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## Economic Commission for Europe

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

#### Eleventh meeting

Geneva, 22 November 2024

Item 5 (a) (i) of the provisional agenda

#### Preparations for the fifth session of the

#### Meeting of the Parties to the Protocol:

Substantive preparations: agenda for the fifth session

## Draft outline of the agenda for the fifth session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers

Prepared by the Bureau

### *Summary*

The present document contains a draft outline of the agenda for the fifth session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers, as well as a proposal for the organization of the work of the session. As the fifth session of the Meeting of the Parties to the Protocol will be held back-to-back with the eighth session of the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), the Bureau of the Convention was also consulted on the proposed organization of work (see section II), prior to its consideration by the Working Group of the Parties at its twenty-eighth meeting (Geneva, 2–4 July 2024).

The Convention's Working Group of the Parties considered the draft outline of the provisional agenda for the eighth session of the Meeting of the Parties to the Aarhus Convention (ECE/MP.PP/WG.1/2024/10), supporting in general its structure, substantive scope and themes of the High-level Segment, and requested the Convention's Bureau to prepare: a draft provisional agenda for the eighth session of the Meeting of the Parties in accordance with the outline and a draft declaration jointly with the Protocol's Bureau, in the light of the comments by the Working Group provided at the meeting, for their submission to the twenty-ninth meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration. The draft Declaration



will be circulated to Parties and stakeholders for comments prior to its finalization for the twenty-ninth meeting of the Working Group.<sup>a</sup>

The present document was prepared in accordance with the work programme for 2022–2025 for the Protocol,<sup>b</sup> adopted by the Meeting of the Parties to the Protocol at its fourth session (Geneva, 21–22 October 2021), and aims to facilitate the Bureau and the Working Group's discussion on the organization of work and the agenda for the fifth session of the Meeting of the Parties to the Protocol in 2025.

Pursuant to the above, the Protocol's Bureau approved the present draft document at its twenty-fifth meeting (Geneva, 20 June 2024) with a view to submitting it to the eleventh meeting of the Working Group. The Working Group will be invited to consider and approve the draft provisional agenda for the fifth session and mandate the Bureau to finalize it for submission to the Meeting of the Parties at its fifth session.

<sup>a</sup> AC/WGP-28/Inf.11, p. 11, available at <https://unece.org/environmentalpolicy/events/twenty-eighth-meeting-working-group-parties-aarhus-convention>.

<sup>b</sup> ECE/MP.PRTR/2021/6/Add.1, decision IV/3, annex, activity F.

## I. Dates and venue

1. Pursuant to previous experience, it is suggested that the eighth session of the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and the fifth session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers be held back-to-back. Considering a timeline for preparing documents, the events are being planned for late autumn 2025. Lithuania expressed preliminary interest in hosting the events.

## II. Organization of work

2. The tentative allocation of time for the eighth session of the Meeting of the Parties to the Aarhus Convention and the fifth session of the Meeting of the Parties to the Protocol and the associated meetings is set out in the table below, which based on the work arrangements of the previous sessions.

<i>Date</i>	<i>Convention/Protocol body</i>
Monday (10 a.m.–1 p.m. and 3–6 p.m.)	Eighth session of the Meeting of the Parties to the Convention (preparatory segment) <sup>a</sup>  Convention Compliance Committee (to be held, as required, also in parallel with the eighth session of the Meeting of the Parties to the Convention)  Convention Bureau (to meet as required, also on other days)
Tuesday (10 a.m.–1 p.m. and 3–6 p.m.)	Eighth session of the Meeting of the Parties to the Convention (general segment)
Wednesday (10 a.m.–1 p.m. and 3–6 p.m.)	Eighth session of the Meeting of the Parties to the Convention (general segment)
Thursday (10 a.m.–1 p.m. and 3–6 p.m.)	Joint High-level Segment of the Meetings of the Parties to the Convention and to the Protocol on Pollutant Release and Transfer Registers <sup>b</sup>  Protocol Compliance Committee (to be held, as required, also in parallel with the Joint High-level Segment)  Protocol Bureau (to meet as required, also on other days)
Friday (10 a.m.–1 p.m. and 3–6 p.m.)	Fifth session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers (general segment)

<sup>a</sup> The purpose of the preparatory segment is to finalize any pending documents that may be required. Late afternoon/evening is reserved for the finalization and translation of possible revised documents, as well as for possible coordination meetings.

