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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

Eleventh meeting

Geneva, 22 November 2024

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

Preparations for the fifth session

of the Meeting of the Parties to the Protocol:

Substantive preparations: development of the Protocol and proposal on modernizing pollutant release and transfer registers

Draft decision on furthering modernization of pollutant release and transfer registers, their global promotion and synergy

Prepared by the Bureau*

Summary

At its tenth meeting (Geneva, 27–28 November 2023), the Working Group of the Parties to the Protocol on Pollutant Release and Transfer Registers took note of the Draft proposal on a possible decision on promoting innovative approaches for modernizing pollutant release and transfer registers, their global promotion and synergy (ECE/MP.PRTR/WG.1/2023/7) and of the statements and comments provided by participants. The Working Group agreed that possible additional written comments could be submitted to the secretariat by 1 March 2024 and requested the Bureau, with the support of the secretariat, to revise the document in the light of the comments received and submit it to the eleventh meeting of the Working Group of the Parties for consideration and approval and its subsequent submission to the Meeting of the Parties for consideration.^a

* This document was scheduled for publication after the standard publication date owing to circumstances beyond the submitter's control as more time was required to finalize it.



Pursuant to the above, the Bureau considered the draft document at its twenty-fifth meeting (Geneva (hybrid), 20 June 2024), revised it in the light of the comments received and submitted it to the eleventh meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration.

^a ECE/MP.PRTR/WG.1/2023/2, para. 48 (c).

I. Introduction

1. The present document contains a proposed draft decision on furthering modernization of pollutant release and transfer registers (PRTRs), their global promotion and synergy. The draft decision is mainly based on commitments made by the Working Group of the Parties and by the Meeting of the Parties at their earlier meetings and sessions, respectively, and also addresses several additional important aspects.

2. Significant progress has been made since the adoption of the Protocol in 2003 in digital transformation, database management and coordination of data and information across sectors and across the life cycle of products. A number of different international commitments have been made in this regard, including the 2030 Agenda for Sustainable Development, the European Green Deal, the Industrial Emissions Portal Regulation¹ and voluntary measures for harmonizing reporting functions across different reporting obligations.

3. Digitalization appears to be a key enabling factor in effectively addressing major challenges in implementing the Protocol. One overarching challenge is to ensure that national PRTRs – established to implement the Protocol – are also integrated with other information systems, thereby making PRTR data more useful for stakeholders and for different informed decision-making purposes, such as pollution prevention, impact assessment, sustainability and the circular approach to economy. The potential of PRTRs, both in this regard and as a reporting tool for other treaties and processes, needs to be promoted globally. Below is a list of major innovative aspects for consideration by Parties and interested member States when addressing those challenges:

(a) With regard to collecting data, promote synergy and avoid duplication of reporting by integrating different reporting obligations into one web-based single-entry reporting system, thereby reducing reporting burden and improving data quality;

(b) As to disseminating data and making data useful, promote synergy and avoid the scattering of online pollution-related databases by promoting the concept of a web-based register containing data on industrial emissions, releases from small and scattered (diffuse) sources, other related data, information and knowledge that could encompass environmental, social and economic data, thereby advancing integrated PRTRs;

(c) Concerning communicating and furthering integrated PRTRs, identify a common terminology and apply it meaningfully across different international processes, as appropriate. Integrated PRTR systems can be described as information systems that contain, but are not limited to, PRTR data. Possible examples include environmental information systems² or pollution information portals;³

(d) Further promote the modular approach to implementing the Protocol, which will make it possible to cover different aspects of reporting and data dissemination. Recognizing the fact that the vast majority of Parties to the Protocol are also Parties to other relevant agreements and instruments, a modular approach may include modules that cover reporting and dissemination of data related to the fulfilment of different international and national reporting obligations, with individual parties having to keep up-to-date with developments under those instruments;

(e) Promote the Protocol and the experience of Parties in implementing it as an effective blueprint for reporting data to authorities and making data easily available to the public and other stakeholders. This will make it possible to overcome the ongoing fragmentation of related databases and make effective use of technological progress in data management and analysis;

(f) Task the secretariat, in cooperation with the Organisation for Economic Co-operation and Development, the United Nations Institute for Training and Research, the

¹ See https://environment.ec.europa.eu/publications/proposal-regulation-industrial-emissions-portal_en.

² See <https://unece.org/shared-environmental-information-system>.

³ See www.ohchr.org/en/calls-for-input/2024/call-inputs-pollution-information-portals-and-right-know-strengthening-access.

United Nations Environment Programme and other relevant organizations, with developing related guidance and promotional material to assist in implementation.

