

**Juan Luis Martin Ortega**  
**Chair of the Compliance Committee under 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**

Madrid, 23 September 2021

Dear Ms. Ylä-Mononen,  
Dear Mr. Lahtela,

The Compliance Committee, at its ninth meeting (28 and 29 April 2021), considered the response to the Committee's questions received from Finland. I recall that, based on information provided by Finland in its 2017 national implementation report, the Committee had send questions to Finland that concern the implementation of the Protocol on Pollutant Release and Transfer Registers in Finland. Finland, in its response, noted that e.g. significant progress regarding the implementation of the Protocol's provisions relevant to the issue could be expected by 31 December 2021. The respective correspondence has been made available on the Committee's webpage, see <https://unece.org/env/pp/protocol-on-prtrs/protocol-bodies/cc/correspondence>

The Committee, noting several issues of potential non-compliance, but at the same time observing a number of measures that Finland is currently implementing or planning to implement, agreed to defer preparation of draft findings to a later stage. Furthermore, pursuant to paras 14 (b), 40 (a) and 40 (e) of the annex to [decision I/2](#) (ECE/MP.PRTR/2010/2/Add.1), the Committee agreed to provide Finland with advice as to facilitate assistance regarding its compliance with the Protocol.

Please find enclosed the Considerations and Advice prepared by the Committee for your attention. The Committee would be grateful to receive a comprehensive report on implementing measures by 31 January 2022, including measures to ensure appropriate opportunities for public participation in the development or modification of national pollutant release and transfer register. Please send the report to [prtr.survey@un.org](mailto:prtr.survey@un.org) and do not hesitate to contact the secretariat if you have any questions regarding the above.

Yours sincerely,

Juan Luis Martin Ortega

Enc.: Considerations and advice by the Compliance Committee

Ms. Leena Ylä-Mononen  
Director General  
Ministry of the Environment  
Finland

Mr. Juha Lahtela  
Ministerial Advisor  
Ministry of the Environment  
Finland



## Considerations and advice by the Compliance Committee

All answers and additional information received from Finland were assessed. Results of the assessment are grouped by specific issues and corresponding articles of the Protocol, and are accompanied by relevant advice.

### A. Considerations

#### I. The Finnish “release and transfer register” as mentioned in NIRs

1. In its answers the Party concerned explained that the Finnish national environmental information system is by definition a compilation of systems, registers and files used by the Ministry of the Environment, Finnish Environment Institute, Finnish Meteorological Institute, Centres for Economic Development, Traffic and the Environment (‘ELY-centre’), Regional State Authorities (‘AVI’) as described in the Environmental Protection Act (527/2014) section 222. The systems are mainly used for the following purposes: document management, electronic system for environmental permitting (‘eLUPA’) in AVIs, and electronic system for compliance reporting (‘YLVA’) in ELY-centres.

2. **Data and information in YLVA are regarded as a release and transfer register.** Emission data and data of waste transfers provided regularly by facility operators are checked by competent authorities and then stored in the YLVA database. According to the Party concerned YLVA register is basically meant to be a tool for authorities and at present, **the up-to-date emissions data that stored in YLVA is not publicly available online.** YLVA itself is in Finnish language only, but electronic forms for reporting are both in Finnish and Swedish.

*(For paras. 1 and 2 see also answers to Questions 1-3, 6,8,10)*

#### II. Language

3. As explained by the Party concerned Finland is a bilingual country, all government authorities use Finnish or Swedish and all municipal authorities in the mainland use Finnish beside of Swedish. Citizens may use either Finnish or Swedish and authorities are obliged to serve them with language a citizen chooses. So, all environmental data is available in both languages. YLVA itself is in Finnish only, but electronic forms for reporting are both in Finnish and Swedish. *(See also answers to Question 8)*

4. However, the information on releases and transfers is accessible online only through the E-PRTR for Finland, which is in English.

