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**ECONOMIC COMMISSION FOR EUROPE**

MEETING OF THE PARTIES TO THE  
CONVENTION ON ACCESS TO INFORMATION,  
PUBLIC PARTICIPATION IN DECISION-MAKING AND  
ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS

Working Group on Pollutant Release and Transfer Registers

Fourth meeting  
Geneva, 14–16 February 2007  
Item 4 (g) of the provisional agenda

**CAPACITY-BUILDING FOR THE PROTOCOL\***

Prepared by the Bureau<sup>1</sup>

1. Article 16, paragraph 2 (c), of the Protocol on Pollutant Release and Transfer Registers (PRTRs) requires the Parties to encourage cooperation among each other and with relevant international organizations, as appropriate, to promote “the provision of technical assistance to

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\* To be discussed under the agenda item “Elements for a technical assistance mechanism under the Protocol”. In this context, “technical assistance” is understood as assistance aimed at resolving specific technical needs; whereas “capacity-building” more broadly encompasses the strengthening and/or development of a country’s human, scientific, technological, organizational, institutional and resource capabilities.

<sup>1</sup> The document was submitted on the above date to allow for consultation with international experts on capacity-building for the effective implementation of the Protocol.

Parties that are developing countries and Parties with economics in transition in matters relating to the Protocol”.

2. In accordance with article 17, paragraph 2 (h), of the Protocol, the Meeting of the Parties to the Aarhus Convention is required to keep under continuous review the implementation and development of the Protocol and, with this purpose in mind, to consider *inter alia* establishing technical assistance mechanisms to facilitate the implementation of the Protocol.

3. At the second session of the Meeting of the Parties, the Parties recognized that “with the development of the Protocol on PRTRs ... there is a need to support its future implementation, in particular through technical assistance and capacity-building” (ECE/MP.PP/2005/16, para. 59). In the Almaty Declaration (27 May 2005), the Parties further affirmed that “promoting implementation will require further capacity-building efforts aimed at addressing the identified needs of specific countries or groups of countries or addressing specific topics or professional target groups and providing guidance and support for implementation (ECE/MP.PP/2005/2/Add.1, para. 17).

4. This document sets out possible elements for a technical assistance mechanism under the Protocol, at the request of the Working Group and pursuant to the mandate contained in articles 16 and 17.

5. The document has three parts. It first reviews the Convention’s Capacity-building Framework and Framework Programme for Capacity-building Activities for PRTR, developed by the secretariat in consultation with its partner organizations. The document next addresses possible arenas for regional and international cooperation and support for national PRTR development. It concludes by inviting consideration of the establishment of a particular technical assistance mechanism in support of implementation of the Protocol, in light of future experience gained under the Framework Programme for Capacity-building Activities for PRTR.

## **I. THE AARHUS CONVENTION CAPACITY-BUILDING FRAMEWORK**

6. Wishing to address the urgent need for coordinated and systematic assistance, in particular in countries in transition, for the effective implementation of the Convention, the Meeting of the Parties to the Convention (Lucca, Italy, 21–23 October 2002) requested the secretariat to continue with its efforts to develop the capacity-building service in partnership with other organizations (Decision I/10, ECE/MP.PP/2/Add.11, para. 1). The Meeting encouraged the secretariat and the United Nations Environment Programme (UNEP) to continue and further develop the service, continuously reviewing its effectiveness, in particular with respect to assistance on electronic information tools and on PRTRs.

7. An Aarhus Convention capacity-building coordination meeting held on 30 September 2003 explored the possibilities for establishing a framework for longer-term coordination/cooperation between international and regional organizations on Aarhus-related capacity-building activities and considered the relationship of the Aarhus Convention capacity-building service to any such framework. It was agreed that more cooperation, collaboration and information sharing among the organizations working in the field were needed in the longer term, and that the capacity-building service, restyled as a capacity-building framework, could provide a framework for such enhanced cooperation.

