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

**REPORT OF THE TWENTY-THIRD SESSION
OF THE EXECUTIVE BODY**

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Introduction

1. The twenty-third session of the Executive Body for the Convention on Long-range Transboundary Air Pollution was convened in Geneva from 12 to 15 December 2005.
2. The meeting was attended by representatives of the following Parties to the Convention: Armenia; Austria; Azerbaijan; Belarus; Belgium; Bulgaria; Canada; Croatia; Cyprus; the Czech Republic; Denmark; Finland; France; Georgia; Germany; Greece; Hungary; Italy; Monaco; the Netherlands; Norway; Poland; the Republic of Moldova; the Russian Federation; Serbia and Montenegro; Slovakia; Slovenia; Spain; Sweden; Switzerland; Ukraine; the United Kingdom; the United States of America; and the European Community (EC).
3. Representatives from the United Nations Environment Programme (UNEP), the European Centre for Environment and Health of the World Health Organization (ECEH/WHO) and the World Meteorological Organization (WMO) attended. The Helsinki Commission (HELCOM) and the European Environment Agency (EEA) were also represented.
4. The Meteorological Synthesizing Centre-East (MSC-E), the Meteorological Synthesizing Centre-West (MSC-W) and the Centre for Integrated Assessment Modelling (CIAM) of the Convention's Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) were likewise represented.
5. The Executive Body agreed that representatives of the following non-governmental organizations could attend the session as observers: the European Chemical Industry Council (CEFIC), the Federation of European Chlorine Producers (EuroChlor), Croplife International, the International Union of Air Pollution Prevention and Environmental Protection Associations (IUAPPA), the International Council of Chemical Associations (ICCA), the International Council for Mining and Metals, the European Association of Internal Combustion Engine Manufacturers (Euromot) and the World Conservation Union (IUCN).
6. Mr. H. Dovland (Norway) chaired the meeting.
7. The Director of the Environment and Human Settlements Division, Mr. K. Bärlund, addressed the meeting, noting the results of the UNECE reform and stressing the secretariat's plans to focus on the Eastern Europe, Caucasus and Central Asia (EECCA) region. He also noted plans for the next Ministerial Conference "Environment for Europe" to be held in Belgrade in 2007.

I. ADOPTION OF THE AGENDA

8. The agenda (ECE/EB.AIR/86) was adopted.
9. The Chair noted that the UNECE Regional Implementation Forum to discuss input to the CSD would be held on 15 and 16 December. He welcomed participation by Executive Body delegates.

II. MATTERS ARISING FROM THE SIXTIETH SESSION OF THE ECONOMIC COMMISSION FOR EUROPE AND THE TWELFTH SESSION OF THE COMMITTEE ON ENVIRONMENTAL POLICY OF CONCERN TO THE EXECUTIVE BODY

10. The secretariat reported on the sixtieth session of the Economic Commission for Europe, held in February 2005, noting the relevance of its consideration of sustainable development issues. The Committee on Environmental Policy was taking a continued interest in the work of the UNECE environmental conventions (CEP/2005/3). The secretariat also provided information on the status of ratification of the Convention and its protocols.

III. PROPOSED ADJUSTMENT TO ANNEX II TO THE 1999 GOTHENBURG PROTOCOL

11. The Chairman noted the proposal from Cyprus, communicated by the secretariat to Parties, for an adjustment to annex II to the 1999 Gothenburg Protocol to enable Cyprus's accession to the Protocol.

12. The delegation of Cyprus indicated its intention to accede to the Protocol and noted its continuing work to become more involved in the work of the Convention and its protocols.

13. In accordance with article 13 of the Protocol, the Executive Body agreed to adjust annex II to include Cyprus with the following emission ceilings (in kilotonnes per year): sulphur 28 (1980); 46 (1990); 39 (2010); nitrogen oxides 18 (1990); 23 (2010); ammonia 7 (1990); 9 (2010); volatile organic compounds (VOCs) 18 (1990); 14 (2010). It requested the secretariat to inform the United Nations Depositary accordingly.

IV. PROGRESS IN CORE ACTIVITIES

A. Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP)

14. Mr. J. Schneider (Austria), Chair of the EMEP Steering Body, reported on the activities of EMEP, including the results of its twenty-ninth session, noting items reported at that session (EB.AIR/2004/2). He invited the Executive Body to adopt the proposed methods and procedures for review of reported emission inventories (EB.AIR/GE.1/2005/7). He noted the successful review of the MSC-E models for persistent organic pollutants (POPs) and heavy metals and plans to revise the Emission Reporting Guidelines and update the EMEP/CORINAIR Atmospheric Emission Inventory Guidebook. In addition, he drew attention to an informal document prepared by the Co-Chairs of the Task Force on Hemispheric Transport of Air Pollution providing additional information on the work of the new Task Force.

15. The Executive Body considered the draft decision forwarded for its consideration by the EMEP Steering Body that dealt with Parties' reporting of emissions under the Protocol on Heavy Metals, Protocol on POPs and the Gothenburg Protocol (EB.AIR/GE.1/2005/8, annex II). It agreed to an amendment proposed by Canada which added, after the second paragraph of the preamble, "Aware of their basic obligations under article 3 of the 1998 Protocol on Heavy Metals, article 3 of the 1998 Protocol on Persistent Organic Pollutants and article 3 of the 1999 Gothenburg Protocol".

16. Regarding revision of the emission reporting guidelines, the Executive Body agreed that a legal expert or experts should be involved in the process.

