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EXECUTIVE BODY FOR THE CONVENTION ON
LONG-RANGE TRANSBOUNDARY AIR POLLUTION

**REPORT OF THE EXECUTIVE BODY ON ITS TWENTY-SEVENTH
SESSION HELD IN GENEVA FROM 14 TO 18 DECEMBER 2009**

Part One : Proceedings

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¹ Chapters I to XIX of this document correspond to agenda items 1 to 19 of the provisional agenda (ECE/EB.AIR/98).

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Part Two: Decisions adopted by the Executive Body

For practical reasons, part two of the present report is issued in a separate addendum (ECE/EB.AIR/99/Add.1).

Decision

- | | |
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| 2009/1 | Amendment of the text of and annexes I,II,III,IV,VI and VIII to the 1998 Protocol on Persistent Organic Pollutants |
| 2009/2 | Listing of short-chained chlorinated paraffins and polychlorinated naphthalenes in annexes I and II to the 1998 Protocol on Persistent Organic Pollutants |
| 2009/3 | Amendment of annexes V and VII to the 1998 Protocol on Persistent Organic Pollutants |
| 2009/4 | Guidance document on best available techniques to control emissions to the 1998 Protocol on Persistent Organic Pollutants |
| 2009/5 | Establishment of an ad hoc expert group on black carbon |
| 2009/6 | Compliance by Greece with its obligations under the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes (ref. 2/02) |
| 2009/7 | Compliance by Spain with its obligations under the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes (ref. 4/02) |
| 2009/8 | Compliance by Spain with its obligations under the 1991 Protocol concerning the Control of Emissions of Volatile Organic Compounds or Their Transboundary Fluxes (ref. 6/02) |
| 2009/9 | Compliance by Denmark with its obligations under the 1998 Protocol on Persistent Organic Pollutants (ref. 1/06) |
| 2009/10 | Compliance by Cyprus with its obligations under the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes (ref. 1/08) |
| 2009/11 | Compliance by Iceland with its obligations to report on emissions |
| 2009/12 | Compliance by the Republic of Moldova with its reporting obligations |
| 2009/13 | Compliance by Estonia, France and Luxembourg with their obligations to report gridded emission data |

Part Three: 2010 workplan for the implementation of the Convention

For practical reasons, part three of the present report is issued in a separate addendum (ECE/EB.AIR/99/Add.2).

INTRODUCTION

1. The twenty-seventh session of the Executive Body for the Convention on Long-range Transboundary Air Pollution was held from 14 to 18 December 2009 in Geneva. It was attended by representatives of the following Parties to the Convention: Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Netherlands, Norway, Poland, Portugal, Russian Federation, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and the European Union².
2. The following States not party to the Convention were represented: Japan and Pakistan.
3. Representatives from the European Environment Agency, the United Nations Environment Programme (UNEP) and the World Meteorological Organization attended.
4. The Meteorological Synthesizing Centre-East and the Centre for Integrated Assessment Modelling of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) were represented.
5. Representatives of various non-governmental organizations (NGOs) attended: the European Environmental Bureau, the Global Atmospheric Pollution Forum, the International Union of Air Pollution Prevention and Environmental Protection Associations, and the Network Center for the Acid Deposition Monitoring Network in East Asia. Industry was represented by the Bromine Science and Environmental Forum, CONCAWE (the Oil Companies' European Association for Environment, Health and Safety in Refining and Distribution), Croplife International, the European Association of Internal Combustion Engine Manufacturers, the European Petroleum Industry Association, the Union of the Electricity Industry, Plastics Europe and Polystyrene Foams, and the World Chlorine Council.
6. Mr. Williams (United Kingdom) chaired the meeting.
7. Mr. Robineau, Senior Adviser to the Executive Secretary of the United Nations Economic Commission for Europe (UNECE), welcomed the participants. Referring to the thirtieth anniversary of the Convention, he highlighted its past successes and expressed the hope that the Convention would be able to respond to current challenges, both strategic and operational, and stay at the forefront of action for air pollution abatement. The issue of scarce secretariat resources required urgent attention: the structure of the Convention had expanded over the years, with an ever-increasing number of protocols, but no additional resources had been provided to the secretariat. He encouraged the Executive Body to make use of UNECE's experience in assisting countries in transition by providing the necessary resources to help countries of Eastern Europe, Caucasus and Central Asia (EECCA) ratify the protocols to the Convention.

² As from 1 December 2009, the European Union replaced and succeeded the European Community. (Note verbale of 1 December 2009 from the European Union)

I. ADOPTION OF THE AGENDA

8. The Chair introduced the provisional agenda (ECE/EB.AIR/98). He proposed that an extended meeting of the Executive Body Bureau be held during the session prior to the discussion on item 13.

9. The Executive Body adopted the agenda with the following amendments: It agreed to change the order of some agenda items and to insert a new sub-item under item 6 on the activities of the ad hoc group of legal experts. It also agreed to suspend the session and hold a meeting of the extended Bureau of the Executive Body on Thursday, 17 December 2009, to which all delegates were invited.

II. ADOPTION OF THE REPORT OF THE EXECUTIVE BODY ON ITS TWENTY-SIXTH SESSION

10. The Chair reminded delegations that the decisions taken at the twenty-sixth session had been approved at that session. The secretariat drew attention to amendments to Part Three of the report, approved by the Bureau in accordance with its revised mandate (ECE/EB.AIR/2009/4, para.4.)

11. The Executive Body adopted the report of its twenty-sixth session (ECE/EB.AIR/96 and Adds. 1 and 2) as amended.

III. ACCREDITATION OF NON-GOVERNMENTAL ORGANIZATIONS

12. No requests for accreditation under Decision 2006/11 had been received in 2009.

IV. MATTERS ARISING FROM MEETINGS OF THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE AND OTHER RELATED MEETINGS

13. The Chair informed about discussions on climate change held at the sixty-third session of the Economic Commission for Europe and outlined the conclusions made (E/ECE/1453).

14. Ms. Sochirca (secretariat) described the activities of the Committee on Environmental Policy and the Environment for Europe process, and the outputs of the regional implementation meeting, held in December 2009, in preparation for CSD-16. She drew attention to the preparations for the next Environment for Europe Ministerial Conference to be held in Astana in autumn 2011 and the decision to prepare an evaluation of environmental assessments for the Conference. Should negotiations on the revision of the 1999 Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone be completed in time, the Conference could provide an opportunity to adopt the revised Protocol and to raise the profile of the Convention, possibly under the theme, greening the economy.

15. Regarding relevant activities under the Committee on Environmental Policy, Mr. Kokine (secretariat) reported on the accomplishments of the Working Group on Environmental Monitoring and Assessment, which had a special focus on EECCA and South-East European (SEE) countries. He drew attention to the draft guidelines for developing national strategies to

use air quality monitoring as an environmental policy tool (ECE/CEP/AC.10/2009/6). There was a need to explore the possibility of increasing cooperation between the Convention and the Working Group on Environmental Monitoring and Assessment with regard to air quality monitoring in EECCA countries.

