
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
14 December 2009, Geneva**

Prepared by the secretariat in consultation with the Bureau

1. The third meeting of the Bureau in 2009 was chaired by the Chairman of the Executive Body, Mr. M. Williams (United Kingdom), and was attended by Vice-Chairpersons Mr. R. Ballaman (Switzerland), Ms. A. Engleryd (Sweden), Mr. A. Fretheim (Norway), Ms. V. Galatone (Canada), Mr. T. Johannessen (Norway), Ms. N. Karpova (Russian Federation), Ms. S. Vidic (Croatia). Mr. A. Zuber attended as observer for the European Commission. Ms. T. Aulavuo, Mr. M. Johansson, Ms. A. Karadjova, Ms. C. Masson, Mr. L. Wyrowski attended for the UNECE secretariat, as well as Mr. R. Chrast.

I. NOTE OF THE BUREAU MEETING OF THE 31 AUGUST 2009 (EB BUREAU/2009/2) INCLUDING MATTERS ARISING NOT ELSEWHERE ON THE AGENDA

2. The note of the meeting had been circulated and the Bureau agreed that it should be placed on the Convention's website at www.unece.org/env/lrtap/ExecutiveBody/bureau.html.

II. TWENTY-SEVENTH SESSION OF THE EXECUTIVE BODY

3. Ms. Masson outlined the final preparations, including the lists of formal and informal documents available to delegates, and informed that all official documents had been made available in the three languages the week before which may facilitate the final negotiations on the revision on the POPs Protocol.

Issues relating to the negotiations of the POPs, Heavy Metals and Gothenburg Protocols

4. Mr. Ballaman, as Chair of the WGSR, informed the EB Bureau about the progress achieved in the negotiations for the revision of the Protocol on POPs and the Gothenburg Protocol during the 45th session of the WGSR in September 2009, as well as about the finalization of the review of the Protocol on Heavy Metals and the proposal to start the negotiations for its revision. He also presented the objectives and expectations for further work as well as the draft decisions submitted for adoption by the Executive Body. Regarding the Gothenburg Protocol Mr. Ballaman presented information on the elements (including documentation available and progress made on baseline scenarios and the review of technical annexes) that will be available at the 46th meeting of the WGSR in April 2010 to pursue preparation work for the revision of the Protocol. Decision on whether to have a new or revised Gothenburg Protocol need to be made at the coming 27th EB session. A new protocol would mean that every delegation can participate in the

decision. If revised only Parties to the Gothenburg Protocol can participate and until negotiations are decided, no decisions can be taken on binding elements.

5. The Bureau agreed with the proposal of Mr. Ballaman to set up ad hoc expert groups to work in parallel to the session of the Executive Body with a view to ensure the finalization of the discussions on outstanding issues on POPs and Heavy Metals

6. Regarding the formalities for the proposed adoption of amendments to the Protocol on POPs, Ms. Aulavuo explained the procedures in force in the United Nations with regard to international agreements, including the need for Parties to the Protocol to provide credentials during the session for voting. She also explained that for the entry of the force of the amendments, once the amended text was available in the three official languages of the UNECE, Parties would be invited by the Treaty Section of the Office of Legal Affairs in New York to deposit their instruments of ratification. Ms. Vicenza Galatone recommended that the ad hoc Group of legal experts be asked to elaborate specific rules of procedures to inform the Parties well in advance about the procedures to follow in particular in the context of the revision of the existing Protocols.

Issues relating to the Implementation Committee

7. Mr. Fretheim, Chair of the Implementation Committee (IC), informed the members about the results of the work of the Committee and outputs of its last meeting in September 2009. In particular, the information-gathering mission to Spain was viewed as a success by the IC and the review of the information showed that Spain was in good position to comply. Mr. Fretheim considered that the review has been of valuable assistance to Spain, and that non-complying Greece could benefit of a similar exercise. A similar mission would be proposed to Greece by the EB at its coming 27th session.

