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## Economic Commission for Europe

Executive Body for the Convention on Long-range  
Transboundary Air Pollution

### Working Group on Strategies and Review

**Forty-seventh session**

Geneva, 30 August–3 September 2010

## Report of the Working Group on Strategies and Review on its forty-seventh session

### Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction .....	1–6	2
A. Attendance .....	2–3	2
B. Organizational matters .....	4–6	2
II. Options for revising the Gothenburg Protocol <sup>1</sup> .....	7–31	3
III. Options for revising the Protocol on Heavy Metals .....	32–45	9
IV. Options for adding new substances to the Protocol on Persistent Organic Pollutants .....	46–50	11
V. Long-term strategy for the Convention .....	51–52	12
VI. Draft 2011 workplan for implementation of the Convention .....	53–54	12
VII. Progress in the implementation of the Action Plan for Eastern Europe, the Caucasus and Central Asia .....	55–59	13
VIII. Election of Officers .....	60	14
IX. Other business .....	61	14
X. Adoption of the decisions of the Working Group .....	62	14

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<sup>1</sup> 1999 Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone.

## **I. Introduction**

1. The forty-seventh session of the Working Group on Strategies and Review was held in Geneva, Switzerland, from 30 August to 3 September 2010.

### **A. Attendance**

2. The session was attended by representatives of the following Parties to the Convention on Long-range Transboundary Air Pollution (the Convention): Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, European Union, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Kazakhstan, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Russian Federation, Serbia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

3. A representative of the Centre for Integrated Assessment Modelling (CIAM) of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) was present. Also present were industry representatives of Bromine Science and Environmental Forum (BSEF), Dow AgroSciences, EURELECTRIC, the European Association of Internal Combustion Engine Manufacturers (EUROMOT), the oil companies' European organization for environment, health and safety in refining and distribution (CONCAWE) and the European Petroleum Industry Association (EUROPIA). The European Environmental Bureau (EEB), the French-German Institute for Environmental Research, the French Inter-professional Technical Centre for Studies on Atmospheric Pollution (CITEPA), the International Cryosphere Climate Institute and Swerea Kimab were also represented. Representatives of the United Nations Environment Programme (UNEP) also attended.

### **B. Organizational matters**

4. The meeting was chaired by Mr. R. Ballaman (Switzerland).

5. The Working Group adopted the agenda of the meeting as set out in ECE/EB.AIR/WG.5/101.

6. The Working Group considered and adopted the report of its forty-sixth session as set out in document ECE/EB.AIR/WG.5/100.

## **II. Options for revising the Gothenburg Protocol**

7. The Working Group continued its discussions on options for revising the 1999 Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol), its annexes and related guidance documents. It further considered the draft amended text of the Protocol submitted to its forty-sixth session (ECE/EB.AIR/WG.5/2010/1), in taking into consideration the progress made during that session (as presented in informal document No. 1) and the results of the work by the task forces and expert groups. It also took into account the outcomes of the informal consultations held by the countries in Eastern Europe, the Caucasus and Central Asia, which had been held just prior to its forty-sixth session.

*Technical annexes*

8. The technical experts pursued their work on the draft revised annexes to the Protocol prepared by the Expert Group on Techno-economic Issues and discussed at the Working Group's forty-fifth and forty-sixth sessions in September 2009 and April 2010, respectively (ECE/EB.AIR/WG.5/2009/17–22). This work started in the plenary session, which benefited from interpretation, to facilitate the participation of experts from Eastern Europe, the Caucasus and Central Asia.

9. The Italian co-Chair of the Expert Group on Techno-economic Issues presented the progress made and the main objectives for further work on options for emission limit values (ELVs) in the technical annexes. In addition, the Expert Group's subgroups on small combustion installations and on stationary engines presented the outcomes of their work on options for ELVs for dust.

10. In the discussion that followed, the representative of Belarus noted that countries in the Eastern subregion would need to follow a step-by-step approach for the implementation of the obligations in the Gothenburg Protocol and its annexes. Flexibility was required notably with regard to emission ceilings and time frames for the application of ELVs and best available technologies (BAT). He also requested further explanations and guidance on the proposed technical options. The EU representative agreed on the importance of introducing additional flexibility into the technical annexes to facilitate the ratification of the Protocol by Parties to the Convention, while maintaining a high ambition level for the protection the human health and the environment.

