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MSM/RCH/eps

Naše číslo
48628/2012
5383/2012-8.1


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Bratislava
20 September 2012

Dear Ms. Manguiat,

With reference to our earlier intention and notification as expressed in our letter to Compliance Committee dated 30 August 2012 (ref. 45279/2012, 5383/2012-8.1), please, find enclosed the electronic version of the Plan and Progress Report of the Slovak Republic, which is submitted in accordance with Section XV of the Annex to Decision 27/CMP.1 with regard to the Final Decision (reference CC-2012-1-9/Slovakia/EB) adopted on August 17, 2012 by the Compliance Committee. The paper version of the plan will be send to you via regular mail service.

Sincerely yours,


Helena Princová
Agent of the Slovak Republic and
Head of the Department

PLAN

and

PROGRESS REPORT OF THE SLOVAK REPUBLIC

**Under Section XV of the Annex to Decision 27/CMP.1
(Procedures and Mechanisms Relating to Compliance under the Kyoto Protocol)**

September 20, 2012

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I. INTRODUCTION

1.1 Background

1. From August 22 to 27, 2011, the in-country review of the 2011 annual submission of Slovakia, coordinated by the UNFCCC secretariat took place in Bratislava, Slovak Republic. On the basis the in-country review and further communication between the Slovak Republic and the expert review team (the “**ERT**”), the Report of the individual review of the annual submission of Slovakia submitted in 2011 (reference FCCC/ARR/2011/SVK) (the “**2011 ARR**”) containing questions of implementation with respect to the Slovak Republic, was published on May 8, 2012.
2. On June 1, 2012, the enforcement branch of the Compliance Committee (the “**enforcement branch**”) decided to proceed with the further consideration of the questions of implementation and to seek expert advice. In response to the decision, the Slovak Republic submitted its written submission (the “**Written Submission**”) to the enforcement branch on July 3, 2012.
3. From July 10 to 11, 2012, the enforcement branch held a hearing to consider the questions of implementation with respect to the Slovak Republic (the “**hearing**”); the hearing formed part of the 20th meeting of the enforcement branch held in Bonn from July 9 to 14, 2012. During the hearing, the Slovak Republic made several presentations and submitted additional information.
4. On July 14, 2012, the enforcement branch adopted its preliminary finding (reference CC-2012-1-7/Slovakia/EB) (the “**Preliminary Finding**”) in which it determined that the Slovak Republic is not in compliance with the Guidelines for national systems for the estimation of anthropogenic greenhouse gas emissions by sources and removals by sinks under Article 5, paragraph 1, of the Kyoto Protocol (Annex to decision 19/CMP.1) (the “**Guidelines for national systems**”)¹ and applied the following consequences:²
 - a) *Slovakia is declared to be in non-compliance;*
 - b) *Slovakia shall develop a plan referred to in paragraph 1 of section XV, in accordance with the substantive requirements of paragraph 2 of section XV and paragraph 1 of rule 25 bis of the rules of procedure, submit it within three months to the enforcement branch in accordance with paragraph 2 of section XV, and report on the progress of its implementation in accordance with paragraph 3 of section XV; Slovakia is invited to submit this plan before the in-country review of its 2012 annual submission and inform the enforcement branch of its preparations for this in-country review as part of this plan.*
5. The consequences took effect upon the adoption of the final decision confirming the Preliminary Finding by the enforcement branch on August 17, 2012 (reference CC-2012-1-9/Slovakia/EB) (the “**Final Decision**”).

¹ Preliminary Finding, paragraph 28.

² Preliminary Finding, paragraph 30.

6. For ease of reference, we list the questions of implementation identified by the ERT below.

Problems concerning the Specific Functions of the National System

7. In the 2011 ARR, the ERT found that the national system of Slovakia did not fully comply with the Guidelines for national systems.³ In particular, the ERT concluded that it did not fully perform the following specific functions required for national systems:

