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Report of the Executive Body on its twenty-ninth session

Addendum

Decisions adopted at the twenty-ninth session

Decisions

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Decision 2011/1 Review and revision of protocols

The Executive Body,

Recalling its decision in 2007 to mandate negotiations and in 2010 to extend the mandate for negotiations with a view to concluding the revision of the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) and presentation of proposed amendments for adoption at the twenty-ninth session of the Executive Body,

Noting that, following several years of deliberations, a formal proposal for amendments to the Gothenburg Protocol was submitted by a Party on 9 December 2011,

Noting further that there are several outstanding issues that preclude conclusion of the negotiations at this time,

Recognizing the importance of concluding negotiations as soon as possible,

Wishing to make progress in 2012 on revisions to the Protocol on Heavy Metals, which process is also behind schedule,

Taking note that some Parties will face difficulties in participation if the negotiations on the Gothenburg Protocol revisions were to continue past May of 2012,

Recognizing that resources should be better focused on assisting existing and prospective Parties to implement and ratify the Gothenburg Protocol,

Further recognizing that the conclusion of negotiations of amendments to the various protocols to the Convention on Long-range Transboundary Air Pollution will have an impact on the Convention's meeting schedule,

1. *Requests* the secretariat to update the negotiating documents based on the work conducted at the twenty-ninth session of the Executive Body and to make them available to the ad hoc group of legal experts by 16 December 2011;

2. *Further requests* the secretariat to prepare official documents containing the proposed revised text of the Gothenburg Protocol and each of its annexes, as well as proposed new annexes, in time for consideration by the thirtieth session of the Executive Body;

3. *Decides* to convene the thirtieth session of the Executive Body between 30 April and 4 May 2012 with the sole purpose of finalizing negotiations and adopting the amendments to the Gothenburg Protocol;

4. *Requests* the ad hoc group of legal experts to conduct a review of the consolidated documents and provide a report to the thirtieth session of the Executive Body;

5. *Further requests* the ad hoc group of legal experts to prepare by 13 February 2012 the necessary formal decision documents so that they may be translated into all working languages in time to permit the Executive Body to adopt the proposed amendments;

6. *Requests* the secretariat to arrange for translation and presentation of the formal decision documents to the thirtieth session of the Executive Body;

7. *Requests* the secretariat to arrange for same-day translation of documents and after-hours interpretation services to support the negotiations at the thirtieth session of the Executive Body;¹

8. *Decides* that negotiation and adoption of the proposed amendments shall be the sole substantive item on the agenda for the thirtieth session of the Executive Body;

9. *Decides* that the Working Group on Strategies and Review will meet once in 2012, from 10 September to 14 September, and henceforth once each year, at dates to be determined at a session of the Executive Body;

10. *Decides* that the fiftieth Meeting of the Working Group on Strategies and Review will focus on the revision of the Protocol on Heavy Metals with a view to finalizing the negotiations prior to the thirty-first session of the Executive Body;

11. *Decides* that the thirty-first session of the Executive Body will be held in Geneva, Switzerland, from 11 to 13 December 2012.

Decision 2011/2

Compliance by Greece with its obligations under the Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (ref. 2/02)

The Executive Body,

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

1. *Recalls* its decisions 2002/6, 2003/5, 2004/7, 2005/4, 2006/5, 2007/3, 2008/3, 2009/6 and 2010/3;

2. *Notes* the report provided by the Implementation Committee on the follow-up to decision 2010/3 on compliance by Greece with its obligations under the Protocol concerning the Control of Nitrogen Oxides or Their Transboundary Fluxes (Protocol on Nitrogen Oxides), based on the information presented by Greece during the information-gathering mission to Greece in November 2010, carried out in accordance with paragraph 8 of decision 2009/6, and the additional information provided by Greece in March 2011 (ECE/EB.AIR/2011/2, paras. 5–10), and in particular the Committee's conclusion regarding the failure of Greece to comply with the emission-reduction obligation of the Protocol;

3. *Reiterates* 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, paragraph 1, of the Protocol on Nitrogen Oxides;

4. *Welcomes* the progress made by Greece in the past year and the measures that allow Greece to predict that it can achieve compliance by 2013 or 2015;

5. *Notes with concern* the conclusion of the Implementation Committee's expert review team that Greece is currently not considering additional measures to achieve compliance sooner than 2013, although such measures are technically available;

¹ At the time of publication of this report, the Bureau of the Executive Body was informed that this request was not in accordance with the United Nations rules and procedures for the provision of conference services to regular calendar bodies such as ECE and the requested services cannot be provided.

