

# UNECE AIR CONVENTION

## Gothenburg Protocol Review

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**Informal document to WGSR-59  
on the review of flexibilities**

# Introduction

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**EB Decision 2019/4 on the review of the amended Gothenburg Protocol requests the following elements regarding flexibility provisions to be considered in the review**

- *“Current flexibilities, including deadlines and timescales”*
- *“Further flexibilities [, for example, revised deadlines,] and new approaches [, for example, possibly considering step-wise ratification,] in order to [overcome barriers and] facilitate ratification and implementation by [Parties that have not yet ratified the Protocol, including] countries in Eastern Europe, the Caucasus and Central Asia”*

# Introduction

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## Document 'WG.5/2020/3' on the preparations for the review of the amended Gothenburg Protocol (preparatory document)

- Addresses specific elements to be considered when reviewing the flexibilities (see paragraphs 17 and 20)
- Includes the following three questions on flexibilities to be addressed by WGSR in the context of the review (see annex I)
  - Question 6.1(a): *“Are current flexibility provisions adequate and/or effective for ratification and implementation (focus on Eastern, South-Eastern Europe and Turkey, the Caucasus and Central Asia)?”*
  - Question 6.1(b): *“What new flexibilities and/or approaches would potentially help non-Parties to move towards ratification and implementation?”*
  - Question 6.1(c): *“What are other options for achieving emission reductions (in lieu of technical annexes)?”*
- Decision 2020/2 on the plan for undertaking the review requests the consideration of the questions set out in annex I to the preparatory document

# Layout of informal document

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## **The informal document is structured as follows**

1. Scope
2. Background
3. Overview of the main flexibility provisions
4. Review of the flexibilities
5. Findings and conclusions
6. Initial responses to the three questions
7. Proposal
8. Useful documentation

# Aim of informal document

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Provide overview and first assessment of the current flexibility provisions available in the amended Gothenburg Protocol.

Provide initial views on possible new approaches.

Source of input to the section on “Flexibility provisions” of the report on the review of the Gothenburg Protocol.

Starting point for discussion and preparation of the thematic session on barriers to ratifying and implementing the Gothenburg Protocol in Spring 2022.

# Main flexibility provisions

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## Overview of main flexibility provisions of amended Protocol

1. Some flexibility addressed to all parties
2. Some flexibility addressed to non-parties to increase ratification
3. Specific provisions for Canada and the USA
4. PEMA for large countries such as Canada, the USA and Russia.
5. New flexibility provisions added to amended GP, i.a.
  - flexible transitional arrangements
  - reporting of limited emission inventories
  - longer timescales of application of limit values
  - use of relative emission reduction targets and adjustment procedure

# Key findings

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## A few provisional key findings of the review

1. The additional flexibility mechanisms for further ratifications (appear to) have not fulfilled expectations
2. Several of these flexibility mechanisms ('flexible transitional arrangements', 'limited inventory reporting') have already expired or were never used
3. Alternatives to or derogations from the mandatory limit values are either not used or not reported
4. Lack of reporting on use of flexibility provisions makes monitoring or enforcement difficult
5. The adjustment procedure is a widely used mechanism (by EU countries)
6. Some of the new flexibility provisions have not yet been applied because the amended Protocol has only recently entered into force

# Key messages - initial observations

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## **In general, following can be observed**

1. The current flexibility provisions of the amended Gothenburg Protocol (appear to) have not proven adequate and/or effective for further ratifications
2. The Gothenburg Protocol and its eleven technical annexes are complicated and could be too demanding; and adding a bundle of flexibility provisions as a remedy may not be the best approach.
3. Discussion options for addressing flexibility and/or new approaches in the future is needed as part of the review process



# Initial views on new approaches

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## Views for new mechanisms or approaches to enhance ratification

1. A bottom-up approach for current non-Parties
2. Automatic incorporation of relevant limit values in the technical annexes upon ratification by current non-Parties
3. A tiered approach over time (or staged approach), prioritising key categories
4. Sections specifically dedicated to current non-Parties in Technical Annexes
5. Revise the amended Gothenburg Protocol in a way that allows piecemeal (incremental) ratifications of bundled amendments
6. A completely new and novel instrument that has flexibility at its core
7. A new instrument that includes sector-based approaches and commitments that address multiple pollutants
8. A framework protocol followed by implementing decisions

# Proposal

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**Proposal to be considered by the WGSR as possible input for next steps (see next slide)**

Short questionnaire to the Parties to the Convention

*“The circulation of a short questionnaire to the parties with a few questions on what flexibilities are currently being used or considered useful, could help the review exercise on flexibilities. The findings of the responses to the questionnaire could be anonymized.”*

# Next steps

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Comments on informal document due by 15 July 2021

Preparation and circulation of short questionnaire (tbd)

Update draft review report with input from informal document, and comments and responses to questionnaire

Preparation of informal session on barriers to ratifying and implementing the Gothenburg Protocol for Spring 2022

Converting informal document to formal document for 2022 meetings (including chapter on barriers)