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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the acceptance on behalf of the European Union of an Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone

COUNCIL DECISION (EU) 2017/...

of ...

**on the acceptance on behalf of the European Union
of an Amendment to the 1999 Protocol to the 1979 Convention
on Long-Range Transboundary Air Pollution to Abate Acidification,
Eutrophication and Ground-Level Ozone**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ Consent of [date] (not yet published in the Official Journal).

Whereas:

- (1) The Union is a party to the 1979 Convention on Long-Range Transboundary Air Pollution ('the Convention') following the approval thereof by the European Economic Community pursuant to Council Decision 81/462/EEC¹.
- (2) The Union is a party to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone ('the Gothenburg Protocol') following the accession thereto by the European Community pursuant to Council Decision 2003/507/EC².
- (3) The parties to the Gothenburg Protocol opened negotiations in 2007 with a view to improving further the protection of human health and the environment, including through the establishment of new emission reduction obligations for selected air pollutants to be achieved by the year 2020 and the updating of emission limit values addressing emissions of air pollutants at source.

¹ Council Decision 81/462/EEC of 11 June 1981 on the conclusion of the Convention on long-range transboundary air pollution (OJ L 171, 27.6.1981, p. 11).

² Council Decision 2003/507/EC of 13 June 2003 on the accession of the European Community, to the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone (OJ L 179, 17.7.2003, p. 1).

- (4) The parties present at the 30th session of the Executive Body of the Convention adopted by consensus Decisions 2012/1 and 2012/2 amending the Gothenburg Protocol.
- (5) The Amendments set out in Decision 2012/1 entered into force and became effective on the basis of the expedited procedure provided for in Article 13(4) of the Gothenburg Protocol.
- (6) The Amendment set out in Decision 2012/2 ('the Amendment') requires acceptance by the Parties to the Gothenburg Protocol in accordance with Article 13(3) thereof.

- (7) The Union has already adopted instruments on matters covered by the Amendment, including Directives 2001/81/EC¹, (EU) 2016/2284², 2010/75/EU³ and (EU) 2015/2193⁴ of the European Parliament and of the Council and Regulations (EC) No 595/2009⁵ and (EC) No 715/2007⁶ of the European Parliament and of the Council.
- (8) The Amendment should therefore be approved on behalf of the Union,

HAS ADOPTED THIS DECISION:

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- ¹ Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).
- ² Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1).
- ³ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).
- ⁴ Directive (EU) 2015/2193 of the European Parliament and of the Council of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants (OJ L 313, 28.11.2015, p. 1).
- ⁵ Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (OJ L 188, 18.7.2009, p. 1).
- ⁶ Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 171, 29.6.2007, p. 1).

Article 1

The Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone, set out in Decision 2012/2 of the Executive Body of the Convention, is hereby approved on behalf of the European Union.

The text of the Amendment is attached to this Decision*.

Article 2

The President of the Council shall designate the person(s) empowered to deposit, on behalf of the Union, as regards matters falling within the Union's competence, the instrument of acceptance provided for in Article 13(3) of the Protocol, as amended¹.

* OJ: please attach document st18165/13 ADD 1 to this Decision.

¹ The date of entry into force of the Amendment will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

Article 3

This Decision shall enter into force on the day of its adoption.

Done at ...,

For the Council

The President
