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INFORMATION NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Convention on Long Range Transboundary Air Pollution (CLRTAP):
62nd Session of the Working Group on Strategies and Review (WGSR 62)
(Geneva, 27-31 May 2024)
- Statements by the EU and its Member States

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.

**Convention on Long Range Transboundary Air Pollution (CLRTAP)
62nd session of the Working Group on Strategies and Review (WGSR 62)
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- Statements by the EU and its Member States -

Agenda item 2: Progress in the implementation of the 2024–2025 workplan

Progress reporting TFICAP

We fully endorse the next steps outlined in the TFICAP report and welcome the role that the Task Force intends to take in supporting capacity building within and beyond the UNECE region and other international and global initiatives. One of the proposed next steps is to revisit and update the Batumi Action for Cleaner Air. We believe it could be useful to develop such an updated voluntary instrument, both as an international version within the Forum and a UNECE version for internal purposes, in particular addressing the current non-Parties to the Gothenburg Protocol (and the Heavy Metals and POP protocols). The UNECE version could be a useful complement to a revised Gothenburg Protocol, especially for sectors such as residential heating, transport and agriculture, for which mandatory requirements seem to face a lot of resistance in many countries. We propose to include the development of a new BACA instrument in the Convention's next workplan for 2026-2027 biennium, at which time the contours of a possible revised version of the Gothenburg Protocol would be clearer and the new BACA instrument could be developed as a consequential step.

Progress reporting TFTEI

We thank the TFTEI for its report on progress on its activities since the WGSR meeting last year in September and are pleased to hear that the Task Force is committed to revise the Guidance Document on Stationary Sources and the Guidance Document on Mobile Sources according to the timetable as agreed in the 2024-2025 Convention workplan. We consider a timely revision of both Guidance Documents necessary to be able to respect the agreed timetable for a potential revision of the Gothenburg Protocol, as the updated content of these Guidance documents is linked to potential updates of the Technical Annexes. We also welcome the Task Force's intention to extend its analysis on technological pathways towards ratification to other countries not yet covered. We fully support such an extension, as we believe that such analysis could be quite informative in deciding which and how to incorporate new requirements for the current non-Parties to the present Gothenburg Protocol. We would be keen to know whether there are resources available to continue this work in the near future. Finally, we should discuss within the Working Group - as soon as possible - who should take the lead in drafting potential updates of the Technical Annexes and whether TFTEI should be involved and to what extent. TFTEI should know this in advance in order to organize itself in time for such a potentially time-consuming task. We drew attention to this in our comments on the draft plan for the revision of the Gothenburg Protocol, which we submitted to the Secretariat on 8 May 2024. We propose to discuss this further as needed under agenda item 3.

Progress reporting TFRN

We thank the TFRN for its report on progress in implementing its activities under the 2024-2025 Convention workplan, and in particular on the revision of the ammonia Guidance Document. We note that the TFRN seeks further guidance from the WGSR on workplan item 2.1.3 ‘on providing support for a possible update of Annex IX’ and on workplan item 2.2.8 on ‘further work on co-mitigation of CH₄ and NH₃ emissions from agricultural sources’, and that the implementation of both items is subject to available resources. We believe it is crucial that this work is carried out in due time as to fit into the overall Gothenburg Protocol revision process. We are open to further discuss this. We welcome the TF’s intention to finalize a draft revised Guidance Document in early 2025, which should be in time to consider this revised guidance document in conjunction with a possible revision of Annex IX.

Draft policy brief on scenarios to reduce health and ecosystem risks (TFIAM)

The EU and its Member States thank the TFIAM and its centre for the updated version of the policy brief and presenting additional preliminary results on least-cost optimisation for 2040 as a target year and an initial analysis of options for biodiversity risk reduction and the inclusion of sectoral and staged/phased approaches. This new information is very welcome, while at the same time we realise that further analysis and progress in modelling by CIAM is crucial to adequately support discussions on a possible revision of the Gothenburg Protocol. We note in this context that CIAM is meanwhile continuing its modelling work and planning additional analysis, including the completion of new baseline, MFTR and low case scenarios, updated scenarios and analysis for staged/phased approaches, optimized scenarios for combined PM, biodiversity and/or ozone impacts, and so on. In order to keep all this additional work manageable, the WGSR may need to prioritise and provide appropriate instructions to CIAM. While we are open to further questions from the TFIAM and CIAM on this issue, we would already like to share at this stage the following preliminary views and preferences for further modelling work:

