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Compliance with protocol obligations

Fourteenth report of the Implementation Committee¹

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¹ In accordance with Executive Body decision 2006/2 (ECE/EB.AIR/89, Add.1).

I. Introduction

1. At its twenty-seventh and twenty-eighth sessions, the Executive Body for the Convention on Long-range Transboundary Air Pollution elected the following members to the Convention's Implementation Committee: Mr. Peter Meulepas (Belgium) (Chair), Mr. Ivan Angelov (Bulgaria), Mr. Marcus Schroeder (Germany), Ms. Anneli Karjalainen (Finland), Ms. Marta Munoz Cuesta (Spain), Mr. Larsolov Olsson (Sweden), Mr. Stephan Michel (Switzerland), Mrs. Clare Hamilton (United Kingdom of Great Britain and Northern Ireland) and Mr. David Buchholz (United States of America).

2. The Implementation Committee held two meetings in 2011. Its twenty-seventh meeting was held from 16 to 18 May in Washington, D.C., and its twenty-eighth meeting was held from 7 to 9 September in Geneva. A representative of the Convention secretariat participated in both meetings. Mr. Michel did not attend the twenty-seventh meeting and Ms. Munoz Cuesta did not attend the twenty-eighth meeting.

II. Submissions and referrals concerning compliance by Parties with their protocol obligations

A. Follow-up to Executive Body decisions 2010/3, 2010/4, 2010/5, 2010/6, 2010/7, 2010/8, 2010/9 and 2010/10

3. Based on recommendations made by the Implementation Committee in its thirteenth report (ECE/EB.AIR/2010/2 and ECE/EB.AIR/2010/6), at its twenty-eighth session the Executive Body adopted decisions concerning compliance by Croatia, Cyprus, Denmark, Estonia, Germany, Greece, Italy, Latvia and Spain.

4. Details of the correspondence between the secretariat and the above countries on the follow-up to the Executive Body decisions are available in informal document 1. The responses received by the secretariat were transmitted to the Implementation Committee to inform its deliberations.

1. Follow-up to decision 2010/3 on compliance by Greece with the Protocol on Nitrogen Oxides² (ref. 2/02)

Background

5. In decision 2009/6, the Executive Body requested Greece to invite the Implementation Committee, in accordance with paragraph 6 (b) of Executive Body decision 2006/2, to conduct an in-depth review of Greece's progress and timetable for achieving compliance with article 2, paragraph 1, of the Protocol concerning the Control of Nitrogen Oxides or Their Transboundary Fluxes (Protocol on Nitrogen Oxides) on the basis of Executive Body decisions 2002/6, 2003/5, 2004/7, 2005/4, 2006/5, 2007/3 and 2008/3 related to the long-lasting non-compliance of this country with the Protocol requirements. Greece invited the Committee to carry out the mission in November 2010. In its decision 2010/3, the Executive Body recognized that Greece had invited the Committee to carry out an information-gathering mission and called on Greece to provide possible follow-up information. Greece supplied a report to the Committee on 29 March 2011.

² 1988 Protocol Concerning the Control of Nitrogen Oxides or Their Transboundary Fluxes.

Consideration

6. The Implementation Committee was grateful to Greece for its invitation and also for its cooperation in the information gathering performed by an expert review team during the mission to Athens. The mission was held on 3 and 4 November 2010. The expert team considered the information presented by Greece during this mission and reported the findings to the Committee.

7. Based on the findings of the expert team, the Committee noted that Greece planned to adopt a series of measures as part of its Greenhouse Gas Action Plan that would also impact on its nitrogen oxides (NO_x) emissions. Greece had set out two different scenarios, and projected that it would achieve compliance by 2016 when applying the “compliance scenario” and by 2019 when applying a “business as usual” scenario.

8. In its March 2011 report, Greece updated those estimates on the basis of recalculations of its base year (1987) NO_x emissions, as well as emissions over the period 1990–2009 and projected emissions for the future, using more reliable data. According to the new estimates, Greece anticipated compliance by 2013 under the compliance scenario and 2015 under a business as usual scenario.

9. The Committee took note of those steps towards achieving compliance; at the same time, it expressed concern that Greece, based on the conclusions of the information-gathering mission, did not plan to develop and implement any additional measures specifically dedicated to the reduction of total national NO_x emissions to speed up its compliance with the NO_x Protocol target. The projected achievement of compliance, regardless of whether it accorded with the expert review team report (informal document 3) or the Greek report of March 2011, was primarily due to the implementation of measures related to the implementation of climate change policies and fiscal policies in the transport sector. The Committee was further concerned that it was not entirely clear that Greece was even committed to all the measures outlined in its reports.

10. The Committee agreed that it would be appropriate to encourage Greece to make further efforts in planning and implementing effective policy measures at the national level directed specifically to reducing and keeping NO_x emissions below the base year level, in particular, policy measures addressing mobile sources and power plants.

2. Follow-up to decision 2010/4 on compliance by Spain with the Protocol on Nitrogen Oxides (ref. 4/02)

Background

11. In its decision 2010/4, the Executive Body requested the Committee to review Spain’s progress in achieving compliance with article 2, paragraph 1, of the Protocol on NO_x. The secretariat informed the Committee that it had communicated the decision to Spain and had received information on emission data for 2009 in response to its letter.

Consideration

12. The Committee carefully considered the NO_x emission data provided for the time series 1987–2009, according to the most recent update of the National Emissions Inventory. The Committee noted that the emission data provided, including the upward revision of the figure for NO_x for the base year 1987, showed that Spain has achieved compliance with regard to its NO_x emission reduction obligation.

13. The Committee expressed its regret that Spain had not provided a full report as requested in decision 2010/4. The Committee believed that it would have helped its

considerations if Spain had submitted such a report clarifying how it achieved compliance in 2009 and how it expected to remain in compliance after 2009.

3. Follow-up to Executive Body decision 2010/5 on compliance by Spain with the Protocol on Volatile Organic Compounds³ (ref. 6/02)

Background

14. In its decision 2010/5, the Executive Body requested the Committee to review Spain's progress and timetable for achieving compliance with article 2, paragraph 2 (a), of the Protocol on Volatile Organic Compounds. The secretariat informed the Committee that it had communicated the decision to Spain and had received a progress report in response to its letter. The secretariat had further requested additional information on issues raised by the Committee at its twenty-seventh session, which Spain had provided.