8. UNECE serves as a facilitator of implementation of the Environment Strategy for Countries of Eastern Europe, Caucasus and Central Asia<sup>2</sup> (EECCA Environment Strategy) adopted at the Third Ministerial Conference “Environment for Europe” in Kiev in May 2003. The EECCA Environment Strategy aims to strengthen the environmental protection efforts of the EECCA countries and to facilitate partnerships and cooperation between these and other countries, and with other stakeholders in the UNECE region. The Aarhus Convention’s capacity-building framework contributes to implementation of objective 6.2 “Public participation” of the EECCA Environment Strategy (ECE/CEP/105/Rev.1, annex).

9. The Aarhus Convention’s capacity-building framework is opened to the main international and regional organizations significantly involved in capacity-building activities relating to the Convention. It functions more as a forum for information exchange, cooperation and (where so desired by the partners) coordination than as a body organizing concrete projects. The latter should be developed by the organizations themselves, individually or in groups, with regard for the needs and wishes of the countries themselves.

10. The role of the secretariat involves

- (a) Providing an overview of all major capacity-building initiatives to ensure consistency and avoid duplication of effort among the projects;
- (b) Organizing an annual coordination meeting for major organizations involved in the capacity-building activities as a venue for the exchange of information and lessons learned among the implementing organizations, the establishment of partnerships, and an overview of existing and planned projects and initiatives; and
- (c) Providing support to projects implemented by various organizations.

11. The framework, which is serviced by the Convention secretariat, includes identification of needs and gaps in coverage and, where appropriate, provision of advice to the framework partners on priorities. In addition, the secretariat lends as much support as possible to projects carried out by the members of the capacity-building framework when requested (e.g. by serving on project steering committees or making presentations at workshops). The secretariat’s involvement in managing capacity-building projects is quite limited, however.

12. The partner organizations involved in the framework’s activities in 2006 included UNECE, UNEP, the United Nations Development Programme (UNDP), the United Nations Institute for Training and Research (UNITAR), the Organization for Security and Co-operation in Europe (OSCE), the Regional Environmental Center for Central and Eastern Europe (REC), the Central Asian Regional Environmental Centre (CAREC), Milieukontakt Oost-Europa, The Access Initiative (TAI) and European ECO-Forum.

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<sup>2</sup> EECCA includes the following countries: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

13. To gather further information, the secretariat carried out a survey of projects and programmes implemented by these organizations since the first meeting of the Parties. Among the conclusions of the secretariat's research into technical assistance is that capacity-building is still not given sufficient priority.<sup>3</sup> Many countries may need financial and technical assistance in order to achieve conformity with the requirements of the Protocol.<sup>4</sup>

14. The secretariat has also undertaken or coordinated a number of capacity-building activities specifically relevant to the development of national PRTR systems within the scope of the Convention's capacity-building framework, including participation in regional and subregional workshops, media presentations and other technical exchange and promotional activities undertaken at the international level within the context of the Work Programme of the Convention. Such activities are supported through extrabudgetary resources through implementation of the 2006–2008 Work Programme for the Convention.

## **II. FRAMEWORK PROGRAMME ON CAPACITY-BUILDING FOR POLLUTANT RELEASE AND TRANSFER REGISTERS**

15. With respect to PRTR development, technical assistance can take many forms, including
- (a) Provision of information on capacity-building needs, opportunities and resources;
  - (b) Prioritization of capacity-building objectives and needs;
  - (c) Identification of key development partners and potential funding sources;
  - (d) Support for the design of programmes and projects;
  - (e) Feasibility studies for critical projects;
  - (f) Project oversight and management services;
  - (g) Certification of qualified experts and organization of expert study tours;
  - (h) Technology transfer and infrastructure development;
  - (i) Establishment of regional and subregional capacity-building centres; and
  - (j) Promotion and/or overall coordination of assistance.

16. At its first meeting in February 2004, the UNECE Working Group on PRTRs welcomed the efforts that UNECE, UNEP and UNITAR were making to coordinate their work on PRTRs and invited them to refine and further develop a proposal for a framework programme on capacity-building for PRTRs. It also welcomed the work of the Regional Environmental Center for Central and Eastern Europe (REC) and encouraged the United Nations bodies to explore with the REC possibilities for a coordinated approach. In accordance with this mandate, UNECE, UNEP, UNITAR and the REC jointly developed a framework programme on regional,

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<sup>3</sup> ECE/MP.PP/2005/16, paragraph 67.

