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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

Tenth meeting

Geneva, 27–28 November 2023

Item 7 of the provisional agenda

**Implementation of the work programme for 2022–2025,
including financial matters**

Report on the implementation of the work programme of the Protocol on Pollutant Release and Transfer Registers for 2022–2025

Note by the secretariat

Summary

The present report was prepared pursuant to the decision of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers at its fourth session (Geneva, 21–22 October 2021).^a It provides an overview of the implementation of the work programme for the Protocol for 2022–2025^b for the reporting period 1 January 2022 to 15 August 2023.

^a ECE/MP.PRTR/2021/6/Add.1, decision IV/3, para. 5.

^b Ibid., decision IV/3, annex.



I. Introduction

1. The present document provides an overview of the implementation of the work programme for 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) for 2022–2025 (ECE/MP.PRTR/2021/6/Add.1, decision IV/3, annex) from 1 January 2022 to 15 August 2023 (the reporting period), focusing on operational and organizational aspects. Owing to the cross-cutting nature of the Protocol, implementation of different work programme areas contributed to furthering the attainment of the Sustainable Development Goals across the whole 2030 Agenda for Sustainable Development, in particular, Goals 3, 9, 12 and 16.

2. In implementing the work programme, the secretariat continued to make strenuous efforts to avoid duplication of work and inefficient use of resources by pursuing synergies with activities under other United Nations Economic Commission for Europe (ECE) multilateral environmental agreements, specialized agencies of the United Nations and other partners. This required spending more time on the preparatory phase of activities to ensure proper consultations with the chairs of the respective subsidiary bodies and partner organizations. As of 1 January 2023, due to a lack of regular budgetary funds, all meetings serviced by the United Nations Office at Geneva are scheduled as in-person meetings. Services for online or hybrid meetings serviced by the United Nations Office at Geneva will be covered through extrabudgetary contributions, including costs for remote participation, and use of the authorized platforms for recording and interpretation purposes (either Zoom or Webex). The secretariat therefore has to adjust its working methods and the organization of meetings to take into account these new requirements.

II. Overview of implementation of the work programme

A. Compliance mechanism

3. During the reporting period, the Protocol Compliance Committee held its twelfth and thirteenth meeting (Geneva (online) 1 March 2022, and Geneva (hybrid), 7–8 March 2023, respectively).¹ The focus of the Committee's work was on assisting Parties in their efforts to implement the Protocol, including through identifying and addressing lessons learned from the third reporting cycle.

4. The Committee has not, to date, received any submissions by Parties concerning compliance by other Parties, or any submissions by Parties concerning their own compliance. Neither has it received any referrals by the secretariat. The Committee received one communication from the public regarding compliance with the Protocol (PRTRPCC/C/2020/1 (Ukraine))² and one request for advisory support (PRTRPCC/A/2022/1 (Ukraine)).³ At its thirteenth meeting, the Committee held hearings with regard to both communication PRTRPCC/C/2020/1 (Ukraine)⁴ and request for advisory support PRTRPCC/A/2022/1 (Ukraine),⁵ with the presence of the Party concerned and the communicant for communication PRTRPCC/C/2020/1 (Ukraine).⁶

5. Furthermore, at its twelfth and thirteenth meeting, the Committee continued deliberations on the issue of whether European Union member States that were Parties to the Protocol were required under the Protocol to introduce their own national pollutant release and transfer registers (PRTRs) to supplement what was done at the European Union level.⁷

¹ Meeting documents and other information on the work of the Compliance Committee are available at www.unece.org/env/pp/prtr-cc.html.

² See <https://unece.org/env/pp/protocol-on-prtrs/cc/communications-from-the-public>.

³ See <https://unece.org/env/pp/protocol-on-prtrs/protocol-bodies/cc/advice-or-assistance-Ukraine>.

⁴ See https://unece.org/env/pp/protocol-on-prtrs/cc/pre.prtrpcc.c.2020.1_ukraine.

⁵ See <https://unece.org/env/pp/protocol-on-prtrs/protocol-bodies/cc/advice-or-assistance-Ukraine>.

⁶ ECE/MP.PRTR/C.1/2023/2, para. 5.

⁷ ECE/MP.PRTR/C.1/2022/2, paras. 5–7; and ECE/MP.PRTR/C.1/2023/2, paras. 6–10.

