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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

Geneva, 16-18 December 2020

Item 8 (b) (i) of the provisional agenda

Preparations for the fourth session of the Meeting of the Parties to the Protocol: substantive preparations: agenda for the fourth session

Draft outline of the agenda for the fourth session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers*

approved as amended at the meeting

Prepared by the Bureau

Summary

The outline contained in the present document was prepared by the Bureau 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. The Convention's Bureau was consulted on the organization of work set out in section II and elements of the agenda set out in section III. The document aims to facilitate discussion by the Working Group of the Parties to the Protocol on preparations for the fourth session of the Meeting of the Parties to the Protocol and the seventh session of the Meeting of the Parties to the Convention, which will be held back-to-back in 2021.

According to its mandate, the Working Group is tasked with the preparation of the sessions of the Meeting of the Parties (ECE/MP.PRTR/2010/2/Add.1, decision I/4, para. 2 (b)). The document was prepared on the basis of decision III/2 on the work programme for 2018–2021 for the Protocol (ECE/MP.PRTR/2017/6/Add.1) and aims to facilitate the Bureau and the Working Group's discussion on the organization of work and the agenda of the fourth session of the Meeting of the Parties to the Protocol.

* This document was scheduled for publication after the standard publication date owing to circumstances beyond the submitter's control.

The Working Group will be invited to consider and approve the draft provisional agenda for the fourth session at its eighth meeting (Geneva, 16 - 18 December 2020) and mandate the Bureau to finalize it for submission to the Meeting of the Parties for adoption at its fourth session.

I. Dates and venue

1. Pursuant to previous experience, it is suggested that the seventh session of the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and the fourth session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers be held back-to-back. Considering also a timeline for preparing documents, the events are being planned for the week of 18 October 2021. Georgia expressed its interest in hosting the events.

II. Organization of work

2. The proposed allocation of time for the seventh session of the Meeting of the Parties to the Convention and the fourth session of the Meeting of the Parties to the Protocol and the associated meetings are set out in the table below.

<i>Date</i>	<i>Convention/Protocol body</i>
Sunday, 17 Oct. 2021 (full day)	Convention Compliance Committee (could continue in parallel with the seventh session of the Meeting of the Parties to the Convention, as required)
Sunday, 17 Oct. 2021 (3–5 p.m.)	Convention Bureau
Monday, 18 Oct. 2021 (9 a.m.–1 p.m. and 3–5.30 p.m.)	Seventh session of the Meeting of the Parties to the Convention (preparatory segment) ^a
Tuesday, 19 Oct. 2021 (10 a.m.–1 p.m. and 3–6 p.m.)	Seventh session of the Meeting of the Parties to the Convention (general segment), Protocol Compliance Committee (could take place in parallel, as required)
Wednesday, 20 Oct. 2021 (10 a.m.–1 p.m. and 3–6 p.m.)	Seventh session of the Meeting of the Parties to the Convention (general segment), Protocol Bureau (could take place in parallel, as required)
Thursday, 21 Oct. 2021 (10 a.m.–1 p.m. and 3–6 p.m.)	Joint high-level segment of the Meetings of the Parties to the Convention and the Protocol ^b
Friday, 22 Oct. 2021 (10 a.m.–1 p.m. and 3–6 p.m.)	Fourth session of the Meeting of the Parties to the Protocol (general segment)

^a The purpose of the preparatory segment is to finalize any pending documents that may be required. Late afternoon/evening is reserved for the finalization and translation of possible revised documents, as well as for possible coordination meetings.

^b Subject to the decision of the Parties to the Convention and the Protocol, a thematic high-level segment could be organized jointly by both Meetings of the Parties. If there is no high-level segment, the fourth session of the Meeting of the Parties to the Protocol could take place on Thursday, 21 October 2021.

III. Elements of the agenda

3. For the fourth session of the Meeting of the Parties to the Protocol, it is suggested that: (a) the agenda should, in general, be similar to that for the third session; (b) the agenda should cover all substantive areas of work under the Protocol; and (c) discussions should address good practices, achievements, lessons learned and challenges and obstacles in relation to implementing the Protocol. Representatives of Governments and stakeholders could be invited to deliver the keynote addresses under specific agenda items.

4. Should Parties decide to hold a high-level segment, they may wish to consider organizing a thematic session on a subject that would both attract high-level participation and

be linked to emerging issues in a global context. The focus of the session could, for example, be on the role of the Convention and its Protocol in assuring the rights of public access to information, participation in decision-making and access to justice in sustainable infrastructure and spatial planning.¹ Considering the recent work under the Protocol, which demonstrated that pollutant release and transfer registers have significantly evolved since the Protocol was adopted in 2003, the high-level segment could, in this context, provide an opportunity to showcase experiences and the way forward with regard to the development of the Protocol.