Consideration

15. The Committee noted that Spain has made considerable progress in achieving compliance with its emission reduction obligation under the Protocol and had reduced its exceedance of the volatile organic compound (VOC) target in 2009 to 3 per cent (or 28 kilotons⁴ (kt) in absolute terms). It observed that Spain was at present expecting compliance by 2016, while according to its reported projections in previous years compliance was not expected before 2020. It also noted that the significant VOC emission reduction between 2008 and 2009 was mainly caused by a combination of revisions of the VOC emission inventory and the economic recession. The VOC emission reduction caused by the economic recession was basically the result of a decrease in the consumption of paint and transport fuel.

16. Although the Committee was pleased to note that the exceedance of the VOC target had improved from 23 per cent in 2008 to 3 per cent in 2009, it remained concerned that, according to the latest reported projections, Spain was not expecting compliance before 2016, by which time Spain would have been in non-compliance for more than 15 years. It welcomed the fact that Spain provided information on additional measures, but regretted that the effects of those measures were not yet quantified and therefore their sufficiency could not be assessed. The Committee further noted that Spain had announced that it would consider the effects of the measures in its next update of its VOC "with measures scenario". Although the Committee expected that those additional measures might bring Spain into compliance sooner than 2016, it wondered at the same time whether the improvement caused by the economic recession would last.

17. Acknowledging the significant progress Spain had made towards achieving compliance with its VOC target, the Committee agreed not to propose to the Executive Body to take stronger measures at present. The Committee, however, remained committed to reconsidering stronger measures again at its next meetings should it become clear that Spain's long-lasting non-compliance with its obligations under the VOC Protocol would not be resolved in the very near future or should Spain fail to provide adequate information to enable the Committee to assess whether the measures proposed by Spain were sufficient.

³ The 1991 Geneva Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes.

⁴ Any mention of tons in this document refers to metric tons unless otherwise specified.

4. Follow-up to Executive Body decision 2010/6 on compliance by Denmark with the 1998 Protocol on Persistent Organic Pollutants (ref. 1/06)

Background

18. In its decision 2010/6, the Executive Body requested the Implementation Committee to review Denmark's progress and timetable for achieving compliance with article 3, paragraph 5 (a), of the Protocol on Persistent Organic Pollutants (Protocol on POPs). The secretariat informed the Committee that it had communicated the decision to Denmark and had received a written report in response to its letter.

Consideration

19. The Committee noted that the latest officially submitted emission data showed that polycyclic aromatic hydrocarbons (PAHs) emissions in Denmark in 2009 were 14.9 tons, which was still 109 per cent above the emission level in the base year (7.1 tons), but represented a reduction compared to the reported PAH emissions from 2008 (16.4 tons) and 2007 (17.8 tons). Denmark explained that the decrease in PAH emissions was mainly due to a reduced use of wood. The main source was residential wood burning, which was responsible for some 87 per cent of the total PAH emissions.

20. Denmark explained its intention to reduce the particulate and PAH emissions in a cost-effective way through a wide range of measures (strengthening of regulations, information campaigns and supervision). In 2008 and 2009, some 10 million DKr had been spent on development and demonstration of new technologies to reduce the pollution from residential wood burning. As a result of one of those projects, new web-based guidance for local authorities was expected to be published in 2011. Another result of the projects was an information technology tool (available on the Danish Environmental Protection Agency homepage) designed to help to choose optimal stove size and to optimize the combustion process.

21. Denmark repeated the statements it had been making since 2008, that an extensive national action plan or strategy would soon be introduced to reduce emissions from wood burning stoves and boilers. It was not able, however, in the absence of such a plan or strategy to provide information on further measures and plans under preparation to reduce PAH emissions. Thus Denmark asserted that it was not possible to estimate when it would be in compliance with the Protocol on POPs.

22. The Committee noted the information Denmark provided on its efforts to comply with its obligation to reduce PAH emissions and its intention to take further measures to reduce those emissions. It observed that the action plan or strategy mentioned by Denmark had been in development for several years, but as of the Committee's meeting in September 2011 it still had not been released. It further noted that Denmark did not provide information on progress in reviewing its emission factors for wood-burning stoves and boilers or on updating its emission inventories for PAH emissions.

23. The Committee remained concerned that Denmark was not able to specify the year of expected compliance or to provide information on further planned measures to reduce PAH emissions. On the basis of the information provided by Denmark, and in the continued absence of the action plan and further measures that Denmark had indicated it would take, the Committee concluded that Denmark remained in non-compliance with its obligations under the Protocol on POPs and that article 3, paragraph 7, of the Protocol was not applicable.

5. Follow-up to Executive Body decision 2010/7 on compliance by Cyprus with the Protocol on Nitrogen Oxides (ref. 1/08) and Executive Body decision 2010/8 on compliance by Cyprus with the Protocol on Heavy Metals (ref. 1/10: cadmium)

Background

24. In its decision 2010/7, the Executive Body requested the Implementation Committee to review the progress and timetable of Cyprus for achieving compliance with article 2, paragraph 1, of the Protocol on NO_x. In its decision 2010/8 the Executive Body requested the Committee to review Cyprus's progress and timetable for achieving compliance with article 3, paragraph 1, of the Protocol on Heavy Metals. The secretariat informed the Committee that it had communicated the decision to Cyprus and that it had received a written report in response to its letter. The secretariat had further requested additional information on issues raised by the Committee at its twenty-seventh session, which Cyprus had been unable to provide due to a serious incident which occurred close to its largest power plant station.

Consideration

25. The Committee noted that Cyprus was still in non-compliance with the Protocol on NO_x and the Protocol on Heavy Metals. Its NO_x emissions in 2009 were 19.48 kt, which was above the emission level of 16 kt in the base year. Its cadmium (Cd) emissions were 0.085 megagrams (Mg) in 2009, which was above the emission level of 0.050 Mg in the base year.

