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

Thirty-third session

Geneva, 8–12 December 2014

Item 5 (c) of the provisional agenda

Review of implementation of the 2014–2015 workplan: compliance

Seventeenth report of the Implementation Committee — Review of compliance by Parties with emission reduction obligations

Submitted by the Implementation Committee

Summary

In accordance with the structure and functions of the Implementation Committee under the Convention on Long-range Transboundary Air Pollution, the Committee is required to report at least once a year on its activities to the Executive Body for the Convention and to make such recommendations as it considers appropriate regarding compliance with the Convention's protocols (ECE/EB.AIR/113/Add.1, decision 2012/25, annex, para. 9).

The seventeenth report of the Implementation Committee contains information on the Committee's activities in 2014 with regard to individual Parties' compliance with their protocol obligations concerning emission reduction, summarizing the work carried out at the Committee's thirty-third and thirty-fourth sessions (Oslo, 26–28 May 2014, and Geneva, 8–10 September 2014, respectively).

The present report is complemented by document ECE/EB.AIR/2014/3, which provides information on compliance by Parties with their reporting obligations and on general matters relevant to compliance addressed by the Committee in 2014, including those of a systemic nature.

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I. Introduction

1. At its thirty-first and thirty-second sessions (Geneva, 11–13 December 2012 and 9–13 December 2013, respectively), the Executive Body for the Convention on Long-range Transboundary Air Pollution elected the following members to the Convention's Implementation Committee: Ms. Maria Bors (Republic of Moldova), Mr. John Burnett (Canada), Mr. Emmanuel Fiani (France), Ms. Alice Gaustad (Norway), Ms. Diana Kiss (Hungary), Ms. Aleksandra Nestorovska-Krsteska (the former Yugoslav Republic of Macedonia), Mr. Manfred Ritter (Austria), Mr. Marcus Schroeder (Germany) (Chair) and Mr. Felix Zaharia (Romania).

2. The Implementation Committee held two sessions in 2014. Its thirty-third session was held from 26 to 28 May in Oslo, and its thirty-fourth session was held from 8 to 10 September in Geneva. The meetings were serviced by the secretariat of the Convention.

II. Compliance with emission reduction obligations

A. Follow-up to Executive Body decisions

1. Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes

Follow-up to decision 2013/5 with regard to compliance by Cyprus with the Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (ref. 1/08)

Background

3. In its fifteenth report to the Executive Body (ECE/EB.AIR/2012/16), the Committee requested the secretariat to ask Cyprus to keep the Committee updated regularly, and by no later than 31 March 2013, on the restoration schedule for its power plant and its plans to reach compliance with the Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (Protocol on NO_x), including, as appropriate, answers to the additional questions sent on 7 July 2011. In August 2013, Cyprus submitted a response, which was not received by the Committee by the time of its thirty-second session (Geneva, 9–11 September 2013).

4. In decision 2013/5, the Committee was requested to review the progress and timetable of Cyprus for achieving compliance with article 2, paragraph 1, of the Protocol on NO_x and to report thereon to the thirty-third session of the Executive Body.

5. The secretariat informed the Committee that it had communicated the decision to Cyprus and had received no response. At the request of the Committee, the secretariat had sent a letter to Cyprus reminding it of the invitation to participate in one of the Committee's sessions in 2014 contained in decision 2013/5. Subsequently, Cyprus attended the Committee's thirty-fourth session via videoconference.

Considerations

6. The Committee noted that the latest officially submitted emission data showed that nitrogen oxides (NO_x) emissions in Cyprus in 2012 were 21 kilotons, which was above the 1987 base year level of 16 kilotons. The Committee took note of the fact that the NO_x emission ceiling for Cyprus set in annex II of the 1999 Protocol to Abate Acidification,

Eutrophication and Ground-level Ozone (Gothenburg Protocol) was higher than the level of the base year under the 1988 Protocol on NO_x.

7. First, the Committee considered the difficulties in calculating emissions for the base year (1987) for a Party that ratified the Protocol more than 15 years after its adoption by the Executive Body. While the Committee acknowledged the technical difficulties related to calculations of emissions prior to ratification, it considered that when acceding to a Protocol it remained the responsibility of the Party to be able to meet its obligations.

8. Second, the Committee discussed the legal impacts of different thresholds for the same substance in the earlier Protocol on NO_x as compared with the later Gothenburg Protocol. The Committee noted that the earlier Protocol on NO_x was still in force for Cyprus and therefore still set a legally binding emission reduction obligation. The fact that the later Gothenburg Protocol set a different NO_x emission reduction target could sufficiently be addressed by the Committee when considering specific measures in response to the failure of Cyprus to meet its emission reduction obligations related to the earlier Protocol on NO_x.

9. The Committee was grateful for the information provided by Cyprus in August 2013, which gave an update of the information discussed by the Committee at its twenty-ninth session (Geneva, 18–20 April 2012). It contained a list of measures focused on nomenclature for reporting (NFR) categories 1A1a (energy industries) and 1A3 (aviation/road transport), which were the main NO_x sources according to the national official inventory. Cyprus indicated that the restoration of its power plant station had been carried out in 2012 and 2013. Cyprus was of the view that, from 2014, NO_x emissions from this power plant were likely to be at the same level as prior to the explosion in 2011 and possibly even lower. Other measures related to the road transport sector were also mentioned; however, without their projected effects on NO_x emissions. In addition, Cyprus claimed that the year by which it would be in compliance was associated with the switch from fuel oil to natural gas for electricity production, without indicating a specific date.

10. At the Committee's thirty-fourth session, Cyprus outlined a number of measures it had taken to reach compliance with the Protocol on NO_x. It specifically noted that the previously damaged power plant had been put back in operation in September 2013. This allowed Cyprus to discontinue the use of the temporary solution for electricity generation. As for the projected switch from fuel oil to natural gas in its energy sector, Cyprus informed the Committee about an ongoing tender process to supply natural gas to the country until its domestic production was initiated. Cyprus also noted the growing use of alternative energy sources and the relevant incentives provided by the Government. Due to the financial crisis, the consumption of electricity and corresponding NO_x emissions had decreased. Energy saving campaigns and new, stricter energy-efficiency construction standards for housing would further contribute to the decrease of NO_x emissions. If the implementation of the outlined measures was successful, Cyprus expected to reach compliance with the Protocol in the next few years.

11. The Committee appreciated the active participation of Cyprus and was grateful for the information provided. During the videoconference it was agreed that Cyprus would submit a report summarizing the information it had presented during the meeting as part of a report which it would submit to the Committee, through the secretariat, by 31 March 2015. Nonetheless, the Committee concluded that this issue deserved the attention of the Executive Body because of the long-lasting nature of the exceedance.

