



Economic and Social Council

Distr.: General
12 February 2013

Original: English

Economic Commission for Europe

Executive Body for the Convention on Long-range
Transboundary Air Pollution

Working Group on Strategies and Review

Fifty-first session

Geneva, 30 April–3 May 2013

Item 3 of the provisional agenda

**Proposals by the ad hoc group of experts on the Action Plan
for the Implementation of the Long-term Strategy for the
Convention and by the ad hoc group of experts to review
the International Cooperative Programmes**

Communication strategy and Protocols on Persistent Organic Pollutants and Heavy Metals

Report by the ad hoc group of experts on the Action Plan for the Implementation of the Long-term Strategy for the Convention

Summary

The present report by the ad hoc group of experts on the Action Plan for the Implementation of the Long-term Strategy for the Convention is being submitted for the consideration of the Working Group on Strategies and Review in accordance with the decision of the Executive Body for the Convention on Long-range Transboundary Air Pollution (ECE/EB.AIR/109/Add.1, decision 2011/14, annex, items 4 (c) and 12 (b)).

The report presents the results of a review undertaken by the ad hoc group of experts on the following issues:

- (a) An update of the Convention's 2003 communication strategy to help increase visibility of the Convention, in particular raising political awareness of air pollution issues in the region of Eastern Europe, the Caucasus and Central Asia;

(b) The need for possible further revisions or updates of the Protocol on Persistent Organic Pollutants and the Protocol on Heavy Metals in the light of the Stockholm Convention on Persistent Organic Pollutants and the global agreement on mercury.

The key conclusions and recommendations of this review are included in document ECE/EB/AIR/2012/15, which was presented to the Executive Body at its thirty-first session.

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I. Revising and updating the draft communication strategy from 2003

Item 12 (b) of the Action Plan for the Implementation of the Long-term Strategy for the Convention

1. The Long-term Strategy for the Convention on Long-range Transboundary Air Pollution (CLRTAP) requires:

The bodies under the Convention should also actively contribute to an extensive and user-friendly communications strategy and system that highlights the work and benefits of the Convention. This communications strategy will in particular help to increase the visibility of the Convention and raise political awareness of pollution issues in countries of Eastern Europe, the Caucasus and Central Asia and South-Eastern Europe.

(ECE/EB.AIR/106/Add.1, decision 2010/18, annex, para. 16 (k)).

2. The Action Plan for the Implementation of the Long-term Strategy indicates the need to “revise and update the draft Communications Strategy from 2003 ... to help increase the visibility of the Convention, in particular to raise political awareness of air pollution in the countries of Eastern Europe, the Caucasus and Central Asia and South-Eastern Europe” (ECE/EB.AIR/109/Add.1, decision 2011/14, annex, para. 12 (b)).

3. The 2003 document (EB.AIR/WG.5/2003/7) is reviewed in detail in the annex to this document. That document provided recommendations towards developing a communication strategy, but did not consider all aspects of such a strategy: for example, it made only scant reference to the needs of the countries of Eastern Europe, the Caucasus and Central Asia and none at all to countries in South-Eastern Europe.

4. The ad hoc expert group aimed to provide guidance for developing a communication strategy that updates and improves the 2003 document. The ad hoc expert group’s formal report to the Executive Body (ECE/EB/AIR/2012/15) provides recommended actions for achieving a complete and effective communications strategy that would:

(a) Ensure efficient and effective sharing of information between Parties, in particular for Parties in the Eastern Europe, the Caucasus and Central Asia and South-Eastern Europe regions, leading to sound decision-making and future planning (through communication links, documentation and meetings);

(b) Enable effective communications with international organizations with similar interests to the Convention, and help develop important links for collaboration and sharing of data and information;

(c) Provide mechanisms for highlighting the Convention’s work for the public at large and that help promote the Convention throughout the region to make it better known.

5. The ad hoc expert group considered the wide spectrum of issues that would be needed to implement a comprehensive communication strategy for the Convention under the three main areas identified above. Its formal report makes recommendations on the development of specific areas of communications, many of which are related to other issues being addressed in the Action Plan for the Implementation of the Long-term Strategy.

6. In view of the overlap with the task of the Long-term Strategy addressing the Convention's work with other international organizations, the conclusions for this area of work (para. 4 (b) above) are mostly reported under paragraph 12 (a) of the Action Plan (see ECE/EB/AIR/2012/15, section III).

II. Protocols on Persistent Organic Pollutants and Heavy Metals

Item 4 (c) of the Action Plan for the Implementation of the Long-term Strategy for the Convention

Introduction

7. The Long-term Strategy for CLRTAP mandates the ad hoc group of experts to undertake the following action 4 (c), to:

Review the need for possible further revisions, amendment or updates of the Protocol on POPs and the Protocol on Heavy Metals in light of the Stockholm Convention on Persistent Organic Pollutants (Stockholm Convention) and the pending United Nations Environment Programme (UNEP) global agreement on mercury. Included will be an evaluation to address gaps or overlaps between the Protocols and the global instruments, and to ensure added value in taking regional action.

8. The Protocol on Persistent Organic Pollutants (Protocol on POPs) and the Protocol on Heavy Metals have both built on the strengths of CLRTAP to promote action on the regional scale and address adverse impacts on human health and the environment. The Protocol on POPs leveraged quick action on POPs in the mid- to late 1990s, and acted as a springboard for global action on POPs through the Stockholm Convention, which entered into force in 2004. The Protocol on Heavy Metals has also provided a starting point and a solid scientific/technical foundation for the many issues being addressed in the ongoing negotiations of a global instrument on mercury.¹ This paper posits that the need for future amendments to either of these Protocols should be assessed in relation to any additional benefits that could be achieved beyond the impact of the existing and upcoming global instruments.

9. The intent of this paper is to facilitate and guide further consideration by Parties on how they may wish to proceed with possible further amendment to the regional agreements on POPs and heavy metals under CLRTAP in light of the mandate provided by the Long-Term Strategy.

