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

Twenty-fifth session
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Item 9 of the provisional agenda

COMPLIANCE WITH PROTOCOL OBLIGATIONS

THE TENTH REPORT OF THE IMPLEMENTATION COMMITTEE¹

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¹ In accordance with Executive Body Decision 1992/2 (ECE/EB.AIR/68, annex III, appendix V).

² Volatile Organic Compounds.

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INTRODUCTION

1. At its twenty-third and twenty-fourth sessions, the Executive Body elected the following members to the Implementation Committee: Mr. Atle Fretheim (Norway), Mr. Helmut Hojesky (Austria), Mr. Volkert Keizer (the Netherlands), Mr. Denis Langlois (Canada), Mr. Christian Lindemann (Germany), Mr. Christos Malikkides (Cyprus), Mr. Peter Meulepas (Belgium), Mr. Stephan Michel (Switzerland) (Chairman), and Ms. Sonja Vidič (Croatia).
2. The Implementation Committee held two meetings in 2007. Its nineteenth meeting took place in Geneva from 16 to 18 April, and its twentieth meeting in Ottawa from 23 to 26 July. Ms. Albena Karadjova participated on behalf of the secretariat in both meetings.

I. SUBMISSIONS AND REFERRALS CONCERNING COMPLIANCE BY PARTIES WITH THEIR PROTOCOL OBLIGATIONS

A. Follow-up to Executive Body decisions 2006/4, 2006/5, 2006/6, 2006/7 and 2006/8

3. Based on recommendations made by the Implementation Committee in its ninth report (ECE/EB.AIR/2006/3 and Add.1 and Add.2), the Executive Body at its twenty-fourth session adopted decisions concerning compliance by Greece, Norway, Spain and Denmark. In addition, on the recommendation of the Committee, the Executive Body closed the referral regarding Iceland. As requested by the Executive Body, the secretariat sent letters to the Ministries of Foreign Affairs of the Parties concerned informing them about the decisions.

1. Follow-up to decision 2006/4 on compliance by Norway with the Protocol on VOCs⁴ (ref. 1/01)

Background

4. In its decision 2006/4, the Executive Body requested the Committee to review Norway's progress and timetable for compliance with article 2.2(b) of the Protocol on VOCs. The secretariat informed the Committee that it had sent a letter on 15 January 2007 to Norway's Ambassador in Geneva, drawing his attention to the decision. It had received a written submission from Norway on 30 March 2007 in response to the decision, as well as an update to it on 19 June 2007, containing preliminary emission data for 2006 and updated emission projections. The response and its update had been circulated to the Committee.

Consideration

5. The Committee was grateful to Norway for its written submissions and carefully considered the information provided. The Committee noted that the latest officially submitted emission data showed that Norway had, in 2005, achieved compliance with its emission reduction obligation for its national territory, while it was still in non-compliance with regard to its tropospheric ozone management area (TOMA) emissions projections for 2006, however, confirmed Norway's earlier expectation that it would achieve compliance for its TOMA emissions in 2006. Preliminary emission data for 2006 seemed to confirm Norway's earlier expectation that it would achieve compliance for its TOMA emissions in 2006.

Recommendation to the Executive Body

6. On the basis of the above consideration, the Committee recommends that the Executive Body adopt the following decision:

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2);

(a) *Recalls* its decisions 2001/1, 2002/2, 2003/1, 2004/6, 2005/2 and 2006/4;

⁴ 1991 Protocol Concerning the Control of Emissions of Volatile Organic Compounds or Their Transboundary Fluxes.

(b) *Notes* the report provided by the Implementation Committee on the follow-up to decision 2006/4 on compliance by Norway with its obligations under the Protocol on Volatile Organic Compounds, based on the information provided by Norway on 30 March and 19 June 2007 (ECE/EB.AIR/2007/3, paras. 4–6), and in particular its conclusion that Norway was in 2005 in compliance with its emission reduction obligations under the Protocol for its national territory, but remained in non-compliance with the emission reduction obligation for its tropospheric ozone management area emissions;

(c) *Welcomes* the achievement by Norway of compliance with its emission reduction obligation for its national territory in 2005, after six years of non-compliance;

(d) *Also welcomes* the fact that Norway's final data for 2005 continue to confirm a downward trend in its tropospheric ozone management area emissions, and that, according to preliminary data for 2006, Norway appears to be in compliance in that year with its obligation to reduce its tropospheric ozone management area emissions by 30 per cent from its 1989 level, as required by article 2.2(b) of the Protocol;

(e) *Calls on* Norway to provide the Implementation Committee, through the secretariat, by 31 March 2008, with information about achieving compliance with its obligation for the tropospheric ozone management area emissions;

(f) *Requests* the Implementation Committee to review Norway's final data for 2006 and report to it thereon at its twenty-sixth session.

2. **Follow-up to decision 2006/5 on compliance by Greece with the Protocol on Nitrogen Oxides⁵ (ref. 2/02)**

Background

7. In its decision 2006/5, the Executive Body reiterated its request to Greece, expressed in its decision 2005/4, to provide the Committee by 31 March of each year, until compliance is achieved, with a report describing the progress it has made towards achieving compliance and listing the specific measures taken and scheduled to fulfil its emission reduction obligations under the Protocol on Nitrogen Oxides, setting out a timetable containing annual steps for the achievement of these measures and indicating the projected effects of each of these measures on its nitrogen oxides (NO_x) emissions per year up to and including the year of predicted

⁵ 1988 Protocol Concerning the Control of Nitrogen Oxides or Their Transboundary Fluxes.

compliance. The secretariat sent a letter to Greece's Ambassador in Geneva on 15 January 2007, drawing his attention to the decision and requesting him to forward it appropriately for action. It had received a written submission from Greece on 13 April 2007. The response had been circulated to the Committee. A representative of Greece (Mr. D. Hadjidakis) participated in the consideration by the Committee, in accordance with paragraph 8 of the Committee's Terms of Reference. Mr. Hadjidakis made a presentation and answered questions put to him by the Committee.

Consideration

8. The Committee noted with concern that Greece had not made a presentation at the twenty-fourth session of the Executive Body, as requested in decision 2005/4.

9. The Committee was grateful to Greece for its response to the secretariat's letter from 15 January 2007 and carefully considered the written information submitted by Greece as well as the additional information provided by the Greek representative. It took note of Greece's expectation to achieve compliance by 2010 or before that. However, the Committee was not convinced that the information about the measures and projections provided by Greece was sufficient to substantiate such expectation. Data provided indicated unrealistic emission reduction projections in the transport sector. Moreover, data for all sectors showed either constant or upward trends in the period 1990–2005, which does not substantiate the projections for 2010. The Committee also noted that Greece had not yet revised its base year data, as requested in decision 2006/5. At the request of the Committee, the secretariat wrote again to Greece on 22 June 2007 requesting that it provide further information on the measures envisaged, in particular in the sectors of road transport, national shipping, the use of solar and wind energy, as well as more detailed information about the calculation of their emission projections. It received no response in time for its twentieth meeting.

10. The Committee concluded that the information received did not meet the requirements of paragraph 6 of decision 2005/4. It therefore requested the secretariat to remind Greece to make a presentation at the twenty-fifth session of the Executive Body in accordance with paragraph 8 of that decision.

11. The Committee noted the long duration of non-compliance by Greece (since 1998) and expressed its doubts about Greece's expectation to achieve compliance by 2010. The responses provided to Executive Body decisions 2005/4 and 2006/5 remained insufficient. Based on these findings and the repeated instances of lack of cooperation, the Committee was of the view that Greece did not give sufficient attention to this matter. Therefore, the Committee felt the need for the Executive Secretary of UNECE to bring the issue to the attention of the Minister of Foreign

Affairs and the Minister of Environment of Greece. The Committee also considered recommending that the Executive Body issue a caution to Greece that more severe measures would need to be applied if Greece did not take appropriate measures to come into compliance as soon as possible. The Committee felt that the matter should first be discussed at the twenty-fifth session of the Executive Body.

Recommendation to the Executive Body

12. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2),

- (a) *Recalls* its decisions 2002/6, 2003/5, 2004/7, 2005/4 and 2006/5;
- (b) *Notes* the report provided by the Implementation Committee on the follow-up to decision 2006/5 on compliance by Greece with its obligations under the Protocol on Nitrogen Oxides, based on the information provided by Greece on 13 and 17 April 2007 (ECE/EB.AIR/2007/3, paras. 7–12), and in particular its conclusion that the information provided by Greece did not meet the requirements of decision 2005/4;
- (c) *Expresses its increasing disappointment* at the continuing failure of Greece to fulfil its obligation to adopt and implement effective measures to control and/or reduce its national annual emissions so that these do not exceed its emissions in 1987, and at its continuing non-compliance since 1998 with the emission reduction obligation under article 2.1 of the Protocol on Nitrogen Oxides;
- (d) *Notes with concern* that Greece has not provided the Implementation Committee with information meeting the requirements of paragraph 6 of decision 2005/4, as reiterated in paragraph 7 of decision 2006/5;
- (e) *Expresses its concern* that Greece does not seem to give sufficient attention to the matter of continuing non-compliance with the obligations under the Protocol;
- (f) *Once again strongly urges* Greece to fulfil its obligation under article 2.1 of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to

achieve compliance with its obligations;

(g) *Reiterates its requests* to Greece as articulated in paragraphs 6 and 8 of its decision 2005/4, as reiterated in paragraph 7 of its decision 2006/5;

(h) *Notes with concern* that Greece had not yet revised its base year data to be consistent with the rest of the data series, as requested in paragraph 8 of decision 2006/5;

(i) *Requests* the Executive Secretary to bring this serious matter of continuing non-compliance to the attention of Greece's Minister of Foreign Affairs and Minister of Environment;

(j) *Requests* the Implementation Committee to review Greece's progress and timetable, and report to the Executive Body thereon at its twenty-sixth session.

3. Follow-up to decision 2006/6 on compliance by Spain with the Protocol on Nitrogen Oxides (ref. 4/02)

Background

13. In its decision 2006/6, the Executive Body reiterated its request to Spain, expressed in its decision 2005/6, to provide the Committee by 31 March of each year, until compliance is achieved, with a report describing the progress Spain has made towards achieving compliance, which should contain a timetable that specifies the year by which it expects to be in compliance, a list of the specific measures taken or scheduled to fulfil its emission reduction obligation under the Protocol on Nitrogen Oxides, and a description of the projected effects of each of these measures on its NO_x emissions up to and including the year of predicted compliance. The secretariat informed the Committee that it had sent a letter on 15 January 2007 to Spain's Ambassador in Geneva, drawing his attention to the decision. It had received a written progress report from Spain in May and July 2007 in response to the decision. The progress report was circulated to the Committee. Representatives of Spain (Mr. I. Pastor and Mr. A. Guijarro) participated in the consideration by the Committee, in accordance with paragraph 8 of the Committee's Terms of Reference. They made a presentation and answered questions put to them by the Committee.

Consideration

14. The Committee noted the improved communication with Spain and was grateful for its response, and carefully considered the information contained in Spain's report, as well as the

additional information provided by its representatives. The Committee welcomed the commitment expressed by the Spanish representatives to work towards achieving compliance with the obligations under the Protocol. It took note of the policies and measures introduced or planned to achieve compliance. However, the effects of these measures were not quantified, although work to do so was ongoing. The Committee noted that Spain no longer expected to be in compliance by 2007, as indicated earlier (ECE/EB.AIR/2006/3, para. 19). The Committee further noted with concern that Spain's recalculated emission data, including for the base year, showed that Spain was even further away from compliance than estimated before. Spain could not indicate a year by which it would be in compliance, either.

15. The Committee noted several inconsistencies in the information submitted by Spain and concluded that, considering these inconsistencies and the lack of information as pointed out in paragraph 14 above, the requirements under paragraph 5 of decision 2005/6 had not been met. It therefore requested the secretariat remind Spain to make a presentation at the twenty-fifth session of the Executive Body in accordance with paragraph 7 of that decision. Based on these findings, and in particular the long duration of Spain's non-compliance (since 1994), the Committee considered recommending that the Executive Body issue a caution to Spain that more severe measures would need to be applied if Spain did not take appropriate measures to come into compliance as soon as possible. The Committee felt that the matter should first be discussed at the twenty-fifth session of the Executive Body.