6. *Once again strongly urges* Greece to fulfil its obligation under article 2, paragraph 1, of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligations;

7. *Requests* Greece, in accordance with the recommendations of the expert review team, to:

- (a) Speed up the pace of complying with its obligations;
- (b) Further improve its emission inventory and reporting routines; and
- (c) Make further efforts for planning and implementing effective policy measures directed towards controlling nitrogen oxides emissions, in particular from mobile sources and large combustion plants;

8. *Reiterates* its request to Greece as articulated in paragraph 6 of decision 2005/4 to continue to report annually on its progress towards achieving compliance, with a special focus on the issues referred to in paragraph 7 above;

9. *Calls on* Greece to make a presentation specifically concerning the issues referred to in paragraph 7 above to the next annual session of the Executive Body;

10. *Requests* the Implementation Committee to review the progress and timetable of Greece, and to report to the Executive Body thereon at its thirtieth session in 2012.

Decision 2011/3

Compliance by Spain with its obligations under the Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes (ref. 4/02)

The Executive Body,

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

1. *Recalls* its decisions 2002/8, 2003/7, 2004/9, 2005/6, 2006/6, 2007/4, 2008/4, 2009/7 and 2010/4;

2. *Notes* the report provided by the Implementation Committee on the progress made by Spain, based on the information provided by Spain on 1 April 2011 (ECE/EB.AIR/2011/2, paras. 11–13) and in particular its conclusions that in 2009 Spain was in compliance with its emission-reduction obligation under the Protocol concerning the Control of Nitrogen Oxides or Their Transboundary Fluxes (Protocol on Nitrogen Oxides);

3. *Welcomes* the achievement by Spain of compliance with its emission-reduction obligation for nitrogen oxides after 14 years of non-compliance;

4. *Notes* the concern of the Implementation Committee as to whether the compliance achieved would continue after 2009, since some of the improvement was caused by economic recession and might be temporary;

5. *Decides* that there is currently no reason for the Implementation Committee to continue to review Spain's compliance with its obligation under article 2, paragraph 1, of the Protocol on Nitrogen Oxides.

Decision 2011/4
Compliance by Spain with its obligations under the Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes (ref. 6/02)

The Executive Body,

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

1. *Recalls* its decisions 2003/8, 2004/10, 2005/7, 2006/7, 2007/5, 2008/5, 2009/8 and 2010/5;

2. *Notes* the report provided by the Implementation Committee on the follow-up to decision 2010/5 on compliance by Spain with its obligations under the Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes (Protocol on Volatile Organic Compounds), based on the information provided by Spain in March and July 2011 (ECE/EB.AIR/2011/2, paras. 14–17), and in particular the Committee's conclusion regarding the failure of Spain to comply with the emission-reduction obligation of the Protocol;

3. *Reiterates* its increasing 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, and its continuing non-compliance with the emission-reduction obligations under article 2, paragraph 2 (a), of the Protocol since 1999;

4. *Once again strongly urges* Spain to fulfil its obligation under article 2, paragraph 2 (a), of the Protocol as soon as possible, and to adopt and effectively implement the measures necessary to achieve compliance with its obligation;

5. *Reiterates* its requests to Spain, as articulated in paragraphs 6 and 8 of decision 2006/7, to continue to report annually on its progress towards achieving compliance, and in addition reiterates its requests to Spain to complement the progress report with information as articulated in paragraph 5 of decision 2009/8;

6. *Calls on* Spain to make a presentation to the next annual session of the Executive Body specifically concerning the additional information requested in paragraph 5, and in particular to present its progress on the revision of the Spanish national emission inventory and its work on identifying activities or sectors where there is still potential to further reduce emissions;

7. *Decides* to caution Spain that stronger measures will be considered again by the Executive Body at its thirty-first session if the Implementation Committee is not satisfied that further sufficient progress has been made by the time of the Committee's thirtieth session or should Spain fail to provide adequate information to enable the Committee to assess whether the measures proposed by Spain are sufficient;

8. *Requests* the Implementation Committee to review the progress and timetable of Spain, and to report to the Executive Body thereon at its thirty-first session in 2012.

Decision 2011/5
Compliance by Denmark with its obligations under the Protocol on Persistent Organic Pollutants (ref. 1/06)

The Executive Body,

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

1. *Recalls* its decisions 2006/8, 2007/6, 2008/6, 2009/9 and 2010/6;
2. *Notes* the report provided by the Implementation Committee on the follow-up to decision 2010/6 on Denmark's compliance with its obligation under article 3, paragraph 5 (a), of the Protocol on Persistent Organic Pollutants (Protocol on POPs), based on the information provided by Denmark in April 2011 (ECE/EB.AIR/2011/2, paras. 18–23), and in particular its conclusion that, on the basis of information provided by Denmark, and in the continued absence of the action plan and further measures Denmark has indicated it will take, that Denmark remains in non-compliance with its obligations under the Protocol on POPs and that article 3, paragraph 7, of the Protocol is not applicable;
3. *Remains* concerned that, in spite of the efforts made, Denmark still fails to fulfil its obligation to reduce the emissions of polycyclic aromatic hydrocarbons (PAHs) listed in annex III of the Protocol from their level in 1990 by taking effective measures, as required by article 3, paragraph 5 (a), of the Protocol;
4. *Urges* Denmark once again to speed up the implementation of envisaged measures, and to consider whether there are any further additional measures that could be taken in order to shorten the period of expected non-compliance with its obligation under the Protocol;
5. *Requests* Denmark to provide the Implementation Committee, through the secretariat, by 31 March 2012, with a report describing the progress towards compliance, by:
 - (a) Setting out a revised timetable that also specifies the year by which Denmark expects to be in compliance;
 - (b) Listing specific measures to fulfil its emission reduction obligations under the Protocol, regardless of the progress on developing an action plan; and
 - (c) Indicating the quantitative and projected effects of further and more effective measures to reduce its PAH emissions up to and including the year of predicted compliance;
6. *Requests* the Implementation Committee to review the progress and timetable of Denmark, and to report to the Executive Body thereon at its thirty-first session in 2012.

