



International PRTR Coordinating Group

TERMS OF REFERENCE¹

I. BACKGROUND AND MANDATE

1. Agenda 21 and the Rio Declaration on Environment and Development,² as agreed by Heads of State at the United Nations Conference on Environment and Development (Rio de Janeiro, Brazil, 3–14 June 1992), refer specifically to, respectively, the establishment of national emission inventories and the right of the public to access this information. Through chapter 19, on the environmentally sound management of toxic chemicals, Agenda 21 recommends that “Governments and relevant international organizations with the cooperation of industry should improve databases and information systems on toxic chemicals, such as emission inventories programmes”. Chapter 19 also points out that Governments should “consider adoption of community-right-to-know or other public information dissemination programmes as possible risk reduction tools”. In the absence of such requirements “industry should be encouraged to ... adopt, on a voluntary basis, community right-to-know programmes ... including sharing of information on causes of accidental and potential releases ... and reporting on annual routine emissions of toxic chemicals to the environment”. Furthermore, following recommendations made through chapter 19 of Agenda 21 on toxic chemicals, the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) was established in 1995.

2. The 2002 Plan of Implementation of the World Summit on Sustainable Development calls, among other things, for the renewal of the commitment, as advanced in Agenda 21, to sound management of chemicals throughout their life cycle and of hazardous wastes for sustainable development, as well as for the protection of human health and the environment, inter alia, aiming to achieve, by 2020, that chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment, using transparent science-based risk assessment procedures and science-based risk management procedures, taking into account the precautionary approach, as set out in principle 15 of the Rio Declaration on Environment and Development, and support developing countries in strengthening their capacity for the sound management of chemicals and hazardous wastes by providing technical and financial assistance. The Plan also encourages the development of coherent and integrated information on chemicals, such as through national pollutant release and transfer registers. Furthermore, through the Plan, it was also agreed that Governments, relevant international organizations, the private sector and all major groups should play an active role in changing unsustainable consumption and production patterns.³ The Plan is also a key political commitment underlying the Overarching Policy Strategy of the Strategic Approach to International Chemicals Management (SAICM).⁴

¹ As revised by the International PRTR Coordinating Group at its 14th meeting held on 26 January 2022, online.

² See <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>.

³ See paras. 14 and 23 (f) of the Plan of Implementation of the World Summit on Sustainable Development (A/CONF.199/20, resolution 2, annex), adopted by the World Summit on Sustainable Development (Johannesburg, South Africa, 26 August–4 September 2002).

⁴ See www.saicm.org/Portals/12/documents/saicmtxts/SAICM-publication-EN.pdf.

3. The SAICM Overarching Policy Strategy highlights that the implementation of the Strategic Approach will depend in significant part on the activities of relevant intergovernmental organizations. In order to help ensure that these multi-sectoral activities are cost-effective and coordinated properly, IOMC should continue to perform a coordinating function for intergovernmental organization activities and work programmes.

4. The 1998 Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), which is open for accession by States Members of the United Nations, requires, through its article 5 (9), that each Party shall take steps to establish progressively, taking into account international processes where appropriate, a coherent, nationwide system of pollution inventories or registers on a structured, computerized and publicly accessible database compiled through standardized reporting. Such a system may include inputs, releases and transfers of a specified range of substances and products, including water, energy and resource use, from a specified range of activities to environmental media and to on-site and off-site treatment and disposal sites. The Convention's Kyiv Protocol on Pollutant Release and Transfer Registers (PRTRs) is the only global legally binding multilateral agreement that provides minimum requirements for establishing PRTR systems that follow common standards and promote good practices for the development of PRTRs. The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), open for accession by the Economic Commission for Latin America and the Caribbean member States, provides, through its article 6 (4), that each Party shall take steps to establish a PRTR covering air, water, soil and subsoil pollutants, as well as materials and waste in its jurisdiction. This register will be established progressively and updated periodically.

5. Furthermore, a number of instruments require and promote pollution inventories or registers similar to PRTRs for the reporting of data on emissions and releases of regulated substances, including: the Convention on Long-range Transboundary Air Pollution; the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and its Protocols; and inventories to fulfill obligations under the United Nations Framework Convention on Climate Change. Moreover, the Stockholm Convention on Persistent Organic Pollutants requires Parties to exchange information (art. 9), facilitate public information, awareness and education (art. 10) report to the secretariat (art. 15) and periodically update implementation plans (art. 7). Article 10 (5) explicitly acknowledges the value of PRTRs for the collection and dissemination of information on estimates of the annual quantities of the chemicals listed in annex A, B or C that are released or disposed of. Article 11 (1) encourages Parties to undertake appropriate monitoring pertaining to persistent organic pollutants. The Minamata Convention on Mercury, among other issues, regulates the control and reduction of mercury emissions and releases to air, land and water and the environmentally sound management of mercury waste. Its article 18 (2) refers to PRTRs as mechanisms for the collection and dissemination of data on estimates of the annual quantities of mercury emitted, released or disposed of through human activities.