11. The Chair of the Working Group on Effects presented draft amended annex I on critical loads and levels, as revised on the basis of the comments from the Working Group at its forty-sixth session (ECE/EB.AIR/WG.5/2010/12). For the EU, the link between environmental and health effects and benefits of policies and measures (the effects-based approach) was important, but it wished to see annex I more clearly spell out the objectives and targets, as well as the obligations and rights, of the Parties to the Protocol in that regard. The Chair of the Working Group on Effects together with interested parties agreed to further refine the text of the annex I during the session, in particular as regards the definitions of effects indicators, and presented the outcomes of this work to the delegations. The secretariat was invited to incorporate the draft text of annex I, as amended, into a revised text of the Gothenburg Protocol for consideration at its next session, in April 2011.

12. The Working Group:

(a) Welcomed the contributions made by the task forces, expert groups and centres to the work on the revision of the Gothenburg Protocol;

(b) Considered the draft revised Protocol text as presented in informal document No. 1 and invited the secretariat to prepare an official document for its next session in April 2011, reflecting the discussions by the Working Group on options for revising the Protocol at its sessions in 2009 and 2010, indicating proposed changes to the current text of the Protocol and pointing out the provisionally agreed amendments so far;

(c) Took note of the further work by the ad hoc group of technical experts on the draft revised annexes IV, V, VI, VIII and the proposed new draft annexes on dust and on solvent content of products that had been presented in documents ECE/EB.AIR/WG.5/2009/17–22, and invited the Chair of the ad hoc group to prepare a document for the forty-eighth session of the Working Group in April 2011, listing the amendment proposals made since the forty-fifth session of the Working Group, indicating the three proposed options for ELVs and providing additional information on costs;

(d) Requested the Expert Group on Techno-economic Issues to provide information to CIAM on the options for the ELVs included in the draft revised technical

annexes and to collaborate with the Task Force on Integrated Assessment Modelling in the analysis of cost-effective emission reduction strategies;

(e) Stressed the importance of translating into Russian the draft revised guidance documents I to V to the Gothenburg Protocol adopted by the Executive Body (decision 1999/1) and invited the delegations to explore possibilities to support the translation;

(f) Took note of the suggestions by the EU for introducing flexibility to the assessment of compliance by Parties with their emission ceilings and for providing guidance to Parties for adjusting their emission inventories (informal document No. 19);

(g) Invited the secretariat together with the Chair of the Working Group to include in the forty-eighth session of the Working Group in April 2011 discussions with interpretation, of at least one day's length, focusing on revisions to technical annexes to the Gothenburg Protocol and the Protocol on Heavy Metals.

#### *Integrated assessment modelling*

13. The Chair of the Task Force on Integrated Assessment Modelling and the Head of CIAM presented results of the further work on the baseline scenarios, as well as four proposed approaches for setting cost-effective environmental targets for 2020 (as laid out in informal document No. 8).

14. The EU representative considered the work on the baseline scenarios and target-setting approaches to be determinant for setting the ambition level for the revision of the Protocol and the national ceilings for 2020 that was balanced in terms of the costs, benefits, affordability and cost-effectiveness of the measures. It deemed necessary that the Task Force and CIAM further explore a range of policy scenarios between the "current policy" baseline and the "maximum feasible reductions (MFR)" scenario for 2020, including providing information on their robustness and reliability. The EU supported the effects-based approach for target setting and focusing further work on exploring, both nationally and Europe-wide, a hybrid-approach combining "gap closure" approach 3 (targeting in each country equal environmental improvements) and "optimization" approach 4 (targeting Europe-wide benefits at least cost) and including also some aspects of approach 2 (targeting in each country equal improvements compared to a base year). Information on costs and benefits, by Party and by sector should be provided as transparently as possible. In addition to the indicators measuring air pollution's impact on human health (in terms of mortality/morbidity) and ecosystems (related to critical loads and levels), specific impact indicators for climate change should be made available to inform the further negotiations. Finally, as the non-technical measures were likely to play a key role in implementing the ceilings in the EU, and since those were included in the greenhouse gas and air pollution interactions and synergies (GAINS) model only to a limited extent, the revised Protocol should reflect that and promote exchange of information between Parties for improved implementation of the protocol.

15. For Norway, the options presented provided a good basis for discussing emission reduction scenarios, which should be effects-based and cost-effective. At the outset, Norway did not wish to exclude any of the four options and their possible combinations yet, but agreed to align itself with the other delegations in limiting the scope of the future work to up to three scenarios. Further work should involve a sensitivity analysis to shed light on the options and further information on exceedances of acidification in surface water. Norway also suggested that some sea areas be designed as emission control areas (e.g., the Mediterranean for sulphur dioxide (SO<sub>2</sub>) and the Mediterranean and Nordic Sea for nitrogen oxides (NO<sub>x</sub>)).

