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Geneva, 12-16 December 2022

Provisional agenda item 5 “Review of sufficiency and effectiveness of the Protocol to Abate
Acidification, Eutrophication and Ground-level Ozone”
Informal document no.7

**Outcomes of the informal meeting of the Heads of Delegations to the Working
Group on Strategies and Review**

The Hague, the Netherlands, 27-30 September 2022

Chairs report

This report summarizes the discussions held at the informal meeting of the Heads of delegation to the Working Group on Strategies and Review (WGSR) under the UNECE Air Convention which took place in the Hague, Netherlands, in September 2022. The meeting was held under the Chatham house rules and was chaired by Ms. Anna Engleryd, Chair of the Executive Body (EB) and Mr. Till Spranger, Chair of the WGSR. This summary of the discussions is solely that of the Chairs.

Introductory session

Peter Díez, Director international at the Dutch Ministry for Infrastructure and Water Management opened the meeting and Paul Ruysenaars from RIVM held a presentation on the Dutch Clean Air Agreement.

A. Gothenburg Protocol Review

The discussion aimed to get feedback on the review and the process as such and to capture any missing information.

The participants were largely very content with the review process which was considered transparent and inclusive. The Gothenburg Protocol Review Group (GPG) has regularly updated the Parties and scientific groups under the Convention, including the EECCA (Eastern Europe, Caucasus and Central Asia) coordination group, on the progress of their work and there have been numerous and regular occasions for all to comment and contribute. The work has been conducted in an iterative manner with regular exchanges with both Parties and policy- and scientific groups.

The EECCA perspective including needs and views concerning barriers and flexibility was identified as a weak point where further work is necessary. Circumstances out of the hands of the review group, like the covid-19 pandemic and geopolitical tensions, have hampered planned interactions with the region. The thematic session now planned to take place back-to-back with the 42nd meeting of the Executive Body (EB) aims to remedy this gap.

The review report was considered to cover the most important topics, contain sufficient scientific and technical information, and have clear and well underpinned conclusions. It will constitute a helpful tool for further policy

development.

No obstacles for adoption of the review report at the 42nd meeting of the Executive Body could be identified. The meeting participants thanked all who contributed and especially the Gothenburg Protocol Review Group for its competent work.

B. The Gothenburg Protocol as an instrument

The discussion aimed to get feedback on how Parties consider that the Gothenburg Protocol has functioned as an instrument and to discuss potential alternatives for the future.

The meeting recapped the aim of the protocol, namely to abate acidification, eutrophication and ground level ozone. To reach that goal, true emission reductions are needed.

The Gothenburg Protocol was felt to have value for most Parties by constituting a pronounced and shared ambition. Even if governance structures differ within the Convention area, being part of a binding multilateral agreement like the Gothenburg Protocol helps motivate national action and puts focus on the air pollution issue.

For some Parties, the Gothenburg Protocol has motivated the development and/or usage of tools and methods, like for example establishing and improving emission inventories. The process around- and reporting of emission inventories is perceived as a good way to communicate with policy makers. Also, the compliance process and non-compliance letters sent out was recognized as adding to the usefulness of the protocol by rising awareness.

It was recognized that the protocol had contributed to the development of common, harmonized and comprehensive tools for impact assessment and trend analysis as well as methodologies and manuals for the monitoring and assessment of air pollution impacts. It has also consolidated long-term monitoring networks and historical databases. Another important contribution is the establishment of networks of international scientists and experts meeting on a regular basis. The science-policy interactions and connections have been strengthened by the work towards the protocol objectives.

The number of ratifications, especially from the Western Balkans and EECCA regions, was identified as unsatisfactory. However, the meeting acknowledged the difference in challenges between countries and regions in respect to such a complex instrument as the Gothenburg Protocol. Meeting participants noted that too much focus on ratifications might draw attention from what really counts, emission reductions. What we try to achieve is clean air; ratification of the protocol is one important and efficient route but there may also be other options on the way there. Also concerning the networks of scientists and experts, it was noted that there is limited participation from the EECCA and Western Balkan regions.

Low attention from the high political levels, lack of sufficient funding and high turn-over of staff was discussed as some of the most important barriers for increased ratification and implementation. Voluntary instruments such as the Batumi Action for Clean Air can be useful as a complement to binding protocols.

In general, the level of commitments and engagement regarding reporting, participation and long-term monitoring needs to be improved as well as progress in the evaluation of biodiversity impacts and interactions with climate change.

The long time between negotiation and entry into force of the convention protocols was brought up as a problem resulting in much of the content being obsolete already when the instrument enters into force. For any future process this should be taken into account.

Overall, the protocol was felt to have:

- contributed to better control of emission sources through emission inventories and reporting,
- led to significant emission reductions, although not sufficient to reach the aims of the protocol which would require further work,
- provided an important push for national action,
- increased awareness of the air pollution problem,
- served to develop mechanisms for an effects-oriented approach and strengthened the science-policy interface.

Weak points concern mainly the different levels of engagement from different parts of the UNECE region and the complexity of the instrument as well as the lengthy process from negotiation to action.

C. How to deal with methane in air pollution policy?

The session aimed to discuss policy options for methane as an ozone precursor in the post-review phase.

