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## Economic Commission for Europe

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

#### Thirty-seventh session

Geneva, 11-14 December 2017

Item 6 (c) of the provisional agenda

**Review of implementation of the 2016–2017 workplan: compliance**

### **Review of compliance by Parties with their reporting obligations in 2017**

**Submitted by the Implementation Committee**

#### *Summary*

The present document contains supplementary information to the twentieth report of the Implementation Committee under the Convention on Long-range Transboundary Air Pollution (ECE/EB.AIR/2017/3). It provides background information on compliance by Parties with their reporting obligations under the respective protocols, including follow-up to previous Executive Body decisions and referrals by the secretariat regarding reporting obligations. The document also contains recommendations by the Implementation Committee to the Executive Body for the Convention for consideration at its thirty-seventh session. Annexed to the document are two draft decisions concerning compliance by Parties with their emission reduction and reporting obligations.

The present document was prepared in accordance with paragraph 9 of the structure and functions of the Implementation Committee and the procedure for review (ECE/EB.AIR/113/Add.1, decision 2012/25, annex).

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## I. Introduction

1. At its thirty-eighth (Leuven, Belgium, 28 February-2 March 2017) and thirty-ninth (Geneva, 5-7 September 2017) sessions, the Implementation Committee under the Convention on Long-range Transboundary Air Pollution considered the follow-up by Parties to Executive Body decisions on reporting. In addition, in accordance with the Implementation Committee's terms of reference, its functions and procedures for review (ECE/EB.AIR/113/Add.1, decision 2012/25, annex, para. 5), the Committee considered referrals from the secretariat regarding cases of potential non-compliance by Parties with their reporting obligations, identified on the basis of information provided by the Centre on Emission Inventories and Projections. The reporting obligations are set out in the respective protocols to the Convention, in various Executive Body decisions on general reporting obligations (i.e., decisions 2002/10, 2005/1, 2008/16, 2013/3 and 2013/4) and in the Guidelines for Reporting Emissions and Projections Data under the Convention (ECE/EB.AIR/125).

## II. Compliance with reporting obligations

### A. Follow-up to Executive Body decisions 2013/18, 2013/19 and 2014/8 on reporting

2. In its decisions 2013/18, 2013/19 and 2014/8, the Executive Body urged Parties that were in non-compliance with their obligations with respect to 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.

#### 1. Consideration of decision 2014/8

##### *Albania*

3. In decision 2014/8, paragraph 4 (a), the Executive Body urged Albania to provide its missing annual emission data for 2010, 2011 and 2012 under the 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent (1985 Sulphur Protocol) and the Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (Protocol on NO<sub>x</sub>). The secretariat informed the Committee that Albania had provided its missing data under both protocols.

4. In the light of the information provided, the Committee concluded that there was no reason to continue to review the case.

##### *Liechtenstein*

5. In decision 2014/8, paragraph 4 (b), the Executive Body urged Liechtenstein to provide its missing annual emission data for 2008, 2009, 2010, 2011 and 2012 and the base year for hexachlorobenzene (HCB) under the Protocol on Persistent Organic Pollutants (Protocol on POPs). The secretariat informed the Committee that Liechtenstein had provided its missing data.

6. In the light of the information provided, the Committee concluded that there was no reason to continue to review the case.

*Luxembourg*

7. In decision 2014/8, paragraph 4 (c), the Executive Body urged Luxembourg to provide its missing gridded data for 2005 and 2010 under the Protocols on POPs and the Protocol on Heavy Metals. The secretariat informed the Committee that Luxembourg had provided its missing gridded data under both protocols.

8. In the light of the information provided, the Committee concluded that there was no reason to continue to review the case.

*Montenegro*

9. In decision 2014/8, paragraph 4 (d), the Executive Body urged Montenegro to provide its missing annual emission data for 2012 under the Protocols on POPs and the Protocol on Heavy Metals. In a letter of 26 April 2016, Montenegro indicated that it was experiencing some technical problems, and outlined next steps to overcome them so that the data could be submitted in the 2017 reporting round. On 29 June 2017, Montenegro informed the secretariat that the problem remained unresolved. The secretariat informed the Committee that, as of 30 August 2017, Montenegro had not provided its missing data and had also not submitted annual data for 2013, 2014 and 2015.

