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EXECUTIVE BODY FOR THE CONVENTION ON
LONG-RANGE TRANSBOUNDARY AIR POLLUTION

Twenty-second session
(Geneva, 29 November – 3 December 2004)
Item 9 of the provisional agenda

**STRATEGIES AND POLICIES FOR THE ABATEMENT OF AIR POLLUTION OF
PARTIES AND SIGNATORIES TO THE CONVENTION**

Note prepared by the secretariat

Introduction

1. This note contains information on: (i) responses to the 2004 questionnaire on strategies and policies for compliance review; and (ii) work in progress to improve the questionnaire for 2006. The questionnaire is intended to assist Parties in providing information on strategies and policies as required under the protocols to the Convention.

I. RESPONSES TO THE 2004 QUESTIONNAIRE

2. The Executive Body at its twenty-first session agreed the text of the 2004 questionnaire on strategies and policies for air pollution abatement, with the omission of certain questions, and requested the secretariat to make it available to Parties on the Internet from 15 January 2004. It also requested the secretariat to limit the length of replies, noted the questionnaire provided an excellent opportunity for Parties to meet their obligations on reporting of strategies and policies under the protocols and requested the secretariat to make replies from Parties available on the Internet (ECE/EB.AIR/79, para. 71 (a)-(d)).

Documents prepared under the auspices or at the request of the Executive Body for the Convention on Long-range Transboundary Air Pollution for GENERAL circulation should be considered provisional unless APPROVED by the Executive Body.

3. The Executive Body at its twentieth session decided to separate the review process (and questionnaire) into two parts (one protocol-related, the other on general policy) and to carry out the protocol review every two years and a general review every four years (ECE/EB.AIR/77, para. 77 (c)-(d)). In line with this decision, the 2004 questionnaire included only protocol-related questions. The replies to these questions may be used by the Implementation Committee in its assessment of compliance with obligations under the protocols.

4. The 2004 questionnaire covered protocols in force, with the exception of the EMEP Protocol, i.e. the 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent; the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes; the 1991 Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes, the 1994 Protocol on Further Reduction of Sulphur Emissions and the 1998 Protocol on Persistent Organic Pollutants (EB.AIR/2003/2/Add.1). Questions regarding the 1998 Protocol on Heavy Metals were added when the Protocol entered into force in December 2003 (EB.AIR/2003/2/Add.2). The questionnaire was made available as planned.

5. Improvements were made to parts of the questionnaire between 2002 and 2004, based on feedback from Parties, comments from the Executive Body and suggestions from the Implementation Committee. The introductory part of the questionnaire was redrafted, following discussions in the Implementation Committee, to indicate that it was designed to assist mandatory reporting. It was assumed that replies to the questionnaire itself were not mandatory (ECE/EB.AIR/79, para. 66); the questionnaire was one possible way that Parties could meet their obligations under the protocols to report their strategies and policies. In addition, notes and tables were modified in an attempt to promote clearer and more useful responses, however, the questions themselves were not changed.

6. As of 1 September 2004, of the 34 Parties having an obligation to report on their strategies and policies under one or more of the six relevant protocols in force (see annex), 23 Parties had replied to at least one part of the questionnaire, 17 Parties replied in full, 6 Parties failed to reply to one or more questions concerning at least one of the six protocols and 11 did not respond to any question relating to the protocols to which they were a Party. Although replying to the questionnaire was not mandatory no Party provided the information required under the protocols outside the framework of the questionnaire.

7. All Parties that replied used the Internet-based questionnaire. Several Parties commented on the ease of using the questionnaire, as technical problems identified in 2002 had been solved. Due to a remaining technical difficulty in saving information to tables, several Parties submitted tables separately as e-mail attachments.

8. In its seventh report to the Executive Body, the Implementation Committee detailed the

extent of reporting by Parties and made recommendations for action to the Executive Body (EB.AIR/2004/6/Add.1).

