force on Environmental Statistics and Indicators at its twelfth meeting (Geneva, 17–18 November 2016) on relevant activities under the Convention and the Protocol.

3. Thematic surveys

19. To support the preparation of the fourth meeting of the Working Group of the Parties (Madrid, 26 November 2015), the secretariat carried out an electronic survey on the status of capacity-building activities in the countries in Eastern Europe, the Caucasus and Central Asia and to analyse the needs, challenges and priorities regarding PRTRs and their successful implementation.

20. For the draft guidance for reporting on implementation and the document on systemic issues concerning implementation (see para. 3 (a) above), the secretariat also carried out a survey on lessons learned from the first reporting cycle, so as to identify good practices and systemic challenges to the implementation of the Protocol and solicit suggestions for amending the reporting format for the second reporting round.

C. Information exchange on a technical level

21. The objective of information exchange on a technical level is to monitor and facilitate the implementation of the Protocol. The method of work for information exchange is meetings of the Working Group of the Parties to the Protocol, ad hoc meetings and the use of electronic tools. Information exchange on a technical level is relevant for the achievement of all three focal areas of the strategic plan and, specifically, for the achievement of objectives I.1, I.2, II.1, II.3 and III.1.

22. In addition, sections B above and E below describe trainings, surveys, subregional workshops, electronic tools and other activities that enable information exchange on a technical level. Sections D and F below include information on the reporting mechanism and the meetings of the Working Group of the Parties.

D. Reporting mechanism

23. The objective of the reporting mechanism is to monitor and facilitate the implementation of the Protocol, the review of compliance and the exchange of experience. The method of work is meetings of the Working Group of the Parties to the Protocol, exchange on a technical level of information on the application of electronic information tools and the use of the online national implementation reports database in the Aarhus Clearinghouse, the PRTR:Learn website, the PRTR capacity-building activities matrix and e-reporting. This activity of the work programme is relevant for the achievement of focal area I of the strategic plan.

24. Parties were invited to use the online reporting tool\(^{12}\) for the submission of national implementation reports for the 2017 reporting cycle.

25. Following the failure of Albania, Cyprus and Slovenia to submit their national implementation reports for the 2014 reporting cycle before the second session of the Meeting of the Parties (Maastricht, the Netherlands, 3–4 July 2014), these Parties were invited to report by 1 October 2014. As of 31 May 2017, Slovenia had still not submitted its report for the 2014 reporting cycle and Cyprus, Hungary, Malta, Slovenia and Ukraine had not submitted their reports for the 2017 reporting cycle.

E. Awareness-raising and promotion of the Protocol and its interlinkages with other treaties and processes

26. The objective of awareness-raising and promotion of the Protocol and its interlinkages with other treaties and processes is: (a) to expand knowledge of the Protocol throughout the ECE region and beyond; (b) to increase the number of Parties; and (c) to further the application of the Protocol in the context of other multilateral environmental agreements and related processes (e.g., the Strategic Approach to International Chemicals Management under the International Conference on Chemicals Management). The activity is pursued through: participation in key regional and international events and processes; the provision of support to workshops organized by others; the preparation of leaflets, publications, news bulletins and other materials on the Protocol; updating the website; and writing and reviewing articles on the Protocol. This work programme activity is relevant for the achievement of all three focal areas of the strategic plan, and specifically for the achievement of objectives I.1, II.2–4 and III.1.

27. The secretariat provided input regarding the Convention and its Protocol to the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes (Special Rapporteur on toxic wastes) for his annual report to the Human Rights Council in 2015 (A/HRC/30/40), which focused on the right to access information throughout the life cycle of hazardous substances and wastes. In addition, cooperation with the Special Rapporteur was carried out on a number of occasions, including at a preparatory meeting for a country visit by the Special Rapporteur to Kazakhstan (Geneva, 20 March 2015). The secretariat also took part in the interactive dialogue with the Special Rapporteur on 16 September 2015 organized within the framework of the thirtieth session of the Human Rights Council (Geneva, 14 September–2 October 2015), and in a panel discussion at the side event “Right to information on

\(^{12}\) Available from http://www2.unece.org/prtr-nir/.
hazardous substances and wastes” on 18 September 2015, raising awareness about the Convention and the Protocol.\textsuperscript{13}