8. Mr. Fretheim informed that the Committee had completed the in-depth review of implementation of the Protocol on POPs and the Protocol on Heavy Metals in accordance with the workplan. Regarding the methodology of these in-depth reviews, Mr. Fretheim expressed the opinion that it should be revisited, improved and rationalized as the procedure includes some drawbacks and is heavy (in terms of workload) to carry out by the IC members. Related decision needed to be taken by the Executive Body.

9. The membership of the Committee in 2010 would need to be renewed at the coming EB session and 4 new members introduced. Mr. Fretheim informed that he would not continue to chair the IC and that a new chair should also be looked for.

Links with climate change activities

10. Anna Engleryd, summarized the conclusions and recommendations of the Workshop on Air and Climate-Intermediate Climate Policies organized by Sweden, Gothenburg, 19-20 October 2009 (See Annex). The Workshop recommended to the EB that a new group (possibly a task force) would be set up under the CLRTAP to deal with the issue of short-live radiative forcers that are relevant simultaneously to air pollution and climate change, and that this group contribute to IPCC reports. A number of questions was brought up in the conclusions of the workshop, some of them relevant to the CLRTAP which would be presented to the EB delegations during the session.

11. The Bureau members discussed about the way the conclusions should be taken up by the EB, in particular the questions of creating a new body or a process to investigate ways on how to look at this problem under the Convention, on possibly introducing some short-live radiative forcers into the Gothenburg Protocol when revised, on the relevance to carrying on actions that will stay centred on combating air pollution while having an effect on climate change. It was pointed out that not all Parties were in favour to move toward climate change directions.

Strategic framework for the Convention

12. Mr. Williams summarized the situation regarding the development of the long-term strategy and explained that the related discussion during the 27th EB session will take place under the informal setting of an “extended Bureau meeting” in order to have as free and productive discussion as possible on this topic. He thanked the Bureau members for having accepted the proposed procedure and setting. He explained that he sees 2 parts for the discussion based on his parliamentary note (ECE/EB.AIR/2009/5): (1) selection of work areas (or directions for work in the future); and (2) what consequences it would have on the organization of the Convention.

13. The Bureau members made the following remarks:

- Questions about consequences on the Convention organization should also be discussed at subsidiary bodies’ level;
- The amendments that had been proposed by Parties to Protocols on POPs and Heavy Metals would generate a considerable amount of work by the Convention bodies within the next few years to come. It was important that this work could be successfully finalized independently of any possible strategic decision on the work on POPs and Heavy Metals to be carried out in the future under the Convention and its protocols;
- Reallocation of resources according to revised priorities under the Convention: as resources are allocated on voluntary basis by countries, those resources that may no be needed anymore (if task forces or programme elements are terminated) would not necessarily be reallocated to other purposes by the contributors. Closing activities could therefore result in a lose-lose situation;
- The use of the secretariat resources should be reconsidered in the light of the priorities for the Convention. Even before agreeing the priorities there may be efficiency savings we could make. For example, do we need that secretariat participates in all ICP/TF meetings? Do we need to receive, every year, all the annual reports that we currently get? Impact of the Long-term Strategy (LTS) on subsidiary bodies strategies would potentially necessitate readjustments of the latter for ensuring overall consistency of the strategic framework;
- 2020 is a good target for the Long-Term Strategy, even if the strategy is not a document engraved forever. The LTS should also give some indications towards 2050 and should be updated periodically. It should be a living document.
- It was recognized that some activities might need to cease but in such cases the task forces should be carefully informed;
- The annual workplan should be consistent with the directions given in the LTS;
- The LTS should define the directions but not decide on the way to reach them. Defining the Strategy and the tactic to achieve the Strategy, i.e through an operational plan for instance, should be kept as two separate actions.

14. Regarding the planning for the further elaboration of the draft LTS, a new draft, taking account of the strategic views and directions/priorities for the future expressed during the extended bureau session and confirmed by the EB, would be proposed for an internal discussion at the next Bureau meeting (15 April 2010, afternoon). As EMEP and WGE Bureaux will meet in end February 2010, all efforts will be made so that the new draft would be circulated to them for their comments by that date.

