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### **INFORMATION NOTE**

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**From:** General Secretariat of the Council  
**To:** Delegations  
**Subject:** Convention on Long Range Transboundary Air Pollution (CLRTAP):  
59th Session of the Working Group on Strategies and Review (WGSR 59)  
(Geneva/hybrid, 18-21 May 2021)  
- Statements by the EU and its Member States

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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.

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**Convention on Long Range Transboundary Air Pollution (CLRTAP)  
59th session of the Working Group on Strategies and Review (WGSR 59)  
(Geneva/hybrid, 18-21 May 2021)**

**- Statements by the EU and its Member States -**

**Agenda item 1: Adoption of the agenda**

The EU and its Member States note the difficulties of securing additional meeting time with translation. We repeat our urge to the Secretariat to support the Parties in finding constructive ways of ensuring sufficient meeting opportunities also during the extraordinary current circumstances, to minimise delays to the work of the Convention. Notably, we request the secretariat to plan a second WGSR session in 2022 for discussions on the Gothenburg Protocol review and as well in 2023 for the subsequent process.

While there are no formal deadlines for the submission of informal documents, we appeal to the subsidiary bodies, for future meetings, to submit any documents of relevance for session discussions as early as possible to ensure Parties can read and digest the content in time.

We note that the annotated provisional agenda did not differentiate between the sessions with and without translation; we would like it noted in the meeting report that we cannot agree to labelling sessions without translation as entirely official parts of the WGSR meeting. This is a matter of principle in order to ensure that all Parties have equal access to the policy discussions and decision-making.

Time slots without interpretation should be clearly recorded as such in the meeting report so that we have clear records that the Air Convention has received only 8 hours of meeting time with interpretation for this WGSR session.

We take note of the addendum containing additional information on agenda item 3 and on updated information on the list of informal documents for agenda item 4; we regret that no proper corrigendum has been provided to Parties to facilitate reading and bring more clarity.

The EU requests an AOB on the link to biodiversity issues and one AOB on the correction methodology proposal we have submitted.

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**Agenda item 2: Adoption of the report of the fifty-eighth session of the Working Group on Strategies and Review**

The EU and its Member States support the adoption of the report of the 58<sup>th</sup> session of the WGSR as drafted by the Secretariat.

### **Agenda item 3: Progress in the implementation of the 2020-2021 workplan**

#### **On the TFRN report**

The EU and its Member States greatly appreciate the work done by the TFRN and take note of the information about the progress as reported.

We welcome in particular the information about the contributions to the review of the Gothenburg Protocol including for the evaluation under GP article 10, paragraph 4.

#### **On the TFTEI report**

The EU and its Member States greatly appreciate the work done by the TFTEI and take note of the information about the progress as reported.

We welcome in particular the information about the contributions to the review of the Gothenburg Protocol including for the evaluation under GP article 10, paragraph 3; and the work on the draft guidance on agricultural residue burning.

#### **On the TFIAM presentation**

The EU and its Member States greatly appreciate the work done by the TFIAM and take note of the information about the progress as presented. We welcome and thank the TFIAM for the report and take note of the messages.

We welcome in particular the information about the contributions to the review of the Gothenburg Protocol and the progress on several reports and guidance documents.

#### **On the TFHTAP presentation on work plan item 2.1.3 and 2.1.4**

The EU and its Member States greatly appreciate the work done by the TFHTAP and take note of the presentation on progress on this work plan item.

On the control strategies, if this remains relevant, we propose to ask the TFHTAP to prepare a short paper to guide our discussion on these strategies at the next WGSR meeting.

On the hemispheric transport aspects informing the GP review: we reaffirm our continued commitment to the importance of the hemispheric transport aspects for the review of the Gothenburg Protocol and look forward to more information in reply to the questions in annex I of the review preparatory document.

#### **On the presentation by the HTAP control strategy break-out group chair**

We take note of the informal discussion paper which provides an interesting starting point for continued discussions. We ask the WGSR Bureau together with the task forces involved to launch work along these lines.

