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ECONOMIC COMMISSION FOR EUROPE

EXECUTIVE BODY FOR THE CONVENTION ON
LONG-RANGE TRANSBOUNDARY AIR POLLUTION

Twenty-third session
(Geneva, 12-15 December 2005)

REPORT OF THE TWENTY-THIRD SESSION OF THE EXECUTIVE BODY

Addendum

Annex I

DECISION 2005/1 ON EMISSION DATA REPORTING UNDER THE PROTOCOL ON HEAVY
METALS, THE PROTOCOL ON POPS AND THE GOTHENBURG PROTOCOL

The Parties to the Protocol on Heavy Metals, the Protocol on POPs, and the Gothenburg Protocol, respectively, meeting within the Executive Body,

Referring to the Guidelines for Estimating and Reporting Emissions Data, adopted at the twenty-sixth session of the EMEP Steering Body and approved by the Executive Body at its twentieth session,

Recalling the Executive Body's Decision 2002/10 on Emission Data Reporting under the Convention and the Protocols in force,

Noting the importance of reliable emission data both for the purpose of reviewing Parties' compliance with their obligations under the protocols and as a basis for scientific work to further develop abatement strategies under the Convention,

Aware of their basic obligations under article 3 of the 1998 Protocol on Heavy Metals, article 3 of the 1998 Protocol on POPs and article 3 of the 1999 Gothenburg Protocol,

Acting under article 7, paragraph 1 (b) of the 1998 Protocol on Heavy Metals, article 9, paragraph 1 (b) of the 1998 Protocol on POPs and article 7, paragraph 1 (b) of the Gothenburg Protocol,

Approve the decision by the EMEP Steering Body that the periodic basis, determined in accordance with article 7, paragraph 1 (b) of the 1998 Protocol on Heavy Metals, article 9, paragraph 1 (b) of the 1998 Protocol on POPs and article 7, paragraph 1 (b) of the Gothenburg Protocol for the reporting by Parties within the geographic scope of EMEP:

1. Shall be annual and that submissions shall reach the secretariat before 15 February, for data other than gridded data, on inventories for the calendar year that ended 13 months prior to that date and, if necessary, for updates to data for earlier years and the emission projections for 2010, 2015 and 2020 (every fifth year);
2. Gridded data shall reach the secretariat no later than 1 March.

Annex II

DECISION 2005/2 CONCERNING COMPLIANCE BY NORWAY WITH ITS OBLIGATIONS UNDER THE 1991 VOC PROTOCOL (ref. 1/01)

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 1997/2, annex, as amended in 2001, ECE/EB.AIR/75, annex V),

1. Recalls its decisions 2001/1, 2002/2, 2003/1 and 2004/6;
2. Notes the report provided by the Implementation Committee on the progress made by Norway, based on the information provided by Norway on 6 and 12 April 2005 (EB.AIR/2005/3 paras. 6 to 9) and, in particular, its conclusion that Norway remained in non-compliance with the emission reduction obligation of the 1991 Protocol on the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes;
3. Welcomes the significant national measures that have been taken by Norway to reduce its VOC emissions;
4. Welcomes also the fact that Norway's final data for 2002 and 2003 and the preliminary data for 2004 confirm a downward trend in its total national emissions and its tropospheric ozone management area (TOMA) emissions;
5. Remains concerned, however, by the continuing failure of Norway to fulfil its obligations to take effective measures to reduce its annual emissions within the TOMA specified under annex I by at least 30%, using 1989 as its base year, and to ensure that its total national annual emissions do not exceed its 1988 levels, as required by article 2, paragraph 2 (b), of the VOC Protocol;
6. Expresses its disappointment in Norway's inability, notwithstanding Executive Body decision 2004/6, to shorten the seven years it anticipated it will remain in non-compliance;
7. Strongly urges Norway to ensure that it lives up to its expectation, expressed both in writing and orally, to achieve compliance with its obligation to reduce its total national annual emissions as from 2005, and with its obligation to reduce its annual emissions within the TOMA as from 2006;
8. Calls on Norway to provide the Implementation Committee, through the secretariat,

by 31 March 2006, with information on the progress that it has made towards achieving compliance with these two obligations; and

9. Requests the Implementation Committee to review Norway's progress and timetable, and report to it thereon at its twenty-fourth session.