2. Protocol on Heavy Metals

Follow-up to decision 2013/5 with regard to compliance by Cyprus with the Protocol on Heavy Metals (ref. 1/10 (Cd))

Background

12. In its fifteenth report to the Executive Body, the Committee requested the secretariat to ask Cyprus to keep the Committee updated regularly, and by no later than 31 March 2013, on the restoration schedule for its power plant and its plans to reach compliance with the Protocol on Heavy Metals, including, as appropriate, answers to the additional questions sent on 7 July 2011. In August 2013, Cyprus submitted a response which was not received by the Committee by the time of its thirty-second session in September 2013. In decision 2013/5, the Committee was requested to review the progress of Cyprus and the timetable for achieving compliance with article 3, paragraph 1, of the Protocol on Heavy Metals and to report thereon to the Executive Body at its thirty-third session.

13. The secretariat informed the Committee that it had communicated the decision to Cyprus and had received no response. At the request of the Committee, the secretariat had sent a letter to Cyprus reminding it of the standing invitation contained in decision 2013/5 for it to participate in one of the Committee's sessions in 2014. Cyprus agreed to attend the Committee's thirty-fourth session via videoconference.

Considerations

14. The Committee noted that the latest officially submitted data showed that cadmium (Cd) emissions in Cyprus in 2012 were 0.082 tons, which was above the 1990 base year emission level of 0.051 tons.

15. The Committee was grateful for the additional information provided by Cyprus in 2013, which gave an update of the previous information discussed by the Committee at its twenty-ninth session. The update showed that NFR category 1A1a (energy industries) was the main cadmium source according to the national official inventory.

16. Moreover, Cyprus participated in the thirty-fourth session of the Committee via videoconference and outlined a number of measures it had taken to reach compliance with the Protocol on Heavy Metals with respect to cadmium emissions. Cyprus informed the Committee about a substantial decrease of cadmium emissions in 2013 compared with 2012. Specifically, in the largest emitting energy sector cadmium emissions had decreased during the reporting period from 0.051 tons to 0.024 tons, allowing Cyprus to expect that it might reach compliance with the Protocol in the next reporting round or shortly thereafter.

17. The Committee appreciated the active participation of Cyprus at its thirty-fourth session and was grateful for the information provided. It agreed to reassess the compliance of Cyprus with the Protocol on Heavy Metals concerning cadmium emissions at its next session in 2015 following the official emission data reporting by Cyprus.

3. Protocol on Persistent Organic Pollutants

(a) Follow-up to decision 2012/17 concerning compliance by Estonia, Italy and Latvia with the Protocol on Persistent Organic Pollutants (refs. 2/10, 3/10, 10/10 and 11/10) (Estonia, HCB; Italy, PAH; Latvia, PAH, HCB, diox./furan)

Background

18. In decision 2012/17, the Committee was requested to continue to review the progress by Estonia, Italy and Latvia in achieving compliance with article 3,

paragraph 5 (a), of the Protocol on Persistent Organic Pollutants (Protocol on POPs). The Committee concluded at its thirty-second session that it would keep the compliance by Estonia, Italy and Latvia with respect to their emissions under the Protocol on POPs under review and requested the secretariat to send a letter requesting Estonia, Italy and Latvia to provide the Committee with further information on the update of their national emission factors. No responses were received by the time of the Committee's thirty-fourth session.

19. Further to paragraph 8 of decision 2012/17, the Chair of the Committee had informal contacts with a co-Chair of the Task Force on Emission Inventories and Projections on this matter.

Considerations

20. At its thirty-third session, the Committee noted that the latest reported emission data for the time series 1990–2012 showed that Italy's polycyclic aromatic hydrocarbon (PAH) emissions in 2012 were 63.2 tons, which was 21 per cent below the base year emission level of 79.7 tons in 1990. On this basis, the Committee concluded that there was no reason to further review Italy's compliance.

21. The Committee further considered Latvia's latest submitted emission data for PAH. It noted that the emission data for the time series 1990–2012 showed that Latvia's emissions in 2012 were 12.4 tons, which was 27 per cent below the revised base year emission level of 17 tons for PAH in 1990. The Committee therefore concluded that there was no reason to further review Latvia's compliance concerning PAH emissions.

22. However, the Committee regretted Estonia's and Latvia's continuing failure to respond to the Committee's request to provide further information on the update of their national emission factors.

23. The Committee noted that Estonia's latest officially submitted data showed that hexachlorobenzene (HCB) emissions in 2012 were 0.19 kilograms, which was above the 1995 target level of 0.12 kilograms.

24. The Committee further noted that Latvia's latest officially submitted data showed that HCB emissions in 2012 were 0.34 kilograms, almost double the 1990 base year level of 0.19 kilograms and emissions of dioxins/furans were 31.9 grams, 17 per cent above Latvia's 1990 base year emission level of 27.1 grams.

25. In the absence of any additional information regarding the compliance of Estonia (HCB) and Latvia (HCB, diox./furan) with the Protocol on POPs, at its thirty-fourth session, the Committee concluded that they were still in non-compliance with their obligations under article 3, paragraph 5 (a), of the Protocol. The Committee agreed that it would bring the two cases of non-compliance to the attention of the Executive Body at its thirty-third session by referring to decision 2012/7, and that it would specifically recommend that the Executive Body request both countries to attend the Committee's session in 2015 to elaborate on the status of their work on the update of the national emission factors for POPs.

(b) Follow-up to decision 2013/8 concerning compliance by Denmark with the Protocol on POPs (ref. 1/06 (PAH))

Background

26. In decision 2013/8, the Committee was requested to review Denmark's progress and timetable for achieving compliance with article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed the Committee that it had communicated the decision to Denmark and that it had received a response. It further reported that it had sent a letter in follow-up to

the thirty-third session of the Committee as requested, but that no response had been received.

Considerations

27. The Committee noted that the latest officially submitted data showed that PAH emissions in Denmark in 2012 were 7.7 tons, which was 61 per cent above the 1990 base year emission level of 4.8 tons. Nevertheless, the Committee also noted that PAH emissions in Denmark had been following a decreasing trend since 2007.

28. At its thirty-third session, the Committee noted the information provided by Denmark regarding measures to reduce emissions from residential wood combustion, which, according to Denmark's 2014 Informative Inventory Report (IIR), accounted for 71 per cent of PAH emissions. At the same time, it noted that Denmark did not mention any measures targeted at reducing emissions from the remaining sources, accounting for 29 per cent of PAH emissions.

29. Denmark specified that it expected to be in compliance by 2018, which was a significantly closer date than the one it had provided in 2013. This new projection was complemented by information on wood-burning stove market trends over the past 12 years. However, the Committee found it difficult to assess the relationship between Denmark's PAH emission projections and the wood-stove market trends in the past, especially since Denmark's 2014 IIR did not include any PAH emission projection calculations.

30. The recent trends in the wood-burning stove market had been stimulated by the Danish Statutory Order issued on 1 January 2008. This Statutory Order was being reviewed in 2014. The Committee considered that this review could be an opportunity to accelerate current market trends and therefore help Denmark in fulfilling its obligations.

