

EXECUTIVE BODY FOR THE CONVENTION ON
LONG-RANGE TRANSBOUNDARY AIR POLLUTION
Bureau to the Executive Body

**REPORT OF THE MEETING OF THE BUREAU
TO THE EXECUTIVE BODY FOR THE CONVENTION
16 FEBRUARY 2001, GENEVA**

Prepared by the secretariat in consultation with the Chairman

1. The first meeting of the Bureau in 2001 was chaired by the chairman of the Executive Body, Mr H Dovland (Norway), and was attended by vice chairmen Mr L Lindau (Sweden), Mr W Harnett (United States), Mr R Ballaman (Switzerland), Mr P Szell (United Kingdom), Mr T Johannessen (Norway), Mr M Williams (United Kingdom). Apologies were received from Mr D Hrcek (Slovenia). Mr K Bull attended for the UN/ECE secretariat.

I. NOTE OF THE BUREAU MEETING OF 28 NOVEMBER 2000

2. The Bureau had previously had the opportunity to comment on and amend the note of the previous meeting (EBBureau/2000/3). As instructed by the Bureau the secretariat had circulated the note by fax to heads of delegation and had also made the note available on the Executive Body's web site. The Bureau agreed to continue with this procedure.

3. Actions from the previous meeting were dealt with under agenda items below.

II. FINANCING OF CORE ACTIVITIES

4. The chairman of the Working Group on Strategies and Review, Mr R Ballaman, noted the decision of the Executive Body at its eighteenth session to hold a heads of delegation meeting to prepare a document on the funding of core activities for presentation to the thirty-third session of the Working Group on Strategies and Review (WGSR) in September 2001. He stressed that the April meeting was not for negotiations. He noted that the two approaches, a new instrument and an amendment to the EMEP Protocol would inevitably be discussed. The Bureau agreed that the EMEP amendment, while seemingly attractive, could be more complex in practice. It would be important to explain this to heads of delegation at an early stage at the April meeting. The option preferred by the Bureau was a new protocol.

5. It was recognised that another issue for debate was the scale of payments. Mr P Szell informed the Bureau that the EMEP Protocol was one of the few instruments not using the exact UN scale of assessment applied on a pro rata basis. While other bodies had considered alternatives for their funding instruments, they had almost always fallen back to use the UN scale after debate.

The UN scale may be the most negotiable option for the new instrument, though that raised the question of whether it should not also be used for the EMEP Protocol. The Bureau also discussed the difficulties experienced by some Parties in making mandatory contributions to international trust funds, and recognised this would need to be taken into account when drawing up any legal instrument for consideration by the WGSR.

6. The secretariat informed the Bureau that the preparations for the April meeting were in hand, and the agenda, with the draft instrument appended, had been submitted for translation and distribution. The English version would be made available soon on the "WGS" web site. The Bureau suggested the secretariat inform all heads of delegation of the availability of documents on the web sites.

7. The secretariat noted that while there was a mechanism for sharing un-earmarked funds between the centres of the International Cooperative Programmes of the Working Group on Effects, this did not include the Centre for Integrated Assessment Modelling. The Bureau invited the secretariat in collaboration with the Bureau of the Working Group on Effects to propose a mechanism for sharing unearmarked contributions fairly between all centres, and to submit this to the next meeting of the Bureau.

III. OUTREACH ACTIVITIES

8. International Union of Air Pollution Prevention and Environmental Protection Associations (IUAPPA). The secretariat informed the Bureau that there had been problems communicating with Mr R Mills, of the IUAPPA secretariat, as he had been travelling abroad. The chairman requested the secretariat to circulate the Bureau with an update on the IUAPPA collaborative activities as soon as information became available.

9. Acid Rain 2000 Conference and the Acid Deposition Monitoring Network in East Asia (EANET). The Bureau welcomed the information provided by the secretariat on the Acid Rain 2000 conference held in Tsukuba in December 2000, and noted with appreciation the efforts made by the Convention's subsidiary bodies and programme centres to draw attention to the work of the Convention. The secretariat informed the Bureau of the contacts made with the officials of EANET. In discussion the Bureau agreed that it would be appropriate to send an invitation to the EANET secretariat to invite participation of EANET as observers in sessions of the Executive Body and its subsidiary bodies. It was noted that sessions of the EMEP Steering Body and the Working Group on Effects might be the most relevant.

