Dear Executive Secretary Albena Karadjova:

On behalf of the Government of the United States of America, I am writing to submit a proposed amendment to the Gothenburg Protocol to extend the flexibilities in the timescales for the application of the limit values under Article 3 as defined in Annex VII, and the flexible transitional arrangements referred to in Article 3 bis of the Protocol as amended through the amendments adopted in 2012, as indicated in the annex to this letter. The current flexibility provisions designed to facilitate ratification of the Protocol only allow extension of such timescales for Parties who accept the Protocol by December 31, 2019. The lengthy time-period between the adoption and entry into force of the 2012 amendments of the Gothenburg Protocol now means that access to these flexibility measures will expire shortly after the 2012 amendments have entered into force.

At the 57th WGSR session, May 2019, some Parties raised for discussion the issue of timescales defined in Annex VII, with a view to potentially updating this Annex to extend the availability of flexible timescales for Parties newly joining the Protocol, to avoid unnecessary barriers for ratification. The subsequent discussions highlighted the importance of flexibility as a mechanism to encourage ratification and implementation by EECCA countries. The Gothenburg Protocol provides for a second modality of flexibility to facilitate ratification, under Article 3 bis. In addition to extending the timescales in Annex VII, we believe it would be appropriate to extend these timescales under Article 3 bis, to ensure that the flexibilities provided in the 2012 amendments to the Gothenburg Protocol remain available for a period of time as those amendments enters into force. We note that Parties may wish to consider provisional application of these amendments so that there is clarity on the ability of relevant Parties to apply the flexibilities pending their entry into force. These proposed amendments support and reflect the key strategic priority of the Convention—the maximization of the impact of the Convention, including through increased ratification and subsequent implementation.

As access to the current flexibility provisions expires on December 31, 2019, we believe it critical that these proposed amendments to extend these flexibilities be included on the agenda for the 39th session of the Executive Body. We intend for this amendment proposal to make a positive contribution to the ongoing discussion on flexibilities within the LRTAP Convention. We kindly ask that you communicate the proposal to the Parties to the Protocol as well as all Parties to the Convention on Long-range Transboundary Air Pollution.
Best regards,

Christine Dawson
Acting Deputy Assistant Secretary for Environment
United States Department of State
Annex VII, paragraph 4
In paragraph 4 of Annex VII of the Protocol, for the words:
“and 31 December 2019”
there shall be substituted:
“and 31 December 2024”

Article 3 bis, paragraph 1
In paragraph 1 of Article 3 bis of the Protocol, for the words:
“and 31 December 2019”
there shall be substituted:
“and 31 December 2024”

Article 3 bis, paragraph 3
In paragraph 3 of Article 3 bis of the Protocol, for the words:
“or by 31 December 2022”
there shall be substituted:
“or by 31 December 2030”