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Item 5 (c) of the provisional agenda

Review of implementation of the 2016–2017 workplan: compliance

Eighteenth report of 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 (ECE/EB.AIR/113/Add.1, decision 2012/25, annex, para. 9).

The eighteenth report of the Implementation Committee contains information on the Committee's activities in 2016 with regard to individual Parties' compliance with their emission reduction and reporting obligations under the Convention and its protocols, summarizing the work carried out at the Committee's thirty-sixth session (Geneva, 26–28 January 2016).



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I. Introduction

1. At its thirty-first, thirty-second and third-third sessions (Geneva, 11–13 December 2012, 9–13 December 2013 and 8–11 December 2014, respectively), the Executive Body for the United Nations Economic Commission for Europe (ECE) 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. At the thirty-sixth session of the Implementation Committee (Geneva, 26–28 January 2016), Canada was represented by Ms. Esther Van Nes and Hungary was represented by Ms. Judit Varga. The meeting was serviced by the ECE secretariat of the Convention.

II. Compliance with emission reduction obligations

A. Inventory adjustment procedure under the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone

3. At its thirty-sixth session, the Implementation Committee considered cases that had been previously suspended due to the submission of applications by Parties concerned for adjustments under the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) to emission reduction commitments or to inventories for the purposes of comparing total national emissions with them, in accordance with paragraph 9 of Executive Body decision 2012/3.

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

Background

4. At its thirty-fifth session (Budapest, 27–29 May 2015), the Committee continued to review compliance by Finland with the Gothenburg Protocol in follow-up to Executive Body decision 2013/15, based on the letter of Finland dated 31 March 2015 listing the measures it had been taking and was planning to undertake.

5. The Committee noted in 2015 that Finland had submitted an application for adjustment to its inventory in line with paragraph 2 of Executive Body decision 2012/3 and the Committee had therefore suspended its consideration of the case until the application for adjustment of Finland's ammonia (NH₃) inventory was assessed by the Steering Body to the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP).

6. At its thirty-sixth session, the Committee noted that the EMEP Steering Body had decided to approve the recommendations of the expert review team on the inventory adjustment applications at its first joint session with the Working Group on Effects (Geneva, 14–17 September 2015; see ECE/EB.AIR/GE.1/2015/2–ECE/EB.AIR/WG.1/2015/2, paras. 16 and 19 (c)).

7. Specifically, the expert review team considered the application of Finland for adjustment to its NH₃ inventory and recommended: (a) to reject the application with respect to the manure management sector; but (b) to accept the application for adjustment in the stationary combustion and road transport sectors.

8. The expert review team noted that, with that outcome, the total national emissions of Finland would remain above its national ceiling for ammonia under the Gothenburg Protocol. Pursuant to paragraph 5 of decision 2012/3, the secretariat had therefore referred the matter back to the Implementation Committee.

9. The Committee noted that according to the adjusted latest emission data NH₃ emissions in Finland in 2013 were 35.56 kilotons — as set out in the country review report submitted as an information document to the first joint session of the EMEP Steering Body and the Working Group on Effects in September 2015 —¹ which was above the emission ceiling for Finland of 31 kilotons. This information suggested that Finland was in non-compliance with its obligation under article 3, paragraph 1, of the Gothenburg Protocol.

Consideration of the case by the Committee

10. Based on the information provided by Finland in 2014, the Committee had provided a detailed summary of its consideration of the case in its seventeenth report, which it submitted to the Executive Body at its thirty-third session (ECE/EB.AIR/2014/2, paras. 59–66).

11. At its thirty-sixth session, the Committee reviewed the information provided by Finland in March 2015, specifically in relation to the status of approval and implementation of the legislative and administrative measures envisaged by Finland.

12. The Committee discussed the recommendations of the expert review team, approved by the EMEP Steering Body, and agreed to base its evaluation of the case on the approved adjustments.

13. The Committee noted that the emission trend had shown some slight improvement over the past few years. However, the NH₃ emissions of Finland, if the approved adjustments in the stationary combustion and road transport sectors were applied, would still be above the ceiling for Finland under the Gothenburg Protocol, exceeding it by about 15 per cent.

14. The Committee concluded that an update of the information previously supplied by Finland was required and therefore requested the secretariat to write to Finland:

(a) Indicating that:

(i) The Committee had resumed its consideration of the case;

(ii) The application for an inventory adjustment with respect to the manure management sector had not been approved by the EMEP Steering Body;

(iii) The information available suggested non-compliance by Finland with respect to its obligations under the Gothenburg Protocol;

(b) Inviting Finland to provide, by 30 June 2016, an update of the information it had supplied in 2015, focusing specifically on:

¹ Available from <http://www.unece.org/index.php?id=39872#/>.

- (i) The progress and the projected effects of the Rural Development Programme for Mainland Finland for 2014–2020 and with regard to the revised Nitrates Decree;
- (ii) Any other measures envisaged by Finland to reduce its level of NH₃ emissions;
- (iii) The timetable that Finland intended to follow in order to reach compliance, including the year by which Finland expected to be in compliance.

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

15. At its thirty-fifth session, the Committee noted that in 2015 Luxembourg had submitted an application for adjustment to its nitrogen oxides (NO_x) inventory in line with paragraph 2 of decision 2012/3. Consequently, the Committee had suspended its follow-up on Executive Body decision 2013/16 until the application was assessed by the EMEP Steering Body.

16. The Committee continued to review the case at its thirty-sixth session, following the finalization of the assessment of the adjustment application by the EMEP Steering Body. The Committee noted that, at the first joint session of the EMEP Steering Body and the Working Group on Effects, the EMEP Steering Body had decided to approve the recommendation of the expert review team to accept the application of Luxembourg for an adjustment to its NO_x inventory, which had resulted in the adjusted emissions of NO_x being below the ceiling for Luxembourg under the Gothenburg Protocol. In the light of that information, the Committee concluded that there was no reason to continue to review the case.

