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30.5.2005

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## **REPORT**

on the proposal for a Council decision on the conclusion, on behalf of the European Community, of the UN-ECE Protocol on Pollutant Release and Transfer Registers  
(COM(2004)0635 – C6-0062/2005 – 2004/0232(CNS))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Hans Blokland

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

## CONTENTS

|  | <b>Page</b> |
|--|-------------|
| DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION ..... | 5           |
| EXPLANATORY STATEMENT .....                            | 6           |
| PROCEDURE.....   | 8           |



## **DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION**

**on the proposal for a Council decision on the conclusion, on behalf of the European Community, of the UN-ECE Protocol on Pollutant Release and Transfer Registers (COM(2004)0635 – C6-0062/2005 – 2004/0232(CNS))**

### **(Consultation procedure)**

*The European Parliament,*

- having regard to the proposal for a Council decision (COM(2004)0635)<sup>1</sup>,
  - having regard to the UN-ECE Protocol on Pollutant Release and Transfer Registers,
  - having regard to Article 175(1), Article 300(2), first subparagraph, first sentence and Article 300(4) of the EC Treaty,
  - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0062/2005),
  - having regard to Rules 51 and 83(7) of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0170/2005),
1. Approves the conclusion of the Protocol;
  2. Instructs its President to forward its position to the Council and Commission, the governments and parliaments of the Member States and the Secretary General of the United Nations.

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<sup>1</sup> Not yet published in OJ.

## EXPLANATORY STATEMENT

*“The Protocol is the first legally binding international instrument on pollutant release and transfer registers. Its objective is "to enhance public access to information through the establishment of coherent, nationwide pollutant release and transfer registers (PRTRs). Although regulating information on pollution, rather than pollution directly, the protocol is expected to exert a significant downward pressure on levels of pollution, as no company will want to be identified as among the biggest polluters. PRTRs are inventories of pollution from industrial sites and other sources.”*

This message was issued by the United Nations Economic Commission for Europe (UN-ECE) after the adoption and signature of the Protocol on Pollutant Release and Transfer Registers (“the Protocol”) at an extra-ordinary meeting of the Parties to the Aarhus Convention on 21 May 2003 in Kiev. So far, 36 states and the European Community have signed the Protocol. Out of the 25 Member States of the European Union, only Malta and Slovakia have not signed it yet.

In order for the ratification of the Protocol on behalf of the European Community to be completed, the Council has to take the decision to designate the person or persons empowered to deposit the instrument of approval with the Secretary-General of the United Nations.

After the ratification, the Parliament and the Council should adopt legislation in order to achieve compliance with the requirements of the Protocol. This legislative process has already started, as the Commission adopted a proposal for a Regulation<sup>1</sup>, which is currently being examined by Parliament and Council through the co-decision procedure.

The goal of the Protocol, and of PRTRs, is to have a better understanding of the amount of pollutants emitted by installations, and to make this information easily available to the public by requiring operators to report their emissions and making these reports available to a broad audience. The Commission calls PRTRs in its proposed Regulation *“an essential tool to ensure public awareness on environmental issues and to promote better implementation of environmental legislation.”*

For the European Union this Protocol will give an extension of the right for the public to be informed about activities carried out by businesses in their vicinity. Under the Aarhus Convention and its acts of implementation, there is already an established right for citizens to have access to government information on environmental issues. This right also aims at improving public awareness and promoting better legislation. Implementation of this Protocol will lead to the availability of more accurate and more recent data for the public, and is as such a development worthwhile to be supported by the Parliament.

With regard to making environmental information available to the public, the EU should be amongst the frontrunners in the world. As a result of numerous directives and regulations, an enormous amount of data is already being collected in order to give local, regional, national and European authorities information on the impact of their policy. This information should

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<sup>1</sup> COM(2004)634

become available for the public too. The Commission has stated in its Communication on the 6<sup>th</sup> Environmental Action Programme<sup>1</sup> that “*individual citizens [are making] daily decisions that directly or indirectly impact the environment. Better quality and easily accessible information on the environment and on practical matters will help shape opinions and thus decisions.*” This was supported by the Parliament and the Council in Decision 1600/2002/EC<sup>2</sup>, in which they stated that they want to “[support] the provision of accessible information to citizens on the state and trends of the environment in relation to social, economic and health trends.”

