



**United Nations  
Environment Programme**  
CHEMICALS BRANCH, DTIE



**REPORT ON THE REGIONAL WORKSHOP  
ON POLLUTANT RELEASE AND TRANSFER  
REGISTERS (PRTRS) FOR ASEAN COUNTRIES**

**22 – 24 AUGUST 2004, PENANG, MALAYSIA**

**DRAFT VERSION**

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**IOMC**

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A cooperative agreement among UNEP, ILO, FAO, WHO, UNIDO, UNITAR and OECD

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## EXECUTIVE SUMMARY

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THE REGIONAL WORKSHOP ON POLLUTANT RELEASE AND TRANSFER REGISTERS (PRTRS) FOR ASEAN COUNTRIES was held in Penang, Malaysia, on 22 – 24 August 2004. This workshop was organized by the United Nations Environment Programme (UNEP), with support from the Universiti Sains Malaysia, and financed by the Canadian POPs fund.

The overall objective of this workshop was to raise awareness in the PRTR system as a tool for the sound management of chemicals in the Asian Region. The workshop was attended by representatives from the ten ASEAN countries. The workshop was also attended by Malaysian observers from the different governmental ministries, industries and the NGOs, experts from UNEP Chemicals, UNITAR, UNECE, CIELAP-CANADA and Environment Canada.

PRTR is new to the ASEAN countries; most of the delegates in this workshop were unaware of this tool. Nonetheless, most of ASEAN delegates showed a very positive attitude towards PRTR. In the working group discussion, they agreed that each of them had a role to play in PRTR development and in giving back to the public “their right to know” regarding this matter. They also agreed on the problems arising in developing and implementing the PRTR system that they would have to overcome to make sure that the system is a success in their respective countries. They convey the need to develop this system to their countries.

In conclusion, this workshop succeeded in delivering its objective of increasing awareness among the participants. It is recommended that participants of this workshop raise awareness in their countries and workplaces about the PRTR potential for improving environmental management. UNEP and governments are responsible for promoting cooperation on PRTRs through regional forums such as ASEAN ministerial forums.

## 1. INTRODUCTION

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1. The Workshop on THE REGIONAL WORKSHOP AND PILOT PROJECT ON POLLUTANT RELEASE AND TRANSFER REGISTERS (PRTRS) FOR ASEAN COUNTRIES was held in Penang, Malaysia on 22 – 24 August 2004.
2. PRTRs have been promoted and encouraged by all major environmental fora, such as the United Nations Conference on Environment and Development (Rio de Janeiro, 1992), the World Summit on Sustainable Development (Johannesburg, 2002), and the Intergovernmental Forum on Chemical Safety (IFCS Forum), in its Session III (Salvador da Bahia, 2000) and Session IV (Bangkok, 2003). In May 2003, a Protocol on PRTRs has been adopted by 36 countries and the European Community in the Extraordinary Meeting of the Parties to the Aarhus Convention, Kiev, Ukraine. PRTRs are a key component of the community right-to-know concerning environmental matters.
3. The PRTR workshop was organized by United Nations Environment Programme (UNEP), with support from Universiti Sains Malaysia and supported financed by the Canadian POPs fund.
4. Within the framework of UNEP capacity building program, the workshop is part of UNEP efforts to promote PRTRs as a tool for the sound management of chemicals. The main objectives of this regional workshop were the following:
  - Raise awareness of the need for reliable and systematic data on emissions and transfers of toxic chemicals so that chemicals management can be done in a sustainable and environmentally sound way.
  - Obtain an overview of the current status of the PRTRs and/or emissions inventories in the ASEAN countries, and identify the main needs and challenges of countries in the region regarding the implementation of pollution inventorying.
  - Explore the possibilities for, and potential benefits of, collaboration between governments, industry and NGOs at national, regional and international level.