Annex IIIDECISION 2005/3 CONCERNING COMPLIANCE BY ITALY
WITH ITS OBLIGATIONS UNDER THE 1991 VOC PROTOCOL (ref. 3/01)The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 1997/2, annex, as amended in 2001, ECE/EB.AIR/75, annex V),

1. Recalls its decisions 2001/3, 2002/4 and 2003/3, in which it had urged Italy to fulfil its obligations under the VOC Protocol as soon as possible;
2. Notes the report provided by the Implementation Committee (EB.AIR/2005/3 paras. 11 to 12) concerning Italy's compliance with article 2, paragraph 2 (a), of the 1991 VOC Protocol and in particular the Committee's conclusion that it was apparent from the updated data provided by Italy that it had achieved compliance in 2002 with its obligation under article 2, paragraph 2 (a), of the Protocol;
3. Decides that there is no reason for the Implementation Committee to continue to review Italy's compliance with its obligation under article 2, paragraph 2 (a), of the VOC Protocol as initiated by Italy's self-submission in 2001.

Annex IV

DECISION 2005/4 CONCERNING COMPLIANCE BY GREECE
WITH ITS OBLIGATIONS UNDER THE 1988 NO_x PROTOCOL (ref. 2/02)

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 1997/2, annex, as amended in 2001, ECE/EB.AIR/75, annex V),

1. Recalls its decisions 2002/6, 2003/5 and 2004/7;
2. Notes the report of the Implementation Committee on the progress made by Greece, based on the information provided by Greece on 7 April 2005 and 26 July 2005 (EB.AIR/2005/3 paras. 14 to 18), in particular its conclusion that Greece has remained in non-compliance with the emission reduction obligation under article 2, para. 1, of the 1988 NO_x Protocol since 1998;
3. Is seriously concerned at the continuing failure of Greece to fulfil its obligation to take effective measures to control and/or reduce its annual emissions so that these do not exceed its emissions in 1987;
4. Expresses its disappointment in Greece's inability to achieve compliance with article 2, paragraph 1, of the NO_x Protocol before the year 2010;
5. Strongly urges Greece to consider taking additional measures and to implement earlier the measures it has already planned in order to fulfil its obligation under article 2, paragraph 1, of the NO_x Protocol as soon as possible, and to reduce significantly the period of 12 years that it has anticipated it will remain in non-compliance;
6. Requests Greece to provide the Implementation Committee, through the secretariat, by 31 March 2006, and by 31 March of each subsequent year until compliance is achieved, with a report describing the progress it has made towards achieving compliance and listing the specific measures taken and scheduled, including the measures referred to in paragraph (e), to fulfil its emission reduction obligations under the NO_x Protocol, setting out a timetable containing annual steps for the achievement of these measures and indicating the projected effects of each of these measures on its NO_x emissions per year up to and including the year of predicted compliance;
7. Invites Greece, when deciding on the measures indicated above, to consider areas with high potential for achieving reductions of NO_x emissions, for instance, the renewal of its vehicle fleet and in particular its heavy-duty lorries and buses;

8. Calls upon Greece, until such time as it achieves compliance, to make a presentation containing the information referred to in paragraph (f) to the next annual session of the Executive Body, in any year in which it fails to provide that information to the Implementation Committee in time for its second meeting of the year;

9. Requests the Implementation Committee to review Greece's progress and report to it thereon, with recommendations as necessary, at its twenty-fourth session and subsequent annual sessions until Greece has reached compliance.

