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INFORMATION NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Convention on Long-range Transboundary Air Pollution (CLRTAP)
Forty-third session of the Executive Body (EB 43)
(Geneva, 11–14 December 2023)
- 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)

Forty-third session of the Executive Body (EB 43)

(Geneva, 11–14 December 2023)

- Statements by the EU and its Member States -

Agenda item 1: Adoption of the agenda

The EU and its Member States support the adoption of the proposed agenda.

The EU propose to do a very short intervention on the results of the Saltsjöbaden workshop in relation to the revision of the GP if the Chair might find it useful.

Agenda item 3: Review of the implementation of the 2022–2023 workplan

(a) Science

On the Report of the ninth joint session of the EMEP-SB and the WGE

The EU and its Member States take note of the report of the 9th joint session of the EMEP Steering Body and the Working Group on Effects, welcome the progress made therein and appreciate the work done.

In relation with points 24 c and 24 d of the EMEP report, the EU and its MS do not support to adjust reported projections on the basis of previously approved adjustments, as the adjustment procedure was only designed to compare national emission totals with the emission reduction commitments for compliance purpose. Making information on adjusted projections explicitly available could disincentivise a Party of taking additional action to achieve compliance without adjustments.

The EU and its MS can in principle support that the EB agrees on requesting that the TFEIP prepares a report to be presented at the 10th joint session of the EMEP SB and the WGE proposing necessary changes to the reporting guidance documents for emission inventory adjustments, but we would like to be informed about what those necessary changes entail.

The EU and its MS would like to thank France for having been a leader of the TFMM and welcome Poland as a new leader in this TF. Likewise, we would also like to thank the Netherlands for having been a leader of the TFIAM and welcome France as a new leader in this TF.

Following those changes, the EU and its MS would like to request that the corresponding Executive Body Decisions on the mandates of those task forces, namely Decision 2019/7 for TFIAM and Decision 2019/8 for TFMM, be updated accordingly to reflect the new leadership.

On the Draft decision on the Meteorological Synthesizing Centre-East

The EU and its MS support the Decision on the relocation of EMEP MSC-East to the Jožef Stefan Institute in Ljubljana in 2024.

We support option 3 of the document ECE/EB.AIR/GE.1/2023/7 ECE/EB.AIR/WG.1/2023/7 and welcome the offers from Georgia and Ukraine to host a new centre in order to enhance and support scientific cooperation between the EMEP centres and the national experts in the countries of the Eastern Europe, the Caucasus and Central Asia region.

Accordingly, the request in point 5 of the decision would read:

5. Requests the EMEP Steering Body to develop a roadmap for the hosting of a new centre in order to enhance and support scientific cooperation between the EMEP centres and the national experts in the countries of the Eastern Europe, the Caucasus and Central Asia region as [per Option 3] outlined in the document ECE/EB.AIR/GE.1/2023/7–ECE/EB.AIR/WG.1/2023/7, paragraph 4 (c).

(b) Policy

The EU and its Member States thank the WGSR for its report of the sixty first session and take note of the progress in the implementation of section II of the workplan (policy).

The EU and its MS support the adoption and implementation of the Decisions on the adoption of the Guidance Documents on: technical measures for reduction of methane emissions from landfill, the natural gas grid and biogas facilities; technical measures for reduction of air pollutant emissions from shipping, and the document on co-mitigation of methane and ammonia emissions from agricultural sources. On the Policy brief on potential targets to reduce risks for health and ecosystems, the EU and its MS thank the TFIAM for this document and take note of the results. We will study it and submit our comments, if any, before the deadline of 3 February 2024.

(c) Compliance

On the twenty-sixth report of the Implementation Committee

The EU and its Member States take note of the Twenty-sixth report of the Implementation Committee. We continue to emphasise the importance of the fulfilment of all obligations to the Convention by all Parties and we remain committed to reducing our emissions and to report emission data and projections in a correct and timely manner.

On the draft Decision IV. Revised procedures for the Implementation Committee

The EU and its MS have reviewed the draft decision on revised procedures for the IC and we agree that we are not ready to adopt such a decision at this stage.

We are particularly concerned about the significantly reduced role of the Secretariat in the functioning of the IC and the fact that the current Decision 2019/2 will be superseded.

To facilitate further discussions on a possible revision of the IC procedures, we would welcome a tracked changes version of the revised procedures with a clear justification for each of the changes made. We would also be very interested to read and understand the views and opinions of the members of the IC and of the ad-hoc group of legal experts.

Further detailed comments on the proposed update of the IC mandate will be shared at a later stage once we have received the necessary clarifications on current proposed changes.

(d) Capacity-building and awareness-raising to promote ratification and implementation

We take note of the provided information and thank the secretariat for the report and updates. We reiterate our continued strong support for these capacity-building efforts as a way to achieve tangible results, in terms of real progress towards ratification and implementation of the Convention and its Protocols.

(e) Communication, outreach and cooperation

The EU and its Member States thank the secretariat for its substantial work on communication and outreach activities and take note of the information provided.