Recommendation to the Executive Body

16. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2),

(a) *Recalls* its decisions 2002/8, 2003/7, 2004/9, 2005/6 and 2006/6;

(b) *Notes* the report provided by the Implementation Committee on the follow-up to decision 2006/6 on compliance by Spain with its obligations under the Protocol on Nitrogen Oxides, based on the information provided by Spain in May and July 2007, (ECE/EB.AIR/2007/3, paras. 13–16), and in particular its conclusion that the information provided by Spain did not meet the requirements under paragraph 5 of decision 2005/6;

(c) *Expresses its increasing disappointment* at the continuing failure of Spain to fulfil its obligation to adopt and implement effective measures to control and/or reduce its national annual emissions so that these do not exceed its emissions in 1987 and at its continuing non-compliance with the emission reduction obligation under article 2.1 of the Protocol on Nitrogen Oxides since 1994;

(d) *Notes with concern* that Spain has not provided the Implementation Committee with information meeting the requirements of paragraph 5 of decision 2005/6, as reiterated in paragraph 7 of decision 2006/6;

(e) *Urges* Spain to address the numerous inconsistencies on emission data and projections contained in their written and verbal submissions;

(f) *Once again strongly urges* Spain to fulfil its obligation under article 2.1 of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligation;

(g) *Reiterates its requests* to Spain as articulated in paragraphs 5 and 7 of its decision 2005/6, as reiterated in paragraph 7 of its decision 2006/6;

(h) *Requests* the Implementation Committee to review Spain's progress and timetable, and report to the Executive Body thereon at its twenty-sixth session.

4. Follow-up to Executive Body decision 2006/7 on compliance by Spain with the 1991 Protocol on VOCs (ref. 6/02)

Background

17. In its decision 2006/7, the Executive Body requested the Committee to review Spain's progress and timetable for achieving compliance with article 2.2(a) of the Protocol on VOCs. The secretariat informed the Committee that it had sent a letter on 15 January 2007 to Spain's Ambassador in Geneva, drawing his attention to the decision. It had received a written progress report from Spain in May and July 2007 in response to the decision. The progress report was circulated to the Committee. Representatives of Spain (Mr. I. Pastor and Mr. A. Guijarro) participated in the consideration by the Committee, in accordance with paragraph 8 of the Committee's Terms of Reference. They made a presentation and answered questions put to them by the Committee.

Consideration

18. The Committee noted the improved communication with Spain and was grateful for its response, and carefully considered the information contained in its report as well as the additional information provided by its representatives. The Committee welcomed the commitment expressed by the Spanish representatives to work towards achieving compliance with the obligations under the Protocol. It took note of the policies and measures introduced or planned to achieve compliance. However, the effects of these measures were not quantified, although work to do so was ongoing. The Committee noted that Spain had recalculated its base year data as requested in decision 2006/7. It noted with concern, however, that Spain's recalculated emission data showed that Spain was even further away from compliance than estimated before. Spain could not indicate a year by which it would be in compliance, either.

19. The Committee noted several inconsistencies in the information submitted by Spain and concluded that considering these inconsistencies and the lack of information as pointed out in paragraph 19 above, the requirements under paragraph 6 of decision 2006/7 had not been met. It therefore requested the secretariat to remind Spain to make a presentation at the twenty-fifth session of the Executive Body in accordance with paragraphs 6 and 8 of that decision. Based on these findings, and in particular the long duration of Spain's non-compliance (since 1999), the Committee considered recommending that the Executive Body issue a caution to Spain that more severe measures would need to be applied if Spain did not take appropriate measures to come into compliance as soon as possible. The Committee felt that the matter should first be discussed at the twenty-fifth session of the Executive Body.

Recommendation to the Executive Body

20. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2),

(a) *Recalls* its decisions 2003/8, 2004/10, 2005/7 and 2006/7;

(b) *Notes* the report provided by the Implementation Committee on the follow-up to decision 2006/6 on compliance by Spain with its obligations under the Protocol on Volatile Organic Compounds, based on the information provided by Spain in May and July 2007

(ECE/EB.AIR/2007/3, paras. 17-20), and in particular its conclusion that the information provided by Spain did not meet the requirements under paragraph 6 of decision 2006/7;

(c) *Expresses its disappointment* at the continuing failure of Spain to fulfil its obligation to adopt and implement effective measures to reduce its national annual emissions by at least 30 per cent by the year 1999, using 1988 as its base year;

(d) *Notes with concern* that Spain has not provided the Implementation Committee with information meeting the requirements of paragraph 6 of decision 2006/7;

(e) *Urges* Spain to address the numerous inconsistencies on emission data and projections contained in their written and verbal submissions;

(f) *Strongly urges* Spain to fulfil its obligation under article 2.1 of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligation;

(g) *Reiterates* its requests to Spain as articulated in paragraphs 6 and 8 of its decision 2006/7;

(h) *Requests* the Implementation Committee to review Spain's progress and timetable, and report to the Executive Body thereon at its twenty-sixth session.

5. Follow-up to Executive Body decision 2006/8 on compliance by Denmark with the Protocol on POPs⁶ (ref. 1/06)

Background

21. In its decision 2006/8, the Executive Body requested the Committee to review Denmark's progress and timetable for achieving compliance with article 3.5 (a) of the Protocol on POPs. The secretariat informed the Committee that it had sent a letter on 15 January 2007 to Denmark's Ambassador in Geneva, drawing her attention to the decision. It had received a written submission from Denmark on 26 March 2007 in response to the decision. The secretariat further wrote to Denmark on 22 June requesting further information on issues raised by the Committee. It received a response on 6 July 2007. Both responses provided by Denmark had been circulated to the Committee.

⁶ 1998 Protocol on Persistent Organic Pollutants.

Consideration

22. The Committee was grateful to Denmark for its written submissions and carefully considered the information provided. The Committee noted that the latest officially submitted emission data showed that polycyclic aromatic hydrocarbons (PAHs) emissions in Denmark continued to increase. It took note of Denmark's initiatives and measures, undertaken or planned to be implemented in the next three years with the aim of reducing emissions from residential wood burning. Denmark explained that the increased emissions of PAHs had resulted from the increased use of biomass for domestic heating, partly due to efforts to combat climate change.

23. While acknowledging the technology programme to reduce emissions from wood-burning stoves, the Committee noted that, according to the information submitted by Denmark, this programme would not yield results in a reasonable time frame. The Committee expressed its concern at Denmark's expectation to achieve compliance only "in a not too far future".

Recommendation to the Executive Body

24. On the basis of the above consideration, the Implementation Committee recommends that the Executive Body adopt the following decision:

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2);

(a) *Recalls* its decision 2006/8;

(b) *Notes* the report provided by the Implementation Committee on the follow-up to decision 2006/8 on Denmark's compliance with its obligation under article 3.5(a) of the Protocol on Persistent Organic Pollutants, based on the information provided by Denmark on 26 March and 6 July 2007 (ECE/EB.AIR/2007/3, paras. 21–24), and in particular its conclusion that Denmark had failed to comply with the emission reduction obligation with regard to polycyclic aromatic hydrocarbons;

(c) *Remains concerned* at the continuing failure by Denmark to fulfil its obligation to take effective measures to reduce the emissions of each of the substances listed in annex III of the Protocol from their level in 1990, as required by article 3.5(a) of the Protocol;

(d) *Expresses disappointment* that Denmark has indicated that it will achieve compliance only “in a not too far future”;

(e) *Urges* Denmark to speed up the implementation of planned measures and/or take additional measures as soon as possible to shorten the period of expected non-compliance with its obligation under the Protocol on Persistent Organic Pollutants;

(f) *Calls on* Denmark to provide the Implementation Committee, through the secretariat, by 31 March 2008, with a report describing the progress made towards compliance and setting out a timetable that specifies the year by which Denmark expects to be in compliance, lists the specific measures taken or scheduled to fulfil its emission reduction obligations under the Protocol on Persistent Organic Pollutants, and sets out the projected quantitative effects of each of these measures on its polycyclic aromatic hydrocarbons emissions up to and including the year of compliance;

(g) *Requests* the Implementation Committee to review Denmark’s progress and timetable, and report to the Executive Body thereon at its twenty-sixth session.

II. COMPLIANCE WITH REPORTING OBLIGATIONS

A. Follow-up to Executive Body decision 2006/10

25. In its decision 2006/10, the Executive Body noted that 20 Parties were not in compliance with their strategies and policies reporting obligations for 2006 (Belarus, Bulgaria, Croatia, Denmark, Estonia, Finland, France, Greece, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Moldova, Portugal, Romania, Spain and the European Community). Four of these Parties (Iceland, Liechtenstein, Luxembourg and Romania) had not complied with their reporting obligations for 2004, either. The secretariat informed the Committee that it had sent a letter to all of the above-mentioned Parties on 9 January 2007, drawing their attention to the Executive Body’s decision asking them to provide or complete their responses by 31 January 2007.

26. The secretariat reported that the following nine Parties had provided all or some of the missing responses following the letters and reminders sent by the secretariat: Belarus, Bulgaria, Croatia, Denmark, Finland, Ireland, Moldova, Spain and the European Community (see Table 8).

27. The secretariat informed the Committee that, despite letters sent by the secretariat following the twenty-fourth session of the Executive Body eliciting responses by 31 January

2007, Cyprus, Estonia, France, Greece, Iceland, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Portugal and Romania had not responded to the 2006 questionnaire at all or had only responded partially. Moreover, four of these Parties, Iceland, Liechtenstein, Luxembourg and Romania, had not yet provided any response to the 2004 questionnaire, either.

28. The Committee expressed its concern that Cyprus, Estonia, France, Greece, Iceland, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Portugal and Romania had not responded to the 2006 questionnaires, despite the request by the Executive Body, and thus had failed to comply with their obligations to report on strategies and policies.

29. The Committee was deeply concerned that Iceland, Liechtenstein, Luxembourg and Romania had, moreover, not responded to the 2004 questionnaire, despite the repeated requests by the Executive Body, and thus had failed to comply with their obligations to report on strategies and policies for four consecutive years.

B. Compliance with emission data reporting obligations

30. As requested by the Executive Body in its workplan (item 1.2) (ECE/EB.AIR/2006/3/Add.2, annex, as adopted by the Executive Body at its twenty-fourth session), the Implementation Committee evaluated compliance with the emission data reporting obligations of the Parties to the seven Protocols in force. The evaluation covered the completeness and timeliness of reporting, but not its quality. It was based on the data reported to the secretariat up to 20 July 2007. (The legally binding deadline for the Protocol on VOCs, the 1994 Protocol on Sulphur⁷, the Protocol on POPs, the Protocol on Heavy Metals⁸ and the Gothenburg Protocol⁹, and the recommended deadline for the other protocols, was 15 February 2007.) Tables 1–7 give an overview of the emission data reported under the seven Protocols in force in 2005. The overview shows whether the data were reported for the base year, if applicable, and for the most recent years since the entry into force of the Protocols for individual Parties. The Committee could not assess compliance by Parties with their obligation to report gridded data for 2005 under the Protocol on POPs, the Protocol on Heavy Metals and the Gothenburg Protocol, as the information about the reported data was not available in time for its meetings.

⁷ 1994 Protocol on Further Reduction of Sulphur Emissions.

⁸ 1998 Protocol on Heavy Metals.

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

1. 1985 Protocol on Sulphur¹⁰: compliance with article 4, concerning reporting of annual emissions

31. Table 1 gives an overview of emission data reported by the Parties to the 1985 Sulphur Protocol and shows that reporting under the Protocol is not yet complete. Nineteen of the 22 Parties to which the obligation applied had submitted complete emission data for 2005 under the Protocol: Austria, Belarus, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, the Netherlands, Norway, the Russian Federation, Slovakia, Sweden, Switzerland and Ukraine. No data were received from Italy, Liechtenstein and Luxembourg. Liechtenstein was also missing data for 2002, 2003 and 2004.