- Develop proposals for national and regional follow-up activities in compliance with the recommendations of the workshop.
  - Collect information from the region to facilitate identification of two countries where a PRTR national pilot project could be carried out.
5. The workshop programme is presented in **Annex A**.
  6. The workshop was attended by representatives from ten ASEAN countries namely, Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam. The delegation from each country was composed of one representative from the government, one representative from the industrial sector and one from the environmental NGOs. In addition to the 3 Malaysian representatives, the workshop was also attended by Malaysian observers from the different governmental ministries, industries and the NGOs.
  7. The workshop was also attended by experts from UNEP Chemicals, UNITAR, UNECE, CIELAP-CANADA and Environment Canada.
  8. The list of participants is provided in **Annex D**.

## **2. SUMMARIES OF THE SESSIONS**

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### **Sunday, 22 August**

#### **Opening Address and Official Launch**

9. The Vice-Chancellor of Universiti Sains Malaysia, Honourable Prof. Dato' Dzul kifli Abdul Razak gave a warm welcome to all the participants and experts from UNEP, UNITAR, UNECE, CIELAP-CANADA and Environment Canada. He thanked UNEP Chemicals and UNITAR for implementing an important step for ASEAN, and Malaysia in particular, to ensure a proper mechanism for compiling and publishing data about PRTR. The full text of the Opening Address and Official Launch is in **Annex B**.

#### **Speech by UNEP Chemicals Representatives**

10. Mr Whitelaw thanked the Vice-Chancellor for his welcome and opening remarks. He then welcomed the participants on behalf of UNEP Chemicals. Mr Whitelaw then referred to 2004 as a busy and significant

year for the global chemicals agenda. Two chemicals conventions, the Rotterdam and Stockholm Conventions, had entered into force and joined the Basel Convention as key tools available for countries in sound management of chemicals. Further, governments had moved forward on the Strategic Approach to International Chemicals Management (SAICM), a significant initiative that would provide a framework for the future. PRTRs should be seen as a further tool for governments, industry and community for sound management of chemicals. Mr Whitelaw thanked the Vice-Chancellor and his staff for their preparation for the workshop.

### **Speech by UNITAR Representatives**

11. Mr. Jorge Ocaña, Special Fellow for the UNITAR gave a brief history on UNITAR and their role as an UN body to assist countries in reaching their goals in different fields. One of the Programme areas where UNITAR has been very active is Chemicals and Waste Management. Under this Programme area we find the Pollutant Release and Transfer Register (PRTRs) Programme. UNITAR has been working in developing countries and countries in transition, such as Mexico, Czech Republic, South Africa, Ecuador, Egypt, Cuba and Chile. Mr. Ocaña also recognized the importance of PRTRs in national chemicals management being considered as a valuable tool that may assist countries to reach their chemicals management related goals. He hoped that after this workshop the participants will be able to communicate with their respective stakeholders in their countries about the details and advantages of this tool for environmental management, and possibly start the process for a PRTR design and implementation.

### **Session One – Introduction to PRTRs**

*Chairperson: Assoc. Prof. Abdul Rahman Mohamed*

12. Mr. Jorge Ocaña presented the conceptual framework of PRTRs during which he outlined the following topics: definition of a PRTR, the PRTR working process, multimedia report, key features of a PRTR, potential application of a PRTR, international activities and benefits of PRTRs to the government and the public.
13. Mr. Osmany Pereira' presentation focused on the international context of PRTRs. He outlined the main PRTR initiatives by international

organizations and international forums, and called on governments and other interested parties to establish PRTRs.

14. Mr. John Whitelaw in his presentation on PRTRs and the Multilateral Environmental Agreements (MEAs) explained how PRTRs could be of help in the compliance of MEAs, such as the Montreal Protocol (Ozone), the Rotterdam Convention on trade in hazardous chemicals and pesticides (PIC), the United Nations Framework Convention on Climate Change (UNFCCC), the Basel Convention on hazardous wastes and the Stockholm Convention on persistent organic pollutants.

## **Session Two – The Canadian Experience: PRTR Implementation in North America**

*Chairperson: Assoc. Prof. Abdul Rahman Mohamed*

15. Mr. Alain Chung, from Environment Canada presented an overview of the Canadian Government experience with the National Pollutant Release Inventory (NPRI) which is the Canadian national PRTR. He closed his presentation by providing some valuable advices for PRTR implementation.
16. Ms. Jolanta Rasteniene, from the Canadian Institute for Environmental Law and Policy (CIELAP), presented the experience with the NPRI from the NGOs perspective. She illustrated the NGO's role in making PRTR information accessible to the general public by means of practical examples of CIELAP's work on NPRI.