In order to turn these intentions into achievements, the EU should, in future UN-ECE negotiations on modifications of this Protocol, aim at an extension of the list of installations having a requirement to report, and to lower the threshold levels where possible and workable.

Only by giving accurate and clear information on all environmental impacts of industries and services in the European Union, we will be able to promote the process of integration of environmental concerns into all Community policies and activities in line with Article 6 of the Treaty<sup>3</sup>, in order to reduce the pressures on the environment from various sources. To achieve this, this Protocol would be a step in the right direction and its ratification by the European Community would therefore be worthy of our support.

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<sup>1</sup> COM(2001)31

<sup>2</sup> OJ L 242 of 10.9.2002, pp. 1-15.

<sup>3</sup> OJ C 325 of 24.12.2002, p. 42.

## PROCEDURE

|  |   |                   |
|--|---|-------------------|
| <b>Title</b>   | Proposal for a Council decision on the conclusion, on behalf of the European Community, of the UN-ECE Protocol on Pollutant Release and Transfer Registers  |                   |
| <b>References</b>  | COM(2004)0635 – C6-0062/2005 – 2004/0232(CNS)   |                   |
| <b>Legal basis</b>   | Article 300(3), first subparagraph, EC  |                   |
| <b>Basis in Rules of Procedure</b>   | Rules 51 and 83(7)  |                   |
| <b>Date of consulting Parliament</b>   | 10.3.2005   |                   |
| <b>Committee responsible</b><br>Date announced in plenary                              | ENVI<br>12.4.2005   |                   |
| <b>Committee(s) asked for opinion(s)</b><br>Date announced in plenary                  | JURI<br>12.4.2005   | ITRE<br>12.4.2005 |
| <b>Not delivering opinion(s)</b><br>Date of decision                                   | JURI<br>24.11.2005  | ITRE<br>27.1.2005 |
| <b>Enhanced cooperation</b><br>Date announced in plenary                               |   |                   |
| <b>Rapporteur(s)</b><br>Date appointed   | Hannes Blokland<br>30.11.2004   |                   |
| <b>Previous rapporteur(s)</b>  |   |                   |
| <b>Simplified procedure</b><br>Date of decision  |   |                   |
| <b>Legal basis disputed</b><br>Date of JURI opinion                                    |   |                   |
| <b>Financial endowment amended</b><br>Date of BUDG opinion                             |   |                   |
| <b>European Economic and Social Committee consulted</b><br>Date of decision in plenary |   |                   |
| <b>Committee of the Regions consulted</b><br>Date of decision in plenary               |   |                   |
| <b>Discussed in committee</b>  | 25.4.2005   |                   |
| <b>Date adopted</b>  | 24.5.2005   |                   |
| <b>Result of final vote</b>  | for:  | 35                |
|  | against:  | 0                 |
|  | abstentions:  | 1                 |
| <b>Members present for the final vote</b>  | Adamos Adamou, Georgs Andrejevs, Irena Belohorská, Johannes Blokland, John Bowis, Martin Callanan, Avril Doyle, Mojca Drčar Murko, Jillian Evans, Anne Ferreira, Karl-Heinz Florenz, Gyula Hegyi, Caroline Jackson, Dan Jørgensen, Christa Kläß, Holger Krahmer, Urszula Krupa, Aldis Kušķis, Linda McAvan, Marios Matsakis, Péter Olajos, Dimitrios Papadimoulis, Guido Sacconi, Karin Scheele, Carl Schlyter, Richard Seeber, Jonas Sjöstedt, María Sornosa Martínez, Antonios Trakatellis, Anja Weisgerber, Åsa Westlund |                   |
| <b>Substitutes present for the final vote</b>  | Margrete Auken, Hélène Goudin, Karsten Friedrich Hoppenstedt, Kartika Tamara Liotard, Robert Sturdy   |                   |
| <b>Substitutes under Rule 178(2) present for the final vote</b>                        |   |                   |



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| <b>Date tabled – A6</b> | 30.5.2005 | A6-0170/2005 |
| <b>Comments</b>         | ...       |              |