16. The secretariat reported that no new ratifications of the latest three protocols to the Convention had been received. Albania had ratified in June 2009 the 1985 Protocol on Further Reduction of Sulphur Emissions and the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes .

17. The Executive Body took note of the information presented.

V. PROGRESS IN CORE ACTIVITIES

A. Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe

18. Ms. Vidič (Croatia), Chair of the EMEP Steering Body, reported on the Programme's activities, including the results of the Steering Body's thirty-third session (ECE/EB.AIR/GE.1/2009/2). She drew attention to the adoption by the EMEP Steering Body of the draft strategy for EMEP for 2010–2019, of the draft revised monitoring strategy for EMEP for the same period and of the revised *EMEP/EEA Air Pollutant Emission Inventory Guidebook–2009*. It was crucial to identify funds for the proper maintenance and improvement of the Guidebook on the basis of a maintenance and improvement plan that was currently under preparation. She welcomed the offer from Norway to translate the Guidebook into Russian to allow its use by EECCA and SEE countries to establish and improve their national emission inventories. She welcomed the data submissions of Armenia, Azerbaijan, Georgia, Kyrgyzstan, and Montenegro, which were not yet Parties to the protocols with reporting obligations, and encouraged other non-Parties to submit data.

19. A number of delegations said that the EMEP Strategy should be taken into account and aligned with the long-term strategy for the Convention that was under preparation. Consequently, the new EMEP Strategy should be considered as a living document and adopted on the understanding that it would be subject to further revisions as needed in line with the long-term Strategy.

20. The delegation of the Russian Federation expressed a wish for a ten-year plan for the activities relating to persistent organic pollutants and heavy metals under the Convention.

21. The Executive Body:

(a) Took note of the report of the thirty-third session of the EMEP Steering Body (ECE/EB.AIR/GE.1/2009/2) and endorsed the decisions proposed in document ECE/EB.AIR/2009/1, paragraph 19 (a)–(d) and (l)–(m);

(b) Approved the draft strategy for EMEP for 2010–2019 as adopted by the EMEP Steering Body at its thirty-third session, noting that it could be subject to further amendments, as

needed, following the expected adoption by the Executive Body of the long-term strategy for the Convention;

(c) Approved the draft revised monitoring strategy adopted by the EMEP Steering Body at its thirty-third session (ECE/EB.AIR/GE.1/2009/15) and called upon Parties to ensure that resources should be available for its implementation at the national level;

(d) Endorsed the revised and substantially updated *EMEP/EEA Air Pollutant Emission Inventory Guidebook–2009* adopted by the EMEP Steering Body at its thirty-third session;

(e) Stressed the importance of having the updated Guidebook translated into Russian during the first half of 2010 and thanked Norway for providing funds to do so;

(f) Highlighted the importance of keeping the Guidebook up to date, requested the Steering Body to submit a draft plan for the future maintenance and improvement of the Guidebook, including cost estimations of the activities, for consideration at the Executive Body's twenty-eighth session in 2010 and invited delegations to identify funding opportunities for the draft plan;

(g) Welcomed the stage 3 in-depth reviews of emission inventories to improve the quality of emission data-reporting, and invited Parties to nominate experts for the roster of review experts, as well as to provide financial support to enable participation of experts from EECCA in the reviews;

(h) Endorsed a list of Parties to be reviewed in-depth in 2010, as follows: Austria, Cyprus, Germany, Italy, Netherlands, Romania, Russian Federation, Slovakia, Switzerland and the United Kingdom; and backed the request of the EMEP Steering Body to those Parties to make national experts available during the review process;

(i) Endorsed a tentative schedule for in-depth reviews of Parties to the Convention between 2011 and 2013, as approved by the Steering Body: 2011, Belarus, Croatia, Czech Republic, Estonia, Greece, Iceland, Luxembourg, Malta, Slovenia and Ukraine; 2012, Georgia, European Community, Kazakhstan, Kyrgyzstan, Liechtenstein, Monaco, Republic of Moldova, Serbia, Turkey and the former Yugoslav Republic of Macedonia; 2013, Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, France, Montenegro, Norway, Portugal and Sweden;

(j) Noted that countries that were not Parties to the Protocols were not obliged to participate in the reviews, but were strongly encouraged to do so, in order to improve the quality of inventories.

B. Effects of major pollutants on human health and the environment

22. Mr. Johannessen (Norway), Chair of the Working Group on Effects, reported on effects-oriented activities, including the results of the Working Group's twenty-eighth session (ECE/EB.AIR/WG.1/2009/2). Nitrogen emissions needed to be further abated, particularly ammonia emissions in agricultural activities. Particulate matter emissions from biomass burning were subject to transboundary transport. The situation regarding mercury remained alarming, with no reduction over the past 20 years and increasing concentrations along the food chain. He drew attention to the long-term strategy of the Working Group on Effects for the period 2010–2020, revised in 2009 to take into consideration new aspects related to interlinkages of air pollution with biodiversity and climate change. The new strategy had also shown the need for close cooperation with EMEP.

23. The delegation of Sweden, speaking on behalf of the European Union, expressed agreement with the strategy of the Working Group on Effects. It was important to continue communicating the results of effects-oriented activities to policy makers, as the effects-based approach was a major strength of the Convention.

24. The delegation of Switzerland expressed satisfaction at the ability of the Working Group on Effects to shift its focus to priority areas such as nitrogen, reassessment of ozone and particulate matter, opening up the possibility of addressing interactions with climate change.

25. The Executive Body:

(a) Took note of the report of the twenty-eighth session of the Working Group on Effects (ECE/EB.AIR/WG.1/2009/2) and endorsed the decisions of the Working Group summarized in document ECE/EB.AIR/2009/1, paragraph 36 (a)–(r) and (w);

(b) Adopted the strategy of the effects-oriented activities presented in document ECE/EB.AIR/2009/17, noting that it could be subject to further amendments, as needed, following the expected adoption by the Executive Body of the long-term strategy for the Convention.

VI. REVIEW AND REVISION OF PROTOCOLS AND OTHER STRATEGY ACTIVITIES

A. Persistent organic pollutants

26. The Chair of the Working Group on Strategies and Review, Mr. Ballaman (Switzerland), reported on the discussions and decisions of the Working Group at its forty-fifth session regarding the proposals (dossiers) to include five new substances in the Protocol on persistent organic pollutants³, that is, endosulfan, trifluralin, pentachlorophenol, dicofol and hexabromocyclododecane (HBCD), drawing attention to the results of the seventh meeting of the Task Force on Persistent Organic Pollutants on the track A and track B reviews of the dossiers (ECE/EB.AIR/WG.5/2009/7).

27. The Co-Chair of the Task Force on Persistent Organic Pollutants, Mr. Sliggers (Netherlands), informed the meeting that the Task Force would be willing to take on further work in 2010 as mandated by the Executive Body, starting with collection of management information from Parties and industry experts on the five substances under review with a view to pursuing the track B reviews at its next meeting in 2010.