## **Session Three – Perspectives for a National PRTR in Malaysia**

*Chairperson: Assoc. Prof. Abdul Rahman Mohamed*

17. Malaysia was invited to present the perspectives for a National PRTR in an ASEAN country. The presentations were made by,
  - i) Ms. Che Asmah Ibrahim, Ministry of Natural Resources and Environment  
Presentation: Perspectives from the Government
  - ii) Mr. Girijashankar Kumaran, Sabah Forest Industries Sdn. Bhd.  
Presentation: Perspective from the Industry

iii) Ms. Jenny Tan Suat Eam, Centre for Environmental Technologies

Presentation: Perspectives from the NGOs

### **Round Table: Main concerns of PRTR Implementation**

After the Canadian and Malaysian presentations, participants held a round-table session to discuss three key aspects of PRTR implementation:

- The voluntary versus the obligatory approach in the definition of policy and legal framework
- The financial implications, i.e. costs and benefits of PRTR implementation
- Infrastructure and technical expertise aspects

The following conclusions were drawn from the round table:

#### 1. Voluntary versus obligatory approach

Canada experienced the voluntary reporting approach through a sector of its industry, which reported on their pollutant emissions before the implementation of its NPRI (Canadian PRTR system). This proactive approach gave positive results. However, because of the voluntarily nature, not all industries reported on their emissions. To allow for equal treatment to all industrial sectors concerning emission reporting, the Canadian industry was given an active role for mandatory reporting, this way counteracting the selective reporting trend. In the case of Mexico, voluntary reporting was chosen as starting method to move later on to mandatory reporting. In the case of Japan, mandatory reporting was chosen since the beginning.

It is advisable that countries start with mandatory reporting. However, in cases when a consultative process is needed, it is preferable to begin with voluntary reporting. Whether the obligatory or voluntary approach is chosen, emission reporting does encourage industries' undertaking of voluntary pollution prevention and pollution-reduction initiatives.

Although at a first stage industrial facilities will have to bear implementation costs of the National Pollutant Release and Transfer Register, they can develop procedures to use the information generated by the PRTR in order to reap significant economic benefits. For example, PRTR information can be used as feedback for environmental performance and productivity. There are cases where industries do not

understand or realize the seriousness of their pollution releases until their data has been collected and reported back at national level. Industries can use the information provided by their pollution-release data to find less pollutant processes and technologies while improving productivity and profitability.

Voluntary reporting can help increase the public's and government's confidence concerning the sustainable operation of industrial facilities. It can also reduce and even avoid litigation costs and costs related to regulatory compliance. By avoiding direct top-down pollution control, it also lowers regulation costs to the government.

Furthermore, emission reporting can promote investments by making industries more attractive to national or international investors. It can also decrease insurance costs and liability associated to fears that some production practices may cause negative externalities due to pollution generation.

In environmental economics, a pollutant register is a regulatory instrument that corrects a market failure arising from an existing externality, namely the pollution, by spreading information. The feedback loop to industries is strengthened by incorporating the public into this scheme. This information can then be integrated into the industry's environmental management system to serve, later on, to complement its responsibility agenda.

Regarding Indonesia, its Government has adopted the obligatory approach by establishing various emission standards and sanctioning violations.

From the point of view of the Malaysian Government, changing from the "normal regime" to the "PRTR regime" requires answering three questions:

- Why we must change?
- Why cannot we remain as we are?
- What does change mean to us?

Public awareness increases the public's demand. The industry will respond if there is public pressure, or if there are incentives that will benefit them. In both cases, voluntary system will work. However, in cases where pressure or incentive are absent, the government will have to see if a particular chemical falls under a critical area requiring an obligatory regime.

When designing a PRTR, a country should start small to ensure PRTR sustainability, especially when resources are scarce. Therefore, at the beginning, a country will usually start with major pollutants and set threshold levels that will not cover smaller pollutants.

