



Economic and Social Council

Distr.: General
30 September 2013

Original: English

Economic Commission for Europe

Executive Body for the Convention on Long-range Transboundary Air Pollution

Thirty-second session

Geneva, 9–13 December 2013

Item 7 of the provisional agenda

Compliance with protocol obligations

Sixteenth report of the Implementation Committee

Summary

In accordance with the structure and functions of the Implementation Committee under the Convention on Long-range Transboundary Air Pollution, the Committee shall report at least once a year on its activities to the Executive Body for the Convention and make such recommendations as it considers appropriate, taking into account the circumstances of the matter, regarding compliance with the Convention's protocols (ECE/EB.AIR/113/Add.1, decision 2012/25, annex, para. 9).

The sixteenth report of the Implementation Committee contains information on the Committee's activities in 2013, in particular a summary of the work carried out at its thirty-first and thirty-second sessions (Paris, 22–24 May 2013, and Geneva, 9–11 September 2013, respectively).

Contents

| | <i>Paragraphs</i> | <i>Page</i> |
|---|-------------------|-------------|
| I. Introduction | 1–2 | 3 |
| II. Compliance with emission reduction obligations..... | 3–49 | 3 |
| A. Inventory adjustment procedure under the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone | 4–29 | 3 |
| B. Referrals dismissed by the Implementation Committee | 30–49 | 8 |
| III. Compliance with reporting obligations | 50–62 | 11 |
| A. Follow-up to Executive Body decisions 2012/20, 2012/22 and 2012/23 and 2012/24 on emission reporting..... | 52–62 | 12 |
| B. New referrals and compliance with emission data reporting obligations by Protocol..... | 63–90 | 14 |
| C. Compliance with obligations to report on strategies and policies for air pollution abatement | 91–96 | 19 |
| D. Recommendations to the Executive Body | 97 | 20 |
| IV. Review of reporting under the Protocol on Persistent Organic Pollutants | 98–102 | 20 |
| V. Draft revised 2014–2015 workplan for the implementation of the Convention..... | 103 | 21 |
| VI. Improving the compliance mechanism..... | 104–111 | 21 |
| A. Information paper on compliance | 104 | 21 |
| B. Reference documents | 105 | 22 |
| C. Systemic and other barriers to achieving compliance..... | 106–111 | 22 |
| Annex | | |
| Inventory adjustment procedure decision tree..... | | 23 |

I. Introduction

1. At its twenty-eighth, twenty-ninth and thirty-first sessions (Geneva, 13–17 December 2010, 12–16 December 2011 and 11–13 December 2012, respectively) the Executive Body for the Convention on Long-range Transboundary Air Pollution elected the following members to the Convention's Implementation Committee: Mr. Manfred Ritter (Austria); Mr. Emmanuel Fiani (France); Mr. Marcus Schroeder (Germany); Ms. Alice Gaustad (Norway); Mr. David Poderoso (Spain); Mrs. Clare Hamilton (United Kingdom of Great Britain and Northern Ireland) (Chair); and Mr. David Buchholz (United States of America). At its thirty-first session, the Executive Body decided that the terms of Mr. Peter Meulepas (Belgium) and Mr. Ivan Angelov (Bulgaria) should be prolonged for one year. Ms. Leen Chanet (Belgium) replaced Mr. Meulepas (Belgium) before the thirty-second session of the Implementation Committee.

2. The Implementation Committee held two sessions in 2013. Its thirty-first session was held from 22 to 24 May in Paris, and its thirty-second session was held from 9 to 11 September in Geneva. The Convention secretariat serviced both meetings.

II. Compliance with emission reduction obligations

3. The majority of the information regarding compliance by Parties with their Protocol emission reduction obligations is contained in document ECE/EB.AIR/2013/4, including information on the follow-up to previous Executive Body decisions, the consideration by the Implementation Committee of referrals by the secretariat which resulted in a recommendation to the Executive Body and the consideration of referrals which continue to be reviewed by the Committee. Listed below are the Committee's considerations of referrals which either resulted in a suspension due to the Party's expression of intent to make use of the inventory adjustment procedure under the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol), or a decision by the Committee that the matter had been resolved and did not therefore warrant a recommendation to the Executive Body. Background information on the correspondence with Parties in non-compliance is presented in informal document No. 2.

A. Inventory adjustment procedure under the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone

4. At its thirty-first session, the Committee discussed the new referrals concerning the Gothenburg Protocol and in this context also discussed the inventory adjustment procedure provided for in Executive Body decisions 2012/3 and 2012/12 and provisionally applied to the Gothenburg Protocol by decision 2012/4. The secretariat informed the Committee that so far it had not received a notification from any Party in accordance with paragraph 1 of the annex to decision 2012/12 (see ECE/EB.AIR/113/Add.1).

5. The Committee noted that its role in the inventory adjustment procedure was limited to suspending action on any referrals from the secretariat related to a Party's compliance, in accordance with paragraph 9 of decision 2012/3 (see ECE/EB.AIR/111/Add.1). It discussed the interpretation of that paragraph, which states that: "The Implementation Committee will suspend action on any referrals from the secretariat related to a Party's compliance with its emission reduction commitments where a Party has provided *notification of its intent to apply an adjustment in accordance with paragraph 2*".

6. The Committee considered that “notification of its intent to apply an adjustment in accordance with paragraph 2” could be interpreted in two different ways:

(a) As a notification by a Party to the secretariat of an adjustment to its inventory when it submits its annual emission data to the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) (decision 2012/3, para. 2), further specified with regard to timing by paragraph 1 of the annex to decision 2012/12 to “notify the Convention secretariat through the Executive Secretary by 15 February at the latest, when submitting its full national inventory”;

(b) As a notification of the “intent” to engage in the process described above.

7. The Committee decided to apply the second interpretation in the light of the spirit of the negotiations on decision 2012/3, in which Parties proposed the inclusion of the word “intent” with regard to adjustments to inventories and were mindful of the resources spent by the Committee on considering cases in respect of Parties that were likely to use the inventory adjustment procedure.

8. The Committee discussed how to apply this interpretation with respect to the cases before it and the various ways in which Parties had indicated a potential future use of the inventory adjustment procedure. The Committee requested the secretariat, in responding to Parties that made reference to the inventory adjustment procedure, to:

(a) Indicate that the Committee noted that the Party in question had mentioned the inventory adjustment procedure set out in decisions 2012/3, 2012/4 and 2012/12;

(b) Indicate that the Committee would suspend action on any referrals from the secretariat related to a Party’s compliance with its emission reduction commitments only where a Party had provided notification of its intent to apply an adjustment.

9. The Committee decided that the inventory adjustment procedure would not be mentioned in its correspondence with Parties which had not explicitly made reference to it, since it was not the Committee’s role to promote use of the procedure.

10. The Committee discussed the process for the suspension of its consideration of cases concerning Parties having notified the secretariat of their intention to invoke the inventory adjustment procedure. It decided to follow the procedure set out in the decision tree annexed to this report. This would allow Parties until the next emission reporting deadline (15 February 2014) to notify the secretariat of the adjustment, as set out in paragraph 1 of the annex to decision 2012/12. Any case in which an adjustment was notified would be suspended until the adjustment was assessed by the EMEP Steering Body.

11. On this basis, with due account taken of information received from the Parties concerned, the Committee suspended consideration of the following referrals by the secretariat concerning compliance by Parties with their obligations under the Gothenburg Protocol: Belgium (ref. 1/13 nitrogen oxides (NO_x)),¹ France (ref. 7/13 (NO_x)); Germany (ref. 8/13 volatile organic compounds (VOC)), ref. 9/13 (NO_x); Spain (ref. 20/13 (NO_x)). Further information on the background to the considerations is set out below.