Follow-up to the referral by the secretariat concerning compliance by Belgium with the Gothenburg Protocol (ref. 1/13 (NO_x))

17. In 2013, the Committee had suspended its consideration of the case referred by the secretariat concerning compliance by Belgium with the Gothenburg Protocol until the application of Belgium for adjustment to its NO_x inventory was assessed by the EMEP Steering Body.

18. The Committee continued to review the case at its thirty-sixth session, following the finalization of the assessment of the adjustment application by the Steering Body. The Committee noted that, at the first joint session of the EMEP Steering Body and the Working Group on Effects, the Steering Body had decided to approve the recommendation of the expert review team to accept the application of Belgium for an adjustment to its NO_x inventory, which had resulted in the adjusted emissions of NO_x being below the ceiling for Belgium under the Gothenburg Protocol. In the light of that information, the Committee concluded that there was no reason to continue to review the case.

Follow-up to the referral by the secretariat concerning compliance by France with the Gothenburg Protocol (ref. 7/13 (NO_x))

19. In 2013, the Committee had suspended its consideration of the case referred by the secretariat concerning compliance by France with the Gothenburg Protocol until the application of France for an adjustment to its NO_x inventory was assessed by the EMEP Steering Body.

20. The Committee continued to review the case at its thirty-sixth session, following the finalization of the assessment of the adjustment application by the EMEP Steering Body. The Committee noted that, at the first joint session of the EMEP Steering Body and the Working Group on Effects, the EMEP Steering Body had decided to approve the

recommendation of the expert review team to accept the application of France for an adjustment to its NO_x inventory, which had resulted in the adjusted emissions of NO_x being below the ceiling for France under the Gothenburg Protocol. In the light of that information, the Committee concluded that there was no reason to continue to review the case.

Follow-up to the referral by the secretariat concerning compliance by Spain with the Gothenburg Protocol (ref. 20/13 (NO_x))

21. In 2013, the Committee had suspended its consideration of the case referred by the secretariat concerning compliance by Spain with the Gothenburg Protocol until the application of Spain for adjustment to its NO_x inventory was assessed by the EMEP Steering Body.

22. The Committee continued to review the case at its thirty-sixth session, following the finalization of the assessment of the adjustment application by the EMEP Steering Body. The Committee noted that, at the first joint session of the EMEP Steering Body and the Working Group on Effects, the EMEP Steering Body had decided to approve the recommendation of the expert review team to accept the application of Spain for an adjustment to its NO_x inventory, which had resulted in the adjusted emissions of NO_x being below the ceiling for Spain under the Gothenburg Protocol. In the light of that information, the Committee concluded that there was no reason to continue to review the case.

B. Follow-up to Executive Body decisions

Follow-up to Executive Body decision 2014/5 concerning Compliance by Liechtenstein with the Protocol on Heavy Metals (ref. 23/13 (Cd); ref. 24/13 (Hg))

Background

23. In decision 2014/5 the Executive Body requested the Implementation Committee to review the progress of Liechtenstein in achieving compliance with article 3, paragraph 1, of the Protocol on Heavy Metals.

24. The secretariat informed the Committee that, following the Committee's thirty-fifth session, it had received a response from Liechtenstein indicating that further investigations regarding the emission modelling were planned to be finalized during 2016 and that inventory recalculations would be implemented in the 2017 reporting cycle. With regard to mercury emissions, Liechtenstein had listed measures it was taking against illegal waste incineration.

Consideration of the case by the Committee

25. The Committee noted that the latest officially submitted data showed that mercury and cadmium emissions in Liechtenstein in 2013 were 0.21 and 2.5 kilograms (kg), respectively, which was above the 1990 target levels of 0.15 kg and 2.2 kg, respectively.

26. The information provided to the Committee indicated 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.

27. The Committee was grateful for the information provided by Liechtenstein in November 2015, which included information on the timetable for further investigations concerning emission modelling, an overview of key categories of mercury and cadmium emissions and an overview of the measures implemented to reduce mercury emissions.

28. The Committee noted the information provided by Liechtenstein on its efforts to comply with its obligations to reduce mercury and cadmium emissions, but also noted that the situation of non-compliance had not improved.

29. In the light of the planned developments, including the recalculation of the inventory for cadmium and mercury, which might have effect in the 2017 reporting cycle, the Committee agreed to review the case again at its first session in 2017.

Follow-up to Executive Body decision 2014/7 concerning Compliance by Latvia with the Protocol on Persistent Organic Pollutants (ref. 3/10 (HCB); ref. 11/10 (dioxin/furan))

Background

30. In decision 2014/7 the Executive Body requested the Implementation Committee to review Latvia's progress in achieving compliance with article 3, paragraph 5 (a), of the Protocol on Persistent Organic Pollutants.

31. At the request of the Committee, the secretariat had sent a letter to Latvia, in follow-up to the Committee's thirty-fifth session, requesting information related to the longstanding non-compliance, including measures taken and a revised timetable specifying the year by which Latvia expected to be in compliance. The secretariat had also reminded Latvia of the invitation by the Committee to attend its thirty-sixth session.

32. The Committee noted that the latest officially submitted data showed that hexachlorobenzene (HCB) and dioxins/furan emissions in Latvia in 2013 were 0.37 kg and 51.5 grams (g), respectively, which was above the 1990 target levels of 0.20 kg and 32.3 g, respectively.

33. The Committee appreciated the participation of Latvia at the Committee's thirty-sixth session and the open and cooperative way in which the country had provided information related to its HCB and dioxins/furans emissions.

