

**Decision 2009/8**

**Compliance by Spain with its obligations under the 1991 Protocol  
concerning the Control of Emissions of Volatile Organic Compounds or  
Their Transboundary Fluxes (ref. 6/02)**

*The Executive Body,*

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

1. *Recalls* decisions 2003/8, 2004/10, 2005/7, 2006/7, 2007/5 and 2008/5;
2. *Notes* the report provided by the Implementation Committee on the follow-up to decision 2008/5 on compliance by Spain with its obligations under the Protocol on Volatile Organic Compounds, based on the information provided by Spain in March 2009 and the additional information presented during the information gathering mission to Spain carried out in accordance with paragraph 11 of decision 2008/4 in July 2009, (ECE/EB.AIR/2009/3, paras.18–25), and the conclusions drawn from this mission;
3. *Reiterates its increasing disappointment* at the continuing failure of Spain to fulfil its obligation to adopt and implement effective measures to reduce its national annual emissions by at least 30 per cent by the year 1999, using 1988 as its base year and its continuing non-compliance with the emission reduction obligations under article 2.2(a) of the Protocol since 1999;
4. *Once again strongly urges* Spain to fulfil its obligation under article 2.2(a) of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligation;
5. *Reiterates* its requests to Spain as articulated in paragraphs 6 and 8 of decision 2006/7 and as reiterated in paragraph 7 of decision 2007/5 and in paragraph 8 of decision 2008/5, and in addition requests Spain to complement the progress report as required by paragraph 6 of decision 2006/7 with following information:
  - (a) Progress in the revision of the Spanish national emission inventory and its impact on the national emission totals of Spain;
  - (b) Reviewed emission data and emission projections for the territory covered by the Protocol;
  - (c) Identification of activities or sectors where there is still a techno-economical potential to further reduce emissions, and the identification of obstacles prohibiting the implementation of stronger measures in those activities or sectors, in order to achieve compliance.
6. *Strongly urges* Spain to give significantly more attention than in previous years to drawing up its progress report in accordance with the requirements of paragraph 6 of decision 2006/7 and paragraph 5 above, in particular to provide the level of detail requested by paragraph 6 of decision 2006/7 and to avoid any inconsistencies in the reported data;

7. *Requests* the Executive Secretary of the Economic Commission for Europe to bring this serious matter of continuing and long-lasting non-compliance to the attention of the Minister of Foreign Affairs and Cooperation and the Minister of Rural, Marine and Natural Environment of Spain;
  8. *Also requests* the Executive Secretary to present details of the non-compliance of Spain in its annual report to the Committee on Environmental Policy, to prepare an information note detailing the non-compliance of Spain, to send copies of it to each of the Parties to the Protocol and to publish it on the home page of the Convention and in the newsletter of the Commission;
  9. *Calls on* Spain to make a presentation to the next annual session of the Executive Body specifically concerning the additional information requested in paragraph 5, and in particular to present its progress on the revision of the Spanish national emission inventory and its work on identifying activities or sectors where there is still potential to further reduce emissions;
  10. *Requests* the Implementation Committee to review the progress and timetable of Spain, and to report to the Executive Body thereon at its twenty-eighth session.
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