4. The Bureau considered the first draft document at its twenty-third meeting (Geneva (hybrid), 9 June 2023) and noted that the proposal was aimed at helping Parties and other interested member States and stakeholders to implement possible voluntary measures in order to facilitate implementation of decision IV/2 on development of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/2021/6/Add.1). The Bureau also noted that: (a) it had already addressed the above-mentioned issues in its Note to guide the discussion on the development of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2022/5) submitted to the ninth meeting of the Working Group of the Parties (Geneva, 24–25 November 2022), which had been well received by Parties and stakeholders; and (b) it was unlikely that any Party would suggest amendments to the Protocol prior to the next session of the Meeting of the Parties. Therefore, considering the wealth of experience accumulated through the work under the Protocol on improvement of PRTRs and also efforts made by Parties and stakeholders to promote the Protocol, preparing such a decision would be a natural next step. The Bureau thus agreed that such a decision was indeed needed and helpful and requested the secretariat to revise the proposal in the light of the comments received at the meeting and to send it to the Bureau for possible additional comments, with a view to its finalization through electronic decision-making and subsequent submission to the Working Group of the Parties at its tenth meeting (Geneva, 27–28 November 2023).⁴

5. The Working Group of the Parties took note of the Draft proposal on a possible decision on promoting innovative approaches for modernizing pollutant release and transfer registers, their global promotion and synergy (ECE/MP.PRTR/WG.1/2023/7) and of the statements and comments provided by participants at its tenth meeting. The Working Group agreed that possible additional written comments could be submitted to the secretariat by 1 March 2024 and requested the Bureau, with the support of the secretariat, to revise the document in the light of the comments received and submit it to the eleventh meeting of the Working Group of the Parties (Geneva, 22 November 2024) for consideration and approval and its subsequent submission to the Meeting of the Parties for consideration.

6. Substantive statements on the proposal were made by the representatives of the European Union and its member States, Switzerland and the European ECO-Forum at the tenth meeting of the Working Group of the Parties and written comments were submitted by the representatives of the European-ECO Forum prior to the meeting and the European Union and its member States after the meeting.

7. Pursuant to the above, the Bureau considered the draft document at its twenty-fifth meeting (Geneva (hybrid), 20 June 2024), revised it in the light of the comments received and submitted it to the eleventh meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration.

8. The present document is comprised of an introduction and the proposed draft decision. The purpose of the introduction – which will not be included in the final version of the decision – is to provide background information relevant to the decision. At the same time, information contained in the introduction can be submitted to the fifth session of the Meeting of the Parties as a background note.

⁴ Report of the twenty-third meeting of the Bureau, paras. 4–5. Available at <https://unece.org/info/events/event/379475>.

II. Pollutant release and transfer registers: Furthering their modernization, global promotion and synergy (draft decision)

The Meeting of the Parties,

Recalling articles 6 (2) and 17 (2) of the Protocol,

Recalling also decision IV/2 on development of the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs) adopted by the Meeting of the Parties at its fourth session (Geneva, 21-22 October 2021) (ECE/MP.PRTR/2021/6) and relevant commitments related to the development and promotion of the Protocol made by the Meeting of the Parties and the Working Group of the Parties at their previous sessions and meetings, respectively,⁵

Acknowledging that significant progress has been made since the adoption of the Protocol in 2003 in digital transformation, database management and coordination of data and information across sectors and across the life cycle of products,

Recalling a number of international commitments made in this regard, including the 2030 Agenda for Sustainable Development, the European Green Deal, the Industrial Emissions Portal Regulation⁶ and voluntary measures taken by States to harmonize reporting functions across different reporting obligations,

Noting that digitalization appears to be a key enabling factor in effectively addressing major challenges in implementing the Protocol,

Underlining in this regard that an overarching challenge in implementing the Protocol effectively is the development of integrated PRTRs, which would allow PRTR data to be more useful for stakeholders and for different informed decision-making purposes, such as pollution prevention, impact assessment, sustainability and the circular approach to economy,

Stressing the important role of PRTRs in supporting the achievement of a number of Sustainable Development Goals, in particular, Goals 3 (good health and well-being), 6 (clean water and sanitation), 9 (industry, innovation and infrastructure), 11 (sustainable cities and communities), 12 (responsible consumption and production) and 16 (peace, justice and strong institutions),

Mindful of the importance of promoting synergy and avoiding and reducing duplication of efforts for different reporting obligations, and stressing the need to promote the potential of PRTRs globally, including as a reporting tool for other treaties and processes,

Recognizing the important role of the International PRTR Coordinating Group in this regard,

Having reviewed the following documents prepared under the auspices of the Protocol, which outline challenges, achievements and voluntary measures related to the modernization of PRTR systems and the promotion of synergy:

(a) Synthesis report on the implementation of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/2017/10), including, an overview of the progress in implementing the strategic plan for 2015–2020,

(b) 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),

(c) Progress in implementing the strategic plan for 2015–2020 (ECE/MP.PRTR/WG.1/2018/5),

⁵ See, in particular, the reports of the third and fourth sessions of the Meeting of the Parties (respectively, ECE/MP.PRTR/2017/6 and ECE/MP.PRTR/2021/6); and the reports of the sixth to ninth meetings of the Working Group of the Parties (respectively, ECE/MP.PRTR/WG.1/2018/2, ECE/MP.PRTR/WG.1/2019/2, ECE/MP.PRTR/WG.1/2020/2 and ECE/MP.PRTR/WG.1/2022/2).

⁶ See https://environment.ec.europa.eu/publications/proposal-regulation-industrial-emissions-portal_en.

(d) Development of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2018/6),

(e) Report on the development of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2019/6), including the Possible approach for revising annexes I, II and III (ECE/MP.PRTR/WG.1/2019/6/Add.1) and the Comparative analysis of different international reporting obligations related to annexes I, II and III of the Protocol on PRTRs (PRTR/WG.1/2019/Inf.2),⁷

(f) 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),

(g) Synthesis report on the status of implementation of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/2021/10),

(h) Note to guide the discussion on the development of the Protocol on Pollutant Release and Transfer Registers (ECE/MP.PRTR/WG.1/2022/5),

(i) Note on possible linkages between pollutant release and transfer registers and plastic pollution (ECE/MP.PRTR/WG.1/2022/6),

Modernizing pollutant release and transfer registers

1. *Recognizes* the importance of modernizing PRTR systems;

2. *Acknowledges* the potential of integrated PRTRs, which provide easy access to data on industrial reporting, on disposal and recovery operations and on significant releases from small and scattered sources, including, as appropriate, releases from products, for facilitating transparency across the value chain of products and for supporting key efforts to address sustainable consumption and production and extended producer responsibility;

3. *Welcomes* the achievements of Parties, other States and stakeholders in their efforts to establish integrated and coherent PRTRs and acknowledges the related challenges they face;

4. *Recommends* that Parties harmonize national PRTR reporting and dissemination systems with other related databases and promote a single-entry user-friendly, publicly accessible and searchable web-based portal that could be placed within a wider information system encompassing environmental, social and economic data, by:

(a) Updating national reporting on substances covered by other relevant agreements and programmes, with the aim of strengthening public access to information and avoiding duplication of reporting and database functions under those instruments;

(b) Integrating dissemination of data on releases and transfers of pollutants and waste from point sources with data from the smaller point and scattered (diffuse) sources, according to the Protocol's provisions, recalling the respective definitions under the Protocol of the terms "pollutant" (art. 2 (6)), "release" (art. 2 (7)), "transfer" (art. 2 (8)) and "waste" (art. 2 (11)–(14));

(c) Furthering the modular approach to developing PRTRs with the possibility of adding modules that cover reporting and dissemination of data related to the fulfilment of different international and national reporting obligations;

(d) Raising awareness of the Protocol and of the experience of Parties in implementing it as an effective blueprint for reporting data to authorities and making data easily available to the public and other stakeholders. This will make it possible to overcome the ongoing fragmentation of related databases and make effective use of technological progress in data management and analysis;

5. *Tasks* the secretariat, in cooperation with the Organisation for Economic Co-operation and Development, the United Nations Institute for Training and Research, the United Nations Environment Programme, and, as appropriate, other relevant organizations, to

⁷ Available at <https://unece.org/environmental-policy/events/seventh-meeting-working-group-parties-protocol-prtrs>.

update the guidance on implementation of the Protocol⁸ taking into consideration the experience gained in modernizing PRTRs and relevant promotion material, in order to assist Parties and other interested member States in advancing their PRTR systems;

6. *Calls upon* Parties, partner organizations and stakeholders to continue building capacities and providing sufficient resources to modernize PRTRs and other governmental information systems and promoting their interoperability and accessibility in forms and formats that meet the needs of different users;

Strengthening synergy and global promotion

7. *Encourages* Parties to:

(a) With regard to collecting data, promote synergy and avoid duplication of reporting by integrating different reporting obligations into one web-based single-entry reporting system, thereby reducing reporting burden and improving data quality;

(b) With regard to disseminating data and making data useful, promote synergy and avoid the scattering of online pollution-related databases by promoting the concept of a web-based register containing data on industrial emissions, releases from small and scattered (diffuse) sources, other related data, information and knowledge that could encompass environmental, social and economic data, thereby advancing integrated PRTRs;

(c) Also promote the use of the Protocol's definitions for relevant new instruments, as appropriate;