31. The Committee welcomed Denmark's PAH emission projections and its indication that it expected to be in compliance by 2018. As a consequence, the Committee felt cautiously optimistic regarding the possibility for Denmark to reach compliance within a reasonable period of time.

32. However, the Committee noted that Denmark's PAH emission time series reported in 2014 were significantly different from the ones reported in 2013. For instance, base year PAH emissions were reported to be 4.8 tons in 2014, whereas they were reported to be 7.5 tons in 2013.

33. The Committee had therefore requested the secretariat to send a letter to Denmark requesting additional information on the methodology used for calculating the year of Denmark's expected compliance and encouraging it to seek additional measures which could facilitate reaching compliance before 2018.

34. Although no response was received from Denmark, the Committee concluded, in the light of the progress made, that it would not make a recommendation to the Executive Body at this time. Instead it requested the secretariat to send a letter to Denmark referring to decision 2013/8 and repeating the Committee's requests, as outlined in paragraph 33 above.

(c) Follow-up to decision 2013/10 concerning compliance by Luxembourg with the Protocol on POPs (ref. 14/13 (HCB))

Background

35. In its decision 2013/10, the Executive Body requested Luxembourg to provide the Committee, through the secretariat, by 31 March 2014, with: (a) information concerning the status and details of its work to improve its emission inventory for persistent organic pollutants (POPs) and any recalculated emission data; (b) a list of specific measures taken

or scheduled and the projected effects of each of those measures; and (c) a timetable for the implementation of any such measures, including the year by which Luxembourg expected to be in compliance. It further requested the Committee to review the progress and the timetable of Luxembourg, and to report to it thereon at its thirty-third session.

36. The secretariat informed the Committee that it had communicated the decision to Luxembourg. Luxembourg provided a response on 18 August 2014.

Considerations

37. At its thirty-fourth session, the Committee noted that Luxembourg would submit POPs emission data as part of its official reporting in 2015. It further noted that Luxembourg had submitted preliminary POPs emission data for 2011 in its letter.

38. Nonetheless, the Committee concluded that it could not make any recommendations regarding this case until Luxembourg officially submitted updated inventory data. The Committee therefore agreed that it would resume its consideration of Luxembourg's emission reduction obligations under the Protocol on POPs once the issue of non-reporting had been resolved (see ECE/EB.AIR/2014/3, paras 19–21, for corresponding reporting obligation).

(d) Follow-up to decision 2013/11 concerning compliance by the Republic of Moldova with the Protocol on POPs (ref. 14/10 (PAH; diox./furan))

Background

39. In decision 2013/11, the Executive Body requested the Committee to review the progress of the Republic of Moldova and to report to it at its thirty-third session. The Republic of Moldova was requested to provide to the Committee, through the secretariat, by 31 March 2014, the information requested in paragraph 3 of decision 2012/19.

40. The secretariat informed the Committee that it had informed the Republic of Moldova of the decision and that the Party had provided a response.

Consideration

41. In its decision 2012/19, the Executive Body requested the Task Force on Emission Inventories and Projections to specifically review the emissions data for PAHs and dioxins/furans provided by the Republic of Moldova. The Task Force responded that a review of the quality of the data was not possible, as the Republic of Moldova had not submitted emissions data in 2014 for POPs by the relevant deadline. Emissions data were submitted in 2013, which included emissions from dioxins/furans, PAH, HCB and polychlorinated biphenyl (PCB). However, as no IIR had been submitted along with the data, a stage 3 review of the reported data could not be done.

42. Following the review of data submitted by the Republic of Moldova in August 2014, the Committee concluded that the Party was in compliance with the Protocol on POPs for all three pollutants and that there was no reason to further review this case, as the data quality would be checked by the Task Force once the IIR was available.

43. The Committee also noted that the Task Force would not be able to review the reported POPs data if no IIR was provided by the Party. It therefore requested the secretariat to write a letter to the Republic of Moldova expressing its appreciation for reaching compliance with the Protocol on POPs and encouraging it to prepare and submit its IIR within the next reporting period in 2015.

(e) **Follow-up to decision 2013/12 concerning compliance by the Netherlands with the Protocol on POPs (ref.16/13 (HCB))**

Background

44. In decision 2013/12 the Committee was requested by the Executive Body to review the progress and the timetable of the Netherlands with regard to meeting its commitments under the Protocol on POPs and to report to it thereon at its thirty-third session.

45. The secretariat informed the Committee that it had communicated the decision to the Netherlands and that it had received a response to its letter. At its thirty-third session the Committee considered the information provided by the Netherlands. It requested the secretariat to send a letter to the Netherlands requesting it to provide the required additional information through a presentation at its thirty-fourth session. The Netherlands participated in the thirty-fourth session of the Committee via videoconference.

Considerations

46. The Committee noted that the latest officially submitted data showed that HCB emissions in the Netherlands in 2012 were 1.7 kilograms (fuel used), which was below the 1990 base year emission level of 44.7 kilograms.

47. The Committee noted the information provided by the Netherlands in its report as well as through a presentation at its thirty-fourth session. The Netherlands explained that, in hindsight, the HCB emissions for the base year 1990 as reported in 2010 did not reflect the actual emissions between 1990 and 1995. In its 2010 inventory submission, the Netherlands chose to use a default emission factor that was applied for the entire time series from 1990 onwards. However, it considered that the use of a constant emission factor would not be correct for the period 1990 to 1995 as this would not take into account that waste combustion installations had reduced the emissions significantly during that period. For those years, higher emission factors would be more applicable, reflecting the gradual introduction of best available techniques (BATs). The Netherlands assumed that the mitigation measures which had been implemented in order to reduce dioxin emissions during this time also affected HCB emissions. For this reason HCB emissions were related to dioxin emissions, leading to a reduction in HCB emissions of more than 95 per cent between 1990 and 1995.

48. The Netherlands gave additional information on emission estimates from sectors other than waste incineration and the application of BATs for those sectors. It noted that, based on the *EMEP/EEA air pollutant emission inventory guidebook* (EMEP/EEA Guidebook),¹ emissions from public electricity and heat production (coal-fired) and from combustion of biomass (including wood) were the most relevant sources of HCB emissions, after waste incineration. The Netherlands reported that it was currently completing the relevant activity data for the entire period and that it would include all missing HCB emission sources in its next submission in 2015. Lastly, the Netherlands stated that there was a lack of information regarding HCB emission factors in the EMEP/EEA Guidebook, and that also the data of other Parties seemed to show inconsistencies.

¹ The Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) and the European Environment Agency (EEA) guidebook, regularly updated, is designed to facilitate reporting of emission inventories by countries to the Convention as well as under the relevant European Union directive. See <http://www.eea.europa.eu/themes/air/emep-eea-air-pollutant-emission-inventory-guidebook>.

