

DECISIONS

COUNCIL DECISION (EU) 2021/2292

of 30 April 2021

on the submission, on behalf of the European Union, of a proposal for an Executive Body decision regarding the methodology for updates to reflect changes in the membership of the Union, with a view to the 41st session of the Executive Body of the Convention on Long-Range Transboundary Air Pollution, and on the position to be taken on behalf of the Union in that session

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone to the Convention on Long-Range Transboundary Air Pollution, as amended on 4 May 2012 (the 'amended Gothenburg Protocol') was approved by the Union by Council Decision (EU) 2017/1757 ⁽¹⁾ and entered into force on 7 October 2019.
- (2) In the 36th session of the Executive Body of the Convention on Long-Range Transboundary Air Pollution (the 'Convention'), the Parties to the Convention called upon the Union and its Member States to propose a methodology for adjusting the Union emission ceilings set out in table 1 of Annex II to the original Gothenburg Protocol as adopted in 1999, to account for changes in the membership of the Union.
- (3) In the 37th session of the Executive Body of the Convention, a decision proposed by the Union and its Member States was adopted by Decision 2017/3 of the Executive Body.
- (4) The methodology for updating the Union values set out in tables 2 to 6 of Annex II to the amended Gothenburg Protocol, based exclusively on a mathematical calculation using only information that is already set out in those tables to account for changes in the membership of the Union, is required to enable such changes to be correctly reflected in view of the review of the Union's compliance with its obligations under the amended Gothenburg Protocol. This does not relate to any adjustment of national emission ceilings or national emission reduction commitments in the tables of Annex II to the amended Gothenburg Protocol.
- (5) Once the methodology for updates is adopted by the Executive Body of the Convention, the Commission should submit on behalf of the Union the necessary updates to the Executive Secretary of the United Nations Economic Commission for Europe implementing that methodology, to account for changes in the membership of the Union since the adoption of the amended Gothenburg Protocol. The Commission should also submit any updates required in the event of subsequent changes in the membership of the Union.
- (6) It is appropriate to establish the position to be taken on the Union's behalf in the Executive Body of the Convention as the decision of the Executive Body will be binding on the Union,

⁽¹⁾ Council Decision (EU) 2017/1757 of 17 July 2017 on the acceptance on behalf of the European Union of an Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone (OJ L 248, 27.9.2017, p. 3).

HAS ADOPTED THIS DECISION:

Article 1

1. At the 41st session of the Executive Body of the Convention, the Union shall pursue the objective of establishing the methodology to enable updates of the Union emission baselines and emission reduction commitments set out in tables 2 to 6 of Annex II to the amended Gothenburg Protocol, based exclusively on a mathematical calculation using only information that is already set out in those tables, in order to ensure that the Union values in those tables can be updated to correctly reflect the total sum of its Member States' emission baselines and emission reduction commitments, following changes in the membership of the Union.
2. With a view to the 41st session of the Executive Body of the Convention, and in order to achieve the objective set out in paragraph 1, the Union shall submit the proposal for the required methodology ^(?).
3. The Commission, on behalf of the Union, shall communicate that proposal to the Secretariat of the Convention.

Article 2

1. The Union may support amendments proposed by other Parties to the Convention provided they contribute to achieving the Union's objective as set out in Article 1.
2. Where other Parties to the Convention propose that the decision of the Executive Body use Article 13(2) of the Gothenburg Protocol as its legal basis, the Union may accept that proposal and engage in negotiations in this regard.
3. Where other Parties to the Convention request that the procedure for submitting the updated values for the Union be aligned with the procedure set out in in Article 13(4) and (5) of the Gothenburg Protocol, the Union may propose a simplified procedure.

Article 3

Refinement of the position set out in Articles 1 and 2 may be agreed to, in the light of developments at the 41st session of the Executive Body of the Convention, by representatives of the Union, in consultation with the Member States, during on-the-spot coordination meetings, without a further decision of the Council.

Article 4

Once the methodology to enable the updates referred to in Article 1(1) has been adopted by the Executive Body of the Convention, the Commission shall submit, on behalf of the Union, the necessary updates implementing that methodology.

Article 5

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 30 April 2021.

For the Council
The President
A. P. ZACARIAS

^(?) See document ST 7683/21 on <http://register.consilium.europa.eu>