- c) *Define and allocate specific responsibilities in the inventory development process, including those relating to choice of methods, data collection, particularly AD and EFs from statistical services and other entities, processing and archiving, and QC and QA. This definition shall specify the roles of, and cooperation between, government agencies and other entities involved in the preparation of the inventory, as well as the institutional, legal and procedural arrangements made to prepare the inventory (para. 12(c));*
- d) *Elaborate an inventory QA/QC plan which describes specific QC procedures to be implemented during the inventory development process, facilitate the overall QA procedures to be conducted, to the extent possible, on the entire inventory and establish quality objectives (para. 12(d));*
- e) *Establish processes for the official consideration and approval of the inventory, including any recalculations, prior to its submission and to respond to any issues raised by the inventory review process under Article 8. (para. 12(e));*
- f) *Collect sufficient AD, process information and EFs as are necessary to support the methods selected for estimating GHG emissions by sources and removals by sinks (paragraph 14(c));*
- g) *Implement general inventory QC procedures (tier 1) in accordance with its QA/QC plan following the IPCC good practice guidance (para. 14(g));*
- h) *Provide review teams under Article 8 with access to all archived information used by the Party to prepare the inventory, in accordance with relevant decisions of the COP and/or CMP (para. 16(b)); and*
- i) *Respond to requests for clarifying inventory information resulting from the different stages of the review process of the inventory information, and information on the national system, in a timely manner in accordance with Article 8 (para. 16(c)).⁴*

8. In this respect, the ERT further noted that the national system did not fully ensure:

- j) *Strong formal relations and agreements between institutions, with a clear specification of the roles of, and cooperation between, government agencies and other entities in order to ensure a reliable data flow for the preparation of the*

³ The 2011 ARR, paragraph 238.

⁴ Preliminary Finding, paragraph 13; the 2011 ARR, paragraph 239.

inventory, which, currently, relies heavily on a number of external experts and their personal networks of contacts for data acquisition for several sectors;

k) Clear communication channels with regard to the principles, purposes and procedures of the UNFCCC reporting guidelines and the review processes with external experts, ensuring that these experts fully understand the formal requirements of these guidelines, including reporting and review requirements, and the need to ensure their availability during (or during a major part of) the review week, and that their contributions are delivered on time, as the current expertise within the permanent staff of the national system is insufficient to compensate for this and, for example, to:

i. Respond to questions and issues identified during the review process;

ii. Ensure time-series consistency (of the AD and EFs);

iii. Clearly understand the QA/QC principles and tools, the use of notation keys and the importance of providing comments to previous stages of the review process in time for the review week;

l) That the limited resources available for inventory planning, preparation and management are directed towards the highest priorities, such as the reconciliation of data used in the inventory with national statistical and internationally reported AD (e.g. fuel use), and not towards other activities, such as the detailed tier 2 uncertainty analysis for some sectors and categories of the inventory.⁵

9. With respect to the questions of implementation (unresolved problems) referred to in paragraphs 7 and 8 above concerning the specific functions of the national system, the enforcement branch concluded that they had resulted in non-compliance with the Guidelines for national systems at the time of the finalization of the 2011 ARR,⁶ but also noted that Slovak Republic had developed measures in relation to inventory planning, preparation and management and was implementing them to prevent the recurrence of these problems.⁷

10. The enforcement branch further stated that the non-compliance of the Slovak Republic resulted from *a partial operational impairment of the performance of some of the specific functions of Slovakia's national system during the review of Slovakia's 2011 annual submission and that Slovakia has in place a national system in accordance with Article 5, paragraph 1, of the Kyoto Protocol and the requirements in the guidelines decided thereunder.*⁸

⁵ Preliminary Finding, paragraph 14; the 2011 ARR, paragraph 240.

⁶ Preliminary Finding, paragraph 23(a).

⁷ Preliminary Finding, paragraph 22(a).

⁸ Preliminary Finding, paragraph 24.

Problems related to the Disagreement on whether to apply Adjustments

11. The ERT also found that Slovakia's estimates of CO₂, CH₄ and N₂O emissions from road transportation, and HFC, PFC and SF₆ emissions from the consumption of halocarbons and SF₆ were incomplete and/or had been prepared in a way that was not consistent with the methodological and reporting requirements of the Revised 1996 IPCC Guidelines and IPCC good practice guidance.⁹ Slovakia could not satisfactorily resolve the identified potential problems during the review or in the submission of revised estimates, and did not agree with the adjustments calculated by the ERT. Therefore, the ERT listed a question of implementation regarding the calculation of the estimates of emissions from road transportation and emissions from consumption of halocarbons and SF₆.¹⁰
12. In the Preliminary Finding (confirmed by the Final Decision), the enforcement branch concluded that the above question of implementation related to the disagreement on whether to apply adjustments had been resolved.¹¹

* * *

13. Although the timelines established in Section XV, paragraph 2 of the Annex to Decision 27/CMP.1 (Procedures and mechanisms relating to compliance under the Kyoto Protocol) ("**Procedures**") enable the Slovak Republic to submit its plan on or before November 19, 2012, we are pleased to submit the plan (the "**Plan**") in accordance with Section XV, paragraph 2 of the Procedures and rule 25bis, paragraph 1 of the Annex to Decision 4/CMP.2 (Rules of procedure of the Compliance Committee) as amended by Decision 4/CMP.4 (the "**rules of procedure**"), before this deadline.

