

THE POWER IS IN YOUR HANDS

GUIDELINE FOR CITIZENS AND
CIVIL ORGANIZATIONS

for the

**Protocol on Pollutant Release and
Transfer Registers**

Skopje, Macedonia
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Republic of Macedonia
Ministry of environment and
physical planning



REGIONAL ENVIRONMENTAL CENTER

FOR REC

The Regional Environmental Center for Central and Eastern Europe (REC) is an international organization with a mission to assist in resolving the issues relating to the environment. REC realizes its mission by promoting cooperation between governments, non-governmental organizations, the business community and other social factors in the area of environment, and by supporting the free exchange of information and public participation in the decision-making processes in the area of environment.

REC is established in 1990 by the United States of America, European Commission and Hungary. Today REC is legally chartered with over 30 signatories. The organization relies on a network of offices and experts in Central and Eastern Europe and beyond. The headquarters are in Szentendre, Hungary.

REC actively takes part in key global, regional and local processes and contributes to environment and sustainable solutions within the local offices and beyond their network, transferring knowledge and experience that may be extended in the countries and the region.

Recent donors have been the European Commission, the financial mechanisms of the European Economic Area (EEA) or (Norway, Island, Lichtenstein), United Nations, the governments of Albania, Austrija, Azerbaijan, Bosnia and Hercegovina, Bulgaria, Croatia, Finland, Germany, Hungary, Italy, Japan, Montenegro, Netherlands, Norway, Poland, Serbia, Slovenia, Sweden, Switzerland, Great Britain and USA, as well as other international organizations, banks and companies.

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Information is power, and the information on the environment in the hands of the public allows it to play a significant role in providing sustainable future. Too often, people are left unaware of decisions that could lead to ecological disasters and environmental degradation, affecting their lives and the lives of the generations to come.

Jit Peters
Chairman of the Meeting
of the Parties to the Aarhus Convention
June 25, 2014

PREFACE

Citizens of the Republic of Macedonia, through the Aarhus Convention, have a guaranteed right to access to information and data on the environment, the right to participate in decision-making related to the environment, and access to justice through the institutions.

The citizens who are well informed about the state and quality of the environment are aware of the challenges originating from dealing with climate changes, health risks due to pollution of most media in the environment, as well as the need to take appropriate steps towards timely implementation of the relevant legislation. The informed citizens are initiators and promoters of the social responsibility and protection of the environment and health.

In order to fulfill the rights of the citizens, the Macedonian Environmental Information Centre established, maintains and regularly updates the so-called pollutant release and transfer register - as a service through which the public has access to information and data on pollution that originates from the industrial sector in the Republic of Macedonia. This way, the citizens, the business sector, the institutions and other social factors, have the opportunity to timely access to relevant and verified information, regarding the pollution from the industrial sector. In fact, the access to that information enables initiation of an informed process of collaboration between citizens and relevant institutions, raising public awareness regarding the states of industrial pollution, as well as bringing the public closer to the idea of building a responsible and sustainable relation with the environment.

For that purpose, this publication will enable a short introduction into the Regulation, the Protocol and the Registry of pollutant release and transfer, as well as guidelines for the ways in which citizens can influence the implementation of the Protocol in Republic of Macedonia. Thus, citizens can directly contribute to reducing the pollution and to more effective protection of the environment.

Macedonian Environmental Information Centre
Ministry of Environment and Physical Planning

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1. BACKGROUND OF PRTR

1.1. The beginning of the idea

Pollutant release and transfer registers are actually simple systems for collecting and sharing environmental information related to the release and transfer of harmful and toxic chemicals originating from industrial and other types of plants.

The idea of establishing these systems appeared in the middle of 1980s, after one of the biggest industrial disasters in the world that occurred in Bhopal, India in 1984.

The first global confession regarding the need for informing the public on the pollutant releases and transfer, occurred on the Conference on Environment and Development, organized by the United Nations, in Rio, 1992.

Namely, the “Right to know” principle was affirmed there for the first time, what’s more, on this Summit, the participant countries have laid the foundations of the PRTR systems that should be publicly available and free and should contain information about the quantities of pollutant release and transfer by the great industrial plants that are obliged to provide such information.

However, the adoption of the PRTR Protocol was preceded by a few important activities. Firstly, in 1996, the Organization for Economic Cooperation and Development (OECD), adopted recommendations for implementing PRTR, inviting its member-states, to prepare such databases in cooperation with the industry and the

public, and a Practical Guideline for the governments later on.

1. Access to information: Every citizen should have the right to have easy access to information on the environment. Public authorities must provide all the necessary information and collect and share them in a timely and transparent manner. They can deny doing that only in certain justified situations, when giving information may have a negative effect. However, information on pollutant releases in the environment should always be provided.

2. Public participation in environmental decision-making: The public must be informed about all relevant initiatives and must have the opportunity to participate from the beginning of the decision-making procedures for specific activities (for example: licences, permits), as well as plans, programmes, policies and legal acts.

3. Access to justice for environment-related issues: The public has the right to a judicial or administrative procedure in cases when the Party violates the right to access to information and participation of the public or does not comply with the national environmental regulations or the principles of the Convention.

GRAPH NO. 1. THE ROAD TO KIEV PRTR PROTOCOL



Somehow at the same time, the United Nations Economic Commission for Europe (UNECE) began with the preparation of one of the most known international environmental agreements - Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, which will become known as the Aarhus Convention, according to the name of the city Aarhus in Denmark, where in 1998 was adopted the Forth Ministerial Conference from the “Environment for Europe” process.

1.2. Kiev PRTR Protocol and Aarhus Convention

It is the Aarhus convention that institutes the three pillars for access to information, public participation in decision-making and access to justice in environmental matters.

There is an interesting moment that should be highlighted here. Namely, the Aarhus Convention makes a difference between the terms “public”, which includes all the participants of the civil society and the individual citizens, and “the affected public”, which includes individual citizens or public organizations and other interested entities, that are affected, or could be affected, or have interest in decision-making, such as the environmental NGOs. The Convention especially takes into consideration those environmental NGOs that work on promoting the environment.

But, why is the Aarhus Convention important for PRTR? Because this Convention not only has implemented in practice the principles of the Rio Declaration through its three pillars, but it also went even step further regarding the PRTR systems and the “Right to know”.

In the spirit of the Convention, even during its preparation, the opportunity for

establishing a national PRTR system has been envisaged as well as the possibility to create an adequate international contract, for regulating this matter in detail.

Article 5, paragraph 9 (box 1) from the Convention, stipulates that the Parties to the Convention (the countries which, by ratification of the Convention or the Protocol, became members of these international contracts), shall establish such national comprehensive system of pollutant registers.

In order for such provision not to remain on paper only, Article 10, paragraph 2(i) (box no. 2) of the Convention determined that the Parties, on the first meeting, shall review how the obligation referred to in Article 5, paragraph 9 is implemented, and, if necessary, shall make a decision on the creation of an adequate instrument.

BOX COLLECTING AND PUBLISHING No.1. INFORMATION ON ENVIRONMENT

Article 5, paragraph 9. Taking into consideration the adequate international processes, each Party shall undertake measures for gradual formation of a comprehensive national system of pollutant inventory or registers, in structural, computer or equally available database, compiled using standardized reporting. Such system may contain data and transfer for precise coverage of substances and products, including the use (exploitation) of waters, energy and resources, from a specific volume of activities to the environmental media and to the sites of field and non-field purification and disposal

It is important to say that the inclusion of PRTR in the Convention was originally proposed by the Coalition of NGOs that later on formed the EcoForum as a Coalition of environmental civil organizations and other NGOs that act in the UNECE region mainly focused on the ministerial “Environment for Europe” process. Later, this Coalition was actively included in the preparation of the PRTR Protocol, as part of the intergovernmental work group that has developed the Protocol.

Based on the analysis conducted for Convention’s implementation, a decision was made on the first meeting of the Parties by which the Process for preparing the PRTR Protocol was formally initiated.