- On the base year: we prefer a more recent year than 2005, such as 2015 (or even more recent if appropriate/possible). While this makes achieving the same impact reduction targets more challenging, using 2005 as the base year will be a barrier for many of the current non-parties. More reliable data are available for a more recent base year, such as 2015, noting that the base year used for modelling purposes should not necessarily have to be the base year also used for setting the relative emission reduction commitments.
- Starting from the base year, we would also welcome projections made available in 5-years steps up to 2050.
- On the target year: we prefer to focus modelling on using 2035 and/or 2040 as target years, as 2030 is too close and 2050 is likely too far away;

- On the target setting options: we would favour target setting (e.g. least cost optimization using a gap closure approach) for UNECE as a whole (or if possible/appropriate per geographical region, taking the EU as a whole), as this is more cost-effective than gap closure optimization per country. We would also prefer to focus on the avoidable anthropogenic part of air pollution, which would be in line with the objective of the present Gothenburg Protocol (reducing emissions caused by anthropogenic activities ...: see article 2 of the protocol). In addition, we would also welcome results of optimised scenarios for combined PM, biodiversity and/or ozone impacts.
- Furthermore, we would not object to the use of both the number of premature deaths and Years of Life Lost as health metrics in further modelling, with a preference for using dynamic population for optimisation modelling, where premature deaths or YOLs are expressed per 100.000 inhabitants (so as not to penalise countries that facing strong population growth in the coming decades). We would also not object to the use of the accumulated average exceedance indicator for nature protection, as suggested by the scientific community. Nor would we object to use of the minimum or mean empirical critical loads in optimisation for nature protection. On the level of ambition: at this moment, we cannot make firm statements on the desired risk reduction percentages, as this would have a direct effect on the allocated pollutant emission reductions and associated ambition level per country. At this stage, we believe it would be useful for the TFIAM to explore higher health impact reduction targets than the 50% health impact reduction target explored so far, as to further inform the Gothenburg Protocol revision process.
- On further analysis to explore the potential of new approaches: , we would like CIAM to conduct further targeted modelling and analysis to enable the WGSR to select an appropriate new approach that would facilitate ratification by current non-Parties. The additional work could include identifying priority sectors for cost-effective reductions for current non-Parties (analysing their similarities), based on different optimisation runs. It could also involve sequential optimizations or baseline simulations with tighter controls for key sectors. Such simulation scenarios could reflect EC agreements, association agreements, and/or non-technical measures for sectors where mandatory requirements are less obvious (e.g. early replacement of old wood stoves in the residential heating sector), and/or possibly be developed as hybrid scenarios as proposed in the updated policy brief. If supported by current-non-Parties we would also have no objections to further analysis of the impact of setting a cap on the total expenditure (maximum total cost expressed as % of GDP).

In addition to the above preliminary instructions for further analysis, it is equally important for the WGSR to be clear about the deliverables it needs to receive from TFIAM and CIAM to inform its policy making and to enable the working group to arrive at sound recommendations. This includes clear documentation of baseline and alternative scenarios, documentation of major discrepancies between GAINS data and officially reported data, GAINS data by country (including on resulting emission reductions) and, in particular with regard to current non-Parties, an overview of the key cost-effective measures and priority sectors.

Paragraph 13 of the draft plan for the revision of the Gothenburg Protocol [, which will be discussed under agenda item 3,] proposes that the working group should already start an initial discussion at this session on the listed items in this paragraph, including on the scope and indicators for target setting, the base and target years for discussing possible emission reduction commitments, the possible inclusion of CH₄ and the scope and nature of the technical annexes. On the first two items, i.e. target setting options and base and target years, we have already shared our views under agenda item 2 in response to the policy brief of the TFIAM. On the last two items, i.e. methane and the technical annexes, we cannot yet share positions on preferred options. We of course remain open to further consideration of the possible inclusion of methane in the Gothenburg Protocol. Regarding the technical annexes, a discussion on the mandatory or voluntary nature of technical annexes seems premature at this time. We believe that, in general, form should follow function, which in this case means that a choice for a mandatory or voluntary nature of technical annexes (or a combination thereof) should be made once the scope and content of the proposed amendments are clear (annexes by sector, shorter and simplified annexes, separate sections for sub-regions in the annexes, new annexes, ...). A more detailed and open discussion on the technical annexes would be a good topic for the informal meeting later this year.

Draft Guidance Document on non-technical and structural measures and draft policy brief on clean air in cities (TFIAM)

We thank the TFIAM for its annotated outline of the planned Guidance Document on non-technical and structural measures. We recognize the potential and necessity of such measures in contributing to the long-term objectives of the present Gothenburg Protocol and reiterate their increased importance in addition to the available technical control measures, as also concluded in paragraph 90(g) of the Gothenburg Protocol review report. We look forward to a timely delivery of the final draft of the Guidance Document and its further discussion as part of the Gothenburg Protocol revision process.