Annex V

DECISION 2005/5 CONCERNING COMPLIANCE BY IRELAND WITH
ITS OBLIGATIONS UNDER THE 1988 NO_x PROTOCOL (ref. 3/02)

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 1997/2, annex, as amended in 2001, ECE/EB.AIR/75, annex V),

1. Recalls its decisions 2002/7, 2003/6 and 2004/8 in which it had urged Ireland to fulfil its obligations under the 1988 NO_x Protocol as soon as possible;
2. Notes the report provided by the Implementation Committee (EB.AIR/2005/3, paras. 20 to 21) concerning Ireland's compliance with article 2, paragraph 1, of the 1988 NO_x Protocol, and in particular the Committee's conclusion that it was apparent from the updated data provided by Ireland that it had achieved compliance with its obligation in 2003;
3. Decides that there is no reason for the Implementation Committee to continue to review Ireland's compliance with its obligation under article 2, paragraph 1, of the NO_x Protocol as initiated by the secretariat's referral in 2002.

Annex VIDECISION 2005/6 CONCERNING COMPLIANCE BY SPAIN WITH
ITS OBLIGATIONS UNDER THE 1988 NO_x PROTOCOL (ref. 4/02)The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 1997/2, annex, as amended in 2001, ECE/EB.AIR/75, annex V),

1. Recalls its decisions 2002/8, 2003/7 and 2004/9;
2. Notes the report provided by the Implementation Committee on the progress made by Spain, based on the information provided by Spain in December 2004, March 2005 and July 2005 (EB.AIR/2005/3, paras. 23 to 28), and in particular its conclusion regarding the failure of Spain to comply with the emission reduction obligation under article 2, para. 1, of the Protocol;
3. Continues to be strongly concerned by the failure of Spain to fulfil its obligation to take and implement effective measures to control and/or reduce its national annual emissions so that these do not exceed its emissions in 1987;
4. Continues to urge Spain to fulfil its obligation under article 2, paragraph 1, of the NO_x Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligation;
5. Requests Spain to provide the Implementation Committee, through the secretariat, by 31 March 2006, and by 31 March of each subsequent year until compliance is achieved, with a report describing the progress it has made towards achieving compliance. This report should contain a timetable that specifies the year by which it expects to be in compliance, a list of the specific measures taken or scheduled to fulfil its emission reduction obligation under the NO_x Protocol and a description of the projected effects of each of these measures on its NO_x emissions up to and including the year of predicted compliance;
6. Requests Spain, when revising its historical data, also to revise its base year data in a consistent way;
7. Calls on Spain, until such time as it achieves compliance, to make a presentation containing the information referred to in paragraph (e) to the next annual session of the Executive Body in any year in which it fails to provide that information to the Implementation Committee in time for its second meeting of the year;
8. Requests the Implementation Committee to review Spain's progress and report to it thereon, with recommendations as necessary, at its twenty-fourth session and subsequent annual sessions until Spain has reached compliance.

Annex VII

DECISION 2005/7 CONCERNING COMPLIANCE BY SPAIN WITH
ITS OBLIGATIONS UNDER THE 1991 VOC PROTOCOL (ref. 6/02)

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 1997/2, annex, as amended in 2001, ECE/EB.AIR/75, annex V),

1. Recalls its decisions 2003/8 and 2004/10;
2. Notes the report of the Implementation Committee on the progress made by Spain, based on the information provided by Spain in December 2004, March 2005 and July 2005 (EB.AIR/2005/3, paras. 30 to 34), and in particular its conclusion that Spain had remained in non-compliance with the emission reduction obligation under article 2, paragraph 2 (a), of the 1991 VOC Protocol;
3. Continues to be concerned by the failure of Spain to fulfil its obligation to take effective measures to reduce its national annual emissions by at least 30% using 1988 as its base year;
4. Continues to urge Spain to fulfil its obligation under article 2, paragraph 2 (a), of the VOC Protocol as soon as possible;
5. Calls on Spain to provide the Implementation Committee, through the secretariat, by 31 March 2006 with a report describing the progress it has made towards achieving compliance. The report should set out a timetable that specifies the year by which Spain expects to be in compliance, set forth its base year emission data in a manner that corresponds to its recalculated emission levels in its commitment years, list the specific measures taken or scheduled to fulfil its emission reduction obligation under the VOC Protocol and set out the projected effects of each of these measures on its VOC emissions up to and including the year of predicted compliance;
6. Requests the Implementation Committee to review Spain's progress and timetable and report to it thereon at its twenty-fourth session.