1. The Protocol on POPs

1.1 Comparison of the Protocol with the Stockholm Convention

10. Two international agreements seek to reduce and eliminate the release of POPs: the CLRTAP Protocol on POPs and the Stockholm Convention. The two treaties have

¹ *Editor's note:* The present report was written before the final, fifth, negotiation round on a global treaty on mercury was held, in January 2013.

considerable overlap in their respective provisions — both include a defined process for evaluating candidate chemicals for inclusion,² cover essentially the same substances³ with very similar control measures⁴ and have requirements for the use of best available techniques (BAT) for controlling sources of unintentionally produced POPs.⁵ There are also significant differences between the two treaties:

(a) The Stockholm Convention addresses international trade in intentionally produced POPs⁶ while the Protocol does not;

(b) Only the Stockholm Convention includes a financial mechanism to assist developing countries and countries with economies in transition with implementation;⁷

(c) The Protocol on POPs addresses polycyclic aromatic hydrocarbons (PAHs), short-chained chlorinated paraffins (SCCPs), polychlorinated naphthalenes (PCNs) and hexachlorobutadiene (HCBD),⁸ while the Stockholm Convention does not; and only the Stockholm Convention addresses endosulfan;

(d) The Protocol on POPs includes emission reduction commitments for unintentional releases of POPs (PAHs, polychlorinated dibenzofuran (PCDD/F), hexachlorobenzene (HCB) and polychlorinated biphenyls (PCBs)) and emission limit values (ELVs) for PCDD/F, while the Stockholm Convention uses the BAT best environmental practices (BEP) approach to (in the long term) limit emissions;

(e) Implementation of the Protocol on POPs is monitored and guarded by the Convention's Implementation Committee while a compliance mechanism is not yet in place for the Stockholm Convention (though called for in article 17 of that Convention);

² Executive Body decision 1998/2 outlines information requirements and the procedure for adding substances to the Protocol on POPs; article 8 of the Stockholm Convention outlines its listing process including information requirements under annexes D, E and F.

³ Twenty-four substances are listed in the Protocol on POPs (note that lindane, alpha-hexachlorocyclohexane (HCH) and beta-HCH counted separately as part of the 24 to facilitate comparison with the Stockholm Convention, where they are listed individually); 21 substances are listed in the Stockholm Convention. Totals include substances for which requirements are not yet in force.

⁴ The main difference is the greater number of exemptions under the Stockholm Convention; however, many of the exemptions unique to the Stockholm Convention have gone unclaimed and are no longer available.

⁵ BAT requirements under the Protocol on POPs, annex 3; Stockholm Convention requirements for BAT and best environmental practices under article 5 with companion guidance document outlining specific measures.

⁶ Stockholm Convention article 3 includes export and import provisions.

⁷ Article 13 of the Stockholm Convention contains requirements for developed countries to provide financial assistance. The Stockholm Convention uses the Global Environment Facility as its financial mechanism. In 2009–2010, GEF allocation on POPs was \$63 million, supplemented by an additional \$151 million in co-financing from partners. It should be noted that CLRTAP supports capacity-building for POPs Protocol activities (largely focused on technical assistance) through the Convention's E112 Trust Fund; however, the fund is voluntary, is not specific to POPs and is several orders of magnitude smaller than the GEF POPs funding (the total budget for the trust fund is in the area of \$400,000).

⁸ Amendments adding SCCPs, PCNs and HCBD to the POPs Protocol are not yet in force.

(f) The number of Parties to the Stockholm Convention (177 Parties) significantly outnumber those of the POPs Protocol (33 Parties, all of which are also Parties to Stockholm),⁹ including 15 more United Nations Economic Commission for Europe (ECE) member States.¹⁰

11. Having two international agreements on POPs has at times resulted in two international processes running concurrently, with attendant duplications and redundancies. The CLRTAP Long-term Strategy recognizes this challenge and, through its Action Plan, emphasizes the need for Parties to undertake efforts to streamline the activities of the Protocol on POPs, taking into account the ongoing work under the Stockholm Convention. The Strategy lays out specific priorities for the Protocol on POPs (para. 16 (f)):

The main focus of global action on this issue will be taken through the Stockholm Convention under UNEP ... Options to better complement the measures and actions taken at the global level and to secure the added value of the Protocol on POPs will be explored. Policy work directed at a new or revised Protocol will therefore scale down, by shifting its focus to unintentionally released POPs and to areas and substances where the implementation of stricter measures in the UNECE region is still recommended. The Parties to the Convention will give high priority to increasing the number of countries ratifying and implementing the existing Protocol ... If new substances arise where action is needed, the first priority for Parties should be to nominate them in the Stockholm Convention, but incorporation into the Protocol on POPs would be an option should the former route fail.

12. The Long-Term Strategy also signals that, while global action on POPs will be taken through the Stockholm Convention, there may be instances where additional work under the Protocol on POPs may be warranted — for example, where efforts to list a substance are unsuccessful or the listing of a substance on the Stockholm Convention may not be as stringent as the listing of a substance could be under a more regional forum, such as the Protocol on POPs.

1.2 Need for further revisions — addition of substances to the Protocol

13. The nature of POPs is such that global action is crucial to effective risk management. The entry into force of the Stockholm Convention has changed the manner in which POPs are addressed internationally by mobilizing 177 countries, ranging from the least developed to the most highly developed countries in the world, to take action on POPs. With the recent addition to the Stockholm Convention of nine new chemicals at the fourth meeting of the Conference of the Parties, and the addition of endosulfan at the fifth meeting, confidence in the effectiveness and timeliness of this international agreement in addressing risks from POPs has been demonstrated.

14. In alignment with the Long-term Strategy, a principled approach is proposed for considering the addition of substances to the Protocol on POPs (notwithstanding the nomination process that is currently in place, as described in article 14):

⁹ There are 177 Parties to the Stockholm Convention as of June 2012, and 33 Parties to the CLRTAP Protocol on POPs as of May 2012.

¹⁰ There are 48 ECE member States Parties to Stockholm Convention, 15 more than are Parties to the Protocol on POPs.