17. The Executive Body:

- (a) Took note of the report of the twenty-ninth session of the EMEP Steering Body (EB.AIR/GE.1/2005/2);
- (b) Welcomed the opening of the source code of the EMEP model and took note of the need to improve the model further and the importance of level 2 and level 3 monitoring data for its validation;
- (c) Noted the progress made in the modelling and monitoring of heavy metals, POPs and particulate matter (PM);
- (d) Welcomed Parties' initial steps to implement the EMEP monitoring strategy and called upon them to continue their efforts towards full implementation;
- (e) Urged all Parties and relevant bodies under the Convention to provide the necessary data for integrated assessment modelling;
- (f) Welcomed Parties' efforts to improve the quality of emission data reporting and plans for revising the 2002 Emission Reporting Guidelines and updating the EMEP/CORINAIR Atmospheric Emission Inventory Guidebook;
- (g) Adopted the draft methods and procedures for review of emission inventories as presented in EB.AIR/GE.1/2005/7, annex III;
- (h) Adopted decision 2005/1 on emission data reporting under the Protocol on Heavy Metals, the Protocol on POPs and the Gothenburg Protocol as contained in EB.AIR/GE.1/2005/8, annex II, as amended (see ECE/EB.AIR/87/Add.1, annex I);
- (i) Welcomed the output of the first meeting of the Task Force on Hemispheric Transport of Air Pollution and noted the positive response from countries and organizations from outside the UNECE region;
- (j) Invited the Steering Body of EMEP and the Working Group on Effects to continue their close cooperation in implementing the priority tasks of the Convention; and
- (k) Welcomed the continued and useful cooperation of EMEP with other international organizations.

B. Effects of major pollutants on human health and the environment

18. Mr. H. Gregor (Germany), Chair of the Working Group on Effects, reported on the effect-oriented activities, including the results of the Working Group's twenty-fourth session (EB.AIR/WG.1/2005/2). He drew attention to the critical loads and target loads data and maps now available and invited the Executive Body to approve their use in work under the Convention. He described plans for a new set of data rules for use by the Convention; a draft would be presented to the twenty-fourth session of the Executive Body following consultation with the Steering Body of EMEP. He invited the Executive Body to take note of the draft long-term strategy of the Working Group (EB.AIR/WG.1/2005/15/Rev.1).

19. The Executive Body:

- (a) Took note of the report of the twenty-fourth session of the Working Group on Effects (EB.AIR/WG.1/2005/2);
- (b) Noted the further progress in developing the effect-oriented activities and the important results achieved by the International Cooperative Programmes (ICPS) and the Task Force on the Health Aspects of Air Pollution in implementing the Convention (EB.AIR/WG.1/2005/3 and EB.AIR/WG.1/2005/3/Add.1);
- (c) Welcomed the progress achieved in cooperation between the bodies under the Convention;

- (d) Reiterated the importance of active participation by all Parties to the Convention, as well as the effective cooperation among the programmes, task forces and coordinating centres and their close collaboration with EMEP, and welcomed the further development of close links with relevant institutions and organizations outside the Convention;
- (e) Reiterated its invitation to Parties to nominate national focal centres for those effect-oriented activities/programmes in which they did not yet actively participate;
- (f) Appreciated the continued progress achieved in the application of dynamic modelling (EB.AIR/WG.1/2005/13);
- (g) Confirmed that the new 2005 European critical and target loads data and maps (EB.AIR/WG.1/2005/10 and EB.AIR/WG.1/2005/10/Add.1) could be used for work under the Convention;
- (h) Noted with satisfaction the work accomplished by ICPs and the Task Force on Health partially funded by the Trust Fund (EB.AIR/WG.1/2005/12);
- (i) Noted the importance of continuing the communication of the results and findings of the effect-oriented activities to the scientific community, policy makers and the general public, both nationally and internationally;
- (j) Took note of the updated 2006 workplan for the further development of the effect-oriented activities (EB.AIR/WG.1/2005/4) and provided guidance on the desired support of effects-based approaches for the review and possible revision of the Convention protocols; and
- (k) Invited the Working Group on Effects and the Steering Body of EMEP to continue their close cooperation in implementing the priority tasks of the Convention.

V. PROTOCOL ON FINANCING OF CORE ACTIVITIES

20. The Chairman reminded delegates that, under decision 2002/1 on the financing of core activities not covered by the EMEP Protocol, the Executive Body had agreed to consider, at its twenty-third session, the need to adopt a protocol on financing of core activities in the light of the effectiveness of decision 2002/1.

21. The secretariat provided information on the contributions from Parties before and after decision 2002/1, giving additional information on missing contributions in 2003–2005, irregular declarations by lead countries and the continued shortfalls in some Parties' contributions.

22. In the following discussion, delegations highlighted the difficulties of agreeing to a new protocol but agreed that additional measures should be sought to improve on decision 2002/1.

23. The Executive Body:

- (a) Noted that decision 2002/1 had not been effective in attracting the necessary funds for coordinating the core activities not covered by the EMEP Protocol;
- (b) Requested the Working Group on Strategies and Review to consider further the issue of funding to identify more effective alternatives to decision 2002/1.

VI. REVIEW OF PROTOCOLS AND OTHER STRATEGY ACTIVITIES

A. Protocol on Persistent Organic Pollutants

24. The Chairman of the Working Group on Strategies and Review, Mr. Richard Ballaman (Switzerland), reported on the discussions and decisions of the Working Group at its thirty-seventh session (EB.AIR/WG.5/80). He noted the conclusions of the Task Force on POPs regarding the sufficiency and effectiveness review and noted the work on the two substances

submitted for review at the twenty-second session of the Executive Body: PFOS and PeBDE. The Working Group, with the exception of one delegation, had approved the technical elements of the Track A review of PeBDE and PFOS. It recommended that the two substances be considered POPs and that the Task Force should proceed with elaboration of management strategies for them. Mr. Ballaman requested guidance on two issues raised by the Task Force: (a) the need for a clear and transparent process for dealing with additional information that became available after submission of dossiers, and (b) the interpretation of paragraph 2 (b) of decision 1998/2. He also drew attention to the draft options for making amendments to the Protocol which had been prepared by a small drafting group at the Working Group's thirty-seventh session.