5. Spatial planning and large-scale infrastructure projects have a substantial impact on the lives of thousands of people across countries and regions. Such projects create new opportunities for employment, travel and general economic growth. At the same time, they have an immense influence on ecosystems and people's health and well-being. They often lead to the generation of considerable environmental pressures – for example, from greenhouse gases, wastes and other forms of pollution – and to the reshaping of green open space and agricultural land. Furthermore, they can intensively modify natural habitats and have an impact on biodiversity. These projects are commonly opposed by people concerned about their potential impact on the environment. Too often, such opposition can lead to people living under the threat of harassment or even in fear of their life. It is therefore critical to ensure that environmental and social concerns are fully considered and addressed from the outset of spatial planning and of the initial conception of a project, as well as in connection with lifetime extensions and changes to operating conditions. Further, most Governments have responded to the coronavirus disease (COVID-19) pandemic by declaring a state of emergency and by adopting numerous measures to combat the spread of the virus, which have often included restrictions on the freedoms of assembly and movement. Consequently, there may have been an impact on procedural rights of public access to information, participation in decision-making and access to justice, including in environmental matters.

6. The above-mentioned themes would allow Parties and stakeholders to touch upon a number of issues that were identified through the work of the Convention and the Protocol as being critical, namely: (a) transparency and effective and inclusive public participation in decision-making on policies and projects related to large infrastructure and spatial planning, including across borders; (b) how pollutant release and transfer registers could assist sustainable planning and health policies through, for example, the map-based visualization of registered sources of pollutant releases, which can help to identify the most suitable location for infrastructure projects, as well as the need and potential for strengthening their operating conditions, with a view to preventing or at least minimizing potential risks for the environment and health; and (c) the rule of law in this context. Furthermore, Parties and stakeholders will have an opportunity to discuss how measures taken during such crisis as COVID 19 pandemic may have an impact on the above-mentioned procedural rights, and to address the role of the Convention and the Protocol in this regard.

7. The above-mentioned subjects are closely linked to the implementation of a number of regional and global initiatives and commitments, in particular: United Nations Environment Assembly resolution 4/5 on sustainable infrastructure (UNEP/EA.4/Res.5), which recognizes infrastructure's centrality to the 2030 Agenda for Sustainable Development; United Nations Environment Assembly resolution 4/19 on mineral resource governance (UNEP/EA.4/Res.19), which addresses such issues as environmental, human rights- and conflict-related risks in mining; the new European Green Deal,² which recognizes the importance of "smart infrastructure" and "zero pollution" within a circular economy; decisions taken under the auspices of the Convention on Biological Diversity calling for urgent action to, for example, secure and conserve the planet's variety of life;³ and pledges regarding climate resilient infrastructure made under the United Nations Framework Convention on Climate Change. Furthermore, Human Rights Council resolutions 37/8 on human rights and the environment (A/HRC/RES/37/8), 40/11 recognizing the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development (A/HRC/RES/40/11) and 42/21 on protection of the

¹ The Ninth Environment for Europe Ministerial Conference (Nicosia, 3–5 November 2021) will consider "sustainable infrastructure" as one of its major themes.

² See https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en.

³ See www.cbd.int/nbsap/.

rights of workers exposed to hazardous substances and wastes (A/HRC/RES/42/21) have direct relevance to the above-mentioned subjects. Moreover, given that the vast majority of the Parties to the Aarhus Convention and to the Protocol are involved in the Belt and Road Initiative,⁴ the discussions will also be highly relevant for this far-reaching infrastructure project.

8. Lastly, the subjects are applicable to the implementation of a number of Sustainable Development Goals. In addition to Goal 16, these include: Goal 3 (Good health and well-being), Goal 9 (Industry, innovation and infrastructure), Goal 11 (Sustainable cities and communities), Goal 12 (Responsible consumption and production), Goal 13 (Climate action) and Goal 15 (Life on land). Furthermore, considering its continuing importance, the issue of environmental defenders would also be addressed as a separate topic. A concise (no longer than two-and-a-half pages), theme-specific joint declaration (i.e. with the Parties to the Protocol) could be developed for consideration by high-level officials at the segment.

9. In accordance with the foregoing considerations, a suggested agenda for the fourth session of the Meeting of the Parties to the Protocol is set out below.

Joint high-level segment (subject to the decision of the Parties to the Convention and the Protocol)

1. Opening.
2. Report on credentials with regard to the Parties to the Protocol.
3. Thematic session.
4. Discussion and adoption of the Declaration.
5. Review and adoption of decisions by the Meeting of the Parties to the Convention.
6. Closure of the joint high-level segment.

General segment

1. Opening of the general segment and adoption of the agenda.
2. Status of ratification of the Protocol.
3. Promotion and capacity-building:⁵
 - (a) Coordination mechanisms and synergies;
 - (b) Subregional and national activities.
4. Reporting and compliance mechanisms:
 - (a) Reporting mechanism;
 - (b) Compliance mechanism.
5. Development of the Protocol, including adoption of a decision on development of the Protocol.
6. Programme of work and operation of the Protocol:
 - (a) Implementation of the work programme for 2018–2021;
 - (b) Future work programme for 2022–2025;
 - (c) Financial arrangements.
7. Election of officers and other members of the Bureau.

⁴ See www.un.org/development/desa/dpad/tag/belt-and-road-initiative/; and www.china-un.ch/eng/zywjyjh/t1675564.htm.

⁵ It is suggested that global and regional developments regarding issues related to pollutant release and transfer registers be considered at the high-level segment.

8. Date and venue of the fifth ordinary meeting.
 9. Any other business.
 10. Review and adoption of decisions.
 11. Closure of the meeting.
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