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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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

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**COUNCIL DECISION (EU) 2024/...**

**of ...**

**authorising the Commission to negotiate, on behalf of the European Union,  
the revision of 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(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) The Convention on Long-Range Transboundary Air Pollution (the ‘Convention’)<sup>1</sup>, which was signed in 1979 and entered into force in 1983, lays down principles of international cooperation to address air pollution. The Union and all its Member States are parties to the Convention.
- (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/EC<sup>2</sup>. The Gothenburg Protocol was amended in 2012, and the Council, by Decision (EU) 2017/1757<sup>3</sup>, authorised acceptance of the 2012 amendments.
- (3) The national emission reduction commitments included in the Gothenburg Protocol are implemented into Union law by Directive (EU) 2016/2284 of the European Parliament and of the Council<sup>4</sup>.

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<sup>1</sup> Convention on long-range transboundary air pollution (OJ L 171, 27.6.1981, p. 13).

<sup>2</sup> 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).

<sup>3</sup> Council Decision (EU) 2017/1757 of 17 July 2017 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 (OJ L 248, 27.9.2017, p. 3).

<sup>4</sup> 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).

- (4) The Executive Body of the Convention launched a process to revise the Gothenburg Protocol at its 43rd session in December 2023<sup>5</sup>. On that basis, negotiations on amendments to the Gothenburg Protocol are expected to start at the 44th session of the Executive Body which is due to take place from 9 to 12 December 2024.
- (5) The Union, as regards matters falling within its competence, should participate in the negotiations on the revision of the Gothenburg Protocol.
- (6) The positions of the Member States should be adequately taken into account during the negotiations on the revision of the Gothenburg Protocol. To that end, the Commission should regularly inform and consult the Council Working Party on International Environment Issues,

HAS ADOPTED THIS DECISION:

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<sup>5</sup> Decision 2023/5 launching a process to revise the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, as amended in 2012, and to address other conclusions of its review of the Executive Body of the Convention (ECE/EB.AIR/154), Geneva, 11–14 December 2023.

### *Article 1*

The Commission is hereby authorised to negotiate, on behalf of the Union, as regards matters falling within the Union's competence, the revision of the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone (the 'Gothenburg Protocol').

### *Article 2*

The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision.

### *Article 3*

The negotiations shall be conducted in consultation with the Council Working Party on International Environment Issues, which is hereby designated as the special committee within the meaning of Article 218(4) of the Treaty.

The Commission and the Member States shall cooperate closely during the negotiating process, with a view to ensuring unity in the international representation of the Union.

#### *Article 4*

The Council may review the content of the negotiating directives in the event of relevant developments in 2025 and 2026, in particular if the ambition level in the negotiations goes beyond relevant Union law, and in any case after the 46th session of the Executive Body referred to in Article 10 of the Convention, if the revision of the Gothenburg Protocol has not been concluded by the end of that 46th session.

#### *Article 5*

This Decision is addressed to the Commission.

Done at ..., ...

*For the Council*

*The President*

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