The PRTR Protocol is the first and, for now, the only protocol, that arises from the Aarhus Convention. It is prepared by a multilateral work group, which firstly worked under the auspices of the Environmental Policy Committee of UNECE, and on the first Meeting of the Parties of the Convention (Luca, Italy, October 21-23, 2002), it was replaced by a Work Group for PRTR. This Work Group was obligated to prepare

BOX MEETING OF THE PARTIES
No.2.

Article 10, paragraph 2(i). On the first meeting, they shall review their experiences from implementing the provisions under Article 5 paragraph 9 and shall decide which steps are necessary for further development of the system of that paragraph, taking into consideration the international processes and trends, including the preparation of an adequate instrument concerning the registers and the inventories related to pollutant release and its transfer that could be organized as an attachment to this Convention.

the text of the legally binding instrument protocol, at the latest until the Emergency Meeting of the Parties, held in Kiev on May 23, 2003.

1.2.1. Status of ratification of the Convention and the Protocol

The Aarhus Convention was adopted in 1998, on the Forth Ministerial Conference within the “Environment for Europe” process, which was held under the auspices of UNECE, and entered into force on October 30th, 2001.

On the other hand, the Kiev PRTR Protocol was adopted in 2003, on the Fifth Ministerial Conference within the “Environment for Europe” project, and entered into force on October 8th, 2009.

As of May 20th, 2016, the Aarhus Convention had 47 Parties, while the Protocol on Pollutant Release and Transfer Register (PRTR) had 35 Parties.

Although it is formally adopted within the UNECE Region, the Protocol has a global character and is open to countries outside of Europe, as well as countries not members of the Convention.

Republic of Macedonia has ratified the Aarhus Convention and since July 22nd, 1999 it has a status of a Party to the Convention, while for the PRTR Protocol, the country has obtained that status on October 2nd, 2010.

2. KIEV PROTOCOL ON PRTR

The PRTR Protocol is composed of preamble, 30 Articles and four annexes.

The Preamble contains a legal basis for adoption of the Protocol (see Chapter 2 of this document) as well as other historical benchmarks and principles of the environmental protection policies, as well as public participation in the decision-making.

The first three annexes to the Protocol have a technical character and they identify the activities and pollutants that will be subject to reporting in the national PRTR systems. More details about the content of the annexes are presented in chapters 3 and 4 from this leaflet. The fourth annex has an administrative character and refers to arbitration. In other words it elaborates Article 23, paragraph 2 of the Protocol.

2.1. Objective of the PRTR Protocol

The first three articles display the Protocol's objectives, providing definitions for certain terms used in the Protocol, as well as several general provisions.

The objective of the Protocol is “to strengthen the public access to information, through establishing coherent, national pollutant release and transfer registers (PRTR)... that could facilitate the public participation in making decisions for the environment and to contribute to prevention and reduction of environmental pollution (Article 1 of the Protocol).

With other words, the most important objective of the PRTR Protocol is the public's right to know, i.e. it tends to put pollution data available to the public, through publicly available national registers, with the intention to assist the public participation, but also to contribute to preventing and reducing the pollution.

In fact, the operators' obligations to report should enable them to increase their knowledge for the environment, to improve the environmental management and thus contribute to preventing and reducing the pollution.

2.2. Content and structure of PRTR systems

Articles 4 to 6, stipulate the elements (graph 2), structure and the scope of the PRTR systems.

Actually, PRTR presents a list of the released pollutants from point sources, such as industries and large agricultural sources, but also from other diffuse sources, such as from agriculture or traffic.

National PRTR systems must be publicly available through internet, they must enable research and be simple for the users.

Such systems must also have a confidentiality restriction, but must also enable public participation in their development and changes.

Regarding the public, the provision of Article 5 paragraph 1 of the Protocol, which refers to the search of the database, is very important.

Namely, the Protocol introduces a standard that the national PRTR systems of every country must meet, and that means presenting the data on releases and transfer in aggregated (collective) and non-aggregated form and possibility to search according to:

- Installation and geographical location,
- Activity/work,
- Owner or operator and company,
- Pollutant or waste,
- Media of the environment, and
- Location of transfer.

GRAPH No. 2.

ELEMENTS OF PRTR SYSTEMS



2.3. Reporting, collecting and assessment of data quality

Articles 7 to 10 stipulate the provisions related to reporting by owners, that is the installation operators.

In general, PRTR systems are based on reporting schemes that are obligatory in each country, periodical/annual, specific for every installation, for every pollutant, and cover the emissions in air, water, wastewater, soil and the waste transfer. Thus, in fact, the Protocol, introduces direct obligations for private and public companies, to annually report to the competent authority regarding their pollutant releases and transfer. However, the PRTR Protocol introduces only the minimal requirements, while the Parties have the freedom to include additional pollutants and installations, reflecting the specific situation and conditions, such as the case with the national PRTR system in Republic of Macedonia.

Also, the Protocol requires from the Parties to determine the competent authorities that will collect the information on pollutant release from diffuse sources for which the data have already been collected or can be practically included in the system. Finally, the Protocol also regulates the issue on data quality, for which both the owners/operators of the installations and the competent authorities have the obligation, especially regarding the completeness, consistency and credibility of the data.

2.4. Public participation

Articles 11 to 15 of the PRTR Protocol apply to the public and its participation in the creation of the systems, in using the data, the access to justice and other issues.

In this part, the provisions of the Protocol follow the principles of the Aarhus Convention. Article 11 stipulates that the Parties are obliged to provide the public with free access to and use of the data from the register electronically, and if this is not possible then such

an access must be provided at the request of the public, for which a fee may be charged, but only for the actual material costs (for printing, copying or similar).

In Article 12, the Protocol also regulates the issue of data confidentiality in PRTR, but suggests that confidentiality should be interpreted in a restrictive way, taking into account the public interest, as well as whether such data/information are related to environmental releases.

These provisions of the Protocol clearly indicate that any data/information on release, that is relevant to the environment, will be available in accordance with the national legislation. If, the data/information remains confidential, the register must indicate what type of data is not available, and if possible, will provide general information on the chemical composition, for example. The provisions of Article 13 are very important, stipulating public participation and establishing the PRTR systems, as well as their possible changes.

Article 14 addresses the issue for access to justice, obliging the Parties to provide an inspection procedure in their national legislations by which every person that believes their rights to free access have been violated, will be able to seek protection before a court or other independent and impartial body, established by the law. The Protocol takes into account the capacity of the public to use all possibilities regarding the PRTR that are stipulated by the Protocol.

Therefore, pursuant to Article 15, all Parties are obliged to continuously raise the public awareness of the existence of a national PRTR system, but also to provide assistance and instructions for accessing such systems and using their data, that is to continuously work on developing the capacities of the public.

2.5. Administrative and institutional/organizational framework of the PRTR Protocol

The other fifteen Articles of the PRTR

Protocol are dedicated to regulating many administrative, organizational, institutional and other issues that are necessary for each international multilateral contract, as in fact, is this Protocol. Those include the following:

- International cooperation – The Protocol asks from the Parties to cooperate with each other in its implementation, to exchange data and information, transfer of technologies and similar.
- Institutional/organizational set-up

The highest managing body of the Protocol is the Meeting of the Parties (MoP). It is comprised of all the Parties to the Protocol, that is all the countries and regional economic organizations that have ratified or otherwise adopted the Protocol, and have obtained voting i.e. decision-making rights. All the other signatories, countries, non-governmental organizations and other stakeholders, participate in the work of MoP, but as observers. Sessions of MoP are held together with the sessions of the Parties to the Aarhus Convention. So far, two sessions of MoP have been held - The first session was held in Geneva, Switzerland, from 20th to 22nd April, 2010 and the second was held in Maastricht, Netherlands, from 2nd to 4th July, 2014.

MoP is in charge of implementing the Protocol, and may, as needed, undertake appropriate measures. Its work is regulated by Article 17 of the Protocol, as well as by the Rules of Procedure adopted on the First Session in Geneva. MoP has its own executive subsidiary body, the Bureau, which has its chairman, two deputies and another four members from the Parties to the Protocol.

In the work of the Bureau, other representatives of non-governmental environmental organizations and of the industry may participate as observers. This right is currently exercised by the NGOs participating in the work of the Bureau with one of their own representatives.