28. Cooperation between the secretariat and the special procedures of the Human Rights Council was further enhanced in the intersessional period through, inter alia, the provision of input on the value added of the Convention and the Protocol to: (a) a study by the Office of the High Commissioner for Human Rights on the “Promotion, protection and implementation of the right to participate in public affairs in the context of the existing human rights law: best practices, experiences, challenges and ways to overcome them” (A/HRC/30/26); and (b) the questionnaire connected with the upcoming annual report of the Special Rapporteur on toxic wastes to the Council in 2017. In response to the invitation of the High Commissioner for Human Rights, input was also provided to the civil society space report to be submitted to the Council at its thirty-eighth session, as requested in paragraph 18 of Human Rights Council resolution 32/31.

29. The secretariat also provided ongoing substantive support to the preparations for the Eighth Environment for Europe Ministerial Conference (Batumi, Georgia, 8–10 June 2016).

30. The ECE Executive Secretary promoted the Convention and its Protocol together with other ECE instruments at the fourth session of the International Conference on Chemicals Management (Geneva, 28 September–2 October 2015).\textsuperscript{14} The secretariat further promoted the Convention and its Protocol at a side event on “Occupational exposures: Experiences on advancing a more sustainable management of chemicals” held on 30 September 2015, where the Special Rapporteur on toxic wastes highlighted the importance of access to information for workers.

31. A second Joint Global Round Table on PRTRs, under the auspices of ECE and OECD and in cooperation with UNITAR and the United Nations Environment Programme (UNEP), was held on 24 and 25 November 2015 in Madrid, hosted by Spain. The round table was chaired by Japan and Sweden. The event helped foster the exchange of experience between different Governments and stakeholders, and also to build experts’ capacities and promote synergy on PRTR-related issues. The presentations and discussions during the event were centred on good practices, common challenges and new opportunities related to the development of pollutant release and transfer registers. The meeting also addressed the role of these registers as essential tools to assist implementation of the Sustainable Development Goals and to monitor their achievements. The event was co-chaired by the Chair of the Protocol’s Meeting of the Parties and the Chair of the OECD Task Force on PRTRs.

32. Moreover, the secretariat has carried out this work programme activity through the participation of, or arranging for the participation of, representatives of Convention and Protocol bodies at a number of relevant workshops and other events in various countries. Notably, the secretariat promoted the work under the Protocol and its interlinkages with other treaties and processes, among others, at the following events:

(a) The eighteenth and nineteenth meetings of the OECD Task Force on PRTRs (Madrid, 23–24 November 2015 and Paris, 6–7 October 2016, respectively);

(b) The fifth and sixth meetings of the Issue Management Group on Sound Management of Chemicals and Wastes (Geneva, 15 April and 24 June 2015, respectively);


(d) The consultation on Global Chemicals Outlook II (Geneva, 13–14 April 2016);

(e) The first, second and third Inter-agency Meeting on Sound Chemicals Management (Geneva, 10 May 2016, Vienna, 18 October 2016, and Geneva, 30 March 2017, respectively), organized by the Inter-Organization Programme for the Sound Management of Chemicals to facilitate exchange of experience between agencies and organizations and to consider collaboration in the context of the Strategic Approach to International Chemicals Management intersessional process and the 2030 Agenda for Sustainable Development;

(f) The Eighth Environment for Europe Ministerial Conference (Batumi, Georgia, 8–10 June 2016), including a side event on PRTRs as a tool for public air quality monitoring (Batumi, Georgia, 8 June 2016);

(g) A side event on access to information and human rights, held in Geneva on 14 June 2016 on the margins of the thirty-second session of the Human Rights Council.

33. Furthermore, to build synergies and enhance coordination with partners, the secretariat serviced the tenth meeting of the International PRTR Coordinating Group (Paris, 5 October 2016),15 which was held back to back with the nineteenth meeting of the OECD Task Force on PRTRs. The next meeting of the Coordinating Group is scheduled to take place in New York on 29 June 2017. The Coordinating Group maintained continuous close cooperation with the Global Environment Facility, OECD, the Economic Commission for Latin America and the Caribbean, UNEP and UNITAR on PRTR-related issues. Participants at the ninth Aarhus Convention capacity-building coordination meeting (Geneva, 25 February 2015) reviewed the capacity-building work undertaken for the Convention and its Protocol by the secretariat and partner organizations, and also specific aspects of capacity-building activities, such as their geographical scope, target groups, available and required funding, cooperation with partner organizations and challenges encountered in the implementation of activities.16

34. The secretariat also promoted the Protocol through various reports and articles prepared under the auspices of ECE and partner organizations. This included contributing to the Conference of European Statisticians Recommendations on Climate Change-Related Statistics17 and also to the Global Environment Outlook GEO-6 Assessment for the Pan-European Region,18 prepared by UNEP and ECE with the support of the European Environment Agency, regarding the current status of the implementation of the Convention and its Protocol on PRTRs.