26. With regard to NO_x, the Committee noted that the measures mentioned by Cyprus did not include projected effects and expected that they would not be sufficient to achieve compliance with its obligation under the NO_x Protocol for several more years. It was further concerned that Cyprus no longer referred to 2014 as the year of expected compliance because of uncertainties regarding the introduction of natural gas in the energy sector. With regard to Cd, the Committee took note of the explanation given by Cyprus that the exceedance could be addressed by conversion to natural gas in the energy sectors; but Cyprus had not clarified how and when that would occur. On the basis of the information received at the Committee's twenty-seventh meeting, the Committee also remained concerned to see that Cyprus did not expect to reduce its emissions below the required baseline level in the foreseeable future, and it regretted that no additional measures were envisaged to speed up its compliance. The Committee wished to see further improvements on Cyprus's compliance measures, projections and timetable. It also requested further information on issues raised at its twenty-seventh meeting concerning, inter alia, measures that Cyprus intended to take while searching for domestic sources of natural gas and projected effects of reduction measures for NO_x and cadmium.

27. Due to a very unfortunate and severe incident close to the largest power plant station in Cyprus, causing severe damage to it, Cyprus had been unable to provide the additional information as requested. In view of those circumstances, the Committee decided to continue its consideration of the case at its meetings in 2012. It requested the secretariat to write to Cyprus and ask it to provide the requested additional information by 31 March 2012, including new information on the possible consequences of the incident on Cyprus's non-compliance.

6. Follow-up to Executive Body decision 2010/9 on compliance by Cyprus with the Protocol on Heavy Metals (ref. 8/10: mercury)

Background

28. In its decision 2010/9 the Executive Body requested the Committee to review Cyprus's progress for achieving compliance with article 3, paragraph 1, of the 1998 Heavy Metals Protocol. The secretariat informed the Committee that it had communicated the decision to Cyprus and had received a written report in response to its letter.

Consideration

29. The Committee noted that Cyprus was still in non-compliance with the Protocol on Heavy Metals concerning its emission reduction obligation for mercury. Its mercury emission level in 2009 was 0.154 Mg, which was above the emission level of 0.148 Mg in the base year.

30. At its twenty-seventh meeting the Committee took note of the explanation given by Cyprus that the exceedance was almost entirely connected to its cement production and that a replacement of the two old facilities with a new cement production plant in 2011 would bring Cyprus into compliance. At its twenty-eighth meeting, the Committee took note of Cyprus's confirmation that the old installations had been closed in 2011 and replaced by a more modern plant and that Cyprus was therefore expecting compliance by the end of 2011. The Committee decided to keep the case open pending receipt of emission data for 2011.

7. Follow-up to Executive Body decision 2010/10 on compliance by Croatia, Estonia, Germany, Italy and Latvia with the Protocol on Persistent Organic Pollutants (refs. 7/10, 2/10, 5/10, 10/10, 3/10 and 11/10)

Croatia

Background

31. In its decision 2010/10 the Executive Body requested the Committee to review, inter alia, the case of Croatia's compliance with article 3, paragraph 5 (a), of the 1998 Protocol on POPs in the light of additional information provided by Croatia and with regard to the development and use of emission factors for hexachlorobenzene (HCB) by other Parties.

Consideration

32. The Committee noted with concern that Croatia had not provided further information as requested by Executive Body decision 2010/10. However, the Committee noted that Croatia had revised its emission data for HCB with the use of more appropriate activity data and emission factors, as announced in its previous report to the Committee in 2010.

33. The latest emission data showed that emissions of HCB in Croatia in 2009 were 0.00001 kilograms (kg), which was below the 0.00025 kg that had been reported for 1990. The Committee therefore decided that there was no need for further review of compliance by Croatia with its obligation under article 3, paragraph 5 (a), of the 1998 Protocol on POPs.

Estonia

Background

34. Estonia reported HCB emissions in 2007, 2008, and 2009, attributed primarily to use of wood in residential combustion, which exceeded its ceiling pursuant to the Protocol on POPs. Due to concerns about (a) the ability to accurately estimate emissions from residential combustion, (b) the accuracy of available emissions factors, and (c) the small absolute value of reported emissions, the Executive Body, in decision 2010/10, requested Estonia (along with other similarly situated countries) to provide detailed information on the emissions factors used, the basis for their derivation, and the status and details of work to develop new emissions factors.

Consideration

35. The latest data on HCB emissions from Estonia showed that Estonia's emissions in 2009 were 0.17 kg, which continued to be above the emissions of 0.12 kg for the base year 1995. About two thirds of that amount was attributed to residential combustion, while just under a third was attributed to emissions from the energy sector. With respect to residential combustion, Estonia pointed out that the emissions factors it used (from the *EMEP/EEA Air Pollutant Emission Inventory Guidebook*)⁵ depended only on the quantity of fuel burned. Estonia outlined its plans for development of new national emissions factors for emissions, including of HCB, from residential combustion. Estonia would be conducting measurements of emissions from various stove types burning various types of fuel in the autumn of 2011 and spring of 2012 and expected to have new emissions factors calculated by 15 June 2012. With respect to the energy production sector, Estonia also reported that it had had to rely on emissions factors from the EMEP/EEA Guidebook that were not specific to types of combustion equipment and that included great uncertainty. In addition, no special measures for control of HCB emissions had been identified in the guidance for countries.

36. The Committee considered the information carefully in the context of its broader discussion of reporting on POPs emissions, in particular the significant and unusual uncertainties associated with measurement of HCB emissions from residential combustion. Those uncertainties led the Committee to proceed cautiously with respect to preparing formal recommendations; nevertheless, it noted that Estonia's officially reported emissions had been above the base year emission level for three consecutive years, and thus it appeared that Estonia was in non-compliance with its emissions reduction obligations.

37. The Committee believed it would be important that Estonia complete its project to revise its emissions factors, and make any recalculations that might be warranted as a result, according to the time schedule provided.

38. Given the doubts Estonia had expressed regarding the accuracy of the data it had reported, the Committee also decided to recommend to the Executive Body to request the Task Force on Emission Inventories and Projections, in accordance with paragraph 3 (c) of decision 2006/2, to review the emissions data provided by Estonia in order to ensure the quality and accuracy of that data and to continue to review the case at its next meeting.

⁵ EMEP stands for the United Nations Economic Commission for Europe Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe; EEA is the acronym of the European Environment Agency.

Germany

Background

39. The Executive Body, in decision 2010/10, requested Germany (along with other similarly situated countries) to provide detailed information on the emission factors used, the basis for their derivation, and the status and details of work to develop new emission factors. That decision was based on the concerns expressed by Germany about its ability to accurately estimate HCB emissions, especially from residential combustion and waste incineration, and the accuracy of available emission factors. According to information submitted by Germany, small combustion plants were the main source of HCB emissions in the country, where HCB emissions had been increasing as a result of the increasing use of wood over recent years while emission factors remained constant.

