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Executive Secretariat  
United Nations Economic Commission for Europe  
Palais des Nations  
CH-1211 Geneva  
Switzerland

Reference: I381-0944  
Your reference:  
Our reference: Ss  
Contact person: BRd  
Berne, September 14, 2009

## **Proposal to amend the 1998 Protocol on Heavy Metals under the Convention on Long-range Transboundary Air Pollution**

Dear Executive Secretary,

Switzerland as a Party to the Convention on Long-range Transboundary Air Pollution (UNECE) and to the 1998 Heavy Metals (HMs) Protocol, on the basis of its national action plan to abate fine dust (particulate matter) emissions, proposes to start in 2010 the negotiations to revise Annexes I-VII of the HMs Protocol aiming at concluding the negotiations before the end of 2011.

The abatement techniques in the current Protocol reflect the knowledge of the mid-nineties. At its 45<sup>th</sup> meeting in September 2009, the Working Group on Strategies and Review (WGSR) noted the importance to EECCA and SEE countries of introducing flexibilities regarding timescales for implementation, and the reference year for the obligations of the Protocol, as well as their interest to update emission limit values (ELVs) and best available techniques (BAT) and the application of BAT.

The national action plan, the update of the BAT and the increase of the flexibility are the major reasons for Switzerland to propose the update of the HMs Protocol.

In accordance with Article 13 (1) of the 1998 HMs Protocol under the Convention on Long-range Transboundary Air Pollution, any Party may propose amendments to the Protocol. We would like to propose to amend Annexes I to VII, i.a. on the basis of the work concerning the sufficiency and effectiveness review of the protocol and subsequent work completed by the Task Force on Heavy Metals with regard to new source categories, BAT and ELVs.

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Annexes VI and VII could be amended with control measures on mercury containing products as proposed by the EU in its submission in 2008.

We also would like to invite the Executive Body to mandate the Bureau of the WGSR and the Secretariat to prepare a draft text for revised annexes I to VII to assist the Parties in their starting negotiations at the 46<sup>th</sup> session of the WGSR in April 2010.

We would like the Executive Secretary to forward this proposal to the Parties according to Article 13 of the Protocol.

Kind regards

Federal Office for the Environment FOEN



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