Consideration of the case by the Committee

34. The representative of Latvia informed the Committee that an initial review of the inventory data for HCB and dioxins/furan indicated a need to improve the quality of data. This included the time series consistency of the activity data, in particular that of the waste sector, and the emission factors used for biomass combustion in manufacturing industries. In that regard, Latvia foresaw a submission of the recalculated inventory data for the 2016 reporting round, at the earliest.

35. The representative of Latvia further informed the Committee that additional measures would only be considered once the improved inventory was available.

36. The Committee was grateful for the information provided by Latvia at its thirty-sixth session and encouraged the country to follow up on its plans to improve the inventory and to implement, where necessary, subsequent measures to meet its obligations under article 3, paragraph 5 (a), of the Protocol on Persistent Organic Pollutants.

37. Based on the information provided at the meeting and the active engagement of Latvia, the Committee decided to continue to review the case at its first session in 2017.

Follow-up to Executive Body decision 2013/8 concerning compliance by Denmark with the Protocol on Persistent Organic Pollutants (ref. 1/06 (PAH))

Background

38. In its decision 2013/8, the Executive Body requested the Implementation Committee to review the progress and timetable of Denmark in implementing its obligations under the Protocol on Persistent Organic Pollutants (Protocol on POPs) with regard to polycyclic aromatic hydrocarbon (PAH) emissions, and to report to the Executive Body thereon at its thirty-third session in 2014. At its thirty-third session (Geneva, 9–11 September 2013), the Committee considered information provided by Denmark on 27 March 2014 that specified that it expected to be in compliance by 2018.

39. At its thirty-fifth session, the Committee noted that the emission trend for Denmark showed some improvement (reduction of 7 per cent as compared with 2012), and that the estimated emissions so far were following the trend of the projected emissions. The Committee noted with appreciation the efforts of Denmark to comply with the Protocol on POPs.

40. Nevertheless, the Committee had requested the secretariat to send a letter to Denmark reminding it of the possibility of participating in one of the Committee's sessions in 2016 and also requesting:

(a) An update on the outcome of the review of the Statutory Order (see ECE/EB.AIR/2014/2, para. 30) and the effectiveness of measures implemented;

(b) Information on obstacles observed (if there were any) that might prevent the Party from reaching compliance with the Protocol on POPs in 2018.

41. The Party had not responded.

Consideration of the case by the Committee

42. At its thirty-sixth session, the Committee noted that the latest officially submitted data showed that PAH emissions in Denmark in 2013 were 7.18 tons (68 per cent from the combustion of wood in the residential sector), exceeding the 1990 base year emission level of 5.2 tons.

43. The Committee noted with regret that Denmark had not provided the information requested in follow-up to its thirty-fifth session.

44. The Committee therefore decided it would continue to review the case and consider at its next meeting whether the case should be brought to the attention of the Executive Body.

C. Follow-up on referrals initiated by the secretariat during 2013 and 2014 that are still under consideration

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 Sulphur Protocol (ref. 1/14)

Background

45. At its thirty-sixth session, the Committee continued to consider the secretariat's referral 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 (1985 Sulphur Protocol). According to the latest emission data, sulphur emissions were 82.2 kilotons in 2013, an exceedance of the applicable emission reduction target of 44 kilotons (70 per cent of the 1980 base year emissions) by approximately 87 per cent. This information suggested that the former Yugoslav Republic of Macedonia was in non-compliance with its obligation under article 2 of the 1985 Sulphur Protocol.

46. The Committee recalled its earlier consideration of the case at its thirty-fourth (Geneva, 8–10 September 2014) and thirty-fifth sessions (see ECE/EB.AIR/2014/2, paras. 121–129, and ECE/EB.AIR/2015/2 paras. 92–99, respectively). At its thirty-fifth session, the Committee was grateful for the updated information provided by the former Yugoslav Republic of Macedonia. That included updates on the emissions inventory recalculation, including for the base year, the latest emission trends and some planned policy and technical measures. The Party had also then committed to informing the secretariat of the progress with regard to activities towards reducing sulphur emissions, as well as to providing a timetable for the expected compliance with its obligations under the 1985 Sulphur Protocol.

47. At its thirty-fifth session the Committee noted the information provided by the former Yugoslav Republic of Macedonia on its efforts to comply with its obligation to reduce sulphur emissions, and acknowledged that the emission trend showed some improvement, also noting, however, that the exceedance of the emission reduction target was still significant. The Committee took particular note of the Party's intention to inform the Committee of its progress and to provide a timetable of the expected date of compliance.

Consideration of the case by the Committee

48. The former Yugoslav Republic of Macedonia had provided no further information for the Committee to review at its thirty-sixth session.

49. The Committee therefore requested the secretariat to send a letter to the former Yugoslav Republic of Macedonia asking it to provide by 30 June 2016 an update with regard to activities towards reducing sulphur emissions and a timetable for the country's expected compliance with its obligations under the 1985 Sulphur Protocol.

50. The Committee decided to continue to review the case at its next session.

Follow-up to the referral by the secretariat concerning compliance by Latvia with the Protocol on Heavy Metals (ref. 2/14 (Cd))*Background*

51. At its thirty-sixth session, the Committee continued its consideration of the secretariat's referral concerning compliance by Latvia with the Protocol on Heavy Metals.

52. According to the latest emission data, cadmium (Cd) emissions in Latvia were 0.596 tons in 2013 compared with emissions of 0.47 tons in the base year of 1990, an exceedance of 27 per cent. This information suggested that Latvia was in non-compliance with its obligation under article 3, paragraph 1, of the Protocol on Heavy Metals.

53. At the thirty-fifth session, the Committee had requested the secretariat to write to Latvia inviting it to participate at its next session and requesting the following information: (a) a list of the specific measures Latvia intended to take to fulfil its emission reduction obligations under the Protocol; (b) the quantitative and projected effects of further and more effective measures to reduce its cadmium emissions up to and including the year of predicted compliance; and (c) a revised timetable for specifying the year by which Latvia expected to be in compliance. In December 2015, Latvia responded to that request.

