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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

Fifth meeting

Geneva, 23 and 24 November 2016

Report of the Working Group of the Parties on its fifth meeting

Contents

| | <i>Page</i> |
|--|-------------|
| I. Introduction | 2 |
| A. Attendance | 2 |
| B. Organizational matters | 2 |
| II. Status of ratification of the Protocol on Pollutant Release and Transfer Registers | 2 |
| III. Designation of national focal points | 3 |
| IV. Promotion and capacity-building | 3 |
| A. Synergies with partner organizations | 3 |
| B. Subregional and national activities | 4 |
| C. Electronic tools and technical resources | 5 |
| D. Global promotion of the Protocol | 5 |
| V. Compliance and reporting mechanism | 6 |
| VI. Implementation of the Protocol's current work programme, including financial matters | 7 |
| VII. Third session of the Meeting of the Parties | 7 |
| VIII. Calendar of meetings | 8 |
| IX. Adoption of the decisions and outcomes of the meeting | 8 |

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I. Introduction

1. The fifth meeting of the Working Group 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 (Aarhus Convention) was held on 23 and 24 November 2016 in Geneva, Switzerland.¹

A. Attendance

2. The meeting was attended by delegations from the following Parties to the Protocol: Albania, Austria, Belgium, Bulgaria, Croatia, Czechia, Denmark, Estonia, European Union, France, Germany, Ireland, Latvia, Malta, Poland, Serbia, Slovakia, Spain, Sweden, Switzerland and the former Yugoslav Republic of Macedonia.

3. Representatives of Armenia, Bosnia and Herzegovina and Georgia, signatories to the Protocol, attended the meeting.

4. Delegations from Belarus and Kyrgyzstan were also present.

5. Also attending were representatives of the Organisation for Economic Cooperation and Development (OECD) and the United Nations Institute for Training and Research (UNITAR). In addition, representatives from the following organizations, bodies and institutes were present: the Centre on Sustainable Development Yerevan State University (Armenia); the Regional Environmental Centre for Central and Eastern Europe; and the Yerevan Aarhus Centre (Armenia). The Chair of the Protocol's Compliance Committee participated by telephone conference. Furthermore, representatives of international, regional and national environmental non-governmental organizations participated in the meeting, many of whom coordinated their input within the framework of the European ECO Forum.

B. Organizational matters

6. Ms. Tina Skårman (Sweden), Chair of the Working Group of the Parties to the Protocol, opened the meeting.

7. The Chair informed the Working Group that, with a view to ensuring equal opportunities for English-, French- and Russian-speaking delegations, the meeting would result in a list of decisions and outcomes that would be distributed by e-mail to meeting participants around 40 minutes before the close of the meeting and would be presented by the Chair verbally for adoption, thereby allowing for interpretation. The adopted list of decisions and outcomes would be distributed to participants by e-mail after the meeting and would be incorporated in the meeting report.

8. The Working Group took note of the information provided by the Chair and adopted the agenda for the meeting as set out in document ECE/MP.PRTR/WG.1/2016/1.

¹ Documents for the meeting and other information, including a list of participants, are available online from <http://www.unece.org/env/pp/prtr/wgp5.html>. Statements delivered at the meeting that were made available to the secretariat by delegates are also accessible from this web page.

II. 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 its adoption in 2003, 38 States had become signatories and there were currently 35 Parties. The Protocol on Pollutant Release and Transfer Registers had entered into force on 8 October 2009. Since the fourth meeting of the Working Group of the Parties (Madrid, 26 November 2015), two countries had become Parties to the Protocol: Ukraine on 2 May 2016; and Malta on 20 May 2016.²

10. The Working Group took note of the report by the secretariat on the status of ratification of the Protocol, welcomed Ukraine and Malta as new Parties and encouraged signatories and other interested States to proceed with accession to the Protocol as soon as possible.

III. Designation of national focal points

11. The secretariat presented its report on the status of designation of national focal points³ (PRTR/WG.1/2016/Inf.1). The only Party that had not nominated its national focal point was Slovenia. The Working Group took note of the report and called on Slovenia to proceed with the designation of its focal point without delay.

IV. Promotion and capacity-building

A. Synergies with partner organizations

12. A representative of OECD informed the Working Group about activities of the OECD Task Force on Pollutant Release and Transfer Registers, which supported countries' pollutant release and transfer register (PRTR)-related efforts by providing new methodologies and tools. Currently, the main focus was on assisting countries in setting up harmonized pollutant release and transfer register systems, improving existing registers and enhancing the use of the data generated in the context of measuring progress in achieving sustainable development at the national and global levels.