49. The Committee appreciated the active participation of the Netherlands in its thirty-fourth session and was grateful for the information provided. It noted that the statement by the Netherlands on the lack of information regarding HCB emission factors was consistent with the analysis undertaken by the Committee on the issue of POPs reporting (ECE/EB.AIR/2013/3, para. 101). It concluded that the Netherlands was in compliance with its obligations under the Protocol on POPs and saw no need to further review this case.

4. Gothenburg Protocol

(a) Follow-up to decision 2013/13 concerning compliance by Denmark with the Gothenburg Protocol (ref. 3/13 (NH₃))

50. The secretariat informed the Committee that, following the adoption of decision 2013/13 concerning compliance by Denmark with the Gothenburg Protocol by the Executive Body at its thirty-second session, Denmark had submitted an application for adjustment to its inventory in line with paragraph 2 of decision 2012/3. Consequently, the Committee suspended its consideration of this case until the adjustment was assessed by the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) Steering Body.

(b) Follow-up to decision 2013/14 concerning compliance by the European Union with the Gothenburg Protocol (ref. 5/13 (NO_x))

Background

51. In decision 2013/14 the Committee was requested to review the progress and timetable of the European Union (EU) in achieving compliance with article 3, paragraph 1, of the Gothenburg Protocol.

52. The secretariat informed the Committee that it had communicated the decision to the EU and that the EU had responded to its letter. Furthermore the secretariat had sent a follow-up letter as requested by the Committee at its thirty-third session to which the EU had also provided a response.

Considerations

53. The Committee was grateful for the information provided and noted that the latest officially submitted data showed that NO_x emissions in the first 15 member States of the EU (EU 15) in 2012 were 6,638.9 kilotons, which was below the emission ceiling of 6,671 kilotons.

54. The Committee further noted the EU response to the Committee's request for an explanation of the basis for its assertion that the emission ceilings in annex II to the Gothenburg Protocol should apply only to the territory of the EU 15, including an explanation of how this assertion was consistent with its view of the extent of its other rights and obligations under the Protocol.

55. The EU recalled that the European Community, now the EU, had acceded to the Protocol at a time when the European Community had only 15 member States and that the EU legislation implementing the Protocol — Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants — bound the 15 member States to the same or stricter ceilings as those laid down in the Protocol. Further, as the EU accession to the Protocol took place at a time when the EU was made up of 15 member States, the ceilings for the EU laid down in the Protocol remained only relevant for those original 15 States.

56. The EU also stated that, with regard to other rights and obligations under the Protocol, such as the application of specific emission limit values or other measures outlined in the annexes, or development and reporting of inventories, the EU had legislation in place that was applied throughout the EU territory. It also noted that the rights and competencies remained a shared responsibility between the EU and its member States and those aspects that were not fully covered by the EU legislation were covered by the national legislation of the EU member State and/or by the flexibility of alternative mechanisms outlined in article 3 of the Gothenburg Protocol.

57. The Committee was grateful for the information provided by the EU with respect to its internal law. It noted that, with its expansion, the EU had not undertaken to change its obligations explicitly limiting its application to the first 15 member States. However, the Committee was of the view that, in accordance with article 31 of the Vienna Convention on the Law of Treaties, a plain and ordinary reading of the treaty in the context of its object and purpose suggested the territorial application of emissions ceilings in annex II was intended to apply to the EU based on its composition at the time of the adoption of the Protocol. The Committee took the view that the emission reduction obligations, if defined in absolute figures, were obligations which by their nature were connected to the territory of the Parties at the time of their ratification.

58. The Committee therefore concluded that the EU was in compliance with its obligations under the Gothenburg Protocol and that there was no reason to further review the case.

(c) Follow-up to decision 2013/15 concerning compliance by Finland with the Gothenburg Protocol (ref. 6/13 (NH₃))

Background

59. The Committee continued to review Finland's progress and timetable for achieving compliance with article 3, paragraph 1, of the Gothenburg Protocol further to decision 2013/15.

60. The secretariat informed the Committee that it had communicated the decision to Finland and that it had received a response describing the reasons for Finland's non-compliance and listing the specific measures taken or scheduled to fulfil Finland's emission reduction obligations under the Gothenburg Protocol. Following the thirty-third session of the Committee, the secretariat sent a follow-up letter as requested by the Committee to which Finland had provided a response.

Consideration

61. The Committee noted that the latest officially submitted data showed that ammonia (NH₃) emissions in Finland in 2012 were 36.7 kilotons, which was above the emission ceiling of 31 kilotons.

62. The Committee recalled that at its thirty-third session it had analysed Finland's reasons for non-compliance and the list of specific measures taken or scheduled to fulfil Finland's emission reduction obligations under the Gothenburg Protocol. On that occasion, the Committee had noted that Finland had not provided information on the timetable of its progress towards compliance and on the projected effects of its measures addressing ammonia emissions.

63. The Committee took note of the information provided, especially of the fact that Finland could not estimate the effects of the Rural Development Programme for Mainland Finland for 2014–2020, and of the revised Nitrates Decree, and could not provide the timetable it intended to follow in order to reach compliance, including the year by which it

expected to be in compliance. Specifically, the Committee noted that Finland was expecting the European Commission's approval of its Rural Development Programme, and that the revised Nitrates Decree had not been adopted by the Finnish Government by the time of Finland's letter to the Committee.

64. The Committee further noted that it did not consider Finland's reference to the inventory adjustment procedure, as contained in its letter, as a notification of intent as outlined in decision 2012/3.

65. Taking into consideration the fact that both the legislative and administrative measures envisaged by Finland, as well as the studies it launched, could be properly assessed only in 2015, the Committee agreed to continue the consideration of the case at its thirty-fifth session in 2015.

66. The Committee requested the secretariat to send a letter to Finland asking it to provide updated information by 31 March 2015, focusing specifically on:

(a) The projected effects of its Rural Development Programme for Mainland Finland for 2014–2020, and of the revised Nitrates Decree;

(b) Any other measures envisaged by Finland;

(c) The timetable that Finland intends to follow in order to reach compliance, including the year by which Finland expects to be in compliance.

(d) Follow-up to decision 2013/16 concerning compliance by Luxembourg with the Gothenburg Protocol (ref. 13/13 (NO_x))

Background

67. In its decision 2013/16 the Executive Body requested to the Committee to review Luxembourg's progress and timetable for achieving compliance with article 3, paragraph 1, of the Gothenburg Protocol.

68. The secretariat informed the Committee that it had communicated the decision to Luxembourg. It had furthermore sent a follow-up letter to the Party, as requested by the Committee at its thirty-third session. Luxembourg provided a response and participated in the thirty-fourth session of the Committee.

Considerations

69. At its thirty-third session, the Committee noted that the latest officially submitted data for NO_x in 2012 for Luxembourg were 16.6 kilotons based on fuel used, which was still above the emission ceiling of 11 kilotons.