Annex VIII

DECISION 2005/8 CONCERNING COMPLIANCE WITH REPORTING OBLIGATIONS

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 1997/2, annex, as amended in 2001, ECE/EB.AIR/75, annex V),

1. Takes note of the eighth report of the Implementation Committee with respect to:
 - (a) The follow-up to Executive Body decision 2004/12 regarding compliance by certain Parties with their reporting requirements (EB.AIR/2005/3/Add.1, paras. 1-3);
 - (b) Compliance by Parties with their emission data reporting obligations under the Protocols, identified on the basis of information provided by EMEP (EB.AIR/2005/3/Add.1, paras. 4-27 and tables 1 to 6); and
 - (c) Compliance by Parties with their obligations to report on strategies and policies for air pollution abatement (EB.AIR/2005/3/Add.1, paras. 28-36 and table 7);
2. Notes the completeness of the emission data reported by Parties up to, and including, 2001;
3. Regrets, however, that a number of Parties still have not reported final and complete emission data for 2002 and 2003;
4. Reminds all Parties of the importance not only of complying fully with their obligations to report emission data under the Protocols, including where applicable in accordance with any legally binding deadlines and formats, but also of submitting their final and complete data on time to ensure the efficient operation of the Convention;
5. Recalls that its decision 2004/12 noted that fourteen Parties – Croatia, Finland, France, Greece, Hungary, Iceland, Italy, Liechtenstein, Luxembourg, the Russian Federation, Slovakia, Slovenia, Ukraine and the European Community – that were among those identified at its twenty-second session as not yet being in compliance with their obligations to report on strategies and policies, were still not in compliance, and that those Parties were called on to provide the missing information no later than 31 January 2005 (ECE/EB.AIR/83/Add.1, annex XII);
6. Notes with satisfaction the action taken by Croatia, Finland, France, Greece, Hungary, Italy, the Russian Federation, Slovakia and Slovenia to comply with their reporting obligations to

report on strategies and policies;

7. Notes with regret that Iceland, Liechtenstein, Luxembourg, Romania, Ukraine and the European Community are not in compliance with their strategies and policies reporting obligations for 2004;

8. Urges:

(a) Iceland to comply with its obligations to report on strategies and policies for 2004 under the 1998 Protocol on POPs;

(b) Liechtenstein to comply with its obligations to report on strategies and policies for 2004 under the 1985 Sulphur Protocol, the 1988 NO_x Protocol, the 1991 VOC Protocol, the 1994 Sulphur Protocol, the 1998 Protocol on POPs and the 1998 Protocol on Heavy Metals;

(c) Luxembourg to comply with its obligations to report on strategies and policies for 2004 under the 1985 Sulphur Protocol, the 1988 NO_x Protocol, the 1991 VOC Protocol, the 1994 Sulphur Protocol, the 1998 Protocol on POPs and the 1998 Protocol on Heavy Metals;

(d) Ukraine to complete its reporting on strategies and policies for 2004 under the 1988 NO_x Protocol;

(e) Romania to comply with its obligation to report on strategies and policies for 2004 under the 1998 Protocol on Heavy Metals and the 1998 Protocol on POPs; and

(f) The European Community to complete its reporting on strategies and policies for 2004 under the 1998 Protocol on Heavy Metals;

and in these contexts to provide, as soon as possible, but no later than 31 January 2006, all the missing information;

9. Reminds all Parties of the importance not only of complying fully with their obligations to report on their strategies and policies, as required under the protocols, but also of submitting their reports on time;

10. Requests the Implementation Committee to review the progress made by the above-mentioned Parties with regard to their reporting on strategies and policies and to report thereon at its twenty-fourth session.