<sup>b</sup> Subject to the decision of the Parties to the Convention and the Protocol, a thematic high-level segment could be organized jointly by both Meetings of the Parties.

## III. Substantive elements of the agenda

3. For the fifth session of the Meeting of the Parties to the Protocol, it is suggested that: (a) the agenda should, in general, be similar to that of the fourth session (Geneva, 21–22

October 2021);<sup>1</sup> (b) the agenda should cover all substantive areas of work under the Protocol; and (c) discussions should address good practices, achievements, lessons learned, challenges and obstacles in relation to implementing the Protocol. Representatives of Governments and stakeholders could be invited to deliver keynote addresses under specific agenda items.

4. Should Parties decide to hold a high-level segment, they may wish to consider organizing a thematic session on a subject that would both attract high-level participation and be linked to emerging issues in a global context. In this regard, the Protocol's Working Group of the Parties at its tenth meeting (Geneva, 27–28 November 2023) considered suggestions regarding the agenda for the Protocol's fifth session and possible elements for the declaration to be prepared for a high-level segment.<sup>2</sup> The triple planetary crisis (climate change, biodiversity loss, pollution) was considered as an overarching theme, with the focus on the role of the Convention and the Protocol in addressing this critical issue. The triple planetary crisis is also highly relevant in the context of the following interconnected subjects: human rights; sustainable development; and environment. These subjects are pertinent in the light of ongoing armed conflicts in the United Nations Economic Commission for Europe (ECE) region, which can impede the delivery of essential services and undermine effective environmental management. Other important subjects, such as chemicals, plastics, minerals and metals, could be also reflected in the context of the triple planetary crisis. It was noted that the value of digital transformation, including through modernizing nationwide digital environmental information systems and pollutant release and transfer registers, for implementing the Convention and the Protocol would also fit well for this theme. The Protocol's Working Group requested the Protocol's Bureau to prepare a draft agenda and a draft declaration in cooperation with the Convention's Bureau, for its eleventh meeting to be held in November 2024.<sup>3</sup>

5. A number of commitments have been made by States Members of the United Nations under different national structures and international forums to address the triple planetary crisis. Implementation of those commitments implies various measures – such as updating long-standing institutional and legal frameworks, policies and standards that regulate, for instance, the way people commute, construct buildings, consume and produce – and also foresees many practical measures, which often include large-scale development and infrastructure projects. Decision-makers at all levels need to consider different environmental, economic and social factors when deciding upon measures to tackle climate change, biodiversity loss and pollution. These measures concern a variety of sectors, such as agriculture, housing, natural resources, transportation, forests, water, energy, defence and other industries. Their impact significantly influences the environment and all aspects of human life, often leading to dilemmas, such as having to choose between reducing greenhouse gas emissions by building substantial renewable energy infrastructure and protecting biodiversity.

6. The triple planetary crisis, as well as the solutions to tackle it and reduce or prevent further impacts on human health and the environment, are bound to result in a substantial shift in the way humans live. In order to ensure a just transition to a sustainable economy and resilient society, decision-making processes need to accommodate the urgency to act and to minimize any potential mismatch, from a long-term perspective, between, on the one hand, social, economic and environmental costs and, on the other hand, development measures. Also, and in case of conflicting priorities, the judicial system needs to promote the rule of law, as a step towards reconciliation and the prevention and mitigation of violations of laws relating to the environment. The general public, environmental non-governmental organizations (NGOs), business, industry, science, research, academia and other stakeholders all play an important role in pursuing this transition.

7. The above-mentioned measures, at the same time, are often opposed by people concerned about the measures' potential impact on their well-being and on the environment. Such opposition can lead to people living under the threat of harassment or even in fear of

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<sup>1</sup> ECE/MP.PRTR/2021/5.

