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**DRAFT QUESTIONNAIRE ON STRATEGIES AND POLICIES FOR THE  
2004 COMPLIANCE REVIEW**

Note prepared by the secretariat

**Introduction**

1. This note contains information on the draft questionnaire on strategies and policies for air pollution abatement for the 2004 compliance review (EB.AIR/2003/2/Add.1), and on the presentation of its results. The questionnaire is to assist Parties to the Convention to provide information on strategies and policies as required under the protocols to the Convention.
2. The Executive Body, at its twentieth session, considered the results of the 2002 questionnaire on strategies and policies, which were presented as a draft summary review (EB.AIR/2002/1 and Add.1). It also considered a document prepared by the secretariat on the assessment of the 2002 review exercise and options for the future (EB/AIR/2002/7).
3. After a detailed discussion, the Executive Body decided (ECE/EB.AIR/77, para. 77 (c)-(e)) to:

- (a) Separate the review process (and questionnaire) into two parts: one protocol-related, the other general policy;
  - (b) Carry out the protocol review every two years and the general review every four years;
  - (c) Make the national responses available on the Internet, request preparation of a summary of the protocol-related part for the Implementation Committee, and a review and executive summary of the general part for the Executive Body.
4. In accordance with these decisions, the 2004 round of reporting on strategies and policies will focus on Parties' reporting obligations for the protocols currently in force. In 2006 there will also be general questions asking for additional information on policies and strategies, and questions on the protocols not yet in force.
5. The 2004 protocol-related questionnaire is to be made available on the Internet and replies summarized in a report to the Implementation Committee.

#### **I. STRUCTURE AND CONTENT OF THE QUESTIONNAIRE**

6. The 2004 draft questionnaire differs slightly from that of 2002, in an attempt to obtain more comprehensive and accurate replies, as well as to encourage replies that are easier to assess and summarize. The changes, described below, were made in response to:
- (a) Feedback from Parties on the 2002 questionnaire, as reflected in EB.AIR/2002/7;
  - (b) Comments from delegations at the twentieth session of the Executive Body, as reflected in its report (ECE/EB.AIR/77, paras. 62-76);
  - (c) The request of the Executive Body to separate the review process (and questionnaire) into two parts and to prepare a summary of the protocol-related part for the Implementation Committee (ECE/EB.AIR/77, para. 77); and
  - (d) The difficulties met by the secretariat in 2002 in summarizing the information provided.

Moreover, changes suggested by the Implementation Committee at its twelfth meeting have been incorporated into the questionnaire.

**A. The structure of the draft questionnaire**

7. The draft 2004 questionnaire covers obligations by Parties under the protocols currently in force, with the exception of the EMEP Protocol. These are: the 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent; the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes; the 1991 Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes, the 1994 Protocol on Further Reduction of Sulphur Emissions and the 1998 Protocol on Persistent Organic Pollutants.

8. The structure of these protocol sections is essentially the same as it was in 2002. Questions 1-27 (sections 1-4) concern the protocols to the Convention that were previously in force. Some minor changes to content have been made, as described below. Section 5 now contains questions 28-40 on the Protocol on Persistent Organic Pollutants, which will enter into force on 23 October 2003.

**B. The content of the draft questionnaire**

9. Minimal changes have been made to the content of the questionnaire in an effort to obtain replies consistent with those of 2002. Some paragraphs in the introduction have been amended and notes have been modified or added to each section. With these changes, the 2004 questionnaire aims to elicit responses that will: (a) allow the secretariat to provide a comprehensive summary report to the Implementation Committee; and (b) allow the Implementation Committee to determine compliance, both with respect to Parties' reporting obligations and with respect to their underlying protocol obligations.

10. *Encouraging quality and conciseness.* While replies to the questionnaire improved between 2000 and 2002 in terms of brevity and quality, there is a need for further improvement. To obtain clear and concise replies, a paragraph has been added to the introduction of the questionnaire encouraging Parties to make their replies succinct and to the point.

11. *Reference to European Union (EU) directives.* One problem cited by both the Implementation Committee in determining compliance and the secretariat in summarizing replies to the 2002 questionnaire was that Parties often referred to EU directives without indicating whether they had been transposed into national legislation and implemented. In order to clarify whether Parties have implemented the appropriate legislation, the following note has been added to each section:

**Note:** When referring to European Union directives, please give the exact reference (title and symbol) of the directive and, if applicable, any relevant amendments; explain how the directive satisfies the question and indicate whether the directive has been transposed into national law and implemented.

