



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 March 2012

7303/12

**ENV 180
ENT 56
ONU 27**

NOTE

from: General Secretariat
to: Delegations
Subject: Convention on Long-Range Transboundary Air Pollution (CLRTAP) - Revision
of the Gothenburg Protocol: State of play
- Information from the Presidency and the Commission

Delegations will find annexed an information note from the Presidency and the Commission on the
above mentioned subject, which will be dealt with under "other business" at the
Council (Environment) meeting on 9 March 2012.

Convention on Long-Range Transboundary Air Pollution (CLRTAP): State of play**- Information from the Presidency and the Commission -**

The Gothenburg Protocol is one of several Protocols concluded under the United Nations Economic Commission for Europe Convention on Long Range Transboundary Air Pollution (CLRTAP). It aims at controlling transboundary air pollution and associated health and environment impacts, notably acidification, eutrophication, and ozone pollution. The Protocol addresses multiple pollutants and effects through various means, including the definition of critical levels, deposition and national emission ceilings, and emission limit values for a wide range of installations and products. The provisions in the protocol have been effectively integrated with EU legislation, *inter alia* through the National Emission Ceilings Directive (2001/81/EC), which takes over the emission ceilings in the protocol, and various other source legislation, including the Industrial Emissions Directive, EU type-approval provisions, etc.

The protocol, which was adopted in 1999, has played an instrumental role in achieving significant emission cuts for key air pollutants in Europe in the last decade thereby also contributing to the Member States' ability to meet air quality limit values in the EU ambient air quality directives. To date, and following EU enlargements, the bulk of the Parties to the Protocol are EU Member States (21 out of 26). Non EU Parties include the United States, Norway, Switzerland, Croatia and the FYR of Macedonia. There are also a number of countries who have signed but not yet ratified the protocol.

Negotiations to amend the Gothenburg Protocol have been ongoing since 2009 and are now, following an EU-sponsored decision by the Parties adopted at the last meeting with the CLRTAP Executive Body, due to be finalised at the upcoming 30th session of the Executive Body in early May 2012. An amended protocol with new emission limit values and targets for 2020 will consolidate, and advance emission reductions with substantial benefits for both health and the environment in Europe and elsewhere. It will also form an important platform for the ongoing Commission review of the EU Thematic Strategy on Air Pollution, which is to be communicated in 2013 at the latest.

The Commission has been leading the negotiations on behalf of the EU on the basis of a Council Decision (negotiation mandate) which is framed by EU legislation in force or agreed positions. EU positions are developed in close co-operation with Member States, based on extensive background information and data made available from the CLRTAP scientific bodies as well as from Member States and other Parties.

EU positions have been guided by two main EU priorities:

- Firstly, the EU seeks to encourage member countries of the UNECE that are not yet parties to the protocol, in particular Eastern European, Caucasus and Central Asian (EECCA) countries such as the Russian Federation and Ukraine, to sign and ratify the amended protocol in due time. This is also strongly supported by other Parties including the United States, Norway and Switzerland.
- Secondly, the EU has been advocating the need for meaningful and realistic emission reduction targets for 2020 for the four existing air pollutants (SO₂, NO_x, NH₃, VOC) as well as for particulate matter (PM 2.5). Internally, discussions with Member States have focused on ambition levels for 2020 reduction targets based on, as a minimum, future reductions achieved by implementing existing EU legislation.

Good progress was made in negotiations at the latest meeting with the Executive Body in December 2011. Many amendments were provisionally agreed, clearing the way for finalizing the negotiations this spring. There is, for example, provisional agreement on specific provisions for strengthening action on black carbon, and on updated emission limit values for stationary and mobile sources. The revised requirements largely mean an approximation to EU legislation in force.

The main outstanding issues relate to

- 1) emission reduction targets for 2020; and
- 2) listing mandatory and voluntary measures to reduce ammonia emissions from agriculture.

Parties are very much looking at the EU positions with respect to the two main outstanding issues. So far, and pending the conclusion of internal EU discussions on acceptable emission reduction levels for 2020, the EU has only offered preliminary indications on the emission reductions it could accept, as follows: 55% for SO₂, 40% for NO_x, 20% for PM_{2.5}, 25% for VOC, and 5% for ammonia (compared to 2005 emission levels). These ambition levels were similar, albeit in some cases slightly weaker, than what other Parties suggested, yet still better than what the prospective Parties from the EECCA region have provisionally indicated. The EU will have to conclude its internal discussions on emission reduction targets, as well as on other open issues. Failing to do so will hamper the EU's ability to effectively engage in the final negotiations, possibly even jeopardizing the agreement.

Based on extensive bilateral consultations with Member States, the Commission has recently presented a consolidated proposal for individual Member State targets, in time for the final negotiations in May 2012. The Commission believes that its proposal is pragmatic and adequate, as it derives from the continuing effects resulting from agreed EU-legislation, and also considering the common understanding that the CLRTAP negotiations are kept separate from a revision of the National Emissions Ceilings Directive. A number of Member States continue to raise objections for some pollutants. The Commission and the Presidency will continue to work with Member States to resolve the outstanding issues, in order to reach a solution that is well justified, fair, and fully covered by the negotiation mandate.

In summary, a successful outcome of the ongoing negotiations on an amended Gothenburg Protocol will be essential to secure further improvements in Europe's air quality through deeper emission cuts by 2020 for five key air pollutants, with significant health and environment benefits. The Commission and the Presidency invite the Member States to lend their political support for ensuring a successful conclusion of the CLRTAP negotiations as soon as possible.
