

Decision 2009/7

Compliance by Spain with its obligations under the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes (ref. 4/02)

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2),

1. *Recalls decisions* 2002/8, 2003/7, 2004/9, 2005/6, 2006/6, 2007/4 and 2008/4;
2. *Notes* the report provided by the Implementation Committee on the follow-up to decision 2008/4 on compliance by Spain with its obligations under the Protocol on Nitrogen Oxides, based on the information provided by Spain in March 2009 and the additional information presented during the information gathering mission to Spain carried out in accordance with paragraph 11 of decision 2008/4 in July 2009, (ECE/EB.AIR/2009/3, paras.10–17), and the conclusions drawn from this mission;
3. *Reiterates its increasing 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, and at its continuing non-compliance with the emission reduction obligation under article 2.1 of the Protocol on Nitrogen Oxides since 1994;
4. *Once again 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;
5. *Reiterates* its requests to Spain as articulated in paragraphs 5 and 7 of decision 2005/6 and as reiterated in paragraph 7 of decisions 2006/6 and 2007/4 and in paragraph 8 of decision 2008/4, and in addition requests Spain to complement the progress report as required by paragraph 5 of decision 2005/6 with following information:
 - (a) Progress in the revision of the Spanish national emission inventory and its impact on the national emission totals of Spain;
 - (b) Reviewed emission data and emission projections for the territory covered by the Protocol;
 - (c) Identification of activities or sectors where there is still a techno-economical potential to further reduce emissions, and the identification of obstacles prohibiting the implementation of stronger measures in those activities or sectors, in order to achieve compliance.
6. *Strongly urges* Spain to give significantly more attention than in previous years to drawing up its progress report in accordance with the requirements of paragraph 5 of decision 2005/6 and

paragraph 5 above, in particular to provide the level of detail requested by paragraph 5 of decision 2005/6 and to avoid any inconsistencies in the reported data;

7. *Decides* to caution Spain that stronger measures will be reconsidered by the Executive Body at its twenty-eighth session unless, by the time of its twenty-eighth session, the Implementation Committee is satisfied that significant progress has been made towards bringing Spain into compliance;

8. *Requests* the *Implementation* Committee to review the progress and timetable of Spain, and report to the Executive Body thereon at its twenty-eighth session.