Decision 2011/6
Compliance by Estonia, Germany, Italy and Latvia with their
obligations under the Protocol on Persistent Organic
Pollutants (refs. 2/10, 10/10 and 11/10)

The Executive Body,

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

1. *Recalls* decision 2010/10;
2. *Notes* the report provided by the Implementation Committee on the follow-up to decision 2010/10 concerning the compliance of Estonia, Germany, Italy and Latvia with the requirements of article 3, paragraph 5 (a), of the Protocol on Persistent Organic Pollutants (Protocol on POPs) (ECE/EB.AIR/2011/2, paras 34–56), following the referrals by the secretariat pursuant to paragraph 5 of the structure and functions of the Implementation Committee, and in particular the Committee's finding that, on the basis of the officially reported emission data, Estonia, Germany, Italy and Latvia appear to be in

non-compliance with their obligations under article 3, paragraph 5 (a), of the Protocol on POPs;

3. *Notes with regret* that Latvia did not provide any of the information as requested in Decision 2010/10 and requests the Executive Secretary of the United Nations Economic Commission for Europe to bring this matter to the attention of the Minister of Environment of Latvia;

4. *Reiterates its concern* at the uncertainty regarding emissions factors appropriate for reporting of emissions of POPs, especially, but not exclusively, in the sector of residential combustion;

5. *Requests* the Task Force on Emission Inventories and Projections of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), in accordance with paragraph 3 (c) of decision 2006/2, to review the emissions data provided by Estonia, Germany, Italy and Latvia in order to ensure the quality and accuracy of that data;

6. *Welcomes and encourages* the plans of Estonia, Germany and Italy to review and improve their emission inventories for POPs, and urges Latvia to speed up the review and revision of its emission inventories for POPs;

7. *Urges* Estonia, Germany, Italy and Latvia to consider the implementation of additional measures where needed;

8. *Requests* Estonia, Germany, Italy and Latvia to provide to the Implementation Committee, through the secretariat, by 31 August 2012, information concerning the status and details of their work to improve their emission inventories for the POPs in question and any recalculated emissions data;

9. *Calls on* Estonia, Germany, Italy and Latvia to make presentations to the next annual session of the Executive Body specifically concerning the information requested in paragraph 8 above;

10. *Requests* the Implementation Committee to continue to review these cases in light of the information provided in accordance with this decision and in light of the information obtained in response to decision 2011/13 and to report to it thereon at its thirty-first session in 2012.

Decision 2011/7 Compliance with Iceland with its obligations under the Protocol on Persistent Organic Pollutants (ref. 6/10)

The Executive Body,

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

1. *Notes* the report provided by the Implementation Committee concerning the compliance of the Iceland with the requirements of article 3, paragraph 5 (a), of the Protocol on Persistent Organic Pollutants (Protocol on POPs) (ECE/EB.AIR/2011/2, paras. 62–68), following the referral by the secretariat pursuant to paragraph 5 of the structure and functions of the Implementation Committee, and in particular the Committee's conclusion regarding the failure of Iceland to demonstrate that it continues to benefit from the exemption under article 3, paragraph 7, of the Protocol granted by virtue of its decision 2006/9 and its failure to fulfil its obligations under article 3, paragraph 5 (a), as demonstrated by the emission data for 2007 and 2008;

2. *Expresses its concern* at the failure by the Iceland to fulfil its obligation to take effective measures to control and/or reduce its national annual emissions of polycyclic

aromatic hydrocarbon (PAH) so that these do not exceed emissions in 1990, as required by article 3, paragraph 5 (a), of the Protocol or to demonstrate that the exemption granted under article 3, paragraph 7, is still valid;

3. *Urges* Iceland to fulfil its obligation under the Protocol as soon as possible;

4. *Requests* Iceland to provide to the Implementation Committee, through the secretariat, by 31 March 2012, a report describing the reasons why the article 3, paragraph 7, exemption continues to be valid, or alternatively the reasons for its non-compliance and the progress towards compliance by:

(a) Setting out a timetable that specifies the year by which Iceland expects to be in compliance;

(b) Listing the specific measures taken or scheduled to fulfil its emission-reduction obligations under the Protocol; and

(c) Setting out the projected effects of each of these measures on its PAH emissions on an annual basis up to and including the year of compliance;

5. *Requests* the Implementation Committee to review the progress and timetable of Iceland, and to report to it thereon at its thirty-first session in 2012.

