Convention on Long Range Transboundary Air Pollution (1979) on Persistent Organic Pollutants: Arhus Protocol (1998)

2003/0117(CNS) - 12/06/2003 - Legislative proposal

PURPOSE : to approve, on behalf of the Community, the 1998 Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants. CONTENT : the Community has been a Party to the Convention on Long Range Transboundary Air Pollution (LRTAP) since 1982. This Convention was negotiated and adopted under the auspices of the United Nations Economic Commission for Europe. The Executive Body of the LRTAP Convention decided in 1996 to open negotiations on a Protocol on persistent organic pollutants. The negotiations were concluded in February 1998. The Commission participated on behalf of the Community and in accordance with the negotiating directives given by the Council on 7 October 1997. The Protocol on Persistent Organic Pollutants was adopted and opened for signature at a special session of the Executive Body which was held in conjunction with the Ministerial Conference "Environment for Europe" in Aarhus, Denmark on 23-25 June 1998. The Community and all the Member States signed the Protocol on 24 June 1998. The aim of the Protocol is to control, reduce or eliminate discharges, emissions and losses of persistent organic pollutants that cause significant adverse effects on human health or the environment as a result of their long-range transboundary atmospheric transport. The Protocol stipulates the elimination or reduction of production and use of thirteen substances regarded as persistent organic pollutants. In addition, Parties have to take effective measures to reduce or stabilise total annual emissions of certain substances. In order to ensure that proposals for listing additional substances in the Protocol are justified and have sufficient support in the Community, only joint proposals by the Community and the Member States may be submitted to the Secretariat. Therefore, appropriate provisions on submitting new proposals are included in the Decision. While the main purpose and the content of the Protocol concerns environmental protection, the provisions concerning prohibitions and restrictions of intentional production and use of chemicals are relevant to the functioning of the internal market. Therefore, the Decision on ratification is based on Articles 175(1) and 95(1), in conjunction with Article 300. In parallel to this proposed Decision, the Commission has put forward a proposal for a Council Decision concerning the conclusion of the Stockholm Convention on Persistent Organic Pollutants (see CNS030118) and a Regulation to implement certain provisions of the Protocol and the Stockholm Convention, which are not yet implemented by the Community legislation.