Basic information

2014/0359(NLE) NLE - Non-legislative enactments	Procedure completed
Convention (1979) on Long-Range Transboundary Air Pollution: amendment to the 1998 Aarhus Protocol on heavy metals 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 PAOLUCCI Massimo (S&D) JÄÄTTEENMÄKI Anneli (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)0750	Summary
02/06/2015	Legislative proposal published	08648/2015	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	A8-0002/2016	Summary
02/02/2016	Decision by Parliament	T8-0026/2016	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	2014/0359(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/8/02491

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE551.880	24/11/2015	
Committee report tabled for plenary, 1st reading/single reading		A8-0002/2016	07/01/2016	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0026/2016	02/02/2016	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	08648/2015	02/06/2015	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2014)0750	09/01/2015	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2016/0768
OJ L 127 18.05.2016, p. 0008

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

2014/0359(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 Heavy Metals.

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

To recall, the Convention on Long-range Transboundary Air Pollution is intended to protect the human environment against air pollution. Signed in 1979 and entering into force in 1983, the Convention was the first international legally binding instrument in this area.

The 1998 Aarhus Protocol on Heavy Metals aims to **reduce and control anthropogenic emission into the air of lead (Pb), cadmium (Cd) and mercury (Hg).** It requires Parties to reduce their total annual emissions for these three metals below their levels in 1990 or an alternative year between 1985 and 1995.

The accession of the Community to the 1998 Protocol was approved on behalf of the Community by Council Decision 2001/379/EC. The Protocol, which entered into force on 29 December 2003, has been transposed into EU law through several instruments.

In December 2012, the Protocol was amended by Decisions 2012/5, 2012/6 and 2012/7.

The amended Protocol sets out, in particular, stricter 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 amended Protocol before the end of 2019, including countries in Eastern and South-Eastern Europe.

As set out in the short justification in the recommendation, the amendment to the Protocol is already largely covered by EU legislation, and will be further transposed via a new 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.

The draft Council Decision lists the text of the amendment to the Protocol via Decision 2012/5 in its Annex. The amendment is fully consistent with existing EU legislation.

The ratification of the amendment 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: amendment to the 1998 Aarhus Protocol on heavy metals

2014/0359(NLE) - 09/01/2015

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 Persistent Organic Pollutants** which aims to control, reduce or eliminate discharges, emissions and losses of persistent organic pollutants (POPs).

The Parties present at the 31st session of the Executive Body of the UNECE Convention on Long-Range Transboundary Air Pollution adopted by consensus Decisions 2012/5 and 2012/6 amending the Protocol to the Convention on Long-Range Transboundary Air Pollution on Heavy Metals.

Decision 2012/6 entered into force and has become effective. However, Decision 2012/5 requires ratification by the Parties to the Protocol.

CONTENT: the Commission proposes that the Council **approve, on behalf of the European Union, the Amendment to the Protocol** to the Convention on Long-Range Transboundary Air Pollution on Heavy Metals.

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 new Directive setting updated national emission ceilings for certain atmopsheric pollutants and providing for annual national emission inventories that shall cover, among others, emissions of lead, cadmium and mercury.

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

2014/0359(NLE) - 09/01/2015 - Preparatory document

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 Persistent Organic Pollutants** which aims to control, reduce or eliminate discharges, emissions and losses of persistent organic pollutants (POPs).

The Parties present at the 31st session of the Executive Body of the UNECE Convention on Long-Range Transboundary Air Pollution adopted by consensus Decisions 2012/5 and 2012/6 amending the Protocol to the Convention on Long-Range Transboundary Air Pollution on Heavy Metals.

Decision 2012/6 entered into force and has become effective. However, Decision 2012/5 requires ratification by the Parties to the Protocol.

CONTENT: the Commission proposes that the Council **approve, on behalf of the European Union, the Amendment to the Protocol** to the Convention on Long-Range Transboundary Air Pollution on Heavy Metals.

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 new Directive setting updated national emission ceilings for certain atmopsheric pollutants and providing for annual national emission inventories that shall cover, among others, emissions of lead, cadmium and mercury.

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.

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

2014/0359(NLE) - 02/02/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 617 votes to 25, with 30 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 Heavy Metals.

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 Heavy Metals aims to reduce and control anthropogenic emission into the air of lead (Pb), cadmium (Cd) and mercury (Hg).