The Work Group of the Parties is of the same composition, but this group has more frequent meetings and follows the implementation of the Protocol's work programme. Moreover, the Work Group prepares the sessions of MoP, but also deals with other technical issues for practical implementation of the Protocol, including examination of methodologies for informing, preparing instructions etc. The MoP Bureau, serves as a Bureau of the Work Group.

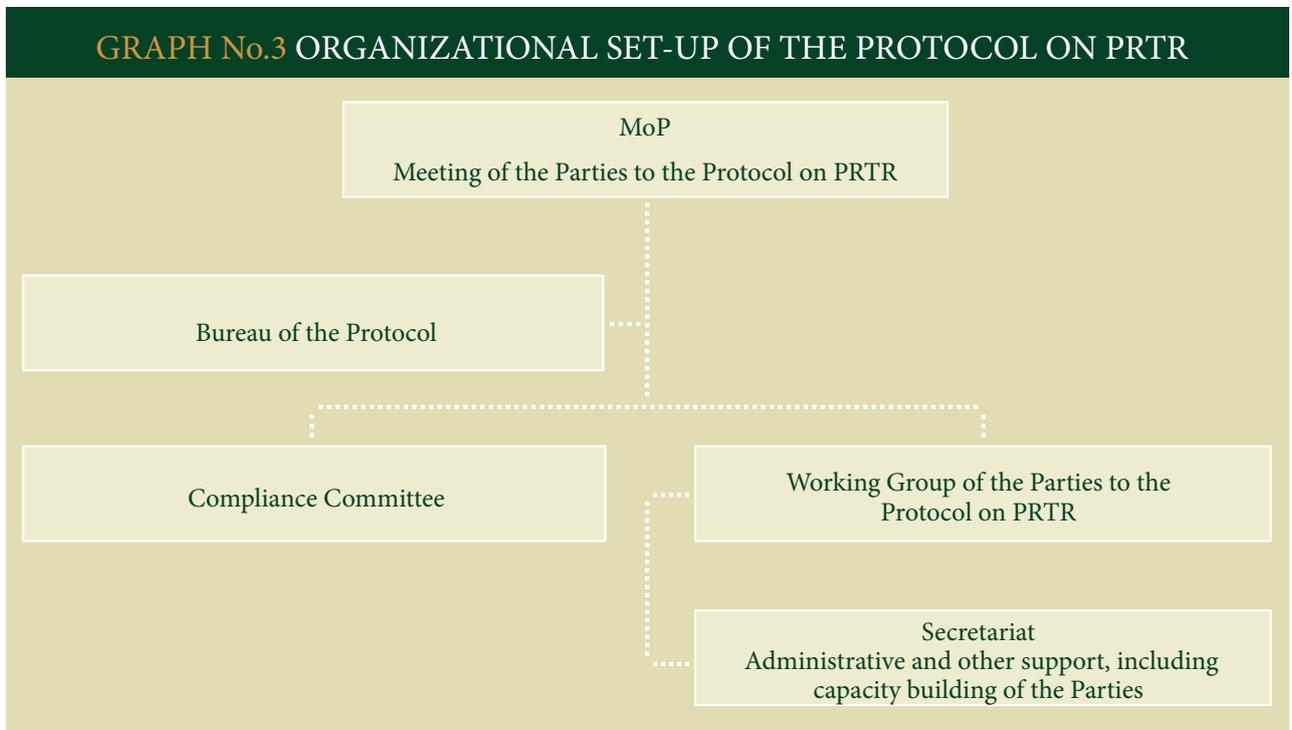
The entire administrative and other support of MoP, the Work Group and the Bureau, is provided by the Secretariat. This role in accordance with Article 21 of the Protocol is assigned to the executive secretary of UNECE, and the position is executed through the Department of Environment.

The Compliance Committee is a subsidiary body of MoP, established in accordance with Article 22 of the Protocol, as a mechanism for reviewing the compliance of the Parties with the Protocol. The Committee consists of six members, whose mandates last between three consecutive sessions of MoP, but half of the members are elected/replaced on every session.

The members of this Committee serve with their own personal capacity, not as representatives of the Parties to the Protocol. Also, similar to the Aarhus Convention, in addition to the submissions from the Parties and the notifications from the Secretariat, every public member can submit a notification to the Compliance Committee, in cases of non-compliance of any Party with the provisions of the Protocol.



Photo no. 1. MoP-5 Aarhus Convention and MoP-2 PRTR, Maastricht, 2014



3. PRTR AND THE CIVIL SOCIETY

The general public is the reason for enacting the Aarhus Convention and the PRTR Protocol. Therefore, the general public is expected to be a corrector of both the industry and the authorities. To implement its function, the general public expects to be duly informed about the release of pollutants.

PRTR systems provide the authorities with quality information about the sources of pollution and their emissions, thus enabling them to determine priorities for reducing the risk and take measures for preventing and reducing the pollution. These systems, also, serve as useful information sources through which the authorities can fulfil their obligations for informing the public regarding the pollution and the potentially dangerous activities.

On the other hand, the public, the ecological associations and the citizens have data and information at their disposal which allow them to initiate dialogue with the authorities, as well as with the economic operators regarding exploring options for environmental risk reducing and preventing harm to the human health and the environment.

In other words, the PRTR systems enhance the environmental information availability, they promote the right of the community to be informed about the pollution status of their surroundings and prove the citizens and the NGOs to undertake activities and participate in the decision-making regarding the environment which will prevent these pollutants or the potentially pollutant activities.

Last, but not least, these systems provide the conditions necessary for strengthening the dialogue between the authorities, the industry and the civil society, for the purpose of reducing or all together eliminating the pollution, thus protecting the environment and the public health.

3.1. How does the public benefit from the PRTR systems?

It is crucial to understand that the people, the citizens who are face potential risks of chemical dangers on a daily basis, have the right to be informed about these risks. Only in that manner the public will have the power to influence the decision-making and to make righteous decisions, and to undertake, or ask the authorities to undertake relevant measures for protecting the environment and the public health.

On the other hand, only a well-informed and well-organized civil society may attempt to help the authorities, and the industry throughout the decision-making processes regarding the environment. Also, the industrial workers, as well as the citizens themselves, can undertake personal protection measures against accidents and potential accidents caused by chemical substances, provided that they are aware of the ecological consequences and the consequences toward their health.

Of course, a well-informed public can assist with the activities aimed at improving the environment conditions, as well as improving the public safety and health.

3.2. How can the NGOs be included in the PRTR process?

NGO sector is a special part of the public which operates in a much more organized manner and has an interest in participating in the Protocol implementation processes, and in being informed about the pollutant release in a timely manner.

The participation of the NGOs, as the most prominent representatives of the civil society,

may vary. In addition to the participation in the Protocol's working bodies on an international level, where the NGOs' activities are coordinated by the European Environmental Bureau and the EcoForum, a Macedonian NGOs, they can also be included in the PRTR processes.

Indeed, the NGO community has already been included in the PRTR processes in Macedonia, and their activities significantly speeded up the national system creation process.

In this context, the Regional Environmental Centre and Florozon – a NGO Centre for Environmental Democracy from Skopje, assisted the PRTR development capacity building in Macedonia through several successive projects, including support for the Ministry of Environment and Physical Planning throughout the preparation of numerous guidelines for the installation operators, thus bringing this issue nearer to the relevant factors of PRTR.

During 2015, for instance, the Florozon NGO from Skopje actively assisted with preparation of the PRTR Protocol Implementation Strategy in Republic of Macedonia through the “Right to Know” project. This strategic document, complying with the protocol provisions regarding the civil society participation, envisaged establishing a Coordination Work Group for monitoring the PRTR Implementation Strategy (graph 4). This Work Group, which should be formed by the Minister of Environment, beside the state body representatives, should include one NGO community representative active in the PRTR area, and one civil society representative. The role of the Coordination Working Group is to monitor the implementation of the activities envisaged by the Strategy's Action Plan, to prepare semi-annual reports regarding the implementation of activities and to propose corrective activities.

The NGO sector is expected to participate with qualified staff throughout the PRTR Implementation Strategy, to provide support in informing the general public and to promote

the Protocol.