In the case of ASEAN countries, the Philippines has integrated PRTR patterns into its law. Moreover, the Department of Environment and Natural Resources has rated industries based on pollutant emission and environmental compliance.

In Malaysia, mandatory reporting is practiced to a certain extent, directly or indirectly; although it does not fall under one specific ministry or department. For example, the Department of Environment (DOE) has the mission of ensuring sound environmental management at national level, and the Department of Occupational Safety and Health (DOSH) administers safety and health regulations. Under these regulations, industries have to perform an assessment of health risks arising from the use of hazardous chemicals at the workplace. The assessment is referred to as the Chemical Health Risk Assessment (CHRA), which is controlled by the DOSH. This system provides the Malaysian government with inventories of used or disposed chemicals and with monitoring of worker's and public's exposure to chemicals.

Indonesia believes that in developing countries it is hard to promote environmental awareness in industries, exception made for multinational companies. Indonesia stressed that a strong campaign must be set up to reach their full participation in the PRTR system.

## 2. Financial Implications (Costs and benefits)

In most cases, financial resources are not immediately available. Therefore, countries interested in implementing PRTR should start small, weighing complexity against availability of resources. They can also learn from other countries experiences with PRTR implementation, adapting them to their situation and needs. In this regard, Canada has valuable experience to share concerning PRTR management and integration to environmental management requirements.

Governments play an important role in PRTR development. Political support and a good legislative basis are essential for a smooth implementation process. Intergovernmental organisations such as UNITAR and UNEP can provide assistance to governments in terms of technical expertise to define the requirements necessary for setting up the infrastructure.

## 3. Infrastructure and technical experts

To develop infrastructure for their national PRTR system, countries need to:

- develop a database system
- find experts, and
- identify necessary human resources

The decisions taken in this regard will depend on the volume of the project. Mexico, for example, has a computer centre to develop data-collection software using a state-of-the-art technology. The centre also provides facilities with data-capturing modules. Additionally, facilities receive on-site training on the use of the software and on filling up the electronic formats.

The infrastructure should also provide means to ensure that the information and its context are understandable by health experts and the public. This requirement points to the need of developing information and communication tools that may start with geographical information systems

and could extend to linkages to other databases such as environmental health and toxicological databases, public health information, etc.

### **Summary of Day 1**

The main conclusions of the presentations and discussions held in the first day were the following:

- At present, the world seeks to attain sustainable development, i.e. obtaining economic and social progress, while protecting the environment. The reduction of pollutant releases and transfers is an essential effort to achieve this goal.
- A Pollutant Release and Transfer Register (PRTRs) is a publicly available periodic multimedia reporting system database of chemical pollutants.
- PRTR is very new concept to the ASEAN countries. Before this workshop, most of the participant delegates were unaware of PRTRs. However this, most of ASEAN delegates showed a very positive attitude towards PRTRs.
- While PRTRs are new in the region, most ASEAN countries have already implemented their own emission inventories. They have established databases for pollutants and pollutant emissions to air, water and soil. However, the existing databases are not integrated into a unique tool.
- These existing systems and databases constitute a good baseline for implementation of PRTR systems.
- Some delegates stated that obligatory reporting is already part of their country legislation.
- Participants commented about the particularity of ASEAN countries having an industrial base constituted mainly by small and medium industries. This characteristic should be taken into consideration in the PRTR design and implementation.
- During the round-table discussions most of the ASEAN delegates agreed that PRTRs had to be implemented on a mandatory basis instead of voluntary.

- Like in Mexico and Chile, successful PRTR implementation in ASEAN countries will require considerable support to build infrastructure and technical expertise.
- Participants concluded the discussions of the day expressing the feeling that there were still many PRTR aspects to learn about and expressed their hope to be able to do it in the next two days of the workshop.

## **Monday, 23 August**

### **Session Four – Regional Experience on PRTRs**

*Chairperson: Assoc. Prof. Abdul Rahman Mohamed*

18. Mr. Alain Chung, from Environment Canada, introduced his presentation about the regional experience on PRTRs in North America giving an overview of national PRTR systems existing in the region. Then, he presented the general framework for the regional PRTR activities provided by the North American Commission for Environmental Cooperation (CEC). Mr. Chung concluded this presentation highlighting the fact that in PRTR development meeting national needs and priorities takes precedence over regional requirements.
19. Mr. Michael Stanley-Jones, from UNECE, presented the European regional experience on PRTR focussing on the PRTR Protocol of the Aarhus Convention.

