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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****Eighth meeting**

Geneva, 16-18 December 2020

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

**Preparations for the fourth session of the Meeting of the Parties to the Protocol: substantive preparations: reporting requirements****Draft decision on reporting requirements\*****Prepared by the Bureau***Summary*

The present document contains a draft decision on reporting requirements prepared on the basis of decision III/1 on reporting requirements (ECE/MP.PRTR/2017/6/Add.1) adopted by the 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 (Aarhus Convention) at its third session (Budva, Montenegro, 15 September 2017).

The Bureau of the Parties to the Protocol considered the draft document at its seventeenth meeting (online, 16 June 2020) and decided to submit it to the eighth meeting of the Working Group (Geneva, 16 - 18 December 2020).

The document is submitted to the Working Group bearing in mind the Protocol's directive to the Meeting of the Parties to "keep under continuous review the implementation and development of this Protocol on the basis of regular reporting by the Parties" (art. 17 (2)) and in view of its mandate "to keep under review the activities of the work programme for the period 2018–2021, and to report thereon and make appropriate recommendations to the Meeting of the Parties at its fourth ordinary session" (ECE/MP.PRTR/2017/6/Add.1, decision III/2, para. 5).

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



The Working Group is expected to consider the draft decision with a view to submitting it for consideration and adoption by the Meeting of the Parties at its fourth session (scheduled for October 2021).

*The Meeting of the Parties,*

*Recalling* article 17, paragraph 2, of the Protocol on Pollutant Release and Transfer Registers, which states, inter alia, that the Meeting of the Parties to the Protocol shall keep under continuous review the implementation and development of the Protocol on the basis of regular reporting by the Parties and, with this purpose in mind, will establish guidelines facilitating reporting by the Parties, taking into account the experience gained under the Convention,

*Recalling also* decision I/5 of the first session of the Meeting of the Parties to the Protocol, through which the Parties established a reporting mechanism to monitor the progress in implementation of the provisions of the Protocol,

*Recognizing* that regular reporting by Parties provides important contextual information which facilitates the assessment of compliance under the Protocol and thereby contributes to the work of the Compliance Committee,

*Believing* that public involvement in the process of reporting is likely to improve the quality and accuracy of reports and to strengthen the credibility of the reporting process,

*Taking into account* the objective of a simple, concise and not excessively burdensome reporting mechanism,

*Noting* that this decision concerns reporting by Parties on how they have implemented the requirements of the Protocol and is distinct from the reporting required under article 7 of the Protocol,

*Considering* that the reporting procedure as set out in decision I/5 should continue to apply for the next reporting cycle,

*Emphasizing* the importance of timely submission of reports,

1. *Notes with appreciation* the implementation reports submitted by more than xx per cent 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 pursuant to decision I/5;

2. *Welcomes* the synthesis report prepared by the Bureau and the Compliance Committee;<sup>1</sup>

3. *Considers* that these reports provide a valuable overview of the status of implementation of the Protocol, as well as significant trends and challenges, which will help to guide future activities;

**Timely submission of reports**

4. *Notes* that some Parties that submitted reports did not do so within the deadline indicated in paragraph 10 of decision III/1;

5. *Reiterates its encouragement* of Parties to start the preparation of national implementation reports in future reporting cycles sufficiently in advance of, and at the latest seven months before, the deadline for submission of the reports to the secretariat set out in paragraph 10 below, with a view to ensuring meaningful public consultation on the reports at the national level;

**Failure to submit reports**

6. *Notes with regret* that ...,<sup>2</sup> all of which were Parties to the Protocol at the time of the deadline for submission of the implementation reports, failed to submit reports;

7. *Calls upon* those Parties that have not yet submitted their national implementation reports to submit them to the secretariat as soon as possible but at the latest by xx xx 2021, for subsequent consideration, inter alia, by the Compliance Committee;

<sup>1</sup> ECE/MP.PRTR/2021/...

<sup>2</sup> To be amended as required.

### **Public Consultation**

8. *[Welcomes the fact that most Parties prepared their reports through a process involving consultations with various governmental agencies as well as civil society] (to be updated as relevant);*

9. *Requests each Party to prepare its reports on implementation of the Protocol through a transparent and consultative process involving the public in a timely manner, taking account of specific circumstances pertaining to regional economic integration organizations;*

### **Guidance on reporting requirements**

10. *Also requests each Party to submit to the secretariat, in advance of each ordinary session of the Meeting of the Parties so as to arrive no later than nine months before the session of the Meeting of the Parties for which it is submitted, a report on:*

(a) *The necessary legislative, regulatory or other measures that it has taken to implement the provisions of the Protocol;*

(b) *The practical implementation of these measures at the national or, in the case of regional integration organizations, the regional level, using the format set out in the annex to decision I/5;*

11. *Further requests each Party in advance of each subsequent ordinary session of the Meeting of the Parties to review its report and to prepare and submit to the secretariat new information and, where available, a consolidated national implementation report;*

12. *Encourages Parties to take the Guidance for reporting on implementation of the Protocol on Pollutant Release and Transfer Registers<sup>3</sup> into consideration when preparing national implementation reports;*

13. *Requests Parties, Signatories and other States to submit implementation reports through the electronic reporting application developed by the secretariat, and in accordance with the instructions provided by the secretariat;*

14. *Requests the secretariat to circulate to all Parties and relevant stakeholders a formal reminder of the reporting requirements, including guidance on the preparation of the reports as well as the proposed timing and confirmation of the date for the submission of the reports to the secretariat in accordance with paragraph 10 above, at least one year in advance of the next session of the Meeting of the Parties;*

15. *Invites Signatories and other States not Party to the Protocol, pending their ratification or accession, to submit reports on measures taken to apply the Protocol in accordance with the aforementioned procedures;*

16. *Invites international, regional and non-governmental organizations engaged in programmes or activities providing support to Parties and/or other States in the implementation of the Protocol to provide the secretariat with reports on their programmes or activities and lessons learned, as well as on implementation of the Protocol itself;*

17. *Requests the secretariat to prepare a synthesis report for each ordinary session of the Meeting of the Parties summarizing the national implementation reports submitted by the Parties and identifying significant trends, challenges and solutions, and to circulate it to the Parties and other stakeholders in due time for its consideration by the Meeting of the Parties to the Protocol;*

### **Translation of the reports**

18. *Also requests the secretariat to make the reports available in the languages in which they are submitted, and to make the synthesis report available in the three United Nations Economic Commission for Europe (ECE) official languages;*

19. *Encourages Parties that are in a position to do so to provide voluntary translations of the reports in the other two ECE languages. Those Parties that do so are invited*

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<sup>3</sup> ECE/MP.PRTR/2017/6/Add.3.

to provide the translations preferably no later than one month after the original submission deadline;

20. *Requests* the secretariat to make any unofficial translations of the reports available online.

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