<sup>2</sup> See PRTR/WG.1/2023/Inf.4, item 6 (a) (iv), p. 4, available at <https://unece.org/environmental-policy/events/tenth-meeting-working-group-parties-protocol-prtrs>.

<sup>3</sup> ECE/MP.PRTR/WG.1/2023/2, paras. 47 and 48 (d).

their life. Furthermore, armed conflicts, as well as resulting in the deaths, wounding or displacement of many people, have greatly harmed the environment and the ability of members of the public to exercise their rights. Ecocide in situations of armed conflict and post-conflict can have an impact on human health, well-being and livelihoods, with persons in vulnerable situations being particularly exposed to such effects. The impact of armed conflicts is long-lasting and can be irreversible. Effective and inclusive engagement of the public, also in such extraordinary situations, is therefore required in order to ensure the proper implementation of the above-mentioned commitments.

8. The above-mentioned themes would allow Parties and stakeholders to touch upon a number of issues that were identified through the work of the Convention and the Protocol as being critical, namely: (a) how the modernization of nationwide digital environmental information systems and the establishment of comprehensive and coherent pollutant release and transfer registers could enhance access to information so as to support sustainable policies and just transition; (b) how effective and inclusive public participation in decision-making on legislation, policies, plans and projects helps to tackle climate change, biodiversity loss and pollution, including across borders; (c) how the safety of environmental defenders contributes to a just transition and resilient society; and (d) the role of access to justice and the rule of law in this context.

9. The subjects addressed in this document are closely linked to the implementation of a number of regional and global initiatives and commitments, in particular:

(a) General Assembly resolution 76/300 on the human right to a clean, healthy and sustainable environment,<sup>4</sup> which calls for greater global efforts to protect that right;

(b) Human Rights Council resolutions 20/8 on the promotion, protection and enjoyment of human rights on the Internet,<sup>5</sup> 23/2 on the role of freedom of opinion and expression in women's empowerment,<sup>6</sup> 31/32 on protecting human rights defenders, whether individuals, groups or organs of society, addressing economic, social and cultural rights,<sup>7</sup> 37/8 on human rights and the environment,<sup>8</sup> 40/11 on recognizing the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development,<sup>9</sup> 42/21 on protection of the rights of workers exposed to hazardous substances and wastes<sup>10</sup> and 48/13 on the human right to a clean, healthy and sustainable environment;<sup>11</sup>

(c) The Paris Agreement and decisions of the Conference of the Parties to the United Nations Framework Convention on Climate Change;

(d) The Kunming-Montreal Global Biodiversity Framework and other relevant decisions under the Convention on Biological Diversity;

(e) The Global Framework on Chemicals, adopted at the fifth session of the International Conference on Chemicals Management (Bonn, Germany, 25–29 September 2023);

(f) United Nations Environment Assembly of the United Nations Environment Programme (UNEP) resolutions, including 5/7 and 6/9 on sound management of chemicals and waste,<sup>12</sup> 5/8 on a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution,<sup>13</sup> 5/11 on enhancing circular economy as a contribution to achieving sustainable consumption and production,<sup>14</sup> 5/12 on environmental

<sup>4</sup> A/RES/76/300.

<sup>5</sup> A/HRC/RES/20/8.

<sup>6</sup> A/HRC/RES/23/2.

<sup>7</sup> A/HRC/RES/31/32.

<sup>8</sup> A/HRC/RES/37/8.

<sup>9</sup> A/HRC/RES/40/11.

<sup>10</sup> A/HRC/RES/42/21.

<sup>11</sup> A/HRC/RES/48/13.

<sup>12</sup> Respectively, UNEP/EA.5/Res.7 and UNEP/EA.6/Res.9.

<sup>13</sup> UNEP/EA.5/Res.8.

