EU ETS Compliance: the Way Forward
Workshop Session I – Conclusions

Results of the Verification Evaluation 2007 Project:

- A common basic structure of compliance cycle exists, but implementation varies strongly at the detailed level

- A strong learning effect in implementation can be seen

- Harmonisation efforts have received/receive
  - High attention in the areas of monitoring/verification
  - Increasing attention in the area of accreditation

- Differing approaches are not necessarily a problem as long as the outcome is comparable

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The Role of CAs

- Generally agreement that CAs are to ensure that the compliance cycle is carried out correctly – but MS differ in their understanding of the necessary activities in doing so
  - e.g. the general need to re-verify verified emission reports – to which depth, all or just a share, if just a share approach for prioritisation?
- The legal competence of CAs differs
- In a number of MS CA competences are split between various CAs, e.g. at national/regional/local level which increases complexity

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The Role of CAs

- A common understanding is needed of
  - the role of CAs in the various steps of the compliance cycle
  - their necessary basic legal competence to ensure compliance
- Having only one main competent authority at national level would simplify the system considerably

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Harmonisation – What and to which extent?

- Practical items like checklists, monitoring plan and reporting layouts, etc. could be harmonised easily and with great benefit
- MS have different priorities of more general issues to be harmonised, e.g.
  - Available sanctions/Reaction to non-compliance
  - Approval procedures of monitoring plans
  - Review procedures of reporting results
- New ETS sectors (e.g. aviation, CCS) can be introduced in a harmonized way from the start

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- Desired extent of harmonisation needs to be discussed. Supportive to this discussion:
    - Overview of existing implementation practices including an assessment of the comparability of the outcomes
    - Discussion of practices to establish best practice list
- On this basis necessity for changes in existing implementation and implementation options can be defined
- Legal implementation of harmonisation through binding set of rules vs voluntary implementation
- In any case: Strong cooperation and communication between CAs is key

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Workshop Session I – Proposals to Compliance Forum

The Role of the Compliance Forum:

- Support common understanding of competent authorities responsibilities
- Support evaluation of enforcement practices
- Develop common guidance on inspection/validation/re-verification issues
- Prepare the training of inspection staff at CAs

General remark: Ensure cost-efficient structure of compliance forum!

- Meetings only as necessary
- Exchange through web-based plattform