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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

Third meeting

Geneva, 20 and 21 November 2013

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

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I. Introduction

1. The third meeting of the Working Group of the Parties to the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs) to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was held on 20 and 21 November 2013 in Geneva, Switzerland.

A. Attendance

2. The meeting was attended by delegations from the following Parties to the Protocol: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, European Union (EU), Finland, France, Germany, Hungary, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Serbia, Slovakia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia and United Kingdom of Great Britain and Northern Ireland.

3. The meeting was attended by delegations from the following Signatories to the Protocol: Armenia, Bosnia and Herzegovina, Georgia, Greece, Republic of Moldova and Tajikistan.

4. Delegations from Belarus, Brazil, Chile, Honduras, Japan, Kazakhstan, the United States of America and Uzbekistan were also present.

5. Also attending were representatives of the Organisation for Economic Co-operation and Development (OECD), the Organization for Security and Co-operation in Europe (OSCE) Office in Tajikistan, the United Nations Environmental Programme (UNEP) and the United Nations Institute for Training and Research (UNITAR). Representatives of the following non-governmental organizations (NGOs) participated: the Bureau of Environmental Investigation (Ukraine); ECOGLOBE (Armenia); EcoLomics International (Switzerland); "ECOSCOPE" (Azerbaijan); European Environmental Bureau (Belgium); "Greenwomen" Analytical Environmental Agency (Kazakhstan); Hayajan Nature Protection and Rehabilitation Organization (Azerbaijan); and "Volgograd Ecopress" Information Centre (Russian Federation). Many of the NGOs coordinated their input within the framework of the European ECO Forum. In addition, representatives from Abt Associates Inc. (United States) and the Regional Environmental Centre for Central and Eastern Europe (Hungary), and a public interest lawyer (Switzerland), attended the meeting.¹

B. Organizational matters

6. Mr. Michel Amand (Belgium), Chair of the Meeting of the Parties to the Protocol on PRTRs, opened the meeting.

7. The Working Group adopted its agenda as set out in document ECE/MP.PRTR/WG.1/2013/1.

¹ Information concerning the meeting, including a list of participants, documentation and presentations, is available online from http://www.unece.org/prtr_wgp3.html.

II. Status of ratification of the Protocol on Pollutant Release and Transfer Registers

8. The secretariat reported on the status of ratification of the Protocol on PRTRs. Since the adoption of the Protocol in 2003, 38 States had become Signatories and there were currently 32 Parties. The Protocol had entered into force on 8 October 2009. Since the first session of the Meeting of the Parties to the Protocol on PRTRs (Geneva, 20–22 April 2010), seven States had become Parties: Slovenia, on 23 April 2010; the former Yugoslav Republic of Macedonia, on 2 November 2010; Serbia, on 23 November 2011; Ireland on 20 June 2012; Poland on 25 September 2012; Cyprus on 5 November 2012, and Israel on 14 January 2013.²

9. The Working Group took note of the report by the secretariat on the status of ratification of the Protocol on PRTRs and welcomed the accession of Israel to the Protocol. The Working Group also encouraged Signatories and other interested States to proceed with accession to the Protocol as soon as possible.

III. Designation of national focal points

10. The Working Group took note of the report prepared by the secretariat on the status of designation of national focal points (PRTR/WG.1/2013/Inf.1),³ in accordance with the decision of the Meeting of the Parties at its first session (ECE/MP.PRTR/2010/2, para. 32), and called upon those Governments that had not designated a focal point to date to proceed to do so as soon as possible.

IV. Promotion and capacity-building

A. Synergies with United Nations Economic Commission for Europe multilateral environmental agreements and other partners

11. The Working Group took note of the reports by OECD, UNEP and UNITAR on their PRTR-related activities and thanked all partner organizations for the support provided to further implementation of PRTR systems, thereby strengthening countries' capacities to accede to the Protocol on PRTRs.

12. Furthermore, the Working Group:

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

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/environmental-policy/treaties/public-participation/envppcontacts-fp/envppfpnew.html>.

(b) Called upon partner organizations to cooperate closely where possible to create synergies that furthered the implementation of the projects and programmes related to PRTRs;

(c) Took note of the report by the Chair on the outcomes of the latest informal meetings of the representatives of governing bodies of the ECE multilateral environmental agreements (MEAs), held on 27 February and 21 October 2013 in Geneva, as well as the relevant discussion by the Protocol's Bureau at its latest meeting in July 2013, and expressed its support for the process;

(d) Took note of the report by the Chair on the relevant outcomes of the nineteenth session of the ECE Committee on Environmental Policy (Geneva, 22–25 October 2013), where the work on ECE MEAs had been presented.

