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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

Ninth meeting

Geneva, 24–25 November 2022

Item 5 (a) of the provisional agenda

**Programme of work and operation of the Protocol:
implementation of the work programmes for 2018–2021
and 2022–2025, including financial matters**

Report on the implementation of the work programmes of the Protocol on Pollutant Release and Transfer Registers for 2018–2021 and 2022–2025*

Note by the secretariat

Summary

The present report was prepared by the secretariat pursuant to paragraph 5 of decision III/2 (ECE/MP.PRTR/2017/6/Add.1) and paragraph 5 of decision IV/3 (ECE/MP.PRTR/2021/6/Add.1) of the 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. It provides an overview of the implementation of the Protocol's work programme for 2018–2021 (ECE/MP.PRTR/2017/6/Add.1, decision III/2, annex) for the period 1 July–31 December 2021 and for the implementation of the work programme for 2022–2025 (ECE/MP.PRTR/2021/6/Add.1, decision IV/3, annex) as at 31 August 2022.

* This document was scheduled for publication after the standard publication date owing to circumstances beyond the submitter's control.



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 2018–2021 (ECE/MP.PRTR/2017/6/Add.1, decision III/2, annex) for the period 1 July through 31 December 2021 and of the work programme for 2022–2025 (ECE/MP.PRTR/2021/13, decision IV/3, annex) as at 31 August 2022 (the reporting period), focusing on operational and organizational aspects. The information contained herein complements that provided in the report on the implementation of the work programme for 2018–2021 (ECE/MP.PRTR/2021/8) submitted to the Meeting of the Parties to the Protocol at its fourth session (Geneva, 22 October 2021). 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 and, in particular, Goals 3, 9, 12 and 16. An overview of contributions and expenditures in relation to the implementation of the work programmes is provided in document ECE/MP.PRTR/WG.1/2022/4.

2. In implementing the work programmes, 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. Furthermore, in the light of restrictions associated with the coronavirus disease (COVID-19) pandemic, the secretariat continued to adjust to new methods of work by extending organization of meetings in online and hybrid formats and using more electronic tools. The organization of such meetings required the provision of additional training for staff to manage different information technology infrastructure, and spending more time on the preparatory phase of activities to ensure proper consultations with delegations, the chairs of the respective subsidiary bodies and partner organizations, as well as liaising with conference services on numerous practical arrangements. Thus, arranging and servicing complex meetings in a hybrid or online format requires a high level of support by substantive and technical staff. In addition, there are a number of challenges associated with organizing such meetings. First, the unpredictability of the quality of the Internet connection and availability of the required equipment on the participants' side and other technical issues may have an impact on substantive discussions and procedures. Furthermore, the limited number of meeting rooms at the Palais des Nations, Geneva, that are equipped for servicing online or hybrid meetings posed an additional challenge in organizing those meetings. In future, it would be advisable to make decisions on holding such meetings based on the meetings' purpose; for example, meetings of small expert groups or the Bureau are less challenging to organize in such formats than complex meetings requiring interpretation, negotiations and decision-making. Moreover, the required quality of information technology infrastructure and, when needed, the availability of interpretation for remote participation, are key preconditions for organizing meetings in a hybrid or online format.

II. Overview of implementation of the work programme

A. Compliance mechanism

3. In the reporting period, the Protocol Compliance Committee held its eleventh and twelfth meeting (Geneva (hybrid), 22 October 2021, and Geneva (online) 1 March 2022, respectively).¹ The main focus of the Committee's work has been on assisting Parties in their efforts to implement the Protocol, including through identifying and addressing lessons learned from the third reporting cycle.

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

4. In that context, the Committee also 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. Based on related information provided by Estonia, Malta, Portugal and Slovenia in their respective 2021 national implementation reports, the Committee agreed to send questions to the above-mentioned Parties in order to further clarify the matter.²

5. 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, which is available on the Committee's website.³

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 took place.

7. The secretariat has continued to manage the Aarhus Clearinghouse for Environmental Democracy⁴ and the PRTR.net global portal.⁵ PRTR.net is used to facilitate the collection, dissemination and exchange of information related to pollutant release and transfer registers. 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:Learn⁶ 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.⁷

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;⁸ preparation and processing of national implementation reports; and analysis of reports and preparation of a synthesis report.

