

Barriers and solutions to increase ratifications of EECCA and SEE countries regarding the POP, HM and Gothenburg Protocols

Informal document prepared at the initiative of the Czech Presidency of the European Union

Items to be discussed at the 43rd WGSR, 9-13 March 2009

Introduction

For various reasons EECCA and SEE countries find it difficult to ratify protocols under the Convention on Long-range Transboundary Air Pollution. There is a need for increasing the amount of ratifications. At the Executive Body and the Working Group on Strategies and Review practically all Parties to the Convention have expressed the wish that EECCA and SEE countries would join our protocols, especially the last three. Most of the delegations of the EECCA and SEE countries have expressed their wish to become Parties to the protocols of the Convention on LRTAP but that they experience problems in doing so.

If the barriers to become Party to these protocols lie in the obligations in the protocols then these barriers need to be known in more detail to solve the problems and to find flexible solutions in the process of revising the protocols.

This informal paper is intended to find out in more detail what the possible barriers for ratification are and explore solutions to overcome these barriers. The paper lists a series of items/questions for EECCA and SEE countries on possible barriers and solutions related to protocol (basic) obligations. Since the March meeting of the Working Group on Strategies and Review will focus on the POP Protocol, this protocol is used to draft the list of items/questions. Many issues in the POP Protocol will resemble those of the HM Protocol and the Gothenburg Protocol. However, for the HM Protocol and the Gothenburg Protocol there may be questions/items that vary from the ones on the POP Protocol. To make this paper an all-inclusive paper on the last three protocols, also attention is paid to the other two protocols.

EECCA and SEE countries are asked to reflect on the items/questions and state their point of view. Please note that stating the point of view on each item/question is non-committal and only serves to identify the barriers and give directions for solutions to increase ratifications. By no means the EECCA and SEE countries are bound to what they write down in this document.

List of items/questions

Country:

1. The POP Protocol bans or limits substances for use and production (Article 3.1, Annex I and II).

a. Do you have legislation in place in your country to ban or limit substances or would you need to implement this kind of legislation first? Are there other barriers related to the ban or limitation of substances and what are they? Please explain. Do you have a suggestion to overcome the barriers?

b. The HM Protocol bans and restricts certain products (Unleaded gasoline and mercury products, article 3.3).

Are these obligations in any way troublesome for your country? Please explain why? What possible suggestions do you have?

2. The POP Protocol contains obligations to destroy or dispose POP waste (article .1.b and 3.3).

Are these obligations in any way troublesome for your country? Please explain why. Indicate possible solutions to overcome your problems.

3. All protocols have obligations to apply Best Available Technologies (BAT) and emission limit values (ELVs) for new and existing stationary installations.

a. Do you have legislation in your country that would allow you to transpose ELVs and BAT from the protocols in your legislation? If not, please explain what is needed.

b. New sources should be state of the art, meaning strict ELVs related to up-to-date BAT. Is this also the point of view in your country? Please explain.

c. Existing sources often need more time to retrofit to stricter standards. Is upgrading existing sources in your country problematic? Please explain your problems and especially pay attention to what time you would need (number of years) to raise the standards of existing sources and to what level (ELVs for new or at a level in between?).

d. The Gothenburg Protocol has obligations on limit values for fuels and new mobile sources (article 3.6). Could you transpose these limits into your national legislation? What problems do you encounter? What timescales would you need to implement these limits? Do you have a suggestion to overcome the problems that you face?

e. The Gothenburg Protocol also has obligations on ammonia control measures and BAT to prevent and reduce ammonia emissions. Could you transpose these limits and the use of BAT into your national legislation? What problems do you encounter? What timescales would you need to implement these limits? What other suggestions would you have?

4. The POP Protocol (and the HM Protocol) obliges Parties to reduce emissions from a base year in the range of 1985-1995 (article 3.5 a).

a. Are you able to make emission inventories for this period? Are your emissions of POPs (and HM) going down? Please explain if you find the obligation to reduce emissions or the making of emission inventories troublesome.

b. The Gothenburg Protocol has no base years but an obligation to limit emissions to a ceiling in 2010. In the revision process of the Gothenburg Protocol the idea is to set emission ceilings for 2020.

Is your country able to make an emission baseline and calculate emission projections for 2010 and 2020? Could your country accept and implement emission ceilings for 2010/2020? Please explain any difficulties you may encounter.

5. The Convention is now in the process of amending the POP Protocol. After adoption of the amendments two thirds of the Parties to the Protocol (currently 29 Parties, so, 20 ratifications are necessary) need to ratify the amendments before they enter into force. It is only after this that current non-Parties (i.e. EECCA and SEE countries) can ratify the amended POP Protocol including the flexibility for EECCA and SEE countries. This may take 4-5 years.

Do you have problems with the procedure to revise the POP Protocol? Would you prefer a new POP Protocol, which would be open to immediate signatory by all Parties to the Convention at the time of the adoption of the new Protocol (A new Protocol would need 16 Parties and all signatories could be ratifying the Protocol to enter it into force.)?

6. As stated by many EECCA and SEE countries there are also problems inside the countries that prevent them from ratifying the protocols under the Convention e.g. economical problems, political priorities etc.

a. Could you describe what kind of problems not related to the content of the protocols itself hinder the ratification? What kind of help that the Convention community could provide could solve these problems?

b. What solutions do you see for your country to be able to take a more active part in the work of the Convention?