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ECONOMIC COMMISSION FOR EUROPE

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

Twenty-fourth session
Geneva, 11–14 December 2006
Item 6 of the provisional agenda

THE NINTH REPORT OF THE IMPLEMENTATION COMMITTEE

1. At its twenty-second and twenty-third sessions, the Executive Body elected the following members to the Implementation Committee: Mr. Atle Fretheim (Norway); Mr. Helmut Hojesky (Austria); Mr. Volkert Keizer (Netherlands); Mr. Denis Langlois (Canada); Ms. Melanija Lešnjak (Slovenia); Mr. Christian Lindemann (Germany); Mr. Christos Malikkides (Cyprus); Mr. Stephan Michel (Switzerland); and Ms. Sonja Vidič (Croatia).
2. Notwithstanding paragraph 1 of the Terms of Reference of the Implementation Committee as set out in the annex to Decision 1997/2, the Committee noted that the Executive Body, at its twenty-third session, had elected Mr. Stephan Michel as Chair of the Committee. Mr. Michel chaired the meeting
3. The Implementation Committee held two meetings in 2006. Its seventeenth meeting took place in Vienna on 5–7 April, and its eighteenth meeting in Oslo on 24–26 July. Ms. Albena Karadjova participated on behalf of the secretariat in both meetings.
4. This document contains chapter I of the report. Chapter II is contained in ECE/EB.AIR/2006/3/Add.1, and chapters III–VII are contained in ECE/EB.AIR/2006/3/Add.2.

I. SUBMISSIONS AND REFERRALS CONCERNING COMPLIANCE BY PARTIES WITH THEIR PROTOCOL OBLIGATIONS

A. Follow-up to Executive Body decisions 2004/5, 2005/2, 4, 6 and 7

5. Based on recommendations made by the Implementation Committee in its eighth report (ECE/EB.AIR/2005/3 and Add.1 and Add.2), the Executive Body at its twenty-third session adopted decisions concerning compliance by Greece, Norway, Slovenia and Spain. In addition, on the recommendation of the Implementation Committee, the Executive Body closed the referral regarding Ireland and the submission by Italy. As requested by the Executive Body, the secretariat sent letters to the Ministries of Foreign Affairs of the Parties concerned informing them about the decisions.

1. Follow-up to decision 2004/5 on compliance by Slovenia with the 1994 Protocol on Sulphur¹ (ref. 1/00)

Background

6. In its decision 2004/5, the Executive Body noted that Slovenia was not in compliance with article 2.5(b) of the 1994 Protocol on Sulphur as of 1 July 2004, and it requested Slovenia to inform the Committee of its progress towards achieving compliance, if possible before the Committee's sixteenth meeting, and in any event in time for its seventeenth meeting. Slovenia's Minister of the Environment and Spatial Planning sent a letter on 24 June 2005 informing the Committee about Slovenia's progress. The Committee considered the information provided and invited the secretariat to request Slovenia to inform the Committee further of its progress towards achieving compliance with article 2.5(b), in time for its seventeenth meeting. Slovenia sent a letter on 3 April 2006 in response to this request. The response had been circulated to the Committee.

Consideration

7. The Committee was grateful to Slovenia for its letter of 3 April 2006. It carefully considered the information provided in it. The Committee noted with appreciation the completion of the installation of the desulphurization equipment in Unit 2 of the Trbovlje thermal power plant in September 2005 and the start of the equipment's operation in October 2005. Since then, continuous measurements of emissions had indicated that, when indigenous

¹ 1994 Protocol on Further Reduction of Sulphur Emissions.

coal was burned, emission concentrations of sulphur dioxide were between 400 and 700 mg/Nm³. The Committee noted that the emission concentrations measured at the Trbovlje plant were well below the emission limit values set forth in annex V of the 1994 Protocol on Sulphur and that therefore there was no reason for the Committee to continue to review compliance by Slovenia with its obligation under article 2.5(b) of the Protocol.