¹ Ref. stands for reference number. Referrals concerning compliance by Parties with their emission reduction obligations are referenced by the secretariat in parentheses by a set of figures and the type of emissions concerned. The first figure indicates the order in which the referral was made and the second the year in which the referral was made (i.e., ref. 1/13 (NO_x) indicates that this was the first such referral by the secretariat to the Implementation Committee in 2013, and that the subject is NO_x emissions).

Referral by the secretariat concerning compliance by Belgium with the 1999 Gothenburg Protocol (ref. 1/13 (NO_x))*Background*

12. At its thirty-first session, the Committee considered the secretariat's referral concerning Belgium's compliance with the Gothenburg Protocol. According to the emission data reported by Belgium in its 2012 submission, emissions of NO_x in Belgium in 2010 were 220.7 kilotons, which was above Belgium's ceiling of 181 kilotons, an exceedance of 22 per cent. Reported emissions for 2011 in the 2013 submission were 210.1 kilotons, still 16 per cent above the ceiling. Belgium therefore appeared to be in non-compliance with its obligations under article 3, paragraph 1, of the Gothenburg Protocol.

13. The secretariat had informed Belgium of its intention to refer the issue to the Committee and of the opportunity to provide a response, which Belgium had done. In a subsequent letter, the secretariat informed Belgium about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee. Following the meeting, the secretariat requested Belgium to provide additional information which it did.

Considerations

14. In its response to a letter from the secretariat, Belgium indicated that its non-compliance had been entirely related to the transport sector. The high reported NO_x emissions for mobile sources had been mainly the result of the non-delivery of the European Union emission standards (Euro standards) in the diesel road sector and improvements to the emission inventory for the off-road sector. Belgium was considering the possibility of making use of the inventory adjustment procedure adopted by the Executive Body in 2012 with respect to the significantly changed emission factors for diesel vehicles and the new inventoried sub-categories for off-road vehicles.

15. The Committee considered the information provided by Belgium and concluded that there was no additional information that it required in order to make a recommendation to the Executive Body regarding Belgium's compliance. The Committee had therefore requested the secretariat to write to Belgium:

- (a) Thanking it for the comprehensive information provided;
- (b) Indicating that preliminary consideration of that information would suggest a recommendation of non-compliance;
- (c) Inviting Belgium to provide, by 1 August 2013 any additional information it would like the Committee to consider in formulating its recommendation to the Executive Body;
- (d) Indicating that the Committee had noted that Belgium had mentioned the inventory adjustment procedure set out in decisions 2012/3, 2012/4 and 2012/12;
- (e) Indicating that the Committee would suspend action on referrals from the secretariat related to a Party's compliance with its emission reduction commitments only where that Party had provided notification of its intent to apply an adjustment.

16. Belgium indicated in its response to the Committee that it intended to make use of the inventory adjustment procedure. On that basis, the Committee suspended its consideration of the referral.

Referral by the secretariat concerning compliance by France with the Gothenburg Protocol (ref. 7/13 (NO_x))*Background*

17. At its thirty-first session, the Committee considered the secretariat's referral concerning compliance by France with its obligations under the Gothenburg Protocol. According to the emission data reported by France in 2012, emissions of NO_x in France in 2010 were 1,080.29 kilotons, which was above France's ceiling of 860 kilotons, an exceedance of 26 per cent. Reported emissions for 2011 were 1,005.5 kilotons, still 16.9 per cent above the ceiling. That information suggested that France was in non-compliance with its obligations under article 3, paragraph 1, of the Gothenburg Protocol.

18. The secretariat had informed France of its intention to refer the issue to the Committee and of the opportunity to provide a response, which France had done. The secretariat subsequently informed France about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee.

Considerations

19. In response to a letter from the secretariat, France indicated that its emission inventories were based on a methodology that was constantly being improved. Consequently, the methodology had changed significantly since the emission ceilings for the Gothenburg Protocol were set. The main modifications related to methodological changes from COPERT III to COPERT 4 for road transport and off-road mobile machinery, for which the revision of the emission factors for diesel vehicles had resulted in an increase; and the modification of the proportion of fuels consumed in off-road mobile machinery, buildings and agriculture. France therefore intended to make use of the inventory adjustment procedure. On that basis, the Committee suspended its consideration of the referral.

Referral by the secretariat concerning compliance by Germany with the 1999 Gothenburg Protocol (ref. 8/13 (VOC), ref. 9/13 (NO_x))*Background*

20. The Committee considered the secretariat's referral concerning Germany's compliance with the Gothenburg Protocol regarding emissions of VOCs and NO_x. According to the 2012 submission of emission data there was an exceedance of the 2010 VOCs emission ceiling by approximately 6 per cent: the indicated ceiling being 995 kilotons, while the reported emissions in 2010 amounted to 1,052.96 kilotons. According to the 2012 submission of NO_x emission data there is an exceedance of the 2010 emission ceiling by approximately 22 per cent: the indicated ceiling is 1081 kilotons, while the reported emissions in 2010 amounted to 1322.88 kilotons. Reported emissions for 2011 were 1,292.9 kilotons, still 19.6 per cent above the ceiling. Reported emissions for 2011 were 1,008.1 kilotons, still 1.3 per cent above the ceiling. This information seemed to suggest that Germany was in non-compliance with its obligation under article 3, paragraph 1, of the Gothenburg Protocol.

21. The secretariat had informed Germany of its intention to refer the issues to the Committee and of the opportunity to provide a response, which Germany had done. The secretariat subsequently informed Germany about the referral of its cases, indicating that the issues would be on the agenda of the thirty-first session of the Committee. Following the meeting, the secretariat wrote to Germany with additional questions to which Germany had provided a response.

Considerations

22. Germany indicated that, since its submission in 2012, the German inventory had been updated and consolidated using the latest and best understanding of emissions inventory methodology and that, according to provisional estimates, its annual VOC emission total for 2011 would be below the ceiling, although that was not yet reflected in its officially reported data. Regarding its annual NO_x emissions, Germany indicated that the improvement in inventory methodology had in some cases resulted in an increase of total assessed emissions. Germany indicated that it was not clear whether adjustment of the inventories in line with decisions 2012/3 and 2012/12 would result in it being in compliance with its NO_x ceiling, but the deduction of NO_x emissions from agricultural soils, which were not part of the inventories when the Gothenburg Protocol was agreed in 1999, would result in a reduction of emissions of more than 100 kilotons.

23. The Committee asked the secretariat to write to Germany thanking it for the information provided and inviting it to provide, before 1 August 2013, any additional measures it was envisaging to further reduce its VOC emissions, an update of its officially reported data for 2011 or new projections for VOC emissions for 2012, a list of specific measures taken or scheduled and the projected effects of each of these measures regarding NO_x emissions, a timetable for implementation of any such measures including the year by which Germany expects to be in compliance with its ceiling for NO_x under the Protocol; and in addition:

(a) Indicating that the Committee noted that Germany had mentioned the inventory adjustment procedure set out in decisions 2012/3, 2012/4 and 2012/12;

(b) Indicating that the Committee would suspend action on referrals from the secretariat related to a Party's compliance with its emission reduction commitments only where a Party had provided notification of its intent to apply an adjustment.

24. Germany indicated in its response to the Committee that it intended to make use of the inventory adjustment procedure. On that basis, the Committee suspended its consideration of the referrals.

