

Annex IX

**DECISION 2004/9 CONCERNING COMPLIANCE BY SPAIN WITH  
ITS OBLIGATIONS UNDER THE 1988 NO<sub>x</sub> PROTOCOL (ref. 4/02)**

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 1997/2, annex, as amended in 2001, ECE/EB.AIR/75, annex V),

1. Recalls its decisions 2002/8 and 2003/7;
2. Notes the report provided by the Implementation Committee (EB.AIR/2004/6, paras. 27-31) concerning Spain's compliance with the requirements of paragraph 1 of article 2 of the 1988 NO<sub>x</sub> Protocol, and in particular the Committee's conclusion regarding the failure of Spain to comply with the emission reduction obligation of the Protocol;
3. Continues to be concerned by the failure by Spain to fulfil its obligation to take effective measures to control and/or reduce its national annual emissions so that these do not exceed its emissions in 1987, as required by paragraph 1 of article 2 of the NO<sub>x</sub> Protocol;
4. Continues to urge Spain to fulfil its obligation under paragraph 1 of article 2 of the NO<sub>x</sub> Protocol as soon as possible;
5. Notes with concern that Spain has not provided the Implementation Committee with the further information requested in paragraph 6 of decision 2003/7, as read with paragraph 5 of decision 2002/8;
6. Welcomes the presentation made by Spain to it at its twenty-second session relating to information provided pursuant to paragraph 6 of decision 2003/7, as read with paragraph 5 of decision 2002/8;
7. Requests the Implementation Committee to review at its fifteenth meeting the information contained in the presentation in the context of assessing Spain's progress and timetable;
8. Requests the secretariat, in the event that the Implementation Committee indicates it is not satisfied with the information provided by Spain pursuant to paragraph 6 of decision 2003/7, as read with paragraph 5 of decision 2002/8, to communicate with the Permanent Mission of Spain to the United Nations in Geneva to discuss Spain's non-compliance;
9. Requests the Implementation Committee to report to the Executive Body at its twenty-third session and make further recommendations as appropriate.