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EXECUTIVE BODY FOR THE CONVENTION ON
LONG-RANGE TRANSBOUNDARY AIR POLLUTION

REPORT OF THE SPECIAL SESSION

Introduction

1. The special session of the Executive Body was held in Geneva on 19 March 1998.
2. The session was attended by representatives of the following Parties to the Convention: Armenia, Austria; Belgium; Bulgaria; Canada; Croatia; Czech Republic; Denmark; Finland; France; Germany; Greece; Ireland; Italy; Malta; Netherlands; Norway; Poland; Russian Federation; Slovakia; Slovenia; Spain; Sweden; Switzerland; Ukraine; United Kingdom; United States of America.
3. A representative of Kazakhstan also attended.
4. The Edison Electric Institute was also represented.
5. The meeting was chaired by Mr. J. THOMPSON (Norway).
- I. ADOPTION OF THE AGENDA
6. The agenda, as contained in document ECE/EB.AIR/54, was adopted.

II. INFORMATION TO BE SUBMITTED AND PROCEDURES FOR ADDING SUBSTANCES TO THE DRAFT PROTOCOLS ON PERSISTENT ORGANIC POLLUTANTS AND HEAVY METALS

7. Mr. L. BJÖRKBOM (Sweden), Chairman of the Working Group on Strategies, introduced the three draft Executive Body decisions annexed to the report of the twenty-fifth session of the Working Group (EB.AIR/WG.5/52).

8. The Executive Body adopted:

(a) Decision 1998/1 on the criteria and procedures for adding heavy metals and products to the heavy metals protocol, as contained in annex I to EB.AIR/WG.5/52;

(b) Decision 1998/2 on information to be submitted and the procedure for adding substances to annexes I, II or III to the persistent organic pollutants protocol, as contained in annex II to EB.AIR/WG.5/52;

(c) Decision 1998/3 on the procedure for amending decisions pertaining to the Implementation Committee, as contained in annex III to EB.AIR/WG.5/52.

III. OTHER BUSINESS

9. With reference to its reservation on paragraph 3 of annex VI to the draft protocol on heavy metals expressed at the twenty-fifth session of the Working Group on Strategies (EB.AIR/WG.5/52, para. 11), the delegation of Denmark reiterated its proposal to replace the reference to the period of up to 10 years by a reference to a shorter period, such as 5 years.

10. The delegations of the Russian Federation and the Ukraine noted that, at this stage, they were not in a position to accept any legal obligation that would reduce this time period below ten years. They referred to informal consultations held with the delegation of Denmark and expressed their readiness to study the issue further. They stressed that they put great store by this issue and that a solution might be found in the coming months. The delegation of Malta also stated that its Government might have difficulties to accept a period of less than 10 years.

11. The delegation of Denmark informed the Executive Body that it would withdraw its reservation since it was not possible to reach consensus on a shorter phase-out period. It indicated that it would propose a political declaration on the phase-out of lead from petrol to the Executive Body at its special session to be held in the framework of the Ministerial Conference "Environment for Europe". It would invite Governments that could support a more rapid phase-out of leaded petrol to sign up to this declaration, following the example of the declaration made on the occasion of the adoption of the 1988 Protocol on the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes in Sofia. It made available to delegations a first draft for the declaration and indicated that it would send a draft to all delegations in the coming weeks, inviting them to provide comments on it.

12. The Chairman informed the Executive Body about the preparations for the special session in Aarhus (Denmark), as had been discussed by the Bureau of the Executive Body. The Danish host authorities had reserved the morning of

24 June 1998 (9 a.m. to 1 p.m.) for the Executive Body to meet at ministerial level. During this time the two draft protocols would be introduced for adoption. A draft declaration (see para. 13 below) would also be proposed for adoption. The Bureau proposed that there would be a limited number of keynote addresses from ministers representing the different parts of the region covered by the Convention, i.e. the newly independent States, central and eastern Europe, the European Union member States and North America. Afterwards there would be a fairly brief period for a general debate. The meeting would end with the signing ceremony for the two protocols by ministers or government officials who were duly accredited. The protocols would be opened for signature immediately after their adoption and remain open for signature in Aarhus until 25 June and subsequently in New York at United Nations headquarters until 21 December 1998.

13. The Chairman also reported on the Bureau's proposal regarding the drafting of the declaration. It was the Bureau's intention to draft a concise declaration focusing on the two new protocols, the priorities for further work regarding long-range transboundary air pollution and the financing of the core activities in that work. A draft for the declaration in English (possibly with informal translations into French and Russian) would be sent to the heads of delegation to the Executive Body on 9 April. Delegations would be asked to send any comments they wished to make to the secretariat before 30 April. A revised draft would then be circulated on 15 May. The Chairman invited delegations to informally contact him, as he would present a proposal for a declaration to a meeting of heads of delegation to the Executive Body in Aarhus on 22 June 1998. The draft declaration would be finalized at that meeting.

14. The Chairman also informed the Executive Body that the Bureau was preparing a letter to the heads of delegation concerning the financing of the core activities under the Convention. This letter would present some background information on the serious resource situation under which many activities under the Convention operated. The letter was intended to give delegations some information that they could present to their ministers or high-level officials attending the Aarhus Conference.

15. The Executive Body took note of the information presented by its Chairman and endorsed the proposed programme for its special session in Aarhus on 24 June 1998.

16. On behalf of the Executive Body's Bureau, Mr. K. Bull (United Kingdom), Chairman of the Working Group on Effects, introduced a proposal for guidelines and procedures for data release. He explained that this proposal had been drawn up on the basis of a draft prepared by the Bureau of the Working Group on Effects, as requested by the Executive Body at its fifteenth session (ECE/EB.AIR/53, para. 65 (e)).

17. Several delegations noted that this decision had to be seen in the light of international rules concerning public participation in environmental decision-making and intellectual property rights.

18. After a brief discussion, the Executive Body adopted decision 1998/4 on guidelines and procedures for data release, as annexed to this report.

19. The secretariat informed the Executive Body that mandatory contributions for 1999 for the financing of the implementation of the Convention were being calculated and that information would be circulated in due course. The secretariat also distributed to delegations the questionnaire for the 1998 Major Review of Strategies and Policies in order to facilitate a timely response. The questionnaire would be officially circulated to the Parties shortly.

IV. ADOPTION OF THE REPORT

20. The Executive Body adopted for general distribution the report of its special session on 19 March 1998.

Annex

DECISION 1998/4 ON GUIDELINES AND PROCEDURES FOR DATA RELEASE

1. The objective of the effect-oriented activities is to supply the best available data to Parties for the negotiations in a transparent way.
2. Data used in the negotiations of the multi-pollutant/multi-effect protocol, including related scenario analyses, can be obtained by interested Parties subject to available resources. The critical loads data used in integrated assessment modelling are available electronically from the Coordination Center for Effects.
3. Further data requests should be submitted to the secretariat, which will forward the request to the appropriate national focal centre or data centre and inform the relevant subsidiary body accordingly.
4. The Parties and their national focal centres/data centres are encouraged to facilitate the availability of data. This facilitation might imply a need for additional financing or programme meetings.