



Council of the
European Union

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INFORMATION NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Convention on Long-range Transboundary Air Pollution (CLRTAP):
35th session of the Executive Body (EB) (Geneva, 2-4 May 2016)
- Compilation of statements

Delegations will find in the Annex, for information purposes, a compilation of agreed statements as delivered at the abovementioned meeting on behalf of the European Union and its Member States.

STATEMENTS DELIVERED

Item 4: Matters arising from meetings of the United Nations Economic Commission for Europe and other related meetings

EU and its Member States welcome the report on the state of play with regard to the preparations of the 8th Ministerial Conference Environment for Europe. We appreciate the good cooperation between the Bureau and the Secretariat of the Convention and the Secretariat of the CEP in preparing the documents that will be adopted on the issue of air quality.

The summary of the assessment report for policy makers and, more specific, the 7 political messages for Batumi provide clear signals on the socio-economic challenges with regard to air pollution. The political debate in the panel session will address challenges from different angles and we encourage parties to actively participate in the debate.

With regard to the Batumi Action for Clean Air, we encourage parties to implement actions that are both ambitious and feasible: it should be seen as an instrument to encourage addressing air pollution. The BACA is not a legally binding instrument, but will raise awareness and help Parties in implementing the listed items in their countries. The Convention on Long-range Transboundary Air Pollution should, within its working area, contribute effectively to facilitating the implementation of the national actions (cf the EECCA Action Programme).

Item 5: Review of implementation of the 2016–2017 work plan

a) Science

Scientific assessment report

The EU and its Member States would like to thank the authors of the assessment report, background reports and the Summary for Policy Makers (SPM), all based on a broad range of scientific data and analysis. We consider the assessment report and the SPM as necessary elements in the policy cycle underlying priority setting, the related long term strategies to follow and the biennial work plans of the Convention.

Moreover, the assessment report should be used as an informative tool in the outreach and communication activities of the Convention and we call for a broad dissemination not only at international level, in particular at upcoming meetings such as the World Health Assembly, UNEA 2 and the Ministerial Conference in Batumi, but also at national level and occasions.

Policy response

The EU and its Member States fully support the initiative to establish an ad hoc group to provide the EB with a draft for a policy response to the assessment report. This will ensure that the valuable work done by the authors of the assessment report will be used in policy development. The draft policy response should be based on the findings presented in the assessment report and should advise the EB on the key conclusions of the report, priorities for action and how and why action could be taken to ensure further improvement of air quality and nature protection. The timing of such a draft coincides with the timing to perform a mid-term review of the long term strategy (2010-2020) and the policy response should feed into this process.

With regard to timing, the EU and its Member States agree on the establishment of the ad hoc group during the 35th EB in May 2016. At the 36th meeting of the EB in December 2016 we would like to receive and discuss a progress report and a presentation of the group's work, which can be finalized for the meeting of WGSR in spring 2017. This allows the EB to take the next steps in policy development, based on the work of the ad hoc working group, at the 37th meeting of the EB in December 2017.

With regard to the mandate, the EU and its Member States are of the opinion that the ad hoc group should aim to provide a concise summary of the key conclusions to be drawn from the scientific report and an assessment of how this affects policy priorities for the Convention with practical recommendations. We support the proposal of the Chair in her letter of April 13th to also task the ad hoc Group with the update and review of the long term strategy.

The EU and its Member States agree to the mandate for the establishment of the ad hoc policy review group of experts as drafted during this session of the EB (silent consent).

b) Policy

Draft Guidance Document on Emission Control Techniques for Mobile Sources

The EU and its Member States welcome the work of TFTEI on the draft guidance document on BAT for mobile sources. It was presented to the WGSR in December 2015 and Parties have had the opportunity to submit any additional amendments ahead of this EB. We have identified two minor drafting points. With these the document is in our view ready for adoption.