13. A representative of UNITAR spoke about the execution of the recent Global Environment Facility (GEF)-funded global project on the implementation of pollutant release and transfer registers as a tool for reporting on persistent organic pollutants, dissemination of information and awareness-raising, for which the United Nations Environmental Programme (UNEP) was the implementing agency. The main goal of the project was to demonstrate that pollutant release and transfer registers were an important tool to meet the reporting obligations under multilateral environmental agreements, such as the Stockholm Convention, and to collect lessons learned and develop guidance material for that purpose.

14. The representative of the Regional Environmental Centre for Central and Eastern Europe presented developments in relation to the Centre's project to support the establishment and advancement of pollutant release and transfer registers in Western Balkan countries and in the Republic of Moldova. The project, funded by the German

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/env/pp/nfp.html>.

Federal Environment Ministry's advisory assistance programme, aimed, among others, to build capacities of authorities and operators responsible for regular reporting, to increase the transparency of decision-making on pollutant release and transfer registers and to assist countries to improve their practices in operating them.

15. The Working Group took note of the presentations and thanked all partner organizations for the support provided to further implementation of pollutant release and transfer register systems, thereby strengthening countries' capacities to accede to the Protocol.

16. Furthermore, the Working Group called upon partner organizations and multilateral environmental agreements to cooperate closely and where possible to create synergies to further the implementation of the projects and programmes related to pollutant release and transfer registers.

17. The Working Group also reiterated its call upon:

(a) Governments to strengthen cooperation between experts dealing with the Protocol on Pollutant Release and Transfer Registers and those dealing with the United Nations Economic Commission for Europe (ECE) Convention on Long-range Transboundary Air Pollution (Air Convention), the ECE Convention on the Transboundary Effects of Industrial Accidents, the ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes, the UNEP chemicals conventions and other relevant agreements and programmes, and also those involved in pollutant release and transfer register projects carried out by international organizations, so as to ensure coordination and synergy at the national level;

(b) Parties and stakeholders to consider implementation of the Protocol and the pan-European Shared Environmental Information System in synergy.

B. Subregional and national activities

18. Turning to subregional and national activities, the Chair reported on key outcomes of the second subregional workshop "Get Your Right to a Healthy Community" for countries in Eastern Europe, the Caucasus and Central Asia (Minsk, 19-21 September 2016). The first workshop organized in cooperation with the Air Convention, the event had helped to strengthen cooperation between experts dealing with the two treaties. A representative of Belarus provided additional information on the main issues discussed at the workshop, and also underlined that the event had indeed promoted awareness of the Protocol and its benefits in the countries in the subregion. A representative of the Bureau of Environmental Investigation, a non-governmental organization, noted a lack of political support for the establishment of pollutant release and transfer registers in some countries of the subregion.

19. A representative of the Regional Environmental Centre for Central and Eastern Europe reported on the outcomes of a subregional workshop (Skopje, 8-9 November 2016) within the project "Support Establishment and Advancement of Pollutant Release and Transfer Registers (PRTRs) in Western Balkan Countries and in Moldova", funded by the German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety, supervised by the German Environment Agency and implemented by the Regional Environmental Centre.

20. The Working Group took note of the report on the second subregional workshop "Get Your Right to a Healthy Community" for countries in Eastern Europe, the Caucasus and Central Asia, prepared by the Belarusian Research Centre "Ecology" as an informal document, and expressed its appreciation to the secretariat of the Air Convention, the Ministry of Natural Resources and Environmental Protection of Belarus and the Belarusian Research Centre "Ecology" for their effective cooperation in the organization of the

workshop. The Working Group requested the secretariat to finalize, in consultation with the Chair, a report on the second subregional workshop and submit it to the Meeting of the Parties as a formal pre-session document for its third session (Budva, Montenegro, 15 September 2017).

21. Furthermore, the Working Group noted with regret that little progress had been achieved in establishing pollutant release and transfer register systems and in furthering ratification of the Protocol in the countries in Eastern Europe, the Caucasus and Central Asia, and called upon decision-makers and policymakers of the countries of the subregion to make the necessary commitments to improve the situation.

22. The Working Group took also note of the report by the Regional Environmental Centre for Central and Eastern Europe on the subregional workshop for countries in South-Eastern Europe and the Republic of Moldova, and expressed its appreciation to the Regional Environmental Centre and Germany for supporting it.