Referral by the secretariat concerning compliance by Spain with the Gothenburg Protocol (ref. 20/13 (NO_x))

Background

25. The Committee considered the secretariat's referral concerning Spain's compliance with the Gothenburg Protocol. Reported emissions of NO_x in Spain for 2010 (890.3 kilotons) were above the applicable 2010 NO_x emission ceiling of 847 kilotons and reported emissions for 2011 were 915.4 kilotons, still above the ceiling. The information suggested that Spain was in non-compliance with its obligation under article 3, paragraph 1, of the Gothenburg Protocol.

26. The secretariat had informed Spain of its intention to refer the issue to the Committee and of the opportunity to provide a response, which Spain had done. The secretariat subsequently informed Spain about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee. Spain submitted further information in advance of the thirty-second session of the Committee.

Considerations

27. In response to a letter from the secretariat, Spain indicated that NO_x emissions had been revised slightly downwards. Spain referred to the possibility of using the inventory adjustment procedure due to the non-delivery of NO_x Euro standards for diesel vehicles.

28. The Committee welcomed the offer from Spain to submit by 4 June 2013 additional information on its adjusted NO_x emission estimates for diesel vehicles in accordance with the Executive Body decisions on the inventory adjustment procedure. It asked the secretariat to write to Spain thanking it for the information provided and inviting it to provide the promised additional information, before 1 August, and in addition:

(a) Indicating that the Committee noted that Spain had mentioned the inventory adjustment procedure set out in Decisions 2012/3 and 2012/4 and 2012/12;

(b) Indicating that the Committee would suspend action on referrals from the secretariat related to a Party's compliance with its emission reduction commitments only where a Party had provided notification of its intent to apply an adjustment.

29. Spain indicated in its response to the Committee that it intended to make use of the inventory adjustment procedure. On this basis, the Committee suspended its consideration of the referral.

B. Referrals dismissed by the Implementation Committee

30. The Committee decided not to further pursue its consideration of the referrals listed below (paras. 31–49) since, by the time of its consideration of the referrals, the Parties concerned had already come back into compliance.

1. Protocol on Persistent Organic Pollutants

Referral by the secretariat concerning compliance by Estonia with the Protocol on POPs (ref. 4/13 (PAH))

Background

31. The Committee considered the secretariat's referral concerning Estonia's compliance with the Protocol on Persistent Organic Pollutants (Protocol on POPs). According to the emission data reported by Estonia in 2012, emissions of polycyclic aromatic hydrocarbon (PAH) in Estonia in 2010 were 16.87 tons, which was above the 14.48 tons reported for the base year 1995. Estonia therefore appeared to be in non-compliance with its obligations under article 3, paragraph 1 of the Gothenburg Protocol.

32. The secretariat had informed Estonia of its intention to refer the issue to the Committee and of the opportunity to provide a response, which Estonia had done. In a subsequent letter, the secretariat informed Estonia about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee.

Considerations

33. According to the latest submission of emission data on PAHs, Estonia's PAH emissions in 2011 were 14.24 tons, which was below the revised emissions of 14.5 tons for the base year 1995. The Committee therefore decided that there was no need for further review of compliance by Estonia with its emission reduction obligation under the Protocol on POPs regarding PAH emissions.

Referral by the secretariat concerning compliance by Lithuania with the Protocol on POPs (ref. 11/13 (PAH))*Background*

34. The Committee considered the secretariat's referral concerning Lithuania's compliance with the Protocol on POPs. According to the emission data that Lithuania reported in 2012, emissions of PAHs in Lithuania in 2010 were 20.57 tons, which was above the 18.15 tons reported for the base year 1990, an exceedance of 13 per cent. Lithuania therefore appeared to be in non-compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs.

35. The secretariat had informed Lithuania of its intention to refer the issue to the Committee and of the opportunity to provide a response, which Lithuania had done. In a subsequent letter, the secretariat informed Lithuania about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee.

Considerations

36. In response to a letter from the secretariat, Lithuania noted that it had updated its inventory for the entire period 1990–2011. Changes had been made regarding activity data (fuel consumption) and emission factors, specifically in the residential sector. Lithuania noted that following these changes it expected to be in compliance with its obligations.

37. According to the latest data submitted by Lithuania, the total PAH emissions in 1990 amounted to 24.1 tons instead of the previously calculated 18.15 tons. The total emissions in 2010 and 2011 constituted respectively 20.31 and 19.9 tons. The decrease stemmed mainly from reduced heat consumption in the commercial/institutional sector. Based on these reported revised data the Committee concluded that there was no need for further review of compliance by Lithuania with its obligations under the Protocol on POPs regarding PAHs.

Referral by the secretariat concerning compliance by Sweden with the Protocol on POPs (ref. 22/13 (HCB))*Background*

38. The Committee considered the secretariat's referral concerning Sweden's compliance with the Protocol on POPs. According to the emission data that Sweden reported in 2012, emissions of hexachlorobenzene (HCB) in Sweden in 2010 were 30.55 grams, which was above the reported base year emissions of 21.03 grams. Sweden therefore appeared to be in non-compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs.

39. The secretariat had informed Sweden of its intention to refer the issue to the Committee. The secretariat subsequently informed Sweden about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee. Sweden submitted additional information in advance of the Committee's thirty-first session.

Considerations

40. Sweden reported that the fuel activity data used for calculating HCB emissions had been overestimated in its 2012 submission and that these activity data had been corrected downwards for the 2013 submission, with consequently lower HCB emissions for the years 2010 and 2011. Reported emissions of HCB for the base year 1990 and the years 2010 and 2011 were therefore: 1990, 22.45 grams; 2010, 18.40 grams; and 2011, 19.73 grams. The 2013 submission of emission data on HCB by Sweden showed that Sweden's HCB

emissions in 2010 and 2011 were below the HCB emissions for the base year 1990. The Committee therefore concluded that there was no need for further review of compliance by Sweden with its HCB obligations under the Protocol on POPs.

2. Protocol on Heavy Metals

Referral by the secretariat concerning compliance by the Netherlands with the Protocol on Heavy Metals (ref. 15/13 (Cd))

Background

41. The Committee considered the secretariat's referral concerning compliance by the Netherlands with the Protocol on Heavy Metals. According to the emission data that the Netherlands reported in 2012, emissions of cadmium in the Netherlands in 2010 were 2.5 tons, which was above the 2.1 tons reported for the base year 1990, an exceedance of 19 per cent. The Netherlands therefore appeared to be in non-compliance with its obligations under article 3, paragraph 1 of the Protocol on Heavy Metals. The Committee noted that the latest emission data reported by the Netherlands showed that emissions of cadmium were 1.1 tons, below the reported emissions for the base year.

42. The secretariat had informed the Netherlands of its intention to refer the issue to the Committee and of the opportunity to provide a response, which the Netherlands had done. In a subsequent letter, the secretariat informed the Netherlands about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee.

Considerations

43. In response to a letter from the secretariat, the Netherlands reported that cadmium levels were exceeded in 2010 due to burning processes in the chemical industry. Operations had been shut down at one plant and the filters at another plant had been changed in 2011. Consequently, cadmium emissions had now decreased significantly and were well below the ceiling according to 2011 data. The Netherlands indicated that projections up to 2020 suggested that that trend would continue. Based on the information from the Netherlands and the most recently reported data, the Committee concluded that there was no need for further review of compliance by the Netherlands with its obligations under the Protocol on Heavy Metals regarding cadmium.

