

13. a) 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

Kiev, 21 May 2003

ENTRY INTO FORCE

8 October 2009, in accordance with article 27(1).

REGISTRATION:

8 October 2009, No. 37770.

STATUS:

Signatories: 38. Parties: 36.¹

TEXT:

United Nations, Treaty Series, vol. 2626, p. 119. [Doc. MP.PP/2003/1](#)²

Note: The above Protocol was adopted on 21 May 2003 by the Extraordinary Meeting of the Parties to the Aarhus Convention of 25 June 1998 on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, held in Kiev from 21 to 23 May 2003. The Protocol was opened for signature from 21 to 23 May 2003 in Kiev and will remain open for signature at United Nations Headquarters in New York until 31 December 2003 by all States which are members of the United Nations and by regional economic integration organizations constituted by sovereign States members of the United Nations to which their member States have transferred competence over matters governed by the Protocol, including the competence to enter into treaties in respect of these matters.

<i>Participant</i>	<i>Signature, Succession to signature(d)</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>	<i>Participant</i>	<i>Signature, Succession to signature(d)</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>
Albania.....		16 Jun 2009 a	Lithuania.....	21 May 2003	5 Mar 2009
Armenia.....	21 May 2003		Luxembourg.....	21 May 2003	7 Feb 2006
Austria.....	21 May 2003	23 Mar 2010	Malta.....		20 May 2016 a
Belgium.....	21 May 2003	12 Mar 2009	Montenegro ⁴	23 Oct 2006 d	11 Oct 2017
Bosnia and Herzegovina.....	21 May 2003		Netherlands.....	21 May 2003	11 Feb 2008 A
Bulgaria.....	21 May 2003	15 Jan 2010	Norway.....	21 May 2003	27 Jun 2008 AA
Croatia.....	23 May 2003	14 Jul 2008	Poland.....	21 May 2003	25 Sep 2012
Cyprus.....	21 May 2003	5 Nov 2012	Portugal.....	21 May 2003	8 Oct 2009
Czech Republic.....	21 May 2003	12 Aug 2009	Republic of Moldova.....	21 May 2003	23 Dec 2013
Denmark ³	21 May 2003	13 Oct 2008	Romania.....	21 May 2003	26 Aug 2009
Estonia.....	21 May 2003	15 Aug 2007 AA	Serbia.....	21 May 2003	23 Nov 2011
European Union.....	21 May 2003	21 Feb 2006 AA	Slovakia.....		1 Apr 2008 a
Finland.....	21 May 2003	21 Apr 2009 A	Slovenia.....	22 May 2003	23 Apr 2010
France.....	21 May 2003	10 Jul 2009 AA	Spain.....	21 May 2003	24 Sep 2009
Georgia.....	21 May 2003		Sweden.....	21 May 2003	15 Oct 2008
Germany.....	21 May 2003	28 Aug 2007	Switzerland.....	21 May 2003	27 Apr 2007
Greece.....	21 May 2003		Tajikistan.....	21 May 2003	
Hungary.....	21 May 2003	13 Jul 2009	The former Yugoslav Republic of		
Ireland.....	21 May 2003	20 Jun 2012	Macedonia.....	21 May 2003	2 Nov 2010
Israel.....		14 Jan 2013 a	Ukraine.....	21 May 2003	2 May 2016
Italy.....	21 May 2003		United Kingdom of Great Britain and Northern Ireland.....	21 May 2003	31 Jul 2009
Latvia.....	21 May 2003	24 Apr 2008			

Declarations
*(Unless otherwise indicated, the declarations were made upon ratification,
acceptance, approval, accession or succession.)*

BELGIUM

This signature engages also the Waloon region, the Flemish region, and the Brussels-Capital region.

DENMARK

“Both the Faroe Islands and Greeland are self-governing under Home Rule Acts, which implies *inter alia* that environmental affairs in general and the areas covered by the Protocol are governed by the right of self-determination.

Signing by Denmark of the Protocol, therefore does not necessarily mean that Danish ratification will in due course include the Faroe Islands and Greenland.”

EUROPEAN UNION

Declaration by the European Community in accordance with article 26(4)

“The European Community declares that, in accordance with the Treaty establishing the European Community, and in particular article 175 (1) thereof, it is competent for entering into international agreements, and for implementing the obligations resulting therefrom, which contribute to the pursuit of the following objectives:

preserving, protecting and improving the quality of the environment,
protecting human health,
prudent and rational utilization of natural resources,
promoting measures at international level to deal with regional or worldwide environmental problems.

Pollutant release and transfer registers are appropriate tools for encouraging improvements in environmental performance, for providing public access to information on pollutants released, and for use by competent authorities in tracking trends, demonstrating progress, thereby contributing to the achievement of the abovementioned objectives.

Moreover, the European Community declares that it has already adopted legislation, binding on its Member States, covering matters governed by this Protocol and will submit and update, as appropriate, a list of that legislation in accordance with article 26 (4) of the Protocol.

The European Community is responsible for the performance of those obligations resulting from the Protocol which are covered by Community law in force.

The exercise of Community competence is, by its nature, subject to continuous development.”

FRANCE

France hereby declares that 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 (with four annexes), signed at Kiev on 21 May 2003, shall be applicable, in the case of France, to the same territories as the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (with two annexes), done at Aarhus on 25 June 1998.

ISRAEL

“The Government of Israel ratifies the Protocol on Pollutant Release and Transfer Registers (PRTR) and declares in accordance with Article 23 (2), that it accepts the arbitration procedure set out in annex IV, as the only means of disputes settlement within the Protocol on Pollutant Release and Transfer Registers (PRTR).”

SERBIA

“For a dispute not resolved in accordance with Article 23 paragraph 1, the Republic of Serbia accepts the following means of dispute settlement: submission of the dispute to the International Court of Justice (Article 23, paragraph 2, subparagraph a).”

Notes:

¹ For the purpose of entry into force of the [Convention/Protocol], any instrument of ratification, acceptance, approval or accession deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that Organization.

² In the course of adopting the Protocol, the Meeting of the Parties to the Convention made an oral modification to the French version of the Protocol to correct some typographical errors, thereby bringing the text in line with the English and Russian versions. The modifications made to the French version were as follows:

- In annex I on Activities, para. 1(c), the text should refer to ‘50 mégawatts’ and not to ‘500 mégawatts’;

- In annex II on Pollutants, in No. 31 the text in the third column should read ‘Chloroalcanes, C10-C13’, and in No. 57, third column, ‘(TRI)’ should be deleted;

- In annex II, the column headings ‘(colonne 1a)’, ‘(colonne 1b)’, ‘(colonne 1c)’ and ‘(colonne 3)’ should be included in the French version as in the English and Russian versions, and the vertical dividing line between column 1c & column 2 should extend to the top of the table (to make it clear that column 2 is not a sub-column of column 1).

³ In a communication received on 13 October 2008, the Government of Denmark informed the Secretary-General of the following:

“Until further notice, the Protocol shall not apply to Greenland and the Faroe Islands.”

⁴ See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