10. The Committee recalled its previous consideration of the case and further encouraged Montenegro to continue efforts to develop its annual data. The Committee requested the secretariat to write a letter to the Party:

(a) Emphasizing the importance of the provisions on reporting for the functioning of the Convention and its protocols;

(b) Reminding the Party of the respective Executive Body decision concerning non-compliance with reporting obligations;

(c) Asking Montenegro to provide, by 20 March 2018, a summary of its current and next steps to ensure the preparation of the missing emission data;

(d) Inviting Montenegro to attend the fortieth session of the Implementation Committee to explain the current situation, challenges and the intended next steps.

*Sweden*

11. In decision 2014/8, paragraph 4 (e), the Executive Body urged Sweden to provide its missing gridded data for HCB for 2005 under the Protocol on POPs. In a message of 12 February 2015, Sweden reiterated that it would include the missing data in its submission in 2017 as it was currently working to improve its inventory of emissions with a view to submitting more complete and representative gridding of its HCB emissions by 2017. Sweden informed the secretariat that it hoped to submit missing gridded data by 15 September 2017. The secretariat informed the Committee that, as of 30 August 2017, Sweden had not provided its missing gridded data for HCB for 2005 and also had not provided gridded data for 2015 under the Protocol on POPs.

12. In the light of the information provided, the Committee agreed to continue to review the case in 2018.

**2. Consideration of decision 2013/18**

13. In decision 2013/18, paragraph 4 (e), the Executive Body urged Romania to provide its missing annual emission data for the base year under the Protocol on Heavy Metals. In its letter of 24 September 2015, Romania reported that in July 2015 the Romanian Government had approved the allocation of financial resources for the completion of the missing data and that internal procedures to acquire external services needed to conduct the

relevant study were currently under way. Romania proposed to keep the Committee informed of any progress. The secretariat informed the Committee that, as of 30 August 2017, Romania had not provided its annual emission data for the base year and that Romania had not provided any further information on the matter.

14. The Committee recalled its previous consideration of the case and further encouraged Romania to continue efforts to develop its base year data. The Committee requested the secretariat to write a letter to the Minister of the Environment of Romania:

(a) Emphasizing the importance of the provisions on reporting for the functioning of the Convention and its protocols;

(b) Reminding the Party of the respective Executive Body decision concerning non-compliance with reporting obligations;

(c) Asking Romania to provide, by 20 March 2018, a summary of its current and next steps to ensure the preparation of the missing base year data;

(d) Inviting the Party to participate in the fortieth session of the Implementation Committee to explain the current situation, challenges and the intended next steps.

### **3. Consideration of decision 2013/19**

#### *Republic of Moldova*

15. In decision 2013/19, paragraph 4 (c), the Executive Body urged the Republic of Moldova to provide its missing gridded data for 2005 and 2010 under the Protocols on POPs and Heavy Metals. The secretariat informed the Committee that, as of 30 August 2017, the Republic of Moldova had not provided its missing gridded data under either Protocol.

16. The Committee recalled its previous consideration of the case and further encouraged the Republic of Moldova to continue efforts to develop its gridded data. The Committee agreed to continue to review the case in 2018.

#### *Romania*

17. In decision 2013/19, paragraph 4 (d), Romania was urged to provide its 2005 gridded data under the Protocols on POPs and Heavy Metals. The secretariat informed the Committee that Romania had provided the missing gridded data.

18. In the light of the information provided, the Committee concluded that there was no reason to continue to review the case.

## **B. Referrals concerning reporting of emission data**

19. In line with item 3.1 of the 2016–2017 workplan for the implementation of the Convention (ECE/EB.AIR/133/Add.1), the Committee evaluated compliance by Parties with their emission data reporting obligations 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<sup>1</sup> and covers data reported up to 30 August 2017. Tables 1–8 in informal document No. 1 give an overview of the status of emission data reporting.

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<sup>1</sup> Available from the web page for the Executive Body's thirty-seventh session (<http://www.unece.org/index.php?id=43519#/>).

## 1. Referrals initiated in 2015 and in 2016

20. At its thirty-sixth (Geneva, 26-28 January 2016), thirty-seventh (Geneva, 13-15 September 2016) and thirty-ninth sessions, the Committee considered referrals submitted by the secretariat in 2015 and in 2016.

### *Protocol on NO<sub>x</sub>*

21. With respect to the referral by the secretariat concerning compliance by Greece with its reporting obligations under article 8 of the Protocol on NO<sub>x</sub> (R1/16), the secretariat informed the Committee that Greece had submitted its missing data for 2014.