Agenda item 5: Policy options to address the conclusions of the review of sufficiency and effectiveness of the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, as amended in 2012

The EU and its MS welcome starting the process to revise the Gothenburg Protocol, including consideration of the following items among others:

- updates of emission reduction commitments for existing pollutants,
- updates of the technical annexes (specifically on NH₃ by tightening existing annex measures and expanding the scope of the NH₃ annex),
- any possible provisions for BC (as a component of PM) and CH₄ (as an ozone precursor) and
- with due regard to address barriers to ratification and implementation, by means of further and/or different flexibilities/approaches or a phased approach.

About our proposed edits to draft decision text, we refer to our written comments available on the EB43 web page. In particular, we would like to include direct mention of the indicators of biodiversity loss in the 6th preamble, include a last preamble on the recommendations of the Saltsjöbaden workshop. Finally, we request to remove the wording of commencing negotiations and substitute it with starting the process for revision, which reflects more accurately the actual process as also presented by the chair of WGSR.

The proposed timing for the revision process appears to be very tight (see last para of draft decision, now number 5): starting at WGSR62 in May 2024 and with a view to ending at EB45 in December 2025. An ambitious timeline would in any case require at least a clear and detailed roadmap and probably additional sessions of the WGSR (either formal, informal, HoD or webinar format). The EU and its MS recognising the complexity of the issues, see the need to set a timeline for the revision after the first discussions take place in 2024. After those first discussions, there would be clarity to comment on this draft roadmap and amend it as appropriate.

Agenda item 6: Financial requirements for the implementation of the Convention

On the prioritisation of the secretariat activities in 2024 (Informal document n°5)

The EU and its MS are concerned because apparently the priorities don't match with the workplan items and, in particular, we wonder if the items not listed as priorities by the secretariat would not be addressed. We consider the following tasks as high priority and would like to see them reflected as such:

- Preparatory work for a possible revision of the Gothenburg Protocol, including working groups if needed.
- Outreach and capacity building activities
- Involvement in the activities of the Implementation Committee, keeping the same activities as described in the current mandate of the IC
- Reporting on strategies and policies: the Secretariat should at least collect the submitted reports and post them on a dedicated webpage, as well as post delivered presentations on the website.
- Uploading the Agendas and the Minutes of EB Bureau meetings to the UNECE website (see report of EB42 (para 45))

We would like to have a breakup group to discuss the priorities.

Agenda item 7: Draft 2024–2025 workplan for the implementation of the Convention

The EU and its MS welcome and support the draft work plan and note especially the importance of the work plan items in support of the upcoming Gothenburg protocol review; these work plan items should be prioritised in the coming period.

We appreciate the work the TFRN is doing, and we consider the following as particular priorities:

- 2.1.3. Provide technical support on options to inform preparations for possible future updating of annex IX to Gothenburg Protocol
- 2.1.8. Examination of benefits and barriers to dietary change to reduce N air pollution, including co-benefits, possible scenarios and opportunities to overcome barriers.
- 2.1.11 Assessment of technical and non-technical options for meeting Global Biodiversity Framework target 7, with special reference to N air pollution, including benefits of such action
- 2.2.1. Promotion of guidance documents, including those recently adopted.
- 2.2.6. Continue revision of Guidance document for preventing and abating ammonia emissions from agricultural sources
- 2.2.8. Further elaboration on interactions between emissions of CH₄ and NH₃, and other N compounds, and potential for their co-mitigation from agricultural sources

Regarding the List of official documents for 2024–2025 meetings

On the roadmap: we would prefer to change the title of this document ('Roadmap for negotiations on potential revision of the Gothenburg Protocol as amended in 2012') as follows: 'roadmap for the revision of the Gothenburg Protocol')

With regard to the announced document 'Preparatory considerations to facilitate ratification and implementation of a future revised Gothenburg Protocol by non-Parties', we would like to know what the topic and focus of this document would be and whether it would build on previous material. Further clarification would be appreciated.

Agenda item 8: Review of the rules of procedure for the sessions of the Executive Body

The EU+MS welcome the work done by the ad-hoc group of legal experts which will be a useful orientation in next steps.

We also take the occasion to thank again the ad hoc expert group (RRG) and its chair for their excellent work on this report.

On the current report on the review of the Rules of Procedures, we have the following additional comments, building on comments already supplied at WGSR and in writing:

- We agree with the Legal ad-hoc expert group general remark (para 6) on the usefulness of making a consolidated or annotated version of the Rules of Procedure.
- We also agree with the legal ad-hoc expert group on linking the need for change to actual application problems. In this process, our position has generally been that we should take a cautious, justifiable, and need-based approach to changing the rules of procedure.
- In the respective inputs, we do see support for improving some basic definitions and for enabling provisions in respect of hybrid, virtual and in-person meetings.
- We have heard support from Parties on some changes in respect of changes to 17 and 17b on election of officers, again noting the ad hoc legal group preference for a restructured and simplified provision.
- We support what is said in paragraph 35 of the Legal Assessment Document about using the expression “gender and geographical balance” without using the term “gender parity”.

As introduced by RRG Chair, we would see benefit in RRG and Legal Ad-hoc group, or subset of same, working closely together in next steps on these identified issues.

We can also support the UK on considering best practices as a means of solving some issues.

The work of RRG and the legal experts have already discussed at length the issues, as the chair has just now reminded, for almost 2 years. In our statement of the WGSR 61 we identified the issues where we see merit for further discussions, and we do not see any room for other additions. We might request the WGSR to consider the necessity for individual amendments, but we now need to focus on drafting the necessary amendments for these specific points.