Based on related information provided by Finland in its 2017 national implementation report and by Estonia, Malta, Portugal and Slovenia in their respective 2021 national implementation reports, the Committee agreed to liaise with the above-mentioned Parties in order to further clarify the matter.⁸

B. Technical assistance

6. Technical assistance activities may involve assistance through electronic tools and also specific projects in countries needing assistance, including guidance materials and expert assistance. During the reporting period, no specific projects were undertaken. At the same time, advisory support, carried out by the Compliance Committee and thematic sessions at the meetings of the Working Group of the Parties, provide assistance to Parties and other interested Member States, including on technical matters.

7. The secretariat has continued to manage the Aarhus Clearinghouse for Environmental Democracy⁹ and the PRTR.net global portal.¹⁰ PRTR.net is used to facilitate the collection, dissemination and exchange of information related to PRTRs. The Protocol secretariat maintained and updated PRTR.net in cooperation with the United Nations Institute for Training and Research (UNITAR) and the Organisation for Economic Co-operation and Development (OECD), and continues to pursue close cooperation with UNITAR in order to ensure the effective use of PRTR.net and PRTR:Learn¹¹ by national focal points and stakeholders.

8. The Protocol section of the ECE website was regularly updated in the intersessional period. In addition, section D below includes information regarding the online reporting tool.¹²

C. Information exchange on a technical level

9. The objective of information exchange on a technical level is to monitor and facilitate the implementation of the Protocol. The method of work for information exchange is meetings of the Working Group of the Parties to the Protocol, ad hoc meetings and the use of electronic tools.

10. In addition, sections B above and E below describe training sessions, surveys, subregional workshops, electronic tools and other activities that enable information exchange on a technical level. Sections D and F below include information on the reporting mechanism and the meetings of the Working Group of the Parties.

D. Reporting mechanism

11. The objective of the reporting mechanism is to monitor and facilitate the implementation of the Protocol, the review of compliance and the exchange of experience. The method of work consists of: meetings of the Working Group of the Parties to the Protocol; the use of the online national implementation reports database;¹³ preparation and processing of national implementation reports; and analysis of reports and preparation of a synthesis report.

12. Following the failure of Lithuania and Montenegro to submit their national implementation reports for the 2021 reporting cycle prior to the fourth session of the Meeting of the Parties (Geneva, 21–22 October 2021), those Parties were called upon to report by 15

⁸ The correspondence is available on the Committee's webpage: <https://unece.org/env/pp/protocol-on-prtrs/cc/advice-or-assistance>.

⁹ See <http://aarhusclearinghouse.unece.org/>.

¹⁰ See <http://prtr.unece.org/>.

¹¹ See <http://prtr.unitar.org/>.

¹² Available at <https://prtr.unece.org/national-reports/reports>.

¹³ Available at <https://prtr.unece.org/national-reports/reports>.

November 2021.¹⁴ As of 31 August 2022, both Parties had submitted their reports to the secretariat. Thus, it can be concluded that all Parties have submitted their national implementation reports for the 2021 cycle.

E. Awareness-raising and promotion of the Protocol and its interlinkages with other treaties and processes

13. The objective of awareness-raising and promotion of the Protocol and its interlinkages with other treaties and processes is to: (a) expand knowledge of the Protocol throughout the ECE region and beyond; (b) increase the number of Parties thereto; and (c) further the application of the Protocol in the context of other multilateral environmental agreements and related processes (e.g., the Strategic Approach to International Chemicals Management under the International Conference on Chemicals Management). The activity is pursued through: participation in key regional and international events and processes; the provision of support to workshops organized by others; the preparation of leaflets, publications, news bulletins and other materials on the Protocol; updating of the Protocol website; and writing and reviewing articles on the Protocol.

14. The secretariat continuously liaised with OSCE to strengthen the activities of the Aarhus Centres and provided input to several meetings held in an online/hybrid format, including: the Aarhus Centres Annual Meeting¹⁵ (Vienna (hybrid), 19–20 October 2022); a webinar in Turkmenistan on environmental impact assessment and strategic environmental assessment (30–31 May 2022); and a webinar on innovations in good governance (9 November 2022).

15. The secretariat also continuously liaised with the UNDP Regional Bureau for Europe and the Commonwealth of Independent States and its country offices on promoting the Aarhus Convention and its Protocol on PRTRs in environmental justice-related activities.