- (a) Before proposing a new substance for listing under the Protocol on POPs, a Party should first nominate that substance under the Stockholm Convention;
 - (b) Parties should consider additional action under the Protocol on POPs only if:
 - (i) The substance is listed under the Stockholm Convention but stricter measures in the ECE region are warranted; or
 - (ii) The substance is not listed under the Stockholm Convention, e.g., because no agreement could be reached on listing or because negotiations under the Stockholm Convention become protracted.
15. To support this proposed approach, Parties should consider the following factors:
- (a) The status of international efforts and work on chemicals (including unintentionally produced POPs);
 - (b) The added value to the protection of the environment and human health.

International Efforts and Work on Chemicals

16. The Long-Term Strategy signals that global action on POPs will be taken through the Stockholm Convention. There may, however, be instances where additional work under the Protocol on POPs may be warranted. Before further consideration of proposals to list a substance on the Protocol on POPs, Parties could consider work under the Stockholm Convention and whether or not it can be applied to the work being considered under the Protocol on POPs, so as to reduce redundancies and duplication of efforts. This could include consideration of a number of activities such as:

- (a) Work under the Stockholm Convention's POP Review Committee, in particular the Stockholm Convention's annex E (risk profile) and annex F (socio-economic) reviews and whether or not the information collected by the Review Committee would also meet the requirements of the Track A and Track B reviews undertaken by the Task Force on POPs, in accordance with the process described in article 14 of the Protocol on POPs and Executive Body decision 1998/2;
- (b) The outcome of any negotiations under the Stockholm Convention.

Added Value to the Protection of Human Health and the Environment from Regional Action under the Protocol on POPs

17. As noted above, there may be instances where, following the work undertaken by the Stockholm Convention, additional measures may be warranted under the Protocol on POPs; however, it is suggested that Parties first consider the added value to human health and the environment that would result from additional measures under the Protocol.

18. The listing of a substance to the Stockholm Convention could result in a larger number of Parties taking action and greater human health and/or environmental benefit than if a substance was listed on the Protocol on POPs. Although there are a greater number of Parties under the Stockholm Convention, there may be different concerns with respect to the listing of a substance. As such, situations may arise where efforts to list a substance are unsuccessful or the listing of a substance on the Stockholm Convention may not be as stringent as the listing of a substance could be under a more regional forum, like the Protocol on POPs.

19. While the two agreements must follow their respective review process, there may be opportunities to streamline efforts between the two which would result in “considerable savings in technical effort”, as suggested in David Stone’s informal submission to the forty-third session of the Working Group on Strategies and Review entitled, “Possible technical and process efficiencies in the review of substances nominated to both the Protocol on Persistent Organic Pollutants and the Stockholm Convention”.¹¹ As such, efforts under the Protocol on POPs to review information provided to the Stockholm Convention could be streamlined such that Parties to the Protocol could take note of it, with a focus on elements specific to the ECE region, such as environmental persistence and application of POPs criteria, ecosystem sensitivity and population vulnerability and the potential for application of BAT. This may reduce and in some cases eliminate the need for the Task Force on POPs to undertake complete Track A and Track B reviews, as there may be opportunities for focused discussions among the Parties to address particular areas of interest.

20. In assessing the added value of further work by Parties to the Protocol on POPs, consideration could also be given to whether or not Parties would undertake additional domestic measures if a substance already listed to the Stockholm Convention is also listed on the Protocol on POPs. If a substance is already listed in the Stockholm Convention, most of its Parties in the ECE region should have domestic measures in place to phase out the production and use of the substance. Additional measures proposed under the Protocol may therefore have little added value to the protection of human health and the environment.

21. In summary, proposals to add substances to the Protocol should be examined through the above-mentioned approach, with a view to eliminating redundancy, ensuring that additional work secures added value for the Parties to the Protocol and that Parties are in agreement that nominated substances meet the POPs criteria.

1.3 Need for further revisions — further development of BAT/BEP guidance and addition of ELVs for unintentional releases of POPs

22. Parties agreed in the Long-term Strategy to increase the focus of future policy work for the Protocol on POPs towards unintentional releases of POPs. The two treaties cover the same unintentionally released POPS — dibenzo-p-dioxins, PCDD/F, HCB and PCBs — with one exception: only the Protocol on POPs covers PAHs. The Protocol also includes requirements to reduce atmospheric emissions of PCDD/F, PAHs, HCB and PCBs and to apply ELVs for PCDD/F for certain stationary sources.

23. Both the Protocol and the Stockholm Convention include BAT for controlling sources of unintentionally produced POPs (the Protocol includes an “extended” BAT approach, while the Stockholm Convention includes both BAT and BEP for such sources).¹² BAT practices developed under the Protocol on POPs reflect the abilities of a mix of 51¹³ developed countries and countries with economies in transition to deal with sources of unintentionally produced POPs. Under the Stockholm Convention, both BAT

¹¹ The document is available from <http://www.unece.org/env/lrtap/workinggroups/wgs/docs43rdsession.html>.

¹² The Protocol has BAT requirements in annex V; the Stockholm Convention requirements for BAT and BEP can be found under its article 5 with the companion guidance document outlining specific measures.

¹³ BAT guidance is formally adopted by the (51) Parties to the Convention at the Executive Body sessions and not only by the 33 Parties to the Protocol.

and BEP measures reflect the abilities of a mix of 177 Parties, which range from the least developed to the most highly developed countries in the world. BAT guidance under the Protocol was recently updated (December 2009) with the amendment of annex V and the adoption of a guidance document on BAT.¹⁴ The Stockholm Convention adopted guidelines on BAT and guidance on BEP in December 2006¹⁵ and, more recently, a procedure for reviewing and updating the guidelines/guidance.¹⁶ The existence of BAT (and BEP) under two agreements raises the question of whether it is worthwhile to further develop and update two sets of BAT procedures that may differ in content and scope. The added benefit of unintentional releases of POPs BAT guidance under the Protocol on POPs may continue if:

(a) A greater number of unintentionally released POPs are addressed in the Protocol on POPs than in the Stockholm Convention;

(b) The level of BAT in the Protocol on POPs is more ambitious than what can be agreed to under the Stockholm Convention.