1.2 Progress Report

14. Under the Final Decision, the Slovak Republic is obliged to report on the progress of implementation of the Plan. We are pleased to submit the progress report on the implementation of the Plan (prepared in accordance with Section XV, paragraph 3 of the Procedures) as a part of this Plan.

1.3 2012 In-Country Review

15. The Slovak Republic is also pleased to inform the enforcement branch that it is prepared for the in-country review of its 2012 annual submission, which is scheduled to take place from October 1 to 6, 2012.

⁹ Preliminary Finding, paragraph 15; the 2011 ARR, paragraph 243.

¹⁰ Preliminary Finding, paragraph 15; the 2011 ARR, paragraph 243.

¹¹ Preliminary Finding, paragraph 23(b)

II. PLAN

16. In this Plan, the Slovak Republic submits and presents information on the steps and measures it has undertaken and/or implemented following the submission of the Written Submission and the hearing. The measures developed and implemented before the hearing in response to the 2011 ARR are summarized in Part II of the Written Submission and should be deemed to be incorporated in this Plan by this reference.
17. The Slovak Republic believes that this Plan will help the enforcement branch to conclude that the Slovak national system is in full compliance with the Guidelines for national systems.

2.1 Analysis of Causes of Non-Compliance

18. At the time of the original 2011 annual inventory submissions, there were a couple of operational issues that prevented the Slovak national system from functioning perfectly in accordance with the Guidelines for national systems. This was also confirmed by the enforcement branch which stated that the non-compliance of the Slovak Republic resulted from *a partial operational impairment of the performance of some of the specific functions of Slovakia's national system during the review of Slovakia's 2011 annual submission.*¹²
19. However, the Slovak Republic has implemented many improvements in its national system since the 2011 in-country review despite the complicated political situation in connection with early parliamentary elections and the establishment of a new government. As a result, the enforcement branch concluded that *Slovakia has in place a national system in accordance with Article 5, paragraph 1, of the Kyoto Protocol and the requirements in the guidelines decided thereunder.*¹³
20. In addition to the other reasons, the following issues that occurred in the period immediately preceding the 2011 in-country review contributed to the finding of non-compliance of the Slovak Republic's national system with the Guidelines for national systems: (i) based on its experience with past reviews, the Slovak Republic underestimated the level of detail in which this particular ERT reviewed the national system; (ii) it agreed to the term for the review during the summer months when the availability of resources and personnel was negatively influenced by vacations and heat waves; (iii) it ran into delays with the provision of some of the information requested by the ERT; this resulted in the understandable frustration of the review team even before the entire in-country review process started. As a result, the entire in-country review process was marked by an unfortunate combination of factors that negatively influenced the evaluation process.
21. A partial operational impairment of the performance of the national system of the Slovak Republic during the 2011 in-country review was also caused by a lack of political support (partially resulting from, until the 2011 in-country review, problem-

¹² Preliminary Finding, paragraph 24.

¹³ Preliminary Finding, paragraph 24.

free fulfillment of the Slovak Republic's obligations under the Kyoto Protocol) for the proposals for improvement of the national system.

2.2 Measures that the Slovak Republic implemented or intends to implement in order to remedy the Non-Compliance and the Timetable for implementing these measures

(i) Institutional framework¹⁴

22. The institutional framework of the Slovak Republic's national system was generally described in detail in Part II of the Written Submission. In response to the ERT's conclusion that Slovak national system lacks *strong formal relations and agreements between institutions, with a clear specification of the roles of, and cooperation between, government agencies and other entities in order to ensure a reliable data flow for the preparation of the inventory*¹⁵ and in fulfillment of the related requirements specified in the Guidelines for national systems, the Slovak Republic presents the following in addition to the measures developed and implemented after the publication of the 2011 ARR mentioned in the Written submission. Current institutional framework of the Slovak Republic's national system,¹⁶ actual formal relations among partners of the NIS¹⁷ and the changes to the NIS¹⁸ are described in detail in the Slovak Republic 2012 National Inventory Report (the "**2012 NIR**").

(a) *Enlargement of the SNE team*

23. The Single National Entity (the "**SNE**"), created within the Slovak Hydrometeorological Institute ("**SHMU**") (www.shmu.sk) in accordance with Article 12 (a) of the Guidelines for national systems, recently hired a new employee. As of September 15, 2012, the SNE comprises 3.5 experts working full time on inventory tasks. The staff includes a NIS Coordinator, a Deputy NIS Coordinator, a Coordinator and Data Administrator and a Quality Manager (half-time position). Compared to the status in August 2011, the SNE has currently 2 new full-time employees. Information on the SNE's staff is published at intranet site of the SHMU.