### **Session Five – PRTRs/Emissions inventories in the ASEAN Countries: Countries perspectives**

*Chairperson: Assoc. Prof. Abdul Rahman Mohamed*

20. In this session, a general view of the situation in the ASEAN region was drawn up by presentations given by the workshop participants who detailed their country experiences and perspectives regarding pollutant emissions inventories and PRTRs. The Malaysian presentation was performed in a special session (see Session Three).

### **Session Six – Implementation of a National PRTR (Pilot Project)**

*Chairperson: Assoc. Prof. Abdul Rahman Mohamed*

21. Mr. Michael Stanley-Jones, presented a UNECE study on the assessment of PRTR costs and benefits for governments, industry and the public.
22. Mr. Jorge Ocaña presented the UNITAR methodology for PRTR development explaining its main components and the key stages of the PRTR design process.

These introductory presentations were followed by a round table where key issues of PRTR implementation were discussed.

### **Round Table: Key aspects of PRTR Implementation**

The discussions of this round table lead to the following conclusions and recommendations:

a. Multi-stakeholder Process (challenges, opportunities)

- Involvement of civil society – there is a range of organizations, besides NGOs, that could provide expertise, such as legal firms, academia, and communication firms; partnerships should therefore be encouraged.
- Ensure that meetings are well organized and participants “work as a collaborative team”.
- Raise awareness among high-level executives in companies that seem not to be interested in PRTRs.
- There is still lack of coordination and cooperation between different government departments.
- Demonstrate the benefit of the whole exercise by explaining how industries will benefit, the costs of participation, and the seriousness of the environmental pollution.
- The scenario becomes complicated when many civil groups and industries want to be part of the coordination committee. This problem can be tackled by requesting these groups to elect a few representatives for the committee.

b. Incentives for the industry and other groups

- The industry’s main concerns are financial related: participation costs, misspending, etc. Therefore, clear rules should be set up and benefits highlighted. In addition, other minor measures could be implemented,

like starting with estimations, supporting voluntary reporting and praising participating industries through the media.

- Give public recognition to encourage their participation. Whenever applicable, international recognition can be also considered.
- Roles in representation, role in decision-making process, build support among industries.
- Create an industry-to-industry approach instead of government-to-industry approach. The first approach is business oriented and makes easier to come to an agreement on how to proceed for cost effectiveness and profit making.
- Give awards

c. Role of the government

- Initiate and own the process
- Introduce mandatory reporting and legal framework
- Plays the key role as the leader and the catalyst to bring groups together and make the final decision
- Gets the community to understand PRTR
- Responsible for the data
- Ensure all parameters agreed are taken care of properly before disclosing data to the public
- Producing annual reports
- Responsible to integrate fragmented data through one database

d. Role of civil-society groups

- Should be based on the public right-to-know principle
- An advisory committee is formed every year
- Do research and studies on PRTRs
- Launch activities in different regions, particularly awareness raising among communities

- Launch websites for both domestic/international use
- During the design stage ensure that the requirements of the community are taken into account
- Play a unique role in PRTR promotion by organizing talks with government bodies to create political will for the PRTR initiative
- NGO coalition pushing for broader, stronger PRTR
- Help guarantee integrity of the process and future development of the process
- Special role in dissemination of PRTR information through tools like websites and other internet services
- Pioneering new ways of communication to disclose information to the public
- Their status should not depend on the type of government ruling the country

e. Role of private sector

- Should collaborate for the future generations' sake
- Play key role in generating and providing information
- Estimating the releases
- Training their personnel
- Bear administrative costs of reporting the data
- Industry associations are important as focal points whereby governments can disseminate information for the industry.