Decision 2011/8

Compliance by the Republic of Moldova with its obligations under the Protocol on Persistent Organic Pollutants (ref. 14/10)

The Executive Body,

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

1. *Notes* the report provided by the Implementation Committee concerning the compliance of the Republic of Moldova with the requirements of article 3, paragraph 5 (a) of the Protocol on Persistent Organic Pollutants (Protocol on POPs) (ECE/EB.AIR/2011/2, paras. 75–78), following the referral by the secretariat pursuant to paragraph 5 of the structure and functions of the Implementation Committee, and in particular the Committee's conclusion regarding the failure of the Republic of Moldova to comply with the emission-reduction obligation of the Protocol;

2. *Expresses its concern* at the failure by the Republic of Moldova to fulfil its obligation to take effective measures to control and/or reduce its national annual emissions of dioxins/furans and polycyclic aromatic hydrocarbon (PAH) so that these do not exceed emissions in 1990, as required by article 3, paragraph 5 (a), of the Protocol;

3. *Urges* the Republic of Moldova to fulfil its obligation under the Protocol as soon as possible;

4. *Notes with concern* that the Republic of Moldova did not submit any information as requested;

5. *Requests* the Republic of Moldova to provide to the Implementation Committee through the secretariat, by 31 March 2012, a report describing the reasons for its non-compliance and the progress towards compliance, setting out a timetable that specifies the year by which the Republic of Moldova expects to be in compliance, listing the specific measures taken or scheduled to fulfil its emission-reduction obligations under the Protocol, and setting out the projected effects of each of these measures on its dioxins/furans or PAH emissions on an annual basis up to and including the year of compliance;

6. *Requests* the Implementation Committee to review the progress and timetable of the Republic of Moldova, and to report to it thereon at its thirty-first session in 2012.

Decision 2011/9

Compliance by Luxembourg with its reporting obligations

The Executive Body,

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

1. *Recalls* its decisions 2008/9, 2008/12, 2009/13 and 2010/16;
2. *Takes note* of the fourteenth report of the Implementation Committee with respect to compliance by Parties with their emission data reporting obligations under the protocols to the Convention on Long-range Transboundary Air Pollution, identified on the basis of information provided by the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) (ECE/EB.AIR/2011/2, paras. 84–97 and tables 1–7 in informal document No. 2);
3. *Also takes note* of the fourteenth report of the Implementation Committee with respect to compliance by Parties with their obligations to report on strategies and policies (paras. 98–100 and table 8 in informal document No. 2);
4. *Reiterates* its regret that Luxembourg has still not reported its missing gridded data for 2000 and 2005 under the 1994 Protocol on Further Reduction of Sulphur Emissions, and its missing gridded data for 2005 under the Protocol on Persistent Organic Pollutants (Protocol on POPs), the Protocol on Heavy Metals and the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol);
5. *Regrets* that Luxembourg has also not reported annual emission data for 2008 and 2009 under all the Protocols to which it is a Party;
6. *Reiterates its strong concern* that Luxembourg did not provide responses to the 2010 questionnaire on strategies and policies and is thus in non-compliance with its obligation to report on strategies and policies for the fourth consecutive reporting round;
7. *Strongly urges* Luxembourg to provide, as a matter of urgency:
 - (a) Its missing gridded data for 2000 and 2005 under the 1994 Protocol on Sulphur and its missing data for 2005 under the Protocol on POPs, the Protocol on Heavy Metals and the Gothenburg Protocol; and
 - (b) Annual data for 2008 and 2009 under all the Protocols to which it is a Party;
8. *Also strongly urges* Luxembourg to provide complete responses to the 2012 questionnaire on strategies and policies in a timely manner;
9. *Requests* the Executive Secretary of the Economic Commission for Europe to bring this serious matter of long-lasting non-compliance with its obligation to report on strategies and policies to the attention of the Minister of Foreign Affairs and the Minister of Environment of Luxembourg;
10. *Calls on* Luxembourg to make a presentation at the thirtieth session of the Executive Body on the reasons for its failure to comply with its reporting obligations;
11. *Reminds* Luxembourg of the importance of not only complying fully with its reporting obligations under the Protocols, but also of submitting its final and complete data and reports on time;
12. *Requests* the Implementation Committee to review the progress made by Luxembourg with regard to its reporting obligations, and to report thereon at its thirty-first session in 2012.