Recommendation to the Executive Body

8. Based on the above consideration, the Implementation Committee recommends to the Executive Body that it adopt the following decision:

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);

(a) Recalls its decision 2004/5, in which it urged Slovenia to fulfil its obligation under article 2.5(b) of the 1994 Protocol on Sulphur;

(b) Notes the report provided by the Implementation Committee (EB.AIR/2006/3, paras. 7 and 8) concerning Slovenia's compliance with article 2.5(b) of the 1994 Protocol on Sulphur, and in particular the Committee's conclusion that it was apparent from the information provided by Slovenia about the installation of the desulphurization equipment and the actual emissions from the Trbovlje Power Plant that Slovenia had achieved compliance with its obligation under article 2.5(b) of the Protocol in October 2005;

(c) Decides that there is no longer any reason for the Implementation Committee to continue to review Slovenia's compliance with its obligation under article 2.5(b) of the 1994 Protocol on Sulphur as initiated by Slovenia's self-submission in 2000.

2. Follow-up to decision 2005/2 on compliance by Norway with the 1991 Protocol on VOCs² (ref. 1/01)

Background

9. In its decision 2005/2, the Executive Body requested the Committee to review Norway's

² Protocol Concerning the Control of Emissions of Volatile Organic Compounds or Their Transboundary Fluxes.

progress and timetable for compliance with article 2.2(b) of the 1991 Protocol on VOCs. The secretariat informed the Committee that it had sent a letter on 3 February 2006 to Norway's Minister of Foreign Affairs, drawing her attention to the decision. It had received a written submission from Norway on 30 March 2006 in response to the decision, as well as an update to it on 22 June 2006, containing preliminary emission data for 2005 and updated emission projections. The response and its update had been circulated to the Committee.

Consideration

10. Aware of Decision 1997/2, annex, paragraph 10, the Committee proceeded with the review of Norway's progress and timetable as instructed by the Executive Body in its decision 2005/2. The Committee was grateful to Norway for its written submissions and carefully considered the information provided.

11. The Committee noted the steady decline in Norway's emissions and recognized that Norway was pursuing significant efforts to arrive at compliance. However, the emission data for 2004 showed that Norway was still in non-compliance with its obligation under the Protocol both for its national territory and for its tropospheric ozone management area (TOMA). At the same time, preliminary emission data for 2005 seemed to confirm Norway's earlier expectation that it would achieve compliance for its national territory in 2005. According to the latest emission projections, Norway would achieve compliance for its TOMA in 2006, as it had indicated earlier.

Recommendation to the Executive Body

12. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

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);

(a) Recalls its decisions 2001/1, 2002/2, 2003/1, 2004/6 and 2005/2;

(b) Notes the report provided by the Implementation Committee on the progress made by Norway, based on the information provided by Norway on 30 March and 22 June 2006 (ECE/EB.AIR/2006/3, paras. 10–12), and in particular its conclusion that Norway remained in non-compliance with the emission reduction obligation of the 1991 Protocol Concerning the

Control of Emissions of Volatile Organic Compounds or Their Transboundary Fluxes;

(c) Welcomes the significant national measures that have been taken by Norway to reduce its VOC emissions;

(d) Also welcomes the fact that Norway's final data for 2003 and 2004 confirm a downward trend in its total national emissions and its tropospheric ozone management area (TOMA) emissions, and that, according to preliminary data for 2005, Norway appears to be in compliance with its obligation to ensure that its total national annual emissions do not exceed its 1988 levels, as required by article 2.2(b) of the Protocol;

(e) Remains concerned, however, by Norway's continuing failure to fulfil its obligation to take effective measures to reduce its annual emissions within the TOMA specified under annex I by at least 30 per cent by the year 1999, using 1989 as its base year, as required by article 2.2(b) of the Protocol;

(f) Expresses its disappointment that, notwithstanding Executive Body decision 2005/2, Norway has not endeavoured to shorten the seven years it had anticipated remaining in non-compliance;

(g) Strongly urges Norway to ensure that it lives up to its expectation to achieve compliance with its obligation to reduce its annual emissions within the TOMA as from 2006;

(h) Calls on Norway to provide the Implementation Committee, through the secretariat, by 31 March 2007, with information on the progress that it has made towards achieving compliance with these two obligations; and

(i) Requests the Implementation Committee to review Norway's progress and timetable, and report to it thereon at its twenty-fifth session.

