

Background information on reporting requirements: activities, pollutants and related thresholds (Art 6 (2) a-c; Art 7 (1-6), annexes I and II) for Protocol on PRTRs¹

1. Reporting requirements under the Protocol are addressed through Article 6 (scope of the register), article 7 (reporting requirements) and through the Annexes I-III to the Protocol. They provide common standards for reporting on pollutant releases and transfers and define the specific requirements for the following two groups with reporting obligations:

a) operators and owners, who must report on releases from point sources and off-site transfers (articles 7.1-7.2, 7.5-7.6); and

b) authorities or other competent bodies, who must report on releases from diffuse sources (article 7.4).

2. In that context, annex I (activities) specifies which operators and owners need to report. The list has remained unchanged since 2003 and had been largely (including thresholds) based on the annex I to the European Integrated Pollution Prevention and Control (IPPC) directive, with the addition of mining, municipal waste-water treatment, aquaculture and shipbuilding activities. According to the 2008 Guidance on implementation of the Protocol on Pollutant Release and Transfer Registers these activities had been responsible for 90 per cent of industrial pollution.

3. Similarly to annex I, annex II (pollutants) to the Protocol has remained unchanged since 2003. It lists those substances that need to be reported by either operators or owners as releases from point sources and off-site transfers, or by government authorities as releases from diffuse sources. The list had been put together based on substances that were regulated under other international instruments, including but not limited to the:

(a) United Nations Framework Convention on Climate Change;

(b) Stockholm Convention on Persistent Organic Pollutants;

(c) Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;

(d) Convention on Long-Range Transboundary Air Pollution; and

(e) Priority substances listed under the European Union Water Framework Directive.

3. At the time of the development of annex II, the annex reflected the list of substances regulated under existing international agreements and therefore functioned as an effective minimum standard among Parties and signatories to the Protocol. Since then, a variety of changes to e.g. the above listed agreements² have been made and new policy frameworks or instruments that share the Protocol's objective or that may contribute to reaching the Protocol's objective, have evolved. Such new frameworks or instruments include the Agenda 2030, the Strategic Approach to International Chemicals Management (SAICM) and the Minamata Convention.

4. Furthermore, the Protocol's Compliance Committee had assessed the experience gained from the development of national pollutant release and transfer registers and the implementation of the Protocol³, including the current situation on implementation of the reporting requirements. The Committee found with regard to annexes I and II to the Protocol, that almost all Parties exceed the minimum requirements specified in the annexes I and II of the Protocol and had added more substances or activities to their national legislation on PRTRs. The Committee in its report further noticed that discussions had started on the merits of realizing synergies between the Protocol and other international instruments, including the Economic Commission for Europe (ECE) Convention on Long-range Transboundary Air Pollution.

¹ Prepared by the secretariat. This document was not formally edited.

² For example: Parties to the Stockholm Convention since 2009 at each Conference of the Parties added new substances to the original 12 substances regulated under the Convention. As of May 2017 a total of 17 new substances had been added to the Convention.

³ See Systemic issues concerning the implementation of the Protocol on Pollutant Release and Transfer Registers and recommendations on how to address them (ECE/MP.PRTR/WG.1/2016/5).