## **Summary of Day 2**

23. In the morning, the expert presentations dealt with issues concerning regional collaboration for PRTR: the regional implementation of PRTR in North America and the European regional experience achieving in the PRTR Protocol of the Aarhus Convention.
24. Although PRTRs were designed with similar rationale in both regions, with time they became different in their priorities. For example the Canadian

PRTR is applied to all industries whereas in the European Union only selected industries are involved. Many ASEAN delegates expressed that PRTR priority identification; compatibility and trade secret are issues to be considered with particular attention.

25. In the second session of the morning, all the ASEAN visiting representatives gave an overview of the situation in their countries concerning pollution control, focussing on pollutant emissions databases existing in their countries. After the presentations, participants discussed about the challenges they will have to face to adopt PRTR in the region with the existing regulations. All participants agreed that, at the prevailing conditions in ASEAN countries, the need for policy-making and technical support for PRTR implementation is still considerable.
26. The afternoon sessions were dedicated to study main issues about national PRTR implementation, such as cost estimation and project design. The round table discussions that followed these presentations focussed on the roles played by different stakeholders in PRTR development.

## **Tuesday, 24 August**

### **Session Seven – Developing PRTRs: Needs, challenges and solutions**

*Chairperson: Assoc. Prof. Abdul Rahman Mohamed*

27. The participants were divided into three working groups: Working Group 1, composed mainly by governmental representatives, was assigned to discuss governmental issues; Working Group 2, formed by participants coming from the industrial sector, looked at the industrial issues; and Working Group 3, composed principally by NGO representatives, discussed the community issues. Later on, each group presented their findings and recommendations in a plenary. The guidelines for the working group discussions are presented in **Annex C**. Later on, each working group presented their findings in a plenary session. The results of the Working Group Discussions are presented in section “Working Group Discussions”.

## **Session Eight – PRTR perspectives in the ASEAN countries**

*Chairperson: Assoc. Prof. Abdul Rahman Mohamed*

### **Country Statements**

28. This final session was opened by statements made by participants representing the ten ASEAN countries about the workshop and the PRTR issue.

#### *a. Brunei*

The objectives of the workshop, in particular those concerning awareness raising, have been attained. From the experiences of its ASEAN counterparts, Brunei learned quite a lot, especially regarding pollutant databases. Brunei participants will report to the relevant authorities under the ministry, or at department level, the usefulness of PRTR in the country to attain sustainable development objectives. They can also instigate interest among the relevant stakeholders and awareness among the public and private sectors in the possible adoption of PRTR system in the country

#### *b. Cambodia*

This PRTR workshop was highly beneficial for Cambodia. Participants will report to the relevant authorities under the ministry.

#### *c. Indonesia*

An initial report of PRTR to the relevant authorities will be made regarding the implementation of PRTR in Indonesia in the future. This would help prepare possible visits from UNITAR or UNEP. Implementation of PRTR will only depend on the approval by the relevant authorities in the government. Indonesian participants suggested that the ASEAN Secretariat, UNITAR, UNEP or any international organization responsible for PRTR can raise the issue on the importance of PRTR in the ASEAN countries.

#### *d. Lao*

Lao believed that it is important to implement PRTR because of its great usefulness in helping achieve a sound management of chemicals, permitting to avoid further catastrophic cases or emergencies such as leakages, etc. Implementation of PRTR will be beneficial for companies

and industries, and especially for the society. Lao's participant endeavours to convince the relevant authorities in implementing PRTR system.

*e. Malaysia*

This workshop managed to achieve the objective of raising awareness about the importance of PRTR and its benefits for the various stakeholders. However, it is still unknown to what extent it can be implemented because relevant authorities still need to be convinced of the necessity of its immediate implementation. More practical examples are needed, e.g. case studies specific to ASEAN countries that highlight the particular conditions of this region.

*f. Myanmar*

Myanmar will convince relevant authorities (e.g. in the chamber of commerce and NGOs) in the implementation of PRTR system.

*g. Philippines*

The workshop managed to achieve its objective of raising public awareness. Philippines will convince relevant authorities (e.g. in the environmental sector) of the need for the implementation of a PRTR system.

*h. Singapore*

The objective of the PRTR is clearly delivered in this workshop which is raising public awareness about PRTR. However, the initial actions for implementation of PRTR should come from the top level authority.