70. The Committee further noted that Luxembourg had recalculated its emissions on the basis of fuel used, whereas in the past it had always calculated on the basis of fuel sold. The Committee also noted that Luxembourg was entitled to base its calculation of emission data on fuel used. However, even when applying this recalculation, which Luxembourg also extended to the base year 1990, Luxembourg's emissions in 2012 were still above its ceiling.

71. The Committee further discussed whether the recalculation of the base year on the basis of fuel used would alter Luxembourg's emission reduction obligation. It concluded that the wording of article 3, paragraph 1, of the Protocol as well as the chapeau of the tables in annex II clearly indicated that the Protocol set an absolute ceiling, the latter stating that the "1990 emission levels and the percentage emission reductions listed are given for information purposes only". Hence, the recalculation of the 1990 emission data had no bearing on the absolute emission ceiling. The Committee therefore concluded that

Luxembourg's recalculation of the base year emission level would not alter its ceiling as contained in annex II of the Protocol. The Committee also noted that the adoption of the revised Gothenburg Protocol, which sets out relative targets, did not alter this finding because it had not yet entered into force.

72. The Committee appreciated the active participation of Luxembourg in its thirty-fourth session and was grateful for the information provided.

73. Luxembourg reported that environmental matters were receiving more attention with the change of the Government in December 2013. An interministerial working group had been set up which would evaluate the reduction potential in different sectors in order to reduce emissions. The new Government was committed to work on reducing the financial dependency of Luxembourg on the road fuel exports to non-residents and had launched an economic feasibility study on the impacts of tax-induced petrol price changes.

74. In addition, Luxembourg was working on the improvement of its inventory with a focus on the residential and commercial/institutional sectors and road transportation and would be able to implement the new findings in its inventory submission in 2015. The Committee noted that Luxembourg was evaluating the possible effects of the application of the inventory adjustment procedure. Regarding predictions as to when Luxembourg would be able to reach compliance, it indicated that this was not known at the moment, but that a downward trend in emissions was visible. In that connection, Luxembourg informed the Committee that it was engaged in the work on projections for the years 2020 and 2030.

75. The Committee considered the information provided by Luxembourg. It welcomed the new efforts undertaken by Luxembourg not only regarding the recalculation of emission data, but also regarding the implementation of emission reduction measures.

76. In the light of the initiative taken and the progress made by Luxembourg, the Committee agreed not to make a recommendation to the Executive Body at this time, and to revisit this case at its next session in 2015. The Committee requested the secretariat to send a letter to Luxembourg referring to Executive Body decision 2013/16 and inviting it to provide updated information in time for the next session of the Committee, as outlined in paragraph 4 of that decision. In addition, the Committee requested the secretariat to invite Luxembourg to participate in the Committee's next session.

B. Referrals initiated by the secretariat in 2013 still under consideration by the Committee

(a) Follow-up to the referral by the secretariat concerning compliance by Liechtenstein with the Protocol on Heavy Metals (ref. 23/13 (Cd)); (ref. 24/13 (Hg))

Background

77. At its thirty-fourth session, the Committee continued its consideration of the 2013 referral by the secretariat concerning Liechtenstein's compliance with the Protocol on Heavy Metals. According to the latest emission data, mercury (Hg) emissions were 0.2 kilograms in 2012 compared with 0.15 kilograms in 1990, the base year for Liechtenstein, an exceedance of 33 per cent. In addition, according to the latest emission data, cadmium emissions were 2.5 kilograms in 2012 compared with 2.2 kilograms in 1990, the base year for Liechtenstein, an exceedance of 14 per cent. This information suggested that Liechtenstein was in non-compliance with its obligation under article 3, paragraph 1, of the Protocol on Heavy Metals for mercury and cadmium.

78. The secretariat informed the Committee that it had sent a letter to Liechtenstein in follow-up to the Committee's thirty-third session to which no response had been received.

Consideration

79. The Committee regretted that Liechtenstein had still not provided the information requested by the Committee. It pointed out that this was the second letter to Liechtenstein requesting it to provide the results of the analysis that had been planned for September 2013. The Committee had sought additional information focusing on whether the analysis provided additional information on the anticipated results of any improvement of the emission model for mercury and cadmium, and whether these revised models would result in the Party expecting to be in compliance with its emission reduction obligations under the Protocol on Heavy Metals.

80. In the absence of additional information, the Committee concluded that Liechtenstein was in non-compliance with its obligation under article 3, paragraph 1, of the Protocol on Heavy Metals with respect to mercury and cadmium and that this matter deserved the attention of the Executive Body.

(b) Follow-up to the referral by the secretariat concerning compliance by Norway with the Gothenburg Protocol (ref. 18/13 (NO_x))

Background

81. At its thirty-third session, the Committee continued its consideration of the 2013 referral by the secretariat concerning Norway's compliance with the Gothenburg Protocol regarding NO_x emissions.

82. The secretariat informed the Committee that it had sent a letter to Norway in follow-up to the Committee's thirty-second session to which Norway had responded. In addition, Norway participated in the Committee's thirty-third session.

83. According to the emission data reported by Norway in 2014, NO_x emissions in 2012 amounted to 164.4 kilotons, which exceeded the ceiling of 156 kilotons by 5 per cent. That information suggested that Norway was still in non-compliance with its obligations under article 3, paragraph 1, of the Gothenburg Protocol.

84. Furthermore, Norway submitted a letter containing the preliminary estimates of NO_x emissions for 2013. According to these data the NO_x emissions amounted to 160 kilotons, which meant that emissions had decreased, but still remained 3 per cent above the ceiling.

Considerations

85. The Committee welcomed the participation of Norway at its thirty-third session and was grateful for the comprehensive information provided both in writing and orally.

86. The Committee considered the 2012 emission data as well as the preliminary estimates for 2013. It took note of Norway's efforts to comply with its obligation to reduce NO_x emissions and of the fact that the emission trend had decreased significantly, especially after 2007. Norway stated that the decreasing trend was due to the fact that it had implemented the requirements under the Protocol, had continuously improved the inventory and had implemented further effective measures in key sectors. According to the latest IIR, in 2012 the main source of NO_x emissions was the transport sector, which accounted for 35 per cent of the total NO_x emissions, followed by combustion in energy industries (30 per cent), and other combustion (19 per cent). In order to address the emissions from the transport sector, taxes on diesel and petrol were introduced. The reduction in NO_x emissions from navigation was partly due to measures implemented by the NO_x agreement between the Ministry of Environment and the business sector, which also resulted in the establishment of the NO_x fund. This agreement was concluded in 2008 and updated in 2010 with new emission reduction commitments. Based on the new applications for emission

reduction projects under the NO_x fund and assuming that the 2007–2012 reduction trend would continue, Norway expected to reach compliance in 2014.