This, in turn, requires appropriate trainings for the NGO representatives, upgrading profiled NGOs working in the field of PRTR, building partnerships between authorities and NGOs, industry and NGOs, etc.

In addition to this formal participation, the NGOs may conduct various campaigns for informing the public about the importance and significance of PRTR, as well as different activities for ecological education and information of the nongovernmental sector and the local communities. They may also organize or participate in numerous seminars, trainings, workshops, public gatherings, and themed forums related to PRTR. They may initiate new projects, offer expertise in specific areas, and collaborate with the authorities in promoting understanding and using the information from PRTR system in their community or among the NGOs.

The active NGO inclusion in the PRTR processes may help improving the trust in the institutions by offering their support and assistance as “facilitators” or “bridge” in the communication between state and local authorities and the industry or the citizens. NGOs may also contribute to the field activities by assisting the authorities through active monitoring and timely signaling about the need of resolving certain pollution-related issues or by notifying PRTR. NGOs can also undertake lobbying activities among the authorities or exercise “pressure” to them or the operators, in cases when prohibited polluting activities have been discovered or the permitted levels have been exceeded, in order for them to undertake measures for reducing the pollution or prevention of the same.

Of course, the NGOs may and should be included in all processes regarding building or improvement of the national PRTR system in Macedonia, in the preparation, the enacting, and the active implementation of the legal and

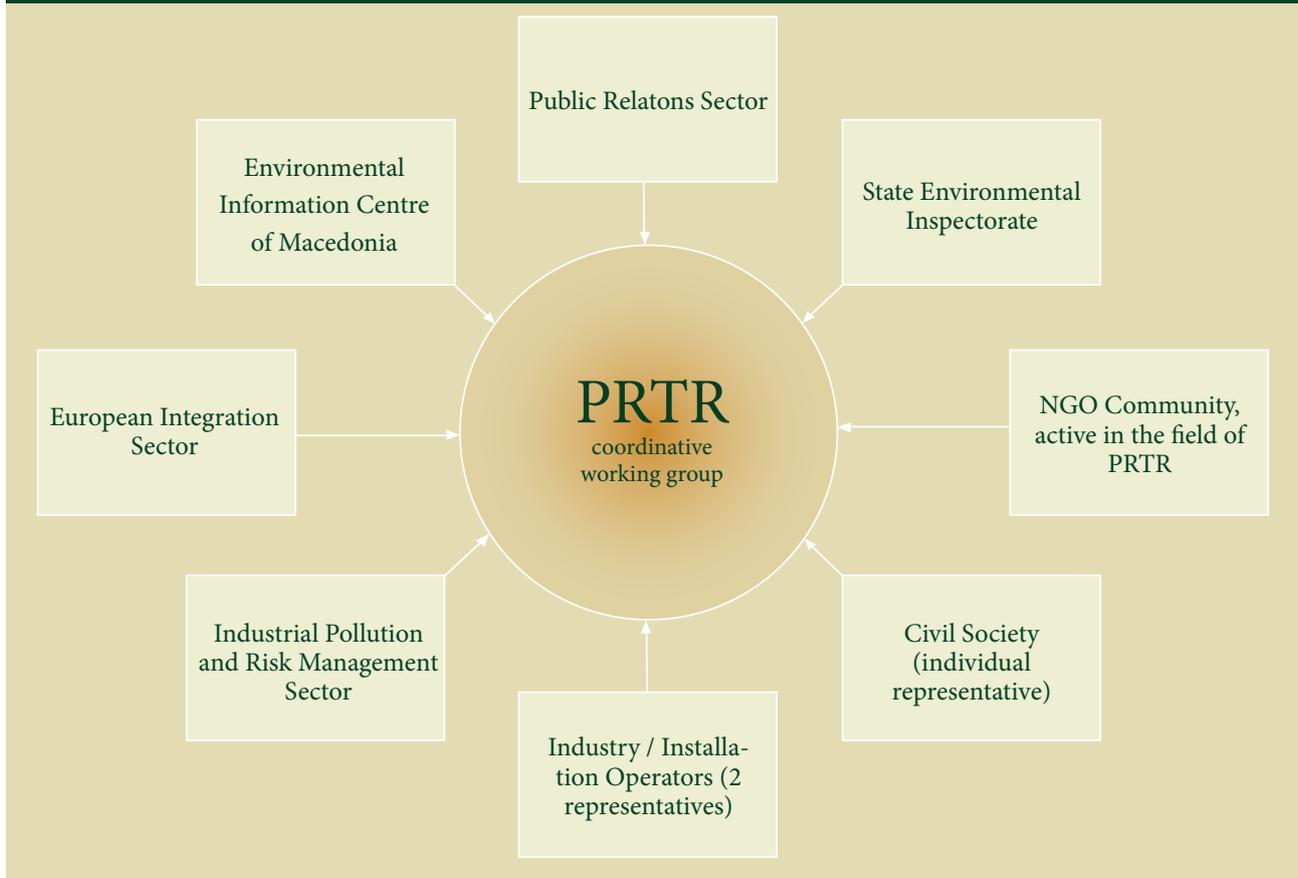
by-law acts, strategic documents, etc.



Photo no. 2 Civil society representatives talk about the role of the nongovernmental organizations in the PRTR development and implementation at the Regional Workshop, held in Skopje, in the period between 8-9 November, 2016.

However, they should actively monitor the process, provide regular information, ask to be regularly notified and included in the activities.

The correct attitude of the MoEPP that is completely open for cooperation with the NGOs in the construction of the PRTR system, which is especially evident in the last two or three years, when such close cooperation in the implementation of different national and international activities and projects, intensified the construction of the PRTR system in Macedonia is of utmost importance. However, the MoEPP should continue to provide regular and revised information, as well as to regularly include the NGOs in every activity related to the PRTR system.



4. PRTR SYSTEM OF THE EUROPEAN UNION

As described in the introduction of this Guide, the PRTR ideas did not begin with the

Kiev Protocol, nor did they end with it. Many states have their own PRTR systems, which are not constructed according to the Protocol, but the EU's PRTR system i.e. the European Register for Pollutant Release and Transfer, simply called E-PRTR, is of great interest for Macedonia.

No particular explanation is needed for the existence of this system in Macedonia, bearing in mind the strategic goal of the state for membership in the European Union.

E-PRTR is an Internet-based register, which has been established by the Regulation (EC) 166/2006, by which the PRTR Kiev Protocol is conducted, whose signatory is the European Union (photo no.3). The Regulation entrusts the EU member-states to report to the E-PRTR system, maintained by the EEA, regarding the pollutant sources. The Regulation contains similar requirements as the PRTR Protocol, however, there are several minor differences, which will be described below.

E-PRTR provides easy access to environmental data from the industrial installations in all EU member-states, as well as of states not members of the Union, such as Iceland, Liechtenstein, Norway, Serbia and Switzerland, which voluntarily deliver data.

The register contains data, annually delivered by over 30,000 industrial installations for 65 types of economic activities around Europe, including nine industrial sectors (graph no. 5).

Each installation delivers information about the quantity of pollutants released in the air, the water and the soil, as well as about the waste and pollutants transfer in the wastewaters, for a total of 91 crucial pollutants, divided in the following seven groups:

- Greenhouse gases
- Other gases
- Heavy metals
- Pesticides
- Chlorinated organic matters
- Other organic matters
- Non-organic matters.

The number of pollutants included in the E-PRTR is one of the differences with the Kiev Protocol, which in Annex 1 lists fewer pollutants i.e. a total of 86 pollutants.

The five pollutants, added in the E-PRTR, are listed last on the list contained in Annex II to the Regulation of the European Union. As indicated in the PRTR Protocol, E-PRTR contains information about the release from the diffuse sources, but to limited extent, as practicable it can be, although this kind of data is constantly increasing.

In accordance with the requirements stated in the Regulation, which are identical to those in the Protocol, the installation is obligated to report data in the E-PRTR, if it meets the following criteria:

- The installation performs at least one of the 65 economic activities stated in Annex I to the Regulation, and exceeds at least one of the capacity's thresholds.

