

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(91) 394 final

Brussels, 23 October 1991

Proposal for a
COUNCIL DECISION

concerning the signature by the European Economic Community
of the Protocol to the Geneva Convention on long-range transboundary
air pollution concerning the control of emissions of volatile
organic compounds or their transboundary fluxes

(presented by the Commission)

EXPLANATORY MEMORANDUM

Subject: Signature by the European Economic Community of the Protocol to the Geneva Convention on long-range transboundary air pollution concerning the control of emissions of volatile organic compounds or their transboundary fluxes

1. The Community - and all of the Member States - is a party to the Convention on long-range transboundary air pollution (Geneva Convention, 1979), drafted by the United Nations Economic Commission for Europe.

Under this Convention, a Protocol on the control of emissions of volatile organic compounds (VOCs) or their transboundary fluxes has been prepared and will be put to the parties for signature in November 1991.

2. The Community has for a long time recognized the need to reduce VOC emissions, which are harmful to both human health and to natural and economic resources as they are one of the causes, together with NO_x, of photochemical pollution.

With this in mind, the Community has adopted legal measures to reduce VOC emissions from motor vehicles, which makes it competent as regards certain provisions of the Protocol.

3. The existing Community legislation (motor vehicles) and the recent Commission proposals which have already been the subject of a common position by the Council (heavy goods vehicles) should be extended to include other provisions to enable the Community, in accordance with the Commission's estimates, to fulfil the obligations arising from the Protocol, the main one being to achieve a 30% reduction in VOC emissions by the end of 1999 as compared with the level in 1988 or any other year between 1984 and 1990.

The Commission is preparing, within the context of the CORINAIR programme, a detailed inventory of atmospheric emissions of various pollutants, including VOCs, in 1990.

Consequently, it proposes that this year should be specified as the year of reference for VOC emissions when the Community signs the Protocol.

4. On 24 July 1990 the Commission was authorized by the Council to participate in the Working Group drafting the Protocol and to negotiate on behalf of the Community in close consultation with the Member States.
5. In view of the responsibilities which the Community has already assumed and the need to increase the control of transboundary atmospheric pollution at international level as well, the Commission believes that the Community should sign the VOC Protocol.

The Commission further proposes that the Community's interpretation of certain terms in the Protocol which are incompatible with its specific status.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Whereas the Treaty calls for active cooperation by the Community and the Member States in international environmental protection activities;

Whereas the Community is party to the United Nations Economic Commission for Europe Convention on long-range transboundary air pollution¹ (Geneva Convention, 1979) and to one of its Protocols on the funding of the European Monitoring and Evaluation of Pollutants (EMEP) programme;²

Whereas the Commission has taken part, on behalf of the Community, in the negotiations conducted within a Working Party under the auspices of the United Nations Economic Commission for Europe on a draft Protocol to the Convention on long-range transboundary air pollution concerning the control of emissions of volatile organic compounds (VOCs) or their transboundary fluxes;

Whereas the VOC Protocol will be open for signature by the parties to the Convention on long-range transboundary air pollution at the ninth meeting of the Executive Body for the Convention, which will be held in Geneva from 19 to 22 November 1991;

1 OJ No C 171, 27.6.1981, p. 11.

2 OJ No L 181, 4.7.1986, p. 1.

Whereas the availability of data on VOC emissions in the Community will be ensured, for 1990, thanks to the CORINAIR programme and the Community should therefore specify that year as the reference year for VOC emissions;

HAS AGREED THE FOLLOWING:

Article 1

The European Economic Community shall sign the Protocol to the 1979 Convention on long-range transboundary air pollution concerning the control of emissions of volatile organic compounds or their transboundary fluxes, specifying 1990 as the reference year and subject to conclusion.

Article 2

The President of the Council shall appoint a representative empowered to sign the Protocol on behalf of the Community.

He shall at the same time deposit the declaration appearing in Annex I to this Decision.

Done at Brussels,

For the Council
The President

ANNEX I

Declaration by the European Economic Community

The European Economic Community declares that the term "national emissions" appearing in the preamble and in Articles 1 and 2 of the draft protocol to the Convention on long-range transboundary air pollution concerning the control of emissions of volatile organic compounds or their transboundary fluxes is to be interpreted, as far as it is concerned, as meaning "the Community emissions comprising the total emissions of the EEC Member States".

Furthermore, the term "national" appearing in Articles 4, 5, 7 and 8 similarly means that legislation, programmes, strategies and policies adopted, developed or implemented by the European Economic Community within the framework of matters within its field of competence.

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