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

Thirty-seventh session

Geneva, 11-14 December 2017

Item 6 (c) of the provisional agenda

Review of implementation of the 2016-2017 workplan: compliance

Twentieth report of the Implementation Committee

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

The twentieth report of the Implementation Committee contains information on the Committee's activities in 2017 with regard to individual Parties' compliance with their emission reduction obligations under the Convention and its protocols, summarizing the work carried out at the Committee's thirty-eighth and thirty-ninth sessions (Leuven, Belgium, 28 February-2 March 2017 and Geneva, 5-7 September 2017, respectively).

The present report is complemented by document ECE/EB.AIR/2017/5, which provides information on compliance by Parties with their reporting obligations.

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I. Introduction

1. At its thirty-fifth session (Geneva, 2-4 May 2016), the Executive Body for the United Nations Economic Commission for Europe (ECE) Convention on Long-range Transboundary Air Pollution elected or re-elected the following members to the Convention's Implementation Committee: Wendy Altobello (Belgium); Emmanuel Fiani (France); Petra Hagström (Sweden); Nataša Kacic-Bartulovic (Croatia); Jennifer Landside (United States of America); Nebojsa Redzic (Serbia); and Manfred Ritter (Austria) (Chair). At its thirty-sixth session (Geneva, 15-16 December 2016), the Executive Body elected Martin Fernandez Diez-Picazo (Spain) and re-elected Alice Gaustad (Norway).

2. The thirty-eighth and thirty-ninth sessions of the Implementation Committee (Leuven, Belgium, 28 February-2 March 2017 and Geneva, 5-7 September 2017, respectively) were serviced by the Convention secretariat.

II. Compliance with emission reduction obligations

3. The Implementation Committee was unable to review compliance by Belarus, Greece, Montenegro, and the Russian Federation with their emission reduction obligations owing to missing submissions in 2017. The Committee was also unable to review the compliance of Romania with its emission reduction obligations under the Protocol on Heavy Metals owing to missing data for the base year.

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

4. At its thirty-eighth and thirty-ninth sessions, the Implementation Committee considered cases that had been previously suspended owing to the submission of applications by the 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

5. In Executive Body decision 2013/15 the Implementation Committee was requested to review the progress and timetable of Finland for achieving compliance with article 3, paragraph 1, of the Gothenburg Protocol regarding ammonia (NH₃) emissions. The Committee considered the case at its thirty-fourth session (Geneva, 8-10 September 2014) and suspended its considerations at its thirty-fifth session (Budapest, 27-29 May 2015) following the application by Finland in 2015 for adjustment to its inventory in line with decision 2012/3, paragraph 2. At the first joint session of the Steering Body to the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) and the Working Group on Effects (Geneva, 14-18 September 2015), the EMEP Steering Body approved the recommendation of the expert review team to reject the application of Finland for adjustment of its NH₃ inventory for manure management and to accept the adjustment application for stationary combustion and the road transport sector.

6. The Committee continued reviewing the case at its thirty-sixth and thirty-seventh sessions (Geneva, 26-28 January and 13-15 September 2016, respectively). At its thirty-seventh session, the Committee considered the information provided by Finland, noting that it still had not met the emission ceiling of 31 kilotons¹ with its adjusted NH₃ emissions, exceeding it by about 14 per cent. According to the information provided by the Party, about 90 per cent of the NH₃ emissions were from agricultural activities, with animal manure being the main source. The Committee requested the secretariat to write a letter to Finland requesting information on: (a) its action plan for reducing NH₃ emissions; (b) the projected effects of the action plan; and (c) the timetable the country intended to follow in order to reach compliance, including the year by which Finland expected to be in compliance.

7. Upon request, Finland provided an update on 17 February 2017 on current measures, including the action plan for reducing NH₃ emissions from agriculture prepared by the Ministry of Agriculture and Forestry, the Ministry of Housing, Energy and the Environment and relevant stakeholders.

Deliberations

8. The Committee continued to consider the case at its thirty-eighth and thirty-ninth sessions. A representative of Finland participated in the thirty-eighth session, informing the Committee about the measures in the action plan, the detailed timetable for their implementation and the expected effects. The representative of Finland further indicated that Finland expected to be in compliance with its NH₃ emission ceiling with its submission in 2022. Finland would, moreover, monitor the progress and consider additional measures if NH₃ emissions were not reduced according to the timetable. The Committee appreciated the participation of Finland and the cooperative way in which the country had provided the requested information.

9. At its thirty-ninth session, the Committee considered the latest emission data submitted in 2017, with the total adjusted emissions of NH₃ in 2015 amounting to 30.6 kilotons, which was below the 2010 emission ceiling of 31 kilotons by 1.4 per cent.

10. The Committee concluded that there was no reason to further review the case and encouraged Finland to continue its work according to its action plan for reducing ammonia emissions from agriculture.

B. Follow-up to Executive Body decisions

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

Follow-up to decision 2014/4 concerning Compliance by Cyprus with the Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (ref. 1/08)

Background

11. In its decision 2014/4, recalling decision 2008/7 and subsequent decisions, the Executive Body requested the Implementation Committee to review the progress of Cyprus and a timetable for achieving compliance with its obligations under the Protocol concerning

¹ i.e. metric tons

the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (Protocol on NO_x).

12. The Committee reviewed the case at its thirty-fifth session, noting the information provided by Cyprus prior to and during the session on the progress towards compliance and the decrease of emissions of nitrogen oxides (NO_x). The Committee continued to review the case at its thirty-seventh session. It noted that emissions of NO_x had been rising again between 2013 and 2014 owing to the increased energy demand linked to the economic recovery. The Committee agreed to review the case again in 2017 and requested the secretariat to invite Cyprus to provide an update of previously submitted information on: (a) the timetable of projected NO_x emissions, which also specified the year by which Cyprus expected to be in compliance; (b) the list of specific measures taken or scheduled to fulfil the country's emission reduction obligations; and (c) the quantitative and projected effects of the measures to reduce NO_x emissions. Cyprus has not responded to this request.

Deliberations

13. The Committee reviewed the case at its thirty-ninth session. It noted that the latest emission data submitted by Cyprus demonstrated its compliance with the obligation under the Protocol on NO_x. The emissions of NO_x had declined in 2015 to 15.3 kilotons, which was below the base year level of 16 kilotons by 5.4 per cent.

14. The Committee welcomed the efforts of Cyprus to comply with its obligations under the Protocol on NO_x and concluded that there was no reason to review the case further.