3. Gothenburg Protocol

Referral by the secretariat concerning compliance by the Netherlands with the Gothenburg Protocol (ref. 17/13 (NO_x))

Background

44. The Committee considered the secretariat's referral concerning compliance by the Netherlands with the Gothenburg Protocol. According to the emission data that the Netherlands reported in 2012, emissions of NO_x in the Netherlands in 2010 were 275.86 kilotons, which was above the national ceiling of 266 kilotons, an exceedance of 4 per cent. The Netherlands therefore appeared to be in non-compliance with its obligations under article 3, paragraph 1, of the Gothenburg Protocol. The Committee noted that the latest emission data reported by the Netherlands for the year 2011 showed that emissions of NO_x were 259.4 kilotons, which was below the national ceiling.

45. The secretariat had informed the Netherlands of its intention to refer the issue to the Committee and of the opportunity to provide a response, which the Netherlands had done.

The secretariat subsequently informed the Netherlands about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee.

Considerations

46. Based on the most recently reported data, the Committee concluded that there was no need for further review of compliance by the Netherlands with its obligations under the Gothenburg Protocol regarding NO_x.

Referral by the secretariat concerning compliance by Sweden with the Gothenburg Protocol (ref. 21/13 (NO_x))

Background

47. The Committee considered the secretariat's referral concerning Sweden's compliance with the Gothenburg Protocol. According to the emission data that Sweden reported in 2012, emissions of NO_x in Sweden in 2010 were 160.4 kilotons, which was above Sweden's ceiling of 148 kilotons. Sweden therefore appeared to be in non-compliance with its obligations under article 3, paragraph 1, of the Gothenburg Protocol. The Committee noted, however, that the latest emission data reported by Sweden for 2011 showed that emissions of NO_x were 145.5 kilotons, which was below Sweden's ceiling.

48. The secretariat had informed Sweden of its intention to refer the issue to the Committee and of the opportunity to provide a response, which Sweden had done. In a subsequent letter, the secretariat informed Sweden about the referral of its case, indicating that the issue would be on the agenda of the thirty-first session of the Committee.

Considerations

49. The latest data on NO_x emissions from Sweden showed that Sweden's emissions in 2011 were below the ceiling established in annex II to the Protocol. The Committee therefore concluded that there was no need for further review of compliance by Sweden with its NO_x obligations under the Gothenburg Protocol.

III. Compliance with reporting obligations

50. At its thirty-second session, the Committee considered, in addition to the follow-up to the Executive Body decisions on reporting, referrals by the secretariat concerning reporting obligations. In accordance with the terms of reference for the Implementation Committee, its functions and procedures for review (ECE/EB.AIR/113/Add.1, decision 2012/25, annex), the secretariat reviewed and analysed information received from the Centre on Emission Inventories and Projections regarding Parties' obligations to report annual total emission data, gridded data and projections, on the basis of the reporting obligations stipulated by the respective Protocols and as currently specified by various Executive Body decisions on reporting (decisions 2002/10, 2005/1 and 2008/16), as well as the Guidelines for reporting emission data under the Convention (Guidelines for reporting) (ECE/EB.AIR/97). The Committee welcomed the initiative to make referrals for incomplete reporting and for failure to report, which it considered would facilitate follow-up by the Committee and Parties alike. The relevant referrals have been incorporated into the text on compliance by Parties with reporting obligations by Protocol in section B below.

51. In considering the information provided by the secretariat, the Committee agreed with the interpretation of the secretariat and the Centre on Emission Inventories and

Projections that the provision of notation keys in lieu of national total emissions constituted a case of non-reporting and should be treated accordingly.

A. Follow-up to Executive Body decisions 2012/20, 2012/22 and 2012/23 and 2012/24 on emission reporting

52. In decisions 2012/20, 2012/22 and 2012/23 (see ECE/EB.AIR/113/Add.1), the Executive Body urged Parties that were in non-compliance with their obligations with respect to emission data reporting to provide the missing data. On the basis of information provided by the secretariat, the Committee reviewed the responses of Parties to those decisions. The Committee was able to conclude that the following Parties had provided the missing data, and therefore recommended no further action with respect to those issues:

(a) France, Hungary and the United Kingdom had provided their missing gridded data for 2010 under the 1994 Protocol on Further Reduction of Sulphur Emissions (1994 Protocol on Sulphur), the Protocol on POPs, the Protocol on Heavy Metals and the Gothenburg Protocol;

(b) Italy had provided its missing gridded data for 2010 under the 1994 Protocol on Sulphur and the Protocol on POPs;

(c) Latvia had provided its missing gridded data for 2010 under the Protocol on Heavy Metals and the Protocol on POPs;

(d) Switzerland had provided its missing gridded data for 2010 under the 1994 Protocol on Sulphur, the Protocol on Heavy Metals and the Gothenburg Protocol;

(e) Belgium had provided its missing annual emission data for the base year under the Protocol on Volatile Organic Compounds;

(f) The Czech Republic had provided its missing annual emission data for the base year for HCB under the Protocol on POPs.

53. The Committee decided that it should not review compliance by the former Yugoslav Republic of Macedonia with the 1994 Protocol on Sulphur at this time, as called for in decision 2012/22. Although the country had submitted its instrument of ratification of the Protocol, the Executive Body has not yet approved an adjustment to annex II to the Protocol containing a ceiling for the former Yugoslav Republic of Macedonia in line with the provisions set out in the Protocol's article 11, paragraph 6. Therefore, the former Yugoslav Republic of Macedonia was not a Party to the Protocol and the obligation to report did not apply to it.

54. A number of Parties, however, had not provided the missing data by the time of the Committee's thirty-second session. The status of these issues is reported below, and the Committee recommended further follow-up action be taken, as reflected in the draft decisions contained in document ECE/EB.AIR/2013/5.

55. In its decision 2012/20, the Executive Body strongly urged Luxembourg to provide, as a matter of urgency, its missing gridded data for 2000, 2005 and 2010 under the 1994 Protocol on Sulphur; its missing gridded data for 2005 and 2010 under the Protocol on POPs, the Protocol on Heavy Metals and the Gothenburg Protocol; and its missing annual data for 2008, 2009 and 2010 under the Protocol on Heavy Metals. The secretariat informed the Committee that, as of 4 September 2013, Luxembourg had not provided its annual or gridded data. In its response to the secretariat's letter informing it about decision 2012/20, Luxembourg reported that it was in the process of improving its inventory concerning persistent organic pollutants (POPs) in order to comply with decision 2012/24 and that it would take the necessary measures to comply with its obligations under the Convention as

outlined in decision 2012/20. Luxembourg proposed the following schedule for the provision of the missing data:

(a) Provision of annual data for heavy metals for the years 2008, 2009, 2010 by the end of September 2013;

(b) Provision of gridded data for 2000, 2005, 2010 under the 1994 Protocol on Sulphur, as well as the missing data for 2005 and 2010 under the Protocol on POPs, Heavy Metals and the Gothenburg Protocol, by the end of October 2013.

56. In its decision 2012/22 (para. 8 and 9 (f)), the Executive Body again urged the Republic of Moldova to provide its missing gridded data for 2005 and 2010 under the Protocol on POPs and the Protocol on Heavy Metals. The secretariat informed the Committee that, as of 4 September 2013, the Republic of Moldova had not provided its missing gridded data. The country had indicated a need for assistance in training two experts, including on reporting of gridded emission data. It had furthermore stated that a pilot project would be implemented in the near future with the aim of improving the national inventory system for emission reporting under the Convention. The reasons for the non-provision of gridded data included a lack of access to facilities located in the region of Transnistria, so that national inspectors were unable to obtain data from them, methodological inconsistencies and personnel changes. The Committee decided to bring the Republic of Moldova's request for capacity-building to the attention of the Executive Body to enable Parties to consider the possible provision of assistance on a bilateral basis.