Consideration

40. According to Germany's latest emission inventory, its emissions of HCB continued to exceed its base year emission level pursuant to the Protocol. In 2009, the emissions of HCB were 2.04 kg, above the 1.82 kg for the base year 1990. The Committee further noted that, for the years 2005 to 2008, reported HCB emissions had also been above the base year emissions.

41. In addition to its updated emission inventory for HCB, Germany had also provided detailed information on HCB emission factors and their development, as well as on emission factors for small combustion plants. That information had been complemented by an annex on preliminary emission factors for small combustion plants. According to the information, Germany was currently undertaking a revision of emission factors for all source categories, but the consolidation of the HCB inventory was not expected before the end of 2012. For small combustion plants, however, the Guidebook default emission factors should be replaced in the course of 2011, in part or completely, by country-specific values determined by an expert opinion. Based on that information, the Committee requested Germany, through the secretariat, to provide the Committee with a progress report on the review of its HCB emission factors and, in accordance to the results, a recalculation of its HCB emission inventory. In that follow-up report, Germany noted in particular that it still considered emission factors for small combustion installations to be very uncertain and not suitable for the evaluation of a time series. It concluded that consolidated data would not be available before the end of 2012. It further noted that data quality would presumably stay insufficient for conclusions on smaller increases or decreases on overall emissions.

42. The Committee considered the information provided by Germany carefully in the context of its broader discussion of reporting on POPs emissions, in particular the significant and unusual uncertainties associated with the wood burning and the waste incineration sector. Emission estimates provided by Germany relied on emissions factors from the *EMEP/EEA Air Pollutant Emission Inventory Guidebook*, which did not account for potential emission reductions achieved by the introduction of cleaner technologies (which was particularly relevant for the wood burning and the waste incineration sectors). Those uncertainties caused the Committee to proceed cautiously with respect to Germany's compliance with its obligation under article 3, paragraph 5 (a), of the Protocol of POPs; however, it noted that Germany had not been able to submit recalculated data and that it had officially reported HCB emissions that had been above the base year emission level for six consecutive years. On the basis of the reported emission data, Germany therefore appeared to be in non-compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs.

43. The Committee believed it would be important for Germany to complete its project to revise its emissions factors, and to make any recalculations that might be warranted as a result, according to the time schedule provided.

44. Given the doubts Germany had expressed regarding the accuracy of the data it had reported, the Committee also decided to recommend to the Executive Body to request the Task Force on Emission Inventories and Projections, in accordance with paragraph 3 (c) of decision 2006/2, to review the emissions data provided by Germany in order to ensure the quality and accuracy of that data and to continue to review the case at its next meeting.

Italy

Background

45. In its decision 2010/7 the Executive Body requested the Implementation Committee to review Italy's case in the light of additional information from Italy and other Parties on the development and use of emission factors for HCB and PAH.

Consideration

46. The Committee noted that Italy officially reported HCB and PAH emissions that continued to be above what had been reported for the base year 1990. The Committee also carefully considered the additional information provided by Italy in the context of its broader discussion of reporting on POPs emissions.

47. With regard to HCB, the Committee noted that emissions in the transport sector and the residential combustion of biomass had increased most significantly. For the estimates of emissions in both sectors, Italy reported to have used the methodologies described in the EMEP/EEA Guidebook. However, for HCB emissions from wood combustion it seemed that Italy had developed its own emission factor which was higher than that used in the Guidebook.

48. The Committee noted that Italy had expressed doubts about the applicability of the EMEP/EEA Guidebook emission factor with regard to the use of diesel fuel. Italy claimed that the Guidebook based the emission factor on chlorine-containing additives which had not been used in Italy for many years. Italy announced that further work would be completed by July 2012 to update emission estimations for the transport sector.

49. The Committee noted that Italy intended to include the use of HCB in pesticides in the Italian Inventory. In doing so, Italy anticipated a strong reduction of total national HCB emissions from 1990 to 2009, as HCB had not been used in pesticides since the early 1990s. The Committee had requested further advice from EMEP on that practice, but it had been inconclusive.

50. With regard to PAH emissions, the Committee noted that Italy doubted the accuracy of its emission estimates, especially in the field of combustion of biomass. Italy announced that it would complete a comprehensive study by July 2012, aimed at assessing the PAH emission data, taking into account the measures already implemented to improve air quality and energy efficiency. Those uncertainties caused the Committee to proceed cautiously with respect to preparing formal recommendations; nevertheless, it also took note that Italy's officially reported emissions had been above the base year emission level for three consecutive years, and thus it appeared that Italy was in non-compliance with its emissions reduction obligations.

51. The Committee believed it would be important that Italy complete its project to revise its emissions factors, and to make any recalculations that might be warranted as a result, according to the time schedule provided.

52. Given the doubts Italy had expressed regarding the accuracy of the data it had reported, the Committee also decided to recommend to the Executive Body to request the Task Force on Emission Inventories and Projections, in accordance with paragraph 3 (c) of decision 2006/2, to review the emissions data provided by Italy in order to ensure the quality and accuracy of that data and to continue to review the case at its next meeting.

Latvia

Background

53. In its decision 2010/10, the Executive Body requested the Committee to review Latvia's potential non-compliance with the requirements of article 3, paragraph 5 (a), of the Protocol on Persistent Organic Pollutants and to report to it at its twenty-ninth session in 2011.

Consideration

54. The Committee regretted that Latvia had failed to reply to the secretariat's letters and had not provided any of the information requested in decision 2010/10. The Committee also noted that the latest emission data for 2009 showed that Latvia's emissions still exceeded the emission level for the base year. The Committee therefore concluded that Latvia was in non-compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs and decided to recommend to the Executive Body that it request the Executive Secretary to bring the matter to the attention of the Minister of Environment of Latvia.

55. The Committee agreed to return to the issue next year with a view to making further recommendations at that time.

8. Recommendations to the Executive Body

56. On the basis of the above considerations (outlined in sections 1 to 7), the Committee recommends that the Executive Body adopt the draft decisions contained in document ECE/EB.AIR/2011/7.