16. The secretariat promoted relevant provisions of the Convention and the Protocol in the documents for the Ninth Environment for Europe Ministerial Conference (Nicosia, 5–7 October 2022) and at the dedicated side event entitled “Environmental governance for transforming our planet – Promoting the Aarhus Convention in the whole of the Mediterranean region” held at that Conference (7 October 2022). The secretariat promoted the Convention at the meeting “Peer-to-peer exchange on overall environmental governance – Promotion of the Aarhus Convention in the whole of the Mediterranean” (online, 8–9 March 2023), which was held within the framework of the European Union-funded project “Water and Environment Support (WES) in the [European Neighbourhood Instrument] Southern Neighbourhood Region”. The meeting was organized by the secretariat of the Union for the Mediterranean, the Committee on Energy, Environment and Water of the Parliamentary Assembly of the Union for the Mediterranean, the Circle of Mediterranean Parliamentarians for Sustainable Development and the Mediterranean Programme for International Environmental Law and Negotiation, in cooperation with the secretariat of the UNEP/Action Plan for the Protection of the Marine Environment and the Sustainable Development of the Coastal Areas of the Mediterranean (MAP), the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) secretariat and the Aarhus Convention secretariat.

17. The secretariat also followed processes originating in the activities of the United Nations Environment Assembly of UNEP. At the resumed fifth session of the United Nations Environment Assembly of UNEP (Nairobi (hybrid), 28 February–2 March 2022), resolution 5/14¹⁶ was adopted to develop an international legally binding instrument on plastic pollution, including in the marine environment, with the ambition to complete the negotiations by the end of 2024. A Note on possible linkages between pollutant release and transfer registers and plastic pollution (ECE/MP.PRTR/WG.1/2022/6) was prepared by the secretariat in consultation with the Protocol’s Bureau. The secretariat participated in the first session of the

¹⁴ ECE/MP.PRTR/2021/6, para. 27 (d).

¹⁵ See www.osce.org/oceea/529404.

¹⁶ UNEP/EA.5/Res.14.

Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution (Punta del Este (hybrid), Uruguay, 28 November–2 December 2022) and the above-mentioned Note on possible linkages was submitted to the Intergovernmental Negotiating Committee to inform deliberations related to the issue of supporting effective and transparent reporting on plastic pollution through promoting use of PRTRs in an international legally binding instrument on plastic pollution, including in the marine environment at its second session (Paris, 29 May–2 June 2023).¹⁷

18. In addition to United Nations Environment Assembly of UNEP resolution 5/14, resolutions adopted by the United Nations Environment Assembly of UNEP at its fifth session contain text supportive of an integrated approach to implementing the different chemical multilateral environmental agreements and of the need to support tools for evidence-based decision-making. Notably, resolution 5/7 on sound management of chemicals and waste¹⁸ and resolution 5/8 on a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution¹⁹ address such aspects. The secretariat participated in the first session of the Ad hoc open-ended working group on a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution (Nairobi (hybrid), 6 October 2022). The resumed first session of the Ad hoc open-ended working group (Bangkok, 30 January–3 February 2023)²⁰ discussed issues related to scope and function, as well as organization of work. The outcomes of the contact group on scope and functions are also closely related to the work under the Convention and the Protocol.²¹

19. With regard to PRTRs and sound management of chemicals and waste, the secretariat promoted the work under the Convention and its Protocol and its interlinkages with other treaties and processes, among other things, at the following events:

(a) The fifth and sixth meetings of the OECD Working Party on PRTRs (respectively, online, 27–28 January 2022 and Paris, 26–27 January 2023) and its mid-year teleconference (online, 15 September 2022). The secretariat also participated in the following subgroup meetings: the third, fourth and fifth meetings of the subgroup on data use (online, 13 April 2022, 1 December 2022 and 25 May 2023, respectively), the first meeting of the subgroup on plastics (online, 4 May 2023) and the first meeting of the subgroup on capacity-building (online, 10 May 2023);

(b) The fifty-seventh and fifty-ninth meetings of the Inter-Organization Programme for the Sound Management of Chemicals (online, 27 April 2022, and Geneva, 25 April 2023, respectively), and the first, second, third and fourth meetings of the Inter-Organization Programme for the Sound Management of Chemicals indicators project working group (11 January 2022, 3 February 2022, 22 August 2022 and 12 January 2023, respectively);

(c) The second, third, fourth, fifth and sixth meeting of the Minamata Convention Group of Technical Experts on Mercury Releases (online, 9 September 2022, 21 October 2022, 5 December 2022, 12 January 2023 and 9 March 2023, respectively).

20. It also participated in the following PRTR-related meetings:

(a) “UN System Response to Marine Litter and Plastic Pollution, Geneva Beat Plastic Pollution Dialogues”, jointly organized by the United Nations Environment Management Group, the Geneva Environment Network and Global Resource Information Database-Arendal (online, 13 January 2022);

¹⁷ Available at

https://apps1.unep.org/resolutions/uploads/221223_united_nations_economic_commission_for_europe_unece.pdf.