28. The representative of Plastics Europe and Polystyrene Foams informed the meeting about the importance of the use of polystyrene insulation foams in Europe as a means of saving energy and helping combat climate change. However, there were currently no commercially or technically feasible alternatives to using HBCD in polystyrene foams. He inquired whether the outcomes of an independent scientific study commissioned by the industry on the criteria relating to the persistent organic pollutants of HBCD could be taken into account in the review process.

³ See report of the twenty-sixth session of the Executive Body in December 2008 (ECE/EB.AIR/WG.5/98, paragraphs 25 to 31).

29. The Chair of the Working Group on Strategies and Review explained that for the purpose of the track A review the Task Force could only take into account additional information that originated from acknowledged and peer-reviewed scientific work made available within 90 days after the submission of the dossier by a Party. Although it was too late at that stage to influence the track A review outcomes, however, the industry representatives were invited to collaborate in future negotiations on how to regulate the substance under the Protocol on the basis of the track B review.

30. The Chair of the Working Group reported on the conclusions of the Working Group at its forty-fifth session regarding the informal paper commissioned by the World Chlorine Council on possibilities to increase synergies and coordination between work under the Protocol on Persistent Organic Pollutants and the Stockholm Convention on Persistent Organic Pollutants, in particular in the review of substances nominated for inclusion to both legal instruments (ECE/EB.AIR/WG.5/98, paras. 26–28). The secretariat informed that it had presented the paper to the Persistent Organic Pollutants Review Committee of the Stockholm Convention at its fifth meeting in October 2009. The Chair of the Committee had welcomed the information and invited the delegations to look at the work carried out under the Protocol, stressing, however, the differences between global and regional legal instruments.

31. The Parties to the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Persistent Organic Pollutants:

(a) Took note of the report of the Working Group on Strategies and Review (ECE/EB.AIR/WG.5/98) and the recommendations of the Task Force on Persistent Organic Pollutants (ECE/EB.AIR/WG.5/2009/7) and thanked the experts, reviewers and lead countries for their efforts;

(b) Noted the conclusions of the Task Force regarding the technical content of the dossiers on endosulfan, dicofol and HBCD, and agreed that the substances should be considered persistent organic pollutants as defined under the Protocol;

(c) Noted the conclusions of the Task Force whereby pentachlorophenol (PCP) was not considered to be a persistent organic pollutant in the context of the Protocol, as there was no agreement on whether or not there was sufficient information on the transformation products of PCP, such as pentachloroanisole (PCA), as well as impurities, to consider PCP as a persistent organic pollutant ;

(d) Requested that the Task Force continue with the track A review to assess PCA against the persistent organic pollutants criteria in Executive Body decision 1998/2 and to enhance the information pertaining to the linkages of PCP to dioxins, furans and PCA in the environment and that the Task Force pursue track B review in parallel;

(e) Noted that the Task Force, had concluded, based on the technical contents of the dossier on trifluralin, that the substance should be considered a persistent organic pollutant as defined under the Protocol;

(f) Requested that the Task Force further assess track A and continue with the track B review of trifluralin in parallel, taking into consideration the new information from Canada.

32. The Executive Body:

(a) Took note of the possibilities for harmonization and coordination between the Protocol on Persistent Organic Pollutants and the Stockholm Convention on Persistent Organic Pollutants, in particular for improving process efficiencies in the review of the substances suggested for inclusion in both legal instruments, as proposed by the World Chlorine Council, and emphasized that efforts to that end should be requested and undertaken by the two constituencies;

(b) Invited Parties to the Protocol on Persistent Organic Pollutants that were also Parties to the Stockholm Convention to explore the proposals referred to in paragraph (a) above for increasing synergies and process efficiencies in the review of substances and to report back to the twenty-eighth session of the Executive Body;

(c) Recognized that the delegations could ensure a better coordination of the national positions vis-à-vis the Protocol on Persistent Organic Pollutants and the Stockholm Convention;

(d) Invited the secretariat to improve the exchange of information with the UNEP secretariat of the Stockholm Convention, continue inviting representatives of the UNEP secretariat to report at the meetings of the Executive Body and of the Working Group on Strategies and Review; and seek to identify, together with the UNEP secretariat, other possible means of collaboration between the secretariats.

B. Heavy metals

33. The Chair of the Working Group on Strategies and Review reported on the outcomes of the forty-third and forty-fifth sessions of the Working Group (EB.AIR/WG.5/94 and EB.AIR/WG.5/98, respectively) and on the work of the Task Force on Heavy Metals (ECE/EB.AIR/WG.5/2009/8) with regard to the technical review of the proposal to add mercury-containing products to annex VI to the Protocol on Heavy Metals. Annex VII to the Protocol provided guidance on product management measures for mercury-containing products and the proposal for an amendment to include those products in annex VI provided for binding control measures.

34. The Chair of the Task Force on Heavy Metals said that in the European Union, the mercury-containing products in question had already been fully regulated and thanked the experts for their work on the track A and B reviews of the proposal. Given that there was no additional information to be reviewed, the Task Force considered that it had completed its work.

35. The delegation of Canada expressed its support for pursuing the track B review, since there were areas that warranted further investigation. Work was being carried out in Canada on a number of product-related measures, such as pollution-prevention plans for dental amalgam and switches in vehicles. The findings would be transmitted to the Task Force in spring 2010.

36. The delegation of the United States did not consider that the track B had been completed in accordance with the criteria and procedures set out in Executive Body decision 1998/1. It would make available by the end of 2009 additional information on a variety of national product measures, including on voluntary measures for mercury switches, economic information, exposure information and risk-related data. Any further work on mercury would need to take into account the interplay between the global mercury process under the UNEP and UNECE processes with a view to eliminating overlaps. The major sources of mercury originated outside of the UNECE region.

37. The delegation of Belarus expressed its support for adding regulations concerning mercury-containing products to the Protocol. However, EECCA countries would not be able to implement such measures without financial assistance.

38. A representative of UNEP provided an update on the intergovernmental process of negotiating a legally binding global agreement on mercury, which was expected to be completed by 2013. Two studies have been requested by the UNEP's Governing Council to inform this process: the first one will examine various types of mercury-emitting sources, trends in mercury emissions and an analysis and assessment of the costs and effectiveness of alternative control technologies and measures. The second study will update the 2008 report on Global Atmospheric Mercury Assessment. These studies are being conducted in collaboration with the Convention's technical experts, and any further cooperation with the Convention to inform the global process would be welcome.