23. In addition, the Working Group took note of the information provided by other delegations and encouraged Governments and stakeholders to consider the outcomes of the two workshops for the future work on establishing pollutant release and transfer register systems.

C. Electronic tools and technical resources

24. Turning to the topic of electronic tools and technical resources, the Chair invited the Working Group to consider and use the document on technical assistance and resources (ECE/MP.PRTR/WG.1/2016/12).

25. The secretariat reported on recent developments regarding electronic tools, including the Aarhus Clearinghouse for Environmental Democracy⁴ and PRTR.net.⁵ In addition, the representative of OECD presented a new version of the Inter-Organization Programme for the Sound Management of Chemicals⁶ Toolbox for Decision Making in Chemicals Management.⁷ The Toolbox provided Governments with an interactive platform for collaboration among different ministries, agencies and other stakeholders. The representative of UNITAR informed the Working Group about new developments on the PRTR:Learn website, and stressed the importance of “an expert forum” that would become part of the new PRTR:Learn as a tool to discuss issues related to pollutant release and transfer registers online.

26. The Working Group took note of the document on technical assistance and resources (ECE/MP.PRTR/WG.1/2016/12), setting out the different tools and resources to support implementation of the Protocol, and encouraged delegations to use it.

27. The Working Group took note of the information provided by the secretariat and other delegations and requested the secretariat, OECD and UNITAR to continue working closely so as to ensure the effective use of PRTR.net, the OECD Resource Centre for PRTRs and PRTR:Learn. The Working Group also encouraged Governments and

⁴ See <http://aarhusclearinghouse.unece.org/>.

⁵ See <http://prtr.net>.

⁶ The Inter-Organization Programme for the Sound Management of Chemicals was established in 1995 to strengthen cooperation and increase coordination in the field of chemical safety. The nine Participating Organizations are the Food and Agriculture Organization of the United Nations, the International Labour Organization, OECD, UNEP, UNITAR, the United Nations Development Programme, the United Nations Industrial Development Organization, the World Bank and the World Health Organization.

⁷ Available from <http://iomctoolbox.oecd.org/>.

stakeholders to support substantive population of those tools by making relevant guidance and other materials available in different languages.

D. Global promotion of the Protocol

28. In a discussion on the global promotion of the Protocol, the Working Group welcomed the joint efforts of ECE and OECD in organizing the second Global Round Table on PRTRs (Madrid, 24–25 November 2015) and also welcomed the cooperation with UNEP and UNITAR on the event. It took note of the joint report on the second Global Round Table (ECE/MP.PRTR/WG.1/2016/7), which contained examples of good practice and implementation of pollutant release and transfer registers around the world, and encouraged delegations to use it.

29. The Chair of the International Pollutant Release and Transfer Registers Coordinating Group⁸ presented the Group's work and invited countries and organizations to participate. At its tenth meeting (Paris, 5 October 2016), the Working Group had discussed, among others, pollutant release and transfer registers in the context of other international processes and instruments, how registers could help to monitor the achievement of the Sustainable Development Goals and possible focus areas for future global round-table events. Focus areas could include, for example, successful pollutant release and transfer register awareness-raising campaigns and how to better use and communicate the data generated.

30. The Working Group took note of the report by the Chair of the International Coordinating Group and mandated the Bureau and the secretariat to continue global promotion of the Protocol.

V. Compliance and reporting mechanism

31. The Working Group expressed its appreciation to the Compliance Committee for the work it had accomplished and approved the following documents:

(a) Draft systemic issues concerning the implementation of the Protocol on Pollutant Release and Transfer Registers and recommendations on how to address them (ECE/MP.PRTR/WG.1/2016/5);

(b) Draft guidance for reporting on implementation of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2016/6).

32. The Working Group requested the secretariat to submit the above documents to the Meeting of the Parties at its third session for consideration.

33. Furthermore, the Working Group requested the Compliance Committee to prepare both a synthesis report on the basis of national implementation reports and an overview of the progress in implementing the strategic plan for 2015–2020 for the Protocol (ECE/MP.PRTR/2014/4/Add.1), with a view to submitting the documents to the Meeting of the Parties for consideration at its third session.

34. The Working Group also took note of the note by the secretariat on the membership of the Compliance Committee (ECE/MP.PRTR/WG.1/2016/10).