II. WORK IN PROGRESS TO IMPROVE THE QUESTIONNAIRE FOR 2006

9. In line with the decision of the Executive Body at its twentieth session, the 2006 questionnaire should include both protocol-related questions and questions asking for additional (general) information on policies and strategies. In principle, this would include questions on protocols not yet in force (i.e. the 1999 Gothenburg Protocol).

10. The Executive Body at its twenty-first session requested the Implementation Committee to undertake a thorough legal review of the questionnaire before 2006 (ECE/EB.AIR/79, para. 71 (e)). The Committee gave preliminary consideration to this issue at its fourteenth meeting. Taking the 1988 Protocol on Nitrogen Oxides as an example, the secretariat presented the Committee with a sample of Parties' replies to the 2004 questionnaire. It also drafted new proposed questions and model answers, and presented a table showing the relevant substantive obligation for each question. On the basis of discussions with the Committee, the secretariat will develop revised questions for the whole questionnaire.

11. After the discussions, the Committee suggested that the issue should be revisited at its fifteenth meeting (April 2005) to consider its legal review of the questionnaire. In the meantime, members of the Committee were invited to provide input to the secretariat to assist with improving the questionnaire for 2006. This input and further discussions with the Committee at its fifteenth meeting will enable the secretariat to present a revised draft questionnaire for 2006 to the Executive Body at its twenty-third session in December 2005. As in the past, this may include a draft outline for a 2006 major review, to be published either on the Internet or in hard copy.

III. DECISIONS TO BE TAKEN BY THE EXECUTIVE BODY

12. The Executive Body may wish to:

(a) Acknowledge the efforts made by Parties filling in the 2004 questionnaire, noting the importance of this information in providing a basis for the Implementation Committee to assess compliance with the reporting obligations;

(b) Request the secretariat to provide information to the Implementation Committee, as needed, to enable it to address issues of compliance related to the reporting of strategies and policies;

(c) Request the secretariat to make the replies to the 2004 questionnaire available on the Convention's web site;

(d) Request the secretariat, in consultation with the Implementation Committee, to propose draft questions for the 2006 questionnaire, including a general policy section, to it at its twenty-third session.

Annex**2004 REPORTING ON STRATEGIES AND POLICIES FOR AIR POLLUTION ABATEMENT**

Protocol/ Party	1985 Sulphur	1988 NOx	1991 VOC	1994 Sulphur	1998 POPs	1998 Heavy Metals
1. Austria	A	A	A	A	A	A
2. Belarus	A	A				
3. Belgium	A	A	A	A		
4. Bulgaria	A	A	A		A	A
5. Canada	A	A		C (no # 20-23)	A	A
6. Croatia				None		
7. Czech Republic	A	A	A	A	A	A
8. Denmark	B	B	B	B	B	B
9. Estonia	A	A	A			
10. Finland	B	C (no #5)	C (no #10)	B	C (no #31,37)	C (no #46)
11. France	None	None	None	None	None	None
12. Germany	A	A	A	A	A	A
13. Greece		None		None		
14. Hungary	None	None	None	None	None	
15. Iceland					None	
16. Ireland		B		B		
17. Italy	A	C (no #7)	A	A		
18. Liechtenstein	None	None	None	None	None	None
19. Luxembourg	None	None	None	None	None	None
20. Monaco			B	B		B
21. Netherlands	A	A	A	A	A	A
22. Norway	A	A	A	A	A	A
23. Republic of Moldova					None	None
24. Romania					None	None
25. Russian Federation	None	None				
26. Slovakia	A	C (no #3,4)	A	A	None	None
27. Slovenia				B		None
28. Spain		A	A	A		
29. Sweden	B	B	B	B	B	B
30. Switzerland	B	B	B	B	B	B
31. Ukraine	B	C (no # 7)				
32. United Kingdom		A	A	A		
33. United States		A				B
34. European Community		None		None	None	None

Legend:

A: Response to all questions related to the Protocol received by 31 March 2004.

B: Response to all questions related to the Protocol received, but not by 31 March 2004.

C (no #...): Response to all questions related to the Protocol received, except those specified.

None: No response received to any question regarding the Protocol.

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 Not applicable (not Party to the Protocol).