Basic information

2014/0358(NLE) NLE - Non-legislative enactments	Procedure completed
Convention (1979) on Long-Range Transboundary Air Pollution: amendments to the 1998 Aarhus Protocol on persistent organic pollutants See also Decision 2004/259/EC 2003/0117(CNS) **Subject** 3.70.02 Atmospheric pollution, motor vehicle pollution 3.70.09 Transfrontier pollution 3.70.18 International and regional environment protection measures and agreements	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	LA VIA Giovanni (PPE)	27/01/2015
	Shadow rapporteur BONAFÈ Simona (S&D) HUITEMA Jan (ALDE)	

Council of the European Union

European Commission

Commission DG	Commissioner
Environment	VELLA Karmenu

Key events

Date	Event	Reference	Summary
09/01/2015	Preparatory document	COM(2014)0749	Summary
02/06/2015	Legislative proposal published	08651/2015	Summary
24/06/2015	Committee referral announced in Parliament		
22/12/2015	Vote in committee		
07/01/2016	Committee report tabled for plenary, 1st reading/single reading	A8-0001/2016	Summary
02/02/2016	Decision by Parliament	T8-0027/2016	Summary
02/02/2016	Results of vote in Parliament		

21/04/2016	Act adopted by Council after consultation of Parliament		
18/05/2016	Final act published in Official Journal		

Technical information

Procedure reference	2014/0358(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Amendments and repeals	See also Decision 2004/259/EC 2003/0117(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 192-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/8/02511

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE551.881	25/11/2015	
Committee report tabled for plenary, 1st reading/single reading		A8-0001/2016	07/01/2016	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0027/2016	02/02/2016	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	08651/2015	02/06/2015	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2014)0749	09/01/2015	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2014)0749	31/03/2015	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act
Decision 2016/0769 OJ L 127 18.05.2016, p. 0021

Convention (1979) on Long-Range Transboundary Air Pollution: amendments to the 1998 Aarhus Protocol on persistent organic pollutants

2014/0358(NLE) - 09/01/2015

PURPOSE: 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 Persistent Organic Pollutants.

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 Persistent Organic Pollutants** which aims to control, reduce or eliminate discharges, emissions and losses of persistent organic pollutants (POPs). The Union is a Party to the 1998 Protocol following its approval on 19 February 2004.

The Parties present at the 27th session of the Executive Body of the UNECE Convention on Long-Range Transboundary Air Pollution **adopted by consensus Decisions 2009/1, 2009/2, 2009/3 and 2009/4** amending the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

Decision 2009/3 entered into force and has become effective. Decision 2009/4, as a Decision aimed at adopting a guidance document on best available techniques to control emissions of persistent organic pollutants, does not require ratification. On the other hand, Decisions 2009/1 and 2009/2 require ratification by the Parties to the Protocol.

CONTENT: the Commission proposes that the Council approve, on behalf of the European Union, the amendments to the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

In particular, **Decisions 2009/1 and 2009/2**, which amend the text of the Protocol and its Annexes have to be ratified by the Parties. The amended Protocol includes:

- new substances (hexachlorobutadiene, tetra-, penta-, hexa- and heptabromodiphenyl ethers, pentachlorobenzene, perfluorooctane sulfonate (PFOS), polychlorinated naphthalenes and short-chain chlorinated paraffins (SCCP)),
- updates the implementation requirements applicable to DDT, heptachlor, hexachlorobenzene and polychlorinated biphenyls (PCBs) and the emission limit values (ELVs) applicable to PCDD/PCDF emissions from certain waste incinerators,
- establishes new ELVs for PCDD/PCDF emissions from sinterplants and electric arc furnaces,
- adds PCBs to the list of substances the annual emissions of which must remain below the emission level of the reference year and must be reported.

The amended Protocol provides also some flexibility for Parties with an economy in transition that accede to the amended Protocol regarding the timeframes for the application of the ELVs and of the best available techniques (BAT) and the choice of the reference year as the basis upon which Parties must reduce their total annual emissions of PCDD/PCDF, PAHs, hexachlorobenzene (HCB) and PCBs.

Convention (1979) on Long-Range Transboundary Air Pollution: amendments to the 1998 Aarhus Protocol on persistent organic pollutants

2014/0358(NLE) - 07/01/2016 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Giovanni LA VIA (EPP, IT) on the draft Council decision on the acceptance of the Amendments to the 1998 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

The committee recommended the European Parliament to **give its consent** to acceptance of the Amendments to the Protocol.

To recall, the 1998 Aarhus Protocol on Persistent Organic Pollutants (the Protocol) aims to **control, reduce or eliminate discharges, emissions and losses of POPs**. It requires Parties to eliminate the production and use of relevant substances, restrict the use of dichlorodiphenyltrichloroethane (DDT), hexachlorocyclohexanes (HCH) and polychlorinated biphenyls (PCBs), and reduce their total annual emissions of polycyclic aromatic hydrocarbons (PAHs), dioxins/furans (PCDD/PCDF) and hexachlorobenzene (HCB) below their levels in 1990 or an alternative year between 1985 and 1995.

The accession of the Community to the Protocol was approved on behalf of the Community by Council Decision 2004/259/EC. The Protocol, which entered into force on 23 October 2003, has been transposed into EU law through several instruments.

In December 2009, the Protocol was amended by Decisions 2009/1, 2009/2, 2009/3 and 2009/4. The amended Protocol includes seven new substances, updates implementation requirements for several substances, updates restrictions for PCDD/PCDF emissions from several sources, and adds PCBs to the list of substances affected by the total annual emission restrictions and reporting obligations.