2. Protocol on Heavy Metals

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

Background

15. In its 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. The Committee considered the case at its thirty-fifth and thirty-sixth sessions, noting that emissions of mercury (Hg) in 2013 were still above the 1990 target level. Upon request, Liechtenstein submitted information to the secretariat indicating that further investigations regarding the emission modelling were planned to be finalized during 2016 and that inventory recalculations would be implemented for the 2017 reporting cycle. With regard to the mercury emissions, Liechtenstein listed measures it was taking against illegal waste incineration. In the light of the information provided, the Committee agreed to continue reviewing the case in 2017.

Deliberations

16. At its thirty-ninth session, the Committee continued its consideration of the case. It noted that, according to the latest recalculated data for mercury emissions submitted by Liechtenstein in 2017, the base year emission level amounted to 0.27 kilograms, whereas emissions in 2015 amounted to 0.30 kilograms, which indicated a 10 per cent exceedance.

17. In view of the above, the Committee agreed to continue to review the case in 2018 and requested the secretariat to send a letter to Liechtenstein requesting any additional information that the Party might wish to provide to the Committee by 20 March 2018 with respect to: (a) specific measures it intended to take to fulfil its emission reduction obligations; (b) their projected effects; and (c) a timetable specifying the year Liechtenstein expected to be in compliance with the emission reduction obligations under the Protocol on

Heavy Metals. The Committee also invited Liechtenstein to participate in its fortieth session.

3. Protocol on Persistent Organic Pollutants

(a) Follow-up to Executive Body decision 2014/7 concerning compliance by Latvia with the Protocol on Persistent Organic Pollutants (ref. 3/10 (HCB))

Background

18. In its decision 2014/7, the Executive Body recalled its decisions 2011/6 and 2012/17 and urged Latvia to fulfil its obligation to reduce its national annual emissions of hexachlorobenzene (HCB) so that they did not exceed emissions in 1990. It requested the Committee to review the progress of Latvia in achieving compliance with article 3, paragraph 5 (a), of the Protocol on Persistent Organic Pollutants (Protocol on POPs). A representative of Latvia participated in the Committee's thirty-sixth session to provide information on its long-standing non-compliance. The representative informed the Committee that an initial review of the inventory data for HCB had indicated a need to improve the quality of inventory data. That 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. Additional measures would only be considered once the improved inventory was available.

19. The Committee encouraged the Party to follow up on its plans to improve the inventory and to implement, where necessary, subsequent measures to meet its obligations under the Protocol on POPs. It agreed to continue to review the case in 2017.

Deliberations

20. At its thirty-ninth session, the Committee continued its consideration of the case. It noted that, in accordance with the emission data submitted in 2017, the emissions of HCB in Latvia in 2015 amounting to 0.29 kilograms exceeded the 1990 base year emissions of 0.20 kilograms by 48 per cent.

21. The Committee noted with appreciation the previous engagement of the Party in the Committee's thirty-sixth session, but at the same time was mindful of the significant increase in HCB emissions. It agreed to continue to review the case at its fortieth session and requested the secretariat to send a letter to the Minister of Environmental Protection and Regional Development of Latvia, asking him to provide information by 20 March 2018 on: (a) the list of specific measures Latvia intended to take to fulfil its emission reduction obligations; and (b) a timetable specifying the year by which the country expected to be in compliance.

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

Background

22. In its decision 2013/8, recalling decision 2006/8 and subsequent decisions, the Executive Body requested the Implementation Committee to review the progress and timetable of Denmark for achieving compliance with its obligations regarding polycyclic aromatic hydrocarbon (PAH) emissions under the Protocol on POPs.

23. The Committee continued to review the case at its thirty-fifth, thirty-sixth and thirty-seventh sessions, noting the exceedance by Denmark of PAH emissions, while recognizing

that the emission trend showed some improvement. Denmark responded to the Committee's request for information, providing details of the measures undertaken in order to reduce emissions from wood-burning stoves and boilers. It also mentioned the initiation of a new project to measure emissions directly from the wood-burning stoves used in households and a survey to estimate total wood consumption in the country. Denmark indicated that it might reach compliance with its submission in 2017 or 2018.

24. The Committee noted the information provided by Denmark and its efforts to comply with its obligation to reduce emissions of PAH. In the light of the information provided, the Committee agreed to continue to review the case at its thirty-ninth session.

Deliberations

25. At its thirty-ninth session, the Committee continued its consideration of the case. According to the latest submission, the emissions of PAH in 2015, amounting to 7.3 tons, still exceeded the base year level of 5.5 tons by 33 per cent.

26. The Committee decided to continue reviewing compliance by Denmark in 2018.

(c) Follow-up to Executive Body decision 2013/9 concerning compliance by Iceland with the Protocol on POPs (ref. 6/10 (PAH))

Background

27. In its decision 2013/9, following the recommendation of the Committee, the Executive Body decided that Iceland had met the requirements of article 3, paragraph 7, of the Protocol on POPs for the reporting year 2011 and, as a result, qualified for an exemption from its obligations in article 3, paragraph 5 (a). The Executive Body requested that Iceland submit a report to the Committee every three years, with the first report falling due in 2016, and at any time there were significant changes in the relevant industries or improvements to the inventory, in order to demonstrate that it continued to meet the conditions for the exemption set out in article 3, paragraph 7. The Executive Body further decided that the exemption would no longer apply if Iceland failed to: (a) report in accordance with the decision; or (b) fulfil its reporting obligations under the Protocol on POPs. The secretariat informed Iceland of decision 2013/9, inviting it to submit the first triennial report by 28 February 2016. Subsequently, a reminder request was sent to Iceland, asking for the information to be provided no later than 8 August 2016. No response was received from the Party concerned.

28. At its thirty-seventh session, the Committee considered the case. Noting the exceedance of the base year emissions of PAH by approximately 70 per cent and the fact that Iceland had not responded to the request by the Executive Body, the Committee concluded that, pursuant to decision 2013/9, the exemption would no longer apply if Iceland failed to provide its triennial report by the end of 2016.

Deliberations

29. The Committee continued to consider the case at its thirty-eighth and thirty-ninth sessions. Upon the request of the Committee made at its thirty-eighth session, the secretariat sent a letter to the Minister for the Environment and Natural Resources, informing Iceland of the Committee's deliberations. It requested that Iceland provide, by 7 July 2017, additional information on: (a) a list of the specific measures Iceland intended to take to fulfil its obligations; (b) the quantitative and projected effects of further and more effective measures up to and including the year of predicted compliance; and (c) a revised timeline, specifying the year by which Iceland expected to be in compliance.