Timetable / Progress: Implemented

¹⁴ This section deals with the problems specified in paragraphs 13(a), 14(a) and 14(b) of the Preliminary Finding.

¹⁵ Preliminary Finding, paragraph 14(a).

¹⁶ 2012 NIR, chapter 1.2, page 22.

¹⁷ 2012 NIR, chapter 1.3, page 36.

¹⁸ 2012 NIR, chapter 13, page 289.

(b) Creation of a special working group within the Coordination Committee

24. On July 26, 2012, at its second meeting, the inter-ministerial High Level Committee on the Coordination of the Climate Change Policy (the “**Coordination Committee**”) adopted its decision on the creation of a special working group within the Coordination Committee comprising the representatives of the relevant institutions that will among other tasks review and revise the results of the GHG emissions inventory (SVK NIR 2012 – Table 1.6: Quality Assurance/Quality Control Plan – External)¹⁹ before their submission to international organizations.

Timetable / Progress: Implemented

(c) Purchase of additional IT equipment for archiving the GHG emissions inventory data

Timetable / Progress: Implemented

(d) Training of the NIS experts on the United Nations Framework Convention on Climate Change (“UNFCCC”) review mechanism and methodological questions related to the practical implementation of IPCC Good Practice Guidelines 2000

Timetable / Progress: Implemented

(e) Framework Agreement between the Ministry of the Environment of the Slovak Republic (the “MoE”) and the Statistical Office of the Slovak Republic (“SU SR”)

25. The Framework Agreement was signed and came into force on September 12, 2012 and is publicly available at the website of the Central Register of Contract (<http://crz.gov.sk/index.php?ID=610229&l=sk>). It will ensure the smooth exchange of national energy balance as well as energy statistics data at the level of individual enterprises, including confidential information (activity data) which is not officially published by the SU SR. Further, under the Framework Agreement, the SU SR is obliged to immediately inform the MoE about any relevant changes or recalculations that has already occurred or will occur in the future. This measure will ensure consistency in reporting of the energy statistics data.

Timetable / Progress: Implemented

¹⁹http://unfccc.int/files/national_reports/annex_i_ghg_inventories/national_inventories_submissions/application/pdf/svk_nir_2012_august_2012.pdf (page 33)

(f) *Agreement on cooperation between the MoE and the Ministry of Agriculture and Rural Development of the Slovak Republic to facilitate the task of implementation of reporting obligations under the UNFCCC and the Kyoto Protocol (“KP”) for LULUCF and KP LULUCF sectors in 2013.*

26. Agreement on cooperation between the MoE and the Ministry of Agriculture and Rural Development of the Slovak Republic and further the cooperation for 2013 was formally agreed on the 2nd meeting of the Coordination Committee.

Timetable / Progress: Implemented

(g) *Contract between the Ministry of Agriculture and Rural Development of the Slovak Republic and National Forest Centre, Zvolen (“National Forest Centre”) to fulfill the task for reporting obligations under the UNFCCC and the KP for LULUCF and KP LULUCF sectors in 2013.*

27. The particular obligations of the National Forest Centre would be as follows (i) to quantify carbon stocks and GHG emissions/removals and their year-to-year changes in the LULUCF sector (land use, land-use change and forestry); (ii) to prepare the necessary documents for the implementation of the commitments of the Slovak Republic under the KP for the next accounting period in the LULUCF sector; and (iii) to prepare basis reports and expert opinions on the LULUCF sector issue, including opinions in relation to the commitments adopted beyond the framework of the KP.

Timetable / Progress: In the preparations

(h) *Agreement on cooperation between the MoE and the Ministry of Transport, Construction and Regional Development of the Slovak Republic, the Transport Research Institute (VÚD) and the SHMU on mutual provision of data and independent inspection of output databases and creation of GHG emissions in transport*

Timetable / Progress: Expected date of conclusion June 2013; in the preparations

(ii) Inventory QA/QC plan and QC procedures²⁰

28. Since 2010 (2008 inventory), when reporting on emissions, the Slovak Republic has structured the national inventory report (“NIR”) chapters in accordance with the document presented by the UNFCCC Secretariat (*Annotated outline of the National Inventory Report including reporting elements under the Kyoto Protocol*). It annually updates and publishes in the NIR the following chapters: Uncertainties and Time-

²⁰ This section deals with the problems specified in paragraphs 13(b) and 13(e) of the Preliminary Finding.

series Consistency, Source-specific QA/QC and Verification, Source-specific Recalculations and Source-specific Planned Improvements in the NIR for all IPCC sectors and categories (see for example, the 2012 NIR - <http://ghg-inventory.shmu.sk/documents.php?lang=2>).