30th anniversary celebrations

15. Ms. Masson reported on actions undertaken to celebrate the 30th anniversary of the Convention, including a press conference given by the Chair on 24 November, a press release drafted by the secretariat and still available on the portal of the UNECE website (http://unece.org/press/pr2009/09env_p29e.htm), a brochure by the secretariat kindly financed by Canada, and a cocktail offered by United Kingdom, planned for 17 December 2009 after the EB session of the day, where the UNECE Executive Secretary, Jan Kubis, will give a short speech.

Progress in capacity building activities in EECCA and SEE countries

16. The Secretariat informed on the progress made on the three on-going projects (Moldova financed by Czech Republic, Balkans financed by the Netherlands and Russian joint-project with Belarus and Kazakhstan financed by UNECE cooperation fund) and related meetings to be organized in 2010 (a consultation meeting in spring 2010 for assessing the progress by the beneficiary countries in elaborating their action plans for the Balkans country projects and a launch meeting for the Russian-led project).

17. Ms Masson informed that in 2009 the secretariat had made particular efforts to assist in the development and implementation of these projects as the ratification of the Convention Protocols by EECCA countries is considered by the EB and the UNECE as a priority. The intention was to demonstrate that the secretariat could bring added value on this issue and be efficient in assisting EECCA countries if enough staff resources would be allocated to these tasks. The contributions from donor countries would be instrumental in this view as there is no possibility that more regular staff would be allocated by the UN to the servicing of CLRTAP (See private discussion between the Chair and the UNECE Executive Secretary on 24 November 2009, Geneva).

Elections

18. Except Mr. Fretheim, Chair of the Implementation Committee, all Chairs of subsidiary bodies expressed their readiness to stay in the EB Bureau. Other members expressed their wish to stay as well. Mr A Zuber explained that in spite the EC was currently becoming EU (See related information in Annex II), this will not cause any change in their participation in the Bureau in the near future and himself would stay as an observer so far. The next EU Presidency will be to Spain for the first part of 2010 and to Belgium in the second half of the year. Therefore, it was decided that Spain will be represented until June, and if rules were to be changed by EU, then the Bureau will readjust its practice in the course of 2010.

III. ACTIVITIES OF THE SECRETARIAT

19. Ms. Masson informed the Bureau of the persisting difficulties related to the processing and issuance of official documentation. Nevertheless, it was pointed out that for the 27th EB session (December 2010) the situation was not that bad as all documents were available in the three languages since a few days ago, but that this was at the expense of a lot of time spent by the secretariat in following up step-by-step the situation of the documents since their submission. This recurrent problem with documentation was not going to improve in the future, as Mr. Kubis expressed it to Mr. Williams (during their private meeting of 24 November 2009), inviting the Convention to shorten documents, avoid text repetitions, and produce more informal documents as the translation services were not able any longer to cope with the ever increasing workload from UN bodies.

20. Regarding activities and current human resources, Ms. Masson repeated that the secretariat has been drastically under-capacity in 2009. With the ongoing simultaneous negotiations of the 3 most recent protocols, more meetings were to be serviced and more documents produced, a situation which the secretariat sees difficult to bear in the long run. As a consequence, the secretariat has no time for seriously playing a role in assisting EECCA countries, nor for strategic thinking, or for maintaining active relationship with other conventions, etc. If the EB keeps the calendar of negotiations as it is, the secretariat needs one junior professional with solid scientific background to help the senior staff to oversee the work of the task forces. Senior staff would then concentrate on guiding the junior on task force work and would service the most important or strategic, or new, of them. Senior staff, apart from servicing the main subsidiary bodies as due, would also spend more time on cooperation and synergies with secretariats of other conventions where relevant (e.g. on POPs, Mercury, biodiversity and Climate change). Also, as mentioned in para. 17, if the EB really see EECCA as a priority, then another person should be allocated to the secretariat to follow-up on on-going projects that will be implemented in 2010, and organize workshops and consultation meetings, ensure follow-up on regional adviser actions, visit countries that have expressed their intention to ratify protocols to investigate their assistance needs, etc. This need has been reflected in the budget for 2010 (ECE.EB.AIR/2009/2). To summarize, it is two additional junior professionals that the secretariat needs to ensure a good servicing of the Convention.