30. At its thirty-ninth session, the Committee noted that no response had been received from Iceland. It also noted that, in accordance with the latest submitted recalculated emission data, emissions of PAH in Iceland in 2015, amounting to 0.09 kilotons, were below the base year level of 0.52 kilotons. The Committee took note of the recent changes to the inventory and the work on recalculating time series. It found Iceland to be in compliance with its emission reduction obligations under the Protocol on POPs and concluded that it would not continue to review the case.

C. Follow-up on referrals initiated by the secretariat during 2013, 2014, 2015 and 2016 that are still under consideration

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 Sulphur Protocol (ref. 1/14)

Background

31. At its thirty-seventh session, the Committee continued to consider the referral by the secretariat concerning compliance of 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). The Committee recalled its earlier consideration of the case at its thirty-fourth, thirty-fifth and thirty-sixth sessions. At its thirty-fifth session, the Committee acknowledged the receipt of information provided by the former Yugoslav Republic of Macedonia, including updates on data recalculation, the latest emission trends and some planned policy and technical measures. The Party committed itself to inform the secretariat of its progress with regard to its activities to reduce sulphur emissions and to provide a timetable for expected compliance with its obligations under the 1985 Sulphur Protocol.

32. At its thirty-sixth session, the Committee noted that the former Yugoslav Republic of Macedonia had not provided any further information for the Committee to review. The Committee had therefore requested the secretariat to send a letter to the Party asking it to provide an update with regard to activities towards reducing sulphur emissions and a timetable for the Party's expected compliance with its obligations. The former Yugoslav Republic of Macedonia responded by informing the Committee that the public electricity and heat production sector was the main source of emissions, with only a few power plants being the major contributors. Furthermore, a national emission reduction plan covering all large combustion plants in the country was expected to be approved by October 2016. According to that plan, the Party expected to be in compliance with its obligation under the 1985 Sulphur Protocol by 2018, provided that the emissions from all sources other than the energy sector remained the same. The Party confirmed its commitment to implement measures to reduce sulphur emissions and to inform the secretariat about the status of activities defined in the national emission reduction plan towards reducing sulphur emissions.

33. The Committee noted the information provided by the former Yugoslav Republic of Macedonia and its efforts to comply with its obligation to reduce sulphur emissions. It acknowledged that the emission trend showed some improvement, also noting, however, that the exceedance of the emission reduction target was significant. The Committee requested the secretariat to invite the Party to its thirty-ninth session to present the abatement measures and the quantitative effect of their implementation.

Deliberations

34. The Committee continued to consider the case at its thirty-ninth session. It noted that according to the latest submission emissions of sulphur in the former Yugoslav Republic of Macedonia in 2015 were 76.4 kilotons, which was above the emission reduction target of 47 kilotons by 62 per cent. Representatives of the Party concerned participated in the session, informing the Committee about the plans to reduce sulphur emissions and the approval of the National Emission Reduction Plan by the Government. They furthermore stated that the implementation of the plan was under way and that it was expected that the country would be in compliance with its obligations in time for the reporting round in 2020.

35. The Committee noted with appreciation the participation of the former Yugoslav Republic of Macedonia in its session and the information provided. It in particular took note of the Party's efforts to comply with its obligations to reduce sulphur emissions and that the emission trend continued to show some improvement. The Committee decided to continue to review compliance by the former Yugoslav Republic of Macedonia in 2018 and requested the secretariat to send a letter to the Party, asking it for: (a) an updated progress report on the implementation of the above-mentioned measures; and (b) an updated timetable, to be provided by 31 July 2018, specifying the year by which it expected to be in compliance with its emissions reduction obligations.

2. **Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes**

Follow-up to the referral by the secretariat concerning compliance by Slovakia with the Protocol on Volatile Organic Compounds or their Transboundary Fluxes (ref. 8/16 (VOC))

Background

36. The submission of emission data for volatile organic compounds (VOCs) in 2016 received from Slovakia indicated an exceedance of the target emission level by 11 per cent. This seemed to suggest that Slovakia was not compliant with its obligations under article 2, paragraph 2 (a), of the Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes (Protocol on VOCs). The secretariat informed Slovakia about its intention to refer the issue to the Committee. Slovakia responded to the secretariat by noting that the exceedance was mainly owing to the changes in the emission inventory, which were carried out to improve the overall quality and completeness of the national emission inventory submission, in accordance with recommendations by the expert review team following an in-depth emission inventory review performed in 2015. Slovakia had since worked on correcting underestimations by obtaining new activity data, revising methods and completing missing categories. To that date, recalculations had only taken place for 2001-2014, whereas data for 1990-2000 were still missing. The modelling of historical data was planned to be made in 2017 and Slovakia expected that the complete updated inventory would demonstrate its compliance with the Protocol on VOCs.

Deliberations

37. The Committee considered the referral at its thirty-eighth session. During the meeting, representatives of Slovakia informed the Committee of the work to improve the inventory for VOCs emissions and that an updated inventory, which would demonstrate the country's compliance with the Protocol on VOCs, would be submitted in March 2017. The Committee appreciated the participation of Slovakia in the Committee's session and the cooperative way in which the Party had provided information related to its VOCs emissions.

38. The Committee continued to consider the case at its thirty-ninth session. It noted that according to the data submission in 2017, emissions of VOCs in 2015 were 89.3 kilotons, which was below the emission ceiling of 117 kilotons by 24 per cent.

39. The Committee concluded that there was no reason to continue to review the case further.

3. 1994 Protocol on Further Reduction on Sulphur Emissions

Follow-up to the referral by the secretariat concerning compliance by Monaco with the 1994 Sulphur Protocol (ref. 12/16)

Background

40. The submission of emission data for sulphur oxides (SO_x) received from Monaco in 2016 indicated an exceedance of the 2010 emission target by 141 per cent. This information seemed to suggest that Monaco was not compliant with its obligations under article 2, paragraph 2, of the 1994 Protocol on Further Reduction on Sulphur Emissions (1994 Sulphur Protocol). The secretariat informed Monaco about its intention to refer the issue to the Implementation Committee unless Monaco could provide information to resolve the issue by showing that it was in fact in compliance with the Protocol. Monaco replied that it was currently improving its inventory system, and that it would only be able to provide the requested information by mid-April 2017. In a subsequent letter, the secretariat informed Monaco about the referral of its case, indicating that the issue would be on the agenda of the Committee's thirty-eighth session. Monaco provided no further response.

Deliberations

41. At its thirty-eighth session the Committee noted that Monaco had not yet submitted its emission inventory in 2015 and that previous emission data had been often submitted after the binding deadline.