39. The Parties to the Protocol on Heavy Metals meeting within the Executive Body:

(a) Expressed appreciation to the Task Force on Heavy Metals for its work in carrying out the track A review and launching the track B review of the European Union's proposal to add mercury-containing products to annex VI to the Protocol, as requested by the Parties to the Protocol on Heavy Metals at the Executive Body's twenty-sixth session in December 2008;

(b) Took note of the reports of the Working Group on Strategies and Review (ECE/EB.AIR/WG.5/98) and of the Task Force on Heavy Metals (ECE/EB.AIR/WG.5/2009/8);

(c) Took note of the Task Force's conclusions on the track A review of the proposal by the European Union to add mercury-containing products to annex VI of the Protocol, and of the products that contained mercury: batteries, measuring devices, vehicles, electrical and electronic equipment, fluorescent lamps and dental amalgam;

(d) Requested that the Task Force should continue with the track B reviews of products and explore management strategies for them, taking into account the information to be provided in early 2010 by the United States, Canada and EECCA, as well as information related to the preparatory work for the global agreement on mercury, and should report the outcome of the work to the Working Group on Strategies and Review at its forty-seventh session in September 2010.

40. The Executive Body:

(a) Thanked the UNEP secretariat representative for the information on the preparatory work for negotiating a legally binding global agreement on mercury and expressed interest in receiving information in the future;

(b) Invited the secretariat to reinforce the exchange of information with the UNEP secretariat, to make available relevant work undertaken by the Task Force on Heavy metals, EMEP and the Working Group on Effects and to explore possible options for collaboration.

C. 1999 Gothenburg Protocol

41. The Executive Body decided to discuss all issues related to the Gothenburg Protocol under agenda item 9.

**D. Exchange of information, communication and the Action Plan for
Eastern Europe, Caucasus and Central Asia**

42. The Chair of the Working Group on Strategies and Review presented the status of implementation of the revised Action Plan for EECCA, which consisted mainly in the implementation of three projects coordinated by the secretariat: the project to assist Moldova to ratify the Gothenburg Protocol, funded by the Czech Republic; the project for five Balkan countries to prepare ratification of the three most recent protocols, funded by the Netherlands; and the recently initiated project led by the Russian Federation with Belarus and Kazakhstan to help prepare the three most recent protocols, financed in its inception phase by the UNECE technical cooperation trust fund. He thanked the secretariat for their efforts to promote the projects and highlighted the need for a liaison officer in the secretariat to strengthen the implementation and coordination of the Action Plan, as well as the communication and involvement of the beneficiary countries.

43. The secretariat recalled that the Action Plan had received no specific financial resources for its implementation or secretariat staff resources. Three staff members had taken on coordination of the projects, in addition to their regular duties. Owing to the lack of dedicated resources, no further activities had been undertaken and no major progress had been achieved in implementing the Action Plan. If the Executive Body, and in particular the EECCA countries considered the Action Plan a priority, the issue of its implementation and funding should be reassessed and discussed in the long-term strategy. The secretariat was willing to coordinate and facilitate the implementation of the Action Plan, as long as it was provided with the necessary resources.

44. The delegation of Belarus stressed the need to strengthen measures under the Action Plan and improve their coordination. In addition, the use of Russian in events such as meetings and workshops held in Russian-speaking countries, as well as in documentation for such events, should be facilitated. This position was largely supported by other delegations, including EECCA country delegations. The delegation of Belarus proposed that a coordinating group should be established to manage joint projects and other efforts towards accession by EECCA countries to the Convention's latest protocols, to facilitate discussion of strategic issues relevant to the EECCA countries and enhance the exchange of information and the application of bilateral and multilateral projects results by all interested Parties in the region. Expressing support for the project, the delegation of the Russian Federation offered to take the lead of the proposed group. The delegation of Canada expressed the opinion that such a group would require support from the secretariat and that resources should be allocated to the secretariat accordingly.

45. The Executive Body:

- (a) Took note of the conclusions of the Working Group set out in the report of its forty-fifth session (ECE/EB.AIR/WG.5/98, para. 55);
- (b) Welcomed the financial contributions made by some Parties to the work under the EECCA Action Plan, as well as those made by Parties engaged in bilateral projects;
- (c) Requested the secretariat to send a letter to the heads of delegations inviting all Parties to explore ways of securing funds for future activities aimed at assisting EECCA and

SEE countries in acceding to and implementing the protocols to the Convention and to provide the necessary resources that would enable the secretariat to properly coordinate such activities;

(d) Invited the Convention bodies working on the revision of the protocols to consider flexibility in terms of the reduction levels of emissions and the deadlines for achieving the reduction levels in EECCA countries;

(e) Invited delegations to consider possibilities for providing bilateral support and capacity-building activities for EECCA and SEE countries and to assist them in their efforts to ratify the three most recent protocols to the Convention;

(f) Invited the Working Group on Strategies and Review to report on progress achieved in that area of work at the next session of the Executive Body to be held in December 2010;

(g) Agreed with the proposal put forward by the Republic of Belarus to establish a coordinating group to coordinate joint projects and other efforts towards accession by EECCA countries to the latest protocols to the Convention, to facilitate discussion of strategic issues relevant to the EECCA countries and to enhance the exchange of information and the application of bilateral and multilateral projects results by all interested Parties in the region;

(h) Welcomed the offer of the Russian Federation to act as a lead country for the coordinating group and invited the Russian Federation to develop draft terms of reference for the group and submit them for provisional approval by the Executive Body Bureau at its meeting in April 2010.

E. Ad hoc group of legal experts

46. The Chair of Working Group on Strategies and Review drew attention to the work that had been done by the ad hoc group of legal experts in the revision of protocols, pointing out that the Working Group would continue to depend on its services in the future.

47. The Executive Body:

(a) Requested the ad hoc group of legal experts to draft rules of procedure for the Convention and its Protocols to be submitted for consideration at the twenty-eighth session in 2010;

(b) Invited those Parties which had not yet nominated experts for the group to do so, and requested the secretariat to maintain a list of experts for future use.

VII. REVISION OF THE PROTOCOL ON PERSISTENT ORGANIC POLLUTANTS

48. The Chair of the Working Group on Strategies and Review summed up the work carried out for the revision of the Protocol on persistent organic pollutants and its annexes. He also presented the draft decisions for amending the Protocol (ECE/EB.AIR/2009/9) and for adopting a guidance document on best available techniques to control emissions of persistent organic pollutants from major stationary sources, formerly chapters III, IV and V of annex V (ECE/EB.AIR/2009/14) that had been submitted for adoption to the Parties to the Protocol.

49. The Chair of the Ad hoc Group of Legal Experts said that the draft decision concerning the amendments to annexes V and VII had been separated from the other amendments because

the procedure for amendments to those annexes, as set out in article 14 of the Protocol, was different from the procedure for amending the protocol text and annexes I, II, III, IV, VI and VIII. The amendments to annexes V and VII did not require ratification; however, once adopted, they would enter into force automatically unless the Party concerned had notified the Depositary that it would be unable to accept the amendment.

50. As regards the entry into force of all the other amendments, ratifications of two thirds of the Parties were required. In other words, those amendments would become effective for the Parties that had accepted them on the ninetieth day following the date on which 20 out of 29 Parties had deposited their instruments of acceptance with the Depositary. However, if additional Parties acceded to the Protocol in the meantime, the required number of ratifications would go up as well.