57. In decision 2012/22 (para. 9 (e)), the Executive Body urged Latvia to provide its missing gridded data for 2010 under the Gothenburg Protocol, among others. The secretariat informed the Committee that, as of 4 September 2013, Latvia had not provided its missing gridded data for 2010 under that Protocol. On 15 April 2013, Latvia informed the secretariat that the further elaboration of gridded data was under way, and that it would provide the missing gridded data by 30 November 2013.

58. By the same decision (para. 9 (g)), the Executive Body urged Romania to provide its missing gridded data for 2010 under the Protocol on POPs, the Protocol on Heavy Metals and the Gothenburg Protocol. The secretariat informed the Committee that, as of 4 September 2013, Romania had not provided its missing gridded data, but that it had informed the secretariat on 11 July 2013 that a survey to prepare gridded data was in progress. The provision of gridded data was expected by the end of 2013.

59. Also by the same decision (para. 9 (h)) Switzerland was urged to provide its missing gridded data for 2010 under the Protocol on POPs, among others. The secretariat informed the Committee that Switzerland had provided all its missing gridded data for 2010 by 29 April 2013, with the exception of data for HCB. Switzerland informed the secretariat that the missing gridded data would be provided as part of the next submission in 2014, as it was currently working on the application of new rules for estimating and reporting gridded data.

60. In its decision 2012/23 (para. 8 (a)), the Executive Body urged Albania to provide its missing annual emission data for 2010 and the base year under the 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent (1985 Protocol on Sulphur) and the Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (Protocol on NO_x). The secretariat informed the Committee that, as of 4 September 2013, Albania had not provided its missing annual data for 2010. Albania had indicated a need for technical support and capacity-building activities in order to be able to comply with its Protocol obligations. The Committee decided to bring this request to the attention of the Executive Body to enable Parties to consider possible assistance through the provision of technical support on a bilateral basis. Albania had provided emission data for 1990 in its letter indicating that this

year should be used as the base year for the 1985 Protocol on Sulphur and the Protocol on NO_x. Article 2 of the 1985 Protocol on Sulphur states that Parties shall use 1980 as the base year and article 2, paragraph 1, of the Protocol on NO_x states that Parties wishing to use as a base year any previous year other than 1987 must specify this on signature of, or accession to, the Protocol. Albania had thus not complied with its obligation to provide annual emission data for the base years under these two Protocols. The secretariat had contacted Albania to inform it that, in accordance with the Protocol texts, choosing an alternative base year was not possible unless this was done at the point of signature or accession and that furthermore, for the Protocol on NO_x, it would have been possible to specify as an alternative base year a year prior to 1987.

61. In its decision 2012/23 (para. 8 (c)), the Executive Body urged Croatia to provide its missing annual emission data for the base year under the Protocol on NO_x and the Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes (Protocol on VOCs). Croatia had indicated that it had chosen 1990 as a base year for both Protocols, contrary to the base years stipulated by the Protocols. Article 2, paragraph 1, of the Protocol on NO_x states that Parties wishing to use as a base year any previous year other than 1987 must specify this on signature of, or accession to, the Protocol. Article 2, paragraph 2 (a), of the Protocol on VOCs provides that 1988 levels should be used as a basis “or any other annual level during the period 1984 to 1990, which [the Party] may specify upon signature of or accession to the protocol”. The United Nations Treaty Section had not recorded any such specification made by Croatia at the time of accession to the Protocols. No data had been received from Croatia for the base years 1987 and 1988 for the Protocols on NO_x and VOCs, respectively. The Committee requested the secretariat to write to Croatia to check whether any such specifications had been made regarding the Protocol on VOCs.

62. In its decision 2012/23 (para. 8 (e)), the Executive Body urged the former Yugoslav Republic of Macedonia to provide its missing annual emission data for the base year under the 1985 Protocol on Sulphur, the Protocols on NO_x, VOCs and POPs, and its missing annual data for 2010 under the Protocol on POPs. The secretariat informed the Committee that, as of 4 September 2013, the former Yugoslav Republic of Macedonia had not provided the missing data, but had indicated that emission data under the Protocol on POPs would be submitted during the next reporting round. Regarding the submission of base-year data under the other Protocols, the former Yugoslav Republic of Macedonia said that it needed more time to provide this data, given the country’s accession to these Protocols in 2010. It was aiming to provide the data by the thirty-second session of the Executive Body.

B. New referrals and compliance with emission data reporting obligations by Protocol

63. As requested by the Executive Body in item 1.2 of its workplan for 2012–2013 (ECE/EB.AIR/109/Add.2), the Committee evaluated compliance with the emission data reporting obligations under the seven Protocols in force on the basis of information provided by the secretariat. The evaluation covered the completeness and timeliness of reporting. The information provided by the secretariat is presented in informal document No. 1 and covers data reported up to 4 September 2013. Tables 1–7 included in informal document No. 1 give an overview of the status of emission data reporting under the seven Protocols in force in 2011.

1. 1985 Protocol on Sulphur: compliance with article 4, concerning reporting of annual emissions

64. Table 1 gives an overview of emission data reported by the Parties to the 1985 Protocol on Sulphur and shows that reporting under the Protocol is not yet complete. Emission data for 2011 had been received from 23 of the 25 Parties to which the obligation applied. No data were received from Albania and the Russian Federation. In addition, as noted above, emission data for 2010 for Albania and base year emission data from Albania and the former Yugoslav Republic of Macedonia were still missing.

65. The secretariat referred the issue of non-compliance of Albania (R1/13)² and the Russian Federation (R2/13) with their obligations to report missing 2011 annual emission data to the Committee.

2. Protocol on NO_x: compliance with article 8, concerning emission data reporting

66. Table 2 gives an overview of emission data reported by the Parties to the Protocol on NO_x and shows that reporting under the Protocol is not yet complete. Complete emission data for 2011 had been submitted by 33 of the 35 Parties to which the obligation applied. No 2011 data were received from Albania and the Russian Federation. The secretariat referred this matter to the Committee (R3/13 and R4/13, respectively).

67. Furthermore, as noted above, 2010 emission data for Albania and base year emission data, as called for in decision 2012/23, from Albania, Croatia and the former Yugoslav Republic of Macedonia were still missing.

3. Protocol on VOCs: compliance with article 8, paragraph 1, concerning emission data reporting

68. Table 3 gives an overview of the emission data reported by the Parties to the Protocol on VOCs and shows that reporting of annual total emissions under the Protocol is complete, with complete emission data for 2011 submitted by all Parties. As noted above, however, base year emission data from Croatia and the former Yugoslav Republic of Macedonia were still missing, as called for in decision 2012/23.

4. 1994 Protocol on Sulphur: compliance with article 5, paragraphs 1 (b) and 2, concerning emission data reporting

69. Table 4 gives an overview of the emission data reported by the Parties to the 1994 Protocol on Sulphur. It shows that reporting of annual total emissions is complete under the Protocol. Twenty-three of the 28 Parties to which the obligation applied submitted emission data for 2011 under the Protocol by the legally binding deadline of 15 February 2013. Five Parties — Greece, Hungary, Italy, Luxembourg and Monaco — submitted data for 2011 after the deadline.