42. The Committee continued to review the case at its thirty-ninth session. It noted then that, according to the latest data submission, emissions of SO_x in 2015 were 0.007 kilotons, which was below the emission ceiling of 0.040 kilotons by 82 per cent.

43. The Committee concluded that there was no reason to further review the compliance of Monaco.

4. Protocol on Persistent Organic Pollutants

(a) Follow-up to the referral by the secretariat concerning compliance by Austria with the Protocol on POPs (ref. 1/16 (HCB))

Background

44. The 2016 submissions of HCB emission data received from Austria indicated an exceedance of the base year emission level by 32 per cent. This information seemed to suggest that Austria was not compliant with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed Austria about its intention to refer the issue to the Implementation Committee and in a subsequent letter informed the Party about the referral made to the Committee. Austria responded, explaining that the increase of total HCB emissions from 2011 to 2014 was owing to the unintentional release of emissions from improper co-incineration of contaminated lime slurry in one plant. Austria expected to be back in full compliance with the obligations under the Protocol from 2015 onwards.

Deliberations

45. The Committee considered the case at its thirty-eighth and thirty-ninth sessions. It noted the information provided by Austria, which included a precise and detailed description of the situation in terms of HCB emissions. It further noted that, according to the latest submission, the emissions of HCB in 2015 were 35.8 kilograms, which was below the base year level of 107 kilograms by 66 per cent.

46. The Committee concluded that Austria was in compliance with its obligations under the Protocol on POPs and that there were no reasons to further review the case.

(b) Follow-up to the referral by the secretariat concerning compliance by Croatia with the Protocol on POPs (ref. 2/16 (HCB))

Background

47. Emission data submitted in 2016 indicated an exceedance of emissions of HCB in Croatia in 2014 by 63 per cent, as compared with the emission level in the base year. This information suggested that Croatia was not compliant with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed Croatia about its intention to refer the issue to the Implementation Committee. Croatia responded by indicating that the increase in reported emissions occurred mainly because of a recalculation of activity data for 2014 and that the recalculation had not been done for the whole time series. Croatia explained that the recalculation of the whole time series would bring the country back into compliance in its submission of emission data in 2017.

48. The secretariat subsequently sent a letter to Croatia, informing the Party that it would refer the case to the Committee. Croatia responded, providing preliminary calculations for HCB emissions for 2015 and recalculations for the whole time series. Croatia noted that it had revised its national energy balance for the year 2014 only, whereas the unrevised energy balance was used for the rest of the time series. Croatia provided recalculations related to its HCB inventory for the whole time series from 1990 to 2015, based on its revised national energy balance. The data provided demonstrated a decreasing trend for HCB emissions from 2005. Croatia was expecting to be back into compliance with its submission in 2016 or 2017.

Deliberations

49. The Committee considered the case at its thirty-eighth and thirty-ninth sessions. It noted the information provided by Croatia on its efforts to comply with its obligation to reduce HCB emissions. It also noted that the emission level of HCB in 2015 in Croatia amounting to 0.28 kilograms still exceeded the base year level of 0.27 kilograms by 4.7 per cent. The Committee further noted that the increase in emissions between 2014 and 2015 seemed to offset the diminishing trend in HCB emissions between 2005 and 2014.

50. The Committee agreed to continue to review the case in 2018 and requested the secretariat to send a letter to Croatia requesting information, by 20 March 2018, on: (a) the list of specific measures Croatia intended to take to fulfil its emission reduction obligations under the Protocol; (b) the quantitative and projected effects of measures to reduce its HCB emissions up to and including the year of predicted compliance; and (c) a revised timetable specifying the year by which Croatia expected to be in compliance with its obligations under the Protocol on POPs.

(c) **Follow-up to the referral by the secretariat concerning compliance by Lithuania with the Protocol on POPs (ref. 6/16 (diox./furans), (ref. 5/16 (HCB))**

Background

51. According to the emission data submitted in 2016, emissions of HCB in 2014 in Lithuania were 0.199 kilograms, as compared with emissions of 0.060 kilograms in 1990, the base year for Lithuania, indicating an exceedance of 232 per cent. Similarly, according to the 2016 emission data, emissions of dioxins/furans were 27.1 grams in 2014, as compared with 23.0 grams in 1990, or an exceedance of 18 per cent. This information suggested that Lithuania was not compliant with its obligation under article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed Lithuania about its intention to refer the issue to the Implementation Committee and of the opportunity to provide a response. In a subsequent letter, the secretariat informed Lithuania about the referral of its case, indicating that the issue would be on the agenda of the Committee's thirty-eighth session. Lithuania responded to both letters from the secretariat.

52. Lithuania informed the Committee that it had updated the inventory for 1990 and 2014 with changes relating to activity data and emission factors. With these changes, Lithuania stated that the country appeared to be in compliance with its obligations under the Protocol on POPs with respect to HCB and dioxin/furan emissions. In its first written response, Lithuania outlined the main changes to the inventory that had been undertaken. In its subsequent letter, Lithuania provided information on the submission of recalculated data.

Deliberations

53. The Committee considered the referral at its thirty-eighth and thirty-ninth sessions. At its thirty-eighth session, it noted that Lithuania had submitted revised data only for 1990 and 2014, but not for the entire time series as required by decision 2013/4 and the Guidelines for Reporting Emissions and Projections Data under the Convention (ECE/EB/AIR/125). The Committee noted the information provided by Lithuania on its efforts to comply with its obligation to reduce dioxins/furans and HCB emissions, and also that the emission trend showed some improvement.

54. At its thirty-ninth session, the Committee noted that in the 2017 reporting round Lithuania had submitted the revised data for the dioxins/furans and HCB emissions for the entire time series. In 2015, the emissions of dioxins/furans were 23.8 grams, which was below the emission reduction target of 28 grams by 16 per cent, and the emissions of HCB were 0.36 kilograms, which was below the reduction target of 11.1 kilograms by 97 per cent.

55. The Committee concluded that Lithuania was in compliance with its obligations under the Protocol on POPs and that there were no reasons to further review the case.

(d) **Follow-up to the referral by the secretariat concerning compliance by Luxembourg with the Protocol on POPs (ref. 7/16 (HCB))**

Background

56. The 2016 submissions of HCB emission data received from Luxembourg indicated that there was an exceedance of the base year emission level by 1 per cent. This information seemed to suggest that Luxembourg was in non-compliance with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed Luxembourg about its intention to refer the issue to the Implementation Committee. Luxembourg responded by explaining that its emission inventory mostly relied on plant-specific data obtained from measurements for estimating HCB emission. As emission factors did not

exist for all types of sources, emissions might have been underestimated for 1990-1997. Luxembourg indicated that it would further work to improve its emission inventory. In its subsequent letter, the secretariat informed Luxembourg that it had referred the case to the Committee.