32. In its ninth report (ECE/EB.AIR/2006/3/Add.1, para. 7), the Committee concluded that, as of 25 July 2006, three Parties were not yet in compliance with their emission reporting obligations under article 4 of the 1985 Sulphur Protocol: Liechtenstein for 2002, 2003 and 2004; and Italy and Luxembourg for 2004. Italy and Luxembourg had since submitted data for 2004. Liechtenstein remained in non-compliance.

33. The Committee concluded that, as of 25 July 2007, the following three Parties were not in compliance with the emission data reporting obligations under article 4 of the 1985 Protocol on Sulphur: Liechtenstein for the years 2002, 2003, 2004 and 2005; and Italy and Luxembourg for 2005.

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

34. Table 2 gives an overview of emission data reported by the Parties to the Protocol on Nitrogen Oxides and shows that reporting under the Protocol is not yet complete. Twenty-seven of the 31 Parties to whom the reporting obligation applied had submitted complete emission data for 2005 under the Protocol: Austria, Belarus, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Lithuania, the Netherlands, Norway, the Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Kingdom and the United States. No data were received from Italy, Liechtenstein, Luxembourg, and the European Community. Liechtenstein was also missing data for 2002, 2003 and 2004.

35. In its ninth report (ECE/EB.AIR/2006/3/Add.1, para. 10), the Committee concluded that,

¹⁰ 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent.

as of 25 July 2006, five Parties were not in compliance with their emission reporting obligations under article 8 of the Protocol on Nitrogen Oxides: Liechtenstein for 2002, 2003 and 2004; and Italy, Luxembourg, Spain and the European Community for 2004. Italy, Luxembourg, Spain and the European Community had since submitted data for 2004. Liechtenstein remained in non-compliance.

36. The Committee concluded that, as of 25 July 2007, the following four Parties were not in compliance with their emission data reporting obligations under article 8 of the Protocol on Nitrogen Oxides: Liechtenstein for the years 2002, 2003, 2004 and 2005; and Italy, Luxembourg and the European Community for 2005.

3. Protocol on VOCs: compliance with article 8.1, concerning emission data reporting

37. Table 3 gives an overview of the emission data reported by the Parties to the Protocol on VOCs and shows that reporting under the Protocol is not yet complete. Sixteen Parties submitted final and complete data for 2005 by 15 February 2007, the legally binding deadline (see Executive Body decision 2002/10): Austria, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Monaco, the Netherlands, Norway, Slovakia, Sweden, Switzerland and the United Kingdom. One Party, Belgium, submitted complete data for 2005 by 10 April 2007. One Party, Spain, submitted complete data for 2005 by 1 June 2007. No data were received from Italy, Liechtenstein and Luxembourg. Liechtenstein is also missing data for 2002, 2003 and 2004.

38. In its ninth report (ECE/EB.AIR/2006/3/Add.1, para. 13), the Committee concluded that, as of 25 July 2006, four Parties were not in compliance with their emission data reporting obligations under article 8 of the Protocol on VOCs: Liechtenstein for the years 2002, 2003 and 2004; and Italy, Luxembourg and Spain for 2004. Italy, Luxembourg and Spain had since submitted data for 2004. Liechtenstein remained in non-compliance.

39. The Committee concluded that, as of 25 July 2007, three Parties were not in compliance with their emission data reporting obligations under article 8 of the Protocol on VOCs: Liechtenstein for the years 2002, 2003, 2004 and 2005; and Italy and Luxembourg for 2005.

4. 1994 Protocol on Sulphur: compliance with article 5.1(b) and article 5.2, concerning emission data reporting

40. Table 4 gives an overview of the emission data reported by the Parties to the 1994 Sulphur Protocol (including annual totals and gridded data for EMEP Parties for 2005) and

shows that reporting under the Protocol is not yet complete. Nineteen of the 27 Parties submitted complete emission data for 2005 under the Protocol by 15 February 2007, the legally binding deadline (see Executive Body decision 2002/10): Austria, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Monaco, the Netherlands, Norway, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom. Canada also submitted data for its sulphur oxides management areas (SOMA). Four Parties, Belgium, Croatia, Greece and Spain, submitted complete data for 2005 after the legally binding deadline. No data were received from Italy, Liechtenstein, Luxembourg and the European Community. Liechtenstein was also missing data for 2002, 2003 and 2004.

41. For gridded data, 18 of the 25 Parties to whom the reporting obligation applied submitted 2005 data in the EMEP¹¹ grid. Twelve Parties submitted gridded data by the deadline of 1 March 2007: Austria, Bulgaria, Denmark, Finland, Germany, Hungary, Ireland, Norway, Slovakia, Slovenia, Sweden and Switzerland. Six Parties submitted gridded data for 2005 after the deadline: Belgium, Cyprus, the Czech Republic, Italy, Spain and the United Kingdom. No gridded data for 2005 were received from Croatia, France, Greece, Liechtenstein, Luxembourg, the Netherlands and the European Community. Greece, Liechtenstein, Luxembourg and the European Community are also missing gridded data for 2000.

42. In its ninth report (ECE/EB.AIR/2006/3/Add.1, para. 17), the Committee concluded that, as of 25 July 2006, four Parties were not in compliance with their emission data reporting obligations under the 1994 Protocol on Sulphur: Liechtenstein for 2002, 2003 and 2004; Croatia for 2003 and 2004; and Italy, Luxembourg, Spain and the European Community for 2004. Croatia, Italy, Luxembourg, Spain and the European Community have since submitted missing data for 2003 and/or 2004. Liechtenstein remained in non-compliance.

43. The Committee concluded that, as of 25 July 2007, the following four Parties were not in compliance with their emission data reporting obligations under the 1994 Protocol on Sulphur: Liechtenstein for 2002, 2003, 2004 and 2005; Italy, Luxembourg and the European Community for 2005; Croatia, France and the Netherlands for gridded data for 2005; and Greece, Liechtenstein, Luxembourg and the European Community for gridded data for 2000 and 2005.

¹¹ The Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe.

**5. Protocol on POPs: compliance with article 9.1 (b),
concerning emission data reporting**

44. Table 5 gives an overview of the emission data reported by Parties to the Protocol on POPs and shows that reporting under the Protocol is not yet complete. Twenty of the 27 Parties to whom the reporting obligation applied had submitted emission data for 2005 for all three of the reported POPs by 15 February 2007, the legally binding deadline (see Executive Body decision 2005/1): Austria, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Latvia, Lithuania, Moldova, the Netherlands, Norway, Romania, Slovenia, Sweden, Switzerland and the United Kingdom. One Party, Belgium, submitted complete data for 2005 by 11 April 2007. One Party, Slovakia, submitted complete data for 2005 by 2 May 2007. No data for 2005 were received from Iceland, Italy, Liechtenstein, Luxembourg and the European Community. Liechtenstein was also missing data for the base year, 2003 and 2004. Luxembourg was also missing data for 2004. Italy and Lithuania were also missing data for the base year. Romania was missing data for the base year and 2004.

45. In its ninth report (EB.AIR/2006/3/Add.1, para. 21), the Committee concluded that by 26 July 2006, 12 Parties were not in compliance with their emission data reporting obligations under the Protocol on POPs: the Czech Republic for the base year; Sweden for the base year and 2003; Norway for the base year and 2004; Iceland, Liechtenstein, Romania and the European Community for the base year, 2003 and 2004; Germany for 2003 and 2004; and Denmark, Finland, Luxembourg and Switzerland for 2004. The Czech Republic, Denmark, Germany, Finland, Iceland, Norway, Sweden, Switzerland and the European Community subsequently provided the missing historical and base year data, whereas Liechtenstein, Luxembourg and Romania remained in non-compliance.

46. The Committee concluded that, as of 25 July 2007, the following seven Parties were not in compliance with their emission data reporting obligations under the Protocol on POPs: Iceland¹² and the European Community for 2005, Italy for the base year and 2005, Lithuania for the base year, Luxembourg for 2004 and 2005, Romania for the base year and 2004, and Liechtenstein for the base year, 2003, 2004 and 2005.

¹² In its ninth report (ECE/EB.AIR/2006/3/, para. 34), the Committee requested the secretariat to refer the question of Iceland's compliance back to the Committee if Iceland did not fulfil its reporting obligations in time.

**6. Protocol on Heavy Metals: compliance with article 7.1(b),
concerning emission data reporting**

47. Table 6 gives an overview of emission data reported by the Parties to the Protocol on Heavy Metals and shows that reporting under the Protocol is not yet complete. Twenty-two of the 26 Parties to whom the reporting obligation applied had submitted complete emission data for 2005 by 15 February 2007, the legally binding deadline (see Executive Body decision 2005/1): Austria, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Latvia, Lithuania, Moldova, Monaco, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom. One Party, Belgium, submitted complete data for 2005 by 11 April 2007. No data were received from Liechtenstein, Luxembourg and the European Community. Liechtenstein and the European Community were also missing data for the base year, 2003 and 2004; and Luxembourg for 2004. Romania was missing data for the base year, 2003 and 2004.

48. In its ninth report (EB.AIR/2006/3/Add.1, para. 24), the Committee concluded that by 26 July 2006, four Parties were not yet in compliance with their emission reporting obligations under the Protocol on Heavy Metals: Liechtenstein, Romania and the European Community for the base year, 2003 and 2004, and Luxembourg for 2004. This situation has remained unchanged.

49. The Committee concluded that, as of 25 July 2007, the following four Parties were not in compliance with their emission data reporting obligations under the Protocol on Heavy Metals: Liechtenstein and the European Community for the base year, 2003, 2004 and 2005; Romania for the base year, 2003 and 2004; and Luxembourg for 2004 and 2005.

**7. Gothenburg Protocol: compliance with article 7.1(b),
concerning emission data reporting on sulphur, nitrogen oxides, ammonia and VOCs**

50. Table 7 gives an overview of emission data reported by the Parties to the Gothenburg Protocol and shows that reporting under the Protocol is not yet complete. Seventeen of the 20 Parties to whom the reporting obligation applied had submitted complete emission data for 2005 by 15 February 2007, the legally binding deadline (see Executive Body decision 2005/1): Bulgaria, the Czech Republic, Denmark, Finland, Germany, Hungary, Latvia, Lithuania, the Netherlands, Norway, Portugal, Romania, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom. One Party, Spain, submitted complete data for 2005 by 1 June 2007. No data were received from Luxembourg and the European Community.

51. The Committee concluded that, as of 26 July 2007, the following two Parties were not in

compliance with their emission data reporting obligations under the Gothenburg Protocol: Luxembourg and the European Community for 2005.

8. Conclusions

52. The Committee, taking into account its previous conclusions regarding Parties' reporting of their emission data¹³, noted that there was continuing improvement in the completeness of emission data reported by Parties under the protocols, including the newly-in-force Protocol on POPs, Protocol on Heavy Metals and Gothenburg Protocol. Concerning the timeliness of reporting, the Committee noted that Parties still needed to improve their performance in order to meet binding obligations with regard to timing (where applicable) and also to avoid undue pressure on the secretariat and the responsible EMEP centre in processing the submissions. The Committee was concerned by the fact that Liechtenstein was the only Party that had still not reported emission data from 2002 onwards.

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

53. As requested by the Executive Body in its workplan (item 1.2) (ECE/EB.AIR/2006/3/Add.2, annex, as adopted by the Executive Body at its twenty-fourth session), the Committee evaluated compliance with the reporting obligations under the seven Protocols in force relating to strategies and policies, including technology-related reporting obligations. This evaluation was made on the basis of the replies by Parties to the 2006 questionnaire on strategies and policies, which have been made available on the Internet. Table 7 below provides an overview of reporting up to 25 July 2007 by Parties to the Protocols that are in force. No Party provided the information required under the Protocols outside the framework of the questionnaire.

54. It should be noted that, as in previous years, the Committee only considered timeliness and completeness of Parties' replies to the most recent questionnaire, not the quality or the adequacy of the answers.

¹³ See EB.AIR/1998/4; EB.AIR/1999/4, para. 28; EB.AIR/2000/2, para. 21; EB.AIR/2001/3, para. 41; EB.AIR/2002/2/Add.1, para. 18; EB.AIR/2003/1/Add.1, para.17; EB.AIR/2004/6/Add.1, para. 19; EB.AIR/2005/3/Add.1, para. 27; and EB.AIR/2006/3/Add.1, para. 25.