3. Follow-up to decision 2005/4 on compliance by Greece with the 1988 Protocol on Nitrogen Oxides³ (ref. 2/02)

Background

13. In its decision 2005/4, the Executive Body requested the Committee to review Greece's progress and timetable for compliance with article 2.1 of the 1988 Protocol on Nitrogen Oxides.

³ 1988 Protocol Concerning the Control of Nitrogen Oxides or Their Transboundary Fluxes.

The secretariat sent a letter to Greece's Ambassador in Geneva on 3 February 2006, drawing his attention to the decision and requesting him to forward it appropriately for action. Having received no response by 31 March 2006, the secretariat, at the request of the Committee, sent another letter on 2 June 2006, informing Greece about the deliberations at the seventeenth meeting of the Committee and transmitting the request to provide the necessary information in time for the Committee's eighteenth meeting in July 2006, including recalculated data for NOx emissions for the base year. Greece did not reply to these requests.

Consideration

14. The Committee was very concerned at Greece's repeated failure to respond to the requests articulated in the Executive Body decision and to the further letters sent by the secretariat.

15. The Committee concluded that, since the requested information had not been received in time for its eighteenth meeting, the requirements of paragraph 6 of decision 2005/4 were not fulfilled. It therefore requested the secretariat to remind Greece to make a presentation at the twenty-fourth session of the Executive Body in accordance with paragraph 8 of that decision.

16. The Committee noted that Greece had officially reported recalculated emission data for historical years, but obviously not for the base year.

Recommendation to the Executive Body

17. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

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),

(a) Recalls its decisions 2002/6, 2003/5, 2004/7 and 2005/4;

(b) Notes the report of the Implementation Committee on the progress made by Greece (ECE/EB.AIR/2006/3, paras. 14–17), in particular its conclusion that Greece has failed to respond to the requirements of decision 2005/4;

(c) Expresses its disappointment at the continuing failure of Greece to fulfil its obligation to take and implement effective measures to control and/or reduce its national annual

emissions so that these do not exceed its emissions in 1987;

(d) Notes with concern that Greece has not provided the Implementation Committee with the information requested in paragraph 6 of decision 2005/4;

(e) Expresses its deep concern that Greece has repeatedly failed to respond and to provide the information requested by decisions of the Executive Body and by the Implementation Committee through the secretariat, and is thereby hindering the Executive Body and the Implementation Committee in performing their work to review compliance with the Protocol;

(f) Once again strongly urges to Greece to fulfil its obligation under article 2.1 of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligations;

(g) Reiterates its requests to Greece as articulated in paragraphs 6 and 8 of its decision 2005/4;

(h) Reminds Greece, that, when revising historical data, the country is required to also revise its base year data in a consistent way.

4. **Follow-up to decision 2004/9 on compliance by Spain with the 1988 Protocol on Nitrogen Oxides (ref. 4/02)**

Background

18. In its decision 2005/6, the Executive Body requested the Committee to review Spain's progress in achieving compliance. The secretariat informed the Committee that it had sent a letter on 3 February 2006 to Spain's Minister of Foreign Affairs, drawing his attention to the decision. It had received a written progress report from Spain dated 9 March 2006 in response to the decision. The secretariat had further written to Spain on 2 June 2006, asking it to complete the information contained in the progress report and to provide clarification regarding questions raised by the Committee. The secretariat had received a response on 14 July 2006. Both responses had been circulated to the Committee.

Consideration

19. The Committee was grateful to Spain for its response and carefully considered the information contained in its report. The Committee took note of the indication by Spain that it expected to be in compliance by 2007, depending on the fulfilment of certain conditions. The

report did not, however, provide enough information on the implementation of measures to support this expectation, for example, in the transport sector. In addition, Spain had failed to provide recalculated emission data for the base year as requested by the Executive Body in its decision 2005/6.

20. Concerning the timetable for achieving compliance, requested in decision 2005/6, Spain referred to the document submitted in March 2005. The Committee noted that the emissions projections should be revised using the most recent activity data, and a new, more detailed timetable should be established.

21. The Committee also observed differences between the text of the original presentation as distributed at the twenty-second session of the Executive Body and the text attached in annex I to the progress report of 9 March 2006. In particular, many of the measures indicated in the presentation were missing in that annex.