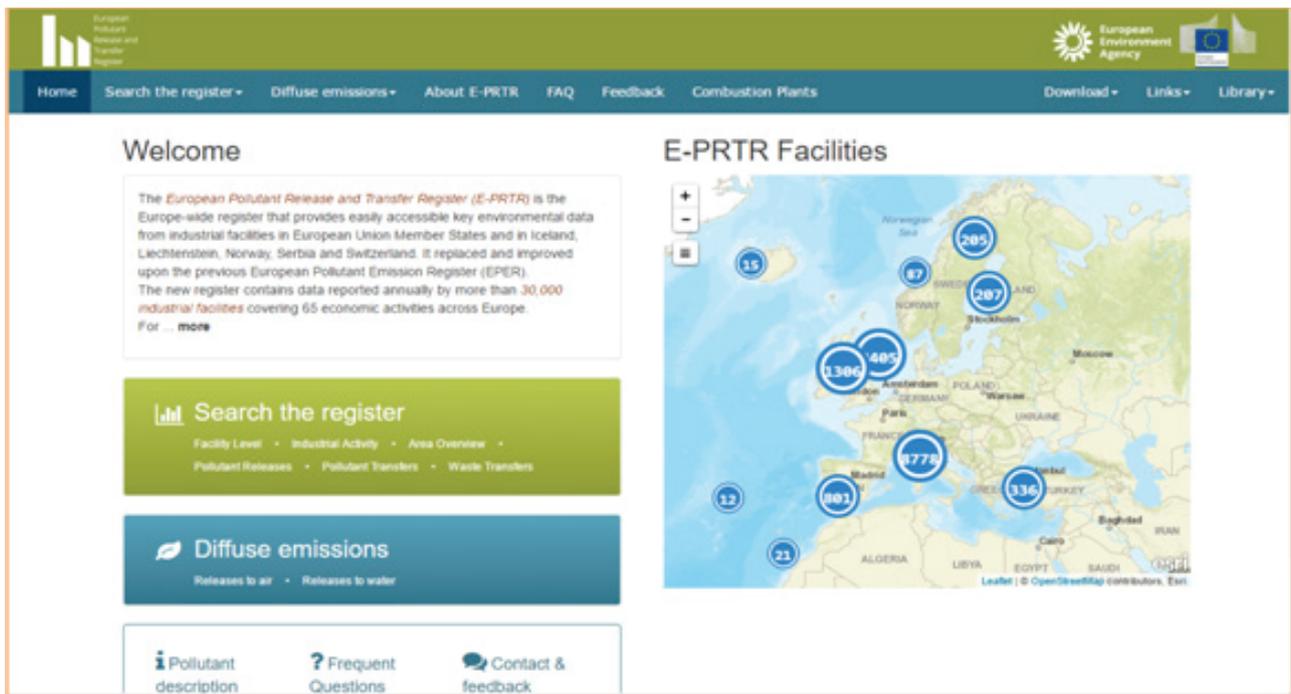


Photo no. 3 Homepage of E-PRTR

- The installation transfers waste outside the location, exceeding the thresholds determined in Article 5 of the Regulation.
- The installation releases high quantities of pollutants above the determined thresholds of each medium – air, water and soil – in Annex II to the Regulation.

Each installation that is obliged to report, delivers data to the authorities on annual basis. Upon collecting the data, the authorities inspect their quality and deliver them to the European Commission and the European Environmental Agency (EEA), which distributes them through the E-PRTR website.

E-PRTR Register contains data regarding the pollutant release and transfers from 2007 to 2009, the 2011 data are updated annually, by May at the latest.

The European Environmental Agency is responsible for conducting data quality assessment, which is performed in two steps.

In the first step, each state receives detailed feedback on the quality of data provided in

the E-PRTR.

In the second step, the E-PRTR data are compared to the data which each state delivers to the Convention on Long-Range Transboundary Air Pollution, to the United Nations Framework Convention on Climate Change and to the European Union Emissions Trading System (for releases in the air), than to the data delivered to EUROSTAT and EEA (for waste and transboundary waste movement), as well as to the data delivered to the EEA and the Water Information System for Europe (WISA) – (for releases in the water).

The goal of these comparisons is to identify potential inequalities in the published data within numerous reporting obligations, on the basis of which the states are able to revise their reports, should certain errors are to be found.

4.1. E-PRTR and the Kiev PRTR

E-PRTR is the successor to the former EPER system of the European Union, established in July 2000, which did not actually represent the authentic PRTR system since it lacked several important characteristics of that system. The reasons for substituting

this system with the new E-PRTR lay in the need of an integrated register, as well as in the obligation for conducting the PRTR protocol by the European Community as its signatory. The Protocol has envisaged obligations for the Parties, such as establishing national PRTR systems, but with the Regulation, a new obligation for the EU member-states has arisen i.e. they should report to the E-PRTR regarding the determined activities and substances.

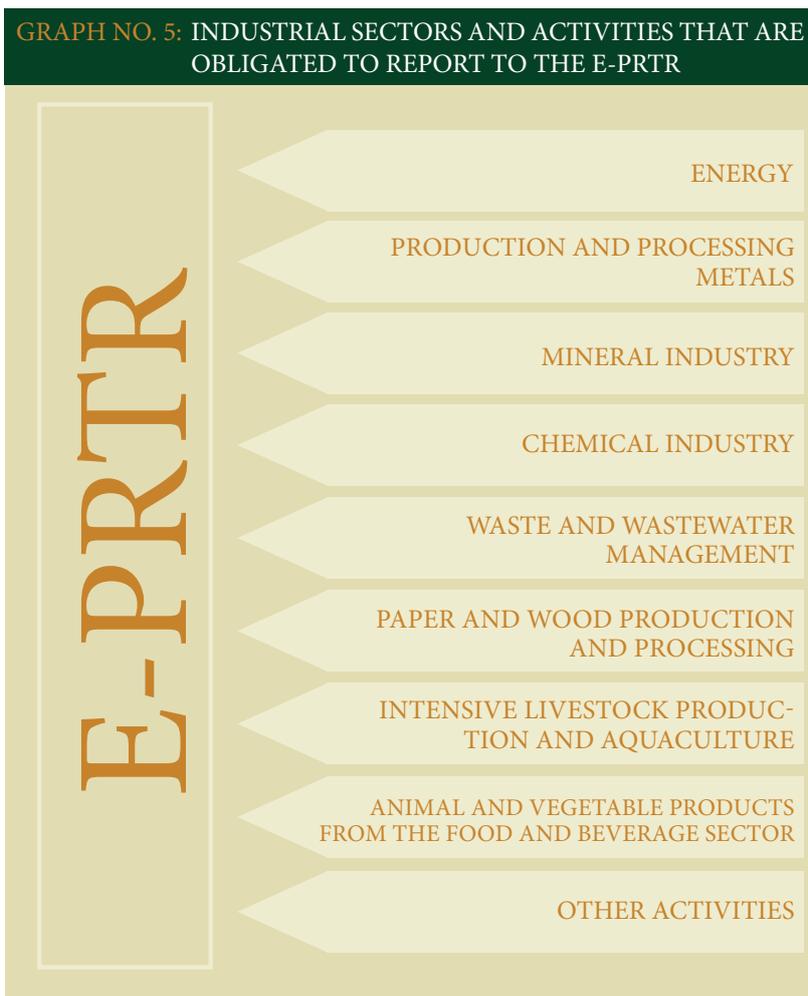
As stated above in this publication, the PRTR Protocol has set minimal requirements, but each Party has an opportunity to establish stricter conditions for functioning of their PRTR systems.

This was stipulated by the Regulation (EC) 166/2006, which requires reporting for five additional pollutants (octylphenols and octylphenol ethoxylates, fluorantines, isodrin, hexabromobhenyl, benzo (g, h, i) perylene. Additionally, the Regulation determined

stricter thresholds for other six pollutants: dioxins (PCDDs), furans (PCDFs), tetrachlorethylene, tetrachloromethane, trichlorobenzene, trichlorethylene and trichloromethane.

However, these are not the only differences between the Protocol and the Regulation defining stricter thresholds for transfer of wastewater outside the location for many pollutants.