Deliberations

57. The Committee considered the referral at its thirty-eighth and thirty-ninth sessions. Luxembourg participated by telephone in the thirty-eighth session, providing detailed information on the calculation methods and indicating its plans to improve the inventory. The Committee noted the information provided by the Party.

58. The latest data submitted indicated an exceedance of HCB emissions of 38 per cent, with emissions amounting in 2015 to 0.60 kilograms as compared with the base year level of 0.44 kilograms. The Committee noted the upward trend and concluded that it would continue to review the compliance by Luxembourg with its obligations under the Protocol on POPs in 2018. It requested the secretariat to send a letter to the Party, asking it to provide information on: (a) the progress in improving the inventory; (b) specific measures the Party intended to take to fulfil its emission reduction obligations; and (c) a timetable specifying the year by which Luxembourg expected to be in compliance.

(e) Follow-up to the referral by the secretariat concerning compliance by Sweden with the Protocol on POPs (ref. 9/16 (HCB))

Background

59. The 2016 submissions of data for HCB emissions received from Sweden indicated an exceedance of the base year emission level by 81 per cent. This information seemed to suggest that Sweden was not compliant with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed Sweden about its intention to refer the issue to the Implementation Committee. Sweden replied by noting that it was aware of the exceedance, and indicated that this was mainly because of inventory improvements for 2014, which now included emissions that previously had not been estimated. Specifically, the exceedance was seen as the result of an increase in biomass burning in the electricity and heat sector. Sweden indicated its plans to analyse the situation and to explore measures to reduce HCB emissions in the coming years. The secretariat informed the Party in a subsequent letter that it would refer the case to the Committee. In its response, Sweden suggested that the issue related to incomplete reporting rather than to an actual exceedance. It expressed its hope to include new data in the 2018 reporting round.

Deliberations

60. The Committee considered the case at its thirty-eighth and thirty-ninth sessions. At the thirty-eighth session, it noted the information provided by Sweden on its efforts to comply with its obligation to reduce its emissions. Upon the request of the Committee, the secretariat sent a letter to Sweden, asking the Party to provide additional information on specific measures it intended to take to fulfil its emission reduction obligations under the Protocol, with a timetable specifying the year by which Sweden expected to be in compliance. It also invited Sweden to participate in its thirty-ninth session.

61. In its response, Sweden informed the Committee about its recalculations made for the whole time series and stated that revised data would be submitted in 2018, when it expected to be in compliance with its obligations under the Protocol.

62. The Committee considered the data submitted in 2017. According to the latest submission, emissions of HCB in Sweden in 2015 amounted to 2.52 kilograms, which was

above the base year level of 1.4 kilograms by 80 per cent. A representative of Sweden participated in the thirty-ninth session, informing the Committee about the fact that the inventory had shown to be incomplete and of the Party's efforts to include all missing sources, with a focus on industrial sources, for its submission in 2018.

63. The Committee noted with appreciation the information provided and noted that Sweden was expecting to be in compliance in 2018. It concluded that it would continue reviewing compliance by Sweden in 2018.

5. Protocol on Heavy Metals

(a) Referral by the secretariat concerning compliance by Cyprus with the Protocol on Heavy Metals (ref. 3/16 (Hg))

Background

64. The 2016 submissions of mercury emission data received from Cyprus indicated an exceedance of the base year emission level by approximately 6 per cent: in 1990, the base year for Cyprus, the emissions of Hg were 0.096 tons, whereas in 2014 the emissions reached 0.102 tons. This information seemed to suggest that Cyprus was not compliant with its obligations under article 3, paragraph 1, of the Protocol on Heavy Metals. The secretariat informed Cyprus about its intention to refer the issue to the Implementation Committee. Cyprus responded, indicating that the Hg emissions from the cement industry, the main contributor for the period 1990-2014, had been calculated with the use of the emission factor provided in the *EMEP/EEA² air pollutant emission inventory guidebook 2013* (2013 EMEP/EEA Guidebook).³ In 2011, two old cement plants had been closed down, while a new cement plant, equipped with more efficient abatement technology, had gone into operation. The secretariat in its subsequent letter informed the Party about the referral of the case to the Committee.

Deliberations

65. The Committee considered the case at its thirty-eighth and thirty-ninth sessions. It noted the information provided by the Party and the efforts of Cyprus to comply with its obligations. At its thirty-ninth session, the Committee noted that the 2017 submission of Hg data indicated a decrease of emissions to 0.089 tons in 2015, which was below the base year level of 0.093 tons by 5 per cent.

66. The Committee concluded that Cyprus was in compliance with its obligations under the Protocol on Heavy Metals and that there was no reason to further review the case.

(b) Referral by the secretariat concerning compliance by Monaco with the Protocol on Heavy Metals (ref. 11/16 (Hg) ref. 10/16 (Cd))

Background

67. The 2016 submissions of cadmium (Cd) and mercury emission data received from Monaco indicated an exceedance of the base year emission level by 50 per cent and 13 per cent, respectively. This information seemed to suggest that Monaco was not compliant with its obligations under article 3, paragraph 1, of the Protocol on Heavy Metals. A letter informing Monaco of the secretariat's intention of referring the issue to the Implementation

² European Environment Agency.

³ EEA Technical Report No. 12/2013 (Luxembourg: Publications Office of the European Union, 2013).

Committee was sent to Monaco. Monaco responded, stating that it was currently improving its inventory system and that the information requested could be provided by mid-April 2017. In its subsequent letter the secretariat informed Monaco about the referral of the case to the Committee and invited the Party to take part in the Committee's thirty-eighth session. No response was received from the Party.

Deliberations

68. The Committee considered the case at its thirty-eighth and thirty-ninth sessions. At the thirty-eighth session, the Committee noted the Party's intention to provide the requested information by mid-April 2017. It also noted that Monaco had not submitted its emission inventory in 2015 and that previous emission data had often been submitted after the binding deadline.

69. At its thirty-ninth session, the Committee noted that, in accordance with the latest submission of emission data by Monaco, the emissions of Hg in 2015 amounted to 0.0016 tons, which was above the base year emission level of 0.0014 tons by 15 per cent; whereas the emissions of Cd in 2015 were 0.001 tons, which exceeded the base year level of 0.0007 tons by 54 per cent.