B. Referrals by the secretariat

57. Acting under paragraph 5 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2), the Committee continued its consideration of the following referrals made by the secretariat (outlined in sections 1 to 6 below).

1. Referral concerning compliance by Sweden with the Protocol on POPs (ref. 4/10)

Background

58. The Committee, at its twenty-fifth and twenty-sixth meetings, considered the secretariat's referral concerning Sweden's compliance with the Protocol on POPs (ECE/EB.AIR/2010/2, paras. 48–56). It noted that Sweden expected that its emissions reporting for the year 2009 would show that Sweden had met its obligations under the 1998 Protocol on POPs regarding PAH emissions in 2009. The Committee had therefore decided that recommendations to the Executive Body were at that stage not necessary and that it would continue its consideration of the case at its twenty-seventh meeting in 2011.

Consideration

59. The latest submissions of emission data on PAH by Sweden showed that Sweden's emissions in 2009 were 13 Mg, which was below the emissions of 16.8 Mg for the base year 1990. The Committee therefore decided that there was no need for further review of compliance by Sweden with its obligations under the 1998 Protocol on POPs regarding PAH emissions.

2. Referral concerning compliance by Hungary with the Protocol on POPs (ref. 9/10)*Background*

60. The Committee, at its twenty-sixth meeting, considered the secretariat's referral concerning Hungary's compliance with the Protocol on POPs (ECE/EB.AIR/2010/2, paras. 48 to 56). Although Hungary had reported HCB emissions in 2008 that exceeded its ceiling pursuant to the Protocol, the Committee had noted that Hungary expected that its emissions would decrease in 2009 due to reductions in steel production and the installation of bag house filters at a Budapest municipal waste incinerator. The Committee had therefore decided that recommendations to the Executive Body were not necessary at that stage, and that it would continue its consideration of the case at its twenty-seventh meeting in 2011.

Consideration

61. The latest data on HCB emissions from Hungary showed that Hungary's emissions in 2009 were 6.33 kg, which was below the emission level of 6.92 kg for the base year 1990. The Committee therefore decided that there was no need for further review of compliance by Hungary with its obligations under the 1998 Protocol on POPs regarding HCB emissions.

3. Referral by the secretariat concerning Iceland's compliance with its reporting obligations on POP emissions*Background*

62. In its decision 2006/9, the Executive Body decided that there was no reason for the Implementation Committee to continue to review Iceland's compliance with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs as initiated by the secretariat's referral in 2006. Iceland had been applying article 3, paragraph 5 (b), of the Protocol and thus it was, pursuant to article 3, paragraph 7, exempt from its obligations under article 3, paragraph 5 (a).

63. The Committee had agreed, however, that it was crucial to ensure that Iceland continued to fulfil the requirements for the application of article 3, paragraph 7, in the future. In both 2007 and 2008, Iceland's reported emissions were 0.091 Mg, which was above the reference year of 0.054 Mg.

64. In its decision 2010/15, the Executive Body reminded Iceland of the importance of not only complying fully with its emission reporting obligations under the Protocol on POPs, but also of submitting its final and complete data on time. The Committee, at its twenty-seventh meeting, considered the secretariat's referral concerning Iceland's compliance with the Protocol on POPs, which had been triggered by Iceland's failure to report emission data for 2009.

Consideration

65. The Committee requested the secretariat to write to Iceland to ask it to provide the Committee with information that would enable it to assess whether the exemption under article 3, paragraph 7, of the Protocol on POPs continued to apply.

66. Iceland had responded on 15 August that it had been unable to provide the requested information in time for the twenty-eighth meeting of the Committee due to limited staff resources. The Committee did not consider that to be a legitimate reason for failing to submit the requested information, and noted that Iceland had not provided the necessary details to allow it to evaluate whether article 3, paragraph 7, of the Protocol on POPs was still applicable to Iceland.

67. In the absence of the requested information from Iceland, and based on the reported emission data for 2007 and 2008, the Committee found Iceland to be in non-compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs.

68. The fact that the emission inventory for PAH emissions had apparently been modified significantly since 2006, when Iceland's compliance case for PAH had first been reviewed by the Committee, was a relevant factor in the Committee's decision to find Iceland in non-compliance, as modification of the inventory suggested that the reasons for granting the exemption in 2006 had not been shown still to be valid.

4. Referral concerning Lithuania's compliance with the Protocol on Heavy Metals (ref. 12/10)

Background

69. The Committee, at its twenty-sixth meeting, considered the secretariat's referral concerning Lithuania's compliance with the Protocol on POPs (ECE/EB.AIR/2010/2, paras. 57–60). It noted that Lithuania's mercury emissions in the base year were several orders of magnitude larger than had been previously reported. The Committee had requested the secretariat to invite Lithuania to provide further explanations of that recalculation. The secretariat informed the Committee that Lithuania had provided such an explanation in response to its letter.

Consideration

70. The Committee noted that Lithuania had revised its emission data for the base year from 0.018 Mg to 3.48 Mg to correct significant gaps in activity data at the time the base year emissions had originally been calculated. The latest data on mercury emissions from Lithuania showed that Lithuania's emissions in 2009 had been 1.55 Mg, which was below the emissions of 3.48 Mg for the base year 1990, as revised. The Committee therefore decided that there was no need for further review of compliance by Lithuania with its obligations under the 1998 Protocol on Heavy Metals regarding mercury emissions.

5. Referral concerning Norway's compliance with the Protocol on POPs (ref. 13/10)

Background

71. The Committee noted in its thirteenth report that there had been some inconsistencies in Norway's PAH reporting for aluminium production. In its communication dated August 2010, Norway had committed to carry out, in autumn 2010, a full revision of PAH releases from aluminium production and, early in 2011, to provide updated figures, also for the base year. The Committee had committed to reassess compliance by Norway with the Protocol on POPs once the updated data was provided. Norway submitted additional information concerning energy combustion.

Consideration

72. The latest data on PAH emissions from Norway showed that Norway's emissions in 2009 had been 5.6 Mg, which was below the emissions of 36.5 Mg for the base year. The Committee therefore decided that there was no need for further review of compliance by Norway with its obligations under the 1998 Protocol on POPs regarding PAH emissions.