29. The QA/QC inventory plan has been elaborated and implemented since 2010. Complete and sectoral QA/QC plans and the evaluation of improvements are updated each year and published in the NIR. Although these facts were omitted in the 2011 ARR, the Slovak Republic admits that the QA/QC plan for 2011 NIR lacked an important task – planning of the inventory process for the next year on the basis of the results of the international review and recommendations contained in the ARRs. The Slovak Republic has developed and implemented the following measures in connection with the foregoing problem:

(a) *Preparation of an analysis „Status of implementation of measures as recommended in the Report of the individual review of the annual submission of Slovakia submitted in 2011 and reiterated in the ARR 2011“*

30. The analysis coordinated by the SNE was prepared in cooperation with sectoral experts and specifically contained deadlines and responsible persons for fulfillment of the ERT's recommendations. The status of the implementation was assessed at the NIS meeting on September 13, 2012. Following the 2012 in-country review, new priorities and tasks will be set and the QA/QC plan for 2013 will be revised in order to reflect all recommendations.

Timetable / Progress: In the preparation

(b) *Supplementing the QA/QC plan for 2012 by further external controls and inventory planning process for the next year on the basis of the outcomes of international reviews and recommendations contained in the ARR.*

31. The QA/QC plan was supplemented as proposed in Slovak Republic's NIR 2012 – Table 1.6: Quality Assurance/Quality Control Plan – External.²¹

Timetable / Progress: Implemented

²¹http://unfccc.int/files/national_reports/annex_i_ghg_inventories/national_inventories_submissions/application/pdf/svk_nir_2012_august_2012.pdf (page 33)

(iii) Processes for official consideration and approval of the inventory report²²

32. The “internal” examination of the output data from the inventory development, not the review process conducted by the UNFCCC, is a multi-step process described in more detail in the following paragraphs.
33. The peer review of the provisional 2011 NIR, including the CRF tables, was performed by representatives of selected ministries at the request of the MoE in February 2011. This is the first step in the review process to fulfill reporting obligations of the Slovak Republic.
34. The second step in the review process is an independent review of the Annual Report of the Slovak Republic submitted yearly on January 15 according to Article 3(1) of Decision No. 280/2004/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of February 11, 2004 concerning the mechanism for monitoring Community greenhouse gas emissions and implementing the Kyoto Protocol. This review is performed on a yearly basis by independent experts from the European Commission and always before the deadline for submission to the UNFCCC.
35. Finally, the Report on the Current State of Fulfillment of the International Climate Change Policy Commitments of the Slovak Republic (*Správa o priebežnom stave plnenia prijatých medzinárodných záväzkov SR v oblasti politiky zmeny klímy*) is regularly submitted by the Coordination Committee to the Government for its consideration. It includes a separate chapter entitled “Current State of Fulfillment of Reduction Commitments of the Slovak Republic under the Kyoto Protocol” (*Aktuálny stav plnenia prijatých redukčných záväzkov SR podľa Kjótskeho protokolu*), which informs the Government in detail on the state of fulfillment of our reduction commitments based on the information from the most recent available GHG emission inventories.
36. The control process is further described in detail in the recent QA/QC plan published in the NIR (NIR SVK 2012, Chapter 1.6 Information on the QA/QC plan including verification).
37. Despite checks at various levels, the 2011 NIR contained some minor inconsistencies and errors which slightly undermined the overall quality of the NIR. The Slovak Republic has developed and implemented the following measures in connection with the foregoing problems:

(a) ***Enlargement of the SNE team***

38. As described in paragraph 23 above, the SNE has increased its headcount since January 2012 by two experts.

Timetable / Progress: Implemented

²² This section deals with the problems specified in paragraph 13(c) of the Preliminary Finding.

(b) *Agreement between the SHMU and Department of Chemical and Environmental Engineering of the Faculty of Chemical Technology of the Slovak Technical University*

39. The purpose of the cooperation between the NIS and the department is the provision of an independent audit of the procedures used to date for material balances of the key sources in the energy sector, the preparation of an analysis of the national methodology for the determination of carbon stored and feedstock balance and the preparation of a proposal of improvements and measures for the harmonization of the national methodology with the *IPCC Good Practice Guidelines 2000*.