<sup>4</sup> ECE/MP.PP/AC.1/2006/6, paragraph 31.

subregional and national PRTR capacity-building. The programme is open to other interested organizations.

17. The PRTR framework programme includes the following proposed regional, subregional and national activities:

Regional activities

- (a) Development of guidance on technical issues related to compliance and implementation of the Protocol on PRTRs (UNECE, UNITAR and REC); and
- (b) Further development of the Virtual Classroom on PRTRs (<http://prtrvc.unitar.org>) to give technical assistance in the implementation of the Protocol (UNECE and UNITAR).<sup>5</sup>

Subregional activities

- (a) Workshops on legal, institutional and/or technical themes related to the Protocol's implementation, following the model of the workshops conducted in partnership with the REC and the EECCA RECs prior to the entry into force of the Aarhus Convention (UNEP, UNITAR and the REC); and
- (b) Workshops and study tours bringing experts from countries developing PRTRs to countries with operational PRTRs to acquire experience and expertise (REC).

National activities

- (a) Training programmes on legal, institutional and/or technical aspects of developing a pilot PRTR (UNECE, UNEP/GRID-Arendal and REC);
- (b) Assessment of existing reporting systems in comparison with the Protocol on PRTRs and models of good practice (UNECE);
- (c) Identification of needs/priorities to develop legislative and institutional frameworks for PRTRs (UNECE, UNITAR and REC);
- (d) Development of a strategy on establishing national PRTR systems, in cooperation with relevant government agencies, NGOs and other stakeholders (UNECE, UNITAR and REC);
- (e) Capacity-building for Governments, NGOs and other stakeholders on PRTR issues (UNITAR and REC); and
- (f) Public education to promote understanding of the benefits and use of PRTR systems (UNECE, UNEP, UNITAR and REC).<sup>6</sup>

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<sup>5</sup> The Virtual Classroom on PRTRs provides a forum for the exchange of information and good practice in international and national PRTR development. It may be well suited to promoting the exchange of technical information by electronic means among Parties, Signatories and other interested stakeholders to the Protocol and thus could be considered an integral part of any future technical assistance mechanism for the Protocol.

<sup>6</sup> Compare MP.PP/AC.1/2004/2, paragraph 26.

18. Among the results expected through implementation of the framework programme are:
- (a) Country strategies to establish PRTR systems and to ratify/implement the Protocol;
  - (b) Review of existing reporting systems identifying gaps and needs and providing recommendations for developing legislative and institutional frameworks for PRTRs;
  - (c) Operational Virtual Classroom Internet discussion forums;
  - (d) Pilot projects in selected countries resulting in progress towards PRTR systems in a transparent process involving the public and other stakeholders; and
  - (e) Strengthened capacities of Governments, NGOs and the private sector for understanding and developing PRTRs.
19. The list of PRTR capacity-building activities, developed cooperatively by UNECE, UNEP, UNITAR and the REC at the request of the Working Group on PRTRs and with contributions from other capacity-building partners, has been compiled and updated semi-annually by the secretariat beginning in 2004. It may prove useful for tracking and reporting on PRTR capacity-building activities at the international level, and in particular for tracking implementation of SAICM<sup>7</sup> for the International Conference on Chemicals Management (ICCM).<sup>8</sup>
20. The involvement of the private sector and NGOs, in order to strengthen and further improve their relationship with Government and to increase resources and expertise contributions, is seen as highly desirable in UNECE programme activities and initiatives. The development of PRTRs, which by their nature are intersectoral instruments and demand a high degree of coordinated action for their implementation, requires broad multi-stakeholder involvement at the national and international levels. Any future technical assistance mechanism would also need broad multi-stakeholder involvement and should therefore place a premium on coordination of effort.

