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

Thirty-ninth session

Geneva, 9–13 December 2019

Items 5 (a), 10 and 11 of the provisional agenda

Review of implementation of the 2018–2019 workplan: science

Financial requirements for implementation of the Convention

Amendment to annex VII to the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone

Draft decisions of the Executive Body

Note by the secretariat

Summary

This document contains draft decisions for consideration and adoption by the Executive Body.

At its thirty-eighth session (Geneva, 10–14 December 2018), the Executive Body agreed to initiate discussions and to develop a proposal on the approach for the transition to the post-2020 reduction commitments for Parties who have accepted the amendments to the Gothenburg Protocol (ECE/EB.AIR/142, para. 18 (c)). Following such discussions within the Bureau of the Executive Body, and in view of the entry into force of the Amendment of the text of and annexes II to IX to the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone and the addition of new annexes X and XI, adopted by decision 2012/2, the Executive Body may wish to consider adopting the draft decision on the review of compliance by Parties to the Gothenburg Protocol

In accordance with article 13bis (2) of the amended Gothenburg Protocol and rule 28 (2) of the Rules of procedure, a proposal for amendments to the Protocol submitted by the United States of America was circulated to Parties on 9 September 2019 (ninety days before the session at which the proposal is to be considered). Following consideration of the proposal submitted by the United States of America, the Executive Body may wish to consider and adopt the draft decisions below.

The present document contains a draft decision, amending decision 2002/1 on the financing of core activities not covered by the Protocol on Long-term Financing of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), to add a new designated international centre and to adopt a revised scale of recommended contributions, as recommended by the fifth joint session of the EMEP Steering Body and the Working Group on Effects (Geneva, 9–13 September 2019). The Executive Body is invited to consider and adopt the decision amending decision 2002/1.

A. Review of compliance by Parties to the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol)

The Executive Body,

Acting in accordance with the structure and functions and procedures for review of the Implementation Committee (ECE/EB.AIR/113/Add.1, decision 2012/25, annex),

Recalling its decision 2012/2 on amendment of the text of and annexes II to IX to the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) and the addition of new annexes X and XI, adopted on 4 May 2012,

Welcoming the entry into force of those amendments on 7 October 2019,

Recognizing the importance for Parties to the Gothenburg Protocol, as amended, to comply with their emission reduction commitments for 2020 and beyond, as listed in annex II of the amended Protocol,

Noting that emission reduction commitments for 2020 and beyond, as listed in annex II to the amended Protocol, become effective as of 1 January 2020 for the Parties who accepted the amended Protocol,

Noting also that emission data that will enable the review of compliance by Parties with the emission reduction commitments for 2020 and beyond as listed in annex II to the amended Protocol will become available in 2022,

1. *Requests* the Implementation Committee, when reviewing compliance for the 2020 data and onwards, to review compliance with the 2020 emission reduction commitments for those Parties who accepted the amended Protocol;
2. *Also requests* that, for Parties having accepted the amended Protocol, with regard to 2020 data and onwards, the Implementation Committee cease the review of compliance with the 2010 emission ceilings set out in annex II to the original Protocol;
3. *Further requests* the Implementation Committee to continue, for Parties not having accepted the amended Protocol, the review of compliance with the 2010 emission ceilings set out in annex II to the original Protocol;
4. *Encourages* Parties to the original Protocol that have not yet accepted amendments to it to do so as soon as possible.

B. Amendment of annex VII to the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, as amended on 4 May 2012

The Parties to the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, as amended on 4 May 2012, meeting within the thirty-ninth session of the Executive Body,

Decide to amend annex VII to the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) to the Convention on Long-range Transboundary Air Pollution, as amended on 4 May 2012, as follows:

Article 1 Amendment of annex VII

In paragraph 4, for the words “and 31 December 2019” there shall be substituted “and 31 December 2024”.

Article 2 Entry into force

In accordance with article 13bis, paragraph 7, of the Protocol, for those Parties that have accepted the procedure set out in that paragraph, this amendment shall become effective for those Parties which have not submitted a notification to the Depositary in accordance with article 13, paragraph 7 (a), of the Protocol as amended on the expiry of one year from the date of its communication to all Parties by the Executive Secretary of the Commission, provided that at least sixteen Parties have not submitted such a notification.

For those Parties that have not accepted the procedure set out in article 13bis, paragraph 7, of the Protocol, this amendment shall become effective in accordance with the procedure set out in article 13bis, paragraph 3.

C. Amendment of the text of the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone as amended on 4 May 2012

The Parties to the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, as amended on 4 May 2012, meeting within the thirty-ninth session of the Executive Body,

Decide to amend the text of the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) to the Convention on Long-range Transboundary Air Pollution, as amended on 4 May 2012, as follows:

Article 1 Amendment of article 3bis

1. In paragraph 1 of article 3bis, for the words “and 31 December 2019” there shall be substituted “and 31 December 2024”;

2. In paragraph 3 of article 3bis, for the words “or by 31 December 2022” there shall be substituted “or by 31 December 2030”.