70. The Committee decided to continue to review compliance by Monaco in 2018 and requested the secretariat to send a letter to the Party asking it to provide by 20 March 2018 additional information on: (a) specific measures Monaco intended to take to fulfil its emission reduction obligations; (b) the quantitative and projected effects of further measures; and (c) a timetable specifying the year by which Monaco expected to be in compliance.

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

Background

71. 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. Upon the Committee's request, Latvia provided information on its efforts to comply with its obligations under the Protocol and participated in the Committee's thirty-sixth session. 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. The representative of Latvia further informed the Committee that additional measures would only be considered once the improved inventory was available. The Committee noted 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. The Committee agreed to continue to review the case in 2017.

Deliberations

72. The Committee considered the case at its thirty-ninth session. It noted that, according to the newly submitted recalculated emission data, emissions of Cd in 2015 amounted to 0.63 tons, which was 34 per cent below the base year level of 0.94 tons.

73. The Committee concluded that there was no reason to further review the referral.

6. Gothenburg Protocol

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

Background

74. At its thirty-seventh session, the Committee continued consideration of the 2013 referral by the secretariat concerning compliance of Norway with the Gothenburg Protocol regarding NH₃ emissions. The Committee recalled the comprehensive information provided by Norway at the Committee's thirty-third session (Oslo, 26-28 May 2014). It in particular recalled that Norway had indicated that the results of the process to improve its NH₃ emissions calculations would be reflected in its 2015 inventory submission. Noting the exceedance of the 2010 emission ceiling by 12 per cent, the Committee invited the secretariat to send a request to Norway to provide information on: (a) the process of the improvement of its inventory; and (b) the effect of specific policy measures and additional measures envisaged to reduce NH₃ emissions. The Committee encouraged Norway to continue to pursue its emission reduction measures and invited the Party to report to the Committee thereon at its thirty-ninth session.

Deliberations

75. The Committee continued to consider the case at its thirty-ninth session. It noted that, according to the latest submitted data, emissions of NH₃ in 2015 amounting to 26.7 kilotons were still above the ceiling of 23 kilotons by 16 per cent. It took note of the detailed information submitted by Norway in a letter to the secretariat on 29 May 2017 on the recalculations and improvements of the emission inventory and the update of the country-specific model to calculate NH₃ emissions from manure management planned for 2017. Furthermore, Norway provided an overview of policy measures to control NH₃ emissions, the envisaged improvements and future policies.

76. Norway participated in the thirty-ninth session by videoconference. It informed the Committee about the improvements and recalculations of the inventory and about the policy measures taken and envisaged to reduce NH₃ emissions. The Committee noted the efforts of Norway to comply with its obligations in the future; however, it had not received sufficient information on the quantitative effects of the intended measures and on a timeline by which compliance could be achieved.

77. The Committee noted the information provided by Norway. It recommended that the Executive Body take a decision⁴ on the long-standing non-compliance by Norway with its emission reduction obligations, requesting the Party to provide information containing a quantitative assessment of the effect of current and planned policy measures and the timeline specifying the year by which Norway expected to be in compliance.

(b) Follow-up to the referral by the secretariat concerning compliance by the Netherlands with the Gothenburg Protocol (ref. 3/15 (NH₃))

78. At its thirty-sixth session, the Committee considered the referral by the secretariat concerning compliance of the Netherlands with the Gothenburg Protocol based on the exceedance of the 2010 emission ceiling for NH₃ of about 5 per cent. The Committee noted the information provided by the Netherlands prior to and during the thirty-sixth session. The

⁴ See draft decision in ECE/EB.AIR/2017/5, annex.

Netherlands gave a detailed explanation on the recalculations made for NH₃ emissions for the last 10 years in order to improve the inventory, which had resulted in an increase in reported NH₃ emissions. The Committee noted the constant decrease in NH₃ emissions in the Netherlands since 1991 as a result of measures implemented to reduce emissions. The Netherlands indicated that it was still in the process of improving its inventory. The Party was expecting a decrease in its reported national ammonia emissions and that it would be in compliance in the 2017 reporting round.

Deliberations

79. The Committee continued to consider the case at its thirty-ninth session. It noted that, according to the data provided by the Netherlands in 2017, the emissions of NH₃ in 2015, amounting to 127.9 kilotons, were below the 2010 emission ceiling of 128.0 kilotons by 0.1 per cent.

80. The Committee noted the recalculated time series and concluded that there was no reason to continue to review the referral further.

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

Background

81. The Committee considered the referral by the secretariat concerning compliance by Germany with the Gothenburg Protocol. It took into account the information provided by Germany explaining the exceedance of NH₃ emissions of the 2010 ceiling as a result of inventory recalculations. This in particular included the use of different emission factors and possible overestimation of emissions from mineral fertilizers. In addition, Germany listed additional measures it was planning to implement in order to reduce NH₃ emissions.

82. The Committee decided to continue to review compliance by Germany and requested the secretariat to send a letter asking the Party to provide an updated progress report and a timetable specifying the year by which Germany expected to comply with its emissions reduction obligations under the Gothenburg Protocol.

Deliberations

83. The Committee continued to consider the case at its thirty-eighth session. Representatives of Germany participated in the session by telephone. They informed the Committee about the approved adjustment of the inventory in view of the new source category⁵ by the Steering Body for EMEP in September 2016. Germany was also expecting a decrease in reported emissions in view of the updated emission factor for nitrogen mineral fertilizer application. The corresponding recalculation would be applied in the 2018 reporting round. Furthermore, they confirmed the planned introduction of policy measures to reduce the NH₃ emissions, in particular through amendments to the Federal Ordinance on Fertilizer Application and to the Technical Instructions on Air Quality Control.

84. The Committee noted the information provided on the efforts of Germany to comply with its emission reduction obligation and decided to continue to review compliance by Germany in 2018. Upon the Committee's request, the secretariat sent a letter to Germany asking for an updated progress report on the implementation of the policy measures and a timetable specifying the year by which Germany expected to comply with its emissions reduction obligations, to be provided by 30 November 2017 so that the Committee could review the information at its fortieth session.

⁵ See ECE/EB.AIR/GE.1/2016/2-ECE/EB.AIR/WG.1/2016/2, paras. 18-19.

(d) **Follow-up to the referral by the secretariat concerning compliance by the European Union with the Gothenburg Protocol (ref. 4/16 (NH₃))**

Background

85. The referral was based on the exceedance of NH₃ emissions in the European Union⁶ in 2014 of about 1 per cent, which seemed to suggest that the European Union was not complying with its obligation under article 3, paragraph 1, of the Gothenburg Protocol. The secretariat informed the European Union about its intention to refer the issue to the Implementation Committee and of the opportunity to provide a response, which the European Union provided. In a subsequent letter, the secretariat informed the European Union about the referral of its case, indicating that the issue would be on the agenda of the thirty-eighth session of the Committee and that the European Union was invited to participate.