From this perspective, the existence of two sets of BAT can be seen as complementary rather than duplicative work, with the guidance prepared under the Protocol on POPs being considered as preparatory input for the Stockholm Convention.

2. The Protocol on Heavy Metals

24. The Protocol on Heavy Metals was adopted in 1998 and entered into force in 2003. As of 14 May 2012, the Protocol has been ratified by 33 Parties. Implementation of the Protocol on Heavy Metals has resulted in reductions in the use and release of lead, cadmium and mercury in the ECE region.

25. A mandate was provided in December 2011 by the Executive Body to the Working Group on Strategies and Review to finalize the negotiation of amendments to the Protocol on Heavy Metals by the end of 2012. Proposed amendments include additional control measures for new mercury-containing products; amendments involving amendment procedures for consistency with similar amendments to the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) and the Protocol on POPs; enhancements in the area of atmospheric emissions, including more flexibility in implementing control measures with the aim of increasing ratification by countries of Eastern Europe, the Caucasus and Central Asia¹⁷ and South-Eastern Europe.¹⁸ These

¹⁴ Guidance document on best available techniques for reducing emissions of persistent organic pollutants from major stationary sources (ECE/EB.AIR/2009/14, appendix), adopted by the Executive Body by decision 2009/4. Text of the guidance is available from <http://www.unece.org/fileadmin/DAM/env/documents/2009/EB/eb/ece.eb.air.2009.14.e.pdf>.

¹⁵ *Guidelines on best available techniques and provisional guidance on best environmental practices relevant to Article 5 and Annex C*, Conference of the Parties decision SC-3/5. Available from: <http://chm.pops.int/Implementation/BATBEP/Guidelines/tabid/187/Default.aspx>.

¹⁶ Procedure for the review and updating of the guidelines on best available techniques and provisional guidance on best environmental practices, Conference of the Parties decision SC-5/12, annex. Available from: <http://chm.pops.int/Implementation/BATBEP/DecisionsRecommendations/tabid/186/Default.aspx>.

¹⁷ Only 1 of 12 countries of this subregion (Republic of Moldova) has ratified the Protocol on Heavy Metals (as of May 2012).

¹⁸ Three of six South-Eastern European countries (Montenegro, Serbia and the former Yugoslav Republic of Macedonia) have ratified the Protocol on Heavy Metals (as of May 2012).

amendments were discussed by the Working Group on Strategies and Review in September 2012, and a decision on them could be taken as early as December 2012.

26. Drivers for the current Protocol on Heavy Metals amendments have been to increase the ratification of countries in Eastern Europe, the Caucasus and Central Asia and South-Eastern Europe, to enhance consistency with amendments to the Gothenburg Protocol (as adopted in 2012) and the Protocol on POPs (as adopted in 2009), and to make the Protocol more adaptable in future by producing a guidance document on BAT extracted from annex III and updated as appropriate.¹⁹

27. The process to negotiate a global treaty on mercury is unfolding on a similar timeline.²⁰ The fourth of five negotiating sessions was held in June/July 2012, with the last session scheduled for January 2013, just in advance of the twenty-seventh regular session of the UNEP Governing Council/Global Ministerial Environment Forum in February 2013. A Chair's text is expected in October to facilitate a successful outcome in January. The Diplomatic Conference, at which the treaty will be adopted and opened for signature, is planned for the fall of 2013.

2.1 *Comparison of the Protocol on Heavy Metals with global mercury treaty*

28. The Heavy Metals Protocol currently regulates all heavy atmospheric emissions metals with a focus on lead, cadmium and mercury. It includes requirements to reduce atmospheric emissions and apply BAT and ELVs for new and existing listed stationary sources based on timescales in the annexes. There is a requirement to develop and maintain emissions inventories, as well as obligations on exchange of information and technology; research, development and monitoring. Accountability is maintained through use of the Implementation Committee, a requirement for national reports and reviews of the sufficiency and effectiveness of the Protocol. In terms of control measures, the only other control obligations are "product control measures", which relate to achieving mercury levels in certain batteries; Parties are also encouraged to consider product management measures for other products, such as mercury-containing electrical components, measuring devices, lamps, dental amalgam, pesticides, paint and other batteries.

29. The current amendments proposed under the Protocol on Heavy Metals include the following technical amendments to the Protocol annexes:²¹

(a) Timing flexibility for countries with economies in transition when choosing a reference year for emission reductions;

(b) Flexibility for countries with economies in transition regarding the timescales for applying ELVs and BAT to new and existing sources;

¹⁹ See ECE/EB.AIR/WG.5/2011/4, para. 5.

²⁰ See *ibid.*, para. 3: "When considering the above amendment proposals, the Working Group is invited to be mindful of the work undertaken by the Intergovernmental Negotiating Committee under the auspices of the United Nations Environment Programme towards a legally binding global instrument to address mercury, which also addresses mercury containing products". In February 2009, the Governing Council of UNEP agreed on the need to develop a global legally binding instrument on mercury (see <http://www.unep.org/hazardoussubstances/Mercury/Negotiations/tabid/3320/Default.aspx>). The work to prepare this instrument is undertaken by an intergovernmental negotiating committee (INC) and the negotiations commenced in 2010.

²¹ See ECE/EB.AIR/WG.5/2011/4.

- (c) New stationary source categories (manganese);
- (d) Updates of ELVs for stationary sources corresponding to BAT;
- (e) New product control measures (including for batteries, measuring devices, vehicles, electrical and electronic equipment, fluorescent lamps and dental amalgam).

30. There are also several additional, general amendments proposed to some articles of the Protocol for consistency with similar amendments to the Gothenburg and POPs Protocols (e.g., amendment procedures).

31. The global treaty on mercury is expected to be much broader in scope than the Protocol on Heavy Metals. While it will address atmospheric emissions, it will also deal with many of the products listed for possible amendment under the Protocol, and will also likely address the trade in products. The treaty will also deal with issues of trade in elemental mercury and mercury compounds, supply, wastes, storage, contaminated sites and artisanal and small-scale gold mining.