22. In the light of the information provided, the Committee agreed not to pursue the case any further.

### *1994 Protocol on Further Reduction of Sulphur Emissions*

23. With regard to the referral by the secretariat concerning compliance by Greece with its reporting obligations under article 5, paragraphs 1 (b) and 2, of the 1994 Protocol on Further Reduction of Sulphur Emissions (1994 Protocol on Sulphur) (R2/16), the secretariat informed the Committee that the Party had submitted the missing data for 2014.

24. In the light of the information provided, the Committee agreed not to pursue the case any further.

### *Protocol to Abate Acidification, Eutrophication and Ground-level Ozone*

25. Concerning the referral by the secretariat regarding compliance by France with its reporting obligations under article 7, paragraph 1 (b), of the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) (R9/15) (2025 and 2030 emission projections), the secretariat noted that, as of 30 August 2017, the Party had not submitted the missing data.

26. In the light of the information provided, the Committee agreed to continue to review the case at its next session.

27. Concerning the referral by the secretariat regarding compliance by the former Yugoslav Republic of Macedonia with its reporting obligations under article 7, paragraph 1 (b), of the Gothenburg Protocol (R12/15) (2020 (only ammonia (NH<sub>3</sub>) missing), 2025 and 2030 emission projections), the secretariat noted that, as of 30 August 2017, the Party had not submitted the missing data.

28. In the light of the information provided, the Committee agreed to continue to review the case at its next session.

## 2. Referrals initiated in 2017

29. Also at its thirty-ninth session, the Committee considered new referrals submitted by the secretariat, as described below:

(a) Referral by the secretariat concerning compliance by Belarus with its reporting obligations under the 1985 Protocol on Sulphur (annual data) (R1/17);

(b) Referral by the secretariat concerning compliance by the Russian Federation with its reporting obligations under the 1985 Protocol on Sulphur (annual data) (R2/17);

(c) Referral by the secretariat concerning compliance by Belarus with its reporting obligations under the Protocol on NO<sub>x</sub> (annual data) (R3/17);

- (d) Referral by the secretariat concerning compliance by Greece with its reporting obligations under the Protocol on NO<sub>x</sub> (annual data) (R4/17);
- (e) Referral by the secretariat concerning compliance by the Russian Federation with its reporting obligations under the Protocol on NO<sub>x</sub> (annual data) (R5/17);
- (f) Referral by the secretariat concerning compliance by Greece with its reporting obligations under the 1994 Protocol on Sulphur (annual data) (R6/17);
- (g) Referral by the secretariat concerning compliance by France with its reporting obligations under the 1994 Protocol on Sulphur (gridded data) (R7/17);
- (h) Referral by the secretariat concerning compliance by Greece with its reporting obligations under the 1994 Protocol on Sulphur (gridded data) (R8/17);
- (i) Referral by the secretariat concerning compliance by Italy with its reporting obligations under the 1994 Protocol on Sulphur (gridded data) (R9/17);
- (j) Referral by the secretariat concerning compliance by Liechtenstein with its reporting obligations under the 1994 Protocol on Sulphur (gridded data) (R10/17);
- (k) Referral by the secretariat concerning compliance by Sweden with its reporting obligations under the 1994 Protocol on Sulphur (gridded data) (R12/17);
- (l) Referral by the secretariat concerning compliance by the former Yugoslav Republic of Macedonia with its reporting obligations under the 1994 Protocol on Sulphur (gridded data) (R13/17);
- (m) Referral by the secretariat concerning compliance by France with its reporting obligations under the Protocol on Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes (Protocol on VOCs) (gridded data) (R14/17);
- (n) Referral by the secretariat concerning compliance by Italy with its reporting obligations under the Protocol on VOCs (gridded data) (R15/17);
- (o) Referral by the secretariat concerning compliance by Liechtenstein with its reporting obligations under the Protocol on VOCs (gridded data) (R16/17);
- (p) Referral by the secretariat concerning compliance by Sweden with its reporting obligations under the Protocol on VOCs (gridded data) (R18/17);
- (q) Referral by the secretariat concerning compliance by the former Yugoslav Republic of Macedonia with its reporting obligations under the Protocol on VOCs (gridded data) (R19/17);
- (r) Referral by the secretariat concerning compliance by Montenegro with its reporting obligations under the Protocol on Heavy Metals (annual data) (R20/17);
- (s) Referral by the secretariat concerning compliance by France with its reporting obligations under the Protocol on Heavy Metals (gridded data) (R21/17);
- (t) Referral by the secretariat concerning compliance by Liechtenstein with its reporting obligations under the Protocol on Heavy Metals (gridded data) (R22/17);
- (u) Referral by the secretariat concerning compliance by Montenegro with its reporting obligations under the Protocol on Heavy Metals (gridded data) (R23/17);
- (v) Referral by the secretariat concerning compliance by the Republic of Moldova with its reporting obligations under the Protocol on Heavy Metals (gridded data) (R25/17);