16. The Working Group:

(a) Considered options for target setting for Parties within the geographical scope of EMEP presented by the Task Force on Integrated Assessment Modelling and CIAM (informal document No. 8); supported the effects-based approach for target setting and concluded that in particular the national and Europe-wide gap closure and optimization options 3 and 4 should be further explored, as well as the option 2 for achieving equal ecosystem improvements across countries;

(b) Invited the Task Force on Integrated Assessment Modelling and CIAM to further explore the “hybrid” scenarios of options 3 and 4, combined with some aspects of the option 2; and to provide further information on other gap closure percentages (in the range of 25 to 75 per cent), for presentation at the forty-eighth session of the Working Group in April 2011;

(c) Invited the Task Force on Integrated Assessment Modelling and CIAM to analyse the sensitivity of scenario results for different assumptions on baseline developments (including additional GAINS model simulations on higher emissions for road transport reflecting EURO standards IV, V and VI and also on the choice of the activity baselines (PRIMES and national)) and to publish on the Internet all relevant input data and scenario results for each country;

(d) With reference to the key technical measures for emission reduction in the countries with economies in transition that had been proposed by CIAM at the forty-first session of the Working Group in 2008,<sup>2</sup> invited CIAM together with the Task Force on Integrated Assessment Modelling to further assess the measures that could contribute to the achievement of cost-effective emission reduction strategies;

(e) Requested the Task Force on Integrated Assessment Modelling and CIAM to explore, in collaboration with the Expert Group on Techno-economic Issues and the Task Force on Reactive Nitrogen, the impacts of the options for ELVs included in the draft technical annexes and their contribution to the achievement of cost-effective emission reduction strategies;

(f) Invited the Task Force on Integrated Assessment Modelling and CIAM to take into consideration the ex post analysis of the environmental impacts of the emission scenarios, to be carried out by the Working Group on Effects, and in particular its elements related to the protection of surface waters, ozone flux to vegetation and radiative forcing;

(g) Requested that the work elements in subparagraphs (c)–(f) above be presented to the extent possible at the forty-eighth session of the Working Group, in April 2011, and at the latest at the forty-ninth session in September 2011.

#### *Reactive nitrogen*

17. The co-Chairs of the Task Force on Reactive Nitrogen presented further work on the draft amended annex IX to the Gothenburg Protocol (ECE/EB.AIR/WG.5/2010/14 and informal document No. 2), as well as on the draft guidance document on control techniques for preventing and abating emissions of ammonia from agricultural sources (informal document No. 4) and on the Framework Code on Good Agricultural Practice for Reducing Ammonia, which was to be revised after completion of the guidance document. Furthermore, the co-Chairs presented an overview of the costs and benefits of reactive nitrogen (informal document No. 7), and stressed the potential benefits for both air pollution abatement and climate mitigation of measures improving nitrogen use efficiency. Attention was drawn to the report on nitrogen and climate that was under preparation to

<sup>2</sup> See *Сценарии выбросов SO<sub>2</sub>, NO<sub>x</sub> и ТЧ в странах, не являющихся членами ЕС, до 2020г.*, available at [http://www.iiasa.ac.at/rains/reports/CIAM%20report%201-2008v2\\_RU.pdf](http://www.iiasa.ac.at/rains/reports/CIAM%20report%201-2008v2_RU.pdf) (in Russian).

inform the Gothenburg Protocol revision process, as requested by the Executive Body at its twenty-seventh session in 2009. The full report was expected to be finalized by the end of 2011. Its executive summary had been made available to the Working Group (informal document No. 17). Finally, the Task Force reported on progress on a guidance document on nitrogen and food that was due by the end of 2011 (informal document No. 18).

18. The EU acknowledged the need for reducing the overall emissions of ammonia, taking account of other environmental aspects of nitrogen management, with a view to avoiding displacement of problems between the different environmental compartments (water, soil and air). Several agricultural activities also influenced emissions of green house gases (GHGs). It was not clear what type of measures should be taken to cost-effectively address NO<sub>x</sub> and NH<sub>3</sub> emissions in the absence of more detailed quantitative information on the costs involved. While, thus far, agricultural measures had been based to a large extent on guidance and best practices, and to a lesser extent on legally binding obligations, including strict ammonia emissions reduction targets for several aspects of husbandry and manure management in annex IX would be in line with the objective to further reduce ammonia emissions. However, some of the individual obligations in the draft amended annex IX were demanding, in particular for the cattle farming sector. Therefore, the EU recommended that the proposed options for draft obligations and their legal character be discussed in more detail, considering in particular the possibility of including in the annex obligations that were achievable and agreeable to all and reserving the guidance document for describing best practice. The co-Chairs of the Task Force on Reactive Nitrogen clarified that the aim had been to propose percentage reductions of emissions but without specifying the method to be used for meeting the target, which could be described in the guidance document.