32. On atmospheric emissions, the complexity and sensitivity of the issue at the global level has meant that progress has been slow and the ultimate nature and type of obligations will not be known until the fifth negotiating session takes place in January 2013. Treaty obligations for reducing emissions are shaping up to be differentiated between new and existing facilities. New facilities would be required to use BAT (as defined in a global context, different from the European Union and ECE definitions of BAT), while obligations for existing facilities could be selected by countries from a list of options (including national goals, ELVs, BAT and multi-pollutant approaches) to achieve a similar level of reduction. Among the sources that are currently under consideration for regulation are: coal-fired power plants and industrial boilers, non-ferrous smelters, cement production, incinerators, iron and steel manufacturing and oil and gas production and processing. Given its global coverage, the treaty is expected to include all countries with significant mercury emissions, which would provide the maximum beneficial impact for sensitive regions such as the Arctic.

2.2 *Evaluating the value added of further revisions/amendments/updates*

33. The Protocol on Heavy Metals is expected to continue providing value currently through control measures for lead, cadmium, mercury and possibly other heavy metals, as well as from linkages with scientific activities being conducted under the Convention. Therefore, it is considered necessary that effects-related work under the Convention is maintained at a sufficient level, and that the evolution of the Protocol is used to influence meaningful projects.

34. At the present time, a legally binding global mercury treaty is being negotiated under UNEP, and is scheduled to be completed in January 2013. This instrument is expected to cover a broader scope for mercury control measures than the Protocol. Consequently, prior to undertaking future mercury-related amendments to the Protocol:

- (a) Parties should specifically consider whether these will deliver increased health and environmental protection beyond the impacts of the global treaty;
- (b) If sufficient additional benefits could be obtained, Parties should then identify, as a minimum:
 - (i) If more stringent requirements are needed in the ECE region;

(ii) If earlier regional action is required compared to timelines for global measures where such measures exist.

35. In the current time frame, Parties should focus on the full implementation of Protocol measures, including their obligations towards emission inventories and monitoring. In the longer term, Parties should decide if and when amendments to the Protocol are needed by taking into account the latest scientific knowledge on the effects of heavy metals on human health and ecosystems, and the benefits and successes of the new UNEP global mercury treaty.

Annex

Comments on, and analysis of, the results of the workshop on communications held in the United Kingdom in 2003

Introduction

1. A workshop on a communication strategy for the Convention took place in London from 9 to 11 April 2003 to agree on concrete recommendations for enhancing the visibility of the Convention and its achievements. A report on the workshop (EB.AIR/WG.5/2003/7) was subsequently presented to the Working Group on Strategies and Review at its thirty-fifth session. Using the text of that report, this annex considers action subsequently taken by the Convention and others to address the workshop's conclusions and recommendations. In the sections below, the text of the report is indented and italicized. Each part of the report is followed by comments on action taken and progress made. Section headings are mostly those used in the workshop report.

I. A Communication Strategy for the Convention

Recommendations from the workshop on communications prepared by the Chairman and the organizing committee in collaboration with the secretariat

4. *At the request of the Executive Body at its eighteenth session, a meeting of an open-ended group of experts had been held in Geneva (24 April 2001) to develop elements for a communication strategy. One of the goals was to identify environmental communications expertise to help the Convention communicate better with its various audiences. The group had agreed that a lack of applied communication expertise hindered the ability of the Convention to transmit its work and results effectively. It had also agreed that environmental communication experts had neglected problems of long-range transboundary air pollution. The group recommended a workshop, bringing together communication experts and the Convention's subject matter specialists who could help develop ways to communicate the work and results of the Convention (EB.AIR/WG.5/2001/3, para. 9). The recommendation had been endorsed by the Working Group on Strategies and Review at its thirty-third session (EB.AIR/WG.5/70, para. 67 (b)), and the Executive Body, at its nineteenth session, had welcomed the possibility of a workshop (ECE/EB.AIR/75, para. 33 (c)).*

5. *At its twentieth session, the Executive Body had noted with appreciation the offers of Sweden, Switzerland, the United Kingdom and the United States to convene a workshop on communications (ECE/EB.AIR/77, para. 48 (n)). The Stockholm Environment Institute at York (SEI-Y) played a lead role in developing content, commissioning papers and organizing the workshop. The Government of the United Kingdom arranged the venue.*

2. As noted above (workshop report, para. 4), an open-ended group of experts met in 2001 to develop "elements" for a communications strategy. The workshop it recommended was held on "communications". It should be stressed that the workshop was never

mandated to develop the Convention's communications strategy, but prepared a report on “a communications strategy” by considering various aspects of communications considered important by the organizers of the workshop. The outputs from the workshop were a series of conclusions and recommendations that were presented to the Working Group on Strategies and Review for consideration.

3. The Working Group took note of the workshop, recommended that the results be drawn to the attention of the Executive Body, and made specific recommendations with regard to the twenty-fifth anniversary of the Convention (EB.AIR/WG.5/76, para. 74). The Executive Body subsequently “took note of the results of the communications workshop” and “commended them for use by the Convention” (ECE/EB.AIR/79, para. 55 (e)).

4. It should be stressed, therefore, that the Convention has never had a comprehensive, documented overall communications strategy, not even a draft one. While the Executive Body recommended the use of the workshop report, it was not adopted as the Convention's communication strategy. Consequently, simple comments and analyses of the 2003 workshop report will probably fall short of a complete, up-to-date communications strategy, as required by the Action Plan for the Implementation of the Long-term Strategy. However, such comments could be a useful starting point for developing the necessary future strategy.