70. The Committee noted that one Party outside the geographic scope of EMEP (Canada) had also submitted annual emission data.

71. As noted above, gridded data for Luxembourg for 2000 and 2005 and 2010 were still missing. All other Parties to which the obligation applied have reported such data.

² R stands for a referral concerning compliance by Parties with their reporting obligations. Referrals concerning reporting obligations are referenced by the secretariat in parentheses by a set of figures. The first number indicates the order in which the referral was made, the second the year in which the referral was initiated (i.e., R1/13 indicates that this was the first referral concerning reporting obligations made by the secretariat to the Implementation Committee in 2013).

5. Protocol on Persistent Organic Pollutants: compliance with article 9, paragraph 1 (b), concerning emission data reporting

72. Table 5 gives an overview of the emission data reported by Parties to the Protocol on POPs and shows that reporting under the Protocol is not yet complete. Emission data for 2011 for all three of the reported POPs was submitted by 22 of the 30 Parties to which the reporting obligation applied by the legally binding deadline of 15 February 2013. Three Parties — Hungary, Iceland and Italy — submitted data after the deadline. Liechtenstein, Lithuania, Norway and Switzerland submitted data for dioxins/furans and PAH on time. Liechtenstein and Norway did not submit data on HCB emissions (nor had they submitted such data for the base year or for 2008, 2009, or 2010). Lithuania and Switzerland provided data on HCB emission after deadline following correspondence initiated by the secretariat. No data for the 2011 emissions of the three POPs were received from Luxembourg. The former Yugoslav Republic of Macedonia had not submitted 2011 data for PAH and HCB, but provided data for dioxins/furans on time. Romania had not submitted annual emissions data for the base year. The secretariat referred the non-compliance by Liechtenstein (R5/13), Luxembourg (R6/13), Norway (R7/13), Romania (R8/13) and the former Yugoslav Republic of Macedonia (R9/13) with their reporting obligations under the Protocol on POPs to the Committee.

73. The Committee noted that one Party outside the geographic scope of EMEP (Canada) had also submitted annual emission data for 2011 for all three POPs.

74. Gridded data for the three POPs for 2010 was submitted by 22 of the 28 Parties to which the obligation applied by 4 September 2013. In addition to Parties already identified by the Committee (Luxembourg, Republic of Moldova, Romania, Switzerland), Croatia submitted gridded data for 2010 for PAH and dioxins but not for HCB, and Norway had not yet submitted any gridded data for 2010. Gridded data for the three POPs for 2005 was submitted by 19 of the 26 Parties to which the obligation applied by 4 September 2013. In addition to Parties already identified by the Committee, three Parties — Italy, Sweden and Switzerland — submitted gridded data for 2005, but not for HCB, and Norway had not submitted any gridded data for 2005. The secretariat referred the non-compliance by Croatia (R12/13), Italy (R13/13), Norway (R14/13), Romania (R15/13), Sweden (R16/13) and Switzerland (R17/13) with their obligation to provide gridded data under the Protocol on POPs to the Committee.

75. As noted above, base-year and annual emission data for 2010 for the former Yugoslav Republic of Macedonia and gridded data for 2010 from the Republic of Moldova, Romania and Switzerland (decision 2012/22) and Luxembourg (decision 2012/20) were still missing.

6. Protocol on Heavy Metals: compliance with article 7, paragraph 1 (b), concerning emission data reporting

76. Table 6 gives an overview of emission data reported by the Parties to the Protocol on Heavy Metals and shows that reporting under the Protocol is not yet complete. Complete emission data for 2011 was submitted by 26 of the 29 Parties to which the reporting obligation applied by 15 February 2013, the legally binding deadline. Two Parties — Hungary and Monaco — submitted data after the deadline. No data were received from Luxembourg. As noted above, Luxembourg had also not submitted data for 2010, 2009 and 2008. The secretariat referred the non-compliance by Luxembourg with its obligation to provide annual emissions data for 2011 under the Protocol on Heavy Metals to the Committee (R10/13).

77. All Parties apart from Romania had complied with their obligation to provide annual data for the base year. The secretariat had referred the non-compliance by Romania with its

obligations to report annual emissions data for the base year under the Protocol to the Committee (R11/13).

78. The Committee noted that one Party outside the geographic scope of EMEP (Canada) had also submitted data.

79. Twenty-two of the 27 Parties to which the obligation applied had submitted gridded data for heavy metals for 2010 by 4 September 2013, while 21 of the 25 Parties to which the obligation applied had submitted gridded data for heavy metals for 2005. In addition to Parties already identified by the Committee, Norway had not yet submitted any gridded data for 2005 and 2010 and Romania had not yet submitted any gridded data for 2005. The secretariat referred the issue of non-compliance by Norway (R18/13) and Romania (R19/13) with their obligation to submit gridded emission data under the Protocol on Heavy Metals to the Committee. As noted above, gridded data from Luxembourg, the Republic of Moldova, Romania (2010) and the former Yugoslav Republic of Macedonia were still missing.

7. Gothenburg Protocol: compliance with article 7, paragraph 1 (b), concerning emission data reporting on sulphur, NO_x, ammonia and VOCs

80. Table 7 gives an overview of emission data reported by the Parties to the Gothenburg Protocol and shows that reporting on annual total emissions under the Protocol is complete, with all Parties to whom the reporting obligation applied submitting complete annual emission data for 2011. Annual emission data was submitted by 22 of the 24 Parties to whom the reporting obligation applied by 15 February 2013, the legally binding deadline. Two Parties — Hungary and Luxembourg — submitted data after the deadline.

81. The Committee noted that one Party outside the geographic scope of EMEP (the United States) had also submitted data.

82. As noted above, gridded data was still missing from Latvia, Luxembourg and Romania.

83. Twenty-two of the 24 Parties to whom the reporting obligation applied had submitted projection data for all pollutants for the years 2015 and 2020. Two Parties — Luxembourg and the European Union (EU) — had not submitted any data on projections for 2015 and 2020.

84. The secretariat referred the issue of non-compliance of the EU (R29/13) and Luxembourg (R33/13) with their obligation to provide projections under the Gothenburg Protocol to the Committee.

85. The Committee noted that one Party outside the geographic scope of EMEP (the United States) had also submitted projection data for 2015 and 2020.

8. Conclusions

86. The Committee concluded that, as of 4 September 2013:

(a) Albania, the Russian Federation and the former Yugoslav Republic of Macedonia were not in compliance with the emission data reporting obligations under article 4 of the 1985 Protocol on Sulphur;

(b) Albania, Croatia, the Russian Federation and the former Yugoslav Republic of Macedonia were not in compliance with the emission data reporting obligations under article 8 of the Protocol on NO_x;

(c) Croatia and the former Yugoslav Republic of Macedonia were not in compliance with the emission data reporting obligations under article 8, para. 1, of the Protocol on VOCs;

(d) Greece, Hungary, Italy, Luxembourg and Monaco were not in compliance with their annual emission reporting obligations under the 1994 Protocol on Sulphur by the legally binding deadline. Luxembourg remained in non-compliance concerning the provision of gridded data;

(e) Hungary, Iceland, Italy, Liechtenstein, Lithuania, Luxembourg, Norway, Switzerland and the former Yugoslav Republic of Macedonia were not in compliance with their emission reporting obligations under the Protocol on POPs by the legally binding deadline for submission of annual emission data for 2011. Seven Parties — Italy, Luxembourg, Norway, the Republic of Moldova, Romania, Sweden and Switzerland — remained in non-compliance with their obligation to report gridded data for 2005. Furthermore, six Parties were in non-compliance for failing to provide 2010 gridded data under this Protocol: Croatia, Luxembourg, Norway, Republic of Moldova, Romania and Switzerland;

(f) Hungary, Monaco and Luxembourg were not in compliance with their emission reporting obligations under the Protocol on Heavy Metals by the legally binding deadline for annual emission data for 2011. Romania was not in compliance with its obligation to report annual emission data for the base year. Luxembourg, Norway, Romania and the Republic of Moldova remained in non-compliance with their obligations to report gridded data for 2005 and 2010. The former Yugoslav Republic of Macedonia remained in non-compliance with its obligation to report 2010 gridded data;

(g) Hungary and Luxembourg were not in compliance with their emission reporting obligations under the Gothenburg Protocol by the legally binding deadline for annual emission data for 2011. Latvia and Romania remained in non-compliance with their obligation to report gridded data for 2010 and Luxembourg remained in non-compliance with its obligation to report gridded data for 2005 and 2010. Luxembourg and the EU were in non-compliance with their reporting obligation to submit projections for 2015 and 2020.