<sup>14</sup> UNEP/EA.5/Res.11.

aspects of minerals and metals management,<sup>15</sup> 6/5 on environmental aspects of minerals and metals,<sup>16</sup> 5/14 entitled “End plastic pollution: Towards an international legally binding instrument”,<sup>17</sup> 6/8 on promoting sustainable lifestyles,<sup>18</sup> 6/12 on environmental assistance and recovery in areas affected by armed conflict,<sup>19</sup> and resolutions that aim at promoting synergies, cooperation and collaboration in achieving multilateral cooperation, such as 6/3 on enhancing the role and viability of regional forums of ministers of the environment and United Nations Environment Programme regional offices in achieving multilateral cooperation in tackling environmental challenges,<sup>20</sup> 6/4 on promoting synergies, cooperation or collaboration for national implementation of multilateral environmental agreements and other relevant environmental instruments<sup>21</sup> and 6/6 on fostering national action to address global environmental challenges through increased cooperation between the United Nations Environment Assembly, the United Nations Environment Programme and multilateral environmental agreements;<sup>22</sup>

(g) The Sendai Framework for Disaster Risk Reduction 2015–2030, adopted at the Third United Nations World Conference on Disaster Risk Reduction (Sendai, Japan, 14–18 March 2015);

(h) The European Green Deal;<sup>23</sup>

(i) Other relevant commitments under the frameworks of the World Meteorological Organization, the World Health Organization, the United Nations Environment Assembly of UNEP, the “Environment for Europe” Ministerial Conferences and the Group on Earth Observations.

10. Lastly, the subjects are applicable to the implementation of a number of Sustainable Development Goals, including Goals 16 (peace, justice and strong institutions), 3 (good health and well-being), 9 (industry, innovation and infrastructure), 11 (sustainable cities and communities), 12 (responsible consumption and production), 13 (climate action) and 15 (life on land). Furthermore, considering their continuing importance, the issues of environmental defenders and of the impact of armed conflicts on the public’s rights and on the environment would also be addressed as separate topics. A concise (no longer than two-and-a-half pages), theme-specific joint declaration (i.e. with the Parties to the Protocol) could be developed for consideration by officials at the high-level segment.

11. Thus, the agenda of the fifth session of the Meeting of the Parties to the Protocol could include the following items:

**Joint High-level Segment (subject to the decision of the Parties to the Convention and the Protocol)**

1. Opening.
2. Report on credentials with regard to the Parties to the Protocol.
3. Thematic session.
4. Discussion and adoption of the Declaration.
5. Review and adoption of the Convention’s decisions by the Meeting of the Parties to the Convention.
6. Closure of the Joint High-level Segment.

<sup>15</sup> UNEP/EA.5/Res.12.

<sup>16</sup> UNEP/EA.6/Res.5.

<sup>17</sup> UNEP/EA.5/Res.14.

<sup>18</sup> UNEP/EA.6/Res.8.

<sup>19</sup> UNEP/EA.6/Res.12.

<sup>20</sup> UNEP/EA.6/Res.3.

<sup>21</sup> UNEP/EA.6/Res.4.

<sup>22</sup> UNEP/EA.6/Res.6.

<sup>23</sup> See [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal_en).

**General segment**

1. Opening of the general segment and adoption of the agenda.
  2. Status of ratification of the Protocol on Pollutant Release and Transfer Registers.
  3. Promotion and capacity-building;<sup>24</sup>
    - (a) Coordination mechanisms and synergies;
    - (b) Subregional and national activities.
  4. Reporting and compliance mechanisms:
    - (a) Reporting mechanism;
    - (b) Compliance mechanism.
  5. Development of the Protocol and modernization of pollutant release and transfer registers.
  6. Programme of work and operation of the Protocol:
    - (a) Implementation of the work programme for 2022–2025;
    - (b) Future work programme for 2026–2029;
    - (c) Financial arrangements.
  7. Election of officers and other members of the Bureau.
  8. Date and venue of the sixth ordinary meeting.
  9. Any other business.
  10. Review and adoption of decisions.
  11. Closure of the meeting.
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<sup>24</sup> It is suggested that global and regional developments regarding issues related to pollutant release and transfer registers be considered at the High-level Segment.