54. The Party participated in the Committee's thirty-sixth session.

Consideration of the case by the Committee

55. At its thirty-sixth session, the Committee noted with appreciation the response of Latvia from 11 December 2015 and its active participation at the meeting.

56. The representative of Latvia informed the Committee that an initial review of the inventory data for cadmium indicated a need to improve the quality of data, specifically with respect to national emission factors for biomass combustion. The Party also referred to its studies on the content of cadmium in different types of wood, and plans to carry out tests and measurements to determine country-specific emission factors for wood in 2016. Latvia foresaw a submission of recalculated inventory data for the 2016 reporting round, at the earliest.

57. The representative of Latvia further informed the Committee that additional measures would only be considered once the improved inventory was available.

58. The Committee was grateful for the information provided by Latvia at its thirty-sixth session and encouraged the country to follow up on its plans to improve the inventory and to implement, where necessary, subsequent measures to meet its obligations under article 3, paragraph 1, of the Protocol on Heavy Metals.

59. Based on the information provided at the meeting and the active engagement of Latvia, the Committee agreed to continue to review the case at its first session in 2017.

Follow-up to the referral by the secretariat concerning compliance by Liechtenstein with the Protocol on Persistent organic Pollutants (ref. 4/14(PAH))*Background*

60. At its thirty-sixth session, the Committee continued to consider the referral by the secretariat concerning compliance by Liechtenstein with the Protocol on POPs.

61. According to the latest emission data, PAH emissions in Liechtenstein were 0.050 tons in 2013 compared with the emissions of 0.017 tons in 1990, the base year for Liechtenstein, which amounts to an exceedance of 194 per cent. This information suggested

that Liechtenstein was still in non-compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs.

62. At its thirty-fifth session, the Committee had requested the secretariat to send a letter to Liechtenstein requesting it to provide additional information (ECE/EB.AIR/2015/2, para. 116). Liechtenstein responded in November 2015.

Consideration of the case by the Committee

63. At its thirty-sixth session, the Committee recalled its consideration of the case at the thirty-fifth session (ibid, paras. 111–117). Specifically, the Committee had underlined the fact that several Parties to the Convention had faced similar issues with respect to wood combustion as the main source of PAH emissions and that some of them had succeeded in developing additional measures to reduce PAH emissions. The Committee had invited Liechtenstein to seek information from those Parties.

64. The Committee welcomed the investigation referenced in the latest communication from the country. However, it noted that the situation of non-compliance had not improved and therefore opted to continue the review of the case at its next session.

65. The Committee therefore requested the secretariat to send a letter to Liechtenstein addressed to the Permanent Representative of Liechtenstein to the United Nations Office at Geneva, with a request to provide the following information by 30 June 2016:

(a) A list of specific measures Liechtenstein intended to take to fulfil its emission reduction obligation under the Protocol on POPs, taking into account the opportunity to use experiences of other Parties to achieve the appropriate solutions;

(b) The quantitative and projected effects of possible effective measures in relation to emission reduction from wood firing;

(c) A revised timetable specifying the year by which Liechtenstein expected to be in compliance.

66. The Committee renews its invitation to Liechtenstein to take part in the next Committee session.

Follow-up to the referral by the secretariat concerning compliance by Croatia with the Gothenburg Protocol (ref. 2/13 (NH₃))

Background

67. At its thirty-fifth session, the Committee had resumed the consideration of the referral by the secretariat concerning compliance by Croatia with the Gothenburg Protocol as the application of Croatia for the inventory adjustment procedure had not been successful. The Committee had requested the secretariat to send a letter to the Party requesting it to provide additional information on the case. Croatia had responded in November 2015.

68. At its thirty-sixth session, the Committee continued its consideration of the case. According to the 2013 emission data, ammonia emissions in Croatia were 33.7 kilotons, which was above its emission ceiling of 30 kilotons, an exceedance of about 12 per cent. This information suggested that Croatia was in non-compliance with its obligation under article 3, paragraph 1, of the Gothenburg Protocol.

Consideration of the case by the Committee

69. The Committee appreciated the continuous engagement of Croatia and the information it had provided in November 2015.

70. The Committee noted that Croatia had performed recalculations for its ammonia inventory with respect to its key Nomenclature for Reporting (NFR) source category 3B (manure management). These recalculations were based on a range of changes in the methodology both in relation to activity data and emission factors. New activity data had been reassessed for all animal categories, including dairy cattle. New emission factors had been derived from a study carried out by the University of Zagreb. It had been completed in March 2015 and aimed at developing national emission factors, based on the country-specific values for the nitrogen exchange ratio for all animal categories. Those reassessments had enabled Croatia to move its methodology from Tier 1 to Tier 2 in accordance with the *2013 EMEP/EEA air pollutant emission inventory guidebook* (EMEP/EEA Guidebook).² In addition, the Committee noted the list of measures being undertaken by Croatia to reduce its ammonia emissions.

71. The Committee also noted that Croatia stated that its inventory recalculations would result in ammonia emissions being below the national ceiling for Croatia for ammonia under the Gothenburg Protocol as of 2013.

72. Finally, the Committee decided that, subject to the confirmation of the preliminary emission data during the 2016 reporting round, there would be no need to further review the case.

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

Background

73. At its thirty-sixth session, the Committee continued its consideration of the 2013 referral by the secretariat concerning compliance by Spain with the Gothenburg Protocol regarding NH₃ emissions.

74. According to the latest emission data, in Spain NH₃ emissions were 377.1 kilotons in 2013, which was above the country's emission ceiling of 353 kilotons, an exceedance of about 7 per cent.