Deliberations

86. The Committee considered the case at its thirty-eighth session. It noted the information provided by the Party. A representative of the European Union explained the increase in reported emissions by the change of respective emission factors in the updated 2013 EMEP/EEA Guidebook. The recently approved 2016 edition (2016 EMEP/EEA Guidebook)⁷ had again changed some emission factors, in particular those for the use of mineral fertilizers, which could result in a decrease of reported emissions. Furthermore, the Party indicated the new legislation coming into force that, together with the expected recalculations, would bring ammonia emissions of the European Union below the 2010 ceiling in the nearest future.

87. The Committee noted the information provided by the European Union on its efforts to comply with its obligation to reduce its ammonia emissions. In the light of that information and upcoming developments, the Committee concluded that it would continue to review the case at its forty-first session.

D. New referrals initiated in 2017

1. Protocol on NO_x

Referral by the secretariat concerning compliance by Albania with the Protocol on NO_x (ref. 1/17 (NO_x))

Background

88. The latest submission of emission data for NO_x received from Albania indicated an exceedance of the base year emission level by approximately 48 per cent: in 1987, the base year for Albania, the emissions of NO_x were 22.36 kilotons, while in 2015 the emissions reached 33.1 kilotons. This information seemed to suggest that Albania was not compliant with its obligations under article 2, paragraph 1, of the Protocol on NO_x. The secretariat informed Albania about its intention to refer the issue to the Implementation Committee unless the Party could provide information to resolve the issue by showing that it was in fact in compliance with the Protocol. The secretariat received a response from Albania,

⁶ Referring here only to the 15 European Union member States as of 31 December 2003, i.e.: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and the United Kingdom.

⁷ *EMEP/EEA air pollutant emission inventory guidebook 2016*, EEA Report No. 21/2016 (Luxembourg: Publications Office of the European Union, 2016).

noting plans to hold a meeting with the team of experts compiling the inventory and that it would get back to the secretariat with a clarification. In its subsequent letter, the secretariat informed Albania about the referral of the case to the Implementation Committee. No further information was received from the Party.

Deliberations

89. The Committee considered the referral at its thirty-ninth session. It noted the progress Albania had made with respect to reporting its data. It decided that it would continue to review compliance by Albania in 2018, and requested the secretariat to send a letter inviting the Party to provide by 20 March 2018 information on measures it intended to implement in order to comply with its emission reduction obligations under the Protocol on NO_x.

2. Protocol on Persistent Organic Pollutants

(a) Referral by the secretariat concerning compliance by Czechia with the Protocol on POPs (ref. 2/17(HCB))

Background

90. The submission of HCB emission data received from Czechia indicated an exceedance of the base year emission level by approximately 14 per cent: in 1990, the base year for Czechia, the emissions of HCB were 4.5 kilograms, whereas in 2015 emissions reached 5.2 kilograms. This information seemed to suggest that Czechia was not compliant with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed Czechia about its intention to refer the issue to the Implementation Committee unless the Party could provide information by 31 July 2017 to resolve the issue. In its subsequent letter, the secretariat informed Czechia about the referral made to the Committee. In its response of 4 August 2017, Czechia informed the secretariat that it had updated its HCB emission data, in particular, the recalculations done for the base year, which would bring it into compliance with its obligations under the Protocol on POPs. Furthermore, in its letter of 23 August 2017, the Party provided detailed information on the recalculations.

Deliberations

91. The Committee considered the referral at its thirty-ninth session. It in particular considered the resubmitted inventory data and noted the recalculations performed within the 2017 reporting round. The Committee noted the detailed information on recalculations provided by the Party.

92. The Committee concluded that Czechia complied with its obligation under the Protocol on POPs and that there was no reason to continue the consideration of the referral.

(b) Referral by the secretariat concerning compliance by Iceland with the Protocol on POPs (ref. 3/17 (HCB))

Background

93. The latest submission of HCB emission data received from Iceland indicated an exceedance of the base year emission level by 246 per cent: in 1990, the base year for Iceland, the emissions of HCB were 0.022 kilograms, while in 2015 the emissions reached 0.075 kilograms. This information seemed to suggest that Iceland was not compliant with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed Iceland about its intention to refer the issue to the Implementation Committee unless Iceland could provide information to resolve the issue by showing that it was in fact

in compliance with the Protocol. In its subsequent letter, the secretariat informed Iceland about the referral made to the Committee. No response was received from the Party.

Deliberations

94. The Committee considered the referral at its thirty-ninth session. It noted the progress of Iceland in reporting its data. It decided it would continue to review compliance by Iceland in 2018 and requested the secretariat to send a letter to the Party inviting it to provide by 20 March 2018 information on measures it intended to take to fulfil its emission reduction obligations under the Protocol on POPs.

(c) Referral by the secretariat concerning compliance by Liechtenstein with the Protocol on POPs (ref. 4/17 (dioxin/furan, PAH, HCB))

Background

95. The latest submission of emission data for dioxins/furans, PAH and HCB received from Liechtenstein indicated an exceedance of the base year emission level by 43 per cent for dioxins/furans, 14 per cent for PAH and 80 per cent for HCB. In 1990, the base year for Liechtenstein, the emissions of dioxins/furans were 0.073 grams, while in 2015 the emissions reached 0.105 grams; emissions of PAH in 1990 were 0.016 tons, whereas in 2015 they increased to 0.018 tons; and emissions of HCB in 1990 were 0.00050 kilograms, while in 2015 the emissions reached 0.00089 kilograms. This information seemed to suggest that Liechtenstein was not compliant with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs.

96. The secretariat informed Liechtenstein about its intention to refer the issue to the Implementation Committee unless the Party could provide information to resolve the issue by showing that it was in fact in compliance with the Protocol. In its response to the secretariat, Liechtenstein noted that most of the emissions mentioned were linked to the increase of wood firing in the past years as part of the national energy and greenhouse gases mitigation strategy. The Party was investigating potential measures to reduce those emissions. To date, no specific and effective measure could be identified by Liechtenstein. In its subsequent letter, the secretariat informed Liechtenstein about the referral made to the Committee.