22. In its letter dated 14 July 2006, Spain informed the Committee that, following the recommendations of the Committee, it was currently involved in an in-depth review of its NO_x and VOC emission data as well as the policies and measures involved in the projections. Thus at this stage Spain could not offer any new information in this respect. The Committee concluded that the information submitted by Spain was not sufficient to satisfy the requirements under paragraph 5 of decision 2005/6. It therefore requested the secretariat to remind Spain to make a presentation at the twenty-fourth session of the Executive Body in accordance with paragraph 7 of that decision.

Recommendation to the Executive Body

23. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

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),

(a) Recalls its decisions 2002/8, 2003/7, 2004/9 and 2005/6;

(b) Notes the report provided by the Implementation Committee on the progress made by Spain, based on the information provided by Spain on 2 March and 14 July 2006 (ECE/EB.AIR/2006/3, paras. 19–23), and in particular its conclusion regarding the failure of

Spain to provide the information requested in paragraph 5 of decision 2005/6;

(c) Expresses its disappointment at the continuing failure of Spain to fulfil its obligation to adopt and implement effective measures to control and/or reduce its national annual emissions so that these do not exceed its emissions in 1987;

(d) Notes with concern that Spain has not provided the Implementation Committee with the information requested in paragraph 5 of decision 2005/6;

(e) Expresses its deep concern that Spain has repeatedly failed to provide the information requested by decisions of the Executive Body and by the Implementation Committee through the secretariat, and is thereby hindering the Executive Body and the Implementation Committee in performing their work to review compliance with the Protocol;

(f) Strongly urges Spain to fulfil its obligation under article 2.1 of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligation;

(g) Reiterates its requests to Spain as articulated in paragraphs 5, 6 and 7 of its decision 2005/6.

5. Follow-up to Executive Body decision 2004/10 on compliance by Spain with the 1991 Protocol on VOCs (ref. 6/02)

Background

24. In its decision 2005/7, the Executive Body requested the Committee to review Spain's progress and timetable for achieving compliance with article 2.2(a) of the 1991 Protocol on VOCs. The secretariat informed the Committee that it had sent a letter on 3 February 2006 to Spain's Minister of Foreign Affairs, drawing his attention to the decision. It had received a written submission from Spain dated 9 March 2006 in response to the decision. The secretariat had further written to Spain on 2 June 2006 asking it to complete the information contained in the progress report and to provide clarification on questions raised by the Committee. It had received a response on 14 July 2006. Both responses had been circulated to the Committee.

Consideration

25. Aware of Decision 1997/2, annex, paragraph 10, the Committee proceeded with the review of Spain's progress and timetable as instructed by the Executive Body in its decision

2005/7. The Committee was grateful to Spain for its response and carefully considered the information contained in its report.

26. The Committee noted that the information contained in the report by Spain was largely similar to the information provided on compliance with the 1988 Protocol on Nitrogen Oxides. Spain provided the same clarification as in paragraph 22 above. The Committee concluded that the information submitted by Spain was not sufficient to satisfy the requirements under paragraph 5 of decision 2005/7.

Recommendation to the Executive Body

27. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

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),

- (a) Recalls its decisions 2003/8, 2004/10 and 2005/7;
- (b) Notes the report of the Implementation Committee on the progress made by Spain, based on the information provided by Spain on 2 March and 14 July 2006 (ECE/EB.AIR/2006/3, paras. 25–27), and in particular its conclusion regarding the failure of Spain to provide the information requested in paragraph 5 of decision 2005/7;
- (c) Continues to be strongly concerned by Spain's failure to fulfil its obligation to adopt and implement effective measures to reduce its national annual emissions by at least 30 per cent by the year 1999, using 1988 as its base year;
- (d) Expresses its deep concern that Spain has repeatedly failed to provide the information requested by decisions of the Executive Body and by the Implementation Committee through the secretariat, and is thereby hindering the Executive Body and the Implementation Committee in performing their work to review compliance with the Protocol;
- (e) Continues to urge Spain to fulfil its obligation under article 2.2(a) of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligation;

(f) Requests Spain to provide to the Implementation Committee, through the secretariat, by 31 March 2007 and by 31 March of each subsequent year until compliance is achieved, a report describing the progress it has made towards achieving compliance. The report should set out a timetable that specifies the year by which Spain expects to be in compliance, lists the specific measures taken or scheduled to be taken to fulfil its emission reduction obligation under the Protocol on VOCs, and sets out the projected effects of each of these measures on its VOC emissions up to and including the year of predicted compliance;