6. On 10 April 2018, the Organisation for Economic Co-operation and Development (OECD) Council adopted the Recommendation of the Council on Implementing Pollutant Release and Transfer Registers (PRTRs).⁵ This Recommendation replaced the 1996 Recommendation on Implementing Pollutant Release and Transfer Registers in order to take into account new experiences, knowledge and good practices emerging due to the widespread development of PRTRs. The revised Recommendation aims to provide a coherent guidance for OECD member

⁵ Available at <https://legalinstruments.oecd.org/public/doc/44/44.en.pdf>.

countries, especially those establishing and revising their PRTRs, and to eventually generate high quality and compatible PRTR data across all member countries.

7. The 2030 Agenda for Sustainable Development,⁶ adopted by all States Members of the United Nations in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals, which are an urgent call for action by all countries – developed and developing – in a global partnership. A number of Sustainable Development Goals promote PRTRs in the context of the following: health protection (Goal 3); water and sanitation management (Goal 6); clean energy (Goal 7); green and circular economy (Goals 8, 9 and 12); climate action (Goal 13); tourism (Goals 8, 12, 14 and 15); urban planning (Goals 11 and 13); and peace, justice and strong institutions (Goal 16).

8. The International PRTR Coordinating Group was established pursuant to the decision of the thirteenth and final meeting of the IOMC PRTR Coordinating Group (Paris, 6 June 2005) to facilitate the implementation of the relevant commitments.⁷

II. OBJECTIVES AND ACTIVITIES

9. The overall objective of the Group is to enhance coordination and cooperation at the global level among international organizations, Governments and other interested parties on their efforts related to the development and implementation of PRTR systems.

10. The Group will, through activities implemented by its participants and partners, either individually or jointly:

- Promote mechanisms to harmonize activities among institutions dealing with PRTRs.
- Raise awareness of, and promote, PRTRs in international forums.
- Bring together expertise on PRTRs and facilitate the exchange of information on, and implementation of, ongoing and planned PRTR-related activities.
- Coordinate PRTR-related international activities and fundraising efforts with a view to reducing costs and avoiding duplication of work.

III. PARTICIPATION AND STRUCTURE

11. The Group operates as a self-standing, independent, voluntary body. Consideration of its operation under the auspices of another international body will be kept under review as international chemical management coordination evolves. The Group consists of a Chair, two Vice-Chairs and representatives of interested countries and of organizations active in international PRTR activities, including the United Nations Environment Programme, the United Nations Economic Commission for Europe (ECE), the United Nations Institute for Training and Research and OECD. ECE also performs secretariat functions for the Group.⁸ The Group operates on the basis of consensus.

12. The Group's meetings will be organized by the Chair, supported by the secretariat, in line with the Group's decisions.

⁶ See <https://sdgs.un.org/2030agenda>.

⁷ See <https://unece.org/environment/documents/2021/01/reports/summary-record-13th-meeting-iomc-prtr-coordinating-group>.

⁸ See para. 18 (b) of the report of the third session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/2017/6) held in Budva, Montenegro, on 15 September 2017.

13. Intergovernmental organizations, Governments and industry, labour and public interest non-governmental organizations (NGOs) that have activities in the area of focus can be invited by the Group to participate in its activities. Industry, labour and public interest NGOs are responsible for coordinating representation in the activities within and among their respective NGO groupings. Where deemed beneficial to the effective carrying out of work, the Group may invite other entities with significant activities in the area of focus to participate in its work.

14. Each participating organization, Government or group shall be requested by the secretariat to designate a representative.

15. The Group will normally meet once every year, as needed, to agree on major activities and to identify issues to be addressed during the year and to monitor progress made on issues and actions previously considered. Priority issues will be determined by taking into account the interests and priorities of the Group participants.

16. Whenever possible, meetings of the Group will be organized around major international PRTR events to make effective use of limited travel resources.

17. The Group will be serviced by a secretariat. The main functions of the secretariat will be to:

- Facilitate communication and information exchange within the Group.
- Maintain records of participants of the Group and of activities.
- Support the Chair in organizing meetings; ensure that meeting procedures are consistent; prepare meeting reports, list of attendees and other documents relevant to the work of the Group.
- Maintain a web page dedicated to the Group and ensure that the information is kept up-to-date.

18. Depending on the agreed activities of the Group, the secretariat may be requested to take on additional functions, resources permitting.

19. A Chair and Vice-Chairs of the Coordinating Group will be elected biennially on a rotating basis through a consensus-based process from among the designated representatives of the participants. In the absence of the serving Chair, a Vice-Chair will act as meeting Chair. In consultation with the secretariat, the Chair will convene meetings of the Group, provide input for the meeting agenda and represent the Group, as appropriate, on issues that have been previously agreed by the Group.

20. Ad hoc working groups may be established under the Coordinating Group in order to coordinate specific activities.

IV. FINANCIAL CONSIDERATIONS

21. Each participant is expected to cover the costs of his/her own participation in the meetings of the Group; additional funds may also be raised to cover participation costs. The resources required for the secretariat of the Coordinating Group will be provided by the organization(s) designated to carry out the secretariat function. Resources required for undertaking any specific activities that the Coordinating Group might agree to undertake will be considered on an ad hoc

basis. All participating Governments, intergovernmental organizations, NGOs and the private sector are encouraged to provide financial and/or in-kind support for the Group's work.