Out of both approaches, the Protocol (which is global international agreement, compatible with the non-European PRTR systems) determines the reporting obligation, and the Regulation uses the approach of capacity threshold of a certain installation. In the case of waste transfer, the E-PRTR uses the approach of reporting on the basis of the total quantity of transferred waste



5. PRTR SYSTEM IN REPUBLIC OF MACEDONIA

Republic of Macedonia, as a Party of the PRTR Protocol, is obligated to establish and maintain a reporting system for release and transfer of pollutants from the industrial installations on its territory.

In this context, Article 42 of the Law on Environment (Official Gazette of Republic of Macedonia no. 53/2005) envisages the obligation for establishing a PRTR system as part of the National Environment Register. This issue is further defined by the Rulebook on the Form, Content, Methodology, and the Manner of Maintaining the Pollutant Release and Transfer Register (Official Gazette of Republic of Macedonia no. 27/2011), which became effective on January 1st, 2013. It is important to emphasize that in this publication, the Regulation of the European Union (EC) 166/2006 is largely transposed into national legislation through the National Rulebook, including the two attachments on activities and pollutants.

The data and information from the PRTR system, in accordance with requirements stated in the Protocol and the Rulebook, should be kept in an integrated relational database, which implies the need for an adequate electronic programme application (software), which will allow network entry, processing and display of data from the Register, search and accessibility over the Internet (using a user name and password) and retention of data for a period of 10 years.

The Macedonian PRTR system (photo no. 4) is based on free software which was offered to Macedonia by the German government through the Federal Environment Agency, as a means of developing the existent PRTR system. This software, called BUBE, is adapted to the Macedonian needs, within the two projects mentioned above in 2.6.2.

A detailed description of the BUBE software and the manner of its use by industrial installations, which have an obligation to report, can be found in the User Guide for the Pollutant Release and Transfer Register, prepared in 2015 by the Florozon – a NGO Centre for Environmental Democracy, Skopje (photo no. 5).

The Ministry of Environment and Physical Planning (MoEPP) is responsible for collecting data, its completeness and reliability, as well as for controlling and ensuring their quality, if the operator of the installation requests so. Also, the Ministry is responsible for the data confidentiality in the PRTR system.

The MoEPP is also the competent authority for sharing the data contained in the PRTR system i.e. for reporting to the public and to the international agreements and organizations to which Macedonia has undertaken obligations.

The provision of complete, consistent and reliable data is, however, an obligation of the operator of each installation that carries out one or more of the 65 activities specified in Annex 1 to the Rulebook, when the total amount of release of an individual pollutant at an annual level exceeds the threshold set out in Annex 2 to the Rulebook containing a total of 91 key pollutants, divided into seven groups, thus making the Macedonian national system identical with the E-PRTR.

The operator is obliged, by the end of March of the current year, to submit to the MoEPP in electronic and written form the necessary data and information related to the previous year.

Also, the operator is obliged to indicate the manner of collecting the data and information i.e. whether they are obtained by measurements, calculations or estimates.

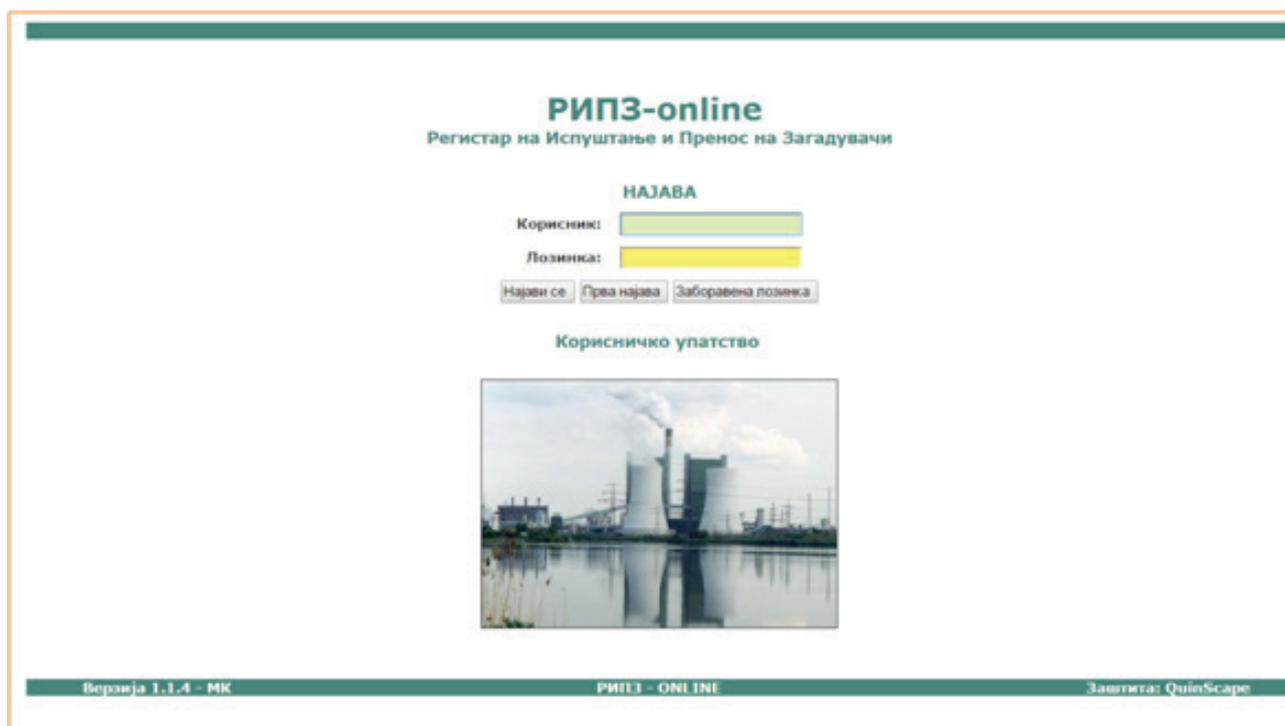


Photo no. 4. Homepage of the Macedonian PRTR Online System (BUBE)

The total process of reporting of the installation operators, which are obligated to report in accordance with the Rulebook requirements, is presented and explained in detail after the short reporting guideline, in accordance with the PRTR Protocol for installations in Republic of Macedonia, prepared in 2003 by D-r. Boshko Nikov, within the “Capacity Building to Put the Aarhus Convention into Action and Support the Development of PRTR Systems in Selected South Eastern European Countries” Project, conducted by REC. A schematic representation of the overall PRTR process is shown in graph no. 6. Defined in this manner, the PRTR system in Republic of Macedonia contains the following data:

- the installation with all its plants and its geographical location, including the river basin in which it is located
- the installation operator responsible for data submission
- installation’s activities

- release of pollutants in the environmental media (air, water, and soil)
- waste creation and transferring outside the location and its destination, as applicable, and
- wastewater transferring outside the location.

At this point, the National PRTR system does not contain data on diffuse sources which are to be included in the system during the state’s integration process into the European Union.