87. The Committee welcomed the participation of Norway in its thirty-third session and appreciated the report and the presentation provided. Norway explained that the reasons for the estimated 2013 NO_x emission reduction compared with the 2012 submission were the national navigation measures that had been implemented, as set out in the 2012–2017 NO_x agreement, as well as the improvement of emission factors for off-road machinery. The effect of the improvements in the inventory and implementation of the planned measures would allow Norway to fulfil its obligations under the Protocol earlier than expected. Norway further stated that new provisions of the 2012–2017 NO_x agreement would be taken into account in the preparation of updated projections, which should be finalized in October 2014. Finally, Norway indicated that it expected to reach compliance with its obligation by 2014 or 2015 at the latest.

88. The Committee appreciated Norway's position that it would rather concentrate on actual emission reduction measures before submitting an application for the Inventory Adjustment Procedure. It further acknowledged the efforts undertaken to implement efficient measures aimed at NO_x emission reduction and the fact that Norway could reach compliance with its NO_x emission reduction target soon. Acknowledging the significant progress Norway had made towards achieving compliance with its NO_x emission reduction target, the Committee agreed not to propose any recommendation to the Executive Body at present and to reassess Norway's compliance in 2015.

(c) Follow-up to the referral by the secretariat concerning compliance by Norway with the Gothenburg Protocol (ref. 26/13 (NH₃))

Background

89. The Committee continued its consideration of the 2013 referral by the secretariat concerning Norway's compliance with the Gothenburg Protocol regarding ammonia (NH₃) emissions.

90. The secretariat informed the Committee that it had sent a letter to Norway to which Norway had provided a response. According to the latest emission data, NH₃ emissions in Norway in 2012 were 26.9 kilotons, which exceeded the emission ceiling of 23 kilotons by 17 per cent. This suggested that Norway was still in non-compliance with its obligations under article 3, paragraph 1, of the Gothenburg Protocol.

91. Furthermore, Norway had submitted a letter containing the preliminary estimates of NH₃ emissions in 2013. According to those data the NH₃ emissions in Norway amounted to 27 kilotons, thereby remaining at the same level as the 2012 emissions.

Considerations

92. The Committee welcomed the participation of Norway at its thirty-third session and was grateful for the comprehensive information provided both in writing and orally.

93. Norway showed that it was in the middle of a process to improve its NH₃ emission calculations and respective reporting and that it had developed new methodologies which tried to reflect the natural variation in NH₃ emissions from certain agricultural sources. With respect to an expected date to reach compliance, Norway stated that the results of this process would be reflected in its 2015 inventory submission and would be based on its agricultural practices survey. It also provided an overview of current policy measures aiming at the reduction of NH₃ emissions, as well as measures which could be contemplated following the survey mentioned above. Norway emphasized its commitment to addressing the problem and noted that it was aware of possible risks of underestimation

or overestimation. The Committee appreciated Norway's commitment to comply with the Gothenburg Protocol and its indication that it would rather concentrate on actual emission reduction measures before submitting an Inventory Adjustment Procedure application.

94. In the light of the information provided, the Committee agreed not to make a recommendation to the Executive Body at this time and to reassess Norway's compliance in 2015.

(d) Follow-up to the referral by the secretariat concerning compliance by Spain with the Gothenburg Protocol (ref. 19/13 (NH₃))

Background

95. The Committee recalled that, at its thirty-second session, it considered information provided by Spain that indicated that it was still updating its emission inventory, especially in the light of new abatement techniques for the reduction of NH₃ emissions concerning the application of specific fertilizers. Spain had further indicated that the recalculation of the emission data would be included in the 2014 submission. The Committee had therefore agreed to keep the case open pending the final recalculation and official reporting of ammonia emissions in 2014.

96. At its thirty-third session, the Committee noted that the latest reported NH₃ emission data in Spain for 2012 of 377.4 kilotons were still 7 per cent above Spain's emission reduction target of 353 kilotons. Spain therefore appeared to remain in non-compliance with its obligations under article 3, paragraph 1, of the Gothenburg Protocol.

97. The Committee consequently requested the secretariat to send a letter to Spain regarding its apparent non-compliance with its NH₃ emissions reduction target; however, no response had so far been received.

Consideration

98. The Committee regretted the fact that Spain had not provided a response to its requests. It also noted that it had received no information on any major recalculations of NH₃ emissions data as previously indicated by Spain.

99. In the absence of any new information, the Committee agreed to keep the case under further review. It asked the secretariat to write to Spain requesting it to provide, by 31 March 2015, responses to the questions raised in follow-up to the Committee's thirty-third session, also including:

(a) A list of the specific measures Spain intends to take to fulfil its emission reduction obligations under the Protocol;

(b) A timetable specifying the year by which Spain expects to be in compliance.

100. Furthermore, the Committee requested the secretariat to invite Spain to attend its next session in 2015.

C. Referrals initiated by the secretariat in 2013 that have been closed by the Committee

1. Protocol on NO_x

Follow-up to the referral by the secretariat concerning compliance by Luxembourg with the Protocol on NO_x (ref. 12/13)

Background

101. The Committee considered the secretariat's referral concerning Luxembourg's compliance with the Protocol on NO_x. According to the latest emission data, NO_x emissions based on "fuel used" were 16.6 kilotons in 2012 compared to the emissions of 21.5 kilotons in 1987, the base year for Luxembourg. This information suggested that Luxembourg was in compliance with its obligation under article 2, paragraph 1, of the Protocol on NO_x.

102. The secretariat informed the Committee that it had invited Luxembourg to provide, with its next inventory submission, the base year inventory data based on fuel used in the NFR together with the corresponding documentation on the methodology used in its IIR. Luxembourg had submitted a response along with the requested submission of emission data based on fuel used.

Consideration

103. The Committee was grateful for the information provided by Luxembourg. In particular, the Committee welcomed Luxembourg's official reporting of the base year emissions on the basis of fuel used under the Protocol on NO_x following Luxembourg's indication that its compliance should be evaluated on fuel used data as opposed to "fuel sold".

104. Based on the latest submitted emission data, the Committee concluded that Luxembourg was in compliance with its obligations under the Protocol on NO_x and that there was no need to further review this case.

2. Protocol on POPs

Follow-up to the referral by the secretariat concerning compliance by Liechtenstein with the Protocol on POPs (ref. 10/13 (diox./furan))

Background

105. The Committee continued its consideration of the 2013 referral by the secretariat concerning Liechtenstein's compliance with the Protocol on POPs regarding emissions of dioxins/furans.

106. The secretariat informed the Committee that, following the Committee's thirty-second session, it had received a response from Liechtenstein to the letter sent in follow-up to the Committee's thirty-first session in July 2013.

107. At its thirty-second session, in the absence of further information, the Committee had agreed that the results of the improvement of the model should be considered at its next session, together with the 2014 inventory, in order to be able to make a recommendation to the Executive Body.