75. Spain had participated at the thirty-fifth Committee session via teleconference, informing the Committee about its ongoing work on an action plan addressing both the specific measures and the timetable requested earlier. The Committee agreed to continue to review progress by Spain in implementing its action plan and requested the secretariat to write a letter to Spain asking for a progress report to be sent in advance of the Committee's next session. Spain had replied to that letter.

Consideration of the case by the Committee

76. The Committee welcomed the updated information provided by Spain. The progress report described its ongoing work, which included: (a) the review and update of estimates to take into account the latest methodological guidelines; (b) improving knowledge and collection of data on major NH₃ sources; and (c) the development of plans, actions and measures to reduce the emissions of NH₃ from agricultural practices.

² *Technical guidance to prepare national emission inventories*, European Environment Agency (EEA) Technical report No. 12/2013 (Luxembourg, Publications Office of the European Union, 2013). The EMEP and 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>.

77. The Committee noted that Spain expected the final results of the work outlined in its letter in time for the 2016 reporting round and that it had proposed to present the results at the next session of the Committee.

78. The Committee appreciated the additional information provided by Spain and its continuous engagement, and invited Spain to attend its next meeting to present the update on its progress towards compliance.

D. New referrals initiated by the secretariat in 2015

1. Referral by the secretariat concerning compliance by Italy with the Protocol on Persistent Organic Pollutants (ref. 1/15 (PAH))

Background

79. The Committee considered the secretariat's referral concerning compliance by Italy with the Protocol on POPs. According to the latest emission data, PAH emissions were 86 tons in 2013 compared with emissions of 81.1 tons in 1990, the base year for Italy, an exceedance of 6 per cent. This information suggested that Italy was in non-compliance with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs.

80. The secretariat had informed Italy about the intention to refer the issue to the Committee and of the opportunity to provide a response; however, no response had been provided by Italy. In a subsequent letter, the secretariat had informed Italy about the referral of its case, indicating that the issue would be on the agenda of the Committee's thirty-sixth session. Italy responded to that letter in December 2015.

Consideration of the case by the Committee

81. The Committee was grateful for the information provided by Italy that indicated that the high emission data for 2013 were due to a recent revision of activity data for biomass consumption in the residential combustion sector, applied currently only for that year. The Committee noted that Italy indicated that in the next reporting round, the whole time series, including the base year 1990, would be recalculated using the revised activity data.

82. The Committee appreciated the efforts of Italy to comply with its obligation to reduce PAH emissions and in the light of upcoming developments decided to continue to review this case at its next session.

2. Referral by the secretariat concerning compliance by Germany with the Gothenburg Protocol (ref. 2/15 (NH₃))

Background

83. The Committee considered the secretariat's referral concerning compliance by Germany with the Gothenburg Protocol. According to the latest emission data, NH₃ emissions were 670.8 kilotons in 2013, which was above Germany's emission ceiling of 550 kilotons, an exceedance of 22 per cent. This information suggested that Germany was in non-compliance with its obligation under article 3, paragraph 1, of the Gothenburg Protocol.

84. The secretariat had informed Germany about its intention of referring the issue to the Committee and of the opportunity to provide a response, which Germany had taken.

Consideration of the case by the Committee

85. The Committee was grateful for the information provided. In its response, Germany indicated that the increase in reported emissions was mainly due to the change of relevant emission factors in the updated 2013 EMEP/EEA Guidebook compared with those in the 2009 edition. The change in emission factors for the use of mineral fertilizers had roughly resulted in the doubling of reported emissions from this activity (70 kilotons of NH₃). Germany was of the view that its NH₃ emissions from mineral fertilizers might now be considerably overestimated. A national research project was planned to determine more reliable national emission factors. The results of that project would not be available before 2018. Furthermore, the reassessment of occupancy times in stables, the consideration of fermented slurries and an update of the poultry stock had resulted in an increase in emissions of 40 kilotons of NH₃.

86. In its response, Germany also outlined additional measures it was planning to undertake to reduce its NH₃ emissions. These measures included amending the Federal Ordinance on Fertilizer Application, which was expected to be finalized in early 2016. Moreover, Germany was presently in discussions on the modification of the existing Technical Instructions on Air Quality Control, which was expected to be finalized by 2018. Finally, a mandatory coverage of open storage tanks would also reduce emissions. The animal husbandry measures being contemplated would potentially reduce about 123 kilotons of NH₃. An additional emission reduction potential might result from incorporation or treatment of certain mineral fertilizers. The magnitude of the emissions as well as the emission reduction potential would depend on the emission factors.

87. The Committee noted the information provided by Germany on its efforts to comply with its obligation to reduce ammonia emissions. In light of that information, the Committee decided that it would continue to review compliance by Germany. It requested the secretariat to send a letter to Germany, prior to its first session in 2017, asking for an updated progress report and a timetable specifying the year by which Germany expected to be in compliance with its emissions obligations in time for the Committee to review the information at its thirty-eighth session.

3. Referral by the secretariat concerning compliance by the Netherlands with the Gothenburg Protocol (ref. 3/15 (NH₃))

Background

88. The Committee considered the secretariat's referral concerning compliance by the Netherlands with the Gothenburg Protocol. According to the latest emission data, ammonia emissions in the Netherlands were 133.8 kilotons in 2013, which was above the country's emission ceiling of 128 kilotons, an exceedance of about 5 per cent. This information suggested that the Netherlands was in non-compliance with its obligation under article 3, paragraph 1, of the Gothenburg Protocol.

89. The secretariat had informed the Netherlands, in a letter dated 15 July 2015, about its intention to refer the issue to the Committee and of the opportunity for the Party to provide a response. No response had been provided. In a subsequent letter, the secretariat informed the Netherlands about the referral of its case to the Committee, indicating that the issue would be on the agenda of the Committee's thirty-sixth session. In a letter dated 20 January 2016, the Netherlands provided detailed information to the Committee and offered to participate in its thirty-sixth session.