² ECE/MP.PRTR/C.1/2022/2, paras. 5-7.

³ See <https://unece.org/env/pp/protocol-on-prtrs/cc/communications-from-the-public>.

⁴ See <http://aarhusclearinghouse.unece.org/>.

⁵ See <http://prtr.unece.org/>.

⁶ See <http://prtr.unitar.org/>.

⁷ Available at <https://prtr.unece.org/national-reports/reports>.

⁸ Available at <https://prtr.unece.org/national-reports/reports>.

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), these Parties were called to report by 15 November 2021.⁹ 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 promoted the Convention and its Protocol on PRTRs at the 2021 Aarhus Centres Annual Meeting, organized by the Organization for Security and Cooperation in Europe (OSCE) (Vienna (hybrid), 23–24 September 2021). The meeting focused on good practices and ongoing activities of Aarhus Centres in implementing the 2030 Agenda, women’s empowerment through the work of the Aarhus Centres, and the role of the Aarhus Centres in times of disaster and in green recovery.

15. With regard to PRTRs and chemicals and wastes management, 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 meeting of the OECD Working Party on PRTRs (27–28 January 2022), its mid-year teleconference (online, 29 September 2021) and the second and third meetings of its subgroup on data use (online, 3 September 2021 and 13 April 2022, respectively);

(b) The side events to the fourth session of the Meeting of the Parties to the Protocol on PRTRs on “Enhancement of Pollutant Release and Transfer Registers (PRTRs) in the Western Balkan countries and the Republic of Moldova”, organized by Participatio Limited¹⁰ (11 October 2021), and “PRTRs: The evidence base instrument for the right to know our environment?”, co-organized by Geneva Environment Network, Earthjustice and the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes (14 October 2021);

(c) The fifty-seventh meeting of the Inter-Organization Programme for the Sound Management of Chemicals (27 April 2022), and the first and second meetings of the Inter-Organization Programme indicators project working group (11 January 2022 and 3 February 2022, respectively).

16. Furthermore, the secretariat organized and serviced the fourteenth meeting of the International PRTR Coordinating Group (online, 26 January 2022), which was held back-to-back with the fifth meeting of the OECD Working Party on PRTRs.¹¹ It also promoted the Protocol in the following PRTR-related meetings:

⁹ ECE/MP.PRTR/2021/6, para. 27 (d).

¹⁰ Mention of any firm, product, service or licensed process does not imply endorsement or criticism by the United Nations.

¹¹ See ECE, “International PRTR Coordinating Group”, Meetings and Documents tab. Available from <https://unece.org/environment-policy/public-participation/international-prtr-coordinating-group>.

(a) “From Data to Environmental Action”, Global Resources Information Database-Geneva Science Day, organized with the support of the Geneva Environment Network (Vernier, Switzerland, 17 November 2021);

(b) “UN System Response to Marine Litter and Plastic Pollution”, organized as a partnership between the United Nations Environment Management Group, the Geneva Beat Plastic Pollution Dialogues and Global Resources Information Database-Arendal (online, 13 January 2022);

(c) “Women’s Leadership, Chemical Safety and the SDGs”, co-organized by the Strategic Approach to International Chemicals Management secretariat, the United Nations Environment Programme and the International Pollutants Elimination Network (online, 13 January 2022);

(d) “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).

17. 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 (5 May 2022).

18. 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 the United Nations Environment Programme. 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 for the meeting will be set in due course.

19. During the reporting period, the secretariat also participated in the three following side events organized on the margins of the seventh session of the Meeting of the Parties to the Aarhus Convention and of the fourth session of the Meeting of the Parties to the Protocol on PRTRs (Geneva, 18–22 October 2021) to promote and raise awareness about the Convention and its Protocol: “Guaranteeing Aarhus-protected rights in international climate governance”, organized by the Centre for International Environmental Law (online, 11 October 2021); “Welcome Guinea-Bissau: Opening a new dimension for Aarhus”, organized by Earthjustice, the European Environmental Bureau and the Geneva Environment Network (online, 15 October 2021); and “Cooperation between the Aarhus Convention and the Escazú Agreement to promote the protection of access rights and of environmental defenders”, organized by the Guta Environmental Law Association, the Centre for International Environmental Law, Earthjustice, EarthRights, the European Environmental Bureau and the Economic Commission for Latin America and the Caribbean (online, 15 October 2021).