- (w) Referral by the secretariat concerning compliance by Romania with its reporting obligations under the Protocol on Heavy Metals (gridded data) (R26/17);
- (x) Referral by the secretariat concerning compliance by Serbia with its reporting obligations under the Protocol on Heavy Metals (gridded data) (R27/17);
- (y) Referral by the secretariat concerning compliance by Sweden with its reporting obligations under the Protocol on Heavy Metals (gridded data) (R28/17);
- (z) Referral by the secretariat concerning compliance by the former Yugoslav Republic of Macedonia with its reporting obligations under the Protocol on Heavy Metals (gridded data) (R29/17);
- (aa) Referral by the secretariat concerning compliance by Montenegro with its reporting obligations under the Protocol on POPs (annual data) (R30/17);
- (bb) Referral by the secretariat concerning compliance by France with its reporting obligations under the Protocol on POPs (gridded data) (R31/17);
- (cc) Referral by the secretariat concerning compliance by Iceland with its reporting obligations under the Protocol on POPs (gridded data) (R32/17);
- (dd) Referral by the secretariat concerning compliance by Italy with its reporting obligations under the Protocol on POPs (gridded data) (R33/17);
- (ee) Referral by the secretariat concerning compliance by Liechtenstein with its reporting obligations under the Protocol on POPs (gridded data) (R34/17);
- (ff) Referral by the secretariat concerning compliance by Montenegro with its reporting obligations under the Protocol on POPs (gridded data) (R35/17);
- (gg) Referral by the secretariat concerning compliance by the Republic of Moldova with its reporting obligations under the Protocol on POPs (gridded data) (R37/17);
- (hh) Referral by the secretariat concerning compliance by Romania with its reporting obligations under the Protocol on POPs (gridded data) (R38/17);
- (ii) Referral by the secretariat concerning compliance by Serbia with its reporting obligations under the Protocol on POPs (gridded data) (R39/17);
- (jj) Referral by the secretariat concerning compliance by Sweden with its reporting obligations under the Protocol on POPs (gridded data) (R40/17);
- (kk) Referral by the secretariat concerning compliance by the former Yugoslav Republic of Macedonia with its reporting obligations under the Protocol on POPs (gridded data) (R41/17);
- (ll) Referral by the secretariat concerning compliance by France with its reporting obligations under the Gothenburg Protocol (gridded data) (R42/17);
- (mm) Referral by the secretariat concerning compliance by Romania with its reporting obligations under the Gothenburg Protocol (gridded data) (R44/17);
- (nn) Referral by the secretariat concerning compliance by Sweden with its reporting obligations under the Gothenburg Protocol (gridded data) (R45/17);
- (oo) Referral by the secretariat concerning compliance by the former Yugoslav Republic of Macedonia with its reporting obligations under the Gothenburg Protocol (gridded data) (R46/17);
- (pp) Referral by the secretariat concerning compliance by Armenia with its reporting obligations under the Convention (large point sources (LPS) data) (R47/17);

(qq) Referral by the secretariat concerning compliance by Belarus with its reporting obligations under the Convention (LPS data) (R49/17);

(rr) Referral by the secretariat concerning compliance by Bosnia and Herzegovina with its reporting obligations under the Convention (LPS data) (R50/17);

(ss) Referral by the secretariat concerning compliance by France with its reporting obligations under the Convention (LPS data) (R51/17);

(tt) Referral by the secretariat concerning compliance by Greece with its reporting obligations under the Convention (LPS data) (R52/17);

(uu) Referral by the secretariat concerning compliance by Kazakhstan with its reporting obligations under the Convention (LPS data) (R54/17);

(vv) Referral by the secretariat concerning compliance by Kyrgyzstan with its reporting obligations under the Convention (LPS data) (R55/17);

(ww) Referral by the secretariat concerning compliance by Liechtenstein with its reporting obligations under the Convention (LPS data) (R56/17);