### **III. REGIONAL AND INTERNATIONAL COORDINATION AND SUPPORT**

#### **A. International PRTR Coordinating Group**

21. The secretariat participated in the international coordination of PRTR capacity-building through its participation in the Inter-Organizational Programme for the Sound Management of Chemicals (IOMC) PRTR Co-ordinating Group. The IOMC concluded the activity of this body under its auspices in June 2005. Subsequently, the IOMC Group's former members agreed to establish a new International PRTR Coordinating Group as successor to the IOMC PRTR Co-ordinating Group.

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<sup>7</sup> Strategic Approach to International Chemicals Management.

<sup>8</sup> ECE/MP.PP/AC.1/2007/L.8.

22. The overall objective of the new International PRTR Coordinating Group is to improve coordination between international organizations, Governments and other interested parties in their ongoing and planned efforts related to the further development and implementation of PRTR systems. The Coordinating Group serves to promote capacity-building for PRTR systems in developing countries and countries with economies in transition through intergovernmental coordination. It can also serve as a reporting mechanism for the International Conference on Chemicals Management (ICCM), in particular to measure progress on the SAICM Action Plan and to analyse trends in national implementation.<sup>9</sup> Regional SAICM meetings could also provide opportunities for the Coordinating Group to provide information on national developments and promote the exchange of good practice.

23. The International PRTR Coordinating Group may provide a useful forum for promoting international cooperation and technical assistance. It enjoys wide participation by countries which have established PRTR systems or are involved in the development of PRTRs internationally. The Coordinating Group operates on the basis of consensus. It will, through activities implemented individually or jointly by its members:

- (a) Promote mechanisms to harmonize activities and avoid duplication of efforts;
- (b) Increase, through collaboration, coordination and information exchange between its members, the efficiency of international efforts to bring together expertise on PRTRs;
- (c) Coordinate PRTR outreach, training and capacity-building activities of international organizations, national governments and other interested parties;
- (d) Facilitate the exchange of information on ongoing and planned PRTR activities of its members;
- (e) Enhance the network of PRTR resource institutions and individuals; and
- (f) Coordinate the preparation of reports concerning international PRTR activities to be submitted for consideration to relevant forums (e.g. the Intergovernmental Forum on Chemical Safety).

24. The International PRTR Coordinating Group operates on an interim basis as a self-standing independent body; consideration of operating under the auspices of another international body will be kept under review as international chemicals management coordination evolves. UNECE currently serves as the secretariat of the Coordinating Group and its Bureau, on which UNEP, UNITAR and the Government of Denmark are currently represented. The second meeting of the International PRTR Coordinating Group will be held on 26 February 2007 in Copenhagen. The Government of Denmark will host the meeting.

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<sup>9</sup> For the significance of PRTRs to SAICM implementation, see ECE/MP.PP/AC.1/2006/2, paragraph 24.

## **B. OECD PRTR Task Force**

25. In 2002, the Organisation for Economic Co-operation and Development (OECD) convened a Task Force on PRTRs (OECD Task Force). The OECD Task Force has a wide mandate to

- (a) Improve and make widely available release estimation techniques;<sup>10</sup>
- (b) Facilitate the sharing of PRTR data between countries;<sup>11</sup>
- (c) Advance and improve the uses of PRTR data;
- (d) Identify, analyse and develop tools and provide guidance in areas that would promote the establishment and improvement of PRTRs in OECD countries and beyond;
- (e) Promote communication and a close working relationship between the Task Force and relevant organizations on the various aspects of the PRTR work; and
- (f) Analyse and share developments in the field of PRTRs.

26. It should be noted that participation in the OECD Task Force is not limited to OECD member countries but also includes representatives of other intergovernmental organizations, including United Nations bodies, as well as business and civil society organizations. Furthermore, the mandate of the Task Force extends beyond the OECD member countries to encompass other countries in the developing world. The meetings of the Task Force are hosted by participating OECD member countries on a rotating basis. When the Task Force schedules its meetings in Europe, the International PRTR Coordinating Group has agreed to hold its meetings back-to-back with those of the OECD Task Force in order to promote participation by international experts who might not be able to attend a stand-alone meeting of the Coordinating Group. Participants currently fund their own participation in meetings, a factor which tends to limit the participation of representatives of developing countries and countries with economies in transition, and of other regional and civil society organizations, including those engaged in PRTR capacity-building activities.<sup>12</sup>

