

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

Working Group of the Parties

Seventh meeting

Geneva, 28 and 29 November 2019

Item 9 (b) of the provisional agenda

Preparations for the fourth session of the Meeting of the Parties to the Protocol: Substantive preparations: financial arrangements under the Protocol

Draft decision on financial arrangements

Excerpt from Annex I of the Note on future financial arrangements under the Protocol on Pollutant Release and Transfer Registers*

Summary

Draft decision contained in this document is based on the current decision III/3 on the financial arrangements (see ECE/MP.PRTR/2017/6/Add.1) adopted by the Protocol's Meeting of the Parties at its third session (Budva, Montenegro, 14-15 September 2017) with new elements related to mandatory scheme of contributions and to the United Nations scale of assessments derived from the draft decision III/3 on the financial arrangements submitted to the third session (see ECE/MP.PRTR/2017/11)¹. The present document therefore contains two options: the current financial scheme based on voluntary contributions and a mandatory scheme of contributions aligned with the United Nations scale of assessment. For greater clarity regarding the different options under consideration for a financial scheme, text in bold in the draft decision indicates which option or options are applicable for the suggested text. Option A relates to a financial scheme with a mandatory contribution scheme; Option B is for a financial scheme with voluntary contributions. To facilitate deliberations by the Working Group, actual revisions to the current adopted decision III/3 are shown in track changes in this document. For the complete note on future financial arrangements under the Protocol on Pollutant Release and Transfer Registers, prepared by the Bureau, see document ECE/MP.PRTR/WG.1/2019/8.

The Meeting of the Parties

Recalling article 17, paragraph 2 (h), of 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), which states that the Meeting of the Parties may consider establishing financial arrangements ~~on a~~by consensus ~~basis~~ to facilitate the implementation of the Protocol,

* This document was not formally edited. For the complete note on future financial arrangements under the Protocol on Pollutant Release and Transfer Registers, prepared by the Bureau, see document ECE/MP.PRTR/WG.1/2019/8, available from: <https://www.unece.org/index.php?id=47194>.

¹ See (Tab on Category I documents): https://www.unece.org/env/pp/prtr/mopp3_docs.html.

Also recalling decisions I/3, II/4 and H/4III/3 of the Meeting of the Parties to the Protocol, establishing an interim voluntary scheme of contributions to be sustained by contributions from Parties, signatories and other States having opted to participate in the scheme,

Recognizing the need to:

- (a) Ensure that sufficient resources are available to implement the Protocol's work programme for ~~2018-2021~~2022-2025, adopted through decision H/2;IV/...;
- (b) Establish a scheme of financial contributions that is transparent and accessible to all Parties, signatories and other States and organizations wishing to contribute;
- (c) Establish financial arrangements under the Protocol that will ensure stable and predictable sources of funding, based on the principles of an equitable sharing of the burden, accountability and sound financial management,

Believing also that some organizations and non-State entities, such as charitable foundations, may be interested in contributing financially to the activities under the Protocol's work programme and should be encouraged to do so,

Noting with regret that most of contributions are still arriving late and that the financial burden has not been evenly distributed, with several Parties and signatories not contributing at all,²

Believing that the financial arrangements in place under the Protocol will need to be kept under periodic review by the Meeting of the Parties to ensure that they continue to meet the goals of stability, predictability and an equitable sharing of the burden,

1. **Option A for mandatory contributions:** [Establishes a mandatory scheme of contributions] **Option B for voluntary contributions:** [Decides to continue maintaining the interim voluntary scheme of contributions as reflected in decision H/4III/3 of the Meeting of the Parties to the Protocol³] aimed at covering the costs of activities under the work programme that are not covered by the United Nations regular budget, based on the following principles:

- (a) The Parties shall collectively ensure that the costs of the activities of the work programme that are not covered by the United Nations regular budget are covered through the financial scheme;

~~**Relevant for Option A only:** [(b) The burden of covering the costs of the activities shall be distributed among the Parties and Signatories to the Protocol in proportion to the United Nations scale of assessments⁴ with the indicative contribution of each Party for 2019 being as shown in the annex hereto;~~

~~(c) The scale of assessments shall be adjusted so that no Party or Signatory is required to contribute more than 22 per cent⁵ of the estimated costs to be covered by the scheme;~~

~~(d) Each Party or Signatory shall contribute each year, as a minimum, the amount derived from applying the adjusted scale of assessments referred to in subparagraph x x x to the total estimated costs of the activities, but each contribution should not be less than stated in paragraph xxx:]~~

² This paragraph is to be verified closer to the adoption of the decision.

³ See ECE/MP.PRTR/2014/42017/6/Add.1.

⁴ The United Nations scale of assessments is adopted by the General Assembly for a three-year period. It provides the basis for calculating the contributions of Member States to the United Nations regular budget. In December 2018, the General Assembly adopted resolution 73/271 on a scale of assessments for the apportionment of the expenses of the United Nations for the period 2019-2021. As reaffirmed in that resolution, the fundamental principle for calculating Member States' contributions is that "the expenses of the Organization shall be apportioned broadly according to capacity to pay".