10. Second International Nitrogen Conference, October 14-18 2001. The secretariat informed the Bureau of communications with the organisers of the conference. The first conference had been organised under the work-plan of the Convention, but it was now too late to include the second conference. The secretariat was encouraging participation from its scientific centres and national focal centres and hoped that good publicity would be given to the work of the Convention. It was agreed that the organizers should be invited to present the conclusions of the conference to the appropriate bodies of the Convention, perhaps through the host country of the conference, the United States.

11. Other activities. The chairman informed the Bureau of recent communications with Mr L Nordberg, former member of the secretariat and secretary to the Executive Body. In his current work for the Swedish government Mr Nordberg had had a number of opportunities to inform

regions outside ECE of the activities under the Convention. He had requested approval from the Bureau to continue with this activity when appropriate. The Bureau unanimously welcomed the support given to the Convention by Mr Nordberg's work. To maintain the good links between Mr Nordberg and the Convention, it was suggested that he be invited to report to a Bureau meeting once per year, at this the Bureau may wish to indicate elements that might be asked of Mr Nordberg in association with his planned activities. The secretariat should ensure that Mr Nordberg is kept updated on the work under the Convention. If effective collaboration is possible the Bureau felt it would be appropriate for Mr Nordberg to indicate to any audience that he is acting under the auspices of the Bureau of the Executive Body. The issue could be brought before the Executive Body to enable Mr Nordberg to act under the auspices of that body.

IV. STRATEGIES AND POLICIES REVIEW

12. The secretariat reported that progress in this area of work had been hindered by staff shortages. These were being addressed and work would recommence on this important activity in the near future. Comments from some Parties had been received and would be incorporated into the text of the report that would be made available for internal use only. The preparation of the summary, proposed for distribution to policy makers and the public, would need additional staff resources.

13. The Bureau discussed the needs for the 2002 questionnaire including the need for responses to be an appropriate length, with an emphasis on brevity, and the importance of avoiding repetition of responses from previous years. It was felt that it was useful for questions to be protocol-based, but Mr T Johannessen, chairman of the Working Group on Effects, noted that questions relating to the effect-oriented activities were weak and could be improved. It was recognised that the reporting of obligations needed to be rigid to ensure effective compliance control. The Implementation Committee would be discussing the issue at its meeting in early May. The Bureau recognised that the development of the reporting of strategies and policies was an iterative process and there was a need to react to past experiences. The proposal for electronic reporting of updates to information was thought to be a useful approach, however, a standard or model starting point for each Party may need to be prepared.

V. COMMUNICATION/INFORMATION STRATEGY

14. The secretariat had had discussions with Mr R Guardans (Spain) who the Executive Body had invited to lead an expert group for preparing a strategy document for presentation to the WGSR in September. It was proposed that the meeting of the group took place in Geneva on 25 April, the day after the Heads of Delegations meetings. The Bureau agreed on the date and requested the secretariat to inform the Heads of Delegations accordingly. They also requested that invitations be sent to targeted individuals, such as those who discussed the issue at the Saltsjöbaden workshop in April 2000.

15. The secretariat informed the Bureau of discussions held between the secretaries to the five environmental conventions of the Environment and Human Settlements Division. This was a follow up to the round table discussions held under the Committee on Environmental Policy (see EBBureau/2000/3). In looking for areas of common interest the secretaries had suggested that communication with and participation of the public was an important issue currently for all conventions. The Aarhus Convention was taking the lead on further action, and the chairman of the Signatories would be writing to the chairman of EB inviting participation of three members of the

Bureau in a meeting to be held in Geneva on Monday 25 June 2001. The Bureau agreed that they should participate but noted that compliance with the Aarhus Protocol was an issue for the signatories to that convention and not automatically a requirement for other conventions.

