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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

Working Group of the Parties

Second meeting

Geneva, 20 and 21 November 2012

Report of the second meeting of the Working Group of the Parties

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I. Introduction

1. The second meeting of the Working Group 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 on 20 and 21 November 2012 in Geneva, Switzerland.

A. Attendance

2. The meeting was attended by delegations from the following Parties to the Protocol: Albania, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, European Union (EU), France, Germany, Hungary, Ireland, Lithuania, Norway, Poland, Serbia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia and United Kingdom of Great Britain and Northern Ireland.

3. The meeting was attended by delegations from the following Signatories to the Protocol: Armenia, Georgia, Republic of Moldova and Tajikistan.

4. Delegations from Belarus, Kazakhstan, Kyrgyzstan, and Uzbekistan were also present.

5. Delegations from China and Chile that were connected to the meeting via audio conference facilities provided statements and answered questions.

6. Also attending were representatives of the United Nations Institute for Training and Research (UNITAR). In addition, a representative of the Regional Environmental Centre for Central and Eastern Europe (REC) and representatives of the following non-governmental organizations (NGOs) attended: Caucasus Environmental NGO Network (Georgia); "Greenwomen" Analytical Environmental Agency (Kazakhstan); International Environmental Association of River Keepers (Eco-TIRAS) (Republic of Moldova); European Environmental Bureau; "Volgograd Ecopress" Information Centre (Russian Federation); and Youth of the 21st Century (Tajikistan). Many of the NGOs coordinated their input within the framework of the European ECO Forum.¹

B. Organizational matters

7. Mr. Michel Amand (Belgium), Chair of the Meeting of the Parties to the Protocol on PRTRs, opened the meeting. The Chief of the Environment for Europe and Sustainable Development Section of the United Nations Economic Commission for Europe (ECE) delivered a welcoming address.

II. Adoption of the agenda

8. The Working Group adopted its agenda as set out in document ECE/MP.PRTR/WG.1/2012/1.

¹ Information concerning the meeting, including a list of participants, documentation and presentations, is available online from <http://www.unece.org/index.php?id=28225>

III. Status of ratification of the Protocol on Pollutant Release and Transfer Registers

9. The secretariat reported on the status of ratification of the Protocol. Since the adoption of the Protocol in 2003, 38 States had become Signatories to the Protocol and there were currently 31 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), six 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; and Cyprus on 5 November 2012.² In addition, Israel was expected to ratify the Protocol by the end of 2012.

10. The Working Group:

(a) Took note of the report by the secretariat on the status of ratification of the Protocol on PRTRs, welcomed the reports by the secretariat and Governments regarding progress towards ratification of the Protocol in Israel, Kazakhstan and the Republic of Moldova, and took note of information on developments with regard to establishing pollutant release and transfer register (PRTR) systems reported by other delegations;

(b) Agreed to encourage Signatories and other interested States to proceed with accession to the Protocol as soon as possible.

IV. Designation of National Focal Points

11. The secretariat reported on the status of designation of National Focal Points.³ The Working Group took note of the report by the secretariat and, in accordance with the decision of the Meeting of the Parties to the Protocol on PRTRs at its first session (ECE/MP.PRTR/2010/2, para. 32), called upon those Governments which had not designated a focal point to date to proceed with designation as soon as possible.

V. Promotion and capacity-building

A. Coordination mechanisms

12. With regard to promotion and capacity-building in relation to coordination mechanisms, the Working Group:

(a) Took note of the report by the secretariat on the outcomes of the seventh Aarhus Convention capacity-building coordination meeting (AC/WGP-15/Inf.2) and the report by Spain on the outcomes of the seventh meeting of the International Pollutant Release and Transfer Register Coordinating Group (PRTRCG(2012)V/2), praising the initiatives as effective vehicles for promoting cooperation between partners, and requested ECE to continue providing secretariat support to both coordination mechanisms;

(b) Called upon international organizations to cooperate closely on the implementation of the projects and programmes related to PRTRs;

² Information on the status of ratifications is available from <http://www.unece.org/env/pp/ratification.html>.