Deliberations

97. The Committee considered the referral at its thirty-ninth session. It noted the information provided by Liechtenstein and the fact that the Party had not yet identified any specific and effective measure to comply with its obligations under the Protocol on POPs. It decided to continue to review its compliance in 2018. It requested the secretariat to send a letter to Liechtenstein inviting it to provide by 20 March 2018 information on measures it intended to take to fulfil its emission reduction obligations.

(d) Referral by the secretariat concerning compliance by Serbia with the Protocol on POPs (ref. 5/17 (HCB))

Background

98. The latest submission of HCB emission data received from Serbia indicated that there was an exceedance of the base year emission level by approximately 0.5 per cent: in 1990, the base year for Serbia, the emissions of HCB were 2.24 kilograms, while in 2015 the emissions reached 2.25 kilograms. This information seemed to suggest that Serbia was not compliant with its obligations under article 3, paragraph 5 (a), of the Protocol on POPs. The secretariat informed Serbia about its intention to refer the issue to the Implementation

Committee unless the Party could provide information to resolve the issue. Serbia replied, noting that for some source categories it did not have data for the entire time series, which had likely led to an underestimation of emissions for the base year. The Party noted that in the next reporting round it would recalculate the entire time series using the extrapolation methodology in accordance with the 2016 EMEP/EEA Guidebook. It was expected that this would result in a more accurate emission inventory and bring the Party back to compliance with its obligations under the Protocol on POPs. In its subsequent letter, the secretariat informed Serbia about the referral made to the Committee.

Deliberations

99. The Committee considered the referral at its thirty-ninth session. It noted the information provided by Serbia and the presentation made at the session. It decided to continue to review the case at its fortieth session.

3. Protocol on Heavy Metals

(a) Referral by the secretariat concerning compliance by Liechtenstein with the Protocol on Heavy Metals (ref. 6/17 (Cd))

Background

100. The latest submission of Cd emission data received from Liechtenstein indicated that there was an exceedance of the base year emission level by approximately 194 per cent: in 1990, the base year for Liechtenstein, the emissions of Cd were 1.4 kilograms, while in 2015 the emissions reached 4.0 kilograms. This information seemed to suggest that Liechtenstein was not compliant with its obligations under article 3, paragraph 1, of the Protocol on Heavy Metals. The secretariat informed Liechtenstein about its intention to refer the issue to the Implementation Committee. Liechtenstein responded by noting that most of the emissions were linked to the increase of wood firing in the past years as part of the national energy and greenhouse gases mitigation strategy. The Party was investigating potential measures to reduce those emissions. To date, no specific and effective measure had been identified. In its subsequent letter, the secretariat informed Liechtenstein about the referral made to the Committee.

Deliberations

101. The Committee considered the referral at its thirty-ninth session. It noted the information provided by Liechtenstein and the fact that the Party had not yet identified any specific and effective measure to comply with its obligations under the Protocol on Heavy Metals. It decided to continue to review its compliance in 2018. It requested the secretariat to send a letter to Liechtenstein inviting it to provide by 20 March 2018 information on measures it intended to take to fulfil its emission reduction obligations.

(b) Referral by the secretariat concerning compliance by Lithuania with the Protocol on Heavy Metals (ref. 7/17 (Hg, Cd))

Background

102. The initial submission of Hg and Cd emission data received from Lithuania in 2017 indicated an exceedance of the base year emission level by 11 per cent for Hg and by 89 per cent for Cd. In 1990, the base year for Lithuania, the emissions of Hg were 0.62 tons, whereas in 2015 the Hg emissions were 0.69 tons; the emissions of Cd in the base year were 0.42 tons, while in 2015 they reached 0.8 tons. This information seemed to suggest that Lithuania was not compliant with its obligations under article 3, paragraph 1, of the

Protocol on Heavy Metals. The secretariat informed Lithuania about its intention to refer the issue to the Implementation Committee. Lithuania responded by informing the secretariat about revised emission inventories for 1990 and 2015 and by providing the methodological background for those recalculations. In its subsequent letter, the secretariat informed Lithuania about the referral made to the Committee.

Deliberations

103. The Committee considered the referral at its thirty-ninth session. It considered the recalculated data from Lithuania submitted in July 2017 for 1990 and 2015. The Committee agreed that it would continue reviewing the referral in 2018, when the 2018 data submission was available.

4. Gothenburg Protocol

(a) Referral by the secretariat concerning compliance by Sweden with the Gothenburg Protocol (ref. 8/17 (NH₃))

Background

104. The latest submission of NH₃ emission data received from Sweden indicated an exceedance of the emission ceiling by approximately 6 per cent. The emissions of NH₃ in 2015 amounted to 60.3 kilotons, whereas the 2010 emission reduction ceiling for Sweden is 57.0 kilotons. This information seemed to suggest that Sweden was not compliant with its obligations under article 3, paragraph 1, of the Gothenburg Protocol. The secretariat informed Sweden about its intention to refer the issue to the Implementation Committee. Sweden responded that it was aware of the situation following the improvement with regard to the inventory and the introduction of a new calculation methodology, which had led to an upward shift of the ammonia emissions over the whole time series. Sweden was analysing the results and measures that could be taken. In its subsequent letter, the secretariat informed Sweden about the referral made to the Committee.

Deliberations

105. The Committee considered the referral at its thirty-ninth session. It noted the information provided by Sweden prior to and during the session. Sweden indicated its expected compliance in the 2018 reporting round as a result of recalculations of its data. The Committee decided to continue to review the compliance by Sweden in 2018.

(b) Referral by the secretariat concerning compliance by Hungary with the Gothenburg Protocol (ref. 9/17 (VOCs))

Background

106. The latest submissions of VOCs emission data received from Hungary indicated an exceedance of the 2010 emission reduction target by 1.5 per cent in 2015: the reported emissions amounted to 139 kilotons, whereas the indicated target is 137 kilotons. This information seemed to suggest that Hungary was in non-compliance with its obligations under article 3, paragraph 1, of the Gothenburg Protocol. The secretariat informed Hungary about its intention to refer the issue to the Implementation Committee. Hungary, in its response, stated that there had been a recalculation made taking into account the new statistics on household energy use and the addition of new source categories. In view of the latter, Hungary was intending to apply for an adjustment of its inventory. In its subsequent letter, the secretariat informed Hungary about the referral made to the Committee. Hungary responded by reiterating its intention to apply for an adjustment application.

Deliberations

107. The Committee considered the case at its thirty-ninth session. The Committee noted that Hungary had mentioned its intention to apply for an adjustment application as set out in Executive Body decisions 2012/3, 2012/12, 2012/4 and 2014/1. The Committee agreed to suspend action on the referral to await the intended adjustment application and its outcome.