Decision 2011/10
Compliance by France, Latvia, the Russian Federation and the European Union 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),

1. *Recalls* decisions 2010/11, 2010/12 and 2010/13;
2. *Takes note* of the fourteenth report of the Implementation Committee with respect to compliance by Parties with their obligations to report on strategies and policies for air pollution abatement (ECE/EB.AIR/2011/2, paras. 98–100 and table 8 in informal document No. 2);
3. *Notes* that the Russian Federation replied to the 2010 questionnaire on strategies and policies with regard to the 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent and the Protocol concerning the Control of Nitrogen Oxides or Their Transboundary Fluxes (Protocol on Nitrogen Oxides), but that these replies were not complete and thus it did not fully comply with its obligations to report on strategies and policies for 2010;
4. *Notes with regret* that France, Latvia and the European Union did not reply to the 2010 questionnaire and thus are not in compliance with their strategies and policies reporting obligations for 2010;
5. *Reiterates its concern* that Latvia failed on three consecutive reporting rounds to provide responses to the strategies and policies questionnaire and has thus remained in non-compliance with its obligations to report on strategies and policies for six years;
6. *Strongly urges* France, Latvia, the Russian Federation and the European Union to provide complete responses to the 2012 questionnaire on strategies and policies in a timely manner;
7. *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;
8. *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 to it thereon at its thirty-first session in 2012.

Decision 2011/11
Compliance by Albania, Iceland and the former Yugoslav Republic of Macedonia 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),

1. *Takes note* of the fourteenth report of the Implementation Committee with respect to compliance by Parties with their emission data reporting obligations under the protocols to the Convention on Long-range Transboundary Air Pollution, identified on the basis of information provided by the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) (ECE/EB.AIR/2011/2, paras. 84–97 and tables 1–7 in informal document No. 2);

2. *Notes* that Albania and Iceland have not reported their annual emission data for 2009 under the protocols to which they are Parties;
3. *Notes* that Albania and the former Yugoslav Republic of Macedonia have still not reported their base year data under all of the Protocols to which they are Parties and to which the obligation to report base year data applies;
4. *Urges*:
 - (a) Albania to provide its annual data for 2009 and its base year data under the 1985 Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes (Protocol on Sulphur) and its annual data for 2009 under the 1988 Protocol concerning the Control of Nitrogen Oxides or Their Transboundary Fluxes without delay (Protocol on Nitrogen Oxides);
 - (b) Iceland to provide its annual data for 2009 under the Protocol on Persistent Organic Pollutants (Protocol on POPs); and
 - (c) The former Yugoslav Republic of Macedonia to provide its missing base year data under the Protocol on Sulphur, the Protocol on Nitrogen Oxides, the Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes (Protocol on Volatile Organic Compounds), the Protocol on POPs and the Protocol on Heavy Metals, without delay;
5. *Reminds* Albania, Iceland and the former Yugoslav Republic of Macedonia of the importance of not only complying fully with their emission reporting obligations under the Protocols, but also of submitting the final and complete data on time;
6. *Requests* the Implementation Committee to review the progress made by Albania, Iceland and the former Yugoslav Republic of Macedonia with regard to their emission reporting obligations, and to report to it thereon at its thirty-first session in 2012.

Decision 2011/12

Compliance by the Republic of Moldova 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),

1. *Recalls* its decisions 2008/11, 2008/15, 2009/12 and 2010/14;
2. *Takes note* of the fourteenth 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 the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) (ECE/EB.AIR/2011/2, paras. 84–97 and tables 1–7 in informal document No. 2);
3. *Reiterates its regret* that the Republic of Moldova has still not reported its annual emission data for 2007 and gridded data for 2005 under the Protocol on Persistent Organic Pollutants (Protocol on POPs) and the Protocol on Heavy Metals;
4. *Urges* the Republic of Moldova to provide its missing annual data for 2007 and the gridded data for 2005 under the Protocol on POPs and the Protocol on Heavy Metals without delay;
5. *Reminds* the Republic of Moldova of the importance of not only complying fully with its emission reporting obligations under the Protocols, but also of submitting its final and complete data on time;

6. *Requests* the Implementation Committee to review the progress made by the Republic of Moldova with regard to its reporting obligations, and to report to it thereon at its thirty-first session in 2012.

Decision 2011/13

Reporting of persistent organic pollutants emissions

The Executive Body,

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

1. *Notes* the findings of the Implementation Committee regarding its review of the reporting under the Protocol on Persistent Organic Pollutants (Protocol on POPs), and in particular the apparent overall lack of adequate guidance and priority on persistent organic pollutant (POP) reporting;

2. *Requests* the secretariat to write a letter to all Parties to the Protocol on POPs informing them about the considerations of the Implementation Committee regarding its review of the reporting under the Protocol, and reminding them of the invitation in paragraph 3 below;

3. *Invites* all Parties to the Protocol on POPs to:

(a) Raise the priority on POP reporting;

(b) Improve and complete the emission inventories of POPs, where needed; and

(c) Provide detailed information on their national methods for estimating POP emissions or plans to revise these methods to the Task Force on Emission Inventories and Projections of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) Steering Body;

4. *Instructs* EMEP to raise the priority of POP reporting and in particular:

(a) To start an in-depth review of reported POP emissions by Parties to the Protocol on POPs with, inter alia, attention to:

(i) The completeness of the POP emission inventories;