Article 2

Entry into force

In accordance with article 13bis, paragraph 3, of the Protocol, this amendment shall enter into force for the Parties which have accepted it on the ninetieth day after the date on which two thirds of those that were Parties at the time of its adoption have deposited with the Depositary their instruments of acceptance thereof. It will enter into force for any other Party on the ninetieth day after the date on which that Party has deposited its instrument of acceptance thereof.

D. Provisional application of amendment to the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone

The Parties to the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (the Gothenburg Protocol), as amended on 4 May 2012, meeting in the Executive Body,

Noting the adoption of amendments to the Gothenburg Protocol at the thirty-ninth session of the Executive Body,

Recalling that these amendments allow for the extension of the flexible transitional arrangements under article 3bis and annex VII, which expire on 31 December 2019,

Recognizing that Parties acceding to the Protocol after 31 December 2019 may wish to apply the flexible transitional arrangements under article 3bis and annex VII,

Aware of article 25 of the Vienna Convention on the Law of Treaties, which provides that a treaty or a part of a treaty can be applied provisionally pending its entry into force if the negotiating States have so agreed,

Decide to provisionally apply the amendments to paragraphs 1 and 3 of article 3bis, as set out in decision 2019/[xx] and to paragraph 4 of annex VII, as set out in decision 2019/[xx], pending the entry into force of those amendments.

E. Amendment to decision 2002/1 on the financing of core activities

The Executive Body,

Recalling its decision 2002/1 on the financing of core activities, as amended by decision 2018/8,

Recognizing the importance of the further development and promotion of methodologies which take into account the dynamics of ecosystem response to air pollution, including biodiversity, time lags and interactions with climate change and land use change,

Noting the recommendation by the fifth joint session of the EMEP Steering Body and the Working Group on Effects (ECE/EB.AIR/GE.1/2019/2 – ECE/EB.AIR/WG.1/2019/2, forthcoming) to transform the Joint Expert Group on Dynamic Modelling into a designated international centre under the International Cooperative Programme on Modelling and Mapping,

Noting with appreciation the leadership of the Joint Expert Group by Sweden since 2000,

Noting the change in the host institution of the Programme Coordinating Centre for the International Cooperative Programme on Assessment and Monitoring of Air Pollution Effects on Forests,

Recalling its request to the secretariat to present a revised scale of recommended contributions, based on the most recent United Nations scale of assessments (ECE/EB.AIR/142, para. 71 (i)),

Decides to amend its decision 2002/1, as follows:

1. In appendix I,

(a) After the words “Programme Main Coordinating Centre for the International Cooperative Programme on Assessment and Monitoring of Air Pollution Effects on Forests” the words “*at the Federal Research Centre for Forestry and Forest Products, Hamburg, Germany*” are replaced with “*at the Johann Heinrich von Thünen Institute, Federal Research Institute for Rural Areas, Forestry and Fisheries, Eberswalde, Germany*”.

(b) At the end of the list, the following is added: “Centre for Dynamic Modelling: *at the Swedish Environmental Research Institute, Stockholm, Sweden*”

2. In appendix II, the existing table is replaced with the following:

Scale of recommended contributions

(The following is the scale of contributions referred to in paragraph 5)

<i>Parties to the Convention</i> ^a	<i>Per cent</i>
<i>Non-European Union countries</i>	
Albania	0.022
Armenia	0.020
Azerbaijan	0.137
Belarus	0.137
Bosnia and Herzegovina	0.033
Georgia	0.022
Iceland	0.078
Kazakhstan	0.497
Kyrgyzstan	0.006
Liechtenstein	0.025
Monaco	0.031
Montenegro	0.011
North Macedonia	0.020
Norway	2.104
Republic of Moldova	0.008
Russian Federation	6.710
Serbia	0.078
Switzerland	3.212
Turkey	3.825
Ukraine	0.159
<i>European Union countries</i>	
Austria	1.889
Belgium	2.291
Bulgaria	0.128
Croatia	0.215

<i>Parties to the Convention ^a</i>	<i>Per cent</i>
Cyprus	0.100
Czechia	0.868
Denmark	1.546
Estonia	0.109
Finland	1.175
France	12.352
Germany	16.992
Greece	1.021
Hungary	0.575
Ireland	1.035
Italy	9.227
Latvia	0.131
Lithuania	0.198
Luxembourg	0.187
Malta	0.047
Netherlands	3.784
Poland	2.238
Portugal	0.977
Romania	0.552
Slovakia	0.427
Slovenia	0.212
Spain	5.988
Sweden	2.528
United Kingdom	12.743
European Union	3.33
Total	100 000

^a Canada and United States of America: voluntary contributions