Presentations summarized the result of two earlier brainstorming sessions hosted by the European Commission and the informal document on policy options from the Gothenburg review group. The meeting participants agreed to the analysis presented in the options document; participants also largely agreed to the following main statements, but with different emphasis on follow-up actions:

1. Methane contribution to transboundary ozone is significant enough to take policy action under the Air Convention.

- There was overall consensus on ample scientific evidence for this statement. However, there were diverging views on what action this should entail.
 - “Policy action” was defined in different ways: some definitely see the urgent need to reduce ozone precursor emissions including methane including in the UNECE region, while others would define policy action as any agreement between Parties on taking action, including keeping the status quo. Voluntary measures and awareness-raising activities could be a first step forward, likely to be generally supported.
 - There was agreement that WGSR should be tasked with discussing appropriate policy mechanisms (see 3. below).
2. The current work underway on methane as an ozone precursor by a number of scientific and technical bodies of the Air Convention should continue.
 3. WGSR should add to their workplan to undertake continued discussions on the appropriate policy mechanisms by which to achieve methane reductions for the purposes of reducing ozone.
 - Considering various policy fora and mechanisms already dealing with methane, and at the same time the orientation of most of these towards its effect on climate only, there were differing views on the useful role of CLRTAP and its potential instruments (guidance, technical annexes, binding or voluntary provisions).
 - It was noted that numerous abatement measures with negative costs have been identified.
 - It was agreed that short term action could be taken, e.g. by taking a bottom-up approach to measures, focus on co-abatement of ammonia emissions, or by including methane into capacity building.
 - Regarding long-term action, various options described in the informal document were discussed.
 - It was recommended that Executive Body at its 42nd session should task WGSR with further discussing policy options and present the result to the Executive Body at its 43rd session. It was further recommended to establish a drafting group assisting the WGSR. This group could also develop options on how to deal with technical annexes and guidance documents (see session E).

D. How to take into account and maximize linkages and synergies with other policy areas (beyond the methane issue)?

The discussion aimed to get input on how to best integrate other policy areas into the scientific and policy work of the Convention; and how to maximize added value of the Convention to climate, nitrogen, and biodiversity policy frameworks.

Various links were identified especially to biodiversity, nitrogen, and chemical pollution policies on global (e.g. via UNEA resolutions and other multilateral environmental agreements) and regional levels. The planned establishment of a global “Science-Policy Panel (SPP) for Chemicals, Waste and Pollution” under UNEA was specifically mentioned to be of interest to the Air Convention; air pollution should be included into its mandate.

The Convention has a lot to offer to other policy areas, e.g. the monitoring and assessment networks under the Working Group on Effects (WGE) with respect to biodiversity and climate effects, and the work of the Task Force on Reactive Nitrogen (TFRN) with respect to the establishment of a global nitrogen management governance.

Establishing and harvesting synergies and complementarities with other policy areas requires action at the Convention level (Task Force on International Cooperation on Air Pollution (TFICAP) and other Task Forces, Chairs of EB and subsidiary bodies, Secretariat) and at the national level. All these activities have to take resource implications into account. It was suggested that the Executive Body Bureau should strategically plan for when and under which framework this should be followed up, e.g., via a dedicated thematic session.

E. Technical Annexes and Guidance Documents

The session discussed the future of technical annexes and guidance documents, how they can be developed, and the need for updates.

There was a broad discussion on whether emission limit values (ELVs) in Technical Annexes (TAs) help non-Parties, or whether they rather act as a barrier, to implement air pollution abatement and ratify protocols. Some participants thought the description of BAT in Guidance Documents (GDs) be sufficient; and that ELVs are factually impossible to effectively monitor by the Implementation Committee.

It was suggested to update both TAs and GDs regularly (e.g., every 5 years).

A policy options paper to be drafted in 2023 should include pros and cons of mandatory ELVs and their links with the emission reduction commitments. The production of this paper could be combined with the further development of methane policy options (see session C).

The concept of a „Framework Protocol“ and/or very general TAs, which might be implemented via a country specific „step-wise approach“, could possibly be useful in enabling ratification / implementation of measures by current non-Parties if they do not compromise ambition level and accountability of individual Parties. More discussion is needed with current non-Parties on how they propose to implement such a „step-wise approach“.

Annex II (and for the majority of speakers: Annex I) was felt to be the backbone / the heart of the annexes to the Gothenburg Protocol. It should continue to be used for deriving cost-effective, effect-based emission reduction options, including by referring to non-technical, structural measures. The meaning of "indicative targets" tends to be dependent on the political / cultural environment in which they are defined and applied.

The meeting felt that all pollutants presently regulated by emission reduction commitments should remain in any future Annex II. The majority of speakers favored a later base year (2010 / 2015) and 2040 as a target year of any future Annex II, if updated.

F. What could follow the review?

The session discussed the post-review phase and what could be the next step and exchanged ideas on options for the way forward.

The meeting generally felt that the review process has shown that the long-term goals are not yet met, thus something needs to come after. It may be a revision of - or amendment(s) to - the current protocol, a new instrument or voluntary agreement. All options should remain on the table for the time being. The meeting noted that the EB 42 will not be in a position to decide on opening for a revision or amendment as this would require a formal proposal circulated 90 days in advance as well as authority from national governments.

It was discussed that a way forward could be to adopt the review report at the EB 42, recognizing the need to complement with the EECCA perspective which will partly be done at the thematic session back-to-back with the EB and continue at the Saltsjöbaden VII workshop in March 2023. The EB 42 should then put a process with a clear timeline in place. The GPG will conclude its work this year and a way forward could be to convene a new group under the WGSR, tasked to investigate options for the way forward, prepare discussions at the WGSR 61 and present its findings to the Executive Body at its 43rd session in December 2023.