(g) Requests Spain, when revising its historical data, to also revise its base year data in a consistent way;

(h) Calls on Spain, until such time as it achieves compliance, to make a presentation containing the information referred to in paragraph (f) to the next annual session of the Executive Body, in any year in which it fails to provide that information to the Implementation Committee, in time for the Implementation Committee's second meeting of the year;

(i) Requests the Implementation Committee to review Spain's progress and timetable, and to report to the Executive Body thereon at its twenty-fifth session and subsequent annual sessions until Spain has reached compliance.

B. Referrals by the secretariat

1. Referral by the secretariat concerning Denmark's compliance with the 1998 Protocol on Persistent Organic Pollutants (ref. 6/02)

Background

28. Acting under paragraph 5 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), the secretariat made a referral to the Implementation Committee concerning Denmark's compliance with article 3.5(a) of the 1998 Protocol on Persistent Organic Pollutants (POPs). The Protocol entered into force for Denmark on 23 October 2003. According to the latest official submission of emission data that the secretariat had received from Denmark (on 15 February 2006), emissions of polycyclic aromatic hydrocarbons (PAHs) in Denmark in 2004 were 11.6 Mg, which is above the 7 Mg that was reported as the country's emissions for the reference year 1990. The reported emission levels of PAHs for 1990, 2003 and 2004 are as follows:

1990	2003	2004
7 Mg	11 Mg	11.6 Mg

This information suggested that Denmark was in non-compliance with its obligation under article 3.5(a) of the 1998 Protocol on POPs.

29. The secretariat had informed Denmark, in a letter addressed to its head of delegation to the Executive Body and dated 28 November 2005, about its intention to refer the issue to the Implementation Committee unless Denmark could provide the secretariat with information to resolve the issue by showing that it was in fact in compliance with the 1998 Protocol on POPs. The secretariat had invited Denmark to submit such information by 28 February 2006, and it had received a response on 7 March 2006. In a letter of 13 March 2006, the secretariat had informed Denmark about the referral of its case, indicating that the issue would be on the agenda of the seventeenth meeting of the Implementation Committee. A representative of Denmark (Mr. Ulrik Torp) participated in the consideration by the Committee, in accordance with paragraph 8 of the Committee's Terms of Reference. The secretariat further wrote to Denmark on 2 June requesting clarification on questions raised by the Committee. It received a response on 3 July 2006. Both responses provided by Denmark had been circulated to the Committee.

Consideration

30. The Committee was grateful to Denmark for the information provided. It carefully considered the secretariat's referral, as well as the information provided by Denmark. It noted that increased emissions of PAHs were mostly due to increased burning of wood and use of old wood-burning stoves. The Danish representative informed the Committee about the draft order of the Danish Ministry of Environment the goal of which was to improve the overall environmental performance of new residential solid-fuel-burning appliances, and the additional measures envisaged by the Government of Denmark to address the issue of increased PAH emissions, including a large-scale information campaign. It also noted that the Danish authorities were investigating the possibility of accelerating the modernization of the stock of residential solid-fuel-burning appliances. The Committee concluded that Denmark was in non-compliance with its obligation under the Protocol on POPs. It expressed regret at the fact that Denmark was not able, at this stage, to provide the Committee with a timetable indicating when Denmark expected to achieve compliance.

Recommendation to the Executive Body

31. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

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);

(a) Notes the report provided by the Implementation Committee (ECE/EB.AIR/2006/3, paras. 29–31) concerning Denmark's compliance with article 3.5(a) of the 1998 Protocol on Persistent Organic Pollutants following the referral by the secretariat pursuant to paragraph 5 of the structure and functions of the Implementation Committee, and in particular the Committee's conclusion regarding Denmark's failure to comply with the emission reduction obligation of the Protocol with regard to polycyclic aromatic hydrocarbons (PAHs);

(b) Expresses its concern at the failure by Denmark to fulfil its obligation to take effective measures to reduce the emissions of each of the substances listed in annex III of the Protocol from their level in 1990, as required by article 3.5(a) of the Protocol;