³ A list of National Focal Points is available from <http://www.unece.org/environmental-policy/treaties/public-participation/envppcontacts-fp/envppfpnew.html>

(c) Called upon Governments to strengthen cooperation between experts dealing with different projects and programmes related to access to environmental information to ensure coordination at the national level;

(d) Called upon countries to keep international organizations informed of their bilateral PRTR-related cooperation with developing countries and with countries with economies in transition, so as to facilitate synergies.

B. Synergies with United Nations Economic Commission for Europe multilateral environmental agreements and other partners

13. The Working Group took note of the report by the Chair on the outcomes of the latest informal meeting of the representatives of governing bodies of the ECE multilateral environmental agreements, held on 16 April 2012, and discussion of the subject matter by the Protocol's Bureau at its latest meeting in June 2012. The Working Group agreed on the importance of building synergies within ECE and with other partners, in particular given the current unfavourable economic climate.

14. Delegations addressed the following major issues through the discussion:

(a) The potential for synergies with the Convention on Long-range Transboundary Air Pollution (CLRTAP), for example, in relation to collecting air emissions data, the potential to improve coherence between registers and the usefulness of the CLRTAP guidebook methodologies for PRTR implementation;

(b) The potential for synergies with the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention), including by using PRTRs to facilitate assessment of pollutant releases to water;

(c) The potential for synergies with subregional conventions, for example, utilizing data related to the Convention on Cooperation for the Protection and Sustainable use of the Danube River;

(d) The potential for synergies with the Convention on the Transboundary Effects of Industrial Accidents;

(e) The challenge of how to motivate authorities and enterprises to streamline existing reporting tools by using a "single window" approach, which some delegations felt was also a way to promote PRTRs; this could be done through the development of one PRTR reporting tool for which legislative agreements could be established at a national level with all relevant entities, so as to offer the PRTR as a service for all other authorities thereby making the PRTR a more accessible option.

15. Furthermore, the Working Group:

(a) Took note of the document on technical assistance and resources (ECE/MP.PRTR/WG.1/2012/4) and thanked partner organizations for support provided to further implementation of PRTR systems, thereby strengthening countries' capacities to accede to the Protocol on PRTRs;

(b) Called upon Governments to strengthen cooperation between experts dealing with the Protocol on PRTRs and those dealing with CLRTAP, the Water Convention and other relevant agreements, as well as those involved in projects carried out by international organizations, so as to ensure coordination at the national level;

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

(d) Took note of the report by the United Kingdom on the outcomes of fifteenth meeting of the Organization for Economic Cooperation and Development (OECD) Task Force on PRTRs, held from 10 to 12 September 2012 and, among others, a project to develop a guidance on elements of the PRTR system;

(e) Took note of the recommendation of the Bureau of the Meeting of the Parties to the Protocol and the subsequent decision of the fifteenth meeting of the OECD Task Force on PRTRs regarding suspension of the “cross walk project” (a scoping study of the pollutant-specific and waste-specific approaches to reporting).

C. Global promotion of the Protocol

16. The Working Group took note of the initiatives presented by delegations in connection with the global promotion of the Protocol, including the follow-up on the “Eye on Earth” Summit and a project proposal on sharing experiences on implementing Principle 10 between regions developed by REC in partnership with the European Environmental Bureau. It also heard a presentation provided by UNITAR on its PRTR capacity-building activities. The presentation described a global project that piloted the use of PRTRs as a tool to report persistent organic pollutants, specifically in Chile, Cambodia, Ecuador, Kazakhstan, Peru and Ukraine; the design of a regional PRTR in Central America; PRTR design projects in Azerbaijan and Panama; and PRTR training tools being designed by UNITAR.

17. An expert from the Ministry of Environmental Protection of China briefed the delegates on the issues regarding access to environmental pollution data in China and expressed interest in collaborating with Parties to the Protocol on the establishment of a PRTR system for the country. It was agreed that the delegate would send a written note to the secretariat outlining the technical assistance needs. The Working Group took note of the report by China and mandated the secretariat and the Bureau to follow up on possible advisory support to the country.