108. According to the latest emission data submitted in 2014, emissions of dioxins/furans in Liechtenstein in 2012 were 0.010 grams, which were now below the 1990 base year emission level of 0.015 grams. Reported emissions for 2011, 2010 and 2009 were 0.010

grams respectively. Liechtenstein therefore appeared to be in compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs.

Considerations

109. The Committee noted that Liechtenstein had indicated previously that it intended to review its emission calculation methodology, in cooperation with the Swiss Federal Office of the Environment. Liechtenstein confirmed in its 2014 IIR that a complete recalculation of PAH and dioxin/furan emissions had been conducted on the basis of the aforementioned review.

110. Based on the latest submitted emission data, the Committee concluded that there was no need to further review the compliance by Liechtenstein with its obligations under the Protocol on POPs concerning its dioxins/furans emissions.

3. Gothenburg Protocol

(a) Follow-up to the referral by the secretariat concerning compliance by Germany with the Gothenburg Protocol (ref. 8/13 (VOCs))

Background

111. The Committee continued its consideration of the 2013 referral by the secretariat concerning Germany's compliance with the Gothenburg Protocol regarding emissions of volatile organic compounds (VOCs).

112. The Committee had concluded at its thirty-second session that it would suspend the consideration of referral 8/13 (VOCs) following the receipt of information from Germany that it intended to apply the Inventory Adjustment Procedure (see ECE/EB.AIR/2013/3, paras. 20–24).

113. The secretariat informed the Committee that Germany had not applied for an adjustment for VOCs by the deadline. However, according to the latest emission data, submitted in 2014, VOCs emissions in Germany in 2012 were 953.7 kilotons, which was below the emission ceiling of 995 kilotons. This suggested that Germany was back in compliance.

Considerations

114. Based on the latest submitted emission data, the Committee concluded that Germany was in compliance with its obligations under the Gothenburg Protocol regarding VOCs emissions and that there was no reason to further review this case.

(b) Follow-up to the referral by the secretariat concerning compliance by Germany with the Gothenburg Protocol (ref. 25/13 (NH₃))

Background

115. The Committee continued its consideration of the 2013 referral by the secretariat concerning Germany's compliance with the Gothenburg Protocol regarding emissions of ammonia.

116. The secretariat reported that it had sent a letter in follow-up to the Committee's thirty-second session to which Germany had responded.

117. The latest officially submitted emission data showed that ammonia emissions in Germany in 2012 were 545.4 kilotons, which was below the emission ceiling of 550 kilotons.

118. This information seemed to suggest that Germany was now in compliance with its obligation under article 3, paragraph 1, of the Gothenburg Protocol.

Considerations

119. The Committee was grateful for the information provided by Germany on additional measures its Government was planning to implement in order to reduce ammonia emissions. These concerned specifically legal modifications concerning two specific measures in the context of the amendment of the Fertilizer Application Ordinance, namely the extension of the scope of the provisions on the immediate incorporation of certain types of liquid manure on untilled land and the introduction of provisions on the use of low-emission application techniques for liquid farm manure on cropped land.

120. Based on the latest submitted emission data and the additional information provided by Germany, the Committee concluded that Germany was in compliance with its obligations under the Gothenburg Protocol concerning ammonia emissions and that there was no reason to further review this case.

D. New referrals initiated by the secretariat in 2014

1. 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent

Referral by the secretariat concerning compliance by the former Yugoslav Republic of Macedonia with the 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent (ref. 1/14)

Background

121. According to the latest emission data received from the former Yugoslav Republic of Macedonia, sulphur emissions exceeded the emission reduction target for the country under the 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes (1985 Sulphur Protocol) by approximately 106 per cent. In 1980, which is the base year for all Parties, sulphur emissions were 62.1 kilotons, leading to an emission reduction target of 43 kilotons, while in 2012 the emissions reached 89.4 kilotons. This information suggested to the secretariat that the former Yugoslav Republic of Macedonia was in non-compliance with its obligation under article 2 of the 1985 Sulphur Protocol.

122. The secretariat sent a letter the former Yugoslav Republic of Macedonia announcing its intention to refer this compliance issue to the Committee, and of the opportunity to provide a response. In a subsequent letter, the secretariat informed the Party that its case had been referred, indicating that the issue would be on the agenda of the thirty-fourth session of the Committee. The former Yugoslav Republic of Macedonia provided further information in response to the secretariat's letters.

Considerations

123. The Committee was grateful for the information provided by the former Yugoslav Republic of Macedonia. The Party drew attention to the fact that it had not existed as a country in 1980, the base year for the 1985 Sulphur Protocol. Therefore a high level of estimation was involved when calculating the base year emissions due to the lack of data.

124. The former Yugoslav Republic of Macedonia further stated that although sulphur emissions in 2012 were 106 per cent above the emission reduction target, they had decreased slightly over the past 10 years. In the period from 1982 to 1988 three new power plants had been constructed, which contributed to an increase of emissions. These power

plants accounted for approximately 50 per cent of the national sulphur emissions. The former Yugoslav Republic of Macedonia had implemented several measures to reduce the emissions from the energy sector (which accounted for almost 94 per cent of total sulphur emissions) during recent years and especially since its ratification of the Protocol. Such measures included the replacement of heavy fuel oil with natural gas, the improvement of fuel quality and the development of renewable energy options. In addition, emission reduction measures for the two heating plants that contributed significantly to the national sulphur emissions were foreseen as part of the third modernization phase, which should be finalized in December 2017.

125. Despite these efforts, the former Yugoslav Republic of Macedonia informed the Committee that it was not in a position to indicate a possible deadline to reach its sulphur emission target under the Protocol.

126. The Party further stated that it had achieved significant improvements concerning its reporting obligations in the past two years, and that it was well within its sulphur emission reduction commitment under the 1994 Protocol on Further Reduction of Sulphur Emissions (1994 Sulphur Protocol) and the 2010 emission ceiling in annex II of the Gothenburg Protocol. In addition, the Party reported that it would engage in further efforts to improve its sulphur inventory for its 1980 base year emissions in order to reduce the uncertainty of the data and would submit the recalculated data as part of the next reporting round in 2015. However, it did not expect to reach compliance with the 1985 Sulphur Protocol by recalculating the base year emissions.

127. The Committee considered the difficulties in calculating emissions for the base year 1980 for a Party that had ratified the Protocol 25 years after its adoption. While the Committee acknowledged the technical difficulties related to calculations of emissions prior to ratification, it considered that when acceding to a Protocol it remained the responsibility of the Party to be able to meet its obligations.