5. The Party concerned informed that to secure the citizens’ access to information and opportunities to participate, Finland seeks to develop the use of national languages in the PRTR data. *(See also answers to Question 17)*

#### III. Search function (Art.5.1)

6. The Party concerned confirmed that the search function is only available in the E-PRTR for Finland, which is in English, and not in Finland’s “national release and transfer register” which **is not publicly available online.** *(See also answers to Questions 7-10 and para.3 above)*

#### IV. The register shall be designed for maximum ease of public access through electronic means, such as the Internet (Art.5.4)

7. Finland’s “national release and transfer register” is not publicly available online. The information on the releases and transfers is accessible online only through the E-PRTR for Finland, which is in English. *(See also*

answers to Questions 7-13 and para.3 above)

8. Additionally, this issue of accessibility of the release and transfer register in Finland was also indicated by the Finnish Association for Nature Conservation in its comments to the latest NIR. See: <https://www.sll.fi/2020/12/02/luonnonsuojeluliiton-lausunto-unece-prtr-maaraportin-luonnoksesta/>

#### **V. Access to information (Art 11 and 4(h))**

9. According to Art.11.1 of the Protocol each Party shall ensure public access **to information contained in its pollutant release and transfer register**, without an interest having to be stated, and according to the provisions of this Protocol, **primarily by ensuring that its register provides for direct electronic access through public telecommunications networks**. Finland's "national release and transfer register" is not publicly available online. The information on the releases and transfers is accessible online only through the E-PRTR for Finland, which is in English and published in 16 months from the end of each reporting year. (See paras. 2-8 and 12)

10. However, information from the register can be provided upon the request in national languages. (See also answers to Questions 6,8 and 18)

#### **VI. Reporting (Art 8.2)**

11. According to the explanation provided by the Party concerned the environmental permits issued by Regional State Administrative Agencies obligate the operators of facilities regulated under the E-PRTR Regulation to submit the previous year's emissions data of such facilities to the ELY Centres by the end of February, without exception. The ELY Centres are subject to a guideline that requires them to verify the reported data in 90 days. As a rule, the verified emissions data for the previous year is available in the information system starting from June.

12. Information on E-PRTR installations is delivered to the EEA yearly in eleven months, ie. until the end of November. The EEA is obliged to publish the information in 16 months from the end of each reporting year.

(For paras. 11 and 12 see also answers to Questions 14-16)

13. According to Art.8 of the Protocol each Party shall ensure that *the information required to be incorporated in its register is publicly available*, compiled and presented on the register by calendar year. The reporting year is the calendar year to which that information relates. Each Party that is not a regional economic integration organization shall ensure that the information is incorporated into its register **within 15 months** from the end of each reporting year.

14. Information in national release and transfer register is not publicly available online. The information on the releases and transfers is accessible online only through the E-PRTR for Finland, which is in English and available in E-PRTR in 16 months from the end of each reporting year.

#### **VII. Public participation in the development of national pollutant release and transfer register (Art. 13)**

15. Answering the Question 21 «Did Finland provide opportunities for the public to participate in development or modification of Finland's "national release and transfer register"/ "information system" which you refer to in the 2017 NIR? » the Party concerned explained that the system was developed a long time before any of the PRTRs and has over the time been completed with elements in PRTRs. (See answer to the Question 21)

16. The Party concerned also indicated that "as part of the national development of PRTR, the public, NGOs and the industry will be given an opportunity to express their views on the development of the system. A notice of this opportunity will be published on the environmental administration's website. The views will be taken into account as widely as possible. This applies both to the reporting of the national implementation as well as the development of the system. If the deployment involves administrative decision-making, it will be performed in accordance with the Administrative Procedure Act, hearing the parties affected by the decision". (See answer to the Question 19)

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## **B. Advice**

- a) Provide opportunities for effective public participation in development or modification of a “national release and transfer register”.
- b) Ensure that: (i) the system which is used to disseminate PRTR data collected within Finland provides these data and other relevant information online in national languages, i.e. Finish and Swedish; (ii) the data in national languages is easily searchable; and (iii) in line with requirements set out in article 5, paragraphs 1 and 2, releases and transfers can be searched and identified as a minimum.
- c) Incorporate the required information into the register as soon as it is verified and available in information system but no later than within 15 months from the end of each reporting year.
- d) Ensure that, taken as a whole, the national pollutant release and transfer register, which may include elements of the E-PRTR, meets all requirements of the Protocol.

In addition, please consult the Committee’s considerations regarding National pollutant release and transfer registers in the European Union member States, as provided in the 2021 Synthesis report on the status of implementation of the Protocol (paras. 237-244; ECE/MP.PRTR/2021/10).