Consideration of the case by the Committee

90. The Committee was grateful for the information provided by the Netherlands prior to and at its thirty-sixth session and appreciated its participation via videoconference.

91. The Netherlands gave a detailed overview of its main recalculations of ammonia emissions, which had been carried out for the past 10 years in order to improve its inventory. Such recalculations included the following steps: (a) different emission factors had been assigned in relation to different types of fertilizers; (b) new categories had been added (commercial riding horses, sewage sludge, compost, crops and crop residues); (c) a new methodology had been implemented to calculate nitrogen flows; and (d) emission factors from road transport had been recalculated. In general, these recalculations had led to an increase in reported ammonia emissions.

92. The Committee noted that ammonia emissions in the Netherlands, albeit still above the Party's ceiling, had constantly and continuously decreased since 1991, showing that some measures had already been successfully implemented to reduce emissions.

93. The Netherlands indicated that it was still in the process of improving its ammonia inventory. In 2015, recalculations were related to emission factors for the use of urea as a fertilizer. As a result, the Netherlands anticipated a decrease in its reported national ammonia emissions and expected to be in compliance in the 2017 reporting round.

94. In the light of the information provided, the Committee agreed that it would continue to review compliance by the Netherlands at its first session in 2017.

III. Compliance with reporting obligations

95. At its thirty-sixth session, the Implementation Committee also considered the follow-up to Executive Body decisions on reporting. In addition, in accordance with the Implementation Committee's terms of reference, its functions and procedures for review (ECE/EB.AIR/113/Add.1, decision 2012/25, annex), the Committee considered referrals from the secretariat regarding cases of potential non-compliance by Parties with their reporting obligations, identified on the basis of information provided by the Centre on Emission Inventories and Projections. The reporting obligations are set out in the respective protocols to the Convention as well as various Executive Body decisions on reporting (decisions 2002/10, 2005/1 and 2008/16) and the Guidelines for Reporting Emission and Projections Data under the Convention (ECE/EB.AIR/125).

A. Follow-up to Executive Body decisions 2013/18, 2013/19 and 2014/8 on reporting

96. In decisions 2013/18, 2013/19 (see ECE/EB.AIR/122/Add.1) and 2014/8 (see ECE/EB.AIR/127/Add.1), the Executive Body urged Parties that were in non-compliance with their obligations with respect to reporting to provide the missing data. On the basis of information provided by the secretariat, the Committee reviewed the responses of Parties to those decisions.

1. Follow-up action taken by the Committee

97. At its thirty-third session, following its consideration of the follow-up to decisions on reporting, the Committee requested the secretariat to write a letter to those Parties that remained in non-compliance with their reporting obligations to remind them of relevant decisions and ask them to provide the Committee with a summary of their current and next steps to ensure the preparation of the missing data to be submitted as part of the

reporting period in 2015. In addition, following the adoption of decision 2014/8 on reporting at the thirty-third session of the Executive Body, the secretariat had sent a letter to relevant Parties communicating the decision and its provisions. At its thirty-fourth and thirty-fifth sessions, the Committee continued its review of the decisions on reporting in the light of the responses received from Parties.

98. A number of Parties, however, had not provided the missing data by the time of the Committee's thirty-sixth session. The status of these issues is reported below.

2. Consideration of decision 2014/8

Albania

99. In decision 2014/8, paragraph 4 (a), the Executive Body urged Albania to provide its missing annual emission data for 2010, 2011, 2012 and the base years under the 1985 Sulphur Protocol and the 1988 Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (Protocol on NO_x). The Executive Body also reminded Albania that in accordance with article 2 of the 1985 Protocol on Sulphur the applicable base year for Albania was 1980 and that in accordance with article 2 of the Protocol on NO_x the applicable base year was 1987. The secretariat informed the Committee that, following the Committee's consideration of the case at its thirty-fifth session (ECE/EB.AIR/2015/2, paras. 123 and 128), Albania had not provided its missing data and had also not submitted annual data for 2013. In addition, no new information had been received as of 5 January 2016.

100. In the light of the lack of progress by Albania, the Committee agreed to request the secretariat to write a letter to the Party:

(a) Emphasizing the importance of the provisions on reporting for the functioning of the Convention and its protocols;

(b) Reminding the Party of the respective Executive Body decision concerning non-compliance with reporting obligations;

(c) Reminding the Party of the opportunity to provide data during the 2016 reporting round;

(d) Asking Albania to provide, by 30 June 2016, a summary of its current and next steps to ensure the preparation of the missing emission data, including updates on the implementation of the project that was scheduled to start in March 2015.

101. The Committee therefore decided that it would continue to review the case and consider at its next meeting whether it should be brought to the attention of the Executive Body.

Liechtenstein

102. In paragraph 4 (b) of decision 2014/8 Liechtenstein was urged to provide its missing annual emission data for 2008, 2009, 2010, 2011, 2012 and the base year for HCB under the Protocol on POPs. The secretariat informed the Committee that, as of 5 January 2016, Liechtenstein had not provided its missing data and that, in addition, the 2013 annual emission data for HCB was also missing. In a letter of 27 November 2015, Liechtenstein stated that it planned to report its missing HCB emissions in the next submission in 2016.

103. In the light of the information provided by Liechtenstein, the Committee agreed to continue to review the case at its next session.

