

Convention (1979) on Long-Range Transboundary Air Pollution: amendments to the 1998 Aarhus Protocol on persistent organic pollutants

2014/0358(NLE) - 02/06/2015 - Legislative proposal

PURPOSE: to approve, on behalf of the European Union, the Amendments to the 1998 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Union is a Party to the **UNECE Convention on Long-Range Transboundary Air Pollution following its approval in 1981**. The Convention is the main international legal framework for cooperation and measures to limit and gradually reduce and prevent air pollution and its adverse effects upon human health and the environment in the UNECE region.

To date, the Convention has been extended by eight Protocols, including the **1998 Aarhus Protocol on Persistent Organic Pollutants** which aims to control, reduce or eliminate discharges, emissions and losses of persistent organic pollutants (POPs). The Union is a Party to the 1998 Protocol following its approval on 19 February 2004.

The Parties present at the 27th session of the Executive Body of the UNECE Convention on Long-Range Transboundary Air Pollution **adopted by consensus Decisions 2009/1, 2009/2, 2009/3 and 2009/4** amending the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

Decision 2009/3 entered into force and has become effective. Decision 2009/4, as a Decision aimed at adopting a guidance document on best available techniques to control emissions of persistent organic pollutants, does not require ratification. On the other hand, Decisions 2009/1 and 2009/2 require ratification by the Parties to the Protocol.

The Union has already adopted instruments on matters covered by the amendments to the Protocol, including Regulation (EC) No 850/2004 of the European Parliament and of the Council.

The amendments to the Protocol set out in Decisions 2009/1 and 2009/2 should therefore be accepted on behalf of the Union.

CONTENT: the Council is invited to **accept, on behalf of the European Union**, the amendments to the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

In particular, **Decisions 2009/1 and 2009/2**, which amend the text of the Protocol and its Annexes have to be ratified by the Parties. The amended Protocol includes:

- new substances (hexachlorobutadiene, tetra-, penta-, hexa- and heptabromodiphenyl ethers, pentachlorobenzene, perfluorooctane sulfonate (PFOS), polychlorinated naphthalenes and short-chain chlorinated paraffins (SCCP)),
- updates the implementation requirements applicable to DDT, heptachlor, hexachlorobenzene and polychlorinated biphenyls (PCBs) and the emission limit values (ELVs) applicable to PCDD/PCDF emissions from certain waste incinerators,
- establishes new ELVs for PCDD/PCDF emissions from sinterplants and electric arc furnaces,
- adds PCBs to the list of substances the annual emissions of which must remain below the emission level of the reference year and must be reported.

The amended Protocol provides also some flexibility for Parties with an economy in transition that accede to the amended Protocol regarding the timeframes for the application of the ELVs and of the best available techniques (BAT) and the choice of the reference year as the basis upon which Parties must reduce their total annual emissions of PCDD/PCDF, PAHs, hexachlorobenzene (HCB) and PCBs.