6. Referral concerning the Republic of Moldova's compliance with the Protocol on POPs (ref. 14/10)

Background

73. The Committee considered, at its twenty-sixth meeting, the secretariat's referral concerning the Republic of Moldova's compliance with the Protocol on POPs. It had concluded that it needed more information that would either show that the Republic of Moldova was in fact in compliance with the Protocol on POPs or which detailed the reasons for the Republic of Moldova's possible non-compliance, the measures the Republic of Moldova envisaged taking to come back into compliance and the time by which those measures would become effective. The secretariat had requested the Republic of Moldova to provide the necessary information in time for the Committee's twenty-seventh meeting in order for the Committee to continue its consideration of the case. As the Republic of Moldova had not submitted any further information as requested by that time, the Committee had invited the secretariat to reiterate its request to the Republic of Moldova to provide the necessary information, in time for its twenty-eighth meeting, indicating that in the absence of further information, the Committee would have to base its findings on the information available.

74. The Republic of Moldova had not provided any information.

Consideration

75. In the absence of any information by the Republic of Moldova, the Committee had to base its findings on the information available. That information indicated that the Republic of Moldova was in non-compliance to a significant degree with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs: according to the latest officially submitted data, the Republic of Moldova's emissions of dioxins/furans were 24 grams (g) in 2008 and 23 g in 2009, which was above the 14 g reported for the base year 1990. Similarly, emissions of PAH in the Republic of Moldova had been 36 Mg in 2008 and 45 Mg in 2009, which was above the 16.7 Mg reported for the base year 1990.

76. The Committee noted that while emissions of dioxins/furans had remained stable on a high level, emissions of PAH had even further increased. The available information did not therefore indicate that the Republic of Moldova would soon be back into compliance with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs

7. Recommendation to the Executive Body

77. Based on the above considerations on the referrals by the secretariat, the Implementation Committee recommends to the Executive Body that it adopt the draft decisions contained in ECE/EB.AIR/2011/7.

III. Compliance with reporting obligations

A. Follow-up to Executive Body decisions 2010/11, 2010/12, 2010/13, 2010/14, 2010/15 and 2010/16

78. In its decision 2010/11, the Executive Body noted that the following nine Parties had not provided complete replies to the 2010 questionnaire: Bulgaria, Croatia, Estonia, Hungary, Iceland, Romania, Russian Federation, Spain and Switzerland. It urged those Parties to complete their responses without delay and by no later than 28 February 2011 in order to comply with their obligations to report on strategies and policies. The secretariat informed the Committee that four of those Parties — Bulgaria, Estonia, Iceland and Romania — had provided evidence that they had already fully complied with their reporting obligations, three of them within the deadline of 31 March 2010 (Bulgaria, Estonia and Romania) and one with a delay (Iceland on 25 June). However, due to technical problems with the online questionnaire, some of their replies provided in a table format had not been displayed online. Three other Parties had provided the missing replies within the deadline of 28 February 2011 (Hungary, Spain and Switzerland). One Party (Croatia) had provided replies on 11 March 2011. The Committee noted with regret that the Russian Federation had not complied with the request in decision 2010/11 and thus remained in non-compliance with its reporting obligation on strategies and policies.

79. In its decision 2010/12, the Executive Body noted with regret that Albania, France, Ireland, Lithuania, Monaco and the European Union had not replied to the 2010 questionnaire. It urged those six Parties to provide responses to the 2010 questionnaire without delay in order to comply with their strategies and policies reporting obligation. The secretariat informed the Committee that Lithuania had provided evidence that it had already fully complied with its reporting obligations within the deadline of 31 March 2010 (but that some of the replies in a table format had not been displayed online due to technical reasons). Ireland and Monaco had replied to the 2010 questionnaire within the deadline of 28 February 2011 and Albania had replied on 4 April 2011. The Committee noted with regret that France and the European Union had not complied with the request in decision 2010/12 and thus remained in non-compliance with their reporting obligation on strategies and policies.

80. In its decision 2010/13, the Executive Body expressed concern that Greece and Latvia had failed on three consecutive reporting rounds to provide responses to the strategies and policies questionnaire. It strongly urged those two Parties to provide responses to the 2010 questionnaire without delay (and no later than 28 February 2011) in order to comply with their reporting obligation. The secretariat informed the Committee that Greece had provided responses to the 2010 questionnaire on 30 March 2011. Latvia had not responded and thus remained in non-compliance with its reporting obligation to report on strategies and policies.

81. In its decision 2010/14, the Executive Body urged the Republic of Moldova to provide without delay its missing annual data for 2007 and the gridded data for 2005 under the Protocol on POPs and the Protocol on Heavy Metals. It strongly urged the Republic of Moldova to provide its replies to the 2010 questionnaire without delay, and by no later than 28 February 2011. The secretariat informed the Committee that, as of 6 July 2011, the Republic of Moldova had not yet submitted the missing data for 2005 and 2007, although it had reported on its annual emission data for 2009 (on 31 March 2011). The Committee noted with regret that the Republic of Moldova had not complied with the requests in decision 2010/14 and thus remained in non-compliance with its emission data reporting obligations. The secretariat informed the Committee that the Republic of Moldova had replied to the questionnaire on 31 March 2011.

82. In its decision 2010/15 the Executive Body urged Iceland to provide the gridded data for 2005 under the Protocol on POPs (for dioxins/furans and PAHs) without delay. The secretariat informed the Committee that Iceland had submitted that data on 25 June 2010. The Centre for Emission Inventories and Projections had confirmed receipt of the data and explained that the data had not been displayed due to a typing error in the templates used to extract the information from the emission database. The Committee concluded that Iceland was in compliance with its obligation to report gridded data for 2005.

83. In its decision 2010/16, the Executive Body urged Luxembourg to provide, as a matter of urgency, its missing annual and gridded data. It also expressed strong concern that Luxembourg had been in non-compliance with its obligation to report on strategies and policies for the fourth consecutive reporting round and urged Luxembourg to provide responses to the 2010 questionnaire on strategies and policies without delay and no later than 28 February 2011. The secretariat informed the Committee that, as of 6 July, Luxembourg had not provided its annual and gridded data, nor had it replied to the 2010 questionnaire on strategies and policies. The Committee noted with regret that Luxembourg had not complied with the request in decision 2010/16 and thus remained in non-compliance with its reporting obligations.