35. Furthermore, the secretariat contributed information on electronic tools used for Convention and Protocol activities to the report of the Secretary-General on progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels (A/71/67–E/2016/51).

36. Finally, during the reporting period, the secretariat continued an enhanced outreach exercise, distributing materials about the Convention and the Protocol to national focal points, Aarhus Centres, non-governmental organizations and academic institutions in the ECE region.

F. Coordination and oversight of intersessional activities

37. Coordination and oversight of intersessional activities under the Protocol are carried out at meetings of the Working Group of the Parties, meetings of the Bureau, as necessary, and by consultations among Bureau members using email. This work programme activity is relevant for the achievement of all three focal areas of the strategic plan.

38. The secretariat serviced the fourth and fifth meetings of the Working Group of the Parties to the Protocol,\(^\text{19}\) and the eighth, ninth, tenth and eleventh meetings of the Bureau (Geneva, 19 May 2015, Madrid, 27 November 2015, and Geneva, 7 July and 24 November 2016, respectively),\(^\text{20}\) and coordinated a number of email consultations among the Bureau members.

39. Representatives of the ECE Committee on Environmental Policy and the governing bodies of the ECE multilateral environmental agreements continued to liaise at informal meetings to exchange information on priorities under the agreements and to identify and discuss possible areas of cooperation and synergy in the light of recent and future key developments in the area of the environment. During the reporting period, three informal meetings were held in Geneva: on 13 April 2015, 26 October 2015 and 24 January 2017. The Chair of the Meeting of the Parties to the Protocol and the secretariat participated in the meetings.\(^\text{21}\)

40. The Chair of the Meeting of the Parties also presented activities under the Protocol to the Committee on Environmental Policy at its twenty-first and twenty-second sessions (Geneva, 27–30 October 2015 and 25–27 January 2017).

41. As of 31 May 2017, the Protocol has 35 Parties. Malta and Ukraine ratified the Protocol on 20 and 2 May 2016, respectively.

G. Technical assessment of provisions of the Protocol

42. Technical assessment of the provisions of the Protocol involves the drafting of recommendations on technical issues for the Meeting of the Parties, based on the assessment reports. The method of work for this activity includes meetings of the Working Group of the Parties to the Protocol, electronic consultation and drafting of assessment reports on experience gained in the development of national PRTRs according to article 6, paragraph 2, of the Protocol. This work programme activity is relevant for the achievement of all three focal areas of the strategic plan, and specifically objectives I.1–6, II.1 and III.1–4.

43. At its first meeting (Geneva, 28-29 November 2011), the Working Group of the Parties agreed that no amendments to the provisions of the Protocol were needed at that


time, and that experience needed to be gathered before such a review should take place. The 2014 and 2017 synthesis reports on the implementation of the Protocol (ECE/MP.PRTR/2014/5 and ECE/MP.PRTR/2017/10)\textsuperscript{22} presented to the Meeting of the Parties at its second and third sessions, respectively, and the individual national implementation reports\textsuperscript{23} on which the syntheses were based, provide insight on some of the issues related to the technical assessment of the provisions of the Protocol. The current work under the Compliance Committee on a document addressing systemic issues arising under the Protocol (see para. 3 above), addresses this work area.

H. **Horizontal support areas**

44. During the period 2015–2017, the objective of horizontal support activities was to provide overall support that covered multiple substantive areas of the work programme, inter alia, through secretarial support and staff training. These activities are relevant for the achievement of all focal areas of the strategic plan.

\textsuperscript{22} Available from the web pages for the sessions (http://www.unece.org/prtrmopp2_docs.html and http://www.unece.org/env/pp/prtr/mopp3_docs.html, respectively).