*i. Thailand*

Thai participants will convince the relevant governmental authorities to discuss the implementation of a PRTR system in their country. They will try to congregate interested parties among the government, NGOs and other stakeholders.

*j. Vietnam*

Vietnam learned quite a lot about PRTRs, especially in what regards the development and implementation of PRTR in several countries e.g. discussion on various aspects relating challenges, necessary technical and financial resources, and legal regulation considering the national

objectives. They will convince the top management for the implementation of PRTR system in their country.

The Vietnamese representative proposed further steps as indicated below,

1. propose for a regional corporation and international exchange in this issue
2. increase awareness raising activities in each country and also in the region
3. propose to develop some pilot activities in the region as a starting point of the PRTR implementation

Taking these steps into account, they can begin by developing a study on the application of PRTR within the framework of the project for the development of the national implementation plan of the Stockholm Convention.

#### **Follow up activities**

29. At the end of the session, Mr. Osmany Pereira presented the follow up recommendations of the plenary, summarized in three key points:
  - a. Participants of this workshop to further raise awareness in their countries and work places on the potential of PRTRs for improving the environmental management.
  - b. UNEP and UNITAR to work with countries in demonstrating the potential of PRTRs, possibly through participation in national workshops and consultations, and through pilot projects in the region and other means.
  - c. UNEP and governments to promote cooperation on PRTRs through regional forums such as ASEAN ministerial forums.

#### **Summary of Day 3**

30. The morning of the third day of the workshop was dedicated to discussions in working groups, followed by a reporting session in the plenary.
  - The participants were divided into three working groups to discuss PRTR issues from the governmental, industrial and community point of view.

- Each working group was given the task to discuss the needs, challenges and solutions concerning development of National PRTRs in their respective countries.
- The plenary agreed that they have a role to play in the society to impulse PRTR development and to give back to the public “their right to know”.
- They also recognized that there might be many problems arising during the development and implementation of PRTR systems that they would have to overcome in order to ensure a successful system in their respective countries.
- The plenary conveys the need to develop this system in their countries.

### **Closing remarks**

31. The workshop ended with concluding remarks from all six experts:
  - a. Mr. Jorge Ocaña, special fellow for UNITAR expressed the need to fulfil PRTR requirements in this region with the assistance of UNEP and UNITAR. He thanked the Malaysian organizers for their dedication and Mr. Osmany Pereira for his excellent work.
  - b. Ms. Jolanta Rasteniene, Project Coordinator for CIELAP (Canadian Institute for Environmental Law and Policy) thanked the Malaysian organizers for the workshop and invited all NGOs to contact CIELAP for any assistance regarding PRTR.
  - c. Mr. Michael Stanley-Jones, Environmental Affairs Officer for UNECE expressed his gratitude for the experiences he had in Malaysia and his hope that all the participants could benefited from his participation in this workshop.
  - d. Mr. Alain Chung, Director Pollution Data Branch, Air Pollution Prevention Directorate for Environment Canada expressed his appreciation to the Secretariat and his gratefulness for all the experiences he had in Malaysia.

- e. Mr. Osmany Pereira, Programme Manager for UNEP Chemicals, expressed his gratitude to the Secretariat and the participants for their co-operation in the workshop.
- f. Mr. John Whitelaw, the Deputy Director of UNEP Chemicals expressed his gratitude and satisfaction on the organization, participation and the outcome of the Workshop. He noted that this workshop was to raise awareness of PRTR in this region linking to the Stockholm Convention and hoped further involvement in this region.
- g. Assoc. Prof. Abdul Rahman Mohamed expressed his gratitude to the Malaysian secretariat from Universiti Sains Malaysia, the participants, the organizers from UNEP Chemicals and UNITAR and the Canadian POPs fund for the financial support and for bringing the experts from Canada and Europe to this workshop.