#### **On the Draft guidance document on reduction of emissions from agricultural residue burning**

The EU and its Member States wish to thank TFTEI and TFRN for this report, which provides a good overview of the overall impacts of open burning practices in the environment. This is an important issue in many countries in the UNECE region, as well as at global level. It also provides a comprehensive information about the available best practices and technologies for fire-free agricultural approaches and alternatives.

In the draft Guidance document, paragraph 22, we would like to request some editorial corrections in the references to EU legislation. These have been submitted in writing to ease the correction process<sup>1</sup>.

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<sup>1</sup> [https://unece.org/sites/default/files/2021-05/Agenda%20item%203%20-%20EU%20comments%20draft%20agriculture%20burning%20guidance%20-%2012May21\\_0.pdf](https://unece.org/sites/default/files/2021-05/Agenda%20item%203%20-%20EU%20comments%20draft%20agriculture%20burning%20guidance%20-%2012May21_0.pdf)

We would be interested in a clarification of paragraph 67 and the choice of wording “should have access to”.

The EU and its Member States are committed to reduce emissions from open agricultural burning, and recognise that these emissions have a broad impact not only on air quality, health and biodiversity but also strong impacts on climate. Within the EU, clear rules on this are included in the Common Agricultural Policy and the cross-compliance for CAP funding (GAEC 6) as well as via the optional measure for non-CAP cases in Directive (EU) 2016/2284, annex III. If other Parties are interested in EU legislation in this area we would be happy to share our experiences with them.

We encourage all Parties to make use of this guidance document.

With the clarification and rewording on paragraph 67, we support the forwarding of this draft guidance to the EB for adoption.

### **On the Prioritising reductions of particulate matter from sources that are also significant sources of black carbon – analysis and guidance**

The EU and its Member States wish to thank the TFIAM and TFTEI for this draft guidance document.

In addition to the value for the overall developments regarding particulate matter and black carbon emission reductions, we believe the analysis in the document can contribute as one input to the Gothenburg Protocol review and notably the evaluation to be done under the Protocol article 10, paragraph 3.

In paragraph 18, p.6. we request the removal of the superfluous footnote 8 and a correction of the text since the EU Clean Air Outlook scenarios are in fact made available upon demand. The last sentence in paragraph 18 should therefore be updated to read (*deletion in strike-through, addition in bold*): ‘The model scenarios developed in that update ~~have not yet been made publicly available and are therefore not~~ **could for time reasons not yet be** used as basis for the scenarios in this report.’ With these corrections (including editorial changes as proposed by another Party), we support the forwarding of this draft guidance to the EB for adoption.

### **On the Assessment report on ammonia and its annexes**

The EU and its Member States wish to thank the TFIAM and TFRN for this draft report. We welcome the integration of most of our comments provided in January into the revised version of the document and have no additional comments on the draft document at this time.

### **On the draft report on costs of inaction on air pollution:**

We would like to have more clarity about the continued process and about the reasons for the delay of this work plan item (proposed to be carried over into the 2022-2023 work plan as new item 2.4). We take note of the progress as presented.

## **Agenda item 4: Review of sufficiency and effectiveness of the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone**

### **On the draft annotated outline**

The EU and its Member States welcome the draft annotated outline of the report on the review of the Gothenburg Protocol as amended in 2012 and the progress made on the review tasks. We much appreciate the work done by all involved experts and groups.

However, we have the following remarks:

- The initial information-gathering about potential options for some of these issues (e.g. flexibilities) is useful for the sake of early harvesting of ideas; however, we reiterate that it will be too early to discuss any options or commit to any choice of alternatives before the review phase has been completed. Any information gathered on possible options for solutions should be saved for the post-review stage where it may or may not become relevant depending on the conclusions of the review.
- We especially appreciate the inclusion of several questions on condensables for the Gothenburg Protocol review, given the importance of solving these scientific issues to the possible extent for a better understanding to inform subsequent policy discussions.
- In our submitted remarks by the call for comments deadline on 29 January 2021, we noted e.g. the expectation that the GP 10(3) evaluation of black carbon mitigation measures will go beyond the issues covered in the new draft Guidance on prioritising reductions of particulate matter from sources that are also significant sources of black carbon. We would be interested to hear more about how this important work will be taken forward and also how other submitted comments have been or will be taken on board in the continued processes.