19. Switzerland agreed with the proposed structure of the draft amended annex IX, but wished to reserve its position on the proposed options until the finalization of the draft amended guidance document. The Netherlands pointed out that guidelines for target setting for farms of different sizes was based on the assumption that the bigger the farms, the more competitive and high-technology they were, but that that was not always true.

20. Belarus and the Russian Federation stressed that in many cases countries in Eastern Europe, the Caucasus and Central Asia did not have standards or legislation for regulating agricultural emissions and that it would take several years to put in place and to implement new national legislation.

21. The Working Group:

(a) Stressed the importance of integrated management of nitrogen for the reduction of the overall emissions of ammonia, with a view to avoiding potential displacement of problems between the different environmental compartments (water, soil and air);

(b) Acknowledged the potential win-win benefits of the measures improving nitrogen use efficiency for both air pollution and climate mitigation and invited the Executive Body to explore the possible benefits for the Convention to collaborate with the Intergovernmental Panel on Climate Change to further explore the relation between nitrogen and climate policy at the technical level (informal document No. 17);

(c) Invited the Task Force on Reactive Nitrogen to finalize with priority the updating of the draft guidance document on control techniques for preventing and abating emissions of ammonia, and to present it for consideration at the forty-eighth session of the Working Group in April 2011, to enable further discussion on revising the draft amended annex IX to the Protocol to proceed accordingly;

(d) Invited the Task Force on Reactive Nitrogen to further explore combinations of the options A, B and C for revising the draft amended annex IX, as presented in document ECE/EB.AIR/WG.5/2010/14;

(e) Took note of the draft outline of a report on nitrogen and food prepared by the Task Force on Reactive Nitrogen (informal document No. 18), and agreed that the first draft report should focus on EU countries and on the potential environmental effects of possible dietary changes; and invited delegations to provide further feedback to the co-Chairs of the Task Force in writing to guide the preparation of the draft report, with a view to its presentation at the Working Group's forty-ninth session in September 2011.

#### *Hemispheric Transport of Air Pollution*

22. The co-Chairs of the Task Force on Hemispheric Transport of Air Pollution presented the main findings of the draft 2010 assessment report prepared by the Task Force, drawing attention to the significant impact of intercontinental flows of air pollution on environmental quality throughout the Northern Hemisphere and stressing that coordinated international actions to mitigate those flows would yield significant environmental and public health benefits. The draft report and its executive summary (in informal document No. 16) would be finalized on the basis of the feedback of the EMEP Steering Body at its thirty-fourth session in September 2010.

23. The Chair of the Working Group noted with concern the reported growth of the background concentrations of ozone and stressed the benefits of reducing ozone and its precursors, in particular methane. The representative of CIAM drew attention to the conclusion that increases in methane emissions could counteract the reductions of the regional pollutants (NO<sub>x</sub> and volatile organic compounds (VOCs)) and called on the Working Group to keep that in mind within the revision of the Gothenburg Protocol obligations.

24. The Working Group noted the results of the Task Force on Hemispheric Transport of Air Pollution in its work on intercontinental transport of air pollutants of relevance to the revision of the Gothenburg Protocol, acknowledging in particular that:

(a) Emissions of ozone precursors, non-methane VOCs, carbon monoxide, NO<sub>x</sub> and particulate matter (PM) and its precursors in one region had a significant impact on air quality in other regions of the world through intercontinental transport of air pollution. In most cases, mitigating local or regional emission sources was the most efficient approach to mitigating local and regional impacts of ozone, and PM pollution;

(b) Cooperation to decrease emissions that contributed to intercontinental transport of air pollution had significant benefits for both source and receptor countries;

(c) Measures to reduce methane on a global scale had effectively contributed to the reduction of the background concentration of ozone and to climate change mitigation; however, the expected increase of methane emissions in developing countries in Asia might adversely offset a possible decrease of emissions of ozone precursors, thus influencing negatively tropospheric ozone levels in Asia and elsewhere.

25. The Working Group recommended that those aspects were considered in the revision of the Gothenburg Protocol and invited the Executive Body to provide guidance for further work.

#### *Economic instruments*

26. The representative of the lead country (United Kingdom) of the Network of Experts on Benefits and Economic Instruments (NEBEI) informed the Working Group that the Network's rapporteur, Mr. S. Navrud (Norway), had stepped down and been replaced by

Mr. M. Holland from the United Kingdom. The draft revised guidance document on economic instruments prepared by NEBEI, and made available to the Working Group at its forty-sixth session in April 2010 as an informal document, was being finalized on the basis of the comments received.