12. *Reference to EU standards and source categories.* A similar problem was encountered in 2002 in assessing replies to questions that called for national emission standards and emission limit values (ELVs). For example, sections 2 and 3 (on the Protocols on NO<sub>x</sub> and VOCs, respectively) included questions requesting information on progress made in applying national emission standards. In their replies, Parties often referred to EU standards without indicating whether these were transposed into national law and implemented. Moreover, Parties often referred to lists of sources (in EU directives, for example) without clarifying whether these were considered major sources for them. To obtain more precise information, the following note has been added to the relevant sections:

**Note:** When providing information on national emission standards or emission limit values, please indicate the numerical value, whether they have been transposed into national law and implemented, with a reference to the respective legislation. When providing a list of source categories, please clarify whether these are actually used as source categories in your country.

13. *Use of tables.* An additional problem with previous replies was that lists of standards and lists of source categories provided by Parties were often confusing, unwieldy and difficult to interpret. Similar problems were met with tables on emission limit values. To obtain clearer information, the tables and notes to the tables have been revised and, where relevant, the following note has been added:

**Note:** When providing information in tables, please use the prescribed format below, including reference to your country under “Party”, to avoid errors.

14. *Overlapping questions and cross-referencing.* Some Parties noted the similarity of questions in different sections of the 2002 questionnaire and requested their collation. However, there are different Parties to each protocol and the obligations under protocols sometimes differ. A sentence has been added to the introduction encouraging Parties that used cross-referencing to indicate clearly which questions or parts of questions they are referring to.

15. *Tickboxes.* A suggestion was made to present a list of policy measures in the questionnaire where Parties could “tickoff” the measures that they applied (e.g. licence/permits, taxes, charges, ELVs/quotas, technology/best available techniques). However, to determine compliance the protocol-related questions require information that does not provide much scope for tickboxes. While the “tickbox” suggestion has not been incorporated into the 2004 draft questionnaire, it will be considered for the general questions of the 2006 questionnaire.

## II. MAKING THE QUESTIONNAIRE AVAILABLE

16. The Executive Body, at its twentieth session, took note of the feedback provided by Parties on the use of the Internet-based system (EB.AIR/2002/7) and agreed on the effectiveness of the approach and its potential use for future questionnaires (ECE/EB.AIR/77, para. 68). As with the 2002 questionnaire, the 2004 questionnaire will be accessible through the Convention’s web site. Questionnaires will also be made available by electronic mail, on diskette or in hard copy, if required.

17. Most of the technical problems associated with the Internet-based questionnaire, such as space provided for replies, have been addressed by the secretariat. Parties should still limit the length of replies to ensure that responses are well focused and provide the most relevant information. Parties will be encouraged to consult the 2002 Review of Strategies and Policies for Air Pollution Abatement (EB.AIR/2002/2 and Add. 1) as well as their own replies to the 2002 questionnaire. This should facilitate the updating of previous information and avoid duplication of work.

18. The secretariat will make the questionnaire available from 31 January 2004. Replies should be received by 31 March 2004.

## III. TIME SCHEDULE

19. As noted above, the Executive Body has requested preparation of a summary of the replies to the 2004 questionnaire for the Implementation Committee (ECE/EB.AIR/77, para. 77 (e)). The tentative schedule for the work is as follows:

**December 2003:** Approval of the draft questions by the Executive Body at its twenty-first session;

**31 January 2004:** Questionnaire made available via the Convention's web site. Parties will be informed, by electronic mail if possible, that the questionnaire is available for use;

**31 March 2004:** Deadline for submission of replies to questionnaire;

**April 2004:** Preliminary information on responses presented to the Implementation Committee;

**April-June 2004:** Preparation of a report by the secretariat for the Implementation Committee. If necessary, further request to Parties for clarification;

**July/September 2004:** Consideration of the report and the replies by the Implementation Committee;

**December 2004:** Implementation Committee report to the Executive Body.

#### IV. CONCLUSIONS

20. The Executive Body may wish to decide to:

(a) Approve the 2004 draft questionnaire and request the secretariat to make it available on the Convention's web site;

(b) Request Parties to respond by the deadline, using clear cross references and providing replies that are brief and focused, including information provided in tables;

(c) Request the secretariat to make replies from Parties available on the Convention's web site;

(d) Request the secretariat to provide a report to the Implementation Committee to enable it to address issues of compliance related to the reporting of strategies and policies;

(e) Request the Implementation Committee to consider the results of the questionnaire and report to the Executive Body at its twenty-second session.