Timetable / Progress: In the preparations

(iv) Collection of sufficient AD, process information and EFs²³

40. In order to coordinate and make the process of greenhouse gas inventories in the individual sectors more effective, the MoE in cooperation with the NIS national coordinator conducted several negotiations with selected institutions in 2012. As a result of the negotiations, the preparation has been more effective and the institutional representation in the Slovak NIS structure has been reinforced based on new contracts. Specifically, the following measures document the development of more effective cooperation among institutions involved in the NIS:

(a) *Approval of the following task of the Slovak Environmental Agency in 2012 - Preparation of Documents and Examination of Outputs during the Fulfillment of the Slovak Republic's Reporting Commitments in the Field of Greenhouse Gas Inventories for the Waste Sector (Príprava podkladov a kontrola výstupov pri plnení reportingových povinností SR v oblasti inventarizácie emisií skleníkových plynov pre sektor odpadov), to be performed by the Waste Management Centre Bratislava ("COH").*

41. Staffing and financing have been earmarked for the task. In the long run, the COH cooperates with the MoE (Waste Management Section) and sectoral experts during the collection of input data and the creation of database files for this field.

Timetable / Progress: Implemented

(b) *Collection of additional data and information from enterprises in order to improve reporting in F-gases*

42. The Slovak Republic made progress in the completing coverage of the reporting gases in the categories 2.F.2 – Foam Blowing and 2.F.4 – Aerosol.

Timetable / Progress: Implemented

²³ This section deals with the problems specified in paragraph 13(d) of the Preliminary Finding.

- (c) *Conclusion of the Framework Agreement between the MoE and SU SR*
- (d) *Agreement on cooperation between the MoE and the Ministry of Agriculture and Rural Development of the Slovak Republic and National Forest Centre*
- (e) *Agreement on cooperation between the MoE and the Ministry of Transport, Construction and Regional Development of the Slovak Republic, the Transport Research Institute (VÚD) and the SHMU on mutual provision of data and independent inspection of output databases and creation of GHG emissions in transport*

43. For further details and the implementation status of the above measures (c) to (e), please see pages 8 and 9 of this Plan above.

- (f) *Agreement between the MoE and the Ministry of Finance of the Slovak Republic (“MoF”) on provision of information about the consumption of biofuels and bioliquids in the Slovak Republic*

44. Cooperation with the MoF in the provision of biofuels data was established during the implementation of Directive 2009/28/EC and with regard to the EU requirement to decrease the excessive administrative burden. The Customs Administration has an extensive information system, and all of the entities introducing fuels, including biofuels, in the Slovak market, are obliged to report data. Based on these data, it is possible to evaluate the use of biofuels in the Slovak Republic, and their contribution to the reduction of greenhouse gas emissions. Thus, the process of data acquisition has been made more simple and effective, while preserving the confidential nature of the information, because only cumulative data processed on the basis of the database data will be used. The Customs Administration has already inserted the necessary data in the Report on the Fulfillment of the Commitment to Introduce Fuels Containing Biofuels in the Market (*Hlásenie o plnení povinnosti uvádzať na trh pohonné látky s obsahom biopalív*) and published them on the website of the Customs Directorate.

The obligation to provide the MoE with data for the purposes of the evaluation of the fulfillment of national and international commitments was embedded in the amendment to Act No. 309/2009 Coll. on Support of Renewable Energy Resources and Highly Efficient Combined Production and on amendments to certain acts.

Timetable / Progress: Implemented (the amendment to Act on the Support of Renewable Energy Resources and Highly Efficient Combined Production entered into force on August 20, 2012)

(v) Access to archived information²⁴

45. During the in-country reviews, Slovakia always ensured that the ERTs had access to the archived documents and databases used for the preparation of inventories. The only exception caused by unforeseeable events (vis major) was the failure to provide access to the NEIS database²⁵ during the ERT's inspection at SHMU. This is a very detailed database of medium and large scale sources of air pollution used in the Slovak Republic since 2000, which, except for confidential data, is publicly available.
46. The archiving systems are operated without any difficulties and all information is accessible at <http://ghg-inventory.shmu.sk>. All aggregated data are archived by the SNE; special data on a very detailed level are archived during the inventory preparation by the sectoral experts and after submission they are backed-up by the SNE.
47. Based on the above, the Slovak Republic does not consider it necessary to adopt specific measures to allow the review team access to the archived data. The Slovak Republic has developed and implemented the following measure in order to improve the system of data archiving:

(a) *Purchase of the additional IT equipment for the system of data archiving*

Timetable / Progress: Implemented

(vi) Responding to questions and issues identified during the review process in a timely manner²⁶

48. During the 2011 in-country review, we had to deal with a particularly unfortunate set of circumstances, which included a relatively short time for planning the in-country review and summer holidays. Despite everything, the Slovak Republic arranged for the availability of all experts, except for expert for the F-gas sector. The problem with ensuring the availability of a crucial expert for HFC, PFC and SF₆ emissions from consumption of halocarbons and SF₆ arose due to serious work obligations abroad (an international conference in Prague where he was chairing three panels); however, this fact was announced to the ERT in advance and the expert made himself available for distance co-operation during the entire review week. The only delay in responses was in delivering some answers to the S&A Report II before the in-country review. The other deadlines were mostly met on time.