25. The delegation of Canada announced the resignation of Mr. David Stone as Co-Chair of the Task Force on POPs and the nomination of Ms. Cheryl Heathwood as new Co-Chair.

26. The Parties to the Protocol:

(a) Considered the technical elements of the sufficiency and effectiveness review prepared by the Task Force for the Working Group on Strategies and Review and agreed that the first review of the Protocol was completed; and

(b) Took note of the conclusions on the technical content of the dossiers on PeBDE and PFOS, agreed that both should be considered as POPs as defined under the Protocol, and requested that the Task Force continue with Track B reviews of the substances, explore management strategies for them (with respect to para. 4(c) of decision 2003/10) and report to the Working Group on Strategies and Review at its thirty-eighth session.

27. The Executive Body thanked Mr. Stone for his contribution to the work of the Task Force on POPs and the Convention over the past years.

28. The Executive Body agreed that:

(a) After a Party submitted a proposal to add a substance to the annexes of the Protocol on POPs together with a supporting dossier on the substance, the secretariat would inform Heads of Delegation to the Executive Body and Heads of Delegation to the Working Group on Strategies and Review of the proposal and the availability of the dossier on the Convention's website;

(b) The website would invite the submission to the secretariat of comments, additional information or data related to the dossier;

(c) Any such comments, information or data received by the secretariat prior to the session of the Executive Body where the substance was to be considered would also be posted on the website;

(d) The secretariat would inform the Executive Body of the additional comments, information and data received. It would also inform members of the Task Force on POPs;

(e) The proposing Party would be requested to make a summary of the information provided in time for consideration by the team reviewing the dossier; and

(f) Additional information on the development of management strategies could be accepted up to 60 days before the next Task Force meeting.

29. The Executive Body noted that it would be useful if Parties indicated at an early stage their intention of proposing substances, so as to allow other Parties and interested stakeholders to prepare additional information to contribute to the proposal.

30. Some Parties believed that further clarification of decision 1998/2 was unnecessary at this time. However, the Executive Body agreed that, to ensure transparency, when preparing technical reviews under paragraph 2 of Decision 1998/2, peer reviewers and the Task Force should record the factors they had taken into account in reaching their conclusions under each of sub-paragraphs (a)–(d) of that paragraph.

31. Delegations did not favour negotiating a new Protocol. Most Parties favoured a bundling of amendments. The Executive Body, with the exception of one Party, agreed to invite an ad hoc group of legal experts to prepare a discussion paper on mechanisms for amending the Protocol. The options to be considered should include opt-out or the current opt-in procedures as well as the possibilities for individual ratification of chemicals. The Group should report to the next session of the Working Group on Strategies and Review. The Executive Body invited the secretariat to send letters to Heads of Delegation inviting them to nominate experts.

32. The Executive Body agreed that prioritization of the review process would depend upon the availability of peer reviewers and the capacity of the Task Force to handle the necessary work. It invited the Co-Chairs of the Task Force to seek guidance if necessary from the Bureau of the Working Group on Strategies and Review or from the forthcoming meeting of the Working Group Heads of Delegation.

B. New substances for the Protocol on POPs

33. The Chairman noted the European Community's submission of new substances listed for addition to annexes to the Protocol. The secretariat had circulated the necessary information as required by the Protocol, and dossiers of information were available on the Convention's website. Following an interim decision of the Working Group on Strategies and Review, the secretariat had, through the website, invited additional information on the substances and made received information available on the website.

34. The European Community drew attention to the current assessment of dicofol under Community law. Based on this, it would consider making a formal proposal under article 14 of the Protocol for the twenty-fourth session. It would endeavour to ensure that resources were available for dicofol's evaluation by the Task Force to allow it to be included, if warranted, in any subsequent revision to the Protocol.

35. The Netherlands indicated it had requested technical review of dicofol as it believed the review of the Protocol would be finalized in 2006 and it wished this substance to be included. In view of the statement given by the European Community, it withdrew its request for review.

36. In the discussion that followed, delegations recognized that, in view of the number of substances proposed for review, there was an urgent need for Parties to nominate experts with relevant expertise. They noted the deadline for nominations of 6 January 2006.

37. As required for the Executive Body to consider the submissions and agree that the risk profiles were deemed acceptable prior to the Parties to the Protocol initiating review of the proposals, and in accordance with the proposal by the Working Group on Strategies and Review at its thirty-sixth session (EB.AIR/WG.5/78, para. 32(j)), the secretariat reported that the submitted dossiers contained material relevant to each element in decision 1998/2, paragraph 1 (a)–(d), and therefore could be deemed acceptable.

38. The Executive Body:

(a) Agreed that the submissions by the European Community contained material in accordance with Executive Body decision 1998/2 and that the risk profiles were deemed acceptable; and

(b) Requested the Task Force on POPs to prepare the technical elements for track A review of the proposed substances, taking account of any additional material submitted to the secretariat, and report to the Working Group on Strategies and Review at its thirty-eighth session.

C. Review of the 1998 Protocol on Heavy Metals

39. The Chairman of the Working Group on Strategies and Review presented the results of the Working Group (EB.AIR/WG.5/80), noting the conclusions of the Task Force on Heavy Metals concerning the review of the Protocol, including evaluations of emission limit values for existing chlor-alkali plants and mercury-containing emissions from medical waste incineration; review of the sufficiency and effectiveness of the Protocol; technical work to assess the extent to which a satisfactory basis existed for application of an effects-based approach; and generic guidelines for review of additional heavy metals, product control measures or product/product groups proposed by Parties for inclusion in the Protocol (EB.AIR/WG.5/2005/2 and Corr.1). He expressed concern about discrepancies between heavy metal emissions and modelled values and urged Parties to provide high-quality emission data. He noted the information provided by the Netherlands' research project on the effectiveness of the Protocol and the costs of additional measures. The secretariat had circulated a questionnaire on product measures to members of the Task Force and to Heads of Delegation of the Working Group. Results would be considered in the coming year.