51. The delegations of Canada and the United States endorsed the unbundled approach for adopting the decisions, that is, separating decisions on certain individual substances from the rest. Such an approach would allow a country that for domestic reasons could not accept inclusion of one or more substances in the Protocol to adopt the rest of the amendments and gain benefits for the environment. The delegation of the United States said that another reason to support the unbundling of the decisions was to set a precedent, which was also in line with the approach applied by the Stockholm Convention.

52. The delegation of the Russian Federation said that it was prepared to accede to the Protocol on persistent organic pollutants but that it would need clarifications as to the allowed uses of dichlorodiphenyltrichloroethane (DDT) under the provisions, as they had been proposed for amendment. The Chair of the Working Group explained that, although the amended annexes I and II to the Protocol would no longer allow for either the production or use of DDT under any conditions, the exemptions provided in article 4, paragraph 2 (b) of the Protocol still made it possible for a Party to use its DDT stockpiles “to manage as necessary a public health emergency”.

53. The Parties to the Protocol on Persistent Organic Pollutants meeting within the Executive Body:

- (a) Welcomed the contributions to the revision of the annexes to the Protocol on Persistent Organic Pollutants made by the Task Force on Persistent Organic Pollutants, the ad hoc group of technical experts, the ad hoc group of legal experts and the ad hoc drafting group;
- (b) Adopted decision 2009/1 on the amendment of the text of and annexes I, II, III, IV, VI and VIII to the 1998 Protocol on Persistent Organic Pollutants;
- (c) Adopted decision 2009/2 on the listing of short-chain chlorinated paraffins and polychlorinated naphthalenes in annexes I and II to the 1998 Protocol on Persistent Organic Pollutants;
- (d) Adopted decision 2009/3 on the amendment of annexes V and VII to the 1998 Protocol on Persistent Organic Pollutants;
- (e) Agreed that annex V (chapters III–V) be turned into a guidance document and adopted decision 2009/4 on the guidance document on best available techniques to control Emissions to the 1998 Protocol on Persistent Organic Pollutants;

(f) Invited the secretariat to deposit the adopted amendments to the Protocol on Persistent Organic Pollutants with the Secretary-General of the United Nations by forwarding them to the Treaty Section of the United Nations Office of Legal Affairs.

VIII. REVISION OF THE PROTOCOL ON HEAVY METALS

54. The secretariat reported on the three proposals to amend the Protocol on Heavy Metals submitted by the following Parties to the Protocol in accordance with article 13: (a) the European Commission, on behalf of the European Union, jointly with the Swedish Presidency of the European Council, on behalf of the Member States of the European Union that were Parties to the Protocol on Heavy Metals; (b) Sweden as President of the European Council, on behalf of the Member States of the European Union that were Parties to the Protocol on Heavy Metals; (c) Switzerland. As required, the three proposals had been circulated 90 days prior to the current Executive Body session.

55. The delegation of the United States proposed that further work on heavy metals should focus on increasing ratifications of the Protocol to foster more inclusiveness in terms of its geographical coverage, promoting flexibility notably as regards the application of best available techniques and ensuring consistency of the provisions with those of the Protocol on Persistent Organic Pollutants and the Gothenburg Protocol. It reiterated that work on heavy metals should take into account the ongoing negotiations for a global agreement on mercury to avoid duplication.

56. The delegation of Canada said that enhancing flexibility of the Protocol on Heavy Metals to increase ratifications by EECCA and SEE was a priority. It expressed concerns that some of the proposals for revising the Protocol could decrease its flexibility by making the obligations more stringent.

57. The delegation of Norway expressed its support for starting the work on the revision of the Protocol, noting that this work should, inter alia, ensure the consistency of the provisions of the Protocol on Heavy Metals with those of the Protocol on Persistent Organic Pollutants and the Gothenburg Protocol under revision. Updating the Protocol's obligations would also benefit future Parties and would not hamper their efforts to ratify the Protocol.

58. The Chair of the Task Force on Heavy Metals presented information on the workshop held in Saint Petersburg, Russian Federation, in October 2009, to promote the ratification of the three most recent Protocols (ECE/EB.AIR/WG.5/2010/7). Belarus had expressed its willingness to ratify the Protocol on Persistent Organic Pollutants, but had requested assistance in evaluating the national capacity to fulfil the obligations. Attention was also drawn to the project proposed and led by the Russian Federation to help EECCA countries to implement the Protocol obligations. Donor countries were encouraged to support this promising project, which originated directly from the EECCA region. Delegations were invited to refer to the reports and the presentations from the Saint Petersburg workshop, as well as to those from the Yerevan workshop held in 2007⁴.

⁴ <http://www.unece.org/env/lrtap/TaskForce/tfhm/welcome.htm>

59. The Chair of the Executive Body called for Parties to provide the support requested by Belarus and to support the countries in EECCA and SEE in their efforts to implement and ratify the three most recent protocols.

60. The Executive Body adopted the mandate for the Working Group on Strategies and Review on Heavy Metals (ECE/EB.AIR/96/Add.1, annex I).

IX. NEGOTIATIONS ON FURTHER OBLIGATIONS TO REDUCE EMISSIONS FOLLOWING REVIEW OF THE 1999 GOTHENBURG PROTOCOL

61. The Chair of Working Group on Strategies and Review described the progress made in revising the Gothenburg Protocol, and in particular the status of preparation of the revised text of the Protocol and various technical annexes. The Working Group had already considered a draft amended text of the Protocol. Draft revised technical annexes IV, V, VI and VIII and new annexes on dust and on the solvent content of products were available at the forty-fifth session of the Working Group, but would only be considered at its forty-sixth session in April 2010. The Chair of the Working Group invited delegations to examine these annexes in advance and bring technical experts to that session. Revised annexes I on critical loads and IX on ammonia would be prepared respectively by the Working Group on Effects and the Task Force on Reactive Nitrogen for the forty-sixth session of the Working Group.

62. Concerning the revision of annex II on emission ceilings, the Chair of the Task Force on Integrated Assessment Modelling presented the results of the thirty-sixth meeting of the Task Force. Development of the baseline scenario for the Gothenburg Protocol had been hindered by the outcome of the Copenhagen Summit on Climate Change and the effects of the global economic crisis. The Head of the Centre for Integrated Assessment Modelling provided further details on the development of the scenario and the submission of national baseline projections. He noted that countries had taken very different approaches to the projection of GDP growth and the use of national scenarios alone could lead to significant distortions in the emission ceilings. Scenarios for all countries developed by the Centre for Integrated Assessment Modelling were available on its website. Delegations were requested to verify them by the end of January 2010.

63. It was proposed to establish an expert group to explore the issue of black carbon and inform the revision of the Gothenburg Protocol. The United States and Norway offered to lead such a group, which should take into account work already carried out by other groups within and outside the Convention to avoid duplication of efforts. The delegation of Norway announced that it would provide \$50,000 for the work, particularly EMEP-related work.

64. It was also agreed that attention should be given to the interaction between reactive nitrogen and climate change, and that it should be reflected in the workplan for 2010.

