

Decisions adopted by the Executive Body at its thirty-seventh session

Decision 2017/3

Adjustments under the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone to account for changes in the membership of the European Union

The Executive Body,

Acting in accordance with paragraph 11 of the structure and functions and procedures for review of the Implementation Committee under the Convention on Long-range Transboundary Air Pollution,¹

Recalling its decisions 2013/14 and 2016/4 concerning compliance by the European Union with the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol),

Also recalling paragraph 37 of its report on its thirty-sixth session,² in which the European Union was requested to consider ways forward regarding possible procedures by which the ceilings of the Gothenburg Protocol could be adjusted to reflect European Union membership, and to report back to the Executive Body at its thirty-seventh session,

Noting that article 13, paragraph 2, of the Gothenburg Protocol as amended provides a procedure for a Party to propose an adjustment of its ceilings listed in annex II to the Gothenburg Protocol, but that the methodologies set out in Executive Body Decisions 2012/3 and 2012/12 on adjustments would not apply to an adjustment of these ceilings to reflect changes in the membership of the European Union,

1. *Decides*, in accordance with article 13, paragraph 2, of the Gothenburg Protocol, as amended and provisionally applied pursuant to decision 2012/4, to establish a methodology for adjustment of the ceilings listed for the European Community in annex II to the Gothenburg Protocol in the event of changes in the membership of the European Union, as follows:

(a) Where a signatory or Party to the original Gothenburg Protocol accedes to the European Union, the European Union ceiling for each pollutant under annex II of the original Gothenburg Protocol shall be the sum of: (i) the European Union ceiling before the accession in question, and (ii) the ceiling of the acceding signatory or Party. In case a signatory or Party does not have emissions ceilings in annex II, the European Union shall submit a proposal for consideration by the Executive Body outlining the additional emissions for each pollutant that should be added to the European Union ceiling;

(b) Where a signatory or Party to the original Gothenburg Protocol leaves the European Union, the European Union ceiling for each pollutant under annex II to the original Gothenburg Protocol shall be the difference between: (i) the European Union ceiling before the leaving in question, and (ii) the ceiling of the leaving signatory or Party;

2. *Also decides* that the European Union may submit proposed adjustments using the above methodology in writing to the Executive Secretary of the United Nations Economic Commission for Europe, who shall

¹ See ECE/EB.AIR/113/Add.1, decision 2012/25, annex.

² ECE/EB.AIR/137.

communicate the proposals to all Parties. The Parties shall discuss any proposed adjustments at the next session of the Executive Body, provided that those proposals have been circulated by the Executive Secretary to the Parties at least 90 days in advance;

3. *Further decides* that, in accordance with article 13, paragraph 2, of the Gothenburg Protocol as amended, prior to discussion of the proposed adjustments by the Executive Body the proposals shall be reviewed by the Steering Body to the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), in conjunction with other appropriate technical bodies under EMEP, on the basis of the supporting documentation and consistency with the methodology contained in this decision, which shall forward its findings to the Executive Body.