21. The secretariat mentioned that in 2009 it had benefited of an extraordinary allocation of US \$25,000.- from the general budget of the division which was used to hire consultants for producing a first draft of the LTS and for assisting the secretariat in various tasks related to communication, project assistance and other junior tasks.

22. The Bureau shortly discussed on the type of relationship to establish with other conventions working in similar field of activities, as there would be some recommendations from the WGSR to the EB to explore ways of cooperation in particular with UNEP Conventions. The secretariat (Tea Aulavuo) informed that, following up on WGSR's request at its 45th session (September 2009) to reinforce the exchange of information with the UNEP Secretariat of the Stockholm Convention on POPs, she had participated in the 5th meeting of the POPs Review Committee (POPRC 5) (12-16 October 2009) and presented the possibilities for harmonization and coordination between the Protocol on POPs and the Stockholm Convention, in particular for improving process efficiencies in the review of the substances nominated for inclusion to both legal instruments, as had been proposed by the World Chlorine Council, as well as the feedback by the Working Group on Strategies and Review at its forty-third and forty-fifth sessions. She reported that POPRC 5 had not commented on the information presented. The Chair of POPRC had pointed out that POPRC was a technical body and that political issues were

tackled by the Conference of the Parties, if deemed necessary. Mr Ballaman suggested that the EB be invited to request the secretariat to further explore how to best cooperate with the secretariats of the other relevant conventions.

IV. DATE, TIME AND PLACE OF NEXT MEETING

23. The Bureau decided that its **next meeting would take place** back-to-back with the 46th session of the WGSR (Geneva, 12-15 April 2010) **on 15 April, 14:30-17:30, at the Palais des Nations, Geneva.**

ANNEXES

ANNEX I

Air & Climate -Intermediate Climate Policies Gothenburg 19-21 October 2009.

Final Conclusions and Recommendations

(Submitted by Sweden)

Informal Document 4, 27th EB session (December 2009)

The coming period represents a key and important opportunity to link air and climate concerns, with the UNEP governing board, Arctic Council and possible conclusion of the Gothenburg Protocol revision all occurring in 2011. In light of this opportunity, the conference recommends:

- 1 Address under the revision of the Gothenburg Protocol the climate effects of air pollutants and the short-lived climate forcers, including BC, CO and methane.
- 2 Create a CLRTAP Task Force or ad hoc expert group to investigate physical and economic aspects of climate change and air quality interactions, initially urgently to inform the revision of the Gothenburg Protocol.
- 3 The Task Force on Reactive Nitrogen should prepare a special report on nitrogen and climate interactions.
- 4 CLRTAP scientists need actively contribute to IPCC-reports, including AR5, which should include air pollution impacts through the work of WG3 especially. Climate models & scenarios need to take into account the effects of ozone and nitrogen on ecosystems and their feedbacks on climate change.
- 5 GAP Forum, UNEP, WMO and other similar bodies should continue to build links between regional agreements and networks for air pollution and climate change to enhance exchange of knowledge and information. Such links may lead in the longer term to a framework convention for the atmosphere.
- 6 CLRTAP and UNEP should explore the need for developing a protocol to address background ozone on the hemispheric scale with potential participation of all countries in the Northern Hemisphere.

7 In many developing countries health and other sustainable development concerns are driving policy, and climate effects are considered a co-benefit, while in many industrialised countries climate drives policy. The CLRTAP Convention can contribute to melding these two approaches, by greatly improving its outreach, making a valuable contribution to the capacity building, science and policy know-how needs of developing countries. Regional networks need greater support.