27. The Netherlands recommended that NEBEI refer to the information on the use of economic instruments in the agriculture, energy, industry and transport sectors provided by Parties to the Convention as part of their reporting on strategies and policies in 2010.

28. The Working Group invited NEBEI, in close collaboration with the Task Force on Integrated Assessment Modelling, to finalize the updating of the guidance document on economic instruments on the basis of the information received, taking also into account the replies to the 2010 questionnaire on strategies and policies.<sup>3</sup>

#### *Black carbon*

29. The Norwegian and United States co-Chairs of the Ad Hoc Expert Group on Black Carbon provided information on the work carried out by the Group to assess available information on black carbon and provide the rationale for addressing near-term and regional/Arctic climate change impacts of air pollution along with impacts on human health and ecosystems under the Convention. The Group was about to hold its second meeting with a view to finalizing a report with recommendations for the reduction of black carbon to be presented to the Executive Body for consideration at its twenty-eighth session. The draft report was made available to the Working Group as an informal document.

30. The Working Group took note of the progress report on the work of the Ad hoc Expert Group on Black Carbon, acknowledging that there were clear environmental benefits in reducing black carbon. The Working Group invited the Executive Body to provide guidance on the possible measures to be taken to address black carbon as part of the revised Gothenburg Protocol.

#### *Emission reduction in the North America*

31. The Working Group took note of the information presented by the representatives of the United States and Canada on their respective national emission reduction programs, including efforts to address PM 2.5 concentrations. Both countries reported that they had also made significant progress domestically in reducing acid rain and controlling ground-level ozone in the transboundary region. In addition, they were closer to resuming negotiations on a PM annex to the 1991 Canada-United States Air Quality Agreement. Their annual meeting was scheduled to be held in Montreal, Canada in November 2010.

### **III. Options for revising the Protocol on Heavy Metals**

#### *Technical review of the proposal to add mercury-containing products to the Protocol*

32. The Chair of the Task Force on Heavy Metals presented the final results of the track A and B technical reviews of the proposal by the EU to add mercury-containing products to annex VI to the Protocol on Heavy Metals, which had been carried out by the Task Force at its meeting in June 2010 on the basis of supplementary information provided by Canada and the United States (see ECE/EB.AIR/WG.5/2010/9). The Chair also provided information on mercury-containing products in Eastern Europe, the Caucasus and Central Asia and on emissions from the secondary aluminium and manganese industries (informal document No. 12).

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<sup>3</sup> ECE/EB.AIR/2009/13, paras 5–8.

33. Based on the conclusions of the Task Force, which indicated that the proposed measures to address mercury-containing products were cost-effective and that mercury-free alternatives were widely available at comparable costs, the EU estimated that the Working Group should be mandated to start negotiations for the inclusion of the proposed control measures to annex VI to the Protocol and for any consequential changes to the Protocol and its annexes. The negotiations should be based on the EU proposal to amend annex VI and consider the work by the Task Force on Heavy Metals and the relevant amendment proposals by Switzerland (presented in document ECE/EB.AIR.WG.5/2010/6). In line with the mandate of the Executive Body to prioritize amendments that facilitated ratifications of the Protocol, the EU was willing to consider the concerns and interests of the non-Parties to the Protocol and to cooperate constructively in finding solutions that were broadly acceptable. Furthermore, the EU stressed the importance of avoiding diverging developments and interferences with the negotiations on a globally binding instrument on mercury, currently taking place within UNEP, inter alia, by giving due consideration to the timetable and the evolution of those negotiations.

34. Canada, Norway and the United States also supported the conclusion that the Task Force had completed the technical review of the EU proposal, and that the outcomes of the review should be forwarded to the Executive Body.

35. The Working Group noted the conclusions of the Task Force on Heavy Metals on the track B technical review of the proposal by the EU to add certain mercury-containing products to annex VI to the Protocol on Heavy Metals, as well as the additional information provided by the Chair of the Task Force on mercury-containing products in Eastern Europe. It concluded that the track B review had been completed and recommended to the Parties to the Protocol present at the twenty-eighth session of the Executive Body, in 2010, that they consider providing a negotiation mandate for amendments to annex VI to the Protocol on product measures and for consequential changes to the Protocol text and its annexes on the basis of the EU proposal.

#### *Options for revising the Protocol on Heavy Metals*

36. As mandated by the Executive Body at its twenty-seventh session in 2009 (ECE/EB.AIR/99/Add.2, annex I), the Working Group discussed options for revising the Protocol on Heavy Metals on the basis of document ECE/EB.AIR/WG.5/2010/10. It made a number of specific amendment proposals to the text of the Protocol and its annexes, and invited the secretariat to reflect them in a revised document for the consideration of the Working Group at its next session. The delegations agreed that the key objective of the revision of the Protocol should be to increase its ratifications, with a view to improving the protection of the environment from the emissions of heavy metals.