1. 1985 Protocol on Sulphur: compliance with article 6, concerning reporting on national programmes, policies and strategies

55. Nineteen of the 22 Parties to the 1985 Sulphur Protocol to which the obligation applied replied to the section of the questionnaire relating to the Protocol (question 1). Cyprus and the United Kingdom also replied to this section, although they are not Parties to the Protocol. Three Parties (France, Liechtenstein and Luxembourg) did not reply to the questionnaire and therefore may not be in compliance with their reporting obligations under article 6 of the Protocol. The obligation did not apply to Lithuania, which acceded to the Protocol in March 2007.

2. Protocol on Nitrogen Oxides: compliance with article 8.1 (a)–(f), concerning information exchange and annual reporting

56. Twenty-four of the 29 Parties to the Protocol on Nitrogen Oxides to which the obligation applied replied to all the questions in the section relating to the Protocol (questions 2–6). Slovenia also replied to this section, although the Protocol entered into force for it only in April 2006. Two Parties who replied to the questionnaire (Cyprus and the European Community) did not reply to questions 3–5. Three Parties (Greece, Liechtenstein and Luxembourg) did not reply to the questionnaire. Five Parties (Cyprus, Greece, Liechtenstein, Luxembourg and the European Community) therefore may not be in compliance with their reporting obligations under article 8 of the Protocol. The obligation did not apply to Lithuania, which acceded to the Protocol in May 2006.

3. Protocol on VOCs: compliance with article 8.1 and 8.2, concerning information exchange and annual reporting

57. Seventeen of the 21 Parties to the Protocol on VOCs replied to all questions in the section relating to this Protocol (questions 7–12). Canada, Cyprus, the Russian Federation and Ukraine also replied to this section, although they are not a Party to the Protocol. One Party who replied to the questionnaire (France) did not reply to this section. Three Parties (Liechtenstein, Luxembourg and Monaco) did not reply to the questionnaire. Four Parties (France, Liechtenstein, Luxembourg and Monaco) therefore may not be in compliance with their reporting obligations under article 8.1 and 8.2 of the Protocol.

4. 1994 Protocol on Sulphur: compliance with article 5.1 (a) and 5.1(c), concerning reporting

58. Twenty of the 26 Parties to the 1994 Sulphur Protocol to which the obligation applied replied to all questions in the section relating to this Protocol (questions 13–18). Cyprus also

replied to some of the questions in this section, although it ratified the Protocol only in April 2006. Ukraine also replied to this section, although it is not a Party to the Protocol. Two Parties who replied to the questionnaire (France and the European Community) did not reply to this section. Four Parties (Greece, Liechtenstein, Luxembourg and Monaco) did not reply to the questionnaire. Six Parties (France, Greece, Liechtenstein, Luxembourg, Monaco and the European Community) therefore may not be in compliance with their reporting obligations under article 5.1 (a) and 5.1(c) of the Protocol.

5. Protocol on POPs: compliance with article 9.1 (a), concerning reporting

59. Seventeen of the 25 Parties to the Protocol on POPs to which the obligation applied replied to all questions in the section relating to this Protocol (questions 19–30). Belgium and the Russian Federation also replied to this section, although Belgium ratified the Protocol only in May 2006 and the Russian Federation is not a Party to it. Two Parties who replied to the questionnaire (France and the European Community) did not reply to this section. One Party who replied to the questionnaire (Estonia) did not reply to question 28. Five Parties (Iceland, Latvia, Liechtenstein, Luxembourg and Romania) did not reply to the questionnaire. Eight Parties (Estonia, France, Iceland, Latvia, Liechtenstein, Luxembourg, Romania and the European Community) therefore may not be in compliance with their reporting obligations under article 9.1 (a) of the Protocol. The obligation did not apply to Italy and Lithuania, which ratified the Protocol in June 2006.

6. Protocol on Heavy Metals: compliance with article 7.1 (a), concerning reporting

60. Eighteen of the 27 Parties to the Protocol on Heavy Metals, to which the obligation applied, replied to all questions in the section relating to this Protocol (questions 31–35). The Russian Federation and Ukraine also replied to this section, although they are not Parties to the Protocol. Two Parties who replied to the questionnaire (France and the European Community) did not reply to this section. One Party (Cyprus) did not reply to question 32. One Party (Lithuania) did not reply to questions 31–34. Five Parties (Latvia, Liechtenstein, Luxembourg, Monaco and Romania) did not reply to the questionnaire. Nine Parties (Cyprus, France, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Romania and the European Community) therefore may not be in compliance with their reporting obligations under article 7.1 (a) of the Protocol. The obligation did not apply to Estonia, which ratified the Protocol in March 2006.

**7. Gothenburg Protocol: compliance with article 7.1 (a),
concerning reporting**

61. Sixteen of the 20 Parties to the Gothenburg Protocol to which the obligation applied replied to all questions in the section relating to this Protocol (questions 36–49). Belgium, Canada and Ukraine also replied to this section, although they are not Parties to the Protocol. Cyprus also replied to this section, although it acceded to the Protocol only in 2007. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not reply to the questionnaire and therefore may not be in compliance with their reporting obligations under article 7.1 (a) of the Protocol. The obligation did not apply to France, which approved the Protocol in April 2007, and to Hungary, which approved the Protocol in November 2006.

8. Conclusion

62. Thirteen Parties were, as of 25 July 2007, not in compliance with all their reporting obligations under the seven Protocols, based on the evaluation of their replies to the 2006 questionnaire on strategies and policies:

- (a) 1985 Protocol on Sulphur: France, Liechtenstein and Luxembourg;
- (b) Protocol on Nitrogen Oxides: Cyprus, Greece, Liechtenstein, Luxembourg and the European Community;
- (c) Protocol on VOCs: France, Liechtenstein, Luxembourg and Monaco;
- (d) 1994 Protocol on Sulphur: France, Greece, Liechtenstein, Luxembourg, Monaco and the European Community;
- (e) Protocol on POPs: Estonia, France, Iceland, Latvia, Liechtenstein, Luxembourg, Romania and the European Community;
- (f) Protocol on Heavy Metals: Cyprus, France, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Romania and the European Community;
- (g) Gothenburg Protocol: Latvia, Luxembourg, Portugal and Romania.

D. Recommendations to the Executive Body

63. In view of the fact that certain Parties have not complied with their reporting obligations,

the Committee recommends that the Executive Body adopt the following decisions:

Compliance by Parties other than Iceland, Liechtenstein, Luxembourg and Romania with their obligations to report on strategies and policies

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2),

(a) *Takes note* of the tenth report of the Implementation Committee with respect to:

(i) The follow-up to Executive Body decision 2006/10 regarding compliance by certain Parties with their reporting requirements (ECE/EB.AIR/2007/3, paras. 25–29);

(ii) Compliance by Parties with their obligations to report on strategies and policies for air pollution abatement (EB.AIR/2007/3, paras. 53–62 and Table 8);

(b) *Recalls* that its decision 2006/10 noted that four Parties – Iceland, Liechtenstein, Luxembourg and Romania – that were among those identified at its twenty-third session as not yet being in compliance with their obligations to report on strategies and policies were still not in compliance, and that those Parties were called upon to provide the missing information no later than 31 January 2006 (ECE/EB.AIR/87/Add.1, annex VIII);

(c) *Notes with satisfaction* that Belarus, Bulgaria, Croatia, Denmark, Finland, Ireland, Moldova and Spain have completed their replies to the 2006 questionnaire and have thus complied with their obligation to report on strategies and policies;

(d) *Notes with regret* that Cyprus, Estonia, France, Greece, Latvia, Lithuania, Monaco, Portugal and the European Community are not in compliance with their strategies and policies reporting obligations for 2006;

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

(f) *Urges*, in particular, Cyprus, Estonia, France, Greece, Latvia, Lithuania, Luxembourg, Monaco, Portugal, Romania and the European Community, since they have not replied to the 2006 questionnaire, to provide responses to the 2008 questionnaire without delay

in order to comply with their reporting obligation;

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

Compliance by Parties other than Liechtenstein with their obligations to report on emissions

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2),

(a) *Takes note* of the tenth report of the Implementation Committee with respect to compliance by Parties with their emission data reporting obligations under the Protocols, identified on the basis of information provided by EMEP (ECE/EB.AIR/2007/3, paras. 30-52 and Tables 1–7);

(b) *Regrets* that Iceland, Italy, Lithuania, Luxembourg, Romania and the European Community have still not reported final and complete emission data for up to 2005;

(c) *Regrets* that Croatia, France, Greece, Luxembourg, the Netherlands and the European Community have still not reported gridded data up to 2005 under the 1994 Sulphur Protocol;

(d) *Urges:*

(i) Croatia to provide the missing gridded data for 2005 under the 1994 Sulphur Protocol;

(ii) France to provide the missing gridded data for 2005 under the 1994 Sulphur Protocol;

(iii) Greece to provide the missing gridded data for 2000 and 2005 under the 1994 Sulphur Protocol;

(iv) Iceland to provide its missing data for 2005 under the Protocol on Persistent Organic Pollutants;

(v) Italy to provide its missing data for 2005 under the 1985 Sulphur Protocol, the Protocol on Nitrogen Oxides, the Protocol on Volatile Organic Compounds, the 1994 Sulphur Protocol, and its missing data for 2005 and the base year under the Protocol on Persistent Organic Pollutants,

- (vi) Lithuania to provide its missing base year data under the Protocol on Persistent Organic Pollutants;
 - (vii) Luxembourg to provide its missing data for 2005 under the 1985 Sulphur Protocol, the Protocol on Nitrogen Oxides, the Protocol on Volatile Organic Compounds and the Gothenburg Protocol, data for 2004 and 2005 under the Protocol on Persistent Organic Pollutants and the Protocol on Heavy Metals, as well as data for 2005 and gridded data for 2000 and 2005 under the 1994 Sulphur Protocol;
 - (viii) The Netherlands to provide the missing gridded data for 2005 under the 1994 Sulphur Protocol;
 - (ix) Romania to provide its missing data for the base year and 2004 under the Protocol on Persistent Organic Pollutants;
 - (x) The European Community to provide its missing data for 2005 under the Protocol on Nitrogen Oxides, the Protocol on Persistent Organic Pollutants and the Gothenburg Protocol, data for the base year, 2003, 2004 and 2005 under and the Protocol on Heavy Metals, as well as data for 2005 and gridded data for 2000 and 2005 under the 1994 Sulphur Protocol;
- (e) *Reminds* all Parties of the importance not only of complying fully with their obligations to report emission data under the Protocols, including (where applicable) in accordance with any legally binding deadlines and formats, but also of submitting their final and complete data on time to ensure the efficient operation of the Convention;
- (f) *Requests* the Implementation Committee to review the progress made by the above-mentioned Parties with regard to their emission reporting obligations and to report thereon at its twenty-sixth session.

Compliance by Iceland, Liechtenstein, Luxembourg and Romania with their obligations to report on strategies and policies

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2),

- (a) *Recalls* its decision 2005/8 and its decision 2006/10, in which it urged Iceland, Liechtenstein, Luxembourg and Romania to comply with their obligations to report on strategies and policies;

- (b) *Takes note* of the tenth report of the Implementation Committee with respect to:
- (i) The follow-up to Executive Body decision 2006/10 regarding compliance by certain Parties with their reporting requirements (ECE/EB.AIR/2007/3, paras. 25–29);
 - (ii) Compliance by Parties with their obligations to report on strategies and policies for air pollution abatement (EB.AIR/2007/3, paras. 53–62 and Table 8);
- (c) *Expresses its concern* that Iceland, Liechtenstein, Luxembourg and Romania had not responded to the 2004 questionnaire on strategies and policies, and did not respond to the request in decision 2005/8 and decision 2006/10 to reply to the 2006 questionnaire, and thus remained in non-compliance with their obligation to report on strategies and policies for four consecutive years;
- (d) *Urges* Iceland, Liechtenstein, Luxembourg and Romania, in this context, to provide responses to the 2008 questionnaire without delay in order to comply with their reporting obligation;
- (e) *Requests* the Implementation Committee to review the progress made by Iceland, Liechtenstein, Luxembourg and Romania with regard to their reporting on strategies and policies and to report thereon at its twenty-sixth session.