40. The Executive Body recognized the importance of distinguishing between the review process, which might consider metals not yet in the Protocol, and the possible proposals from Parties for including such metals in the Protocol. The United Kingdom and Sweden stressed the importance of abating mercury emissions due to their significant effects on the environment and human health.

41. The Executive Body:

(a) Took note of the conclusions and recommendations of the Task Force (EB.AIR/WG.5/2005/2 and Corr.1) and agreed that the evaluations of emission limit values (ELVs) for mercury from existing chlor-alkali plants and from medical waste incineration had been fulfilled; it requested the Task Force to develop proposals for ELVs;

(b) Took note of the progress in the review of the sufficiency and effectiveness of the Protocol and requested the Task Force to continue its work following the structure outlined in EB.AIR/WG.5/2005/2, annex III;

(c) Noted the generic guidelines for technical review of additional metals, product measures or product/product groups and agreed that these should be used for proposals to add such substances, measures or groups to the Protocol annexes;

(d) Expressed concern at the insufficient reporting of emission data on heavy metals and urged Parties to work to improve this; and

(e) Decided that the review of the Protocol should, if possible, be completed in 2006, in time for the Executive Body's twenty-fourth session.

D. Review of the 1999 Gothenburg Protocol

42. Mr. Ballaman presented elements that might be considered for review of the Gothenburg Protocol, noting, *inter alia*, particulate matter, hemispheric transport of air pollution, non-technical abatement measures, renewable energy sources and emissions from shipping. He noted the work of the Expert Group on Ammonia Abatement, the Expert Group on Techno-economic Issues and the Network of Experts on Benefits and Economic Instruments and drew attention to the need to start technical work to evaluate ELVs for new and existing boilers and process heaters with a rated thermal input exceeding 50 MWth as well as new heavy-duty vehicles.

43. Ms. M. Wichmann-Fiebig, Co-Chair of the Expert Group on Particulate Matter (PM), noted work by the Expert Group that had discussed several options for addressing PM in the review and for possible revision of the Protocol (EB.AIR/WG.5/2005/8).

44. The European Community noted the need to ensure parallel processes and similar timescales for revision of its National Emission Ceilings (NEC) directive and the review and possible revision of the Gothenburg Protocol. The results should be harmonized as far as possible and aim at the same overall ceilings for European Union (EU) Member States.

45. The Chairman of EMEP noted that recent progress on integrated assessment modelling had been mainly supported by EU funding. Parties should consider how they might support this important area of work and extend its geographic area.

46. Mr. Ballaman drew attention to an informal document listing possible elements for the review of the Protocol, which had been considered by the Working Group at its last session. He noted the review could include methane and links with climate change, though it should first concentrate on substances covered by the Protocol. Detailed plans for the review could be considered at a Heads of Delegation meeting proposed for spring 2006.

47. In the following discussion, a number of Parties stressed that the review process should focus upon substances covered by the Protocol. Others were keen to see a broad approach that covered additional issues. While some delegations emphasized that primary particles should not be overlooked, others pointed out that these were not substances linked to Protocol obligations. Ms. Wichmann-Fiebig said she was uncertain of the extent to which the Expert Group on Particulate Matter would be able to provide advice on primary particles in the short term.

48. Some delegations noted the need to address certain technical annexes to the Protocol.

49. The European Community presented an update of the European Commission's Thematic Strategy on Air Pollution, adopted in 2005. It noted the updating of the baseline scenario for the RAINS model. It proposed that the Network of Experts on Benefits and Economic Instruments consider Parties' experiences of economic instruments for reducing NO_x and sulphur emissions.

50. Sweden drew attention to plans to organize a workshop in spring 2007 on future air pollution policy, including long-term planning for the Convention.

51. The Executive Body:

(a) Expressed satisfaction with the preparations for the review of the Gothenburg Protocol, calling upon Parties to support the scientific activities by providing the necessary data (emissions, monitoring, critical loads, etc.);

(b) Agreed to initiate the first review of the Protocol, planning for its completion for the twenty-fifth session of the Executive Body in December 2007, and invited all bodies of the Convention to plan their work for the review;

(c) Decided that the Working Group on Strategies and Review, working with the appropriate bodies under the Convention, should develop and evaluate the options for addressing the long-range transport of particulate matter and tropospheric ozone, including the air pollutants that contributed to their formation. Such an evaluation could also take into account associated issues of relevance to climate change;

(d) Urged Parties that had not yet done so to ratify the Gothenburg Protocol as soon as possible to ensure that they were more closely involved in the review process; and

(e) Welcomed the offer by Sweden to organize a workshop in spring 2007 on long-term air pollution policy.

E. Exchange of information, communications and an EECCA action plan

52. Mr. Ballaman described the deliberations of the Working Group on Strategies and Review on promoting implementation of the Convention in countries with economies in transition (EB.AIR/WG.5/80, paras. 54–59). He stressed the need for Parties to provide resources for action. He drew attention to the seminar held by the Working Group that had discussed the issues of implementation and highlighted some of the difficulties of accession to protocols. He also drew attention to the EECCA action plan agreed by the Working Group (EB.AIR/WG.5/80, annex) and invited the Executive Body to consider its implementation.

53. Mr. B. Libert (UNECE regional advisor) provided updated information on UNECE's CAPACT project. He noted that, with Dutch funding, the recent project workshop for Central Asian states had been extended to invite experts from all EECCA countries. He cited the need to establish a long-term dialogue with countries to help develop implementation plans.