Luxembourg

104. In paragraph 4 (c) of decision 2014/8 the Executive Body urged Luxembourg to provide its missing annual emission data for 2008, 2009, 2010, 2011, and 2012 under the Protocol on Heavy Metals, its missing gridded data for 2005 and 2010 under the Protocols on POPs and Heavy Metals, and its missing projections data for 2015 and 2020 under the Gothenburg Protocol. Luxembourg presented the status of preparation of its missing reporting data at the Committee's thirty-fifth session, according to which annual emission data was to be submitted in 2015, while gridded data would be submitted in 2016. The secretariat informed the Committee that, as of 5 January 2016, Luxembourg had not provided those missing data. In addition, the annual emission data for 2013 under the Protocol on Heavy Metals, as well as the projection data for 2025 and 2030 under the Gothenburg Protocol, were also missing.

105. In the light of the lack of progress by Luxembourg, the Committee agreed to request the secretariat to write a letter to the Party:

(a) Emphasizing the importance of the provisions on reporting for the functioning of the Convention and its protocols;

(b) Reminding the Party of the respective Executive Body decision concerning non-compliance with reporting obligations;

(c) Reminding the Party of the opportunity to provide data during the 2016 reporting round;

(d) Asking Luxembourg to provide, by 30 June 2016, a summary of its current and next steps to ensure the preparation of the missing emission data.

106. The Committee therefore decided to continue to review the case and consider at its next meeting whether it should be brought to the attention of the Executive Body.

Montenegro

107. In paragraph 4 (d) of decision 2014/8 the Executive Body urged Montenegro to provide its missing annual emission data for 2012 under the Protocols on POPs and Heavy Metals. The secretariat informed the Committee that, as of 5 January 2016, Montenegro had not provided its missing data and had also not submitted annual emission data for 2013.

108. In the light of the lack of progress by Montenegro, the Committee agreed to request the secretariat to write a letter to the Party:

(a) Emphasizing the importance of the provisions on reporting for the functioning of the Convention and its protocols;

(b) Reminding the Party of the respective Executive Body decision concerning non-compliance with reporting obligations;

(c) Reminding the Party of the opportunity to provide data during the 2016 reporting round;

(d) Asking Montenegro to provide, by 30 June 2016, a summary of its current and next steps to ensure the preparation of the missing emission data.

109. The Committee therefore agreed to continue to review the case and consider at its next meeting whether it should be brought to the attention of the Executive Body.

Sweden

110. Finally, in paragraph 4 (e) of decision 2014/8 the Executive Body urged Sweden to provide its missing gridded data for HCB for 2005 under the Protocol on POPs. The

secretariat informed the Committee that, as of 5 January 2016, Sweden had not provided its missing gridded data. In a message of 12 February 2015, Sweden reiterated that it would include the missing data in its submission for 2017 as it was currently working to improve its inventory of emissions to air with a view to submitting more complete and representative gridding of its HCB emissions by 2017.

111. In the light of the information provided by Sweden, the Committee agreed to continue to review the case in 2017, following the completion of the 2017 reporting cycle.

3. Consideration of decision 2013/18

112. In paragraph 4 (b) of decision 2013/18 the Executive Body urged Croatia to provide its missing annual emission data for the base years under the Protocol on NO_x and the Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes (Protocol on VOCs). The secretariat informed the Committee that, as of 5 January 2016, Croatia had preliminarily provided its missing base year emission data under both Protocols and was expecting to submit data officially in the 2016 reporting cycle.

113. The Committee noted with appreciation the information provided by Croatia and agreed to continue to review the case at its next session.

114. In paragraph 4 (e) of decision 2013/18, the Executive Body urged Romania to provide its missing annual emission data for the base year under the Protocol on Heavy Metals. The secretariat informed the Committee that, as of 5 January 2016, Romania had not provided the missing data. In a letter of 24 September 2015, Romania reported that in July 2015 the Romanian Government had approved the allocation of financial resources for the completion of the missing data, and that internal procedures to acquire the external services needed to conduct the relevant study were currently under way. Romania said it would keep the Committee informed on any progress.

115. In the light of the information provided by Romania, the Committee agreed to continue to review the case in 2017, following the completion of the 2017 reporting cycle.

4. Consideration of decision 2013/19

116. In paragraph 4 (c) of decision 2013/19 the Republic of Moldova was urged to provide its missing gridded data for 2005 and 2010 under the Protocols on POPs and Heavy Metals. The secretariat informed the Committee that, as of 5 January 2016, the Republic of Moldova had not provided its missing gridded data under either Protocol. In a letter of 17 November 2015, the Republic of Moldova regretted that the country's efforts to improve the quality of submitted data had not been successful referring to the lack of capacity and institutional challenges. The Republic of Moldova informed that it endeavoured to identify a solution to this problem.

117. At its thirty-sixth session, the Committee expressed hope that the relevant external support from the donor organizations and countries to the Republic of Moldova continues. It appreciated the Party's efforts of reporting annual emission data and encouraged it to continue efforts to develop its gridded data. The Committee agreed to continue to review this case at its next session.

118. In decision 2013/19, paragraph 4 (d), Romania was urged to provide its 2005 gridded data under the Protocols on POPs and Heavy Metals. The secretariat informed the Committee that, as of 5 January 2015, Romania had not provided its 2005 gridded data under either Protocol. In a letter of 24 September 2015, Romania reported that in July 2015 the Romanian Government had approved the allocation of financial resources for the completion of the missing data and that internal procedures to acquire external services

needed to conduct the relevant study were currently underway. Romania proposed to keep the Committee informed on any progress.

119. In the light of the information provided by Romania, the Committee agreed to continue to review this case in 2017, following the completion of the 2017 reporting cycle.

B. Referrals concerning reporting of annual emission data initiated in 2015

120. In line with item 3.1 of the 2014–2015 workplan for the implementation of the Convention (ECE/EB.AIR/122/Add.2), the Committee evaluated compliance by Parties with their emission data reporting obligations under the seven substantive protocols in force on the basis of information provided by the secretariat. The evaluation covered the completeness and timeliness of reporting. The information provided by the secretariat is presented in informal document No. 1 and covers data reported up to 5 January 2016. Tables 1–7 in informal document No. 1 give an overview of the status of emission data reporting under the seven protocols in 2013.