Compliance by Liechtenstein with its obligations to report on emissions

The Executive Body,

Acting under paragraph 11 of the structure and functions of the Implementation Committee (Executive Body decision 2006/2),

- (a) *Takes note* of the tenth report of the Implementation Committee with respect to compliance by Parties with their emission data reporting obligations under the Protocols, identified on the basis of information provided by EMEP (ECE/EB.AIR/2007/3, paras. 30–52 and Tables 1–7);
- (b) *Expresses its concern* that Liechtenstein is the only Party that has not reported emission data since 2002 and has thus remained in non-compliance with its obligation to report emission data for four consecutive years;

(c) *Urges* Liechtenstein to provide, as a matter of urgency, all the missing data for 2002, 2003, 2004 and 2005 under the 1985 Sulphur Protocol, the Protocol on Nitrogen Oxides and the Protocol on VOCs; data for 2002, 2003, and 2005, as well as gridded data for 2000 and 2005 under the 1994 Sulphur Protocol; and data for the base year, 2003, 2004 and 2005 under the Protocol on POPs and the Protocol on Heavy Metals;

(d) *Requests* the Implementation Committee to review the progress made by Liechtenstein with regard to its compliance with its emission reporting obligation and to report thereon at its twenty-sixth session.

III. IN-DEPTH REVIEW OF COMPLIANCE BY PARTIES WITH THE GOTHENBURG PROTOCOL

64. As requested by the Executive Body in its workplan (item 1.2), the Committee continued and completed its in-depth review of compliance by the Parties with the Gothenburg Protocol, including progress towards compliance with the 2010 national emission ceilings. For this purpose, it used as a basis the emission data reported by Parties to EMEP in the 2007 reporting round as well as the responses to the 2006 questionnaire for the review on strategies and policies. The Committee limited its review to the obligations it had identified for priority review (EB.AIR/2006/3/Add.2, chapter IV, para. 29). The reporting obligations of Parties under article 7 are dealt with separately in chapter II above.

65. The Committee acknowledged the outstanding amount of work carried out by the secretariat in relation to the in-depth review and recognized its need for additional resources to support work for the in-depth review of protocols in the future.

66. In conducting its work, the Committee was mindful of the fact that the purpose of its in-depth review was to assess the general “state of health” of the Protocol in question rather than to determine whether particular Parties were or were not in compliance with their obligations. However, in the conduct of its in-depth review of Parties’ compliance with the Protocol’s obligations, the Committee did not assess overall compliance and based its in-depth review – as indicated above – only upon the responses received to the 2006 questionnaire and the reported emission data. The Committee tried to avoid as much as possible to draw conclusions or provide its own interpretation of the responses provided, by taking into account only the “text” of the responses as provided.

67. The Committee faced great difficulties in conducting an in-depth review of Parties’ compliance based on the responses as provided and came to the conclusion in many instances that “evaluation was not possible”. To a large extent, these difficulties were caused by

inconsistencies or perceived obvious mistakes of the responses provided, or often by incomplete, unclear or less relevant responses. For example, in some cases the responses reported on emission limit values which were different from those regulated in the annexes of the Protocol, without specifying that these constituted an alternative emission reduction approach. Also references to European or national legislation that did not provide further details on numerical values were, as in past in-depth reviews, not considered by the Committee as sufficient answers. The complexity of the annexes to the Protocol and the fact that questions in the 2006 questionnaire were in some cases not clear or specific enough contributed to a certain degree to the inconsistencies or incomplete responses by the Parties. Aware of these difficulties, the Committee, after its first meeting in 2007, requested the secretariat to ask those Parties whose answers were not sufficient to make an assessment to submit additional information. The Committee considered the information provided at its second meeting.

68. The Committee noted in particular that when the use of best available techniques (BAT) in certain installations is regulated on a case-by-case basis through permits, it would not necessarily for all cases result in the same emission reduction as would be achieved by applying emission limit values. Therefore, where a Party referred to the use of BAT or permits based on BAT as an alternative approach to the use of emission limit values for a certain category of sources, but did not demonstrate conclusively that with this approach that it achieved the same or higher emission reductions as by applying emission limit values, the Committee deemed that it was not in a position to assess compliance.

69. When a Party stated that no (new) source within a specific source category for which the Protocol contains obligations existed in the country, the Committee concluded that the obligation was “not applicable”.

70. The Committee assessed the replies to the 2006 questionnaire by the 20 Parties for which the Protocol was in force at the date this questionnaire had to be completed. It noted that the obligations for the application of limit values to new stationary sources, referred to in article 3, paragraph 2 and measures referred to in article 3, paragraph 8, of the Protocol, entered into force in May 2006 for 16 Parties (the Czech Republic, Denmark, Finland, Germany, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Portugal, Romania, Slovenia, Spain, Sweden, the United States and the European Community) – in October 2006 for Bulgaria, in July 2006 for Slovakia, in December 2006 for Switzerland, and in March 2007 for the United Kingdom – while the responses to the 2006 questionnaire on strategies and policies were provided by 31 March 2006. In view of this, the conclusions with respect to these Parties with reference to the obligations in sections B, C and E below are provisional and do not contain any legal assessment. The obligation for application of limit values for fuels and new mobile sources under article 3, paragraph 5, and the limit values for gas oil referred to in annex IV, Table 2, does not yet apply

to Bulgaria, as that country had made a declaration upon ratification that it wished to be treated as a country with an economy in transition for the purposes of the timescales under article 3.

A. Progress towards compliance with article 3.1

71. Article 3, paragraph 1, requires Parties that have an emission ceiling in any table in annex II to reduce and maintain the reduction in their annual emissions in accordance with that ceiling and the timescales specified in that annex. Furthermore, Parties are required, as a minimum, to control their annual emissions of polluting compounds in accordance with the obligations in annex II.

72. The Committee concluded that the latest available officially submitted emission data showed that five Parties to the Gothenburg Protocol (the Czech Republic, Latvia, Lithuania, Romania and Slovakia) have already achieved their 2010 emission ceilings for all four pollutants covered in annex II; three Parties (Bulgaria, Sweden and Switzerland) have achieved their emission ceilings for three of the four pollutants; and one Party (Luxembourg) has achieved its emission ceilings for two of the pollutants. Eight Parties have achieved their emission ceiling for at least one of the pollutants for which they have an emission ceiling: Denmark, Finland, the Netherlands, Norway, Portugal, Slovenia, the United Kingdom and the United States. Three Parties (Germany, Spain and the European Community) have still to achieve compliance with all of the four pollutants.

B. Compliance with article 3.2

73. Article 3, paragraph 2, requires Parties to apply the limit values specified in annexes IV, V and VI of the Protocol to each new stationary source within a stationary source category as identified in those annexes, no later than the timescales specified in annex VII. As an alternative, Parties may apply different emission reduction strategies that achieve equivalent overall emission levels for all source categories together. The timescale defined in annex VII is one year after the date of entry into force of the Protocol for the Party in question.

1. Limit values, specified in annex IV

(i) Limit values for sulphur oxides (SO_x) emissions from boilers

74. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 36, that eight Parties (the Czech Republic, Finland, Germany, the Netherlands, Slovakia, Slovenia, Spain and the United States) were in compliance with this obligation.

75. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for SO_x emissions from boilers.

76. The Committee found that the following seven Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for SO_x emissions from boilers: Bulgaria, Denmark, Lithuania, Norway, Sweden, the United Kingdom and the European Community.

77. The Committee found the following Party to be in non-compliance with this obligation: Switzerland.

(ii) Limit values for sulphur content of gas oil

78. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 37, that five Parties (Bulgaria, the Czech Republic, Germany, the Netherlands and the United Kingdom) were in compliance with this obligation.

79. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for sulphur content of gas oil.

80. The Committee found that the following eight Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for sulphur content of gas oil: Denmark, Finland, Norway, Slovenia, Spain, Sweden, Switzerland and the European Community. The Committee concluded that the incomplete responses for this question may be the result, to a certain extent, of the particularly unclear description of the initial question in the 2006 questionnaire. The obligation is not applicable to the United States.

81. The Committee found the following two Parties to be in non-compliance with this obligation: Lithuania and Slovakia.

2. Limit values, specified in annex V

(i) Limit values for mono-nitrogen oxides (NO_x) emissions

82. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 38, that four Parties (the Czech Republic, Germany, Spain and the United States) were in compliance with this obligation.

83. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NO_x emissions.

84. The Committee found that the following six Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NO_x emissions: Bulgaria, Finland, Lithuania, Norway, Sweden and the European Community.

85. The Committee found the following six Parties to be in non-compliance with this obligation: Denmark, the Netherlands, Slovakia, Slovenia, Switzerland and the United Kingdom.

3. Limit values, specified in Annex VI

(i) Limit values for volatile organic compounds (VOCs) emissions from storage and distribution of petrol

86. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (a), that seven Parties (the Czech Republic, Germany, Lithuania, the Netherlands, Spain, Switzerland and the United States) were in compliance with this obligation.

87. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for VOCs emissions from storage and distribution of petrol.

88. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their

compliance with the obligation under article 3.2 with regard to the application of limit values for VOCs emissions from storage and distribution of petrol: Finland and Norway.

89. The Committee found the following seven Parties to be in non-compliance with this obligation: Bulgaria, Denmark, Slovakia, Slovenia, Sweden, the United Kingdom and the European Community.

(ii) Limit values for non-methane volatile organic compounds (NMVOCs) emissions from adhesive coating

90. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (b), that 12 Parties (Bulgaria, the Czech Republic, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

91. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from adhesive coating.

92. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from adhesive coating: Sweden and the United Kingdom.

93. The Committee found the following two Parties to be in non-compliance with this obligation: Denmark and Switzerland.

(iii) Limit values for NMVOCs emissions from wood and plastic lamination

94. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (c), that 13 Parties (Bulgaria, the Czech Republic, Denmark, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

95. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their

obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from wood and plastic lamination.

96. The Committee found that the following three Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from wood and plastic lamination: Sweden, Switzerland and the United Kingdom.

(iv) Limit values for NMVOCs emissions from coating processes in the car industry

97. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (d), that 12 Parties (the Czech Republic, Denmark, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

98. One Party, Switzerland, claimed to have no car production in its country, as a consequence of which the Committee considered the obligation to be not applicable to that Party.

99. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from coating processes in the car industry.

100. The Committee found that the following three Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from coating processes in the car industry: Bulgaria, Sweden and the United Kingdom.

(v) Limit values for NMVOCs emissions from coating processes in various industrial sectors

101. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (e), that 10 Parties (Bulgaria, Finland, Germany, Lithuania, the Netherlands, Norway, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

102. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from coating processes in various industrial sectors.

103. The Committee found that the following four Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from coating processes in various industrial sectors: the Czech Republic, Denmark, Slovakia and Sweden.

104. The Committee found the following two Parties to be in non-compliance with this obligation: Switzerland and the United Kingdom.

(vi) *Limit values for NMVOCs emissions from coil coating*

105. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (f), that 11 Parties (Bulgaria, the Czech Republic, Finland, Germany, Lithuania, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

106. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from coil coating.

107. The Committee found that the following three Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from coil coating: Denmark, the Netherlands and Sweden.

108. The Committee found the following two Parties to be in non-compliance with this obligation: Switzerland and the United Kingdom.

(vii) *Limit values for NMVOCs emissions from dry cleaning*

109. The Committee concluded from the responses to the 2006 questionnaire on strategies and

policies, and in particular the responses to question 39 (g), that 14 Parties (Bulgaria, the Czech Republic, Denmark, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, the United Kingdom, the United States and the European Community) were in compliance with this obligation.

110. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from dry cleaning.

111. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from dry cleaning: Sweden and Switzerland.

(viii) Limit values for NMVOCs emissions from manufacturing of coatings, varnishes, inks and adhesives

112. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (h), that 11 Parties (Bulgaria, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

113. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from manufacturing of coatings, varnishes, inks and adhesives.

114. The Committee found that the following four Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from manufacturing of coatings, varnishes, inks and adhesives: Denmark, Sweden, Switzerland and the United Kingdom.