37. The EU supported in principle the introduction of an expedited amendment procedure in line with the one adopted for the Protocol on POPs. The United States noted, however, that further clarifications were needed on whether such a procedure was necessary for the Protocol on Heavy Metals.

38. The EU stressed the importance of ensuring consistency between the relevant definitions (e.g., for new stationary sources, countries with economies in transition and PM) and obligations of the revised Protocol on Heavy Metals and those of the revised/new Gothenburg Protocol, notably with regard to the ELVs on dust and the timescales of application of ELVs and BAT to stationary sources (in annex IV). It was willing to consider introducing more flexibility to annex IV on the basis of the needs to be voiced by the current non-Parties to the Protocol. It supported amendments to the reference years for heavy metals in annex I with a view to enhancing the possibilities for countries with economies in transition to ratify the Protocol. The EU could also support the proposed

revision of stationary source categories in annex II by adding manganese in category 5 and aluminium in category 6.

39. The Chair of the Working Group acknowledged the need to coordinate the timescales for the application of ELVs between the two Protocols, while pointing out that as the delays started running starting from the entry into force of the respective Protocols, some differences were to be expected in that regard. The United States said that it understood the need for consistency and harmonization across the protocols in terms of reference years and timescales advocated by the EU, but also wished to hear from the non-Parties to the Protocol whether that would actually bring them benefits. Concerning the suggested additions to the stationary source categories, the United States was not clear whether the Task Force on Heavy Metals had fully reviewed them and whether adding them would not counteract the aim to increase ratifications.

40. Commenting on the proposals presented by the delegation of Belarus for amending the Protocol, the United States drew attention to the suggestion to add timescales into annex IV for the phase out or closing down of the source for emissions, allowing enough time to establish which sources should be phased out and those to which BAT should be applied.

41. The EU stated that the current annex V on limit values for emissions from major stationary sources should be updated, but without introducing further obstacles for ratifications. For installations that were also covered by the proposed new annex on dust ELVs to the Gothenburg Protocol, the ELVs for dust should be identical. The derogations and other provisions in annex V should also be aligned with those of the Gothenburg Protocol.

42. Delegations discussed the methods of work for updating annex V, and expressed their preference for carrying out the work in the plenary session, which benefitted from interpretation, to allow active participation of the Russian-speaking countries. The Chair invited the Chair of the Task Force on Heavy Metals to carry out preparatory work in advance to the forty-eighth session of the Working Group in April 2011, as well as to chair the discussions on the annex V. Regarding the content of the work, it was noted that ELVs for dust could result in significant emission reductions of cadmium, and lead and to a lesser extent of mercury, and also that abatement measures to reduce SO<sub>2</sub> and NO<sub>x</sub> could contribute to the reduction of emissions of the three heavy metals. Consequently, the limit values in annex V should be reviewed in connection with the proposed ELVs for dust, SO<sub>2</sub> and NO<sub>x</sub> in the Gothenburg Protocol, to ensure consistency between the obligations and to avoid possible redundancies. The work on annex V should also focus on the lead industry and chlor-alkali production, which were not covered by the proposed new annex on PM to the Gothenburg Protocol Annex.

43. The Working Group:

(a) Following consideration of the document on Options for revising the Protocol on Heavy Metals (ECE/EB.AIR/2010/10), proceeded to use it as a basis for negotiations of revisions to the Protocol and requested the secretariat to present a revised version of the document at the forty-eighth session of the Working Group in April 2011;

(b) Welcomed the suggestions for revising the Protocol provided by Belarus (informal document No. 13), and invited the secretariat to incorporate them as appropriate into the revised document for its April session;

(c) Took note of the additional information on the calculation of emissions, costs, deposition and scenarios with critical loads exceedances (informal document No. 5), presented by the Netherlands; and agreed to forward it to the Parties to the Protocol at the twenty-eighth session of the Executive Body for their views;

(d) Took note of the additional information on emissions from the secondary aluminium and manganese industries provided by the Chair of the Task Force on Heavy Metals (informal document No. 11), and agreed to forward it to the Parties to the Protocol at the twenty-eighth session of the Executive Body for their views;

(e) Invited the secretariat together with the Chair of the Working Group to include in the forty-eight session of the Working Group, in April 2011, at least one day with interpretation focusing on revisions to technical annexes to the Protocol on Heavy Metals and the Gothenburg Protocol.