(xx) Referral by the secretariat concerning compliance by Malta with its reporting obligations under the Convention (LPS data) (R57/17);

(yy) Referral by the secretariat concerning compliance by Montenegro with its reporting obligations under the Convention (LPS data) (R58/17);

(zz) Referral by the secretariat concerning compliance by the Republic of Moldova with its reporting obligations under the Convention (LPS data) (R60/17);

(aaa) Referral by the secretariat concerning compliance by the Russian Federation with its reporting obligations under the Convention (LPS data) (R61/17);

(bbb) Referral by the secretariat concerning compliance by Serbia with its reporting obligations under the Convention (LPS data) (R62/17);

(ccc) Referral by the secretariat concerning compliance by Turkey with its reporting obligations under the Convention (LPS data) (R64/17);

(ddd) Referral by the secretariat concerning compliance by Ukraine with its reporting obligations under the Convention (LPS data) (R65/17).

30. The Committee noted with regret that, as of 30 August 2017, the following Parties had not submitted complete data in the 2015, 2016 and/or 2017 reporting cycles: Armenia, Belarus, Bosnia and Herzegovina, France, Greece, Iceland, Italy, Kazakhstan, Kyrgyzstan, Liechtenstein, Malta, Montenegro, Republic of Moldova, Romania, Russian Federation, Serbia, Sweden, the former Yugoslav Republic of Macedonia, Turkey and Ukraine.

31. In the light of the high number of cases of non-compliance with reporting obligations, the Committee recommended that the Executive Body could decide to urge all Parties to comply with their reporting obligations under the Convention, and elaborated a draft decision for the Executive Body's consideration to that effect (see annex).

## **E. Other business**

32. The Committee decided to hold its fortieth meeting from 16 to 18 May 2018 and its forty-first meeting on 10 and 13 September 2018.



## Annex

### **Draft decision concerning compliance with reporting obligations**

*The Executive Body,*

*Acting* in accordance with paragraph 11 of the structure and functions and procedures for review of the Implementation Committee under the Convention on Long-range Transboundary Air Pollution,<sup>2</sup>

1. *Takes note* of the information contained in the report of the Implementation Committee with respect to compliance by Parties with their reporting obligations under the Convention on Long-range Transboundary Air Pollution, identified on the basis of information provided by the Centre on Emission Inventories and Projections;<sup>3</sup>

2. *Notes with regret* that a high number of Parties have not submitted complete data in the 2015, 2016 and/or 2017 reporting cycles;

3. *Reminds* all Parties of the obligation for all Parties to the Convention, as set out in decision 2013/4, to report emission data in accordance with the new reporting guidelines, which entered into force on 1 January 2015;

4. *Urges* all Parties to comply with their reporting obligations under the Convention.

### **Draft decision concerning compliance by Norway with the Gothenburg Protocol (ref. 26/13 (NH<sub>3</sub>))**

The Executive Body,

*Acting* under paragraph 11 of the structure and functions of the Implementation Committee and the procedure for review,<sup>4</sup>

1. *Notes* the recommendations of the Implementation Committee concerning the compliance by Norway with its obligation under article 3, paragraph 1, of the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) with respect to ammonia emissions contained in the twentieth report of the Implementation Committee,<sup>5</sup> following the referral by the secretariat pursuant to paragraph 5 of the Committee's structure and functions and the procedure for review;

2. *Notes with concern* that, in spite of the efforts made, Norway failed to fulfil its obligation to maintain the annual emissions of ammonia in accordance with the ceiling specified in annex II to the Gothenburg Protocol, as required by article 3, paragraph 1, of the Protocol;

3. *Requests* Norway to provide the Implementation Committee, through the secretariat, by 31 July 2018, with:

<sup>2</sup> ECE/EB.AIR/113/Add.1, decision 2012/25, annex.

<sup>3</sup> ECE/EB.AIR/2017/5 and informal document No. 1, tables 1–8.

<sup>4</sup> ECE/EB.AIR/113/Add.1, decision 2012/25, annex.

<sup>5</sup> ECE/EB.AIR/2017/3, paras. 74–77.

- (a) A quantitative assessment of the effects of current and planned policy measures;
  - (b) A timetable specifying the year by which Norway expects to be in compliance;
4. *Requests* the Implementation Committee to review the progress and timetable of Norway, and to report to the Executive Body thereon at its thirty-eighth session in 2018;
5. *Urges* Norway to fulfil its obligation under the Gothenburg Protocol as soon as possible.
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