II. Structure of the workshop

6. *After presentations by the authors of pre-circulated papers, experts discussed ideas according to three themes, exploring the following associated questions:*

(a) *The Convention and its stakeholders: who are the stakeholders and how can we actively engage them?*

(b) *Reporting to the Convention: how can we use the internal reporting system and its outputs to better communicate the Convention?*

(c) *Enhancing synergies beyond the Convention: what message does the Convention want to convey and how can we effectively convey it?*

5. It should be noted with respect to paragraph 4 above that the workshop's focus on the three areas listed in paragraph 6 of the workshop report resulted in it considering mainly “external” communications and “publicity”, rather than looking at issues such as effective communications between bodies within the Convention. This partly reflects the mandate of the workshop as listed in the Convention workplan — “organization of a workshop on enhanced communications for the Convention to identify concrete actions to improve its visibility and profile, scheduled for 9–11 April 2003 in London” (ECE/EB.AIR/77/Add.2, item 1.10) — i.e., the mandate was targeted to raising the visibility and profile of the Convention externally (or beyond the region and to the public at large).

6. Current deliberations on a communications strategy for the Convention could use a much broader approach and cover all aspects of communications relevant to the Convention, both within and outside the Convention, including meetings, documentation, the role of the secretariat, etc. Such an approach, however, is likely to overlap with other issues of the Long-term Strategy, so care is needed to ensure harmonized conclusions.

III. Conclusions and recommendations

8. *The workshop recommended that the main objective of developing a communication strategy for the Convention should be to support the Convention and*

thus help raise awareness of the problems of air pollution, as well as to make the contribution of the Convention to air pollution abatement more visible.

9. *The workshop agreed on a wide range of recommendations, which fell into one or more of the following categories: stakeholder participation, media relations, global synergies, the Internet, and Convention outputs. The workshop noted the recommendations would need to be prioritized and the question of resources addressed. A mechanism to determine the effectiveness of measures once implemented should also be considered.*

7. Paragraphs 8 and 9 of the workshop report reflect the workshop's focus on awareness-raising and demonstrating the contribution of the Convention to air pollution abatement. However, communications within the region, between Parties and non-Parties, between Parties and the secretariat, between subregions, between Convention bodies, etc., are also important and should be evaluated.

A. Activities identified for possible immediate action

10. *Some recommendations required more immediate attention to ensure their effective implementation:*

(a) *Examine the need for, and the interest of Parties in leading, a task force, expert group or network of experts on communications. This could be either a new body or a new network of focal points for existing bodies, with the purpose of proposing new activities, and monitoring and supporting those already started;*

(b) *Plan a media event to mark the 25th anniversary of the Convention in 2004; explore the possibility of linking the event to a ministerial conference or another high-level forum that would maximize press coverage and visibility; produce an anniversary book or booklet to mark the anniversary, including, for instance, data on emission trends, effects of air pollution and highlights of the Convention's achievements; draw on the forthcoming substantive reports by the Working Group on Effects (The Assessment of Recent Air Pollution Effects and their Recorded Trends) and EMEP (The Assessment Report of Measuring and Modelling in Europe) to develop media-friendly information; provide similar information on North America;*

(c) *Explore options for establishing a global forum to provide a framework for interregional collaboration and to improve the outreach activities of the Convention in Africa, Asia and Latin America. The Executive Body may wish to take steps towards bringing the various active regional networks together, possibly by means of a workshop.*

8. The need for a group on communications was discussed by the Working Group on Strategies and Review, and it "proposed the setting-up of an expert group drawn from interested Parties to consider issues of communications initially with a view to preparing for the 25th anniversary of the Convention" (EB.AIR/WG.5/76 , para. 74. (d)). However, discussions at the following Executive Body session showed reluctance to establish a new group or mechanism and the Executive Body charged its Bureau with handling the organization of the twenty-fifth anniversary celebrations.

9. It should be stressed that the twenty-fifth anniversary was a major topic of discussion at Convention meetings at that time. The twenty-fifth anniversary celebrations, though not associated with a ministerial conference or high-level forum, attracted wide participation and interest. Books, reports, brochures and press releases were produced for

the event, illustrating both the history of the Convention, its successes and its current activities at that time. A special day was set aside at the Executive Body session for presentations from invited speakers and discussions.

10. Another recommendation for immediate action, the Global Forum, was taken forward through an initiative of the Stockholm Environment Institute (one of the main organizers of the workshop) and the International Union of Air Pollution Prevention and Environmental Protection Associations (IUAPPA) (a non-governmental organization (NGO) accredited by the Executive Body). The Global Atmospheric Pollution Forum has been supported by the Convention and has been a major mechanism for promoting interregional communications. Its work should continue to be encouraged and supported, where appropriate, by the Convention as it provides the means for regular contacts with other regions.

B. Promote stakeholder participation in the work of the Convention

11. The workshop discussed the need to promote stakeholder participation in the activities carried out under the Convention by developing better links with policy advisers, decision-makers, and the scientific, research, business, NGO communities, as well as the general public. Specifically, the workshop recommended targeted efforts to:

(a) Continue to build partnerships with other initiatives, promoting harmonization of data and technical activities between regional and other networks, such as the European Commission's Clean Air for Europe programme (CAFE), to draw on their experience of liaising with stakeholders and to avoid redundancy; clarify reporting procedures of other relevant international agreements and organizations and develop proposals to avoid duplication of efforts and reduce the response burden of Parties;

(b) Raise the profile of the Convention among the NGO community and civil society by representing NGOs and their constituents more fully in meetings and the work of the Convention; and

(c) Promote the work and achievements of the Convention by providing expertise for related meetings; encourage national experts to promote the work of the Convention at conferences, etc., using outputs from the Convention, including information specially prepared for specific audiences on its web site.

11. Building partnerships (workshop report, para. 11 (a)) with other initiatives has taken place under the Convention, but it has not always proved easy. Harmonization of data and technical activities have proved easier where the Convention has taken a lead role. Liaising with stakeholders has generally been ad hoc. Some work was done (though more may be needed) to clarify and harmonize some reporting procedures to different international agreements. It remains important to target organizations and activities where partnership building is needed.