54. The secretariat noted that Canadian funding had enabled the drafting of three protocol implementation guides. When final editing was completed, the texts would be translated into Russian and the guides would be published.

55. The delegation of Poland noted that their country would host a workshop for experts from EECCA countries in collaboration with the UNECE Working Group on Environmental Monitoring and Assessment. It stressed the need to ensure effective links with the Convention's activities. Poland would also provide training for monitoring experts following the workshop.

56. The Executive Body:

(a) Decided to implement the EECCA action plan proposed by the Working Group on Strategies and Review (EB.AIR/WG.5/80, annex) and invited the Working Group to report on its implementation to its twenty-fourth session;

(b) Took note of the progress in the implementation of the CAPACT project and invited the secretariat to inform it of further progress at its next session;

(c) Noted the finalization of the implementation guides and invited the secretariat to proceed with their translation into Russian and publication; and

(d) Noted the need for additional resources for work in the EECCA region and agreed to consider the issue under item 12.

VII. COMPLIANCE WITH PROTOCOL OBLIGATIONS

57. Mr. P. Széll (United Kingdom), Chairman of the Implementation Committee, introduced its eighth report (EB.AIR/2005/3 and Add.1 and Add.2) on compliance by Parties with their

protocol obligations, including the results of the Committee's fifteenth and sixteenth meetings. He drew attention to the report's recommendations, in particular those that proposed decisions concerning compliance by three Parties (Italy, Norway and Spain) with their obligations under the 1991 VOC Protocol, and by three Parties (Greece, Ireland and Spain) with their obligations under the 1988 NO_x Protocol.

58. Mr. Széll highlighted the results of the Committee's annual review of Parties' compliance with reporting obligations and drew attention to the review's recommendation concerning non-compliance by certain Parties (EB.AIR/2005/3/Add.1, para. 40). While the completeness of reporting for the four older protocols had improved over the years, there was still a problem with timeliness. He reported on the Committee's in-depth review of the Protocol on POPs and on the Committee's progress on the in-depth review of the Protocol on Heavy Metals.

59. The delegation of Norway confirmed that, according to their latest information, Norway would achieve compliance with its obligations under the Protocol on VOC in 2005 and 2006 respectively.

60. The delegation of Spain expressed Spain's intention to continue its efforts to pursue new initiatives, policies and measures to decouple economic growth from emissions increase and thus achieve compliance with its obligations under the Protocol on NO_x and the Protocol on VOC.

61. The delegation of Slovenia announced that the Trebovlje thermal power plant had started to operate with desulphurization equipment in October 2005, which would bring Slovenia into compliance with its obligations under the 1994 Sulphur Protocol.

62. The Executive Body noted that the Russian Federation had now provided the missing emission data referred to in paragraphs 8 and 10 as well as the missing reply to the 2004 questionnaire on strategies and policies referred to in paragraphs 29, 30 and 40 of the report of the Implementation Committee (EB.AIR/2005/3/Add.1).

63. With respect to the in-depth review of the Protocol on POPs, the secretariat informed the Executive Body that it had received a letter from Germany providing fuller information and clarification on the use of lindane in wood preservatives. Based on legal requirements and information from industry and authorities, Germany reached the conclusion that no lindane had been used in wood preservatives since the entry into force of the Protocol on POPs for Germany on 23 October 2003. The Executive Body noted the view of Germany that it should be deemed to be in compliance with its obligation under article 3, paragraph 1 (c) of the Protocol on POPs.

64. The Executive Body took note of the eighth report by the Implementation Committee (EB.AIR/2005/3, Add.1 and Add.2), expressing its great appreciation to the Committee's members, its Chairman and the secretariat. It adopted:

- (a) Decision 2005/2 on compliance by Norway with its obligations under the 1991 VOC Protocol (see ECE/EB.AIR/87/Add.1);
- (b) Decision 2005/3 on compliance by Italy with its obligations under the 1991 VOC Protocol (see ECE/EB.AIR/87/Add.1);
- (c) Decision 2005/4 on compliance by Greece with its obligations under the 1988 NO_x Protocol (see ECE/EB.AIR/87/Add.1);
- (d) Decision 2005/5 on compliance by Ireland with its obligations under the 1988 NO_x Protocol (see ECE/EB.AIR/87/Add.1);

- (e) Decision 2005/6 on compliance by Spain with its obligations under the 1988 NO_x Protocol (see ECE/EB.AIR/87/Add.1);
- (f) Decision 2005/7 on compliance by Spain with its obligations under the 1991 VOC Protocol (see ECE/EB.AIR/87/Add.1); and
- (g) Decision 2005/8 on compliance by Parties with their reporting obligations in respect of emission data and of strategies and policies (see ECE/EB.AIR/87/Add.1) as amended.

65. Furthermore, the Executive Body:

- (a) Requested the secretariat to communicate these decisions to the Ministers of Foreign Affairs of the Parties in question;
- (b) Expressed satisfaction with the Committee's in-depth review of the Protocol on POPs, noting that most Parties were in compliance with their obligations under the Protocol but that some Parties were as yet failing to report adequately;
- (c) Requested the Committee to continue the in-depth review on compliance by Parties with their obligations under the Protocol on Heavy Metals, and – over the period 2006–2007 – to conduct an in-depth review of compliance by Parties with the obligations in the Gothenburg Protocol that were already in operation;
- (d) Noted that two members remained on the Committee for another year: Ms. Melanija Lešnjak (Slovenia) and Ms. Sonja Vidic (Croatia);
- (e) Re-elected Mr. Volkert Keizer (Netherlands) and Mr. Christian Lindemann (Germany) for another term of two years;
- (f) Elected Mr. Stephan Michel (Switzerland) as Chairman and Mr. Christos Mallikides (Cyprus), Mr. Denis Langlois (Canada), Mr. Helmut Hojesky (Austria) and Mr. Atle Fretheim (Norway) as new members;
- (g) Thanked outgoing members Ms. Sue Biniaz (United States), Mr. Lars Lindau (Sweden) and Mr. Tuomas Kuokkanen (Finland) for their efforts and contribution to the work of the Committee; and
- (h) Expressed its sincere thanks to outgoing Chairman Mr. Patrick Széll (United Kingdom) for leading the Committee and for his contribution to the work of the Convention over the years.