²⁴ This section deals with the problems specified in paragraph 13(f) of the Preliminary Finding.

²⁵ National Emission Information System (www.air.sk)

²⁶ This section deals with the problems specified in paragraphs 13(g) and 14(b)(i) of the Preliminary Finding.

(a) *Training of the NIS experts focused on the UNFCCC review mechanism and methodological questions related to the practical implementation of IPCC Good Practice Guidelines 2000*

Timetable / Progress: Implemented

(vii) Time-series consistency of the AD and EFs²⁷

49. The time-series consistency was never questioned as problematic in the previous reviews. In general, the Slovak Republic has always monitored the time-series consistency criterion and has used the same methodology during recalculations dating back to 1990.
50. QA/QC for time-series consistency: In addition to the standard tools offered by CRFReporter, the Slovak Republic also examines the time-series consistency of AD and EF within the individual sectoral QA/QC tools (described in the NIR), and centrally within the review process for Decision 280/2004/EC concerning the mechanism for monitoring Community greenhouse gas emissions carried out by the EC. The EC has developed and annually improves the systemic tools for the qualitative assessment of the emission inventories of its Member States so as to provide the required quality on the EU level.
51. The NIS experts regularly receive training and instruction on this system, and the NIS coordinator cooperates with the EC on the QA/QC process for the agriculture sector. The systemic monitoring mechanisms standardized under Decision 280/2004/EC work annually from January 15 to May 15 and their task is to discover any incorrectly completed notation keys, categories and emission time-series inconsistencies, AD and EF.
52. The system also includes an outlier analysis (high or low values corresponding to a 3% confidence interval and other gaps), a cross-cutting examination of the used side parameters and written questions/responses by reviewers and experts during several stages of EU review. During the review of the EC emission submission, the aggregated data of the Member States are also examined by the subsequent review by the UNFCCC, as in other Annex I countries.
53. Since the Slovak national conditions are very specific (in terms of economy size), it is possible that during the outage of certain productions or the “gas crisis” at the beginning of 2009 or the “forest disaster” in High Tatras in 2004, these events will lead to an apparent time-series inconsistency. However, such events are always described and explained in the NIR.
54. The industrial processes sector is specific, since production in the individual categories are sometimes represented by one source only, and in such case, the

²⁷ This section deals with the problems specified in paragraph 14(b)(ii) of the Preliminary Finding.

production decrease or outage reflects a significant reduction in the time-series emissions.

55. The objection that the emissions in some categories may not change so dramatically from year to year due to changes in production is not necessarily true for small countries. In Slovakia, there are a relatively small number of companies present in the individual IPCC categories. If just one company significantly reduces production (or is closed), it will result in a significant change in emissions.
56. The same objection is valid for the average emission factor which can be significantly affected by changing production in the case of aggregated emissions. In the categories where emissions are aggregated from various companies or from the manufacturing of products with significantly different emission factors, the IEF can change significantly from year to year. For example, in ferroalloys, where the CO₂ emission factors range from 1.3 to 4.8 t / t (or nitric acid, where N₂O emission factors for different technologies used in Slovakia range from 7.5 to 13 kg / t), a slight change in the proportion of individual products can result in significant changes in the implied emission factor.
57. For example, in the 2012 submission, the complete information from the LULUCF and KP LULUCF sectors from 1990 was recalculated according to the ERT recommendations in its 2011 ARR conclusions, preserving the time-series consistency for the individual measurements in all of the LULUCF categories.
58. The ERT showed two sets of examples of time series inconsistencies presumably to demonstrate deficiencies in the national system: road transport implied emission factors and power plants emissions. As could be seen, both sets show similar characteristic – interruptions between pre-1999 and post-1999 figures. Both inconsistencies were explained during the review process using new methodology which was applied to post-1999 data first (numbers were available prior to the visit) and only later in the process to the pre-1999 data (made available after the visit). As the Slovak Republic mentioned at the hearing, this was an example where the ERT, for no apparent reason, did not reflect the explanation provided by the Slovak Republic in its conclusions. The reported data did not show any systemic time series inconsistencies.
59. Given the above, the Slovak Republic believes that it is not necessary to implement any other measures in addition to the measures described in detail above that were developed with respect to other problems concerning the national system of the Slovak Republic.