### **On the Draft report on the review of the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone**

We thank the review group and all contributing subsidiary bodies for the work on the first draft review report. We also thank the TFRN for the separate inputs in an informal document to this session.

Time has been short to assess the draft review report in detail and coordinate an EU position on it. We therefore propose that Parties might be allowed to still send additional written comments after the session.

### **On other informal documents presented**

#### *1. GP review timeline:*

We take note of the explanation by secretariat of the deadline for official documents in January 2022. We would like to emphasise that the planning of the WGSR session in April 2022 is not ideal – for the sake of this document deadline and because the proposed dates coincide with Easter holidays in many Parties. We therefore urge the secretariat to investigate the possibility of a more appropriate meeting slot in May or June.

If this is not possible, the 10 January call for comments deadline can stay but the EU might then opt to instead send comments closer to the WGSR session (and thus not included in the official translated document version).

## 2. *Summary of WGSR inputs to the annotated outline / issues for discussion at WGSR59*

The summary of WGSR expected review inputs is very helpful for planning and preparations by Parties, in order to ensure timely quality inputs. The EU and its Member States take note of these expectations and commit to deliver our contributions to the review as required.

We support and welcome the proposal of an informal/thematic session on barriers to ratifying and implementing the amended Gothenburg Protocol. We agree that this session could either be organised back-to-back (or as part of) the WGSR session or could be a separate event, if a Party would agree to host it and provide interpretation services.

Regarding new guidance documents (question 6.4), our preliminary view is that we would be in favour of starting work on a guidance on non-technical and structural measures. We reserve final comments and position on the need for updates of / preparation of new guidance documents until the EU had time for proper coordination on this matter.

With respect to the proposal for Parties (and non-Parties) to submit information to the Secretariat by 30 September 2021 in answering e.g. questions 1.5, 6.2 and 6.4, we propose that the Secretariat sends out a coordinated request to the Parties (and non-Parties) to obtain that information. This request could also include the suggestion that Parties and non-Parties send comments on the informal document on flexibilities to the Secretariat by 15 July 2021. In addition the proposal to circulate a short questionnaire to the parties with a few questions on what flexibilities are currently being used or considered could also be covered by that same letter from the Secretariat. We support the idea that this questionnaire be prepared by the GP review group.

## 3. *Overview and review of flexibilities in the amended GP*

This informal document is a useful contribution; it provides a clear summary of existing flexibilities.

We take note of the provisional findings, in particular the conclusion that the flexibility mechanisms so far seem not to have supported additional ratification. Further discussion seems to be needed on other ways to strengthen ratification by more Parties, e.g. via capacity-building and other support activities.

We would however be very interested in hearing the reflections and analysis also of Parties who did not yet ratify the three latest protocols. In particular, hearing their views on the draft answers to the three review questions in section 6 of the informal document.

We therefore welcome and support the proposal of a short questionnaire for further information gathering on this topic and would be interested to hear more from the review group about this questionnaire, when such information is available.

We reserve final comments and position on the potential options described in the draft reply to question 6.1(b) until the review is concluded.

## **General conclusion**

We call on all subsidiary bodies to continue the good work to provide the required inputs in a timely manner to enable the finalisation of the review as planned. Our particular thanks go to the WGSR Chair and the review group for coordinating and leading the efforts.

## **Agenda item 5: Draft 2022-2023 workplan**

We welcome the draft workplan and note especially the importance of the workplan items in support of the Gothenburg protocol review.

We also welcome in particular the proposal of a session on barriers to ratification and implementation, outcome c) under proposed workplan item 2.1.

The EU and its Member States find the policy-related aspects and elements of the draft 2022 -2023 workplan to be an appropriate reflection of priorities in the coming years, and largely support the items proposed for inclusion. We acknowledge and appreciate the inclusion of proposed workplan items on condensables.