VI. SECRETARIAT STAFFING AND RESOURCES

16. The secretariat informed the Bureau that a new appointment was imminent and, with some restructuring of activities within the Environment and Human Settlements Division, the secretariat team will be in a good position to service the needs of the Convention in the future. Exceptional activities, especially those relating to the reporting of strategies and policies, would continue to require support of consultants from time to time.

VII. ENHANCING THE RATIFICATION PROCESS

17. The Bureau noted the Executive Body's offer of assistance to Parties requiring support in the ratification process, either through facilitating bilateral contacts or establishing a mechanism that allowed the use of its trust funds for technical steps such as the translation of documents. It considered that the Executive Body might achieve this through a Decision at its next session and the use of existing trust funds. The secretariat pointed out the need for revision of Decision 1997/4 on the facilitation of participation of countries with economies in transition. The Bureau invited the secretariat to redraft the Decision incorporating the aspect of supporting ratification, for consideration at its next meeting, with a view to presenting it for consideration to the Executive Body at its nineteenth session in December 2001. The Bureau took note of the request from the Republic of Moldova for support in ratification of the EMEP and Aarhus Protocols. It welcomed the plans of Moldova to ratify these protocols and it requested the secretariat to find out the nature of the support required.

18. The Bureau took note of the planned adoption of the UNEP Convention on POPs and considered that this may be an important occasion for highlighting the need for ratification of the POPs Protocol. The secretariat was requested to write to heads of delegation inviting them to consider reference to this in their ministerial presentations as it could provide messages encouraging ratification of the POPs Protocol and drawing attention to the work of the Convention.

VIII. YUGOSLAVIA

19. The secretariat informed the Bureau that the UN legal office in New York had clarified the status of Yugoslavia with regard to the Convention. A letter had been sent to the Yugoslav mission noting that the new state of Yugoslavia was not considered to be a Party to the Convention or its protocols until such time as it lodges a new instrument of succession to the Convention. However, Yugoslavia could be invited to attend as an observer to sessions of the Executive Body until that time. The Bureau agreed that this was an appropriate course of action.

IX. LETTER TO UNEP ON MERCURY

20. The chairman noted that by prompt and coordinated action through e-mail by the Bureau members and the secretariat, the letter to UNEP inviting it to initiate an assessment of mercury and

to consider further action had been available to the UNEP Governing Council at its recent meeting. He was pleased to announce that the Governing Council had made a formal decision for UNEP to begin such an assessment.

X. LONG-TERM TIMETABLE AND COLLABORATION AND COORDINATION WITH ACTIVITIES OF THE EUROPEAN COMMISSION'S CAFE PROGRAMME

21. The Bureau had an in-depth discussion on the need for a high-level coordinating group (HLCG) that would bring together key persons from the Convention and the European Commission to ensure effective coordination between the activities of the Convention and those of the CAFE programme. The Bureau considered it essential that such a group was re-established as good communications were of great importance. Members of the Bureau also noted that the membership of HLCG should be flexible and that it should meet on occasions when there was a real need to address common issues.

22. The Bureau also discussed aspects of the proposed organizational structure of the CAFE programme and the possible remit and tasks of the various proposed bodies. It was agreed that there was good representation of the Convention on the Steering Group and the Technical Analysis Group although the latter currently lacked any expertise in effects issues. The Bureau recognized there could be problems with regard to data availability and the proposed reviewing of data and models by the bodies under CAFE. It was also noted that stakeholder involvement in CAFE's Steering Group and bodies under the Convention was different.

23. The Bureau welcomed the opportunity to discuss future collaboration with staff of the European Commission after its meeting. A report of these discussions is annexed to this report.

XI. OTHER BUSINESS

24. The secretariat noted that Kazakhstan had acceded to the Convention on 11 January 2001 bringing the number of Parties to the Convention to 48.

25. The secretariat drew attention to the states of the trust funds especially with regard to support of countries with economies in transition and the Bureau noted the need to request funds from Parties to support essential activities at the next session of the Executive Body.

XII. NEXT MEETING

26. The Bureau agreed that it should meet in the same week as the thirty-third session of the Working Group on Strategies and Review in September 2001. The morning of the final day (27 September) when the report of the session is being prepared would be a suitable opportunity. The place and time would be circulated by the secretariat with the agenda.