¹⁸ UNEP/EA.5/Res.7.

¹⁹ UNEP/EA.5/Res.8.

²⁰ See www.unep.org/oewg1.2-ssp-chemicals-waste-pollution.

²¹ See <https://owncloud.unog.ch/s/T767F6vCUO8OILJ>.

(b) “Women, leadership, chemical safety and the SDGs”, co-organized by the Strategic Approach to International Chemicals Management secretariat, UNEP and the International Pollutants Elimination Network (online, 13 January 2022);

(c) “Briefing on the Ad Hoc Open-ended Working Group to Prepare for the Intergovernmental Negotiating Committee to End Plastic Pollution”, organized by the Geneva Environment Network (Vernier, Switzerland (hybrid), 19 May 2022);

(d) The ECE Expert Forum for Producers and Users of Climate Change-related Statistics 2022 and the Joint ECE/International Energy Agency/Eurostat Webinar on Administrative Microdata for Climate Change, Energy and Environment Statistics (Geneva, 29–30 September 2022 and 30 March 2023, respectively).

21. The secretariat also continued to promote the Protocol in relation to the work of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, including at a bilateral meeting on toxic wastes and human rights, co-organized by the Special Rapporteur and the ECE focal point on chemical management (Geneva (hybrid), 5 May 2022) and at an information session on Human Rights and the Environment: Meeting on Activities Related to the Fifty-second Session of the Human Rights Council (Vernier, Switzerland (hybrid), 8 February 2023).

22. The secretariat organized and serviced the fourteenth and fifteenth meetings of the International PRTR Coordinating Group (online, 26 January 2022 and Paris, 25 January 2023, respectively).

23. A fourth Global round table on pollutant release and transfer registers is planned to be held during this intersessional period, under the auspices of ECE and OECD and in cooperation with UNITAR and UNEP. It will be co-chaired by the Chair of the Protocol’s Meeting of the Parties and the Chair of the OECD Working Party on PRTRs. The round table will be expected to foster exchange between Governments and different stakeholders on PRTR-related issues. The date of the meeting will be set in due course.

24. The secretariat promoted the Aarhus Convention and its Protocol through various reports and articles prepared under the auspices of ECE and partner organizations. This included contributing to the environmental performance reviews,²² the Universal Periodic Reviews,²³ the United Nations Sustainable Development Cooperation Framework and the seventh (Nicosia) pan-European environmental assessment,²⁴ the Inter-Organization Programme for the Sound Management of Chemicals Inventory and analysis report: existing indicators on chemicals and waste management²⁵ and the report entitled *Global Governance of Plastics and Associated Chemicals: Secretariat of the Basel, Rotterdam and Stockholm Conventions*.²⁶

25. Furthermore, the secretariat acts as the Division’s or ECE focal point for: the Multilateral Environment Agreement Information and Knowledge Management Steering Committee; the World Summit on the Information Society; the Issue Management Group on Human Rights and the Environment within the United Nations Environment Management Group and for chemical management. It also promotes the Convention and its Protocol in their relevant activities. It contributed information on electronic tools used for Convention and Protocol activities to the annual report of the Secretary-General entitled Progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels (A/77/62–E/2022/8 and A/78/62–E/2023/49).

26. Lastly, during the reporting period, the secretariat continued an enhanced outreach exercise, distributing materials on the Convention and the Protocol to national focal points,

²² See <https://unece.org/environment-policy/environmental-performance-reviews>.

²³ See www.ohchr.org/en/hr-bodies/upr/cycles-upr.

²⁴ See <https://unece.org/pan-european-assessment>.

²⁵ SAICM/IP.4/INF/39, available at

www.saicm.org/Portals/12/documents/meetings/IP4/2022/SAICM_IP_4_INF_39.pdf.

²⁶ Karen Raubenheimer and Nicko Urho (n.p., United Nations Environment Programme, 2023).

Aarhus Centres, non-governmental organizations (NGOs) and academic institutions in the ECE region. The secretariat provides advice on an ongoing basis to various academic bodies, NGOs and other stakeholders upon request.

F. Coordination and oversight of intersessional activities

27. Coordination and oversight of intersessional activities under the Protocol are carried out at meetings of the Working Group of the Parties, meetings of the Bureau, as necessary, and through consultations among Bureau members, including through electronic means.