VIII. STRATEGIES AND POLICIES OF PARTIES AND SIGNATORIES TO THE CONVENTION FOR THE ABATEMENT OF AIR POLLUTION

66. The secretariat presented the 2006 draft questionnaire, which consisted of an explanatory note, an outline for a review publication, questions for priority compliance review and general policy questions (EB.AIR/2005/4 and Add.1 and Add.2). It proposed changes to the questionnaire in response to a number of suggestions made by the Netherlands. The secretariat noted its plans for a review publication and invited comments on its format and content. It stressed the need for support from Parties if a report similar to that prepared in 2002 was needed.

67. In the following discussion, delegations noted that the additional questions proposed by the Netherlands were optional like the rest of the general questions. They also agreed on the need to limit the length of replies to questions.

68. A number of Parties suggested that the deadline for responses be relaxed. However, the secretariat noted that a short deadline had proved effective for dealing with the many late responses received in the past; if responses were late, the secretariat could not complete its reports in time. The Russian Federation noted the exceptional difficulties it faced in completing the questionnaire but indicated it could help the secretariat by providing replies in English. As a

result of the discussions, delegations agreed to retain the deadline of 31 March 2006, with the exception of the Russian Federation, which agreed to provide replies in English by 30 April 2006.

69. Delegations welcomed the preparation of a review publication and indicated a preference for a format and content similar to those used in 2002. However, they expressed the view that the detailed contents would benefit from guidance from the Bureau.

70. The Executive Body:

(a) Approved the 2006 draft questionnaire, as amended, and requested the secretariat to make it available on the Convention's website;

(b) Decided that the questionnaire would represent the uniform reporting framework referred to in: article 8, para. 2 of the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes; article 8, para. 4 of the 1991 Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes; article 5, para. 1 of the 1994 Protocol on Further Reduction of Sulphur Emissions; article 9, para. 2 of the 1998 Protocol on Persistent Organic Pollutants; article 7, para. 2 of the 1998 Protocol on Heavy Metals; and article 7, para. 2 of the 1999 Protocol on Acidification, Eutrophication and Ground-level Ozone;

(c) Requested Parties to reply to the questionnaire by the deadline of 31 March 2006, providing clear cross-references, if necessary, and replies that were brief and focused, including, when appropriate, information in tables;

(d) Requested the secretariat to make replies from Parties available on the Convention's website;

(e) Requested the secretariat to provide information from the replies to the Implementation Committee to enable it to address compliance issues related to the reporting of strategies and policies;

(f) Requested the Implementation Committee to consider the results of the questionnaire and report to the Executive Body at its twenty-fourth session; and

(g) Requested the secretariat, in consultation with the Bureau, to prepare a draft review document and submit it to the Executive Body at its twenty-fourth session.

IX. FURTHER DEVELOPMENT OF PROCEDURES UNDER THE CONVENTION

71. The secretariat introduced a number of issues where the Executive Body could decide upon new options for procedures for the Convention's work (EB.AIR/2005/5), namely: establishing accreditation under the Convention instead of using the current UN accreditation criteria for NGOs; procedures for making additional information available for review of new substances proposed for addition to the Protocol on POPs; changing report adoption procedures for the Working Group on Strategies and Review and for the Executive Body; and changing procedures for agreeing on and publishing the workplan of the Executive Body.

72. Delegations discussed the various issues and the options for change. With regard to new procedures for reports of the Working Group on Strategies and Review and the Executive Body, some delegations felt that the Convention should use the procedures used by its Working Group on Effects and EMEP Steering Body, where reports were adopted at the following session. This procedure was also used effectively by other Conventions and by committees of UNECE. Other

delegates believed it was important to adopt reports at the end of the session because of the importance of the content of the reports for these two bodies.

73. Following discussion, the Executive Body:

(a) Agreed to consider a new process for accreditation of NGOs and requested the Bureau to consider the matter further and propose details at its twenty-fourth session;

(b) Decided to use, for a trial period of two years, a new procedure for adopting reports of the Executive Body and the Working Group on Strategies and Review: reports of sessions will be adopted formally at the beginning of the next session, but decisions and substantive points will be provided in writing to delegates the day after they are taken or on the last day before the end of the session, and these will be agreed at the end of that session. The secretariat will ensure that sufficient time for this is available at the end of the session; and

(c) Agreed that, in the future, the workplan be posted on the Convention website and not annexed to the printed report.

74. Mr. R. Mills (IUAPPA) introduced an informal document from IUAPPA that invited the Executive Body to consider opening the Convention to countries outside the UNECE region. He noted the increasing importance of interregional collaboration and the long time that might be needed to make any changes to the Convention.

75. A number of Parties expressed support for the idea of opening up the Convention. Others were concerned about possible practical and legal implications.

76. The Executive Body agreed to:

(a) Request the secretariat to invite countries from outside the region that were members of the United Nations and were interested in the work to attend meetings of the Convention as observers; and

(b) Invite its Bureau to consider the issue of opening the Convention and provide it with information on the legal and practical aspects at its next session.

X. ACTIVITIES OF UNECE BODIES AND INTERNATIONAL ORGANIZATIONS RELEVANT TO THE CONVENTION

77. The secretariat noted apologies from a number of organizations that had been invited to the session and drew attention to the informal document provided by the International Maritime Organization (IMO).

