European Environmental Bureau statement and amendments on a proposal of EU and its Member States for a draft decision relating to the development of the Protocol (item 6 of the provisional agenda of WGP 7)

Dear Representatives of the Parties to the PRTR Protocol,

After more than 16 years of existence since its adoption, the EEB considers that a review and strengthening of the Protocol is necessary on several aspects. This is needed in order to improve its effectiveness and added value to meet various objectives in terms of contributing to pollution prevention and reduction in a more holistic manner, improving the safeguarding of relevant environmental quality standards and tracking progress against the Sustainable Development Goals.

Many suggestions for improvements have been made on several occasions such as at the 4th and 6th meetings of the Working Group of the Parties to the Protocol of 26/11/2015 and 9/11/2018, the Global Roundtables on PRTRs, and in particular the joint position submitted by the European ECO Forum and the EEB of 18/01/2016 on the "quick wins" paper on 'Draft systemic issues concerning the implementation of the PRTR and recommendations on how to address them' (ECE/MP.PRTR/WG/WG.1/2015/5). At these events we were pleased to sense a strong willingness and enthusiasm by the Parties and associated stakeholders to enhance the PRTR further.

The report prepared by the Bureau (ECE/MP.PRTR/WG.1/2019/6), with its addendum, provide a very good summary on the preliminary issues addressed so far that could be addressed for further development of the Protocol. We think it is now time to speed up the revision process and move expeditiously to the stage of developing formal proposals for adoption by the Meeting of the Parties at its fourth session (MoP-4).

The EEB, the Europe's largest environmental citizens' network, broadly welcomes the proposals set forward by the Bureau. However, we consider that revisions to the Protocol that might be adopted at MoP-4 should not be limited to its Annexes (Annex I, II and III) only but should also address the other issues listed under the "key areas" identified in paragraph 39. In particular, promoting actions to reduce pollution and sharing pollution prevention methods (point d) should be given equal priority to extending the list of activities or pollutants. According to article 1 of the Protocol, the ultimate purpose of reporting on pollutant releases and transfers is inter alia to 'contribute to the prevention and reduction of pollution of the environment', pointing to the need to identify and share methods on how to prevent/reduce the impacts of pollution, in line with the SDG goals and other instruments which the PRTR Protocol is designed to complement.

We have taken note of the proposal for a draft decision of the Working Group that has recently been put forward by the EU. While the structure of that document can provide a useful basis for discussion, the timeline it envisages, whereby the process up to MoP-4 would only consist of further information exchange and MoP-4 itself would only involve the adoption of a report, is regrettably lacking in ambition. It is also in striking contrast to the 'zero-pollution' ambition

which is one of the key elements of the European Green Deal that the incoming European Commission has committed to adopt within its first 100 days.

If the EU proposal is to be used as a basis for discussion in the Working Group, we would propose a number of amendments to it to take account of this and other points. Please see our suggestions in the enclosed document.

Best regards,
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Draft Decision of the 7th meeting of the Working Group of the Parties on Development of the Protocol

The Working Group,

~~Taking note of~~ Endorsing the Report on the development of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2019/6), including the possible approach for revising Annexes I, II and III (ECE/MP.PRTR/WG.1/2019/6/Add.1); the key areas for possible development and the Comparative analysis of different international reporting obligations related to Annexes I, II and III of the Protocol on PRTRs (PRTR/WG.1/2019/Inf.2),

Aware that some Parties are interested in information on possible approaches for Parties to develop PRTRs, going beyond the current requirements of the Protocol,

Recalling that pursuant to Article 6.2 of the Protocol, having assessed the experience gained from the development of national pollutant release and transfer registers and the implementation of this Protocol, and taking into account relevant international processes, the Meeting of the Parties shall review the reporting requirements under this Protocol and shall consider specified issues in its further development,

Also recalling that pursuant to Article 20 of the Protocol, Parties may propose amendments to the Protocol and that such proposals are to be considered by the Meeting of the Parties,

i) Decides to intensify analytical work on the development of the Protocol, including the review referred to in article 6(2) of the Protocol, and sets up an information exchange among Parties and other relevant stakeholders to further share experience gained in the Protocol implementation, including implementation challenges and possible approaches for Parties to develop PRTRs going beyond the current requirements of the Protocol. This information exchange, to be organised through submissions, should cover:

- experience gained in the implementation of the activities specified in annex I of the Protocol and their possible revision;
- experience gained in the implementation of the pollutants specified in annex II of the Protocol and their possible revision;
- experience gained in the implementation of the thresholds in annexes I and II; and their possible revision;
- experience and concrete solutions proposals for optimisation of the Protocol text and its implementation regarding the key areas identified in paragraph 39 ECE/MP.PRTR/WG.1/2019/6; and
- a possible inclusion of other relevant aspects, such as information on on-site transfers, storage, the specification of reporting requirements for diffuse sources or the development of criteria for including pollutants under this Protocol.

ii) In the light of the information shared, and based on inputs by Parties and observers, will draw up a comprehensive report, including recommendations for strengthening the Protocol and/or its application through amendments to the Protocol text or other relevant guidance, with the assistance of the Bureau;

iii) Will consider this report and the associated recommendations at its eighth meeting, with a view to their adoption by ~~as a basis for recommending to~~ the Meeting of the Parties at its fourth session~~the adoption of the report as a reference document for Parties~~.