(c) Notes with concern that Denmark has not indicated when it will achieve compliance;

(d) Urges Denmark to fulfil its obligation under the Protocol on POPs as soon as possible;

(e) Calls on Denmark to provide the Implementation Committee, through the secretariat, by 31 March 2007, with a report describing the progress made towards compliance and setting out a timetable that specifies the year by which Denmark expects to be in compliance, lists the specific measures taken or scheduled to fulfil its emission reduction obligations under the Protocol on POPs, and sets out the projected quantitative effects of each of these measures on its PAH emissions up to and including the year of compliance; and

(f) Requests the Implementation Committee to review Denmark's progress and timetable, and report to the Executive Body thereon at its twenty-fifth session.

2. Referral by the secretariat concerning Iceland's compliance with the 1998 Protocol on POPs (ref. 6/02)

Background

32. Acting under paragraph 5 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), the secretariat made a referral to the Implementation Committee concerning Iceland's compliance with article 3.5(a) of the 1998 Protocol on POPs. The Protocol entered into force for Iceland on 23 October 2003. According to the latest submission of emission data that the secretariat had received from Iceland on 10 March 2006, emissions of PAHs in Iceland in 2003 were 0.193 Mg, which is above the 0.087 Mg reported as its emissions for the reference year 1990. Iceland had not submitted emission data for 2004.

33. The secretariat had informed Iceland in a letter addressed to its head of delegation to the Executive Body dated 28 November 2005 about its intention to refer the issue to the Implementation Committee unless Iceland could provide the secretariat with information to resolve the issue by showing that it was in compliance with the 1998 Protocol on POPs. The secretariat invited Iceland to submit such information by 28 February 2006. Iceland replied on 7 March 2006, explaining the reasons for the increase in emissions of PAHs. In a letter of 13 March 2006, the secretariat informed Iceland about the referral of its case, indicating that the issue would be on the agenda of the seventeenth meeting of the Implementation Committee. The secretariat further wrote to Iceland on 2 June, requesting additional information on questions raised by the Committee. Iceland replied on 10 July. Both responses had been circulated to the Committee. In addition, a representative of Iceland (Ms. Sigurbjörg Gísladóttir) had participated in the consideration by the Committee at its eighteenth meeting, in accordance with paragraph 8 of the Committee's Terms of Reference.

Consideration

34. The Committee was grateful to Iceland for the information provided. It carefully considered the secretariat's referral, as well as the information provided by Iceland. It noted that increased emissions of PAHs were due to increased production of non-ferrous metals, contributing 89 per cent of Iceland's total PAH emissions in 2003. Since a further increase in production capacity was planned for the future, Iceland did not expect to return to the emission level of its base year. The Committee also noted the statement by Iceland that its existing as well as newly planned aluminium production installations operated and would operate based on the best available techniques mentioned in annex V of the Protocol. It was further noted that Iceland applied effective measures to control emissions from mobile sources, taking into consideration annex VII of the Protocol. The Committee therefore concluded that Iceland was applying article 3.5(b) of the Protocol. Thus, Iceland was, pursuant to article 3.7, exempt from its obligations under article 3.5(a) of the Protocol and was not in non-compliance, and, as a result, there was no reason for the Committee to continue to review compliance by Iceland with this provision. The Committee agreed, however, that it was crucial to ensure that Iceland continued to fulfil the requirements for the application of article 3.7 in the future. To assess this, it was important that Iceland comply with its reporting obligations under the Protocol. The Committee therefore requested the secretariat to refer the question of Iceland's compliance back to the Committee if

Iceland did not fulfil its reporting obligations in time.

Recommendation

35. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

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);

(a) Notes the report provided by the Implementation Committee (ECE/EB.AIR/2006/3, paras. 33–35) concerning Iceland's compliance with article 3.5(a) of the 1988 Protocol on Persistent Organic Pollutants following the referral by the secretariat pursuant to paragraph 5 of the structure and functions of the Implementation Committee, and in particular the Committee's conclusion that Iceland is in compliance with article 3.5(a) of the Protocol, based on article 3.7;

(b) Decides that there is no reason for the Implementation Committee to continue to review Iceland's compliance with its obligation under article 3.5(a) of the Protocol as initiated by the secretariat's referral in 2006.