## **C. Working Group on Environmental Monitoring and Assessment**

27. In November 2004, a UNECE Fund-raising Framework laid out priority requirements for additional extrabudgetary funding for technical cooperation activities which need to be carried out in support of UNECE's mandate and programme of work in 2004 and beyond. Among the three priorities specified for the environment, the document called for strengthening Environmental Monitoring and Assessment (an ongoing activity since 2001) under the Working Group on Environmental Monitoring and Assessment (WGEMA), established by the UNECE Committee on Environmental Policy in 2000. Countries of EECCA and South-Eastern Europe require policy recommendations and technical guidance on improving their monitoring and observation networks, including measurement standards, formats and protocols, use of effective indicators for environmental assessments and reporting, and the application of information

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<sup>10</sup> <http://www.oecd.org/env/prtr/rc>

<sup>11</sup> <http://www.oecd.org/env/prtr/data>

<sup>12</sup> For a list of organizations engaged in PRTR capacity-building internationally, see ECE/MP.PP/AC.1/2007/L.8.

technologies and tools for environmental data management and communication.<sup>13</sup> Donors were therefore invited to support the WGEMA.

28. Subsequently, the WGEMA developed Guidelines for Strengthening Environmental Monitoring and Reporting by Enterprises”, working in collaboration with OECD, the Convention secretariat and other stakeholders.<sup>14</sup>

29. The Working Group may wish to consider further engagement with the WGEMA in order to promote synergies between the WGEMA Work Programme and capacity-building activities undertaken under the Protocol, and to avoid potential duplication.

#### **D. Environment and Security Initiative**

30. Another important priority of UNECE’s technical cooperation is to provide support to the national efforts of countries with economies in transition to integrate their economies into the European and global economies. A significant proportion of the activities has been devoted to supporting post-conflict reconstruction efforts and to mitigating the risk of conflict by bringing affected countries to the negotiation table in order to facilitate their cooperation in search of constructive solutions to development problems. This support has been realized by various means, including through cooperation agreements between UNECE and subregional country groupings and initiatives.

31. The Environment and Security Initiative (ENVSEC) provides one such framework for cooperation on environmental issues across borders to promote peace, stability and sustainable development. ENVSEC is a joint initiative of the United Nations Development Programme (UNDP), UNEP, OSCE and UNECE that builds on the combined strengths and field presence of the lead organizations to perform three key functions:

- (a) Assessment and monitoring of environment and security linkages;
- (b) Capacity-building and institutional development; and
- (c) Integration of environment and security concerns and priorities into international and national policymaking.<sup>15</sup>

32. Implementing PRTRs, particularly in targeted subregions, can be viewed as part of this larger effort in the context of ENVSEC. In November 2006, UNECE presented a concept proposal to the ENVSEC Management Board for the development of capacity by enterprises and Governments in EECCA to implement national PRTRs in preparation for implementation of the Protocol on PRTRs. The Board made a number of recommendations, notably to expand the geographic scope of the concept to include South-East European countries and to specify subregions, facilities and partners in a full proposal. The secretariat is circulating the concept proposal to potential partner organizations and Governments. It is expected that the final

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<sup>13</sup> UNECE Fund-raising Framework Explanatory Note, second issue, November 2004.

<sup>14</sup> <http://www.unece.org/env/documents/2006/ece/cep/ac.10/ece.cep.ac.10.2006.4.rev.1.e.pdf>

<sup>15</sup> ENVSEC participating organizations include UNDP, UNEP, OSCE, NATO, UNECE and the Regional Environmental Center for Central and Eastern Europe (REC). UNECE became a full partner in 2005.

proposal (or set of proposals) will be included in the UNECE ENVSEC Work Programme and formal requests made to potential donors to fund PRTR capacity-building activities in line with the PRTR framework programme.

#### **IV. CONCLUSION**

33. The Bureau may wish to explore the idea of establishing a particular technical cooperation mechanism for the Protocol if the experience of the impact of the framework programme on capacity-building for PRTRs indicates that such a mechanism might provide clear added value.