121. At its thirty-fifth session, the Committee considered the new referrals submitted by the secretariat in 2015 and decided to continue to review those cases at its thirty-sixth session. The secretariat subsequently provided updated information (as of 5 January 2016) related to those referrals, as set out below.

1. 1985 Sulphur Protocol

122. With regard to the referral by the secretariat concerning compliance by Belarus with its reporting obligations under article 4 of the 1985 Protocol on Sulphur (R1/15), the secretariat reported that Belarus had submitted its missing data. The Committee agreed not to pursue the case any further.

2. Protocol on NO_x

123. With respect to the referral by the secretariat concerning compliance by Belarus with its reporting obligations under article 8 of the Protocol on NO_x (R2/15), the secretariat informed the Committee that Belarus had submitted its missing data. The Committee agreed not to pursue the case any further.

124. Regarding the referral by the secretariat concerning compliance by Greece with its reporting obligations under the Protocol on NO_x (R3/15), the secretariat indicated that the Party had not submitted the missing data.

3. Protocol on VOCs

125. With regard to the referral by the secretariat concerning compliance by Monaco with its reporting obligations under article 8, paragraph 1, of the Protocol on VOCs (R4/15), the secretariat reported that the Party had not submitted the missing data.

4. 1994 Protocol on Further Reduction of Sulphur Emissions

126. Regarding the referral by the secretariat concerning compliance by Monaco with its reporting obligations under article 5, paragraphs 1 (b) and 2, of the 1994 Protocol on Further Reduction of Sulphur Emissions (1994 Protocol on Sulphur) (R5/15), the secretariat noted that the Party had not submitted the missing data.

127. With respect to the referral by the secretariat concerning compliance by Greece with its reporting obligations under article 5, paragraphs 1 (b) and 2, of the 1994 Protocol on

Sulphur (R6/15), the secretariat informed the Committee that the Party had not submitted the missing data.

5. Protocol on Heavy Metals

128. On the referral by the secretariat concerning compliance by Monaco with its reporting obligations under article 7, paragraph 1 (b), of the Protocol on Heavy Metals (R7/15), the secretariat reported that the Party had not submitted the missing data.

6. Gothenburg Protocol

129. With reference to the referral by the secretariat concerning compliance by Croatia with its reporting obligations under article 7, paragraph 1 (b), of the Gothenburg Protocol concerning emission data reporting on sulphur, NO_x, ammonia and VOCs (R8/15) (2025 and 2030 emission projections), the secretariat reported that the Party had not submitted the missing data.

130. Concerning the referral by the secretariat regarding compliance by France with its reporting obligations under article 7, paragraph 1 (b), of the Gothenburg Protocol (R9/15) (2025 and 2030 emission projections), the secretariat noted that the Party had not submitted the missing data.

131. Regarding the referral by the secretariat concerning compliance by Hungary with its reporting obligations under article 7, paragraph 1 (b), of the Gothenburg Protocol (R10/15) (2025 emission projections), the Committee took note of the information provided by the Party that the missing data had been delivered to the relevant Convention body in January 2016. The Committee agreed not to pursue the case any further.

132. With respect to the referral by the secretariat concerning compliance by Luxembourg with its reporting obligations under article 7, paragraph 1 (b), of the Gothenburg Protocol (R11/15) (2025 and 2030 emission projections), the secretariat reported that the Party had not submitted the reporting data.

133. Concerning the referral by the secretariat regarding compliance by the former Yugoslav Republic of Macedonia with its reporting obligations under article 7, paragraph 1 (b), of the Gothenburg Protocol (R12/15) (2020 (NH₃ missing only), 2025 and 2030 emission projections), the secretariat noted that the Party had not submitted the missing data.

7. Obligations under several Protocols

134. In reference to the referral by the secretariat concerning compliance by the European Union with its reporting obligations under the Protocol on NO_x, the 1994 Protocol on Sulphur, the Protocol on POPs, the Protocol on Heavy Metals and the Gothenburg Protocol (annual data and 2025 and 2030 projections) (R13/15), the secretariat reported that the European Union had submitted its missing data under Protocol on NO_x, the 1994 Protocol on Sulphur, the Protocol on POPs, the Protocol on Heavy Metals and annual data under the Gothenburg Protocol. However, data on 2025 and 2030 projections under the Gothenburg Protocol was still missing.

135. The Committee noted with regret that the following Parties had not submitted complete data in the 2015 reporting cycle: Croatia, European Union, France, Greece, Luxembourg, Monaco and the former Yugoslav Republic of Macedonia.

136. The Committee requested the secretariat to verify the submission of data in the upcoming 2016 reporting round and send letters of reminder to those Parties listed above whose data was still missing.

IV. Membership of the Committee and sequence and timing of its meetings

137. At its thirty-sixth session, the Committee noted that the Executive Body at its thirty-fourth session (Geneva, 18 December 2015) had decided to postpone the elections of the Committee members to its thirty-fifth session (Geneva, 2–4 May 2016), when it would elect eight members to the Committee.

138. The Committee further took note that at its thirty-fourth session the Executive Body had decided to change the sequence of its meetings, as well as the meetings of its main subsidiary bodies.

139. Taking into account the new sequence of meetings of the Executive Body and its subsidiary bodies, the Committee agreed to continue the practice of holding two meetings per year. In addition, it agreed that starting from 2017 the Committee would resume its previous practice of holding its first session of the year at the end of May and the second session in September of that year. The Committee also agreed to hold its next meeting in Geneva from 5 to 7 September 2016.

140. Taking into account the deadlines for submission of emission data by Parties, the Committee considered it more practical to review the new referrals with respect to the submission of gridded data by Parties at its second meeting of the year.