However, we have the following remarks:

- It is not quite clear what is the difference between the proposed workplan item 2.3 (policy discussion on condensables) and the work on condensables under work plan item 2.2., within the framework of the Gothenburg Protocol review (notably question 6.5 in annex 1 of the review preparation document). Is this work expected as a continuation/follow-up to the review report (primarily in 2023) or to be done in parallel with the review? Clarification on this would be much appreciated to avoid a possible overlap.
- Workplan item 2.7 regarding the promotion of the Guidance document on integrated sustainable nitrogen management could perhaps be extended to include the promotion of the other new Guidance Documents (subject to funding / available resources): Guidance Document on the reduction of agriculture residue burning, Guidance Document on prioritizing reductions of particulate matter so to also achieve reduction of black carbon and Guidance Document on national nitrogen budgets.
- The current work plan includes item 2.18 (“*Carry out other tasks specified in mandates*”), which can be retained as a permanent item.
- A workplan item to make further progress of work on the Forum for International Cooperation on Air Pollution (to implement decision 2019/5 made by the Parties at EB 39) is missing.
- We propose that the WGSR instructs TFIAM to start working on a guidance document on non-technical and structural measures.
- A work plan item as placeholder for possible follow-up actions as a result of the review of the Gothenburg Protocol would be useful, with all caveats that we do not commit ourselves in any way to any particular type of follow-up until the review conclusions are finalised.

*On the proposal to move item 2.1c under 2.2 – GP review:* It is our understanding that work plan item 2.1 (information-sharing) refers to all three latest protocols. Some clarification on how to avoid overlaps specifically for action related to ratification of the Gothenburg Protocol would be welcome.

*On the proposal of a new work plan item on review of the RoPs:* We can support the proposal.

*On the UK proposal on a new item for the work plan (Forum):* The reference to informal document 4 for the EB 39 can be replaced in December by reference to the new mandate for a TF FICAP, if and as adopted by the EB at its 40th session. We propose to include this work plan item square bracketed pending an EB decision on the new mandate and task force establishment.

*On the proposal to split the work plan item on promotion of guidance documents: The EU and its Member States support this proposal.*

Support for other editorial changes proposed by other Parties.

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### **Agenda item 6: Reporting of the condensable part in emissions of particulate matter**

The EU and its Member States thank the EMEP Steering Body Chair for the information and welcome the initiative to coordinate the science work via the small ad hoc expert group.

We urge the EMEP SB Chair to urgently launch the work of the ad hoc expert group; to step up work on the science roadmap and to clearly focus this roadmap on policy relevant milestones to bring clarity to the main issues as fast as possible. We propose that definitions and metrics of relevance for the emission inventories could be a priority in this roadmap, as repeatedly proposed by the Task Force on Emission Inventories and Projections.

We stress the importance of a clear link between the science roadmap and the needs for policy level developments and for coordination, cooperation and communication between the two work tracks.

We therefore urge the EMEP SB Chair and the ad hoc expert group to regularly report back to the Working Group on Strategies and Review and the Executive Body to ensure alignment of the science roadmap developments with the discussions on policy implications.

We propose that the ad hoc expert group could be tasked with preparing a short paper outlining for the policy bodies, basic concepts and definitions in relation to condensables as well as the main reference methodology that has been proposed in the Meteorological Synthesizing Centre – West (MSC-W) workshop report (TNO REF2) and a summary of its underlying assumptions in a clearly understandable way.

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### **Agenda item 7: Information-sharing by Parties on the implementation of the Convention**

#### **b) Implementation of commitments under the Batumi Action for Cleaner Air initiative**

The EU and its Member States remain committed to the BACA initiative and encourage further activities and outreach as well as implementation of the BACA commitments by all Parties.

The EU and its Member States are keen to learn from the EECCA countries if they have an interest in continuing the BACA initiative.



## **Agenda item 8: Broader geographic cooperation on air pollution**

We thank and welcome Sweden and the UK for their offer to co-lead the Forum for international cooperation on air pollution; the EU and its Member States fully support the proposed Parties to co-lead and wish them very fruitful achievements.