ANNEX

Report of meeting between the Bureau of the Executive Body and staff of the European Commission responsible for the CAFE programme, 16 February 2001

1. The meeting was chaired by the chairman of the Executive Body who welcomed Ms L. Edwards and Mr P Wicks, staff of the European Commission (EC), and thanked them for the provision of background documents on CAFE that would facilitate the discussions. He noted a number of items for discussion that he proposed could be dealt with individually as agenda items.
2. High Level Coordinating Group (HLCG). The chairman stressed the importance the Bureau attached to re-establishing a group operating at the Bureau level, and for the need for flexibility in its composition, though with the Executive Body chairman and secretariat as regular members. Mr Wicks and Ms Edwards suggested the first meeting should have senior representatives from Brussels though it was not clear at this stage who might be in a position to attend. The attendance may also be determined by the agenda of the meeting. It was agreed that a first meeting should take place before the EC closes for its summer recess on the 1 August.
3. Practical organizational aspects – meetings. The meeting noted that some collaborative actions were already taking place, such as the back-to-back meetings of the Task Force on Integrated Assessment Modelling (TFIAM) and the Air Quality Steering Group (AQSG) in May 2001. It was recognized that participation in these two meetings would differ – TFIAM was open to experts nominated by Parties to the Convention and recognized NGOs, AQSG was by invitation to Member States of the EU, certain other countries (e.g. EFTA), particular organizations (e.g. the Convention), and industrial and environmental NGOs. This would probably be the case with other bodies. The formation of CAFE working groups would present a special challenge, as there was potential for overlap with activities of Convention Task Forces. It was unknown yet how many CAFE working groups would operate though it was anticipated that any one of them would not meet more than three times per year. There was a plea from members of the Executive Body Bureau for avoiding duplication of effort, for example in the consideration of effects. It was suggested that joint workshops could be useful way of involving participation from the Convention and CAFÉ in an ad hoc way. It was noted that it would be important to ensure that the two secretariats were aware of each other's meeting dates. It was agreed that dates should be exchanged to facilitate future collaborative action.
4. The 2004 target date. Mr Wicks and Ms Edwards noted that a review of the EC's daughter directive was needed in 2003 to present to the European Parliament in 2003/2004. The chairman noted that the review of the Gothenburg Protocol was required within 12 months of its entry into force (which was following 16 ratifications), which could not be predicted precisely. It was noted that while the 1994 Oslo Protocol was reviewed in a simple fashion, for the Gothenburg Protocol it was likely to be more complex. It was suggested that HLCG could consider this issue and help to define common target dates.
5. Transparency. The issue of transparency was discussed in relation to data availability, peer review and scrutiny, and communication of activities between the EC and the Convention. It was noted that the Convention had data rules to ensure that scientific data were readily available for work under the Convention but not for other purposes without permission of the data providers. Summary data of critical loads and some versions of the RAINS model had been made available publicly on the Internet. Ms Edwards indicated that more scrutiny of models and data was likely to

be demanded in the future due to the increased requirements for openness and transparency. Mr Williams noted that for data such as critical loads it was a question of deciding whether harmonization or subsidiarity was more appropriate. The chairman requested the Convention's secretariat to look into the current rules for data and consider if they are still appropriate. The chairman also highlighted the potential problems arising from the EC letting contracts with institutes of centres under the Convention to do work that was essentially part of the Convention's work-plan. It was recognized that detailed information could not be made available because of the EC law on public procurement, but it was hoped that in the future better communications in general would overcome any problems.

6. Funding of effect-oriented activities. The chairman stressed the importance of the effect-oriented activities that underpinned both the Convention's activities and those proposed under CAFE. Mr Wicks agreed that long-term funding of the coordination work for the effect-oriented activities should be supported; coordination of the contributions from EC Member States could help. Mr Johannessen stressed that the Bureau of the Working Group on Effects held the view that the EC was benefitting from the efforts of the Convention without always making a contribution to the work. Mr Wicks noted the difficulties in providing funds for specific projects and hoped that it would prove possible to make use of the existing and proposed funding instruments to overcome future problems.