(ii) The reliability of current national methods (including accuracy of emission factors) used to estimate POP emissions;

(iii) The different use of notation keys among Parties;

(iv) The consistency of reported POP emission estimates with the reporting guidelines, the *EMEP/EEA² Air Pollutant Emission Inventory Guidebook* and among Parties;

(b) To elaborate a programme to initiate the update of the *EMEP/EEA Guidebook* with further and more adequate guidance on POPs, in particular for residential combustion;

(c) To provide a progress report and timetable to the next annual session of the Executive Body concerning the requests in (a) and (b) of this paragraph;

(d) To consider organizing a workshop on improving emission estimation from key sources of POP emissions (hexachlorobenzene, polycyclic aromatic hydrocarbon, dioxins), with a special focus on the residential combustion sector and engaging participants

² EEA is the European Environment Agency.

from other relevant expert groups and task forces under the Convention on Long-range Transboundary Air Pollution;

5. *Reiterates* its instruction to EMEP to provide assistance to the Implementation Committee upon its request;

6. *Requests* the Implementation Committee to continue to review the issue in the light of the information provided, and to report to it thereon at its thirty-first session in 2012.

Decision 2011/14 Action Plan for the Implementation of the Long-term Strategy for the Convention

The Executive Body,

Recognizing the importance of implementing the Long-term Strategy for the Convention on Long-range Transboundary Air Pollution,

Noting that the Strategy will be implemented through actions and decisions of the Executive Body,

Aware of the need to work to ensure the Convention is undertaking its activities in an efficient, and to the extent possible, streamlined fashion,

Recalling its decision 2010/18,

Taking note of informal document No. 9, on an action plan for the Long-term Strategy for the Convention, submitted to the twenty-ninth session of the Executive Body,

1. *Decides* to create a time-limited ad hoc group of experts to undertake tasks identified for it in the Action Plan for the Long-term Strategy for the Convention;

2. *Further decides* that the ad hoc group of experts will be made up of all members of the Bureau of the Executive Body, or their alternates, and include appropriate regional representation, plus four to six additional members. Parties may provide additional nominations to the Chair of the Executive Body by 13 January 2012. The Chair and additional members will be appointed by the Bureau of the Executive Body on the basis of appropriate expertise by 31 January 2012;

3. *Requests* the ad hoc group of experts to finalize and submit a report in time for the Executive Body session in December 2012;

4. *Further requests* that actions identified for other bodies of the Convention in the Action Plan for the Implementation of the Long-term Strategy for the Convention be undertaken as part of their regular workplans, in accordance with timelines specified for those actions in the Action Plan, where such timelines are specified;

5. *Identifies* the need for all Convention bodies to consider the entire Long-term Strategy when undertaking their work;

6. *Hereby adopts* the Action Plan as contained in the annex to this decision.

Annex

Action Plan for the Implementation of the Long-term Strategy for the Convention

I. Improve ratification and compliance

1. *Achieve increased ratification of the Protocol on Heavy Metals, the Protocol on Persistent Organic Pollutants (Protocol on POPs) and the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) to the Convention on Long-range Transboundary Air Pollution by countries in Eastern Europe, the Caucasus and Central Asia and South-Eastern Europe to improve air quality and provide other environmental benefits also in these regions:*

(a) Complete current revisions of, or amendments to, the Protocols to provide appropriate flexibility to facilitate increased ratifications in the countries noted above. *Action:* Executive Body for the Convention;

(b) Review and update the 2004 needs assessment of United Nations Economic Commission for Europe (ECE) member States that have not ratified the Convention and its Protocols to evaluate further actions required to increase ratifications. *Action:* Ad hoc group of experts in consultation with the Coordinating Group on promotion of actions towards implementation of the Convention on Long-range Transboundary Air Pollution in Eastern Europe, the Caucasus and Central Asia (Coordinating Group for Eastern Europe, the Caucasus and Central Asia).

2. *Improve the compliance mechanism.* Identify and evaluate systemic and other barriers to achieving compliance and identify options for improvements. *Action:* Implementation Committee, for approval by the Executive Body in 2013.

II. Prioritize work and increase efficiency of operation of the Convention

3. *Give priority to the core strengths and expertise of the Convention, namely, dealing with the atmospheric pollutants affecting human health, acidification, eutrophication, cultural heritage and other environmental effects which lead to adverse impacts on environmental service with a focus on particulate matter (PM), tropospheric ozone, eutrophying pollution and, where still needed, on acidifying pollution, and possibly other pollutants.* As part of the Executive Body's work planning, review the activities under the Convention's subsidiary bodies, task forces and International Cooperative Programmes, and ensure that their work is focused on prioritized issues. This review will be informed by the workplan items submitted to the Executive Body by the Steering Body to the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), the Working Group on Effects and the Working Group on Strategies and Review and will ensure appropriate scrutiny of the workplan before its approval. *Action:* Executive Body.