20. The secretariat promoted relevant provisions of the Convention and the Protocol in the preparations for the upcoming Ninth “Environment for Europe” Ministerial Conference (Nicosia, 5–7 October 2022). It also promoted the relevant outcomes of the Joint High-level Segment (Geneva, 21 October 2021) of the seventh session of the Meeting of the Parties to the Aarhus Convention and the fourth session of the Meeting of the Parties to the Protocol on PRTRs at the seminar on sustainable infrastructure (2 December 2021) held during the tenth meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment within the framework of the Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment (Geneva, 1–3 December 2021).¹²

21. 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,¹³ the United Nations

¹² See ECE/MP.EIA/WG.2/2021/2, annex, para. 3 (d).

¹³ See <https://unece.org/environment-policy/environmental-performance-reviews>.

Sustainable Development Cooperation Framework and the seventh (Nicosia) pan-European environmental assessment.¹⁴

22. Furthermore, the secretariat contributed information on electronic tools used for Convention and Protocol activities to the report of the Secretary-General on 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).

23. Lastly, during the reporting period, the secretariat continued an enhanced outreach exercise, distributing materials on the Convention and the Protocol to national focal points, Aarhus Centres, non-governmental organizations (NGOs) and academic institutions in the ECE region.

F. Coordination and oversight of intersessional activities

24. 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 by consultations among Bureau members using email.

25. During the reporting period, the secretariat carried out preparations for, serviced and promoted outcomes of the fourth session of the Meeting of the Parties to the Protocol, which took place back-to-back with the seventh session of the Meeting of the Parties to the Convention. Events held to mark the twentieth anniversary of the entry into force of the Aarhus Convention provided a platform for Parties, signatories, international organizations, civil society and other stakeholders to discuss achievements and challenges in promoting environmental democracy, digital transformation and sustainable development. The two sessions featured a Joint High-level Segment, at which delegations focused on the role of the Aarhus Convention and its Protocol in furthering sustainable infrastructure and spatial planning and which resulted in a number of outcomes. Parties to both treaties and a wide range of stakeholders adopted the Geneva Declaration on Environmental Democracy for Sustainable, Inclusive and Resilient Development.¹⁵ The Meeting of the Parties to the Protocol also adopted respective decisions setting out priorities for future work by 2025 to advance the implementation of and compliance with the Protocol (ECE/MP.PRTR/2021/6/Add.1, decision IV/3, annex). The secretariat coordinated the organization of 15 side events held online prior to the sessions.

26. The secretariat also serviced the twenty-first and twenty-second meetings of the Bureau (Geneva (online), 14 October 2021, and Geneva (hybrid), 9 June 2022, respectively),¹⁶ and coordinated a number of online consultations among the Bureau members.

27. The status of the Protocol with regard to accession, ratification and approval remained unchanged. As of 31 August 2022, the Protocol has 38 Parties.

G. Technical assessment of provisions of the Protocol

28. 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.

29. 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,

¹⁴ See <https://unece.org/pan-european-assessment>.

¹⁵ Available at <https://unece.org/environment/documents/2021/10/geneva-declaration-environmental-democracy-sustainable-inclusive-and>.

¹⁶ More information is available from the Bureau web page: <https://unece.org/environment-policy/public-participation/prtrs-protocol-bureau>.

and that experience needed to be gathered before such a review could take place.¹⁷ 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 reports¹⁸ on which the 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, 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, tasked, in its paragraph 4, the Working Group of the Parties, assisted by the Bureau, with among other things, facilitating an exchange of information between Parties, taking into account inputs from interested stakeholders, and foresaw possible proposals by Parties on amendments to the Protocol.

H. Horizontal support areas

30. 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.

¹⁷ ECE/MP.PRTR/WG.1/2011/2, para. 23.

¹⁸ Available at <https://unece.org/reporting-mechanism-protocol-prtrs>.