87. The Committee was also presented with four referrals by the secretariat concerning non-compliance with reporting obligations under the 1994 Protocol on Sulphur concerning:

- (a) Greece (R20/13);
- (b) Italy (R21/13);
- (c) Liechtenstein (R22/13);
- (d) Monaco (R23/13).

88. The Committee noted that there was no provision for reporting sulphur projections in the 1994 Protocol on Sulphur and that reference to reporting sulphur projections was contained separately in Executive Body decision 2012/10, as well as the Guidelines for reporting. The Committee therefore concluded that the four referrals listed above did not constitute non-compliance with reporting obligations and decided not to further consider them.

89. In addition, the Committee was presented with eight referrals by the secretariat concerning non-compliance with reporting obligations under the Gothenburg Protocol regarding the non-reporting of 2030 projections data concerning:

- (a) Bulgaria (R26/13);
- (b) Croatia (R27/13);

- (c) Cyprus (R28/13);
- (d) France (R30/13);
- (e) Germany (R31/13);
- (f) Latvia (R24/13);
- (g) Lithuania (R32/13);
- (h) Portugal (R25/13).

90. The Committee considered that decision 2008/16 on emission data reporting under the Convention and its Protocols specified that Parties were to report projections data for the year 2030 and longer-term projections, e.g., for the year 2050, “if available”. The Committee concluded that this did not amount to an obligation to create such data, and therefore concluded that the eight referrals listed above did not constitute non-compliance and decided not to further consider them.

C. Compliance with obligations to report on strategies and policies for air pollution abatement

91. The Convention’s workplan for 2012–2013 calls on the Committee to evaluate the reporting by Parties on their strategies and policies, as required under the Protocols in force. In the absence of the approval by the Executive Body of a new questionnaire for distribution in 2012, the Committee focused on follow-up to decisions 2012/20 and 2012/21, which address compliance by Parties to the 2010 questionnaire on strategies and policies. Those decisions identified five Parties that did not fully comply with their obligations to report on strategies and policies: France, Latvia, Luxembourg, the Russian Federation and the EU.

92. Subsequently, Luxembourg provided answers to the questionnaire for priority compliance review, as well as to the general policy questions, but omitted answers to three questions regarding the Gothenburg Protocol. Moreover, France submitted the missing response to question 61.

93. Three Parties, however, did not provide the missing information. Latvia informed the Committee that the Latvian Environmental Policy Strategy for 2015–2020 was currently being elaborated, which would also include strategies and policies for air pollution abatement. The Strategy’s adoption was foreseen for June 2013. Following its adoption, Latvia planned to provide complete responses to the 2010 questionnaire on strategies and policies. The EU responded that it would provide answers to section 2 of the questionnaire, on priority compliance review, “within the shortest time delay possible”, and explained that this was currently not possible due to the preparations of the EU 2013 air policy package. Furthermore, the Russian Federation had still not replied to one question concerning the Protocol on NO_x.

94. The secretariat prepared an updated table (table 8 in informal document No. 1) giving an overview of the reporting on strategies and policies up to 22 August 2013 by all the Parties to the Protocols that are in force. The Committee concluded that, as of 22 August 2013, four Parties remained in non-compliance with their strategies and policies reporting obligations.

95. The secretariat informed the Committee that all responses received to the 2010 questionnaire on strategies and policies for air pollution abatement had been made available on the Convention website.³

96. The Committee was informed of a suggestion by the Chair of the Working Group on Strategies and Review that in the future reporting obligations regarding strategies and policies could be satisfied by an exchange of information by Parties at sessions of the Working Group on the policies, strategies and measures taken to implement the Convention and its Protocols, rather than by answering a questionnaire. The Committee noted that responses to the questionnaire had at times been useful, but that responses were not essential to the Committee's ability to carry out its functions. The Committee was made aware of a paper by the secretariat for the further consideration of the Executive Body Bureau regarding the obligations in the various Protocols, and wondered whether the suggestion by the Working Group on Strategies and Review Chair would be consistent with those obligations. The proposal seemed to the Committee to be consistent with the Long-term Strategy and to have the advantage of reducing the time spent on reporting by Parties. The idea of focusing the information exchange on the three recently amended Protocols also seemed to be consistent with the Long-term Strategy. The Committee noted that further consideration might need to be given in particular to the Protocol on VOCs, which required annual reporting.

D. Recommendations to the Executive Body

97. On the basis of the above considerations (outlined in sections A to C), the Committee recommends that the Executive Body adopt the draft decisions on compliance with reporting obligations, contained in document ECE/EB.AIR/2013/5.

IV. Review of reporting under the Protocol on Persistent Organic Pollutants

98. The Committee considered the issue of reporting by Parties under the Protocol on POPs, on the basis of the responses by Parties to a letter by the secretariat informing them of decision 2012/24 and an information paper analysing the issue. In its decision 2012/24, the Executive Body requested the Committee to continue to review the reporting of emissions of POPs. In decision 2011/13, the Executive Body had reminded Parties to the Protocol on POPs of the invitation to raise the priority of POP reporting; to improve and complete POPs emission inventories; and to provide detailed information on their national methods for estimating POP emissions or plans to revise these methods. Decision 2010/10 requested Parties in non-compliance to provide detailed information on the emission factors used in their reporting POPs emissions, the basis for deriving such emission factors and the status and details of any work to develop new emission factors.

99. In response to decision 2012/24, 21 Parties provided information on their national methods for estimating POPs emissions or plans to revise them. Most of the Parties that provided an answer had recently worked, or were still working, on improving their POPs inventories. This work included the refinement of emission factors, for example, through domestic measurement programmes and the enhancement of knowledge on poorly

³ See <http://www.unece.org/environmental-policy/treaties/air-pollution/convention-bodies/implementation-committee/questionnaire-on-strategies-and-policies-for-the-abatement-of-air-pollution.html>.

characterized categories. Inventory improvements covered not only the three original POPs (dioxins, HCB and PAHs) but also polychlorinated biphenyls (PCBs). They were also related to all major source categories of the inventories.

100. In its consideration of this issue, the Committee noted that the work of the Task Force on Emission Inventories and Projections was important, in particular its activities to update the emission factors in the updated EMEP/EEA air pollutant emission inventory guidebook. The Committee welcomed the advice on the subject of POPs reporting provided by representatives of the Task Force, with whom it had met in the framework of its thirty-second session. The Committee requested the secretariat to write to the countries that had provided responses to decision 2012/24 to encourage them to continue contributing to the work of the Task Force on Emission Inventories and Projections.