65. The Executive Body:

(a) Took note of the progress achieved in the revision of the Gothenburg Protocol and endorsed the decisions of the Working Group on Strategies and Review set out in the report of its forty-fifth session (ECE/EB.AIR/WG.5/98, para. 46);

(b) Invited all delegations to respond to the request by the Centre for Integrated Assessment Modelling to verify and confirm the data for their countries in the baseline scenario by 31 January 2010;

(c) Adopted decision 2009/5 establishing an ad hoc expert group led by Norway and the United States to explore the issue of black carbon in close cooperation with other relevant bodies within and outside the Convention, to report to the twenty-eighth Executive Body session in 2010 in order to inform the process of revising the Gothenburg Protocol; it invited delegations to nominate experts to contribute to its work.

X. COMPLIANCE WITH PROTOCOL OBLIGATIONS

66. The Chair of the Implementation Committee, Mr. Fretheim (Norway), introduced the Committee's twelfth report (ECE/EB.AIR/2009/3) on Parties' compliance with their protocol obligations, including the results of the Committee's twenty-third and twenty-fourth meetings. He drew attention to the Committee's recommendations (ECE/EB.AIR/2009/18), and to the results of the in-depth review of compliance with the Protocol on Persistent Organic Pollutants and the Protocol on Heavy Metals (ECE/AB.AIR/2009/15). With regard to individual cases of non-compliance reviewed by the Committee, the four Parties concerned continued to be in non-compliance (Cyprus, Greece, Spain and Denmark).

67. The Chair of the Implementation Committee noted that for the first time in 2009 the Committee had undertaken a fact-finding mission in Spain. He highlighted the positive outcome of the mission and thanked Spain for its hospitality and cooperation.

68. With regard to Parties' compliance with their emission reporting obligations, the Chair of the Committee said that many Parties had provided the missing data and the situation was positive, although some had still not provided gridded emission data. He drew attention to inconsistencies in the use of notation keys with respect to data on persistent organic pollutants and heavy metals and recommended that the Executive Body and the EMEP Steering Body take appropriate action to ensure that the notation keys were used appropriately.

69. Concerning Parties' compliance with their obligations to report on strategies and policies, the Chair of the Committee informed that five had not met their obligations in the 2008–2009 reporting round: Greece, Latvia, Luxembourg, the Republic of Moldova and the Russian Federation, while four others had provided incomplete responses: Estonia, France, Monaco and the European Union (ECE/EB.AIR/2009/3, paras. 75 and 76). He urged those Parties to fully comply in 2010.

70. The Chair of the Committee noted that the Committee had completed its in-depth reviews of compliance by Parties with their obligations under the Protocol on Persistent Organic Pollutants and the Protocol on Heavy Metals in accordance with its workplan. The reviews represented an enormous workload for the Committee, all protocols had been reviewed at least once. He recommended that the methodology for carrying out in-depth reviews should be assessed and necessary adjustments should be made before continuing with another round of reviews.

71. He said that in developing the long-term strategy for the Convention, Parties should evaluate the effectiveness of the compliance mechanism and whether there was a need to strengthen or change this mechanism.

72. The delegation of Spain thanked the Implementation Committee for carrying out the fact-finding mission which had been useful to both sides. The draft decisions recommended by the Committee (ECE/EB.AIR/2009/18, section B and C) referred to specific emissions data and projections for the Canary Islands. However, it was not mandatory for Parties to provide regional information concerning data or projections and suggested to amend the text to refer to emissions data or projections for the entire territory covered by the Protocol. The Executive Body agreed with those amendments.

73. In accordance with decision 2005/4, paragraph 6, the delegation of Greece made a presentation on its efforts to decrease nitrogen oxide emissions. The Greek Government was taking action to implement measures to combat climate change, and nitrogen oxide reduction would be a result of such action. The application of best available techniques in all new plants and the withdrawal of old units would also contribute to the reduction of nitrogen oxide emissions. A report describing further progress would be provided to the Implementation Committee by 31 March 2010, as requested.

74. The delegation of Denmark outlined the latest steps taken by Denmark to achieve compliance with its emission reduction obligation under the Protocol on Persistent Organic Pollutants, including the preparation of a comprehensive action plan to cope with air pollution from wood-burning stoves and boilers in Danish households. While it was still not possible to say when Denmark would achieve compliance with the Protocol, it had examined the provisions in article 3.7 and had concluded that it fulfilled its obligations.

75. The delegation of Cyprus said that it was taking effective measures to reduce all pollutants to protect environment and human health, including measures to reduce nitrogen oxide emissions, the major sources of which were road transportation and power stations. Implementation of several measures was under way; however, completion could not be expected before 2013.

76. With regard to document ECE/EB.AIR/2009/15, paragraph 83, the delegation of Canada assured the Chair of the Implementation Committee that it was in compliance with article 3.3 of the Protocol on Heavy Metals, as its gasoline regulations had effectively phased out lead in gasoline for on-road vehicles in December 1990 when the regulations had come into force. The gasoline regulations set a maximum concentration of lead in gasoline produced, imported, sold or offered for sale in Canada at 5 mg/l. It had sent a letter to the secretariat, responding to the findings of the Committee's report and attempting to clarify the initial response to the questionnaire on which the report was based.

77. With regard to document ECE/EB.AIR/2009/15, paragraph 80, the delegation of the United States said that it was in compliance with the Protocol on Heavy Metals. It had not been notified that any answers were incomplete. The secretariat noted that, owing to time constraints and deadlines, it was not possible for the Committee to seek clarification from a Party beyond a

certain date and called upon Parties to provide as clear and relevant answers as possible in the next reporting round.

78. The Executive Body:

(a) Took note of the twelfth report of the Implementation Committee (ECE/EB.AIR/2009/3) and expressed its appreciation to the members of the Committee for their work over the past year;

(b) Took note of the conclusions of the in-depth review of the implementation of the Protocol on Persistent Organic Pollutants and the Protocol on Heavy Metals (ECE/EB.AIR/2009/15) and recognized the considerable amount of time and efforts they required from the Committee.

79. The Executive Body adopted the following decisions⁵:

(a) Decision 2009/6 on compliance by Greece with its obligations under the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes;

(b) Decision 2009/7 on compliance by Spain with its obligations under the above Protocol, as amended;

(c) Decision 2009/8 on compliance by Spain with its obligations under the 1991 Protocol concerning the Control of Emissions of Volatile Organic Compounds or Their Transboundary Fluxes, as amended;

(d) Decision 2009/9 on compliance by Denmark with its obligations under the 1998 Protocol on Persistent Organic Pollutants;

(e) Decision 2009/10 on compliance by Cyprus with its obligations under the Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes;

(f) Decision 2009/11 on compliance by Iceland with its obligations to report on emissions;

(g) Decision 2009/12 on compliance by the Republic of Moldova with its reporting obligations;

(h) Decision 2009/13 concerning compliance by Estonia, France and Luxembourg with their obligations to report gridded emission data.