12. NGO participation (workshop report, para. 11 (b)) continues to be rather limited at most Convention meetings. However, steps have been taken by the Executive Body to ensure that accreditation can be given by the Executive Body. This is important for NGOs that do not have United Nations accreditation, and ensures participation of some NGOs important for the Convention's work. Some, highly active (and non-United Nations accredited) NGOs (e.g., the Air Pollution and Climate Secretariat, IUAPPA) have provided

much useful publicity for the Convention and have contributed to the Convention's work and goals. The Convention should continue to encourage active participation of NGOs.

13. Promotion of the Convention's work and achievements through related meetings (workshop report, para. 11 (c)) has taken place through the participation of some of the more active Parties, delegates and experts in non-CLRTAP meetings. Available brochures on the Convention and its work facilitate this activity. Convention bodies and the secretariat should be encouraged to continue to produce outputs of reader-friendly material for wide dissemination and use at non-CLRTAP meetings.

C. Enhance media relations to increase the visibility of the Convention

12. The workshop discussed the lack of visibility of the Convention and its achievements, noting the importance of identifying a target audience and clarifying the message to be conveyed. Target audiences included: policy advisers, decision makers, the media, the public and the scientific community. While the media had a responsibility to convey complex scientific issues in a manner comprehensible to the public, the Convention could play an important role in attracting the media through a well-honed communication strategy. Moreover, it was necessary to transform the culture surrounding the Convention's work so that all outputs were considered for their communication potential. The workshop discussed, moreover, ways to refer to the Convention by name and acronym, and suggested: "the Air Pollution Convention" and "LRTAP". Specifically, the workshop recommended targeted efforts to:

(a) Pursue proactive media relations, making media a high priority for the Convention and engendering an increased professionalism to media relations, acknowledging it as a separate area of expertise under the Convention. This could imply the part-time or temporary appointment of a press officer, free-lance services provided on an ad-hoc or continuous basis, or assistance provided by Parties as contributions in kind;

(b) Develop relations with the press and present materials in a media-friendly format. The Geneva press corps, and in particular journalists focused on environment and health, were considered good starting points; it would also be important to reach specialized publications on environment, science, health and air pollution; materials should be presented in a journalistic style, with a particular focus on human health and environmental impacts;

(c) Regularly produce media-friendly syntheses of key outputs of the Convention's work; consider a wider distribution of ECE Weekly, or the use of one-page executive summaries of important reports or documents, targeted toward non-experts. Both could be made available on the Convention's web site;

(d) Plan the timing of press releases and media events strategically; raise the profile of the Convention by coordinating press releases and events with related events of high visibility, such as a United Nations world conference, a ministerial conference or an environmental NGO forum;

(e) Develop a newsletter on the Convention, after assessing its potential readership, possibly aimed at interregional communication;

(f) Make available visual resources such as films, videos, digital video disks (DVDs), for media relations (e.g. video footage showing environmental

impacts such as low-level ozone damage to forests, to be used as supplementary material to television news reports); and

(g) Develop an online database of relevant media contacts, including not only environmental correspondents, but also journalists covering business, urban and rural affairs.

14. The issue of media relations produced a large number of recommendations from the workshop, in part because it was recognized that there was a general lack of visibility of the Convention and its achievements, and it was felt that the media could be used to address this. The lack of visibility still exists and efforts should continue to address target audiences. Some Convention bodies have become more aware of the need for using outputs to advantage, and for generating media-friendly formatted material (workshop report, para. 12 (c)), but efforts should be maintained to develop material that can be used for targeted communications.

15. While the workshop emphasized “proactive media relations” (workshop report, para. 12 (a)), it is not apparent that this has been given a high priority by the Convention. The Executive Body may wish to consider specific action to promote this area of work. The Executive Body has not taken steps to create a Convention-specific press officer and Parties have not offered help in kind to address the issue. However, the secretariat has made use of the ECE Press Officer to develop publicity material, to prepare timely press releases (workshop report, para. 12 (d)) and to provide guidance on material for high-level meetings and for the general public. Continued and enhanced action is required.

16. The secretariat initiated a newsletter for the Convention in response to the workshop’s recommendation (*para 12 (e)*). Three editions were produced and it met, at least initially, with favourable comments from those involved with the Convention. However, it proved difficult to persuade Chairs, delegates and experts to provide material for the newsletter, and there was increasing reliance on the secretariat to ensure publication. The Executive Body may wish to consider if resources should be used for such work in the future. Parties may wish to consider offering help in kind to develop a new newsletter.

17. There was little follow-up on creating a media library (workshop report, para. 12 (f)), mostly because little material was available. Some Convention bodies have ensured material presented at their meetings is widely available through their websites, but no centralized service has been developed. There is a problem in ensuring information is up to date. The Executive Body may wish to consider if this activity should be given a high priority in the future.

18. Regarding an online database of media contacts (workshop report, para. 12 (g)), no action has been taken by the Executive Body or by Parties. The secretariat continues to use the database of contacts held by the ECE Press Officer.

D. Create global synergies to promote the Convention and share its achievements

13. The workshop discussed the possibilities for developing a network of information experts for geographical and topical outreach, including linkages between air pollution and climate change. Efforts should be made to extend the expertise under the Convention to ECE member countries in Eastern Europe, the Caucasus and Central Asia, as well as to provide assistance to countries that wished to ratify the Convention and its protocols. The workshop examined, moreover, synergies between the Convention and related activities in Africa, Asia and Latin

America, and proposed activities to facilitate this work. Specifically, the workshop recommended targeted efforts to:

(a) Raise awareness of existing and potential outreach activities involving technical collaboration. The Executive Body may wish to: invite its subsidiary bodies, task forces and expert groups to encourage the participation of atmospheric pollution experts from other regions, for instance, by informing them about Convention meetings and workshops on a regular basis and inviting them when possible; collaborate with funding agencies and other existing projects to make effective use of available funding;

(b) Encourage the sharing of experience and develop guidance information to aid the accession of non-Parties; take advantage of the experience gained by Parties in their implementation of the Convention and its protocols;

(c) Address communication gaps with other regions, in particular with the Mediterranean region; explore ways and means to bridge these gaps, while encouraging stronger participation from Parties in the Mediterranean region.