*Negotiation of a global agreement on mercury*

44. The representative of the UNEP secretariat provided information on the main objectives and the scheduled meetings between 2010 and 2013 for negotiation of a global agreement on mercury. The possibility of a stand-alone financing instrument to fund activities under the mercury agreement was also under discussion. In addition, relevant activities within the Global Mercury Partnership coordinated by UNEP were highlighted.

45. The Working Group welcomed the presentation and noted the need to keep in view the progress on the negotiation for a global agreement on mercury as the Working Group continued to discuss revisions to the Protocol on Heavy Metals.

#### **IV. Options for adding new substances to the Protocol on Persistent Organic Pollutants**

46. The Working Group considered the results of the technical reviews of the new substances proposed for inclusion in the Protocol on Persistent Organic Pollutants (POPs) presented by the Dutch co-Chair of the Task Force on POPs (ECE/EB.AIR/WG.5/2010/8).

47. The representative of the European Polystyrene Insulation Industry informed the Working Group about the perspective of the hexabromocyclododecane (HBCD) users, stressing the industry's commitment to developing and switching to polystyrene foams with suitable and sustainable alternatives to HBCD, as soon as those became available. Until then, it supported a time-limited exemption for use of HBCD.

48. Based on the results of the Task Force on POPs, the EU believed that endosulfan, dicofol and HBCD, but also trifluralin and pentachlorophenol (PCP) (because of its degradation product pentachloroanisole (PCA)), could be considered as POPs under the Protocol on POPs. In the view of the EU, sufficient information had been made available to conclude that for both trifluralin and PCA, the POPs criteria of paragraph 1 of the Executive Body decision 1998/2 were met and that sufficient evidence was provided in accordance with paragraph 2 (b) of that same decision. It further believed that the track B technical reviews provided sufficient information on management options and on options for possible inclusion of the substances into the Protocol to allow negotiations to start for the addition of all five substances to the Protocol. Consequently, the EU recommended that the Executive Body mandate the Working Group to start negotiating text for the addition of the nominated substances to the annexes to the Protocol on POPs in 2011, taking into account the results of the Task Force on POPs.

49. In the following discussions, delegations agreed with the conclusions of the Task Force on endosulfan, dicofol and HBCD, but had diverging views on whether trifluralin and PCP/PCA could be considered POPs.

50. The Working Group:

(a) Thanked the Task Force on POPs and the reviewers for the further work on the technical reviews of endosulfan, dicofol and hexabromocyclododecane (HBCD),

pentachlorophenol(PCP)/pentachloroanisole (PCA) and trifluralin, as presented in document ECE/EB.AIR/WG.5/2010/8, and agreed to forward the document for consideration by the Executive Body at its twenty-eighth session, in 2010;

(b) Recommended, in line with the report of the Task Force on POPs, that the Parties to the Protocol on POPs meeting at the Executive Body should consider whether trifluralin and PCP/PCA are POPs within the meaning of the Protocol;

(c) Took note of the information on the management options for endosulfan, dicofol and hexabromocyclododecane (HBCD), accepted as POPs by the Parties to the Protocol on POPs at the twenty-seventh session of the Executive Body in 2009, and recommended that the Executive Body consider providing it with a negotiation mandate for listing endosulfan and dicofol in annex I and for listing HBCD in annex I or in annex II to the Protocol.

## **V. Long-term strategy for the Convention**

51. The Working Group considered and commented on the draft long-term strategy for the Convention prepared by the Chair of the Executive Body with inputs from the bureaux of the main subsidiary bodies and the Implementation Committee (ECE/EB.AIR/WG.5/2010/17).

52. The Working Group acknowledged the importance of a long-term strategy for the Convention to set priorities for and to improve the effectiveness of its future work, and agreed that the draft strategy prepared by the Chair of the Executive Body would constitute the basis for further discussions. It made a number of proposals to amend the document and invited the secretariat to reflect the proposals by delegations in a revised draft document to be submitted to the Executive Body at its twenty-eighth session in 2010.

## **VI. Draft 2011 workplan for implementation of the Convention**

53. The Working Group agreed on a number of amendments to its draft workplan for 2011, as presented in document ECE/EB.AIR/WG.5/2010/16–ECE/EB.AIR/2010/5, and requested the secretariat to reflect them in the report of its session for submission to the twenty-eighth session of the Executive Body.