80. The Executive Body requested the secretariat to communicate those decisions to the Ministries of Foreign Affairs of the Parties in question.

81. The Executive Body took note of the inconsistencies in the use of notation keys made by some Parties when reporting emission data and requested the EMEP Steering Body to take action to ensure the proper use of those notation keys in accordance with the emission reporting guidelines.

82. With regard to the membership of the Implementation Committee, the Executive Body:

⁵ See ECE/EB.AIR/99.Add 1.

- (a) Noted that Mr. Meulepas (Belgium) and Mr. Angelov (Bulgaria) would remain on the Committee for another year;
- (b) Expressed its appreciation to Mr. Hojesky (Austria), Ms. Forest (Canada), Mr. Lindemann (Germany) and Mr. Fretheim (Norway) for their contribution to the work of the Committee;
- (c) Re-elected Ms. Hamilton (United Kingdom), Ms. Karjalainen (Finland) and Mr. Olsson (Sweden) for a second term of two years;
- (d) Elected Mr. Schroeder (Germany), Ms. Muñoz Cuesta (Spain), Mr. Michel (Switzerland) and Mr. Buchholz (United States) for a term of two years;
- (e) Elected Mr. Meulepas Chair of the Implementation Committee.

XI. STRATEGIES AND POLICIES OF PARTIES AND SIGNATORIES TO THE CONVENTION FOR THE ABATEMENT OF AIR POLLUTION

83. The secretariat presented the 2010 questionnaire on strategies and policies, (ECE/EB.AIR/2009/11, ECE/EB.AIR/2009/12 and ECE/EB.AIR/2009/13).
84. The Swedish presidency of the European Union suggested that question 13 from the general policy section be moved after question 45 relating to the Protocol to the Convention.
85. The Executive Body:
- (a) Approved the 2010 draft questionnaire comprising protocol-related questions (ECE/EB.AIR/2009/12) as well as general policy questions (ECE/EB.AIR/2009/13), with the suggestion to modify the order of the questions, and requested the secretariat to make it available on the website of the Convention;
 - (b) Decided that the questionnaire would represent the uniform reporting framework referred to in article 8, paragraph 2, of the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes; article 8, paragraph 4, of the Protocol on Volatile Organic Compounds or Their Transboundary Fluxes; article 5, paragraph 1, of the 1994 Protocol on Further Reduction of Sulphur Emissions; article 9, paragraph 2, of the Protocol on Persistent Organic Pollutants; article 7, paragraph 2, of the Protocol on Heavy Metals; and article 7, paragraph 2, of the Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone;
 - (c) Requested Parties to reply to the questionnaire by 31 March 2010, providing clear cross-references, if necessary, and brief, clear replies, including information in table formats when required;
 - (d) Requested the secretariat to make the replies from Parties available on the website of Convention;
 - (e) Requested the secretariat, in consultation with the Bureau, to prepare a draft review document and submit it to the Executive Body at its twenty-eighth session in 2010.

XII. THE LINK BETWEEN AIR POLLUTION AND CLIMATE CHANGE: DEVELOPING A FRAMEWORK FOR INTEGRATED CO-BENEFITS STRATEGIES

86. The delegation of Sweden informed the Executive Body about discussions at a workshop on intermediate climate policies relating to air and climate, held in Gothenburg, Sweden, in October

2009. It presented the conclusions and recommendations of the workshop concerning the Convention, in particular the following:

- (a) The climate effects of air pollutants and short-lived climate forcers, including black carbon, carbon monoxide and methane, should be addressed under the revision of the Gothenburg Protocol;
- (b) A task force or an ad hoc expert group should be created under the Convention to study the physical and economic aspects of climate change and air quality interactions, and to urgently inform the revision of the Gothenburg Protocol;
- (c) The Task Force on Reactive Nitrogen should prepare a special report on nitrogen and climate interactions;
- (d) Scientists working on the Convention should contribute actively to reports of the Intergovernmental Panel on Climate Change (IPCC), including its fifth assessment report, which should include air pollution impacts through the work of IPCC Working Group 3, in particular. Climate models and scenarios should take into account the effects of ozone and nitrogen on ecosystems and their feedbacks on climate change;
- (e) The Global Atmospheric Pollution Forum, UNEP, the World Meteorological Organization and other similar bodies should continue to establish links between regional agreements and networks for air pollution and climate change to enhance the exchange of knowledge and information. Such links could lead in the longer term to a framework convention on the atmosphere;
- (f) The Convention and UNEP should explore the need for developing a protocol to address background ozone on a hemispheric scale with the potential participation of all countries in the northern hemisphere;
- (g) In many developing countries, health and other sustainable development concerns were driving policy, and climate effects were considered to be a co-benefit, while in many industrialized countries climate drove policy. The Convention could contribute to melding the two approaches by greatly improving its outreach and making a valuable contribution to the capacity building, science and policy know-how needs of developing countries. Regional networks needed greater support;
- (h) Although there was consensus on the importance of short lived climate forcers on both health and climate change, the assessments of the International Global Atmospheric Chemistry and UNEP would help further inform effective policy development in the Convention, the United Nations Framework Convention on Climate Change and other relevant conventions. Research on the toxicity of black carbon and ozone within the Convention should continue.

87. The Head of the Centre for Integrated Assessment Modelling made some suggestions on how integrated modelling could handle short-lived climate forcers. Measures to combat short-lived climate forcers differed from those aimed at fighting long-lived climate forcers as set out under the United Nations Framework Convention on Climate Change.

88. The Executive Body took note of the conclusions of the workshop and agreed to take them into account during discussions and possible decisions pertaining to the revision of the Gothenburg Protocol and the long-term strategy for the Convention.

XIII. A LONG-TERM STRATEGY FOR THE CONVENTION

89. The Executive Body took note of the orientation paper for the strategic vision of the Convention (ECE/EB.AIR/2009/5) and of the outcome of the discussions of the meeting of the Extended Bureau on 17 December 2009, as presented in the annex.

90. The Executive Body agreed that a draft of the long-term strategy would be produced following the discussion and outcomes in the meeting of the Extended Bureau by a small drafting group before circulation to the bureaux of the Executive Body and the Working Group on Strategies and Review. Following this, the text would be submitted to the subsidiary bodies before submission to the Executive Body in 2010.

XIV. ACTIVITIES OF BODIES OF THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE AND INTERNATIONAL ORGANIZATIONS RELEVANT TO THE CONVENTION

91. Representatives of the Acid Deposition Monitoring Network in East Asia, the Arctic Monitoring and Assessment Programme, the Global Atmospheric Forum, the European Environment Agency and the World Meteorological Organization presented their recent activities relevant to the Convention.

92. The Executive Body took note of the information presented and encouraged cooperation with those organizations wherever possible.

93. The secretariat drew attention to the recommendations of the expert meeting on nitrogen deposition, critical loads and biodiversity held in Edinburgh on 16–18 November 2009, which had brought together experts from the Convention on Long-range Transboundary Air Pollution and the Convention on Biological Diversity.