115. The Committee found the following Party to be in non-compliance with this obligation: the Czech Republic.

(ix) Limit values for NMVOCs emissions from printing processes

116. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (i), that 12 Parties (Bulgaria, the Czech Republic, Finland, Germany, Lithuania, the Netherlands, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

117. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from printing processes.

118. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from printing processes: Denmark and Sweden.

119. The Committee found the following two Parties to be in non-compliance with this obligation: Switzerland and the United Kingdom.

(x) Limit values for NMVOCs emissions manufacturing of pharmaceuticals

120. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (j), that 12 Parties (Bulgaria, the Czech Republic, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

121. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from manufacturing of pharmaceuticals.

122. The Committee found that the following three Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from manufacturing of pharmaceuticals: Denmark, Sweden and Switzerland.

123. The Committee found the following Party to be in non-compliance with this obligation: the United Kingdom.

(xi) Limit values for NMVOCs emissions from conversion of natural or synthetic rubber

124. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (k), that 11 Parties (Bulgaria, the Czech Republic, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain and the United States) were in compliance with this obligation.

125. One Party, Switzerland, claimed to have no rubber production in its country, as a consequence of which the Committee considered the obligation to be not applicable to that Party.

126. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from conversion of natural or synthetic rubber.

127. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from conversion of natural or synthetic rubber: Denmark and Sweden.

128. The Committee found the following two Parties to be in non-compliance with this obligation: the United Kingdom and the European Community.

(xii) Limit values for NMVOCs emissions from surface cleaning

129. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (l), that 11 Parties (Bulgaria, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

130. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions

from surface cleaning.

131. The Committee found that the following three Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from surface cleaning: Denmark, Sweden and Switzerland.

132. The Committee found the following two Parties to be in non-compliance with this obligation: the Czech Republic and the United Kingdom.

(xiii) Limit values for NMVOCs emissions from extraction of vegetable and animal fat and refining of vegetable oil

133. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (m), that 12 Parties (Bulgaria, the Czech Republic, Denmark, Finland, Germany, Lithuania, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

134. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from extraction of vegetable and animal fat and refining of vegetable oil.

135. The Committee found that the following three Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from extraction of vegetable and animal fat and refining of vegetable oil: the Netherlands, Sweden and Switzerland.

136. The Committee found the following Party to be in non-compliance with this obligation: the United Kingdom.

(xiv) Limit values for NMVOCs emissions from vehicle refinishing

137. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (n), that 11 Parties (Bulgaria, the Czech Republic, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain and the United States) were in compliance with this obligation.

138. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from vehicle refinishing.

139. The Committee found that the following five Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from vehicle refinishing: Denmark, Sweden, Switzerland, the United Kingdom and the European Community.

(xv) Limit values for NMVOCs emissions from impregnation of wooden surfaces

140. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 39 (o), that 12 Parties (Bulgaria, the Czech Republic, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, the United States and the European Community) were in compliance with this obligation.

141. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from impregnation of wooden surfaces.

142. The Committee found that the following three Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.2 with regard to the application of limit values for NMVOCs emissions from impregnation of wooden surfaces: Denmark, Sweden and Switzerland.

143. The Committee found the following Party to be in non-compliance with this obligation: the United Kingdom.

C. Compliance with article 7.1 (a)(i)

144. Article 7, paragraph 1 (a)(i), requires Parties which have used alternative strategies under articles 3.2 and 3.3 to document the strategies applied and their compliance with the

requirements of those paragraphs.

145. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 40, that three Parties had applied different emission reduction strategies: Finland, Norway and Sweden. Finland referred to documentation on such strategies. The Committee concluded that the submitted information was insufficient to determine whether these strategies achieve overall emission levels equivalent with those achieved by application of limit values referred to in article 3.2. The Committee concluded that the replies which were submitted by Norway and Sweden were insufficient to determine whether they had complied with their obligation to document such alternative strategies.

146. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether the obligation under subparagraph (i) of that paragraph was applicable to these Parties.

D. Compliance with article 3, paragraph 5

147. Article 3, paragraph 5, requires Parties to apply limit values for the fuels and new mobile sources, identified in annex VIII, no later than the timescales specified in annex VII. The timescales defined in annex VII are: (a) for Parties which are not countries with economies in transition, the date of entry into force of the Protocol, or the dates associated with the measures specified in annex VIII and with the limit values specified in annex IV, Table 2, whichever is the later; and (b) for a Party which has declared when depositing its instrument of ratification that it wishes to be treated as a country with an economy in transition, five years after the date of entry into force of the Protocol or five years after the dates associated with the measures specified in annex VIII and with the limit values in annex IV, Table 2, whichever is the later. Bulgaria is the only Party to be considered under section D as an economy in transition. As a consequence, the obligations under article 3, paragraph 5, do not yet apply to Bulgaria. It did, however, report limit values for most of the relevant categories under annex VIII and annex IV, Table 2.

1. Limit values specified in annex VIII

- (i) *Limit values for passenger cars and light-duty vehicles in accordance with Annex VIII, Table 1 of the Protocol*

148. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 41 (a), that 13 Parties (the Czech Republic, Denmark, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain,

Switzerland, the United Kingdom, the United States and the European Community) were in compliance with this obligation.

149. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5 with regard to the application of limit values for passenger cars and light-duty vehicles.

150. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.5 with regard to the application of limit values for passenger cars and light-duty vehicles: Finland and Sweden.

- (ii) Limit values for heavy-duty vehicles if European steady-state cycle(ESC) and European load-response(ELR) tests are used in accordance with annex VIII, Table 2 of the Protocol)

151. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 41 (b)(i), that 12 Parties (Denmark, Finland, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom, the United States and the European Community) were in compliance with this obligation.

152. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5 with regard to the application of limit values for heavy-duty vehicles if the ESC/ELR test is used in accordance with annex VIII, Table 2 of the Protocol.

153. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.5 with regard to the application of limit values for heavy-duty vehicles if the ESC/ELR test is used in accordance with annex VIII, Table 2 of the Protocol: Germany and Sweden.

154. The Committee found the following Party to be in non-compliance with this obligation: the Czech Republic.

(iii) Limit values for heavy-duty vehicles if European transient cycle (ETC) test is used in accordance with annex VIII, Table 3 of the Protocol

155. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 41 (b)(ii), that 14 Parties (the Czech Republic, Denmark, Finland, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom, the United States and the European Community) were in compliance with this obligation.

156. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5 with regard to the application of limit values for heavy-duty vehicles if the ETC test is used in accordance with annex VIII, Table 3 of the Protocol.

157. The Committee found that the following Party had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine its compliance with the obligation under article 3.5 with regard to the application of limit values for heavy-duty vehicles if ETC test is used in accordance with annex VIII, Table 3 of the Protocol: Sweden.

(iv) Limit values for diesel engines for non-road mobile machines (ISO 8178) in accordance with annex VIII, Table 5 of the Protocol

158. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 41 (c), that 13 Parties (the Czech Republic, Denmark, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom, the United States and European Community) were in compliance with this obligation.

159. Four Parties (Latvia, Luxembourg, Portugal, Romania and the European Community) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5 with regard to the application of limit values for diesel engines for non-road mobile machines (ISO 8178) in accordance with annex VIII, Table 5 of the Protocol.

160. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.5 with regard to the application of limit values for diesel engines for non-road mobile machines (ISO 8178) in accordance with annex VIII, Table 5

of the Protocol: Finland and Sweden.

- (v) Limit values for motorcycles and three- and four-wheelers (>50 cm³; >45 km/h) in accordance with annex VIII, Table 6 of the Protocol

161. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 41 (d), that one Party (the United States) was in compliance with this obligation.

162. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5 with regard to the application of limit values for motorcycles and three- and four-wheelers (>50cm³; >45 km/h) in accordance with annex VIII, Table 6 of the Protocol.

163. The Committee was unable to determine the compliance of the responses of 14 Parties with the obligation under article 3.5 with regard to the application of limit values for motorcycles and three- and four-wheelers (>50cm³; >45 km/h) in accordance with annex VIII, Table 6 of the Protocol: the Czech Republic, Denmark, Finland, Germany, Lithuania, the Netherlands, Norway, Slovenia, Slovakia, Spain, Sweden, Switzerland, the United Kingdom and the European Community. The reason why compliance could not be assessed for these Parties was that the new EURO standards (Stage III) for motorcycles which are applicable in these countries (apparently) allow higher NO_x emission limit values than the Stage I standards regulated in Table 6 of annex VIII of the Protocol. While no test procedure is addressed in Table 6, the new Stage III emission limit values, representing the last development of technical progress, were based on an advanced test procedure. This test procedure was much more representative of real-world vehicle operation and its impact in terms of exhaust emissions than the procedure normally connected with Stage I. It was further noted that the advanced test procedure used was considered equivalent with the procedure of the 2005 UNECE Global Technical Regulation No. 2.

- (vi) Limit values for mopeds (>50 cm³; >45 km/h) in accordance with annex VIII, Table 7 of the Protocol

164. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 41 (e), that 13 Parties (the Czech Republic, Denmark, Germany, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom, the United States and the European Community) were in

compliance with this obligation.

165. Four Parties (Latvia, Luxembourg, Portugal, Romania and the European Community) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5 with regard to the application of limit values for mopeds ($>50\text{cm}^3$; $>45\text{ km/h}$) in accordance with annex VIII, Table 7 of the Protocol.

166. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.5 with regard to the application of limit values for mopeds ($>50\text{cm}^3$; $>45\text{ km/h}$) in accordance with annex VIII, Table 7 of the Protocol: Finland and Sweden.

(vii) Limit values for fuels in accordance with annex VIII, Tables 8 and 10, of the Protocol: petrol

167. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 42 (a), that 12 Parties (the Czech Republic, Denmark, Finland, Germany, Lithuania, the Netherlands, Norway, Slovenia, Spain, Switzerland, the United Kingdom and the United States) were in compliance with this obligation.

168. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5 with regard to the application of limit values for fuels in accordance with annex VIII, Tables 8 and 10 of the Protocol.

169. The Committee found that the following Party had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine its compliance with the obligation under article 3.5 with regard to the application of limit values for fuels in accordance with annex VIII, Tables 8 and 10 of the Protocol: Sweden.

170. The Committee found the following two Parties to be in non-compliance with this obligation: Slovakia and the European Community.

(viii) Limit values for fuels in accordance with annex VIII, Tables 9 and 11 of the Protocol: diesel

171. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 42 (b), that 11 Parties (the Czech Republic, Finland, Germany, Lithuania, the Netherlands, Norway, Slovenia, Spain, Switzerland, the United Kingdom and the United States) were in compliance with this obligation.

172. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5 with regard to the application of limit values for fuels in accordance with annex VIII, Tables 9 and 11 of the Protocol.

173. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.5 with regard to the application of limit values for fuels in accordance with annex VIII, Tables 9 and 11 of the Protocol: Sweden and the European Community.

174. The Committee found the following two Parties to be in non-compliance with this obligation: Denmark and Slovakia.

E. Compliance with article 3.8

175. Article 3.8 requires Parties to apply, as a minimum, the ammonia control measures, specified in annex IX of the Protocol. This article does not apply to the United States, by virtue of article 3.10 (b).

1. Ammonia control measures, specified in annex IX

- (i) *Publication and dissemination of an advisory code of good agricultural practice to control ammonia emissions*

176. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 43, that six Parties (Bulgaria, Denmark, Germany, Lithuania, Slovenia and the United Kingdom) were in compliance with this obligation.

177. One Party, the European Community, reported that implementation of the measures covered by annex IX was the responsibility of its Member States; as a consequence, the Committee considered the obligation not applicable for that Party.

178. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.8 with regard to the publication and dissemination of an advisory code of good agricultural practice to control ammonia emissions.

179. The Committee found that the following five Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.8 with regard to the publication and dissemination of an advisory code of good agricultural practice to control ammonia emissions: the Czech Republic, Finland, the Netherlands, Slovakia, and Spain.

180. The Committee found the following three Parties to be in non-compliance with this obligation: Norway, Sweden and Switzerland.