18. Delegates applauded significant progress achieved by Chile, as presented by a representative of the Chilean Ministry of Environment. In Chile, around 10,000 facilities reported 130 different substance releases through the national PRTR system. In that connection, the Working Group expressed its appreciation to Spain and UNITAR for promoting the Protocol in countries in Latin America and Central America. Delegations also welcomed the developments towards creating a regional instrument on Principle 10 of the Rio Declaration in Latin America and Central America, which provided an opportunity to address PRTR-related matters through it.

19. The Working Group took note of the report by the secretariat with regard to various activities it had organized in relation to the United Nations Conference on Sustainable Development and expressed its appreciation to the Republic of Moldova for the political leadership it had provided to the promotion of the Protocol at the side events during the Conference.

20. The Working Group also approved the note on the joint global round table on PRTRs (PRTR/WG.1/2012/Inf.1), and mandated the Bureau and the secretariat to proceed with the organization of the event in accordance with the note and to continue global promotion of the Protocol.

D. Subregional workshops

21. With regard to subregional workshops, the Working Group:

(a) Took note of the report on the subregional workshop, “Get Your Right to a Healthy Community” (ECE/MP.PRTR/WG.1/2012/3), encouraged Governments and stakeholders to consider its outcomes for future work on establishing PRTR systems and noted the proposal by Belarus to hold a second workshop for the countries in Eastern Europe, the Caucasus and Central Asia in the future;

(b) Took note of the offer of REC to cooperate on substantive preparations for a subregional workshop for countries in South-Eastern Europe, and mandated the secretariat and the Bureau to follow up on the organization of the workshop.

E. Pollutant release and transfer register cost model to support implementation of the Protocol

22. The Working Group took note of the report by the secretariat on the cost model to support implementation of the Protocol, and encouraged Governments and stakeholders to utilize it, as appropriate. It also requested those countries that had not yet responded to the survey to send their response as soon as possible to enable an analysis of the results.

F. Provision of technical assistance

23. On the subject of technical assistance, the Working Group:

(a) Took note of the document on technical assistance and resources (ECE/MP.PRTR/WG.1/2012/4), and encouraged Governments and stakeholders to use the modalities described for the possible provision of technical assistance to support implementation of the Protocol on PRTRs;

(b) Took note of the document on the results of surveys on the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2012/5) and the note by the secretariat on the bilateral session for matching needs with available expertise (PRTR/WG.1/2012/Inf.5), and encouraged Governments to attend the bilateral session on matching needs with expertise and where possible to conduct further bilateral discussions to support implementation of the Protocol on PRTRs;

(c) Took note of the proposal on activities for the promotion of the Protocol on PRTRs in countries in Eastern Europe, the Caucasus and Central Asia submitted by Belarus (PRTR/WG.1/2012/Inf.2) and of some concerns and opposition expressed by delegations of countries in Eastern Europe, the Caucasus and Central Asia;

(d) Mandated Belarus and Armenia to hold further consultations on the subject matter with National Focal Points from countries in Eastern Europe, the Caucasus and Central Asia, and to prepare a new detailed proposal for its next meeting, with a view to submitting the proposal to the Bureau before the end of April 2013;

(e) Mandated the Bureau to follow up with Belarus and Armenia in relation to this proposal and to report on the results at the next meeting of the Working Group.

24. In relation to implementing PRTRs in countries in Eastern Europe, the Caucasus and Central Asia, delegations emphasized the importance of a subregional approach that took

into account national objectives, existing cooperation and PRTR-related resources listed in the document on technical assistance and resources.

25. Delegations also agreed that the PRTR thematic surveys carried out under the Protocol and the bilateral session on matching needs with available technical assistance, which had been held back to back with the meeting of the Working Group, were useful tools to assist countries in implementing PRTR systems. It was therefore suggested that similar surveys and bilateral sessions be organized in the future, as such sessions provided an effective opportunity to match needs with offers, and to inspire dialogue and cooperation. It was also suggested that, in future, countries should submit questions for the bilateral session in advance of the session, and that a database of international PRTR experts could be developed to assist in capacity-building efforts (see also section XI below).