4. *In addressing issues related to its core air quality expertise, regularly review the priorities for work and action in the light of new priorities and progress already achieved and wider policy developments on the regional and global scale. Assess the current structure, and the number and frequency of meetings of the Convention's subsidiary bodies, groups and task forces, with a view to realigning the use of time and resources in the Parties and the secretariat, consistent with the overall priorities of the Convention:*

(a) Conduct an evaluation of the Convention subsidiary bodies, task forces and other groups to review their mandates and activities, streamline and rationalize operations,

increase transparency, reduce the length and number of official documents, and critically assess the number and frequency of meetings. The evaluation will look at increasing the operational efficiency of subsidiary body meetings, as well as more effective use of Executive Body resources. *Action:* ad hoc group of experts in consultation with Expert Group and Task Force lead countries;

(b) As stipulated by the relevant Protocols, conduct sufficiency and effectiveness reviews, including the need for amendments to update the Protocols, on a periodic basis. *Action:* Executive Body Bureau and Bureaux of the Subsidiary Bodies, Working Group on Strategies and Review (see also para. 5 (a) below);

(c) Review the need for possible further revisions, amendment or updates of the Protocol on POPs and the Protocol on Heavy Metals in light of the Stockholm Convention on Persistent Organic Pollutants (Stockholm Convention) and the pending United Nations Environment Programme (UNEP) global agreement on mercury. Included will be an evaluation to address gaps or overlaps between the Protocols and the global instruments, and to ensure added value in taking regional action. *Action:* ad hoc group of experts.

5. *Strengthen and maintain the science and policy linkages with the aim of evaluating and assessing the effectiveness of the Convention's policies and Protocols:*

(a) Further develop effect indicators and cost-benefit assessments (qualitative and quantitative). *Action:* Working Group on Effects, Task Force on Integrated Assessment Modelling, Network of Experts on Benefits and Economic Issues;

(b) Encourage the widest possible participation of the countries of Eastern Europe, the Caucasus and Central Asia and South-Eastern Europe in the science programme for the Convention, as already specified in the Action Plan for Eastern Europe, Caucasus and Central Asia, with a view to obtaining reliable emission data and to developing monitoring and modelling networks throughout the region. *Action:* Working Group on Effects and EMEP Bureaux, Coordinating Group for Eastern Europe, the Caucasus and Central Asia;

(c) Intensify scientific cooperation beyond the ECE region. *Action:* all Working Groups.

III. Future direction of Protocols

6. *Regularly assess the Gothenburg Protocol in terms of its correspondence with the updated scientific effects assessment and the degree to which it has achieved its long-term effects-oriented goals:*

(a) The regular assessment should take into consideration new scientific developments to assess the degree to which the Protocol has achieved its long-term effects-oriented goals. *Action:* EMEP, Task Force on Hemispheric Transport of Air Pollution, Working Group on Effects, Task Force on Reactive Nitrogen;

(b) The regular assessment should also include an evaluation of the effectiveness of new measures approved in the revised Protocol, including on particulate matter, and seek to identify sources of pollutants that have not yet been addressed in the Protocol's control measures. It should take into consideration new emerging technologies and non-technical measures to further reduce gaps in meeting the long-term effects-oriented goals. It could also seek to identify sources whose cumulative emissions are small and for which control measures may no longer be required. *Action:* Task Force on Integrated Assessment Modelling with input from the Expert Group on Techno-Economic Issues and the Task Force on Reactive Nitrogen.

7. *Explore options to better complement the measures and actions taken at the global level and secure the added value of the Protocol on POPs. Policy work directed at a new or revised Protocol on POPs will therefore scale down by shifting its focus to unintentionally released POPs and to areas and substances where the implementation of stricter measures in the ECE region is still recommended. In addition, there will be renewed efforts to strengthen linkages with the Stockholm Convention. If new substances arise where action is needed, the first priority should be to nominate them in the Stockholm Convention, but incorporation into the Protocol on POPs would be an option:*

(a) As directed by the Executive Body, aim to complete potential amendments to the Protocol on POPs by 2013. *Action:* Working Group on Strategies and Review;

(b) Develop and implement a work plan revising best available technique (BAT) guidance for unintentionally released POPs with consideration for the barriers to ratification for countries of Eastern Europe, the Caucasus and Central Asia and South-Eastern Europe, taking into account BAT reviews in other forums, including the Stockholm Convention. *Action:* Working Group on Strategies and Review;

(c) Periodically report on developments under the Stockholm Convention, in particular, the work on new substances, BAT and best environmental practices, capacity-building, and information exchange. *Action:* secretariat;

(d) Develop timelines and objectives for scaling down and/or redirecting the policy-related work under the Protocol on POPs, taking into account those substances also under consideration in parallel under the Stockholm Convention. *Action:* Working Group on Strategies and Review.

8. *Complete the amendments and revisions to the Protocol on Heavy Metals and subsequently give priority to increasing the number of countries ratifying and implementing the revised Protocol.* As directed by the Executive Body, aim to complete the amendments to the Protocol on Heavy Metals by 2012, with a focus on increasing the number of countries ratifying and implementing the amended Protocol. *Action:* Working Group on Strategies and Review.