We also thank the TFIAM, and more specifically its Expert Panel on Clean Air in Cities, for outlining the planned position paper on clean air in cities. We hope that this position paper will help make policymakers at different levels of government more aware of the multiple scale interactions. We also believe that the sharing of information and expertise through this planned position paper and any subsequent guidance can help cities and relevant agencies develop multi-pollutant/multilevel air pollution control plans that can further improve air quality in cities.

We currently have no comments or further suggestions regarding the annotated outlines of the Guidance Document on non-technical and structural measures and the position paper on clean air in cities.

Agenda item 3: Revision of the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, as amended in 2012

Draft plan for the revision of the Gothenburg Protocol, as amended in 2012

The EU and its Member States thank the Bureau of the Working Group for preparing a draft plan in response to the request of the Executive Body as stipulated in paragraph 5 of its decision 2023/5, and we welcome that, in line with this request, the draft plan includes an overview of ongoing and required activities and a tentative timeline for the revision process.

We submitted our comments in writing to the Secretariat on 8 May 2024, including suggestions for text changes, which we hope are helpful and will be carefully considered. We believe that the draft plan needs further completion and specification in some areas before it is forwarded for consideration by the Executive Body. Part of our comments can be addressed in future updates to the plan, which will be needed regularly to keep good track of the outstanding work for a timely completion of negotiations. Our submitted comments relate to:

- missing workplan items in table 1;
- the lack of resources to implement all relevant work for the revision process and hence the need to set further priorities;
- missing information on timing of i.a.
 - the expected deliverables from the TFs, ICPs and centres, and other necessary preparatory documents for the WGSR and the EB, including draft amendment proposals of text and annexes of the Gothenburg Protocol (if TFs, ICPs and centres are expected to deliver work not yet covered by the current 2024-2025 workplan, they should receive clear instructions from the WGSR on when and what to deliver);
 - the necessary legal analysis of the draft amendment proposals by the ad hoc group of legal experts and preparation of the final amendment decisions;
- missing information on who will take the lead in preparing all necessary documentation (draft proposals, final amendment decisions, etc.) so that it can be submitted in time (including translated versions) for consideration by the WGSR and EB at their sessions;
- missing information in planning on when and by whom consequential and other amendments to the text of the Gothenburg Protocol (and potentially also to annexes I and III) would be discussed and prepared.

In conclusion, we would like to thank the Task Forces, ICPs and centres very much already for their preparatory work on the revision of the Gothenburg protocol so far, and we would certainly be keen to know if they need further instructions or guidance from the Working Group in prioritising their work for the planned revision of this protocol within the current available resources.

On the overview table with EMEP SB/WGE inputs into the Gothenburg Protocol revision process: we thank the scientific subsidiary bodies for providing this very useful overview summarising the planned inputs to the Gothenburg Protocol revision process from the scientific ICPs, task forces and centres, with information on the timing and responsible body of deliverables and related workplan items. However, we noted that the numbering of the workplan items listed in the summary table do not correspond with the numbering of the workplan items in the latest interim version of the 2024-2025 workplan, as updated after the 43rd session of the Executive Body. We also noted that the workplan items listed in the summary table do not match the workplan items listed in table 1 of the draft plan. Further streamlining would be useful. We also believe it would be useful to expand this summary table with information on deliverables from the taskforces and centres under the WGSR. Finally, we note the absence in the presentation by EMEP/WGE of mention to the work needed on the improvement of emission inventory methodologies and data availability, where many countries noted in the recent meeting that some chapters of the EMEP/EEA Guidebook are in urgent need of revision.

Addressing barriers to ratification and implementation by non-Parties

The EU and its Member States thank the Bureau of the Working Group for preparing a paper on new approaches to facilitate ratification and implementation of a future revised Gothenburg Protocol by current non-Parties, inviting delegates to give their views and possible preferences. We recognize that the five approaches identified in this paper, or combinations thereof, can all help to a greater or lesser extent to overcome the protocol related barriers faced by current non-Parties, albeit each with its own disadvantages and advantages. At the moment, we are open to further discussion on each of these approaches and have no specific preference yet. All these approaches imply a more tailored and focused approach than the current uniform approach applicable for the whole EMEP region. We would first like to hear from current non-Parties and invite them to express their views and any preferences at this stage, and/or inform the Working Group what further information they would need in their consideration of these new approaches. We also invite the Centre of Integrated Assessment Modelling (CIAM) to further explore the potential of these new approaches with its GAINS model. This may help the Working Group recommend a suitable approach that is realistic and feasible for the current non-Parties. We therefore call on the Working Group to give the TFIAM and CIAM the necessary instructions on additional scenarios to be developed for EECCA countries, Western Balkan countries and Türkiye and on the type of results and documentation to be reported to the WGSR. To this end, we made suggestions under agenda point 2 in response to the updated TFIAM policy brief on scenarios.