G. Communication strategy, electronic tools and publications

26. Delegations discussed challenges regarding the communication work on the Protocol, and specifically how to communicate the benefits of PRTR systems to different stakeholders, in particular industry and operators, and what means could be used to encourage them to use PRTR systems. A potential to promote the Protocol through the work of the Task Force on Access to Information under the Aarhus Convention was also discussed in that regard. Furthermore, delegations stressed the importance of close cooperation and coordination between National Focal Points of the Convention and of the Protocol, including on the communication work.

27. The Working Group:

(a) Further committed to implementing the communication strategy (ECE/MP.PP/2011/2/Add.2);

(b) Requested the secretariat and UNITAR to continue working closely so as to ensure the effective use of PRTR.net and PRTR:Learn and to send a message to National Focal Points and stakeholders in that regard;

(c) Committed to updating the PRTR capacity-building activities database regularly;

(d) Took note of activities of relevance to the Protocol presented by delegations.

VI. Compliance Committee and reporting mechanism

28. The Working Group heard a report by the secretariat on the status of developments with regard to the Compliance Committee. The second meeting of the Committee had been postponed as no communications, referrals, or submissions had been brought to the attention of the Committee.

29. The secretariat also reported that the situation with regard to the allocation of resources for translation of documents within United Nations Conference Services had not improved since the first meeting of the Working Group, and that the secretariat would be obliged to follow the practice in line with the related decision of the fourth session of the Meeting of the Parties to the Aarhus Convention regarding the discontinuation of translation of national implementation reports (ECE/MP.PP/2011/2/Add.1, decision IV/4). The Working Group was also informed about the timeline for reporting on implementation of the Protocol.

30. The Working Group:

(a) Took note of the report by the secretariat and requested it to distribute a guidance on reporting to National Focal Points and stakeholders by the beginning of 2013;

(b) Mandated the Bureau to oversee the reporting process and preparation of the synthesis report in cooperation with the Compliance Committee, to be available for the Protocol's Meeting of the Parties in 2014;

(c) Encouraged those Parties and other interested States that planned to submit their national implementation reports in French or Russian to submit them also in English to facilitate the work on the preparation of the synthesis report, and took note of the offer by the European ECO Forum to assist with the translations of the national implementation reports;

(d) Mandated the Bureau to prepare a draft decision on reporting, taking into consideration the challenges regarding translation of national implementation reports presented by the secretariat, for consideration by the Working Group at its next meeting.

VII. Implementation of the current work programme for the Protocol

31. The Working Group took note of the report on the implementation of the work programme (ECE/MP.PRTR/WG.1/2012/7) and requested the secretariat to report on progress in implementing the work programme at its next meeting.

VIII. Financial matters

32. The Working Group discussed financial matters in relation to the implementation of the Protocol's current work programme. Some delegations suggested the possibility of raising funds from industries whose activities were categorized by PRTRs and from charities; it was, however, mentioned at the same time that industries tended to support country-focused capacity-building activities, but not multilateral processes, and that there were also limited opportunities for raising funds from charitable organizations.

33. The Working Group:

(a) Took note of the information provided by the secretariat on the human and financial resource situation of the secretariat and the information shared by delegations on their expected contributions;

(b) Took note with concern of the financial situation described by the secretariat, specifically in relation to the shortage of contributions and the low number of pledges;

(c) Agreed to ensure predictable funding as far as possible to support at least the core activities in 2013 at the same level as was provided in 2012;

(d) Considered the note on financial arrangements under the Protocol (PRTR/WG.1/2012/Inf.3), and mandated the Bureau, taking into account comments provided by delegations at the meeting, to prepare a draft decision on financial arrangements based on options A, B, D (as provided in the note) and on continuation of the current scheme of financial arrangements for consideration by the Working Group at its next meeting.