- 1) We identified the need for an additional edit with regard to the use of "must" in the guidance. We wish to replace the use of "must" in the first sentence of para 5 with "need". (The end of the sentence would then read "...distribution need to be addressed first."
- 2) The second suggestion is on page 5, paragraph 1 – to delete ‘as amended in 2012’ from the final sentence and instead add a footnote or additional sentence ‘This guidance applies to the original protocol and the protocol as amended in 2012.’

Ratification of amended protocols that have not yet entered into force

The EB is hereby informed that the EU has completed its work to accept the amendments of the HM and POPs protocols following the consent of the European Parliament and the decision of the Council. We anticipate that the EU will be able to deposit its instrument of acceptance very soon. Within the next few months, this is also expected for the Gothenburg Protocol. As a consequence, EU Member States awaiting this step will follow shortly thereafter. This will open the door for Member States to ratify the protocols with a view to their entry into force. This means that for both protocols the number of ratifications needed for the entering into force, will be met in the foreseeable future.

c) Compliance

Eighteenth report of the Implementation Committee

The EU and its Member States thank the Implementation Committee and its Chair for their burdensome work. We would like to emphasize that the EU and its Member States take the obligation to report emission data and projections in a correct and timely manner just like the emission reduction obligations very seriously. Most, but unfortunately not all EU Member States have reported all the necessary inventories and projections, However, steps are being taken to achieve full compliance with the reporting obligations under CLRTAP; these include the revision of the existing EU legislation in the EU (NEC Directive).

Implementation Committee; chair and members

The EU and its Member States thank the members of the Implementation Committee who stepped down for their dedicated work in the Implementation Committee and agree to the nominations of Ms Nataša Kačić-Bartulović (Croatia), Manfred Ritter (Austria), Emmanuel Fiani (France) and Wendy Altobelli (Belgium) to become members of the Implementation Committee.

d) **Capacity-building to promote ratification and implementation in Eastern and South-Eastern Europe, the Caucasus and Central Asia**

No position has been brought forward.

e) **Communication and outreach**

The EU and its Member States welcome the extensive overview of existing cooperation with other relevant international organizations. We support the fostering of good cooperation and a continuous search for synergy, at the same time the long list leaves us to a certain extent worried about the capacity that is involved in maintaining these relations and the concrete results of the cooperation. We support therefore cooperation with other organizations in particular where this contributes clearly to the implementation of the CLRTAP objectives and where the parallel approach with other organizations has significant added value. In addition, if other organizations show interest in cooperation, we should be open to such initiatives.

Item 6: Financial requirements for the implementation of the Convention

The EU and its Member States consider the fulfillment of the financial requirements needed to achieve the goals of the Convention as essential. The EU and its Member States note that the financing of the core activities of the Convention has become increasingly problematic over time and that discussions and decisions in the EB have not resulted in appropriate solutions. We consider that this will become more difficult in the years to come. This means that there will be hardly any support to increase financial obligations. We must all deliver obligations within budgets and we must be prepared to stop activities where we can no longer add value to make way for new priorities, as set out in the Convention long term strategy. It also means that the need for intensified cooperation with other international organisations is key to keep the level of science and knowledge at a level that is above the minimum needed for the Convention to continue its work.

In addition the EU and its Member States also believe that the discussion about the financial requirements for the implementation of the work plan, could focus on the following:

- 1) More effective prioritisation within the main financing mechanisms of the Convention work programme (1) activities funded via the EMEP Protocol, 2) activities not funded via the EMEP Protocol with subdivisions i) Trust Fund, ii) in-kind contributions, iii) other contributions e.g. by Lead Countries to programmes or via the Secretariat.) is needed to ensure that the highest priority activities are delivered within available budgets. This is fundamental in providing both a short and long term financing solutions;
- 2) Better communication on the link between the scientific activities and the objectives of the Convention;
- 3) Enhance cooperation with other international organizations also active in the field of transboundary air pollution and make better use of their resources and capacities.
