Convention (1979) on Long-Range Transboundary Air Pollution: amendment to the 1998 Aarhus Protocol on heavy metals

2014/0359(NLE) - 02/06/2015 - Legislative proposal

PURPOSE: to approve, on behalf of the European Union, the Amendment to the 1998 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Heavy Metals.

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 Heavy Metals which seeks to further protect human health and the environment, including through the updating of emission limit values addressing emissions of air pollutants at source.

The Union is a party to the 1998 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Heavy Metals, following its approval on 4 April 2001.

In 2012, the parties present at the 31st session of the Executive Body of the Convention adopted by consensus **Decisions 2012/5 and 2012/6 amending the Protocol**. The scope was extended with a view to further improving the protection of human health and the environment, including through the updating of emission limit values that addressed emissions of air pollutants at source.

The amendments set out in Decision 2012/6 entered into force and became effective, whereas the amendments set out in Decision 2012/5 require acceptance by the parties to the Protocol.

The amendments to the Protocol set out in Decision 2012/5 should therefore be accepted on behalf of the Union,

CONTENT: the Council is invited 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 Heavy Metals.

Scope of the Protocol: this Protocol aims to reduce and control anthropogenic emissions into the air of lead (Pb), cadmium (Cd) and mercury (Hg), as harmful heavy metals subject to long-range transboundary atmospheric transport, with a view to further protecting human health and the environment. In this respect, it requires Parties to reduce their total annual emissions of lead, cadmium and mercury below their levels in 1990 (or an alternative year between 1985 and 1995).

The amended Protocol sets out, in particular, **stricter emission limit values for dust emissions from certain major stationary sources** as well as flexible transitional arrangements that shall benefit those Parties that will accede the Protocol, as amended, between 1st January 2014 and 31 December 2019.

The amendment to the Protocol is largely covered by current EU law notably via existing emission source control legislation, including above-mentioned Directive 2010/75/EU and the Commission Implementing Decisions adopted in accordance with this Directive and which establish the applicable BAT conclusions for various industrial sectors, such as the manufacture of glass and the production of iron and steel, cement, lime and magnesium oxide and chlor-alkali.

This amendment shall be further transposed in particular via a Directive setting updated national emission ceilings for certain atmospheric pollutants and providing for annual national emission inventories that shall cover, among others, emissions of lead, cadmium and mercury.