B. Compliance with emission data reporting obligations

84. As requested by the Executive Body in item 1.2 of its 2011 workplan (ECE/EB.AIR/106/Add.2), the Committee evaluated compliance with the emission data reporting obligations under the seven Protocols in force⁶ on the basis of information provided by the secretariat. The evaluation covered the completeness and timeliness of reporting, but not its quality. The information provided by the secretariat is presented in informal document 2 and covers the data reported up to 6 July 2011.

85. The Committee adopted the view that the emission reporting obligations for annual and base year emission data took effect as of the date of entry into force for a certain Party. For 2005 gridded data, the Committee was of the view that if the Protocol entered into force for a Party after 2005, there was no obligation to report gridded data for 2005.

1. 1985 Sulphur Protocol:⁷ compliance with article 4, concerning reporting of annual emissions

86. Based on the information provided in table 1 of informal document 2 the Committee concluded that, as of 6 July 2011, Albania and Luxembourg were not in compliance with the emission data reporting obligations under article 4 of the 1985 Protocol on Further Reduction of Sulphur Emissions (1985 Protocol on Sulphur). Albania and the former Yugoslav Republic of Macedonia were not in compliance with the obligation to report their base year data.

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

87. Based on the information provided in table 2 in informal document 2, the Committee concluded that, as of 6 July 2011, Albania and Luxembourg were not in compliance with the emission data reporting obligations under article 8 of the Protocol on Nitrogen Oxides.

⁶ I.e., the seven protocols with reporting obligations. An eighth protocol to the Convention concerns the long-term financing of EMEP.

⁷ 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent.

The former Yugoslav Republic of Macedonia was not in compliance with its obligation to report base year emission data.

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

88. Based on the information in table 3 in informal document 2 the Committee concluded that, as of 6 July 2011, Luxembourg was not in compliance with the emission data reporting obligations under article 8.1 of the Protocol on VOCs. The former Yugoslav Republic of Macedonia was not in compliance with its obligation to report base year emission data..

4. 1994 Sulphur Protocol:⁸ compliance with article 5, paragraphs 1 (b) and 2, concerning emission data reporting

89. Based on the information in table 4 in informal document 2, the Committee concluded that six Parties — Germany, Greece, Italy, Liechtenstein, Luxembourg and the European Union — were not in compliance with their emission reporting obligations under the 1994 Protocol on Further Reduction of Sulphur Emissions (1994 Sulphur Protocol) to report by 15 February 2011, the legally binding deadline. As of 6 July 2011, one Party remained in non-compliance: Luxembourg. It also remained in non-compliance for gridded data.

90. The Committee noted that one Party outside the geographic scope of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), Canada, had also submitted annual data.

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

91. Based on the information in table 5 in informal document 2 the Committee concluded that seven Parties — Germany, Iceland, Italy, Liechtenstein, Luxembourg, the Republic of Moldova and the European Union — were not in compliance with their emission reporting obligations under the Protocol on POPs to report by 15 February 2011, the legally binding deadline. As of 6 July 2011, Iceland and Luxembourg remained in non-compliance. Luxembourg and the Republic of Moldova were in non-compliance for gridded data for the three POPs. The former Yugoslav Republic of Macedonia was not in compliance with its obligation to report base year emission data.

92. The Committee noted that one Party outside the geographic scope of EMEP, Canada, had also submitted annual data on all three POPs. The Committee noted that Spain, which ratified the Protocol in 2011, had submitted annual emission data for 2009. It noted that Spain had also submitted gridded data for 2005.

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

93. Based on table 6 in informal document 2 the Committee concluded that five Parties — Germany, Liechtenstein, Luxembourg, the Republic of Moldova and the European Union — were not in compliance with their emission reporting obligations under the Protocol on Heavy Metals by 15 February 2011, the legally binding deadline. As of 6 July 2011, Luxembourg remained in non-compliance. Luxembourg and the Republic of

⁸ 1994 Protocol on Further Reduction of Sulphur Emissions.

Moldova were in non-compliance for gridded data. The former Yugoslav Republic of Macedonia was not in compliance with its obligations to report base year emission data.

94. The Committee noted that two Parties outside the geographic scope of EMEP, Canada and the United States had also submitted annual data.

7. Gothenburg Protocol:⁹ compliance with article 7, paragraph 1 (b), concerning emission data reporting on sulphur, nitrogen oxides, ammonia and volatile organic compounds

95. Based on table 7 in informal document 2, the Committee concluded that three Parties, Germany, Luxembourg and the European Union were not in compliance with their emission reporting obligations under the Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone by 15 February, the legally binding deadline. As of 6 July 2011, Luxembourg remained in non-compliance. Luxembourg was also in non-compliance for its gridded data for 2005.

96. The Committee noted that one Party outside the geographic scope of EMEP (the United States) had also submitted data by the deadline of 15 February 2011.

8. Conclusions

97. Five Parties have not yet fully complied with their emission reporting obligations through the 2011 reporting round: Albania, Iceland, Luxembourg, the former Yugoslav Republic of Macedonia and the Republic of Moldova.

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

98. As requested by the Executive Body in item 1.2 of its workplan for 2011, the Committee evaluated compliance with the reporting obligations under the seven Protocols in force relating to strategies and policies. As in previous years, the Committee only considered the timeliness and completeness of Parties' replies to the most recent questionnaire, not the quality or the adequacy of the answers.

99. The evaluation was made on the basis of the replies by Parties to the 2010 questionnaire on strategies and policies up to 26 April 2011 as reported by the secretariat in informal document 2.

100. The Committee concluded that, as of 26 April 2011, five Parties were not in compliance with all their reporting obligations under the seven Protocols. France, Latvia, Luxembourg, and the European Union had not replied to the questionnaire and therefore were not in compliance with any of their obligations under the Protocols to which they were a Party. The Russian Federation had not replied to question 4, and was therefore not in compliance with its reporting obligation under the Protocol on NO_x.

D. Recommendations to the Executive Body

101. In view of the fact that certain Parties have not complied with their reporting obligations, the Committee recommends that the Executive Body adopt the draft decisions as contained in document ECE/EB.AIR/2011/7.

⁹ 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone.