128. In addition, the Committee discussed the legal impacts of different thresholds for the same substance in the earlier 1985 Sulphur Protocol compared with the later 1994 Sulphur Protocol and the 1999 Gothenburg Protocol. The Committee noted that the first Sulphur Protocol was still in force for the former Yugoslav Republic of Macedonia and therefore still set a legally binding emission reduction obligation. It was of the view that the fact that the 1994 Sulphur Protocol and the Gothenburg Protocol set different sulphur emission reduction targets could sufficiently be addressed by the Committee when considering specific measures in response to the former Yugoslav Republic of Macedonia's failure to meet its emission reduction obligations related to the 1985 Sulphur Protocol.

129. The Committee agreed to continue to review the compliance by the former Yugoslav Republic of Macedonia with the 1985 Sulphur Protocol and requested the secretariat to send a letter to the Party, requesting it to provide by 31 March 2015:

- (a) Information on the outcomes of the recalculation of sulphur emissions for the base year;
- (b) An update of the information previously provided.

2. Protocol on Heavy Metals

Referral by the secretariat concerning compliance by Latvia with the Protocol on Heavy Metals (ref. 2/14 (Cd))

Background

130. According to the latest emission data, cadmium emissions in Latvia were 0.64 tons in 2012 compared with emissions of 0.47 tons in 1990, the base year for Latvia, an exceedance of 35 per cent. This information suggested to the secretariat that Latvia was in non-compliance with its obligation under article 3, paragraph 1, of the Protocol on Heavy Metals.

131. The secretariat subsequently informed Latvia about its intention to refer the compliance issue to the Committee and of the opportunity to provide a response. In a subsequent letter, the secretariat informed Latvia that the issue would be on the agenda of the thirty-fourth session of the Committee. No response was received from the country to either of the secretariat's letters.

Consideration

132. In the absence of information from Latvia, the Committee requested the secretariat to send a letter to Latvia asking that it provide the following information:

(a) A list of the specific measures Latvia intends to take to fulfil its emission reduction obligations under the Protocol;

(b) The quantitative and projected effects of such measures to reduce its cadmium emissions up to and including the year of predicted compliance;

(c) A timetable specifying the year by which Latvia expects to be in compliance.

133. In the light of the information expected to be received from Latvia, the Committee opted not to make a recommendation to the Executive Body regarding this matter at this time.

3. Protocol on POPs

(a) Referral by the secretariat concerning compliance by Estonia with the Protocol on POPs (ref. 3/14 (PAH))

Background

134. According to the latest emission data, PAH emissions in Estonia were 15.0 tons in 2012 compared with 14.5 tons in 1995, the base year for Estonia, an exceedance of 3 per cent. This information suggested to the secretariat that Estonia was in non-compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs.

135. The secretariat subsequently informed Estonia about its intention to refer the issue to the Committee and of the opportunity to provide a response. However, no response was provided. In a subsequent letter, the secretariat informed Estonia about the referral of its case, indicating that the issue would be on the agenda of the thirty-fourth session of the Committee.

Consideration

136. The Committee noted that Estonia had failed to respond to the secretariat's letter and, based on the emission data provided, concluded that Estonia was in non-compliance with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs regarding PAH.

137. However, the Committee agreed not to make a recommendation to the Executive Body at this time and to review this case at its next session in 2015. It requested the secretariat to send a letter to Estonia requesting it to provide additional information on:

(a) A list of the specific measures Estonia intends to take to fulfil its emission reduction obligations under the Protocol;

(b) The quantitative and projected effects of such measures to reduce its PAH emissions up to and including the year of predicted compliance;

(c) A timetable specifying the year by which Estonia expects to be in compliance.

(b) Referral by the secretariat concerning compliance by Liechtenstein with the Protocol on POPs (ref. 4/14 (PAH))

Background

138. According to the latest emission data submitted by Liechtenstein, PAH emissions were 0.049 kilotons in 2012 compared with 0.017 kilotons in 1990, the base year for Liechtenstein, an exceedance of 188 per cent. This information suggested to the secretariat that Liechtenstein was in non-compliance with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs.

139. The secretariat subsequently informed Liechtenstein about its intention to refer the compliance issue to the Committee and of the opportunity to provide a response. In a subsequent letter, the secretariat informed Liechtenstein about the referral of its case, indicating that the issue would be on the agenda of the thirty-fourth session of the Committee. Liechtenstein did not respond to either letter.

Considerations

140. The Committee considered the information provided by Liechtenstein, according to which Liechtenstein assumed that the increase in PAH emissions was a result of the increase of wood firing over the past few years. Liechtenstein indicated that further investigations regarding this case were in progress, and reminded the Committee that there were no specific large PAH emitters in Liechtenstein. It further pointed out that its emissions were at a low level and asked the Committee to take this information into account when considering its case.

141. The Committee further noted that, in its IIR submitted in 2014, Liechtenstein had mentioned that a complete recalculation of PAH emissions had been conducted. The current emission data were based on the same emission factors applied for the calculation of national emissions in Switzerland. The effects of the recalculation were greatest for PAH emissions in NFR sectors 1A4 and 1A5.

142. The Committee concluded that Liechtenstein was in non-compliance with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs with respect to PAH emissions; however, it opted not to make a recommendation to the Executive Body at this time. The Committee agreed to keep the case under review until its next session in 2015 and requested the secretariat to write a letter to Liechtenstein requesting it to provide the

results of its investigations regarding its non-compliance with the Protocol on POPs concerning PAH emissions as well as the following information:

- (a) A list of the specific measures Liechtenstein intends to take to fulfil its emission reduction obligations under the Protocol;
- (b) The quantitative and projected effects of such measures to reduce its PAH emissions up to and including the year of predicted compliance;
- (c) A revised timetable specifying the year by which Liechtenstein expects to be in compliance.

4. Gothenburg Protocol

Referral by the secretariat concerning compliance by Slovenia with the Gothenburg Protocol (ref.5/14 (NO_x))

Background

143. The latest submission of NO_x emission data received from Slovenia indicated that there was an exceedance of the emission ceiling by approximately 1 per cent in 2012, the indicated ceiling being 45 kilotons, while the reported emissions in 2012 amounted to 45.4 kilotons.

144. The secretariat informed Slovenia about its intention to refer the issue to the Committee and of the opportunity to provide a response. No response was received.

145. Subsequently, the secretariat informed Slovenia that the issue of its potential non-compliance would be on the agenda of the thirty-fourth session of the Committee.

Considerations

146. In the absence of information from Slovenia, the Committee noted that the exceedance by Slovenia amounted to only 1 per cent. In the light of the low exceedance, the Committee concluded that it would not bring this matter to the attention of the Executive Body. It agreed to reassess Slovenia's compliance upon the submission of emission data in the reporting cycle 2015 and requested the secretariat to send a letter to Slovenia to request it to provide information on the exceedance of the emission ceiling and any specific measures to address the non-compliance.

E. Recommendations to the Executive Body

147. On the basis of the above considerations, the Committee recommends that the Executive Body adopt the draft decisions on compliance with reporting obligations, contained in document ECE/EB.AIR/2014/4.