As set out in the short justification to the recommendation, **the draft Council Decision lists the texts of the amendments to the Protocol via Decisions 2009/1 and 2009/2 in its Annexes**. The amendments are fully consistent with existing EU legislation. Specific exemptions and flexible transition timetables for economies in transition should allow all Parties to comply with the Protocol.

The ratification of the amendments will be an important step towards a higher level of protection of human health and the environment from transboundary air pollution. Members therefore welcomed the draft Council Decision and proposed that Parliament gives its consent.

Convention (1979) on Long-Range Transboundary Air Pollution: amendments to the 1998 Aarhus Protocol on persistent organic pollutants

2014/0358(NLE) - 02/02/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 624 votes to 21, with 34 abstentions, a legislative resolution on the draft Council decision on the acceptance of the Amendments to the 1998 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

Following the recommendation from its Committee on Environment, Public Health and Food Safety, Parliament **gave its consent** to acceptance of the Amendments to the Protocol.

To recall, the 1979 Convention on Long-range Transboundary Air Pollution is intended to protect the human environment against air pollution.

The 1998 Aarhus Protocol on Persistent Organic Pollutants (the Protocol) aims to control, reduce or eliminate discharges, emissions and losses of POPs. It requires Parties to eliminate the production and use of relevant substances, restrict the use of dichlorodiphenyltrichloroethane (DDT), hexachlorocyclohexanes (HCH) and polychlorinated biphenyls (PCBs), and reduce their total annual emissions of polycyclic aromatic hydrocarbons (PAHs), dioxins/furans (PCDD/PCDF) and hexachlorobenzene (HCB) below their levels in 1990 or an alternative year between 1985 and 1995.

Convention (1979) on Long-Range Transboundary Air Pollution: amendments to the 1998 Aarhus Protocol on persistent organic pollutants

2014/0358(NLE) - 09/01/2015 - Preparatory document

PURPOSE: 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 Persistent Organic Pollutants.

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 Persistent Organic Pollutants** which aims to control, reduce or eliminate discharges, emissions and losses of persistent organic pollutants (POPs). The Union is a Party to the 1998 Protocol following its approval on 19 February 2004.

The Parties present at the 27th session of the Executive Body of the UNECE Convention on Long-Range Transboundary Air Pollution **adopted by consensus Decisions 2009/1, 2009/2, 2009/3 and 2009/4** amending the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

Decision 2009/3 entered into force and has become effective. Decision 2009/4, as a Decision aimed at adopting a guidance document on best available techniques to control emissions of persistent organic pollutants, does not require ratification. On the other hand, Decisions 2009/1 and 2009/2 require ratification by the Parties to the Protocol.

CONTENT: the Commission proposes that the Council approve, on behalf of the European Union, the amendments to the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

In particular, **Decisions 2009/1 and 2009/2**, which amend the text of the Protocol and its Annexes have to be ratified by the Parties. The amended Protocol includes:

- new substances (hexachlorobutadiene, tetra-, penta-, hexa- and heptabromodiphenyl ethers, pentachlorobenzene, perfluorooctane sulfonate (PFOS), polychlorinated naphthalenes and short-chain chlorinated paraffins (SCCP)),
- updates the implementation requirements applicable to DDT, heptachlor, hexachlorobenzene and polychlorinated biphenyls (PCBs) and the emission limit values (ELVs) applicable to PCDD/PCDF emissions from certain waste incinerators,
- establishes new ELVs for PCDD/PCDF emissions from sinterplants and electric arc furnaces,
- adds PCBs to the list of substances the annual emissions of which must remain below the emission level of the reference year and must be reported.

The amended Protocol provides also some flexibility for Parties with an economy in transition that accede to the amended Protocol regarding the timeframes for the application of the ELVs and of the best available techniques (BAT) and the choice of the reference year as the basis upon which Parties must reduce their total annual emissions of PCDD/PCDF, PAHs, hexachlorobenzene (HCB) and PCBs.

Convention (1979) on Long-Range Transboundary Air Pollution: amendments to the 1998 Aarhus Protocol on persistent organic pollutants

2014/0358(NLE) - 02/06/2015 - Legislative proposal

PURPOSE: 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 Persistent Organic Pollutants.

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.

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The Parties present at the 27th session of the Executive Body of the UNECE Convention on Long-Range Transboundary Air Pollution **adopted by consensus Decisions 2009/1, 2009/2, 2009/3 and 2009/4** amending the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

Decision 2009/3 entered into force and has become effective. Decision 2009/4, as a Decision aimed at adopting a guidance document on best available techniques to control emissions of persistent organic pollutants, does not require ratification. On the other hand, Decisions 2009/1 and 2009/2 require ratification by the Parties to the Protocol.

The Union has already adopted instruments on matters covered by the amendments to the Protocol, including Regulation (EC) No 850/2004 of the European Parliament and of the Council.

The amendments to the Protocol set out in Decisions 2009/1 and 2009/2 should therefore be accepted on behalf of the Union.

CONTENT: the Council is invited to **accept, on behalf of the European Union**, the amendments to the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants.

In particular, **Decisions 2009/1 and 2009/2**, which amend the text of the Protocol and its Annexes have to be ratified by the Parties. The amended Protocol includes:

- new substances (hexachlorobutadiene, tetra-, penta-, hexa- and heptabromodiphenyl ethers, pentachlorobenzene, perfluorooctane sulfonate (PFOS), polychlorinated naphthalenes and short-chain chlorinated paraffins (SCCP)),
- updates the implementation requirements applicable to DDT, heptachlor, hexachlorobenzene and polychlorinated biphenyls (PCBs) and the emission limit values (ELVs) applicable to PCDD/PCDF emissions from certain waste incinerators,
- establishes new ELVs for PCDD/PCDF emissions from sinterplants and electric arc furnaces,
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