13. In the ensuing discussion, delegations raised the following key points:

(a) ECE MEAs covered a large substantive scope — from water management and industrial accidents to environmental impact assessments and human rights — which significantly influenced the potential for synergies between ECE MEAs;

(b) That there could be important synergies with the ECE Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters, once it came into force;

(c) The joint global round table, which had been co-organized in Geneva with OECD and in cooperation with UNITAR on 19 November 2003, had provided a great opportunity to share successes and challenges in implementing the Protocol, as well as to identify problematic areas and guide further synergies for implementing PRTRs.

B. Subregional workshops

14. The Working Group took note of the report on the subregional workshop for countries in South-Eastern Europe and Israel, “Get Your Right to a Healthy Community” (Sarajevo, 28–29 May 2013) (ECE/MP.PRTR/WG.1/2013/3), and expressed its appreciation to OSCE for its effective cooperation in co-organizing the workshop and to the Government of Bosnia and Herzegovina for its hospitality and cooperation. It encouraged Governments and stakeholders to consider the outcomes of the workshop with regard to future work to establish PRTR systems.

C. Provision of technical assistance

15. On the subject of technical assistance, the Working Group:

(a) Welcomed the document containing a proposal by Armenia and Belarus on the promotion of the Protocol on Pollutant Release and Transfer Registers in Eastern Europe, the Caucasus and Central Asia (ECE/MP.PRTR/WG.1/2013/4);

(b) Agreed to submit the document to the second session of the Meeting of the Parties for endorsement as an overall framework for possible areas for bilateral and multilateral cooperation, and to oversee the progress in implementing that framework in the future;

(c) Agreed that interested delegations could provide general comments on the proposal (e.g., the order of priority for activities; including operators and facilities as target groups) to the secretariat before 15 December 2013. The comments would be taken into

consideration by Belarus and Armenia, as appropriate, in preparing a revised version of the proposal;

(d) Agreed that, thereafter, the secretariat would distribute the revised proposal, on behalf of Armenia and Belarus, to national focal/contact points to the Protocol in countries in Eastern Europe, the Caucasus and Central Asia for comments. The comments would be taken into consideration by Belarus and Armenia in preparing a final draft of the proposal for submission to the Meeting of the Parties at its second session.

D. Communication strategy, electronic tools and publications

16. Concerning the communication strategy, the Working Group:

(a) Took note of the report on the outcomes of the survey on the communication strategy (PRTR/WG.1/2013/Inf.2);

(b) Further committed to implementing the communication strategy (ECE/MP.PP/2011/2/Add.2);

(c) Requested the secretariat, OECD and UNITAR to continue working closely to ensure the effective use of the electronic tools PRTR.net and PRTR:Learn.

E. Global promotion of the Protocol

17. With regard to the global promotion of the Protocol, the Working Group:

(a) Expressed its appreciation to OECD and UNITAR for effective cooperation in organizing the global round table on PRTRs (Geneva, 19 November 2013);

(b) Took note of the outcomes of the event and requested the secretariat to prepare a formal report on the round table for submission to the Meeting of the Parties at its second session;

(c) Mandated the Bureau and the secretariat to explore an opportunity for organizing a second global event in the future and to continue global promotion of the Protocol.

F. Other relevant activities

18. The Working Group took note of the reports:

(a) By Germany on the workshop “Electronic PRTR Systems — Using Open Source for providing Open Data” (Berlin, 29–30 October 2013);

(b) By Spain on the second International Conference “PRTR-España: 2001/2011, Ten Years of Public Information — Challenges for the Future” (Madrid, 3–4 July 2013);

(c) By the European ECO Forum on the initiative to promote PRTRs in the textile industry in China led by the country’s NGOs;

(d) By the Regional Environmental Centre for Central and Eastern Europe on PRTR-related activities it had carried out in South-Eastern Europe.

19. The Working Group further expressed its appreciation to countries and partner organizations for their efforts in promoting implementation of the Protocol.

V. Compliance Committee and reporting mechanism

20. The Working Group took note of the document on Membership of the Compliance Committee (ECE/MP.PRTR/WG.1/2013/5) and the decision by the Bureau to assign the Compliance Committee the task of preparing a synthesis report on the status of implementation of the Protocol on the basis of national implementation reports. The Working Group also took note of the online reporting tool under the Protocol.