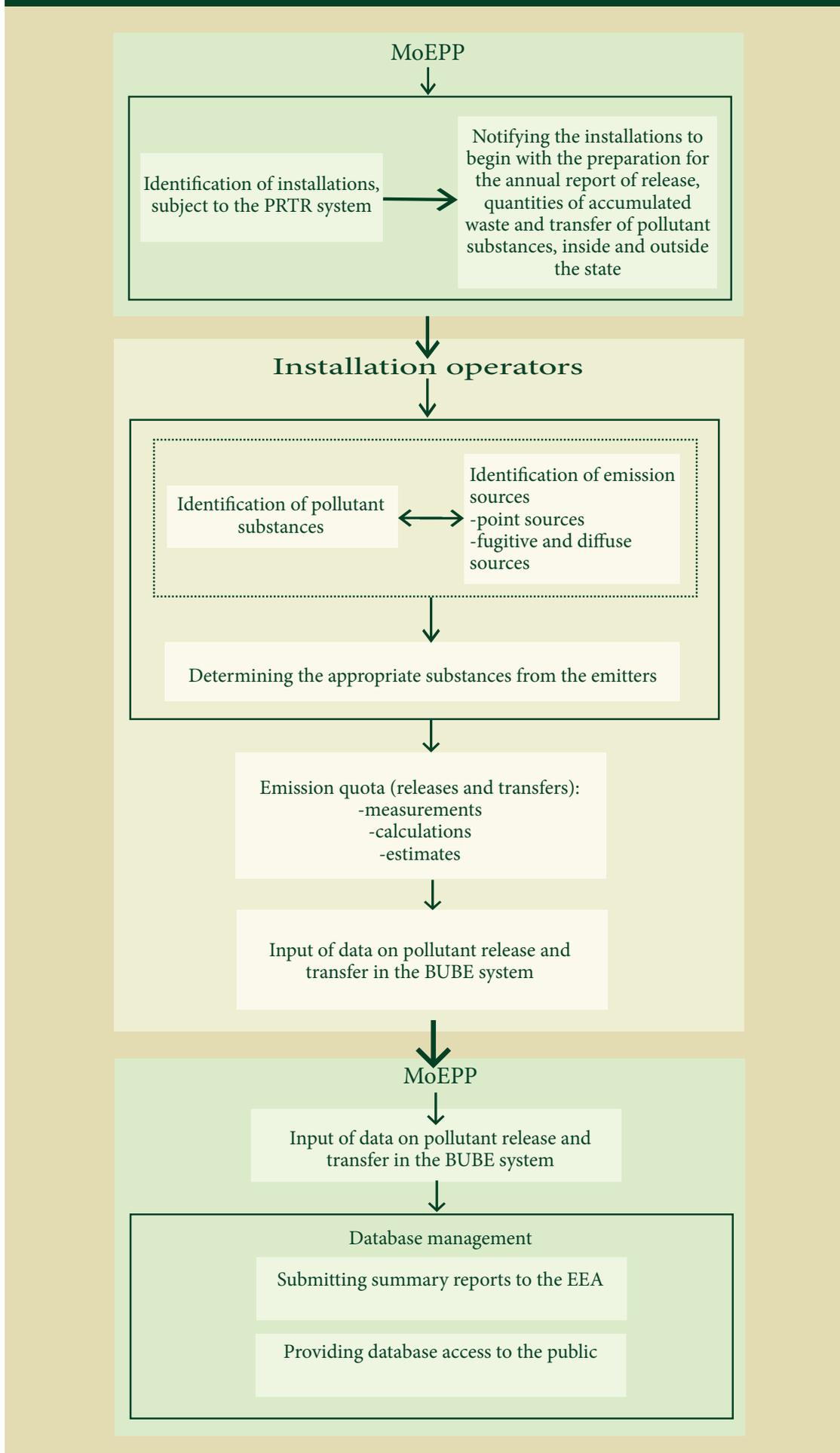
Electronic environment data reporting system



Регистар на Испуштање и Пренос на Загадувачи
Pollutant Release and Transfer Register

User Manual

Photo no. 5. User manual for the Pollutant Release and Transfer Register



5.1. National PRTR Website

What is more interesting about the NGOs and the wider public in Macedonia, of course, is how to get the data from BUBE i.e. from the PRTR system, and what we can actually use this data for.

For this purpose, the Ministry of Environment and Physical Planning has developed additional software module, intended for citizens, NGOs and the general public.

This module is the homepage of the PRTR website (photo no. 6).

The website has a simple structure and provides easy access to general PRTR data, preview of relevant national reports, preview of relevant projects and legislature, both international and domestic. The key part of the website is the option to retrieve and display data stored in the PRTR system database i.e. the releases and transfers the operators reported through the PRTR software.

This database can be searched and identified according to the following:

- The name of the capacity and the area
- The location
- The municipal code
- The river basin
- The group of pollutant substances
- The activity
- The pollutant substance

On the left side on the website's homepage (photo no. 6) there is a link button (which will be activated during the final phase of the website construction), which will allow you to create your own profile in order to access to more information. The profile creation will be free of charge and technically simple.

On the top of the homepage, there are several menus containing links to other pages. Below, all menus and their content are presented in tabular form.