101. In addition, the Committee requested the secretariat to write to those Parties that had indicated uncertainties with the POPs emission factors to invite them to review the revised emission factors included in the updated EMEP/EEA guidebook, in view of their possible use for estimating POPs emissions. The Committee decided to continue informal exchanges with the Task Force on Emission Inventories and Projections, including in the context of follow-up to Executive Body decisions 2012/17 and 2012/19.

102. The Committee felt that its exchange of information with the Task Force on Emission Inventories and Projections demonstrated the importance of the support from the scientific bodies to its work.

V. Draft revised 2014–2015 workplan for the implementation of the Convention

103. The Committee discussed the revised draft 2014–2015 workplan for the implementation of the Convention. It requested the secretariat to review the workplan again with a view to taking account of the amendments proposed by the Committee in writing, along with the additional changes discussed at the meeting. The Committee requested the secretariat to update the version to be presented to the thirty-second session of the Executive Body. More specifically, it requested the secretariat to revise the wording in the column “resource requirements” to indicate that the contribution by Norway constituted a partial contribution to supporting the functioning of the Committee and was not wholly dependent on such funding. Moreover, it requested the secretariat to include references to the inventory adjustment procedure in the introductory part of the “science” section, directly after the description of the work on inventory improvements. Finally, the Committee stressed that the request by the Executive Body set out in paragraph 5 of decision 2012/25 should be reflected in the workplan, indicating that the work programme of each technical body should always include an item to ensure that the Committee could receive support from these bodies where needed.

VI. Improving the compliance mechanism

A. Information paper on compliance

104. In response to the request by the Executive Body in paragraph 3 of decision 2012/25, the Committee developed an information paper on compliance to inform technical bodies under the Convention about the importance of compliance/implementation to the good functioning of the Convention, in accordance with the Long-term Strategy. The paper was circulated by the Chair of the Implementation Committee to the Chairs of the Task

Force on Emission Inventories and Projections, the Working Group on Strategies and Review, the Working Group on Effects and the EMEP Steering Body, with a request to forward it on to other technical bodies within their remits.

B. Reference documents

105. The Committee thanked the secretariat for the creation, in response to the Executive Body's request in decision 2012/25 (para. 7), of the new "Reference documents" section in the members' area of the Committee's website.

C. Systemic and other barriers to achieving compliance

106. Paragraph 16 of the Long-term Strategy sets out the strategic priorities and goals for the Convention and its Protocols. Paragraph 16 (b) refers to the issue of compliance and the work of the Implementation Committee, and commits to giving the work of the Implementation Committee a "very high priority".

107. Decision 2011/14 sets out the Action Plan for the Implementation of the Long-term Strategy. The Implementation Committee had, under the Action Plan, been assigned the task to "identify and evaluate systemic and other barriers to achieving compliance and identify options for improvements" and to report thereon, for approval by the Executive Body (ECE/EB.AIR/109/Add.1, decision 2011/14, annex, para. 2).

108. The Committee held a first discussion on this issue at its twenty-ninth session and continued its discussions at its thirtieth, thirty-first and thirty-second sessions (18–20 April 2012; 5–7 September 2012; 22–24 May 2013; and 9–11 September 2013, respectively).

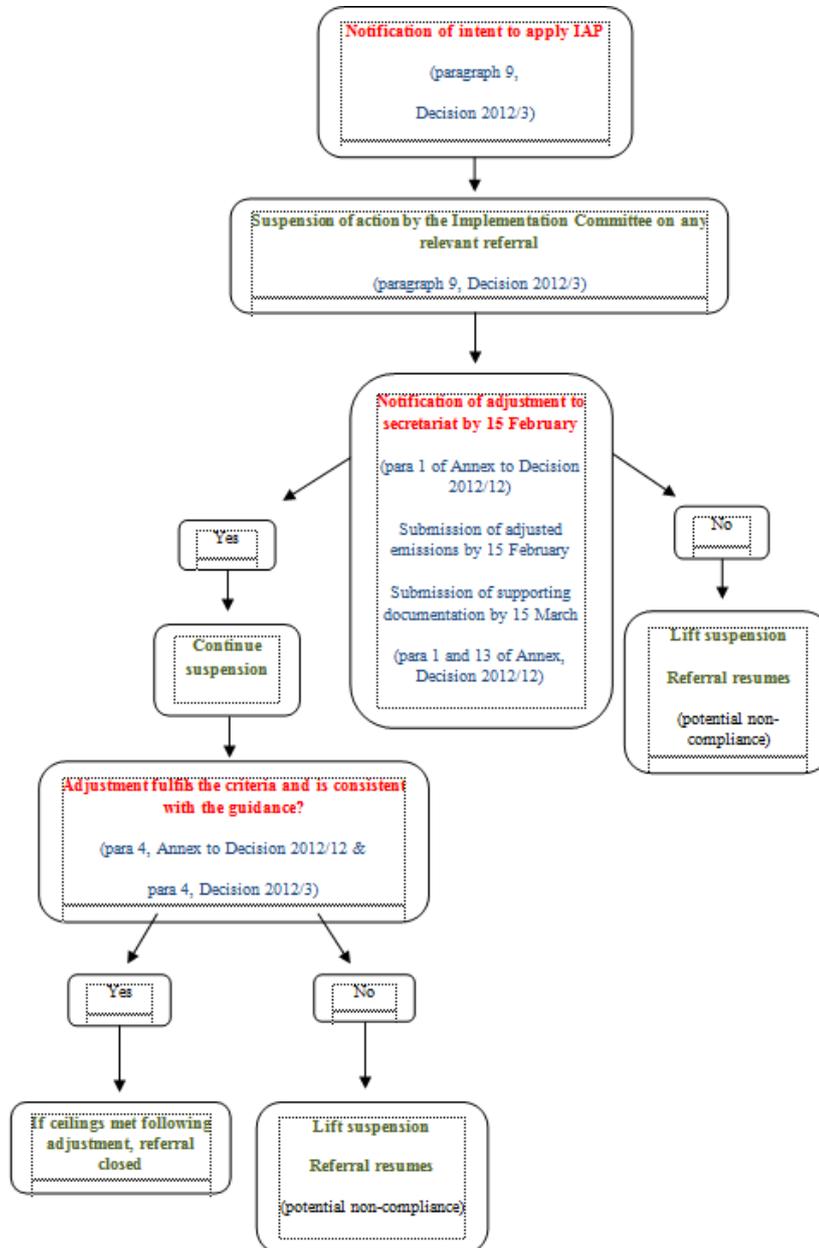
109. In accordance with decision 2011/14, the Committee reported to the Executive Body at its thirty-first session on systemic and other barriers to achieving compliance (ECE/EB.AIR/2012/16, para. 115).

110. During its two sessions in 2013, the Committee focused on the evaluation of reporting under the Protocol on POPs, as set out in section IV above. In this context, the Committee considered the systemic barriers were linked to the insufficiency of the reporting guidance and incomplete/outdated/obsolete emissions factors where there was no or insufficient information to improve estimates or make them more reliable. The Committee decided to continue its consideration of this matter at its sessions in 2014 in order to determine the effect of the updated EMEP/EEA guidebook.

111. The Committee noted that the systemic barrier of the linkage of obligations, in particular in the older Protocols, to older base years that could no longer be calculated also warranted further consideration, as this issue had arisen in the consideration of two separate referrals.

Annex

Inventory adjustment procedure decision tree



Abbreviations: IAP = inventory adjustment procedure.