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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. prev. doc.: 7997/1/17 ENV 336 ENER 131 IND 80 TRANS 138 ENT 93 SAN 139 REV 1 + REV 1 ADD 1
No. Cion doc.: 18165/13 ENV 1234 ENER 599 IND 387 TRANS 692 ENT 355 SAN 553 - COM(2013) 917 final + ADD 1

Subject: Draft Council Decision on the acceptance of the Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone
- Adoption

1. The Union is a Party to the UNECE Convention on Long-Range Transboundary Air Pollution (CLRTAP) ("the Convention") following its approval in 1981¹ and a Party to the 1999 Protocol to the Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone ("the Gothenburg Protocol") following its approval on 13 June 2003².

¹ OJ L 171, 27.6.1981, p.11.

² OJ L 179, 17.7.2003, p.1.

2. On 20 December 2013, the Commission submitted the abovementioned proposal for a Council Decision to the Council and the European Parliament as part of the Clean Air Programme for Europe³. This Programme was presented to the Working Party on the Environment (WPE) on 14 and 31 January 2014 and to the Council on 3 March 2014. At the time, many delegations expressed doubts about further consideration of the abovementioned proposal as it was deemed premature until sufficient progress was made on the proposal on the NEC Directive.
3. On 8 December 2016, the Council confirmed the agreement reached with the European Parliament on the NEC Directive. Consequently, the Presidency invited the WPE to reconsider the abovementioned proposal on 17 January 2017. Based on the comments raised during the WPE and received in writing thereafter, the Presidency prepared a revised compromise text⁴.
4. On 25 April 2017, the Council decided to forward to the European Parliament for its consent the draft Council Decision as finalised by the legal-linguistic experts (doc. 7524/17), together with the text of the Amendment set out in 7524/17 ADD 1.
5. At its Plenary session on 5 July 2017, the European Parliament gave its consent to the Decision.

³ Proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC (NEC).

Proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants (MCP).

Proposal for a Council Decision on the acceptance of the Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol).

⁴ doc. 7126/17

6. Consequently, the Committee of the Permanent Representatives is invited to recommend the Council:

- to adopt, as an "A" item at a forthcoming session, its Decision on the acceptance of the Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone as set out in doc. 7524/17 + COR 1, together with the text of the Amendment to the Gothenburg Protocol set out in doc. 7524/17 ADD 1 + ADD 1 COR 1 + ADD 1 REV 1 (sk) + ADD 1 REV 1 COR 1 (sk) + ADD 1 REV 1 COR 1 REV 1 (sk) + ADD 1 REV 1 COR 2 (sk), with DK voting against; and
- to include in the minutes of that meeting, the statement from DK as set out in the addendum to this note.