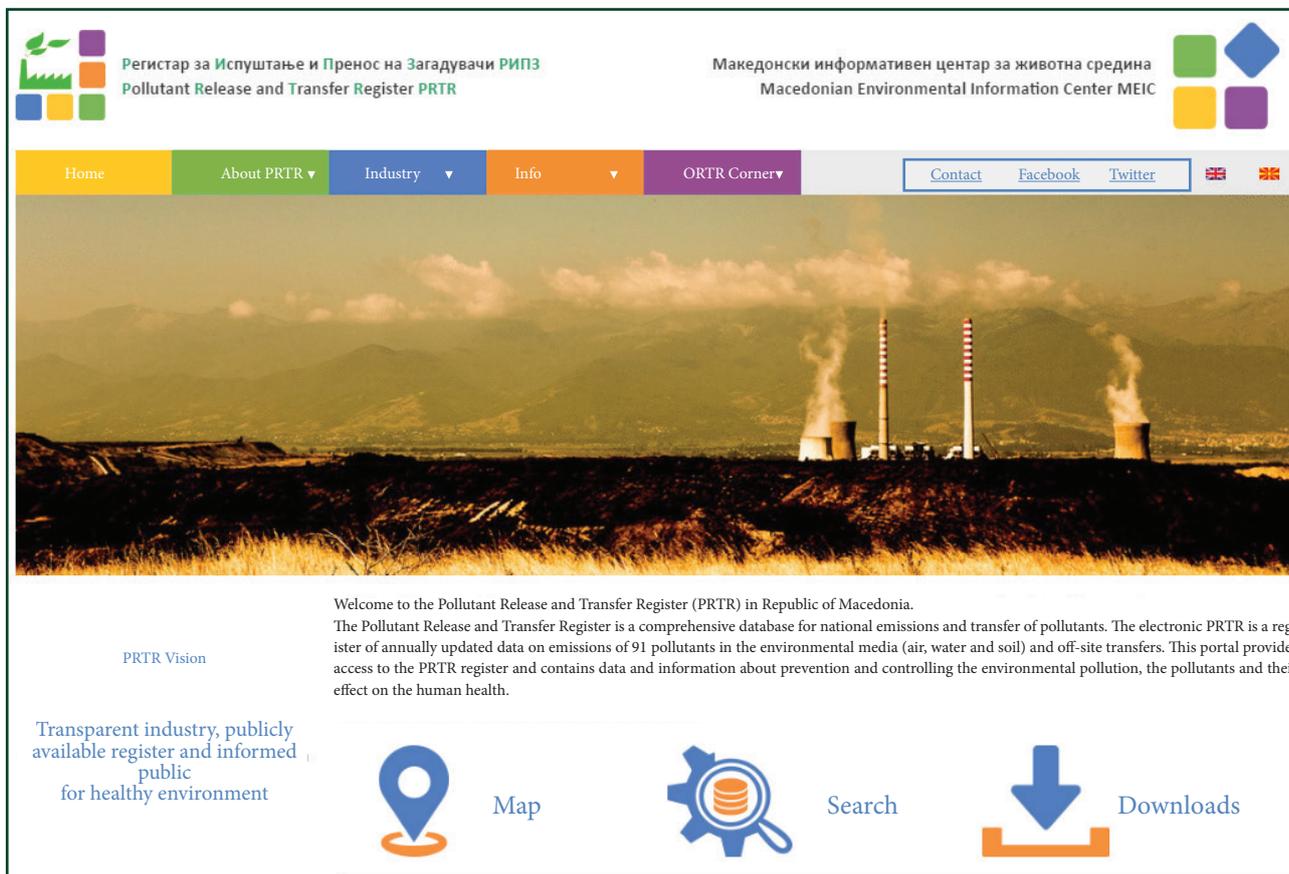


Photo no. 6. Homepage of the PRTR system website in Republic of Macedonia

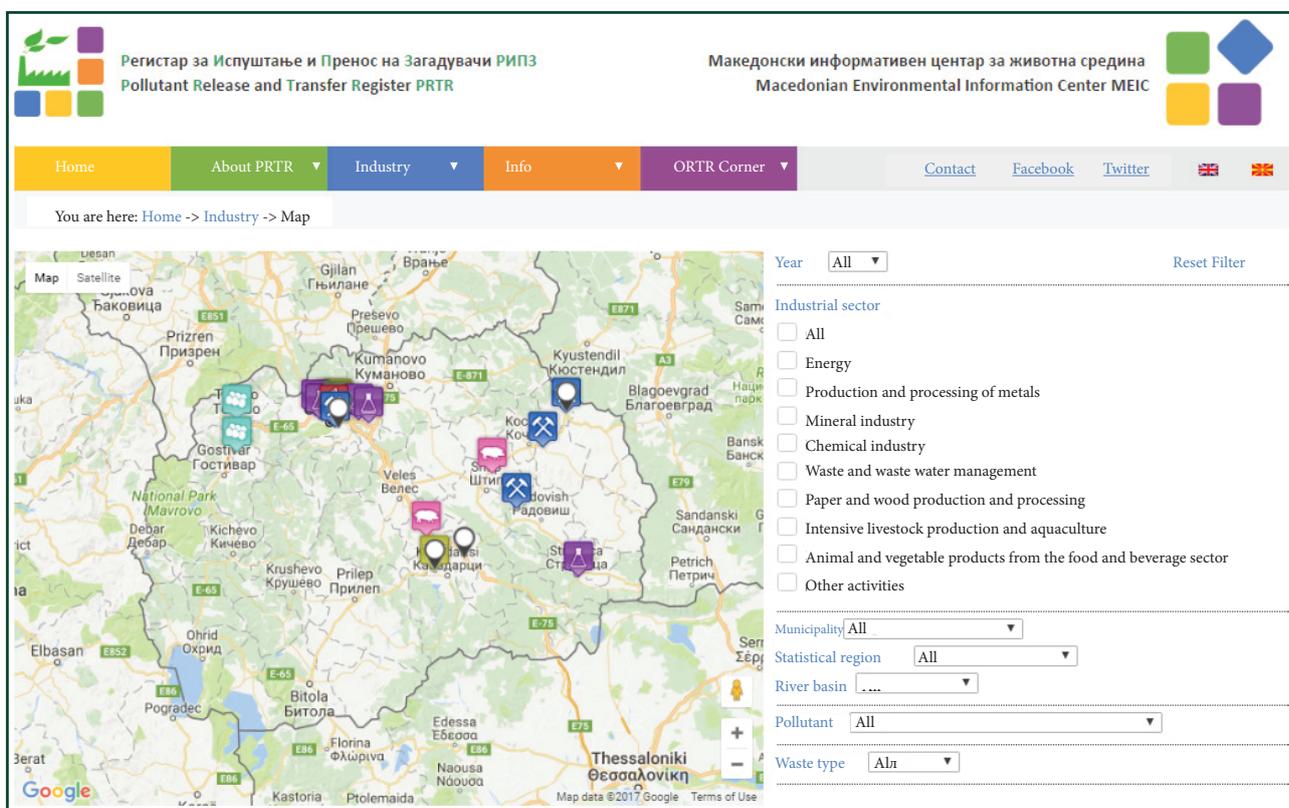


Photo no. 7. Map of installations which report about their release and transfers in the BUBE system

NAME OF MENU	CONTENT OF THE MENU AND SUB-MENU	SHORT DESCRIPTION OF THE WEBSITE CONTENT
HOME		Homepage of the website, where, in addition to the welcome note, you can read about the latest news about PRTR-related events, both in Macedonia and abroad.
ABOUT PRTR	KYIV PROTOCOL	Short presentation of the most important Kyiv Protocol goals.
	PRTR IN MACEDONIA	This page presents the PRTR system in Macedonia, including its content and activities, as well as the links to the PRTR Rulebook and to the Pollutant Substances List.
	USEFUL LINKS	This page contains links to several national and international PRTR websites and institutions, including E-PRTR and UNECE.
	DOWNLOADS	This page contains all PRTR-related documents which can be downloaded in electronic form.
INDUSTRY	SEARCH	This is the central informative page through which you can obtain various information regarding the pollutant release and transfer from the industrial installations in Macedonia <ul style="list-style-type: none"> - the plant and its geographical location; including the river basin; - the activity; - the pollutant release in the environmental media (air, water, and soil); - waste transferring outside the location and its destination, as applicable; - wastewater pollutant transferring outside the location;
	MAP (PHOTO NO. 6)	A very useful page on which the locations of the industrial installations which are present in the database are entered on a "Google Maps" base. By clicking on the appropriate symbol, you will know the name of the installation, but it is also a link to a separate page for that installation, where more information can be found.
	PRTR ONLINE	This page (i.e., link) is for the industrial installations, i.e., the operators which can access the online reporting tool, the so-called PRTR online
	PRTR STATISTICS	PRTR statistical data
	POLLUTANT	Very informative page for all pollutants which are part of the Macedonian PRTR system. For each substance (by clicking on its name), you can find out the thresholds for the release in air, water and soil, as well as its characteristics, use and environmental impact, etc.
INFORMATION	FAQ	Frequently asked question regarding PRTR.
	PROJECTS	These sites are intended to provide information in relation to the PRTR project implementation, which are financed by domestic or foreign funds.
	NEWS	Although you can find the latest information about PRTR-related events on the homepage, here you can find the complete archive of news.
	CONTACT	Should you have any questions regarding PRTR, you can ask them here and send them to the MoEPP experts, who will respond to you as soon as possible.
PRTR CORNER	PRTR EDUCATIONAL	This section contains educational information and data related to the basic concepts and definitions such as: pollution, sources of pollution, impact of the pollution on environment and on human health for each pollutant respectively.
	WASTE EDUCATIONAL	This section contains educational information and data related to hazardous and non-hazardous waste.

6. IMPORTANT LINKS AND INFORMATION SOURCES

- Pollutant Release and Transfer Register of Republic of Macedonia <http://prtr.moep.gov.mk/>

- Air Quality Website of MoEPP <http://airquality.moep.gov.mk/>

- UNECE - Kiev Protocol on Pollutant Release and Transfer Registers <http://www.unece.org/env/pp/prtr.html>

- UNITAR PRTR Platform <http://prtr.unitar.org/site/home>

- PRTR Global Portal <http://www.prtr.net>

- European Pollutant Release and Transfer Register (E-PRTR) <http://prtr.ec.europa.eu/#/home>

- European Commission's website on PRTR <http://ec.europa.eu/environment/industry/stationary/eper/implementation.htm>

- OECD Pollutant release and transfer register <http://www.oecd.org/chemicalsafety/pollutant-release-transfer-register/>

- Commission for Environmental Cooperation - North American Pollutant Release and Transfer Register <http://www.cec.org/tools-and-resources/taking-stock/taking-stock-online-north-american-industrial-pollution>

- USA Toxics Release Inventory (TRI) Program <https://www.epa.gov/toxics-release-inventory-tri-program>

- Canada National Pollutant Release Inventory <http://www.ec.gc.ca/inrp-npri/default.asp?lang=En&n=4A577BB9-1>

- PRTR information plaza Japan <http://www.env.go.jp/en/chemi/prtr/prtr.html>

UNECE – Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters <http://www.unece.org/env/pp/introduction.html>

- Support Establishment and Advancement of Pollutant Release and Transfer Registers (PRTRs) in Western Balkan Countries and in the Republic of Moldova <http://aarhus.rec.org/prtr/index.html>

- European Environmental Bureau, Federation of Environmental Citizens Organisations <http://www.eeb.org/>

- European EcoForum, Pan-European Coalition of Environmental Citizens Organisations <http://www.eco-forum.org/index.php/en/>

7. LIST OF ACRONYMS

EEA	European Environmental Agency
E-PRTR	European Pollutant Release and Transfer Register
EU	European Union
SEE	Southeastern Europe
MoEPP	Ministry of Environment and Physical Planning
MoP	Meeting of the Parties
OECD	Organization on Economic Cooperation and Development
UNECE	United Nations Economic Commission for Europe
REC	Regional Environmental Centre
PRTR	Pollutant Release and Transfer Register
UBA	Federal Environmental Agency of Germany

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