



The necessity of international delegations for inspections and enforcement

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1. What are the current **EU ETS** procedures for inspections and enforcement?
 - No applicable legal procedure
 - No guidance required
 - Solely reference to the issues discussed in the questionnaire about the implementation of Directive 2003/87/EC (question 6.5)





2. What are the current UNFCCC procedures for inspections and enforcement?

The UNFCCC works with international delegations for in-country reviews of the National Communications and Biennial Reports

- UNFCCC head officer
- Specialised inspectors in the fields of e.g. national registry, GHG inventory, transport, fiscal measures, LULUCF etc.



3. What are the advantages of an international UNFCCC delegation?

- Inspections eligibility
- Inspections coherence
- Consideration of omitted details by the in-country inspectors –
- Review of details considered as redundant by the in-countries inspectors
- Unbiased inspection results





4. Proposal for the creation of EU ETS international delegations for the inspection and enforcement
 - Inspecting team's composition:
 - one representative of the DG CLIMATE ACTION,
 - two representatives of the inspected country
 - two representatives of the MS
 - Drafting of an annual short list by the DG CLIMATE ACTION Unit C.2 Governance & Effort Sharing of the installations to be inspected in each country (the chosen facilities shall not exceed seven).



- Drafting of a detailed report by the delegation for each inspected installation. Disclosure of said report to:
 - the installation
 - the competent authority
 - the DG CLIMATE ACTION Unit C.2 Governance & Effort Sharing
- Uniform interpretation of various articles with different interpretations available, e.g. Article 22 of Decision 2011/278.
- Inspections may be conducted from July to October, since the installations are expected to conclude their compliance obligations until the end of June.
- Financing: resources stated in Article 10, par. 3, point (i) of the Directive 2009/29/EC of the European Parliament and the Council.