Annex IXDECISION 2005/9 ON THE FACILITATION OF PARTICIPATION OF
COUNTRIES WITH ECONOMIES IN TRANSITION

1. Broad participation by Parties in the activities under the Executive Body is essential to ensure progress in work under the Convention. To facilitate the participation of certain countries with economies in transition which would otherwise not be in a position to take part, Parties are invited to contribute to the Trust Fund for this purpose.
2. The secretariat is authorized to fund, subject to available resources, the participation of one governmentally designated representative from each of the following countries: Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, the Russian Federation, Serbia and Montenegro, the Former Yugoslav Republic of Macedonia and Ukraine, to meetings of the Executive Body and its three main subsidiary bodies, giving highest priority to negotiating groups and other meetings directly linked to preparatory or ongoing negotiations. Upon their accession to the Convention and their expressed intention to take part in the work of the Executive Body, the following countries may also qualify for funding: Albania, Tajikistan, Turkmenistan and Uzbekistan.
3. Participation in other meetings may qualify for funding at the discretion of the Bureau of the Executive Body provided funds are available. However, for task force and expert group meetings, Parties are encouraged to sponsor directly the participating experts from countries in the above list.
4. To make efficient use of the limited funds available for travel, Parties are encouraged, to the extent possible, to finance their own participation in activities under the Convention.
5. The countries mentioned in paragraph 2 above that have applied for membership in the European Union and/or the Organisation for Economic Co-operation and Development (OECD) are, in principle, expected to finance their own participation, and should only exceptionally make use of this offer.
6. The secretariat is authorized to decide, in consultation with the Chairman of the Executive Body, on the extent of funding (travel and/or daily subsistence allowance, or lump sum), on the basis of available funds and forecasts for requests and contributions for each year, and taking due account of United Nations regulations.

Annex X

AMENDED ANNEX REFERRED TO IN ARTICLE 4 OF THE PROTOCOL ON LONG-TERM FINANCING
OF THE COOPERATIVE PROGRAMME FOR THE MONITORING AND EVALUATION OF THE LONG-
RANGE TRANSMISSION OF AIR POLLUTANTS IN EUROPE (EMEP)

Mandatory contributions for sharing of costs for financing EMEP shall, from 2006 onwards, be calculated according to the following scale*

	Per cent
Belarus	0.0434
Bosnia and Herzegovina	0.0072
Bulgaria	0.0410
Canada	voluntary
Croatia	0.0893
Liechtenstein	0.0121
Monaco	0.0072
Norway	1.6379
Romania	0.1447
Russian Federation	2.6535
Serbia and Montenegro	0.0458
Switzerland	2.8875
Turkey	0.8974
Ukraine	0.0941
United States	voluntary
Austria	2.0722
Belgium	2.5787
Cyprus	0.0941
Czech Republic	0.4414
Denmark	1.7320
Estonia	0.0289
Finland	1.2857
France	14.5461
Germany	20.8952
Greece	1.2785
Hungary	0.3039
Ireland	0.8443
Italy	11.7840
Latvia	0.0362
Lithuania	0.0579
Luxembourg	0.1857
Malta	0.0338
Netherlands	4.0768
Poland	1.1121
Portugal	1.1338
Slovakia	0.1230
Slovenia	0.1978
Spain	6.0790
Sweden	2.4075
United Kingdom	14.7801
European Community	3.3300
Total	100.0000

* The order in which the Contracting Parties are listed in this annex is specifically made in relation to the cost-sharing system agreed upon by the Executive Body for the Convention. Accordingly, the listing is a feature which is specific to the Protocol on the Financing of EMEP.