35. Moving on to the reporting mechanism, the Chair recalled the timeline for the preparation of national implementation reports and reminded Parties to make use of the draft guidance for reporting on implementation of the Protocol for the 2017 reporting cycle. The Chair kindly reminded Parties that the recommended deadline for submission of

⁸ See <http://www.unece.org/env/pp/prtr/intlcgimages/about.html>.

reports was 15 December 2016. She also noted that Slovenia remained the only Party that had not submitted its national implementation report for the 2014 reporting cycle.

36. The Working Group took note of the information provided by the Chair on the status of submission of national implementation reports since the second session of the Meeting of the Parties and urged Slovenia to comply with its reporting obligation as a Party to the Protocol.

37. The secretariat then demonstrated the use of the online reporting tool under the Protocol.

VI. Implementation of the Protocol's current work programme, including financial matters

38. Regarding the implementation of the current work programme (ECE/MP.PRTR/2014/4/Add.1, decision II/3, annex), the Working Group took note of:

(a) The report on implementation of the work programme for 2015–2017, including in relation to the strategic plan for 2015–2020 (ECE/MP.PRTR/WG.1/2016/3);

(b) The report on contributions and expenditures in relation to the implementation of the Protocol's work programme for 2015–2017 (ECE/MP.PRTR/WG.1/2016/4), along with information provided by the secretariat on contributions received between 15 August and 16 November 2016;

(c) Information provided by the secretariat on the human resource situation of the secretariat and on expected contributions.

39. The Working Group expressed its appreciation for the work done by the secretariat and recognized the difficulties posed by limited and unpredictable funding.

40. The Working Group also took note of the information provided by delegations on expected contributions and expressed its concern with regard to the low number of pledges.

VII. Third session of the Meeting of the Parties

41. The Working Group took note of the information provided by the secretariat regarding the venue and the preparatory timeline for the sixth session of the Meeting of the Parties to the Convention (Budva, Montenegro, 11–13 September 2017), the third session of the Meeting of the Parties to the Protocol and their Joint High-level segment to be held on 14 September 2017 (PRTR/WG.1/2016/Inf.3).

42. Turning to substantive preparations for the third session, the Working Group:

(a) Approved the draft provisional agenda of the third session of the Meeting of the Parties contained in document ECE/MP.PRTR/WG.1/2016/11 and mandated the Bureau to finalize the agenda and submit it to the Meeting of the Parties at its third session for adoption;

(b) Requested the secretariat to prepare a note on the role of the Convention and the Protocol in implementing the Sustainable Development Goals as an official pre-session document for the joint high-level segment of the upcoming sessions of the Meetings of the Parties to the Convention and the Protocol, to facilitate discussions on the topic;

(c) Approved the draft decision on the work programme for 2018–2021 (ECE/MP.PRTR/WG.1/2016/8), and mandated the Bureau to finalize it for consideration and adoption at the third session of the Meeting of the Parties;

(d) Took note of the statements by delegations and approved the draft decision on financial arrangements under the Protocol (ECE/MP.PRTR/WG.1/2016/9), which presented two options for funding the work under the Protocol as no consensus had been reached on that point, and mandated the Bureau to finalize the draft decision for consideration and adoption at the third session of the Meeting of the Parties.

43. The Working Group also considered the draft outline of the Budva declaration (ECE/MP.PRTR/WG.1/2016/13) prepared by the Bureaux of the Meetings of the Parties to the Protocol and to the Convention, and took note of the comments received on the draft, including a number of preliminary substantive comments presented by the European Union and its member States at the meeting. The Working Group also took note of concerns expressed by delegations that the original procedure foreseen for submitting the comments — namely, before 18 November 2016 — had not been respected, and that the present meeting therefore had not provided an opportunity for a substantive and effective discussion on the comments.

44. The Working Group mandated the Protocol's Bureau to finalize the draft declaration in cooperation with the Convention's Bureau, taking into consideration the comments received, with a view to its submission for consideration and adoption at the joint high-level segment of the Meetings of the Parties to the Convention and its Protocol.

VIII. Calendar of meetings

45. The Working Group took note of the meetings planned for 2017.⁹

IX. Adoption of the decisions and outcomes of the meeting

46. The Working Group adopted the major outcomes and decisions presented by the Chair at the meeting (PRTR/WG.1/2016/Inf.4) and requested the secretariat, in consultation with the Chair, to finalize the report incorporating the outcomes and decisions adopted.

47. The Chair then thanked the participants for their contributions, the interpreters and the secretariat for their support and closed the meeting.

⁹ A calendar of meetings for 2017 is available from <http://www.unece.org/environmental-policy/conventions/public-participation/meetings-and-events.html>.