(d) Continue exchange of experience gained with regard to the implementation of the following provisions of the Protocol:

(i) Activities specified in annex I;

(ii) Pollutants specified in annex II;

(iii) Thresholds specified in annexes I and II;

(iv) Disposal and recovery operations specified in annex III;

(e) Continue exchange of experience gained with regard to the implementation of other issues such as:

(i) Information on on-site transfers, storage, the specification of reporting requirements for diffuse sources, or the development of criteria for including pollutants;

(ii) Information on consumption of energy, water and raw materials;

(f) Take a lead on a specific topic of PRTR development and share experience with other Parties and stakeholders through a global portal on PRTR⁹(PRTR.net), bilaterally and at the meetings under the Protocol and other events;

(g) Analyse how existing national/regional PRTR reporting from facilities and dissemination infrastructures could be made fit for managing data, and exchange best practice on addressing plastic pollution specifically; share experience on pollutant release data collection and dissemination, including the application of release estimation techniques, relevant to informing and shaping reporting and dissemination tools under a future legally binding instrument on plastic pollution and in particular where data from measurements and calculations may be difficult to obtain;

(h) Consider promoting the inclusion of provisions on integrated PRTRs, also in relevant future treaties, including a legally binding instrument on plastic pollution;

⁸ *Guidance on Implementation of 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* (United Nations publication, ECE/MP.PP/7).

⁹ See <https://prtr.unece.org/>.

(i) Identify a common terminology with regard to integrated PRTRs and apply it meaningfully across different international processes, as appropriate;

8. *Calls upon* relevant partner organizations and multilateral environmental agreements to, where possible, cooperate closely to create synergies to further the implementation of PRTR-related activities;

9. *Reiterates* its call upon Governments to strengthen cooperation between experts dealing with the Protocol on PRTRs and those dealing with the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), the Convention on Long-range Transboundary Air Pollution (Air Convention), the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention), the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention), the United Nations Environment Programme Mediterranean Action Plan and conventions on chemicals (the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants, well as the Minamata Convention on Mercury), the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and other relevant agreements and programmes, as well as those involved in pollution prevention and pollution reduction projects carried out by international organizations in order to ensure coordination at the national level;

10. *Also reiterates* its call upon Parties, other interested member States and organizations to promote PRTRs as a reporting tool for multilateral environmental agreements dealing with chemicals and for other relevant multilateral environmental agreements;

11. *Encourages* in this regard the Protocol's national focal points to engage with national focal points of other relevant instruments and to jointly promote the use of PRTRs for reporting on international agreements and processes, recalling in that context: Sustainable Development Goal 12 on responsible consumption and production; the related Organisation for Economic Co-operation and Development activities; the Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and the amendment to that Protocol; and the PRTR-related provisions of the 2001 Stockholm Convention and of the 2013 Minamata Convention;

12. *Reiterates* its call upon Parties and stakeholders to consider implementing the Protocol on PRTRs and the Shared Environmental Information System in synergy;

13. *Invites* Parties to take measures to address the challenges in collecting and sharing the data for environment-related indicators of the Sustainable Development Goals and to consider the use of data resulting from Earth observation and PRTRs for that purpose, as relevant;

14. *Requests* the secretariat, the Organisation for Economic Co-operation and Development and the United Nations Institute for Training and Research to continue working closely together in order to ensure the effective use of PRTR.net, PRTR:Learn¹⁰ and other PRTR-related Organisation for Economic Co-operation and Development websites;¹¹

15. *Calls upon* Parties, other interested States and organizations to continue global promotion of the Protocol, including by making the text of the Protocol and relevant guidance material available in all the official languages of the United Nations and other languages;

16. *Urges* all interested member States to accede to the Protocol in order to benefit from its solid legal framework and the rich experience gained by Parties;

17. *Expresses* appreciation to Parties and partner organizations for support provided to promotion of the Protocol and for strengthening countries' capacities to accede thereto;

¹⁰ Available at prtr.unitar.org/site/prtr-learn.

¹¹ See www.oecd.org/en/topics/monitoring-and-preventing-industrial-pollution.html.

18. *Calls upon* Parties, other member States and partner organizations to support capacity-building activities and provide technical assistance in order to advance the establishment and operation of PRTR systems and to further accession to the Protocol;

19. *Requests* the Secretary-General to strengthen the secretariat's capacity to facilitate the implementation of the new activities to be serviced by the United Nations Economic Commission for Europe that are required to promote implementation of this decision.¹²

¹² See also the lack of resources identified through the evaluation of the activities serviced by ECE under the Convention and its Protocol in 2018–2021, available at https://unece.org/evaluation-reports#accordion_2.