(viii) Understanding of the QA/QC principles and tools, use of notation keys²⁸

60. QA/QC tools used in the NIS are: (i) tier 1 analysis of key sources and uncertainties in the line with the IPCC GPG 2000; (ii) tier 2 analysis of uncertainties (Monte Carlo method) for selected sectors: Energy - fuel combustion (sectoral approach), Waste -

²⁸ This section deals with the problems specified in paragraph 14(b)(iii) of the Preliminary Finding.

solid waste disposal on land sectors (6A) and IPPU sector (except for F-gases); (iii) tier 2 analysis of specific uncertainties in the individual categories from sectoral experts; (iv) systemic monitoring mechanisms standardized under Decision 280/2004/EC work annually from January 15 to May 15 and their task is to discover any incorrectly filled-in notation keys and categories, perform outlier analysis (high or low values corresponding to a 2% confidence interval and other gaps), a cross-cutting examination of the used side parameters, time-series review, etc.; (v) each sectoral expert is obliged to fill in the verification protocols for any change or recalculation; the recalculation is reviewed by an expert, coordinator and Quality Manager.

61. The Slovak Republic has implemented many improvements since the completion of the review in August 2011. After completion of the review, it performed a detailed analysis of the insufficiencies, which led to the introduction of the following immediate measures for improvement:

- (a) *Regular trainings of the NIS experts in terms of the UNFCCC review process*

Timetable / Progress: Implemented

- (b) *Improvement of the QA/QC plan preparation in order to implement the ERT's recommendations from the most recent and previous reviews*

Timetable / Progress: Implemented

- (c) *Intensification of external inspections of the implementation of the QA/QC plan by the MoE*

Timetable / Progress: Implemented

- (d) *Introduction of principles for interlinkages between the allocated funds and output quality of inventory and its application in contracts with external experts/institutions*

Timetable / Progress: Implemented

(ix) Direction of the limited resources towards the highest priorities, such as reconciliation of data used in the inventory, and not towards activities such as the detailed tier 2 uncertainty analysis²⁹

62. As mentioned at the hearing, the Slovak Republic does not need to re-allocate the available funds in order to improve the process of inventory planning for next year, including the prioritization of tasks.

63. Uncertainty analyses and the precision of the methodology (higher tier) are performed on the basis of the available data and do not require the allocation of additional funds.

64. The Slovak Republic has developed and implemented the following measure in connection with the foregoing problem:

(a) *Conclusion of the Framework Agreement between the MoE and the SU SR containing the provision obliging the SU SR to notify the MoE of any changes in national statistics*

Timetable / Progress: Implemented

(b) *Supplementing the QA/QC plan for 2012 by further external controls and inventory planning process for the next year on the basis of the outcomes of international reviews and recommendations contained in the ARR.*

65. The QA/QC plan was supplemented as proposed in Slovak Republic's NIR 2012 – Table 1.6: Quality Assurance/Quality Control Plan – External.³⁰

Timetable / Progress: Implemented

²⁹ This section deals with the problems specified in paragraph 14(c) of the Preliminary Finding.

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http://unfccc.int/files/national_reports/annex_i_ghg_inventories/national_inventories_submissions/application/pdf/svk_nir_2012_august_2012.pdf (page 33)

2.3 Conclusions

66. The Slovak Republic has analyzed the reasons that lead the enforcement branch to the finding that the Slovak Republic is not in compliance with the Guidelines for national systems. The problems identified by the enforcement branch were prioritized within the MoE. As a result, on August 23, 2012, the MoE adopted a plan of remedial measures for the improvement of the NIS of the Slovak Republic. Most of the remedial measures contained in this plan were described in Section 2.2 above.
67. In addition to the measures developed and implemented before the hearing in response to the 2011 ARR (summarized in Part II of the Written Submission), the Slovak Republic presented in this Plan other important measures it has undertaken and/or implemented following the submission of Written Submission and the hearing.
68. The Slovak Republic acknowledges that in the complex systems, such as the NIS, there is always a room for improvement and the process of systems' refinement is a continual process. However, taking into account all of the measures implemented after the publication of the 2011 ARR together and this Plan, the Slovak Republic strongly believes that the national system of the Slovak Republic is in full compliance with the Guidelines for national systems. Therefore, the Slovak Republic requests that the enforcement branch declare that the Plan remedies the non-compliance of the Slovak Republic.

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