(ii) Steps taken to limit ammonia emissions from the use of fertilizers based on urea

181. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 44, that 12 Parties (Bulgaria, the Czech Republic, Denmark, Finland, Germany, Lithuania, the Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom) were in compliance with this obligation.

182. One Party, the European Community, reported that implementation of the measures covered by annex IX was the responsibility of its Member States; as a consequence, the Committee considered the obligation to be not applicable for that Party.

183. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.8 with regard to the steps taken to limit ammonia emissions from the use of fertilizers based on urea.

184. The Committee found that the following two Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.8 with regard to the steps taken to limit ammonia emissions from the use of fertilizers based on urea: Slovakia and Spain.

(iii) Prohibition of the use of ammonium carbonate fertilizers

185. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 45, that six Parties (Bulgaria, Germany, the Netherlands, Norway, Slovenia, and Spain) were in compliance with this obligation.

186. One Party, the European Community, reported that implementation of the measures covered by annex IX was the responsibility of its Member States; as a consequence, the Committee considered the obligation to be not applicable for that Party.

187. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.8 with regard to the prohibition of the use of ammonium carbonate fertilizers.

188. The Committee found that the following Party had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine its compliance with the obligation under article 3.8 with regard to the prohibition of the use of ammonium carbonate fertilizers: Slovakia.

189. The Committee found the following seven Parties to be in non-compliance with this obligation: the Czech Republic, Denmark, Finland, Lithuania, Sweden, Switzerland and the United Kingdom.

(iv) Measures taken to limit ammonia emissions from manure application

190. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 46, that 11 Parties (Bulgaria, the Czech Republic, Denmark, Finland, Germany, Lithuania, the Netherlands, Norway, Slovenia, Switzerland and the United Kingdom) were in compliance with this obligation.

191. One Party, the European Community, reported that implementation of the measures covered by annex IX was the responsibility of its Member States; as a consequence, the Committee considered the obligation not applicable for that Party.

192. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their

obligation under article 3.8 with regard to the measures taken to limit ammonia emissions from manure application.

193. The Committee found that the following three Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.8 with regard to the measures taken to limit ammonia emissions from manure application: Slovakia, Spain and Sweden.

- (v) *Use of low-emission storage systems for new slurry stores on large pig and poultry farms or techniques that have been shown to reduce emissions by 40 per cent or more compared to the reference as listed in guidance document V (Executive Body decision 1999/1)*

194. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 47, that seven Parties (the Czech Republic, Denmark, Germany, Lithuania, the Netherlands, Slovenia, and Switzerland) were in compliance with this obligation.

195. One Party, the European Community, reported that implementation of the measures covered by annex IX was the responsibility of its Member States; as a consequence, the Committee considered the obligation not applicable for that Party.

196. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.8 with regard to the use of low-emission storage systems for new slurry stores on large pig and poultry farms or techniques that have been shown to reduce emissions by 40 per cent or more compared to the reference as listed in guidance document V.

197. The Committee found that the following seven Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.8 with regard to the use of low-emission storage systems for new slurry stores on large pig and poultry farms or techniques that have been shown to reduce emissions by 40 per cent or more compared to the reference as listed in guidance document V: Bulgaria, Finland, Norway, Slovakia, Spain, Sweden and the United Kingdom.

- (vi) *Use of housing systems for new animal housing on large pig and poultry farms which have been shown to reduce emissions by 20 per cent or more compared to the reference as listed in guidance document V (Executive Body decision 1999/1)*

198. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 48, that five Parties (Germany, Lithuania, the Netherlands, Slovenia and Switzerland) were in compliance with this obligation.

199. One Party, the European Community, reported that implementation of the measures covered by annex IX was the responsibility of its Member States; as a consequence, the Committee considered the obligation not applicable for that Party.

200. Four Parties (Latvia, Luxembourg, Portugal, Romania and the European Community) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.8 with regard to the use of housing systems for new animal housing on large pig and poultry farms which have been shown to reduce emissions by 20 per cent or more compared to the reference as listed in guidance document V.

201. The Committee found that the following seven Parties had submitted replies which were either incomplete, unclear or less relevant, and therefore it was unable to determine their compliance with the obligation under article 3.8 with regard to the use of housing systems for new animal housing on large pig and poultry farms which have been shown to reduce emissions by 20 per cent or more compared to the reference as listed in guidance document V: the Czech Republic, Denmark, Norway, Slovakia, Spain, Sweden and the United Kingdom.

202. The Committee found the following two Parties to be in non-compliance with this obligation: Bulgaria and Finland.

(vii) *Documentation on other systems or techniques for manure storage and animal housing with a demonstrably equivalent efficiency*

203. The Committee concluded from the responses to the 2006 questionnaire on strategies and policies, and in particular the responses to question 49, that the obligation was not applicable to 15 of the Parties which had provided responses.

204. Four Parties (Latvia, Luxembourg, Portugal and Romania) did not respond to the questionnaire at all. Due to their failure to comply with their reporting obligation under article 7, paragraph 1 (a), the Committee was unable to evaluate whether they had an obligation under article 3.8 with regard to the documentation on other systems or techniques for manure storage and animal housing with a demonstrably equivalent efficiency. The same applied to Slovakia, which had provided unclear and less relevant answers to questions 43–49.

F. Conclusions

205. On the basis of the information reviewed, the Committee could conclude for only one Party that it was in compliance with all the obligations of the Gothenburg Protocol which were taken into consideration in this in-depth review, in so far as they were applicable to it. For 19 Parties, the Committee was not able to assess compliance with one or more of these obligations due to incomplete information. Thirteen Parties were found to be in non-compliance with one or more of the obligations reviewed.

IV. COOPERATION WITH OTHER BODIES UNDER AND OUTSIDE THE CONVENTION

206. In 2005, the Committee asked the secretariat to keep it informed of further developments in relation to improving the quality of the emission data reported by Parties. Accordingly, the secretariat provided information on forthcoming proposals by the Bureau of the EMEP Steering Body for reorganization of the emissions work under the Convention and its implications for the work of the Committee. Mr. Langlois informed the Committee about the results of the work of the ad hoc group of legal experts charged with reviewing the legal obligations of revising the Emission Reporting Guidelines.

207. The Committee thanked the secretariat and Mr. Langlois for the information. It invited the secretariat to continue to keep it informed of developments in this area of work.

V. OTHER BUSINESS

208. On the basis of an informal paper prepared by Mr. Lindemann and Mr. Langlois, the Committee discussed more severe measures that could be applied in cases of long-lasting non-compliance by Parties.

209. On the basis of an informal paper prepared by Mr. Keizer, the Committee further discussed how to address failure by Parties to comply with the obligations for application of emission limit values and how to assess the use of BAT and alternative reduction strategies in an appropriate manner. The Committee reiterated the great importance of all the obligations of the Convention and its Protocols and the fact that legally all obligations were equally binding upon Parties.

VI. FURTHER WORK

210. The Implementation Committee considered and approved its draft workplan for 2008 (see

annex) and agreed to submit it to the twenty-fifth session of the Executive Body.

211. It tentatively scheduled its twenty-first meeting to be held from 7 to 9 April 2008 tentatively in Dubrovnik, Croatia, and its twenty-second meeting from 14 to 16 July 2008 in Geneva.

Table 1. Emissions reported by Parties to the 1985 Protocol on Sulphur

Party Year	Base year	Annual totals				
	1980	2001	2002	2003	2004	2005
Austria	X	X	X	X	X	X
Belarus	X	X	X	X	X	X
Belgium	X	X	X	X	X	X
Bulgaria	X	X	X	X	X	X
Canada	X	X	X	X	X	X
Czech Republic	X	X	X	X	X	X
Denmark	X	X	X	X	X	X
Estonia	X	X	X	X	X	X
Finland	X	X	X	X	X	X
France	X	X	X	X	X	X
Germany	X	X	X	X	X	X
Hungary	X	X	X	X	X	X
Italy	X	X	X	X	X	-
Liechtenstein	X	X	-	-	-	-
Lithuania ¹	n/a	n/a	n/a	n/a	n/a	n/a
Luxembourg	X	X	X	X	X	-
Netherlands	X	X	X	X	X	X
Norway	X	X	X	X	X	X
Russian Federation	X	X	X	X	X	X
Slovakia	X	X	X	X	X	X
Sweden	X	X	X	X	X	X
Switzerland	X	X	X	X	X	X
Ukraine	X	X	X	X	X	X
Total	100%	100 %	96 %	96%	96%	86%

¹ Lithuania ratified the Protocol on 15 March 2007 and had no legal obligation to report this round (although it did).

Table 2. Emissions reported by Parties to the Protocol on Nitrogen Oxides

Party Year	Base year	Annual totals				
	1990	2001	2002	2003	2004	2005
Austria	X	X	X	X	X	X
Belarus	X	X	X	X	X	X
Belgium	X	X	X	X	X	X
Bulgaria	X	X	X	X	X	X
Canada	X	X	X	X	X	X
Cyprus	X	n/a	n/a	n/a	X	X
Czech Republic	X	X	X	X	X	X
Denmark	X	X	X	X	X	X
Estonia	X	X	X	X	X	X
Finland	X	X	X	X	X	X
France	X	X	X	X	X	X
Germany	X	X	X	X	X	X
Greece	X	X	X	X	X	X
Hungary	X	X	X	X	X	X
Ireland	X	X	X	X	X	X
Italy	X	X	X	X	X	-
Liechtenstein	X	X	-	-	-	-
Lithuania	X	n/a	n/a	n/a	n/a	X
Luxembourg	X	X	X	X	X	-
Netherlands	X	X	X	X	X	X
Norway	X	X	X	X	X	X
Russian Federation	X	X	X	X	X	X
Slovakia	X	X	X	X	X	X
Slovenia	X	n/a	n/a	n/a	n/a	X
Spain	X	X	X	X	X	X
Sweden	X	X	X	X	X	X
Switzerland	X	X	X	X	X	X
Ukraine	X	X	X	X	X	X
United Kingdom	X	X	X	X	X	X
United States	X	X	X	X	X	X
EC	X	X	X	X	X	-
Total	100%	100 %	96 %	96%	97%	87%

- No data received.

n/a Not applicable.

Table 3. Emissions reported by parties to the Protocol on VOCs in accordance with Executive Body decision 2002/10

Party	Annual totals/TOMAs ¹			
	Year	2002	2003	2004
Austria	X	X	X	X ^T
Belgium	X	X	X	X
Bulgaria	X	X	X	X ^T
Czech Republic	X	X	X	X ^T
Denmark	X	X	X	X ^T
Estonia	X	X	X	X ^T
Finland	X	X	X	X ^T
France	X	X	X	X ^T
Germany	X	X	X	X ^T
Hungary	X	X	X	X ^T
Italy	X	X	X	-
Liechtenstein	-	-	-	-
Luxembourg	X	X	X	-
Monaco	X	X	X	X ^T
Netherlands	X	X	X	X ^T
Norway	X	X	X	X ^T
Slovakia	X	X	X	X ^T
Spain	X	X	X	X
Sweden	X	X	X	X ^T
Switzerland	X	X	X	X ^T
United Kingdom	X	X	X	X ^T
Total	95 %	95 %	95 %	86%

Notes

¹ Reported according to the format in annex I and annex III, Table III of the Emission Reporting Guidelines; see Executive Body decision 2002/10, para. B 2 (a). Gridded data reported according to Executive Body decision 2002/10, para. B 2 (c) will be shown each fifth year starting with 2005 data.