78. Mr. M. Krzyzanowski (ECEH/WHO) presented a monitoring mechanism to assess progress in reducing air pollution impacts on children's health. In the global update of WHO Air Quality Guidelines, new levels would be set for PM_{2.5}, PM₁₀, SO₂ and O₃ to reduce the health impacts of pollution. WHO was also developing a framework plan to establish PM monitoring in the EECCA region.

79. Ms. L. Jalkanen (WMO) reported on the work of the Global Atmosphere Watch (GAW), underlining the importance of collaboration within the Convention's Task Force on Modelling and Mapping and the Task Force on Hemispheric Transport of Air Pollutants. She also described the objectives of the theme Integrated Global Atmospheric Chemistry Observation (IGACO) under GAW: accurate and comprehensive global observations of key atmospheric gases and aerosols; a system for integrating ground-based, in-situ and satellite observations using atmospheric models; and making integrated observations accessible to users.

80. Mr. K. Forsius (HELCOM) informed the Executive Body about the airborne and waterborne pollutant loading of the Baltic Sea and the different assessments made, noting the input provided by EMEP. He referred to the preliminary results of nutrient input scenarios and the expected higher atmospheric total nitrogen loading in 2010 compared with 2003 even if current emission reductions plans were implemented.

81. Ms. S. Flensburg (UNEP), representative of the Secretariat of the Stockholm Convention on POPs, noted that five substances were under consideration by its review committee: PeBDE, chlorddecone, hexabromobiphenyl, lindane and PFOS. Risk profiles for these substances were expected to be considered and completed in 2006. She also noted the ongoing programme on mercury and the work to review available science on lead and cadmium.

82. Mr. A. Barkman (EEA) noted the well-functioning cooperation with EMEP and its Task Force on Emission Inventories and Projection, especially in improving emission inventories. He highlighted the main characteristics of the recent report "The European Environment, State and Outlook", which addressed past, present and future perspectives on the environment in Europe including information on links between health effects and air pollution, detailed air pollution indicators and country analyses.

XI. WORKPLAN FOR 2006

83. The secretariat introduced the note describing the new procedures for consideration of the workplan of the Executive Body (EB.AIR/2005/6), noting the draft texts provided by the Convention's subsidiary bodies (EB.AIR/WG.1/2005/4/Rev.1, EB.AIR/GE.1/2005/10/Rev.1, EB.AIR/WG.5/2005/11.Rev.1 and EB.AIR/2005/3/Add.2, annex). It also introduced the provisional list of meetings for 2006.

84. The Executive Body adopted its workplan as amended and instructed the secretariat to post it on the Convention's website.

85. The Executive Body agreed that the new procedures for the workplan had worked well and requested that the same procedures be used in 2006.

XII. FINANCIAL ISSUES

86. The secretariat introduced the note on the financial requirements for the implementation of the Convention (EB.AIR/2005/2). The note presented inter alia the detailed budgets of EMEP and the core activities for 2006, and their provisional budgets for 2007 and 2008.

87. The secretariat provided updated information on the trust fund and the status of payment of the mandatory contributions for the EMEP Protocol (EB.AIR/2005/2, section I) and invited comments on additional contributions. It drew attention to the recalculated EMEP schedule of mandatory contributions applying the 2004 UN scale of assessment, as requested by the Executive Body at its twenty-second session (ECE/EB.AIR/83, para. 89 (f)), and to the need to adopt a revised annex to the EMEP Protocol.

88. Slovakia announced that it would pay contributions for both 2005 and for 2006 early in 2006.

89. The delegate of Ukraine noted steps taken by Ukraine to pay its contributions for 2002–2004 and for 2005 and expressed the hope that payment would reach the trust fund by the end of 2005.

90. The delegation of Germany expressed its reservations regarding its contribution for 2006 because, in Germany's view, it represented a disproportionate share of the budget.

91. The Executive Body:

(a) Decided to adopt, in accordance with article 4, paragraph 3, of the Protocol, the revised annex, set out in annex X, ECE/EB.AIR/87/Add.1 below;

(b) Decided on the detailed use of resources in 2006 as set out in EB.AIR/2005/2, table 2, and on the scale of mandatory contributions as set out in table 3 (last two columns);

(c) Supported the Steering Body's call on the Parties to the EMEP Protocol to consider making additional voluntary contributions (in kind or in cash through the Trust Fund) to ensure that the work, especially the difficult tasks required in 2006 in relation to the protocol reviews, including the work on integrated assessment modelling, could be accomplished as foreseen in the workplan (EB.AIR/GE.1/2005/2, para. 64(i));

(d) Requested the Steering Body, with the assistance of its Bureau, to present the details of the 2007 budget together with the workplan for approval by the Executive Body at its twenty-third session;

(e) Urged Parties that had not yet done so to pay their 2005 contributions in cash to the Trust Fund and, in 2006, to pay their contributions so that these reached the Trust Fund in the first half of the year; and

(f) Took note with satisfaction of the work accomplished by CIAM and partially funded by the Trust Fund for core activities not covered by the EMEP Protocol; approved the proposed budget of CIAM for 2006 as set out in the report of the Task Force on Integrated Assessment Modelling (EB.AIR/GE.1/2003/4, para. 59); and called upon Parties to make every effort to provide the necessary funding for work on integrated assessment modelling to be conducted as foreseen in the workplan.

92. The secretariat provided updated information on the status of payments of the contributions under decision 2002/1 in cash and in kind for 2004 and 2005 to the Trust Fund for core activities not covered by the EMEP Protocol (EB.AIR/2005/2, section II). It also outlined the requirements for funding these activities for 2006.