28. The secretariat serviced the ninth meeting of the Working Group of the Parties to the Protocol (Geneva, 24–25 November 2022), the twenty-second and twenty-third meetings of the Bureau (Geneva (hybrid), 9 June 2022 and 9 June 2023 (hybrid), respectively),²⁷ and coordinated a number of online consultations among the Bureau members. The secretariat is currently carrying out preparations for the tenth meeting of the Working Group of the Parties (Geneva, 27–28 November 2023).²⁸

29. The status of the Protocol with regard to accession, ratification and approval remained unchanged. As of 25 May 2023, the Protocol had 38 Parties.

30. Self-evaluation of the activities serviced by ECE under the Convention and its Protocol in 2018–2021, which included a survey among Parties and stakeholders, was carried out in 2022–2023. The evaluation aimed to assess whether activities serviced by ECE under the Aarhus Convention and its Protocol on PRTRs were implemented in a coherent, effective and efficient way and whether those activities were relevant for advancing intergovernmental efforts in the three following areas: access to information; public participation in decision-making; and access to justice in environmental matters. The Self-evaluation resulted in recommendations, including on the need to: (a) continue to encourage a participatory and human rights-based approach, synergy and gender considerations; (b) seek ways to strengthen Aarhus Centres; (c) allocate an adequate budget to address the serious lack of resources; (d) strive to ensure that activities conform to the accessibility standards for persons with disabilities; and (e) promote the importance of evaluations. The final report, prepared by an independent expert, was communicated to Parties and stakeholders and made available online along with other documents.²⁹

G. Technical assessment of provisions of the Protocol

31. Technical assessment of the provisions of the Protocol involves the drafting of recommendations on technical issues for the Meeting of the Parties, based on the assessment reports. The method of work for this activity includes meetings of the Working Group of the Parties to the Protocol, electronic consultation and drafting of assessment reports on experience gained in the development of national PRTRs according to article 6 (2) of the Protocol.

32. At its first meeting (Geneva, 28–29 November 2011), the Working Group of the Parties agreed that no amendments to the provisions of the Protocol were needed at that time, and that experience needed to be gathered before such a review could take place.³⁰ The 2014, 2017 and 2021 synthesis reports on the implementation of the Protocol (respectively, ECE/MP.PRTR/2014/5, ECE/MP.PRTR/2017/10 and ECE/MP.PRTR/2021/10) presented to the Meeting of the Parties at its second (Maastricht, Netherlands, 2–4 July 2014), third (Budva, Montenegro, 14–15 September 2017) and fourth (Geneva, 21–22 October 2021) sessions, respectively, and the individual national implementation reports³¹ on which the

²⁷ More information is available from the Bureau web page: <https://unece.org/environment-policy/public-participation/prtrs-protocol-bureau>.

²⁸ See <https://unece.org/environment-policy/public-participation/prtrs-working-group-parties>.

²⁹ See https://unece.org/evaluation-reports#accordion_2.

³⁰ ECE/MP.PRTR/WG.1/2011/2, para. 23.

³¹ Available at <https://unece.org/reporting-mechanism-protocol-prtrs>.

synthesis reports were based, provide insight into some of the issues related to the technical assessment of the provisions of the Protocol. In addition, an assessment concerning the implementation of the Protocol's provisions and its strategic plan is provided in the following documents: Systemic issues concerning the implementation of the Protocol on Pollutant Release and Transfer Registers and recommendations on how to address them (ECE/MP.PRTR/2017/6/Add.2); Progress in implementing the strategic plan for 2015–2020 (ECE/MP.PRTR/WG.1/2018/5); Report on the development of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2019/6 and Add.1); and Report on the outcomes of the survey on the experiences in implementing the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2020/4). Furthermore, in paragraph 4 of decision IV/2 on development of the Protocol on PRTRs (ECE/MP.PRTR/2021/6/Add.1), adopted by the Meeting of the Parties to the Protocol at its fourth session, the Working Group of the Parties, assisted by the Bureau, was tasked with, among other things, facilitating an exchange of information between Parties, taking into account inputs from interested stakeholders, and possible proposals by Parties on amendments to the Protocol were foreseen. Pursuant to decision IV/2, the Bureau prepared a note to guide the discussion on the development of the Protocol at the ninth meeting of the Working Group of the Parties, so as to assist Parties and stakeholders in their deliberations on the matter (ECE/MP.PRTR/WG.1/2022/5).

H. Horizontal support areas

33. During the reporting period, the objective of horizontal support activities was to provide overall support that covered multiple substantive areas of the work programme, inter alia, through secretarial support and staff training.