X^T Data received on time (only for the current reporting round)

X Data received late (only for the current reporting round)

- No data received

n/a Not applicable

Table 4. Emissions reported by parties to the 1994 Protocol on Sulphur in accordance with Executive Body decision 2002/10

Party Year	Annual totals/SOMAs ¹					Gridded data for EMEP Parties ²	
	2001	2002	2003	2004	2005	2000	2005
Austria	X	X	X	X	X ^T	X	X ^T
Belgium	X	X	X	X	X	n/a	X
Bulgaria	X	n/a	n/a	X	X ^T	n/a	X ^T
Canada ¹	n/a	n/a	n/a	n/a	X ^T	n/a	n/a
Croatia	X	X	X	X	X	X	-
Cyprus ²	X	n/a	n/a	n/a	X ^T	n/a	X
Czech Republic	X	X	X	X	X ^T	X	X
Denmark	X	X	X	X	X ^T	X	X ^T
Finland	X	X	X	X	X ^T	X	X ^T
France	X	X	X	X	X ^T	X	-
Germany	X	X	X	X	X ^T	X	X ^T
Greece	X	X	X	X	X	-	-
Hungary	X	X	X	X	X ^T	n/a	X ^T
Ireland	X	X	X	X	X ^T	X	X ^T
Italy	X	X	X	X	-	X	X
Liechtenstein	X	-	-	-	-	-	-
Luxembourg	X	X	X	X	-	-	-
Monaco	n/a	X	X	X	X ^T	n/a	n/a
Netherlands	X	X	X	X	X ^T	X	-
Norway	X	X	X	X	X ^T	X	X ^T
Slovakia	X	X	X	X	X ^T	X	X ^T
Slovenia	X	X	X	X	X ^T	X	X ^T
Spain	X	X	X	X	X	X	X
Sweden	X	X	X	X	X ^T	X	X ^T
Switzerland	X	X	X	X	X ^T	X	X ^T
United Kingdom	X	X	X	X	X ^T	X	X
EC	X	X	X	X	-	-	-
Total	100 %	96 %	96 %	96%	85%	81%	75%

Notes

¹ Reported according to the format in annex I and annex III, Table III of the Emission Reporting Guidelines; see Executive Body decision 2002/10, para. C.4.

² Reported according to the format of 50X50km grid specified in annex V of the Emission Reporting Guidelines; see Executive Body decision 2002/10, para. A.1 (c). Gridded data only required on five-yearly basis, 2005 data submitted in 2007.

X^T Data received by the required deadline (only for the current reporting round)

X Data received late (only for the current reporting round)

- No data received

n/a Not applicable.

¹ Canada submitted data for its SOMA on 15 February 2007.

² Cyprus ratified the 1994 Sulphur Protocol on 26 April 2006, so technically should have reported gridded data for 2005.

Table 5. Emissions reported by Parties to the Protocol on POPs in accordance with Executive Body decision 2005/1

Party Year	Base year			Annual totals								
	1990			2003			2004			2005		
	Diox	PAH	HCB	Diox	PAH	HCB	Diox	PAH	HCB	Diox	PAH	HCB
Austria (1987)	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Belgium	X	X	X	n/a	n/a	n/a	n/a	n/a	n/a	X	X	X
Bulgaria	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Canada	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Cyprus	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Czech Republic	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Denmark ¹	X	X	NA	X	X	NA	X	X	NA	X ^T	X ^T	NA ^T
Estonia (1995)	X	X	X	n/a	n/a	n/a	X	X	X	X ^T	X ^T	X ^T
Finland (1994)	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
France	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Germany	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Hungary	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Iceland	X	X	NE	X	X	NE	X	X	NE	-	-	-
Italy	-	-	-	n/a	n/a	n/a	n/a	n/a	n/a	-	-	-
Latvia	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Liechtenstein	-	-	-	-	-	-	-	-	-	-	-	-
Lithuania	-	-	-	n/a	n/a	n/a	n/a	n/a	n/a	X ^T	X ^T	NA ^T
Luxembourg	X	X	X	X	X	X	-	-	-	-	-	-
Netherlands	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Norway	X	X	NE	X	X	X	X	X	NE	X ^T	X ^T	NE ^T
Republic of Moldova	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Romania (1989)	-	-	-	n/a	n/a	n/a	-	-	-	X ^T	X ^T	X ^T
Slovakia	X	X	X	X	X	X	X	X	X	X	X	X
Slovenia	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Sweden	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
Switzerland	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
United Kingdom	X	X	X	X	X	X	X	X	X	X ^T	X ^T	X ^T
EC	NE	NE	NE	NE	NE	NE	NE	NE	NE	-	-	-
Total	82%	82%	82%	95%	95%	95%	88%	88%	88%	82%	82%	82%

NotesX^T Data received by the required deadline (only for the current reporting round)

X Data received late (only for the current reporting round)

- No data received

n/a Reporting obligation is not applicable

NA "Not Applicable" (notation key from the Emission Reporting Guidelines signifying that emissions are considered by the Party to never occur).

NE "Not Estimated" (notation key from the Emission Reporting Guidelines signifying that emissions may occur, but have not been estimated in the submission. Parties are requested to give the reason emissions have not been estimated. (In the case of the EC, EU25 totals are difficult to estimate given the lack of information from individual States)

¹ Denmark submitted a letter explaining that HCB inventory was not available.

Table 6. Emissions reported by Parties to the Protocol on Heavy Metals in accordance with Executive Body decision 2005/1

Party Year	Base year	Annual totals		
	1990	2003	2004	2005
Austria (1985)	X	X	X	X ^T
Belgium	X	X	X	X
Bulgaria	X	X	X	X ^T
Canada	n/a	n/a	n/a	n/a
Cyprus	X	X	X	X ^T
Czech Republic	X	X	X	X ^T
Denmark	X	X	X	X ^T
Estonia	-X	n/a	n/a	X ^T
Finland	X	X	X	X ^T
France	X	X	X	X ^T
Germany	X	X	X	X ^T
Hungary	X	n/a	X	X ^T
Latvia	X	X	X	X ^T
Liechtenstein	-	-	-	-
Lithuania	X	X	X	X ^T
Luxembourg	X	X	-	-
Monaco (1992)	X	X	X	X ^T
Netherlands	X	X	X	X ^T
Norway	X	X	X	X ^T
Republic of Moldova	X	X	X	X ^T
Romania (1989)	-	-	-	X ^T
Slovakia	X	X	X	X ^T
Slovenia	X	X	X	X ^T
Sweden	X	X	X	X ^T
Switzerland	X	X	X	X ^T
United Kingdom	X	n/a	X	X ^T
United States	n/a	n/a	n/a	n/a
EC	-	-	-	-
Total	88 %	87%	84%	89%

X^T Data received by the required deadline (only for the current reporting round).

X Data received late (only for the current reporting round).

- No data received.

n/a Reporting obligation is not applicable.

Table 7. Emissions reported by Parties to Gothenburg Protocol in accordance with Executive Body decision 2005/1

Party Year	Base year				Annual totals			
	1990				2005			
	SO ₂	NO _x	VOCs	NH ₃	SO ₂	NO _x	VO Cs	NH ₃
Bulgaria	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Czech Republic	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Denmark	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Finland	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Germany	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Hungary	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Latvia	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Lithuania	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Luxembourg	X	X	X	X	-	-	-	-
Netherlands	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Norway	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Portugal	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Romania	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Slovakia	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Slovenia	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Spain	X	X	X	X	X	X	X	X
Sweden	X	X	X	X	X ^T	X ^T	X ^T	X ^T
Switzerland	X	X	X	X	X ^T	X ^T	X ^T	X ^T
United Kingdom	X	X	X	X	X ^T	X ^T	X ^T	X ^T
United States	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
EC	NE	NE	NE	NE	-	-	-	-
Total	100%	100%	100%	100%	90%	90%	90%	90%

NotesX^T Data received by the required deadline (only for the current reporting round)

X Data received late (only for the current reporting round)

- No data received

n/a Reporting obligation is not applicable


NA "Not Applicable" (notation key from the Emission Reporting Guidelines signifying that emissions are considered by the Party to never occur).


NE "Not Estimated" (notation key from the Emission Reporting Guidelines signifying that emissions may occur, but have not been estimated in the submission. Parties are requested to give the reason emissions have not been estimated. (In the case of the EC, EU25 totals are difficult to estimate given the lack of information from individual states)

Table 8. 2006 Review on Strategies and Policies: Responses received by Parties to the Protocols in force

Party Protocol	1985 Sulphur (Q.1)	1988 NOx (Q.2-6)	1991 VOCs (Q.7-12)	1994 Sulphur (Q.13-18)	1998 POPs (Q.19-30)	1998 Heavy Metals (Q.31-35)	1999 Gothenburg (Q. 36-49)
1. Austria	A	A	A	A	A	A	
2. Belarus	B	B					
3. Belgium	A	A	A	A	R	A	R
4. Bulgaria	A	A	B	B	B	B	B
5. Canada	A	A	R	A	A	A	R
6. Croatia				B			
7. Cyprus	R	C (No#3-5)	R	R	A	C (No#32)	R
8. Czech Republic	A	A	A	A	A	A	A
9. Denmark	B	B	B	B	B	B	B
10. Estonia	A	A	A		C (No#28)		
11. Finland	A	A	A	A	A	B	B
12. France	None	A	None	None	None	None	
13. Germany	A	A	A	A	A	A	A
14. Greece		None		None			
15. Hungary	A	A	A	A	A	A	
16. Iceland					None		
17. Ireland		B		B			
18. Italy	A	A	A	A			
19. Latvia					None	None	None
20. Liechtenstein	None	None	None	None	None	None	
21. Lithuania						C (No#31-34)	B
22. Luxembourg	None	None	None	None	None	None	None
23. Moldova					B	B	
24. Monaco			None	None		None	
25. Netherlands	A	A	B	A	A	A	A
26. Norway	A	A	A	A	A	A	B
27. Portugal							None
28. Romania					None	None	None
29. Russian Federation	B	B	R		R	R	
30. Slovakia	A	A	A	A	A	A	A
31. Slovenia		R		A	A	A	A
32. Spain		A	A	A			B
33. Sweden	A	A	A	A	A	A	A
34. Switzerland	A	A	A	A	A	A	B
35. Ukraine	A	A	R	R	R	R	R
36. United Kingdom	R	A	A	A	A	A	A
37. United States		A				A	A
38. European Community		C (No#3-5)		B	B	B	B

- A. Response to all questions related to the Protocol received by the deadline of 31 March 2006 (30 April 2006 for the Russian Federation).
 B. Response to all questions related to the Protocol received, but not by the deadline of 31 March 2006 (30 April 2006 for the Russian Federation).
 C. (no#...) Response to all questions related to the Protocol received, except those specified.
 None: No response received to any question regarding the Protocol.

 Not applicable (not Party to the Protocol).

 Responded to one or more questions, although under no legal obligation to do so.

1/ Cyprus replied to questions 13–17, although it ratified the Second Protocol on Sulphur on 26 April 2006 (with entry into force in July 2006).

2/ Estonia ratified the Protocol on Heavy Metals on 24 March 2006 (with entry into force in June 2006).

3/ Italy ratified the Protocol on POPs on 20 June 2006 and Lithuania on 16 June 2006 (with entry into force in September 2006).

4/ Lithuania acceded to the Protocol on Nitrogen Oxides on 26 May 2006 (with entry into force in August 2006).

5/ The Protocol on Nitrogen Oxides entered into force for Slovenia on 5 April 2006.

Annex

Draft workplan for 2008

1.2 COMPLIANCE REVIEW

Description/objectives: Review of compliance by the Parties with their obligations under the Protocols to the Convention.

Main activities and time schedule: Any submission or referral made under paragraph 3 (b) of the Committee's functions will be dealt with as a priority, and the Committee may have to adjust its workplan and time schedule accordingly. In this regard, the Committee will continue to review the progress made by the Parties in response to decisions taken by the Executive Body based upon the Committee's recommendations, as well as the need for possible additional measures for dealing with non-compliance on a case-by-case basis. The Implementation Committee will also evaluate the reporting by the Parties on their emissions data and their strategies and policies, including the reporting on technology-related obligations. It will start an in-depth review of compliance by the Parties with the 1998 Protocol on Pops and the 1998 Protocol on Heavy Metals, with a view to completing them in 2009. The Committee will continue its dialogue with appropriate bodies and experts. It will also continue to consider, as appropriate, compliance issues related to obligations in the protocols that are not subject to specific reporting requirements, such as provisions dealing with research and monitoring. Furthermore:

- (a) The twenty-first meeting of the Implementation Committee will tentatively be held in Dubrovnik, Croatia, on 7–9 April 2008;
- (b) The twenty-second meeting of the Implementation Committee will tentatively be held in Geneva on 14–16 July 2008;
- (c) The eleventh report by the Implementation Committee will be submitted to the Executive Body at its twenty-sixth session.