*On the proposal for the administrative placement of the Forum:* We would be interested to know more about the possible resource implications. However, in general and assuming that the proposed co-leads will provide the resources to run the Forum, we support the proposal by the proposed co-leads to create a new Task Force under the WGSR.

In their note, SE and UK also ask if the purpose, vision and mission, structure and operation as set out in inf. document no 4 still seem appropriate. We agree that this is still the case and recommend that the co-chairs base their proposal on the informal document no 4 and already discussed draft Terms of Reference preliminarily developed after EB39, as a starting point.

Besides these questions, the note from SE and UK also includes a range of other questions to the Parties. However, as we have received these questions too late to be able to formulate a coordinated answer to all the questions, we suggest that we may formulate a written reply and come back with an answer soon after the WGSR59 meeting.

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## **Agenda item 9: Amendments to the rules of procedure for sessions of the Executive Body**

The EU and its Member States submitted in 2020 proposals for amendments to Rules 17 and 18. These proposals are still relevant to consider further. We are also interested to hear more about the potential proposals by other Parties.

It would be appropriate to refer all amendment proposals for review by the legal ad hoc experts before an adoption procedure, considering the importance of such amendments (legal effect). Adoption of amendments, if any, could be done earliest in December 2022.

We support the idea of asking a smaller group to review the RoPs. This group should include people with long experience of the Air Convention work and how to improve its functioning. This group should also consider what potential improvements (e.g. clarity on the role and task of Bureau members) could be achieved by other means than RoP amendments to ensure a good balance between flexibility and clarity.

We do not agree to any formal establishment of geographical representation in the EB or WGSR Bureaus. The current arrangement with a softer reference to geographical balance is sufficient and appropriate.

## **Agenda item 10: Election of officers**

The EU and its MS support the re-election of Ms Dominique Pritula and Mr Till Spranger and the election of Ms Donna Yates and Mr Peter Meulepas for vice-chairs of the WGSR.

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## **Agenda item 11: Other issues**

### **The EU AOB request about the post 2020 Global Biodiversity Framework**

Currently a new UN global biodiversity framework is being negotiated within the Convention on Biological Diversity (CBD). This Global Biodiversity Framework will replace the UN Aichi targets on biodiversity, adopted in 2010. Negotiations are expected to be concluded at the CBD COP 15 in Kunming, China, 11-24 October 2021.

At this point in the negotiations it seems that the framework could include a quantitative target on pollution for 2030, which is likely to be supported by a headline indicator / indicator framework. This pollution target is expected to also cover air pollution.

We believe that the setting of a global pollution target, which includes air pollution, supported by an indicator framework is an important process for the Air Convention bodies and the Air Convention Parties to be aware of. Moreover, there could be an important role for the Air Convention in the future for example in connection to the future assessment and monitoring of the global 2030 biodiversity targets in the post 2020 global biodiversity framework.

We would therefore recommend the Parties and relevant bodies of the Air Convention to ensure that issues related to air pollution are taken into account in national positions related to the upcoming negotiations on the global biodiversity framework, and to provide inputs to this process and its follow-up where useful.

### **The EU AOB request on the correction methodology**

The EU and its Member States have submitted a proposal for an EB decision <sup>2</sup> regarding a methodology to enable a technical correction of the EU row in tables 2-6 in annex II to the amended Gothenburg Protocol, in the case of changes of the EU membership. This methodology is needed so we may correct the numbers following the changes in EU membership since the adoption of the amended Gothenburg Protocol in 2012. The aim would be to submit a proposal for possible adoption at EB 41 in December 2021, so that the situation can be clarified in time for the review of 2020 data. Our proposal is available as informal document, submitted with courtesy translations to FR and RU. We welcome any comments or questions on this proposal.

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<sup>2</sup> Doc. 7683 2021 INIT.

## **Agenda item 12: Adoption of the conclusions and recommendations of the Working Group**

The conclusions can be supported with some editorial corrections.

*On the secretariat reply regarding resource implications of additional sessions:* More information regarding these resource implications would be needed as soon as possible.