93. The delegate of France noted that the country's contribution to the work of the Expert Group on Techno-economic Issues was not acknowledged in the tables. Other delegations suggested that the secretariat record contributions more fully, including in-kind contributions, in addition to those defined in decision 2002/1. Some delegations questioned the usefulness of this exercise. The Chairman of the Working Group on Strategies and Review indicated that this could be dealt with under Working Group discussions on funding mechanisms.

94. The delegation of the Netherlands questioned the current mechanism of equal distribution of non-earmarked funds to programme centres, suggesting that a fairer distribution could be made using previous years' budget deficits. The secretariat drew attention to the difficulties of using alternative distribution mechanisms (EB.AIR/2005/2, section IV).

95. The Executive Body:

(a) Took note of and welcomed the contributions made to the Trust Fund for 2005, but expressed disappointment at the lack of response by many Parties;

- (b) Decided that the essential coordination costs for financing the core activities of the Convention and its protocols, other than those covered by the EMEP Protocol, would be US\$2,152,700 in 2006 and the provisional budget be US\$2,152,700 in 2007 and in 2008;
- (c) Requested the secretariat to inform Parties of their recommended contributions to meet the 2006 budget and invite them to make contributions as agreed in decision 2002/1;
- (d) Urged all Parties which had not yet done so to consider providing voluntary contributions to the Trust Fund for financing core activities without undue delay;
- (e) Noted with appreciation the essential support provided to the Convention and its bodies by lead countries, countries hosting coordinating centres and those organizing meetings, as well as countries that funded activities of their national focal centres/points and the active participation of national experts;
- (f) Noted document EB.AIR/WG.1/2005/12, as amended, on the financing of the effect-oriented activities;
- (g) Noted the information provided by the secretariat and the Bureau of the Working Group on Effects and reiterated its decision made in paragraph 23 above;
- (h) Noted the need for better information on budgeting, financing and workplan completion from programme centres not covered by the EMEP Protocol and requested the Working Group on Effects in collaboration with the secretariat to consider how this might be improved;
- (i) Requested the secretariat to provide information in the 2006 financial document on in-kind contributions made by Parties in support of core activities not falling under the decision 2002/1 and requested Parties to provide the secretariat with the necessary information for this; and
- (j) Noted the need for the Working Group on Effects to discuss possibilities for the distribution of trust fund support for core activities not covered by the EMEP Protocol.

96. The secretariat provided information on the trust fund that had been established to support countries with economies in transition (EB.AIR/2005/2, section V). This was a new part of the report to reflect increased activities and increased financial contributions from some Parties. The secretariat noted that some trust fund contributions had been used to extend the CAPACT project workshops to all EECCA countries, while others had been used to prepare implementation guides for recent protocols.

97. In the following discussion, delegations from EECCA countries expressed their appreciation of the support being provided by donor countries. They stressed the continued need for support and noted the importance of protocol implementation guides, translation of documents into Russian and access to Russian translations on the website. The delegate of Belarus indicated his country's intention to follow up on activities in line with the decisions from the workshop held in Almaty under the CAPACT project.

98. The Executive Body noted that the budget for 2006 was ambitious compared with the funds donated in 2005, but recognized that a higher ambition level was needed to achieve the necessary support. Parties already donating called upon others to make up the perceived shortfall for 2006 and requested the secretariat to write to Ministries of Foreign Affairs with copies to Heads of Delegation inviting contributions to the Trust Fund.

99. The Executive Body:

- (a) Approved the list of activities and proposed budget for project E112 of US\$272,330 for 2006 and provisional budgets of US\$250,000 for 2007 and 2008;

- (b) Urged all Parties to make contributions to the Trust Fund, as early as possible in 2006, so that the secretariat could implement its plans;
- (c) Requested the secretariat to communicate with the chairs of task forces and expert groups, as well as lead countries, to ensure that efforts were being made to encourage participation by experts from countries with economies in transition;
- (d) Invited Parties, especially those that led task forces and expert groups, to promote activities, such as special workshops, in EECCA countries and collaborate with the secretariat in developing such plans; and
- (e) Requested the secretariat to record in-kind contributions to this area of work and invited Parties to provide the secretariat with the necessary information

XIII. OTHER BUSINESS

100. The secretariat noted the need to consider revision of decision 2003/11, since Romania and Bulgaria had taken further steps towards acceding to the European Union.

101. The Executive Body agreed to revise decision 2003/11 by deleting the names of Romania and Bulgaria from the list of countries to receive regular support.

102. With regard to providing information to the Commission on Sustainable Development, the Netherlands drew attention to work on integrated assessment models, GAINS-Africa and GAINS-Latin America, due to start in 2006. Parties were invited to contribute to financing the project.

XIV. ELECTION OF OFFICERS

103. Mr. R. Ballaman was re-elected Chairman of the working Group on Strategies and Review.

104. Mr. M. Williams was elected Chairman of the Executive Body. Mr. A. Jagusiewicz (Poland), Mr. W. Harnett (United States) and Ms. S. Nurmi (Finland) were elected Vice-Chairpersons. The Chairman of the Working Group on Strategies and Review (Mr. R. Ballaman, Switzerland), the Chairman of the Working Group on Effects (Mr. H.-D. Gregor, Germany), the Chairman of the EMEP Steering Body (Mr. J. Schneider, Austria) and the Chairman of the Implementation Committee (Mr. S. Michel, Switzerland) were also elected Vice-Chairpersons. A representative of the European Commission was invited to sit on the Bureau as an observer to ensure effective coordination with EC activities on air pollution.

105. The Executive Body expressed its thanks to Ms. P. Farnsworth and Mr. Patrick Széll for their important contributions as Vice-Chairpersons.

106. The Executive Body expressed its warm appreciation to Mr. H. Dovland for his work as Chairman and for his significant contribution to the work of the Convention throughout its history.

XV. ADOPTION OF THE REPORT

107. The Executive Body adopted for general distribution the report of its twenty-third session on 15 December 2005.