Finally, we would like to reiterate the importance of involving current non-Parties in the revision process and in particular in CIAM's modelling work. Options to achieve this could include bringing them to the informal delegates meeting in October by reimbursing their travel expenses, organising a webinar with them between the informal delegates meeting and the EB meeting in December, organising a workshop at CIAM and organising a new side event on the margins of the 44th session of the EB. We invite the Working Group to consider these options. We also see a need for translation into Russian of key informal documents for the upcoming meetings, including documents for the informal delegates meeting in October. Additional support for this would be welcome. Making interpretation available in Russian during the planned informal meetings, workshops and/or webinars could also improve the participation of current non-Parties.

Agenda item 4: Review of the Rules of Procedure for sessions of the Executive Body

The EU and its Member States thank the ad hoc group of experts, including legal experts and the secretariat who contributed, for the new report proposing a revised text of the Rules of Procedure.

We submitted our views on the possible amendments to the Rules of Procedure as contained in the EB43 report ECE/EB.AIR/2023/8 on 29 January 2024. We noted that these views have not yet been taken into account by the ad hoc group of experts when preparing the revised text of the Rules of Procedure for consideration by the Working Group at this session. Therefore, we used our submission of 29 January 2024 as a starting point to reassess the proposed amendments in the new report (document ECE/EB.AIR/WG.5/2024/2) and to further finetune our views and comments. We submitted our updated views and comments to the Secretariat on 17 May 2024.

In general, as we have already communicated on previous occasions, we would like to stress the need to submit only well-reasoned and necessary proposals to the EB for consideration. The Rules of Procedure should help and support the Parties in decision-making, but should not unnecessarily restrict the Parties' choices or ability to adapt to a given situation. If it is not a problem, we do not need to solve it. We therefore propose to focus during this session of the Working Group on amendments to the Rules of Procedure that could potentially be adopted by consensus by the Executive Body, as required by the current rule 33. Note, however, that the EU and its Member States cannot yet take a final position on amendments to the Rules of Procedure during this session and that we defer our final judgment on a possible decision on amendments to the Rules of Procedure to the next session of the Executive Body.

To allow further work on potential amendments to the Rules of Procedure we can agree to convene a breakout group during this session to discuss the remaining relevant issues, based on guidance from the WGSR. In this context, we would like to summarize where we stand by listing the rules and items for which we are open to further discussion on potential amendments:

- Rule 1 (scope)
- Rules 2(i) and 2(j) (definitions for hybrid and virtual session)
- Rules 3(2) and 3(3) (organisation of hybrid or virtual sessions; provisions not too prescriptive)
- Rule 17(2) (length of term of office)
- Rule 17bis (election of officers; strongly questioning the necessity of proposed detail)
- Rule 19 (absence or premature resignation of the Chair; not open to include provisions on appointing a 'first' chair)
- Rule 20(4) (need clarification whether also applies to the Bureaus other than the EB Bureau)
- Rules 29bis and 30 (decision making)
- Consequential and/or editorial changes in other rules

Finally, we noted that the secretariat also made some valuable comments on the draft amendments to the Rules of Procedure. We suggest that these comments should also be discussed and considered by the breakdown group. For example, we agree with the secretariat that the right to participate in sessions should not be linked to credentials (voting only) and we would also welcome more consistent language between rule 17bis and rules 29/30.

Agenda item 6: Financial requirements for implementation of the Convention

The EU and its Member States thank those Parties that have made or intend to make contributions in support of intergovernmental activities in 2025 and urge others to consider doing so in order to fully cover the intergovernmental activities anticipated for 2025. Pending final contributions received, the EU and its Member States give highest priority to supporting the Gothenburg Protocol revision process and the compliance review process for 2025, and in particular to enable the organization of a second meeting of the Working Group on Strategies and Review in 2025. In particular, we call on all Parties to provide additional funds to extend the current JPO post beyond October 2024. As the Secretariat is already currently understaffed, an extension of the JPO post would be most welcome to ensure the necessary secretarial support for the negotiations of the revision of the Gothenburg Protocol.

Agenda item 7: Other business

On the presentation of the Clean Air Fund

We thank the Clean Air Fund for its focus on Black Carbon and welcome its recently launched \$14 million work programme to address black carbon's detrimental impacts on climate, health and the environment. We note that the proposed recommendations largely align with the options outlined in the Policy Options Document addressing the conclusions of the Gothenburg Protocol review and other material developed during the review process in recent years, and we remain open to further consider these options in the context of a potential revision of the Gothenburg Protocol.