54. The amendments included the following:

(a) Under item 1.1 (f), the tentative date of the forty-ninth session should be changed to read “29 August to 2 September 2011”;

(b) Under item 1.4, Main activities and time schedule, the first sentence should be amended to read “The Network of Experts on Benefits and Economic Instruments, led by the United Kingdom, will provide the framework and expertise for a series of workshops”, and the words “with Norway as rapporteur” should be deleted;

(c) Under item 1.7 on Techno-economic Issues, Main activities and time schedule, sub-items (a), (h) and (j) should be replaced with the following sub-items:

“(a) Provide a list of amendments to the draft revised annexes IV, V, VI, VIII and XI to the Gothenburg Protocol, including a new annex on particulate matter reflecting the results of the work of the ad hoc group of technical experts in parallel to the forty-sixth and forty-seventh sessions of the Working Group; take into account the outcome of the work on small combustion installations;”

“(h) Contribute to the further work related to black carbon, as needed;”

“(j) Hold its nineteenth and twentieth meeting, tentatively scheduled to be held in France and in Italy in spring and in autumn 2011.”

(d) For item 1.8 (Exchange of information and technology), the following sub-item (c) should be added:

“(c) Review the results of the meetings of the Coordinating group for Eastern Europe, the Caucasus and Central Asia led by the Russian Federation, preliminarily scheduled to be held, in Saint Petersburg, the Russian Federation, in April 2011 and in Ukraine in September 2011.”

## **VII. Progress in the implementation of the Action Plan for Eastern Europe, the Caucasus and Central Asia**

55. The representative of the secretariat informed the Working Group on the status of the trust fund for supporting the implementation of the Action Plan for Eastern Europe, the Caucasus and Central Asia, for which the Executive Body had adopted a budget of US\$ 769,530 for 2010. Only two countries had responded to the secretariat's requests for funds: Switzerland had contributed 100,000 CHF for activities in the countries of Eastern Europe, the Caucasus, Central Asia; and Norway had provided US\$ 95,000 towards the financing of an extrabudgetary post to enable the organization and implementation of those activities. The secretariat pointed out that the amount provided by Norway represented half of the originally requested amount and therefore was only sufficient to fund such a post for half a year. Further contributions would, therefore, be necessary in the future to allow the secretariat to pursue its work in that field.

56. The secretariat also informed the Working Group that it would ensure the completion of the Czech-funded project for the implementation of the Gothenburg Protocol in the Republic of Moldova, and the Balkans project financed by the Netherlands to assist South-Eastern European countries to ratify the three most recent protocols to the Convention. The Netherlands had granted an extension for the completion of the Balkans project until June 2011. The project implementation had been delayed by six months due to insufficient staff resources in the secretariat.

57. The Working Group was informed that Montenegro, Serbia and the former Yugoslav Republic of Macedonia had completed their national action plans for the implementation of the three most recent protocols and could proceed with the ratification of the Protocols.

58. The Russian Federation, which led the Coordinating Group for Eastern Europe, the Caucasus and Central Asia, provided details on the Group's workplan and scheduled meetings in 2011 towards the promotion of joint projects and other efforts towards accession by countries of the subregion to the latest protocols to the Convention.

59. The Working Group:

(a) Noted the information provided by the secretariat on the status of the trust fund for activities in Eastern Europe, the Caucasus and Central Asia for financing activities in Eastern Europe, the Caucasus and Central Asia and in South-East Europe Countries, thanked Norway and Switzerland for their contributions while acknowledging the need for further contributions to enable the implementation of the Action Plan for Eastern Europe, the Caucasus and Central Asia;

(b) Welcomed the information provided by the delegations of Belarus, the Former Yugoslav Republic of Macedonia, the Russian Federation and Serbia on their activities for the implementation of the Convention and for the ratification of its three most

recent Protocols; and thanked the donor countries, including the Czech Republic, the Netherlands, Norway and Sweden for supporting these efforts;

(c) Noted the schedule of meetings for 2011 of the Coordinating Group for Eastern Europe, the Caucasus and Central Asia and expressed its appreciation to Russian Federation for leading this work;

(d) Thanked the Belgian Presidency of the EU for having organized informal consultations for the countries in Eastern Europe, the Caucasus and Central Asia, and South-Eastern Europe back to back with the Working Group's sessions, with a view to examining options for facilitating the ratification and implementation of the three most recent Protocols to the Convention.

## **VIII. Election of Officers**

60. The Working Group on Strategies and Review re-elected Ms A. Turlikyan (Armenia), Mr. I. Angelov (Bulgaria) and Mr. J. Sliggers (Netherlands) as Vice-Chairs. It thanked Ms. K. Scavo (United States) for her contribution as Vice-Chair, and elected Ms. V. Galatone (Canada) as a new Vice-Chair.

## **IX. Other business**

61. The Working Group took note of informal document No. 3 on the definition of Short Chain Chlorinated Paraffins (SCCP) in the amended text of the Protocol on POPs.

## **X. Adoption of the decisions of the Working Group**

62. In accordance with the revised practice continued by the Executive Body at its twenty-seventh session, the Working Group on Strategies and Review adopted the decisions taken during the session.

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