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

102. The Committee discussed the reporting of emissions under the Protocol on POPs in the context of specific referrals, and considered the information on POP emission factors received from Parties and the Task Force on Emission Inventories and Projections. The Committee noted the following:

- (a) Large uncertainties in the reporting of POP emissions, in particular for HCB, where most Parties used obsolete default emission factors;
- (b) A large variation in reported POP emissions among Parties;
- (c) Incomplete POP inventories and different use of notation keys among Parties;
- (d) A lack of up-to-date and technology-specific emission factors for making accurate POP emission estimates in the EMEP/EEA Guidebook, in particular for HCB;
- (e) An apparent lack of reliable national methods to produce accurate estimates of POP emissions, in particular for HCB;
- (f) A lack of priority given by certain Parties to establishing proper and complete POP inventories;
- (g) The need to update and complete the EMEP/EEA Guidebook with further guidance on estimating POPs;
- (h) The need to further review national POP emission inventories, in particular for HCB, and to develop up-to-date (country-specific) emission factors

103. Considering the apparent overall lack of adequate guidance and priority on POP reporting, the Committee decided to propose recommendations for the Executive Body, some directed to EMEP and some to all the Parties to the Protocol on POPs, with the aim of raising the priority of POP reporting and to improve the emission inventories for POPs. In particular the Committee decided to recommend that the Executive Body:

- (a) Request that all the Parties to the POP Protocol raise the priority on POP reporting and provide EMEP with detailed information on their national methods for estimating POP emissions, as possible input for a future update of the EMEP/EEA Guidebook;
- (b) Request that EMEP:
 - (i) Start with an in-depth review of the reported POP emissions;
 - (ii) Elaborate a programme with a timetable to update the EMEP/EEA Guidebook with potentially more adequate guidance on POPs;
 - (iii) Consider organizing a workshop dedicated to POP estimating and reporting.

V. Questionnaire on strategies and policies

104. At its twenty-seventh and twenty-eighth meetings, the Committee discussed the questionnaire on strategies and policies for air pollution abatement utilized, among other things, to review Parties' compliance with their obligations under the seven Protocols to the Convention with reporting obligations. Concerns were raised regarding the content of the questionnaire and how the responses to the questionnaire were compiled and used. The summary below reflects the Committee's considerations on the issue; in addition, the Committee decided on certain follow-up steps it should take next year.

Content of the questionnaire

105. The Committee took note that it had, historically, been involved in the development of the questionnaire, although the most recent revision (prior to 2008) had been undertaken by an ad hoc group that included some, but not all, Committee members. The Committee's involvement had been seen as useful, given the focus of the questionnaire on addressing obligations under the Convention's Protocols. Committee members identified ways in which some questions might be improved to ensure that responses were sufficient to evaluate compliance, and some questions that could be omitted once they had been answered a single time (e.g., with respect to adoption of required emission limit values), while also remaining cautious regarding the potential drain on resources if the questionnaire were reviewed in its entirety during every cycle. The Committee concluded that it would be valuable to conduct a brief review during each cycle before the questionnaire was presented to the Executive Body for approval, and agreed to include that task in its workplan for the future (recognizing that it was already too late to address the 2012 questionnaire).

106. The Committee also discussed whether the questionnaire should continue to address all the Protocols in force, and concluded that it should, as it addressed reporting obligations of the Parties to those Protocols.

Access to responses

107. The Committee noted the importance of all members having access to questionnaire responses so as to enable the Committee to do the work assigned to it by the Executive Body. Such access had not been consistently available — for example, at the time of the Committee's meeting, a new web link to the responses on the Convention web page was not functioning. The Committee also noted in that regard that the Executive Body had repeatedly requested that responses to the questionnaire be publicly available. The Committee urged that responses be made available and that the means of accessing them be communicated to Committee members, and decided to bring the issue to the attention of the Executive Body.

Use of the responses

108. The responses to the questionnaire had been analysed by the secretariat for the purpose of determining whether countries were complying with their reporting obligations. However, to date, the secretariat had not reviewed the responses for the purpose of making referrals to the Committee addressing obligations other than reporting. The Committee discussed the possible utility of developing guidance for the secretariat that could facilitate such referrals. In that context, the Committee also discussed the various ways in which cases could be brought before the Committee according to current procedures (the "triggers") and decided to consider the issue further at its next meeting.

109. In addition, the Committee noted that it would be too resource-intensive to conduct a full review of all Party responses. It had previously reviewed the substance of responses in the context of in-depth reviews of specific Protocols, and the Committee further anticipated using the responses in connection with its reviews of specific obligations under the Protocols. The Committee concluded that it should develop and evaluate experience with that approach before reaching further conclusions about the questionnaire's use.

Timing of the questionnaire

110. The Committee noted the current schedule for the questionnaire, under which the compliance-related questions were to be answered by Parties every two years and a further set of policy questions were presented every four years. It considered various options that might reduce the reporting burden on Parties without compromising the needs of the

Committee or the requirements of the Convention, such as, for example, putting different Protocols on different reporting schedules or reducing the frequency of the compliance-related questions to every four years. The Committee decided not to make any recommendations on the issue, however, as it appeared that the Parties were satisfied with the current schedule.

The public report

111. The Committee took note of the publication, *Review of Strategies and Policies for Air Pollution Abatement*, issued by the secretariat every four years on the basis of the questionnaire responses, and the fact that the most recent draft of that publication, based on the 2010 questionnaire, included a section on compliance (ECE/EB.AIR/2010/8/Add.1). The Committee expressed serious concern that it had no role in the development of that publication, which nevertheless included numerous statements that could be read as evaluations of the compliance of individual Parties with their Protocol obligations. The Committee felt strongly that such statements based on analysis done without the Committee's participation should not be made as part of a public report and that, if a publication were to be issued, it would be better if it did not include a compliance section at all. The Committee did see value, however, in the secretariat preparing a compliance analysis similar to what had been done for the publication if that analysis were instead forwarded to the Committee for its review, perhaps accompanied by referrals. The Committee agreed to give the matter further consideration at its next meeting.

VI. Further work

112. The Implementation Committee considered and approved its draft workplan for 2012–2013 as presented in document ECE/EB.AIR/2011/5, item 1.2, with the following amendments:

(a) Third sentence, replace the words “including reporting on technology-related obligations” with “as well as the content of the questionnaire and the basis on which cases are brought to the Committee”.

(b) Fourth sentence, replace the words “may continue to consider the methodology and timing for carrying out in-depth reviews of implementation of the protocols in the future and more” with “will”.
