

Informal document of the 42nd session of the Executive Body of the Convention

The delegation of the Russian Federation, in connection with the proposal voiced in September 2022 by the delegation of Ukraine to terminate the financing of MSC-E from 2023, draws the attention of the delegations present at the 42nd session of the Executive Body of the Convention to the following provisions of the Protocol to the Convention concerning the long-term financing of the co-operative program for monitoring and evaluation of the long-range transmission of air pollutants in Europe (EMEP).

In accordance with article 2 of the Protocol to the Convention concerning the long-term financing of EMEP the contributions cover the annual costs of international centers for activities provided for in the work program of the EMEP Steering Body.

The conditions for making mandatory contributions are determined by the annex to the EMEP Financing Protocol. Amendments to this annex are adopted "by consensus of the Executive Body" (article 4, paragraph 3).

Article 5 states that "An annual budget for EMEP shall be drawn by the Steering Body of EMEP, and shall be adopted by the Executive Body **not later than one year in advance of the financial year to which it applies.**

This means that the 42nd session of the Executive Body of the Convention should consider the annual budget of EMEP for 2024. Making significant changes to the EMEP budget for 2023 is a violation of the provisions of the EMEP Financing Protocol.

Article 6 of the Protocol establishes the procedure for advance submission and consideration of amendments to the Protocol. The Executive Body shall discuss the proposed amendments which "shall be **adopted by consensus** of the representatives of the Contracting Parties to the Protocol".

In the current Protocol on Financing of EMEP, the international centers are currently: Chemical Coordination Center, Meteorological Synthesizing Center-East and Meteorological Synthesizing Center-West.

Thus, the proposal to withdraw funding from one of the existing scientific centers of EMEP, namely MSC-E, from 2023 is contrary to the Protocol and cannot be legally considered by the Parties to the Convention at the 42nd session of the Executive Body of the Convention.

We particularly note that the MSC-E is exclusively the scientific center of EMEP, performing work under contracts with the UNECE. The budget of MSC-E is fully

provided by financing the EMEP centers. In addition, MSC-E has no contractual or other relations with the Government of the Russian Federation and works exclusively in the interests of EMEP.

Thus, the withdrawal of MSC-E funding in 2023 proposed by some delegations is *de facto* discrimination not against Russia as a Party to the Convention, but against a team of Russian scientists, and should be qualified as discrimination based on nationality.

The implementation in practice of the proposal to **withdraw funding from** MSC-E will lead to the closure of this scientific center and the loss of the team of scientists who will be forced to look for another job. In this case, it will be the **EMEP and the Convention as a whole** that will **be the only affected party**.