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

21. Regarding the current work programme, including financial matters, the Working Group:

(a) Took note of the report on the implementation of the work programme (ECE/MP.PRTR/WG.1/2013/6), information provided by the secretariat on the human and financial resource situation in the secretariat and the information shared on expected contributions;

(b) Took note of the report by the Chair on the outcome of the review of the 2005 reform of ECE,⁴ and the letter sent to the ECE Executive Secretary on behalf of the ECE MEA Chairs with regard to the allocation of the regular budget to support the work under the ECE Protocols on PRTRs, Water and Health and Strategic Environmental Assessment;

(c) Expressed its concern with regard to the shortage of contributions and the low number of pledges;

(d) Agreed to further discuss how to ensure predictable funding as far as possible.

VII. Second session of the Meeting of the Parties to the Protocol

A. Hosting and organization of work

22. The Working Group took note of the report by the Netherlands, the host country, on practical preparations for the second session of the Meeting of the Parties to the Protocol and the note on the preparatory timeline for the session (PRTR/WG.1/2013/Inf.3).

B. Substantive preparations

Agenda of the second session

23. The Working Group approved the draft provisional agenda for the second session of the Meeting of the Parties to the Protocol (ECE/MP.PRTR/WG.1/2013/7), and mandated the Bureau to finalize it, including for the high-level segment, and to submit it to the Meeting of the Parties for adoption at its second session.

⁴ See ECE Biennial Report (E/2013/37–E/ECE/1464, annex III), available from http://www.unece.org/commission/2013/65th_index.html.

Strategic plan for 2015–2020

24. The Working Group approved the draft decision on the strategic plan for 2015–2020 for the Protocol, as amended at the meeting (ECE/MP.PRTR/WG.1/2013/8/CRP.1; see amendments to paras. 10 (a), 11 and 12), and agreed to submit it to the Meeting of the Parties for adoption at its second session.

Reporting requirements

25. The Working Group approved the draft decision on reporting requirements (ECE/MP.PRTR/WG.1/2013/9) and mandated the Bureau to finalize paragraphs 1, 4, 6 and 7, in the light of the availability of national implementation reports before the formal deadline, and submit the revised draft decision to the Meeting of the Parties for adoption at its second session.

Programme of work for 2015–2017

26. The Working Group approved the draft decision on the work programme for 2015–2017 for the Protocol (ECE/MP.PRTR/WG.1/2013/10) and agreed to submit it to the Meeting of the Parties for adoption at its second session.

Financial arrangements under the Protocol

27. The Working Group recognized that the actual status of financial support demonstrated that the current scheme of contributions could not secure predictable and stable financial arrangements under the Protocol. Further discussion of the issue would therefore be required by the Meeting of the Parties at its next session and, if needed, during the next intersessional period, in order to find an effective solution.

28. The Working Group considered the draft decision on financial arrangements under the Protocol (ECE/MP.PRTR/WG.1/2013/11). It mandated the Bureau to revise the draft decisions to include an option reflecting the current interim scheme of contributions and recognizing, at the same time, the need to mandate the Bureau and the Working Group of the Parties to explore in the next intersessional period options for more predictable and stable funding. In addition, options A and B should be removed. The revised draft decision should then be distributed to Parties and stakeholders for comments prior to its finalization by the Bureau and subsequent submission to the Meeting of the Parties for adoption at its second session.

Declaration

29. The Working Group discussed the draft declaration (ECE/MP.PRTR/WG.1/2013/12) prepared by the Bureaux of the Meetings of the Parties to the Protocol and to the Convention and:

(a) Agreed that the main messages of key relevance for the Protocol, contained in paragraphs 7, 11, 12 and 13, as well as several elements in paragraphs 6 and 8, should be preserved in the subsequent versions of the document;

(b) Agreed that interested delegations might submit their written comments on the current draft before 29 November 2013, so as to enable the Convention's Bureau to consider them at its upcoming meeting on 2 and 3 December 2013 at which it would prepare the next revised draft in cooperation with the Protocol's Bureau. The next draft was expected to be available for the second round of comments in January 2014;

(c) Mandated the Bureau of the Meeting of the Parties to the Protocol to finalize the draft declaration in cooperation with the Bureau of the Meeting of the Parties to the

Convention, with a view to its submission for consideration and adoption at the joint high-level segment.

VIII. Calendar of meetings

30. The Working Group took note of the relevant meetings planned for 2014.⁵

IX. Adoption of decisions and outcomes of the meeting

31. The Working Group adopted the major outcomes and decisions presented by the Chair at the meeting (PRTR/WG.1/2013/Inf.5) and requested the secretariat, in consultation with the Chair, to finalize the report incorporating the outcomes and decisions adopted.

⁵ A calendar of meetings is available from <http://www.unece.org/environmental-policy/treaties/public-participation/meetings-and-events.html>.