94. The Executive Body invited the Bureau of the Working Group on Effects, the Bureau of the EMEP Steering Body and the Co-Chairs of the Task Force on Reactive Nitrogen, in consultation with the secretariat, to explore possibilities for collaboration with appropriate technical bodies under the Convention on Biological Diversity, and report to the Executive Body's session in 2010.

XV. 2010 WORKPLAN FOR THE IMPLEMENTATION OF THE CONVENTION

95. The secretariat introduced the draft workplans forwarded by the main subsidiary bodies (ECE/EB.AIR/2009/6, ECE/EB.AIR/2009/7 and ECE/EB.AIR/2009/8) and the draft workplan for 2010 of the Implementation Committee (ECE/EB.AIR/2009/3, annex). It also introduced the provisional list of meetings for 2010.

96. The Executive Body adopted its workplan as amended, instructing the secretariat to append the workplan to its report and post the report on the Convention's website.

XVI. FINANCIAL REQUIREMENTS FOR IMPLEMENTATION OF THE CONVENTION

97. The secretariat introduced the note on the financial requirements for the implementation of the Convention (ECE/EB.AIR/2009/2).

98. The secretariat presented updated information on the EMEP trust fund and the status of payment of the mandatory contributions required under the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Long-term Financing of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP). As of 15 December 2009, all but three Parties, Malta, Montenegro and Romania, had paid part of their contributions for 2009.

99. The delegation of Ukraine presented progress made in the implementation of the in-kind projects to cover its arrears for 1992–1994 and 1996–2001, amounting to \$316,194 (ECE/EB.AIR/2009/2, paras. 7–10). It had developed a national model for environmental impact assessment of heavy metal emissions, which would be presented for consideration by the Bureau of the EMEP Steering Body at its meeting in March 2010.

100. The secretariat said that in 2009 the contributions for financing the core activities not funded by the EMEP Protocol had amounted to less than half the provisional budget foreseen for 2009. The secretariat noted that Slovenia's contribution of \$4,681 for 2009 had been omitted in table 6.

101. Regarding the trust fund to support countries with economies in transition (E112), contributions in 2009 had been by far smaller than the expenditures for the same year. Increased contributions in 2010 were needed to cover both new projects started in 2009 and related needs for project coordination resources for the secretariat (see para. 44 (c) above).

102. The secretariat strongly suggested that the use of the trust fund support for secretariat travel (LUA) would be expanded to cover expenses for enhancing communication relating to activities of the Convention, such as producing brochures and leaflets and improving websites. It would also be necessary to reinforce the secretariat staff for the regular servicing of the Convention at least during the period the protocols were to be revised; earmarked contributions for the latter fund could also cover a budget line to this end.

103. The secretariat thanked the delegation of Canada for having financed the brochure making the thirtieth anniversary of the Convention.

104. The Executive Body:

(a) Approved the proposed decisions on the financing of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe as proposed in document ECE/EB.AIR/2009/2, paragraph 15 (a)–(f), and urged Parties that have not yet done so to pay their outstanding contributions in cash to the trust fund and, in 2010, to pay their contributions so that they reach the trust fund in the first half of the year;

(b) Approved the proposed decisions on the financing of the core activities not covered by the 1984 Protocol on the Long-term Financing of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe as proposed in document ECE/EB.AIR/2009/2, paragraph 25 (a)–(e). It also noted that no initiatives have been made in 2009 to secure sufficient and stable long-term funding for effects-oriented and integrated assessment modelling activities, and invited delegations to consider contributing;

(c) Approved the proposed decisions on the financing of the trust fund to support countries with economies in transition as proposed in document ECE/EB.AIR/2009/2, paragraph 35 (a)–(g), which invited countries to make contributions that would enable the secretariat to strengthen its staff resources in support of capacity-building activities in EECCA and SEE countries;

(d) Approved the proposed decisions on the financing of the trust fund support for secretariat travel in ECE/EB.AIR/2009/2, paragraph 37 (a)–(d).

XVII. OTHER BUSINESS

105. There were no issues for discussion under the agenda item.

XVIII. ELECTION OF OFFICERS

106. Mr. Ballaman was re-elected Chair of the Working Group on Strategies and Review.

107. Mr. Williams was re-elected Chair of the Executive Body. Ms. Galatone (Canada) and Ms. Karpova (Russian Federation) were re-elected Vice-Chairs. The Chair of the Working Group on Strategies and Review (Mr. Ballaman), the Chair of the Working Group on Effects (Mr. Johannessen), the Chair of the EMEP Steering Body (Ms. Vidič) and the Chair of the Implementation Committee (Mr. Meulepas) were also elected Vice-Chairs. A representative of the European Union (Mr. Zuber) was invited to sit on Bureau meetings in 2010 as an observer to ensure effective coordination with his organization's activities on air pollution.

108. The Executive Body expressed appreciation to Ms. Engleryd (Sweden) and Ms. Motlova (Czech Republic) for their valuable contributions to the work of the Bureau.

XIX. ADOPTION OF DECISIONS TAKEN AT THE TWENTY-SEVENTH SESSION

109. The Executive Body adopted the decisions taken at its twenty-seventh session on 18 December 2009.

Annex**Outcome of the discussion of the Extended Bureau meeting of 17 December 2009 on a strategic vision for the Convention**

1. The Extended Bureau meeting raised the following issues to be incorporated in the draft long-term strategy along with other issues in the Orientation Paper of the Strategic Vision of the Convention from the Chair (ECE/EB.AIR/2009/5):

- (a) The long-term strategy should define the priorities for the Convention for the next ten years and beyond;
- (b) A draft strategy will be produced by a small drafting group prior to wider circulation to the Bureaux of the Executive Body and the Working Group on Strategies and Review and the subsidiary bodies;
- (c) The draft long-term strategy should be submitted for discussion at the twenty-eighth session of the Executive Bureau in 2010;
- (d) Increased ratification of Protocols, especially in EECCA and SEE countries, is a priority;
- (e) Full implementation and compliance of all Parties with the Protocols is a priority;
- (f) The future role of the Implementation Committee is important;
- (g) The close link between science and policy in an effects-based approach is a unique feature of the Convention and should be preserved;
- (h) Many Parties felt that air pollution reduction and improved air quality should continue to be the core activities of the Convention;
- (i) Special attention should be devoted to the links between air pollution and climate change in the Convention, including biodiversity and reactive nitrogen;
- (j) The long-term strategy should re-assess the priorities of work on persistent organic pollutants and heavy metals with a view to future activity following adoption of the revised Protocols;
- (k) Other issues possibly requiring attention in the long-term strategy include dealing with old or redundant Protocols, rules of procedure for the Convention, its organization of work, structure and long-term financing.

2. The meeting also proposed to set up two expert groups:

- (a) An ad hoc expert group on black carbon;
- (b) An ad hoc expert group to coordinate the activities of EECCA countries aimed at ratifying and implementing Protocols to the Convention.