IX. Second session of the Meeting of the Parties to the Protocol

A. Hosting and organization of work

34. The Working Group welcomed the offer of the Netherlands to host the second session of the Protocol's Meeting of the Parties and the fifth session of the Aarhus Convention's Meeting of the Parties, and mandated the Bureau to follow up on the organization of work for the second session of the Meeting of the Parties.

B. Substantive preparations

35. Delegations discussed substantive preparations for the second session of the Meeting of the Parties. The following issues were addressed by some delegations through their interventions:

(a) The importance of using national implementation reports and the subsequent synthesis report in the preparation of a strategic plan. At the same time, it was noted that although the national implementation reports would not be available in time to be considered in the preparation of the strategic plan, they should be used for the purpose of that exercise as far as possible, and the strategic plan should be kept under review in order to address issues arising from the national implementation reports;

(b) In relation to the content of the strategic plan, the possibility of highlighting PRTR reporting as a tool for promoting sustainable development and a green economy was raised, as well as the possibility for moving towards mandatory reporting of diffuse releases; the importance of setting measurable goals in the strategic plan and of defining indicators was also underscored.

36. The Working Group:

(a) Considered the draft proposal on elements of the work programme for 2014–2017 (ECE/MP.PRTR/WG.1/2012/6) and the draft proposal on the preparation of the strategic plan for 2015–2020 (ECE/MP.PRTR/WG.1/2012/8);

(b) Agreed on the procedures with regard to preparing the draft work programme for 2014–2017 and the draft strategic plan for 2015–2020, and agreed that comments on the elements of the draft strategic plan (ECE/MP.PRTR/WG.1/2012/8, annex) should be sent to the secretariat by 6 December 2012;

(c) Agreed that comments in relation to a possible high-level segment at the second session of the Meeting of the Parties should be sent to the secretariat by the end of 2012;

(d) Mandated the Bureau:

(i) To prepare, with the assistance of the secretariat, the draft decision on the work programme for 2014–2017 for its consideration and approval by the Working Group at its next meeting;

(ii) To prepare, with the assistance of the secretariat, the draft decision on the strategic plan for 2015–2020 for consideration and approval by the Working Group at its next meeting;

(iii) To prepare, with the assistance of the secretariat, the draft agenda for the second session of the Meeting of the Parties for consideration and approval by the Working Group at its next meeting;

- (iv) To prepare any other documents for consideration by the Working Group at its next meeting, as appropriate.

X. Calendar of meetings

37. The Working Group took note of the relevant meetings planned for 2013.⁴

XI. Bilateral session on matching countries' needs with available technical assistance

38. Those countries that wished to be involved in a potential bilateral cooperation had attended the bilateral session on matching countries' PRTR needs with available technical assistance. The session was organized in three separate meeting areas, one for each of the session's three themes: setting up a PRTR; calculation and measurement; and PRTR database, reporting and computerizing the system. At each meeting point a tour de table took place and PRTR needs and expectations were discussed.

39. The session was described by session moderators as a very useful innovation, because:

(a) During the discussion, countries that had offered specific assistance (and not only those countries) had helped countries requesting assistance to formulate their needs in a more suitable way for achieving their goals;

(b) It had made it easier and clearer for countries offering assistance to identify the particular needs required by countries;

(c) The session had been very active, participatory, cooperative and open;

(d) Participants had had an opportunity for closer cooperation than during previous meetings of the Working Group of the Parties;

(e) Bilateral contacts had been established on particular topics;

(f) A number of useful multilateral and bilateral discussions had taken place; among the concrete outcomes of such discussions were the free provision of PRTR database software, and technical liaisons in relation to long range air pollution.

XII. Adoption of decisions and outcomes of the meeting

40. The Working Group adopted the major outcomes and decisions presented by the Chair at the meeting and requested the secretariat, in consultation with the Chair, to finalize the report incorporating the outcomes and decisions adopted.

⁴ A calendar of meetings is available from <http://www.unece.org/environmental-policy/treaties/public-participation/meetings-and-events.html>.