8 Although there exists consensus on the large importance of PM-species on both health and climate change, the assessments of IGAC and UNEP will help further inform effective policy development in CLRTAP, UNFCCC and other relevant conventions. Research on the toxicity of PM-species and ozone within CLRTAP should continue.

9 A clear vision of intermediate and long term air & climate targets and measures from policymakers would aid the scientific community in structuring their research priorities. Consider the timing of targets & measures and the cumulative impact for both short- and long-lived substances.

10 Geoengineering is relevant in the cost-benefit debate. An apparent low cost opportunity to address global issues raises important questions with regard to governance (i.e. who decides if action can or should be taken?). Create/include a global atmosphere convention as a framework for the management of the atmosphere (coherent air and climate policy)

Questions to be considered during the extended Bureau Meeting of the 27th EB and item 13 of the agenda

For special consideration

- Should the link between air pollution and climate change within the Convention be strengthened?
- Should climate effects be considered in the GP?
- Which SLCF should be addressed (BC, CO, Methane, Ozone), and how (ceilings, measures, climate effects)?
- Should a new task force for interactions between air pollution and climate change be created?
- Should a special report on reactive nitrogen and climate interactions be produced?
- Should CLRTAP scientist actively contribute to IPCC-reports?
- Should a new protocol on background ozone be considered?

ANNEX II

COUNCIL OF THE
EUROPEAN UNION
The President



COMMISSION OF THE
EUROPEAN COMMUNITIES
The President

Brussels, 30 November 2009

S089/15744

CC: all ECE
staff

H.E. Mr Ban Ki-moon,
Secretary General of the United Nations,
United Nations Plaza,
NY 10017 - NEW YORK,
U.S.A.

Your Excellency,

We have great pleasure in notifying you of the following:

The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community will enter into force on 1 December 2009.

As a consequence, as from that date the European Union will replace and succeed the European Community (Article 1, third paragraph, of the Treaty on European Union as it results from the amendments introduced by the Treaty of Lisbon).

Therefore, as from that date the European Union will exercise all rights and assume all obligations of the European Community, including its status within the United Nations, whilst continuing to exercise existing rights and assume obligations of the European Union.

In particular, as from that date the European Union will succeed to all agreements concluded and all commitments made by the European Community with the United Nations and to all agreements or commitments adopted within the United Nations and binding on the European Community.



As from that date the Delegation of the European Commission accredited to the United Nations becomes the "Delegation of the European Union".

Consequential changes to representation arrangements will be communicated in due course.

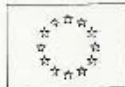
We trust that the relevant bodies and authorities in the United Nations will, where necessary, take the appropriate steps in this respect.

Please accept, Your Excellency, the assurances of our highest consideration.

175 Rue de la Loi
1048 Brussels, Belgium

200 Rue de la Loi
1048 Brussels, Belgium

- 7 DEC, 2009



EUROPEAN UNION
Permanent Delegation
to the International Organisation in Geneva
Head of Delegation

D(2009) 703 247

NOTE VERBALE

The Delegation of the European Union in Geneva presents its compliments to the United Nations Economic Commission for Europe in Geneva and has the honour to transmit a copy of the original letter addressed by the Council of the European Union and the Commission of the European Communities to Secretary-General Ban Ki-Moon in New York in order to notify the entry into force of the Treaty of Lisbon on 1 December and its implications for the external representation of the European Union.

In particular, I would like to draw your attention to the fact, as from 1 December, the European Union replaces and succeeds the European Community and I would therefore be grateful if you could make all the necessary arrangements in the meeting rooms to reflect this succession.

The Delegation of the European Union in Geneva has the honour to request the United Nations Economic Commission for Europe for a proof of receipt of the present Verbal Note and avails itself of this opportunity to renew to the United Nations Economic Commission for Europe the assurances of its highest consideration.



Geneva, 1 December 2009

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-7 DEC 2009