9. *Make efforts to seek a solution to the issue of multiple protocols, which address the same pollutant(s) with different targets and different requirements, and which create a series of overburdensome obligations for Parties, remaining all simultaneously in force.* Encourage all Parties to earlier Protocols to join the revised Gothenburg, POPs, and Heavy Metals Protocols; set priorities for work in a way that ensures that Parties' efforts are geared towards full implementation and compliance with these revised Protocols. *Action:* Executive Body, ad hoc group of legal experts.

IV. Links with climate change and delivery of co-benefits

10. *Characterize linkages between air pollution and climate change, identify co-benefits of addressing air pollution and climate change simultaneously and strengthen scientific cooperation on these issues:*

(a) Assess the feasibility of incorporating short-lived climate forcers (SLCFs) into instruments such as the revised Gothenburg Protocol. Initial efforts should focus on measures targeting black carbon as a component of particulate matter and on the development of guidelines for black carbon inventories. Later efforts could potentially assess measures targeting methane and carbon monoxide as precursors of ozone, taking into account the work of the Task Force on Hemispheric Transport of Air Pollution pursuant to Decision 2010/1. *Action:* EMEP, Task Force on Emission Inventories and Projections, Task

Force on Integrated Assessment Modelling, Working Group on Strategies and Review, Task Force on Hemispheric Transport of Air Pollution;

(b) Continue scientific cooperation between UNEP, the International Maritime Organization (IMO) and the Arctic Council and the technical centres under the Convention. *Action:* EMEP, Task Force on Hemispheric Transport of Air Pollution;

(c) Strengthen linkages with the United Nations Framework Convention on Climate Change, IMO, the Arctic Council and UNEP in order to establish longer-term cooperation on a more strategic level. *Action:* Executive Body Bureau;

(d) Regularly assess whether scientific developments or new control technologies or measures present new opportunities to target air pollutants that are also SLCFs. *Action:* EMEP, Task Force on Hemispheric Transport of Air Pollution, Expert Group on Techno-Economic Issues;

(e) Further assess and analyse climate change impacts on POPs and mercury transport and fate, taking into account the ongoing work on these links under the Stockholm Convention and under the Arctic Council, as well as the work of the Convention. *Action:* EMEP, Task Force on Hemispheric Transport of Air Pollution.

11. *Identify co-benefits in combating air pollution and other environmental issues, like biodiversity loss and reactive nitrogen in the environment:*

(a) Continue to improve knowledge on such links and co-benefits and communicate and implement them into policy-advising instruments such as integrated assessment models. *Action:* Working Group on Effects, Task Force on Reactive Nitrogen, EMEP; Task Force on Integrated Assessment Modelling;

(b) Strengthen linkages with the Convention on Biological Diversity and its Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, as well as with international instruments relevant to the nitrogen cascade (e.g., under UNEP) in order to establish longer-term cooperation on a more strategic level and link the ecosystem effects work in the Convention to the broader perspective of ecosystem management. *Action:* Executive Body Bureau assisted by Working Group on Effects, Task Force on Reactive Nitrogen.

V. Outreach, communication and resources

12. *Enhance strategic scientific and policy outreach activities and cooperation with other regions and the global community on intercontinental air pollution issues, including a communication strategy and system that highlights the work and benefits of the Convention:*

(a) Explore ways to further foster cooperation between regional agreements and networks around the world, including on SLCFs and to link regional and global action at scientific as well as strategic/policy levels. *Action:* ad hoc group of experts.

(b) Revise and update the draft Communication Strategy from 2003 (London) to help increase the visibility of the Convention, in particular to raise political awareness of air pollution issues in the countries of Eastern Europe, the Caucasus and Central Asia and South-Eastern Europe. For example, this could include developing and implementing a plan to translate promotional and guidance documents into Russian for the countries of the subregion. The strategy should also highlight work under the Convention on air pollution and climate change co-benefits. *Action:* ad hoc group of experts in consultation with the Coordinating Group for Eastern Europe, the Caucasus and Central Asia.

13. *Make efforts to ensure more active involvement of a greater number of Parties in the work of the Executive Body and the subsidiary bodies, including in the work of their bureaux, as well as in the technical and scientific groups:*

(a) Explore ways to increase participation of delegations of countries of Eastern Europe, the Caucasus and Central Asia and South- Eastern Europe in the bureaux. *Action:* Executive Body and subsidiary body bureaux, in consultation with the Coordinating Group for Eastern Europe, the Caucasus and Central Asia;

(b) Explore options for establishing a robust mechanism for supporting core activities not covered by the EMEP budget. *Action:* Executive Body Bureau.

14. *Mindful of the secretariat's limited resources and the need for sufficient and stable funding, ensure that the functions assigned to the secretariat in accordance with article 11 of the Convention reflect the Convention's priorities, as described in the Convention's Long-term Strategy. Action:* ad hoc group of experts.