⁵ In accordance with General Assembly resolution 73/271, which refers to 22 per cent for the period 2019-2021.

Relevant for both Options A and B:

~~[(b)]~~ No Party or signatory is expected to contribute less than ~~\$500-United States dollars~~ to the Protocol's work programme for a given calendar year;

~~[(c)]~~ Contributions shall be made in cash and shall not be earmarked for a particular activity;

~~[(d)]~~ Additional contributions may be made in cash or in kind, and may be earmarked for a particular activity;

~~[(e)]~~ Contributions in cash shall be made through the United Nations Economic Commission for Europe trust fund for local technical cooperation (Aarhus Convention/Protocol on Pollutant Release and Transfer Registers project);

~~[(f)]~~ Insofar as possible, and subject to the internal budgetary procedures of the Parties, contributions for a given calendar year should preferably be made by 1 October of the preceding year, so as to secure payment of staff costs for the smooth functioning of the secretariat, as a priority, and the timely and effective implementation of the priority activities of the respective programme of work;

~~(g) Parties pledge, where possible~~~~[(g)]~~ To keep administrative costs related to funds management at the minimum and, insofar as possible and subject to internal budgetary procedures of the Parties, contributions should preferably be paid net with possible charges at expense of donors, concentrated as much as possible within the intersessional period, by, for example, making multiannual or annual contributions continuously (for every calendar year) and by merging contributions for the Aarhus Convention and Protocol in one transfer, if appropriate;

~~[(h)]~~ Parties pledge, where possible, prior to the adoption of a work programme by the Meeting of the Parties, their expected annual or multiannual financial and in-kind contributions. Signatories, other interested States and organizations may wish to indicate their expected contributions as well;

2. *Requests* Parties, to contribute each year or to make multiannual contributions towards the costs of activities under the work programme, in accordance with the scheme referred to in paragraph 1;

3. *Invites* signatories, other interested States and public entities, as well as the private sector, in accordance with the ~~2009 Revised~~2015 Guidelines on a Principle-based Approach to the Cooperation between the United Nations and the Business Sector,⁶ to contribute, in cash or in kind, towards covering the costs of the work programme;

4. *Calls upon* countries with economies in transition to finance to the extent possible their own participation in the activities;

5. *Calls upon* international organizations working in countries with economies in transition to support participation of representatives of these countries and non-governmental organizations in the meetings and other activities under the Protocol;

6. *Encourages* Parties that have historically contributed generously to maintain their previous levels of contribution;

7. *Also encourages* Parties that have so far not contributed, or have contributed modestly, to increase their contributions during the current and future budget cycles so as to ensure the equitable distribution of the financial responsibility for implementation of the work programme, and requests the Bureau to liaise with such Parties where appropriate concerning the achievement of this goal;

⁶ Issued by the Secretary General in November 2009. Available from <http://business.un.org/en/documents/6602>. ⁶ United Nations, Global Compact, "Guidelines on a Principle-based Approach to the Cooperation between the United Nations and the Business Sector", report, 2015 (revised). Available at www.unglobalcompact.org/library/3431 (accessed on 5 July 2019).

8. *Requests* the secretariat, in accordance with the financial rules of the United Nations, to allocate in the Convention trust fund by 1 October of each year the sum required for the extension of the contracts of extrabudgetary staff of the secretariat for the upcoming year, as a priority, and also the costs needed for implementation of activities in the first quarter of the upcoming year;

9. *Also requests* the secretariat, in accordance with the financial rules of the United Nations, to monitor the expenditure of the funds and to prepare annual reports for review by the Working Group of the Parties in order to ensure that the level of contributions matches the level of funding needed for the implementation of the work programme;

10. *Requests* the Working Group of the Parties to consider, in the light of these annual reports, whether changes would be required to the content or time frame of the work programme, in the event that the level of actual and/or pledged contributions does not match the level of funding needed;

11. *Further requests* the secretariat to prepare a comprehensive financial report for each session of the Meeting of the Parties, including information on how much Parties and other participating States and organizations have contributed to the budget of the Protocol in cash and in kind, and on how the contributions were spent;

12. *Mandates* the Bureau and the Working Group of the Parties to explore in the next intersessional period options for more predictable, stable and equitably shared funding, and requests them to make the appropriate proposals for the consideration of the Meeting of the Parties at its ~~fourth~~fifth session;

13. *Requests* the United Nations Economic Commission for Europe to allocate more resources to support the work under the Convention and its Protocol, in view of the positive evaluation of the Environmental subprogramme during the review of the 2005 reform of the Commission,⁷ considering, inter alia, the balance in the use of regular budgetary resources in the different subprogrammes;

14. *Agrees* to review the operation of the scheme of financial arrangements at the ~~fourth~~fifth session of the Meeting of the Parties.

⁷ ~~See the Commission's Biennial Report (1 April 2011–11 April 2013) (Official Records of the Economic and Social Council, 200132013, Supplement No. 17 (E/2013/37–E/ECE/1464), annex III, chapter II.A), available from [http://www.unecce.org/index.php?id=31965#/-paras. 7 and 8](http://www.unecce.org/index.php?id=31965#/-paras.7%20and%208)).~~