### 3. WORKING GROUP DISCUSSIONS

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#### Working Group 1 – Governmental Issues

32. **Report of the WG1: Developing PRTRs: Needs, Challenges & Solutions:**

*A. Objectives*

- Share experiences, needs, challenges around the development of PRTRs in each ASEAN country
- Discuss possible cooperation in PRTR development

*B. Government Priorities*

1. Need to strengthen legal framework
  - voluntary/obligatory
  - Integration of existing laws
2. Lack of coordination among government agencies
  - National coordination body (integrated chemical management system)
  - Nominated agencies

- Lead agency with mandate
3. Lack of comprehensive chemical and pollutant release inventories
- Alignment with Global Harmonization System
  - Raising awareness on different environmental issues

### C. Challenges and Needs

CHALLENGES	NEEDS
<ol style="list-style-type: none"> <li>1. Legislation</li> <li>2. Cooperation/Coordination among stakeholders</li> <li>3. Infrastructure (laboratory analysis)</li> <li>4. Public awareness</li> <li>5. Capacity of SMEs to adopt PRTRs</li> </ol>	<ol style="list-style-type: none"> <li>1. Financial resources</li> <li>2. Technical expertise (training on emission factors, validation of data, capacity building)</li> <li>3. Public awareness (training, workshops)</li> <li>4. Infrastructure (laboratory facilities, ICT)</li> </ol>

### D. Cooperation

- National
  - Cooperation between government agencies
  - Partnership among stakeholders
  - Harmonisation of analysis techniques/methods
- Regional
  - On-site training
  - Raising awareness at ASEAN level
  - Organise workshops/seminars to exchange ideas
- International
  - Financial cooperation
  - Technical cooperation (capacity building/human resource/institution, training, hardware/software)
  - Country visit/official meeting

## Working Group 2 – Industry Sector

### 33. Report of the WG2: Working Group on PRTR Experience in the ASEAN Region:

#### *Experience*

- Environment-friendly Awards or similar programs in some countries: SAHWALI (Indonesia), Mother Nature (Philippines), HIBISCUS (Malaysia), Good Factory (Thailand).
- Some countries have no experience whatsoever on PRTR system or system of similar type.
- There is no industry participation in government initiatives to implement some sort of PRTR.
- Some countries have existing legislations and it is just a matter of defining them as PRTR's.
- Cooperative relationships between industry and government exist in some countries with regards to PRTR implementation. The regulatory agencies are seen as partners and not adversaries.

#### *Needs*

- Infrastructure and capability building
- Improve coordination among industries and with government
- Cost of analysis
- Increase documentation
- Information and education
- Easy access to analysis of chemicals in the PRTR chemical list
- Proper/Harmonized classification of industries in the region (in terms of No. of workers/Capitalization/Energy utilization)

#### *Constraints/Challenges*

- Lack of appropriate system to set up & implement PRTR's
- Better coordination between stakeholders
- No experience

- Subsidized testing fees for PRTR list of chemicals
- Facilities to support SME's needs

#### Summary/Conclusion/Recommendation

- Divide the ASEAN Region into two groups of countries according to environmental monitoring capability and infrastructure:
  - a) No experience/limited experience
  - b) Experience in basic parameters but need upgrading to PRTR
- Regulations exist for all countries but need inter-phasing with PRTR requirements
- Concern of sustaining competitiveness in view of additional reporting requirements and inventories
- Relation of PRTR to EMS/ISO 14001 certified companies
- Regional agreement/cooperation is limited among locally-owned and managed companies though this is not a problem among the MNC's
- The setting up of a Regional Clearinghouse for waste exchange/chemicals movement in the ASEAN Region

### **Working Group 3 – Community Issues**

#### 34. **Report of the WG3: NGO Group Report:**

- In different countries NGOs have different capacity
- Capacity in terms of human resources and knowledge and expertise to certain extent
- Lacking financial resources
- Government should ensure participation of NGOs in design and implementation; this may include need for enabling legislation
- It is the decision of the government to run a PRTR and NGOs should be invited in the whole process
- Limited time for voluntary work
- Limited time for funding
- Need for supplementary funding for high level expertise

- As in the experience of Thailand we see that NGOs can gain information and knowledge and develop ideas including identifying potential problems and constraints so that we could give continuous input respecting our countries needs.

*Conclusion*

NGOs should encourage PRTR implementation and emphasize the community right to know.