19. The issue of developing a network of information experts, related to countries in Eastern Europe, the Caucasus and Central Asia, to other Conventions, or to other regions, has not materialized. While links with other regions and, to some extent, other Conventions, have developed, information network links are still lacking.

20. However, targeted efforts to raise awareness of outreach activities (workshop report, para. 13 (a)), through encouraging participation of non-ECE experts and delegates in Convention meetings, have made some progress. The Executive Body itself has regularly invited, as observers, participation of non-ECE countries at its sessions; it has requested the secretariat to send invitations to missions in Geneva for that purpose. Usually there are very few responses from the missions. The Executive Body has also encouraged expert groups and task forces to invite experts from other regions to share experiences and data. Some bodies, such as the Task Force on Hemispheric Transport of Air Pollution, are encouraged through their mandates to involve appropriate experts from outside the region.

21. Some effort is made to share experiences with non-Parties to some Protocols through the regular sessions of the Executive Body and the working groups, since non-Parties to Protocols (and even non-Parties to the Convention) are welcome to attend all sessions. More proactively, the secretariat started development of guidance information on Protocol accession (workshop report, para. 13 (b)), but this was never completed. The evolution of a more coordinated Eastern Europe, the Caucasus and Central Asia group might help determine whether the preparation of guidance documents should be started afresh.

22. Communications gaps with some other regions (workshop report, para. 13 (c)), in particular the Mediterranean region, still exist. These will need to be addressed in the future.

E. Optimize Internet capabilities to make the Convention more accessible

14. The workshop discussed the importance of the Internet in improving communications of the Convention, both as a provider of information and for its interactive potential with stakeholders. The workshop noted the importance of improving the Convention's web site to make it more attractive, user-friendly and targeted toward the appropriate audiences. The web site could be enhanced by the

secretariat, or through targeted funding or contributions in kind from a Party providing an expert. Specifically, the workshop recommended targeted efforts to:

(a) Improve the visual imagery of the site; add a search engine, a separate (URL) address with a domain name similar to the name of the Convention, and other improvements to make the site more user-friendly;

(b) Introduce a subscription system, allowing visitors to the web site to receive electronic news updates, including press releases and information on the Convention;

(c) Develop presentations about the Convention that could be downloaded from the web site for use by experts in other meetings. These could include PowerPoint presentations, as well as graphic presentations such as tables, charts or maps, reflecting general information about, for instance, the status of ratification of protocols, the results of Convention meetings and workshops, news about the Convention and other air pollution issues.

23. The Convention's website has continued to evolve and improve since the time of the workshop. Changes have been driven by the development of the main ECE site, the co-evolution of other ECE Convention sites, expert input from ECE staff and expertise provided by Parties. The secretariat has also tried to respond to comments and suggestions from users, in particular Parties. The current site generally functions well, but it could be improved by, for example, giving access to more reports, especially older reports; providing up-to-date information on the work of the Convention, and ensuring that links to documents lead to the correct document (feedback from users could help).

24. The Convention has not taken steps to identify a separate URL address with a name linked to the Convention (workshop report, para. 14 (a)). While it seems some other ECE Conventions also discussed taking this step at one time, none of them have done so to date and it is uncertain whether ECE currently allows this practice.^a Similarly, no steps have been taken to introduce a subscription system (workshop report, para. 14 (b)).

25. It is now commonplace for Convention bodies to make available PowerPoint presentations through their websites (workshop report, para. 14 (c)). The secretariat makes its presentations freely available and retains a common database of presentations that can be accessed from the ECE website.

F. Make more effective use of Convention outputs

15. The workshop discussed the current reporting system under the Convention whereby Parties reported on their emissions, strategies and policies for air pollution abatement, and critical loads and levels. Convention outputs included publications presenting aggregated information on emission trends and abatement policies, as well as information on individual Parties. The workshop agreed that the current system of reporting to the Convention and better use of its outputs by Parties, the media, civil society and other stakeholders could improve the visibility of the

^a *Editor's note:* While a separate URL address with a name linked *only* to the convention and not to ECE is probably not an acceptable practice, there have been subsidiary mechanisms of ECE conventions (i.e., the Aarhus Clearinghouse) that have put the name of the Convention as the first item in the URL address (<http://aarhusclearinghouse.unece.org/>). It is not clear whether this could be done for the parent convention as well.

Convention, as well as promote stakeholder participation. Specifically, the workshop recommended targeted efforts to:

(a) Promote public and media access to data produced through its internal reporting system, recognizing the wealth of information generated by the Convention; information should be made widely available to scientific researchers, NGOs and specialized journalists; data and information reported to the Convention, and used to determine compliance, should be collected, shared and made accessible, in a user-friendly form;

(b) Assess existing sets of indicators related to air pollution, with possible input from the EMEP Steering Body and the Working Group on Effects, showing successes and impacts of the Convention and its protocols; reflect indicators using geographic information systems (GIS) to illustrate national and regional differences;

(c) Make Convention manuals/documents and interlaboratory comparisons more readily available. This should begin with an inventory of documents already available, as well as information on contact points, languages available, revision dates, etc.

26. There has been a continued trend to make data submitted to the Convention publicly available (workshop report, para 15 (a)). The Executive Body has promoted data sharing while also recognizing the need for publication of collated and analysed material. The Working Groups have discussed this issue, agreed policies for dissemination and presented these to the Executive Body for approval.

27. Assessing impacts through indicators (workshop report, para. 15 (b)) and using GIS remain ongoing challenges. Various publications/documents have addressed these issues, usually with respect to specific data sets, but the challenge for the future still remains. Assessment of successes and impacts of the Convention and its protocols will continue to be of high relevance in negotiating protocols and evaluating strategies.

28. There has been a general trend towards making manuals and interlaboratory comparisons more transparent and publicly available (workshop report, para. 15 (c)). Methods and intercomparison exercises of Convention bodies are often shared with other regions, ensuring more global consistency and an increased profile for the Convention's science. There is no official inventory of such documents, however, and this may still be of value to scientific groups in other regions (as well as throughout the ECE region).
