



amended and agreed at EU coordination on the spot on 26 November 2015

**4th meeting of the Working Group of the Parties to the PRTR Protocol (WGP 4)
(Madrid, 26 November 2015)**

EU+MS contribution

Agenda item 5: Compliance and reporting mechanisms

The EU and its Member States would like to thank the Compliance Committee for the preparation of a draft guidance document on reporting by the Parties and a draft report on systemic issues concerning the implementation of the Protocol, which are submitted for consideration by the Working Group of the Parties.

(a) Draft guidance for reporting on implementation of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2015/6)

We would like to share the following views on the content of this document:

1. The aim should be to clarify, where needed, what must be reported. This should stick closely to the content of the questionnaire adopted by the MOP, which should be appended to the guidance. Whilst the guidance should not expand the questions, we would not exclude that it could include a call to report additional information on voluntary basis. This should cover only additional information having the highest usefulness.
2. We think it is a good idea to include examples of good practice regarding the information reported and how it is presented. However, the draft contains a number of examples of good practices that concern the implementation of their obligations by the Parties. Whilst it is worthwhile to provide information on good implementation practices, this should be contained in a different document, for example the paper on systemic issues.
3. Reporting by the Parties on the implementation of the Protocol should not be confused with Parties conducting implementation reviews. Each Party will have validated national practices for conducting such reviews. Therefore, the guidance should only suggest including, on a voluntary basis, information on the outcome of such reviews and specify the type of information that would most usefully be shared amongst Parties.

(b) Draft systemic issues concerning the implementation of the Protocol on Pollutant Release and Transfer Registers and recommendations on how to address them (ECE/MP.PRTR/WG.1/2015/5)

We would like to share the following views on this document:

1. The draft report identifies a number of challenges that Parties are facing in the implementation of PRTRs, which we consider do not all have the same importance. In particular, we think that the quality and completeness of data reported by facilities and made available to the public is of utmost importance and should be the first priority for Parties. We would therefore suggest that such prioritisation should be acknowledged in the document and be reflected in the way recommendations are formulated.
2. Our experience in reporting on diffuse sources shows this is very challenging for several reasons: first the nature of emissions and releases concerned and the related methodological difficulties, second the risks of duplicating work taking place under other fora or reporting obligations, including under UNECE agreements such as CLRTAP. A better understanding of such links is necessary when working on reporting of diffuse sources.
3. The draft report identifies a need to increase the awareness of the public regarding the availability of PRTR data, which we support. It is also clear that PRTR data is increasingly used by a very wide range of stakeholders including for benchmarking purposes and for policy analysis and evaluation. However, there seem to be cases where PRTR is not used to its fullest potential and it would also be useful to engage in awareness raising of the communities of users that could benefit more from using PRTR data.
4. The identification of good practices is particularly welcome as this provides very concrete help to Parties for finding ways to effectively and efficiently implement their obligations. The good practices should be clearly distinguished between those concerning the obligations under the Protocol and those going beyond. Just one example of this would be Recommendation 39 on the scope of PRTRs, which is very valid but goes well beyond the legal obligations set in the Protocol. We suggest also identifying good practices in establishing synergies between reporting obligations or release inventory activities, for example regarding diffuse sources or large point sources.
5. Regarding the list of activities and pollutants, the Protocol should be seen as the minimum common basis for establishing PRTRs, which may be expanded at national level to meet priorities of individual Parties. Whilst, it is useful to have information on such additional measures taken by Parties, at this stage we do not think this warrants a revision of the Annexes of the Protocol.

6. We recognize the problematic issue with contaminated sites, which are not currently clearly falling under the obligations of the Protocol regarding reporting by facilities. This issue is by nature very different from emissions that are caused by the activities of existing industrial activities and is thus addressed at national level with specific instruments. Therefore, we think that attention of the Protocol should mainly be focussed on releases from existing facilities. We are currently assessing our experience with reports on releases to land and will share this with other Parties once this assessment is finalised.

We would be happy to provide detailed written comments on the documents after this meeting, with a view to the submission of revised drafts to the next meeting of the Working Group of the Parties.
