



# **Findings on inspection and enforcement (Based on evaluation of the CCEV and Article 21 reports)**

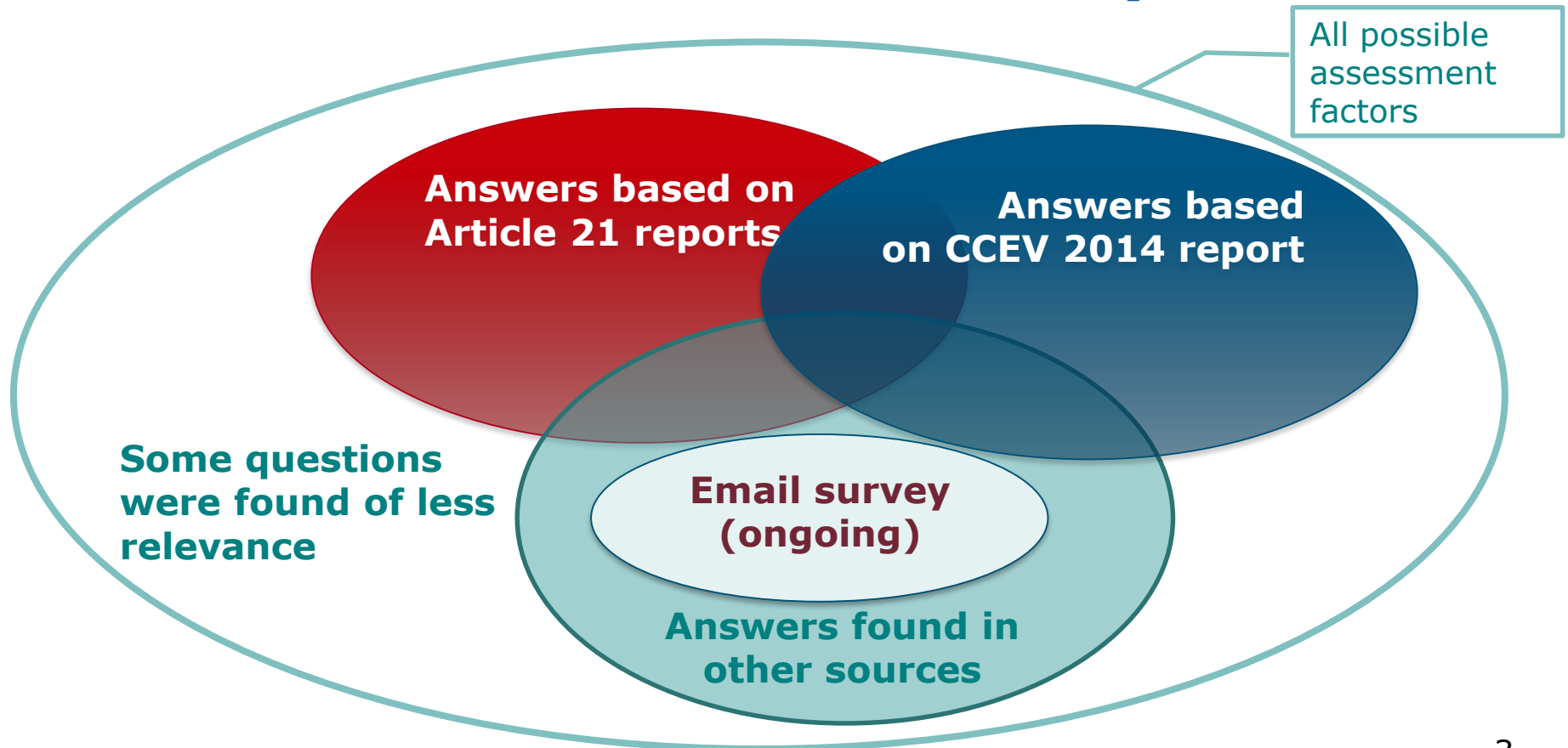
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## Context

- *As presented yesterday, in an ongoing study the implementation of EU ETS in MS is evaluated, based on:*
  - Compliance Cycle evaluation project 2013/14 (4<sup>th</sup> CCEV project)
  - Article 21 reports 2014 – 2015 by MS
- *For details on methodology, see slides by Machtelt Oudenes*

# Added value of using several data sources and differentiated questions



## Areas that were assessed

*The previously longer list of assessment areas was reduced (by combination of topics and removing less helpful questions) to:*

- *CA situation*
- *M&R robustness*
- *V&A implementation*
- *Inspection and enforcement*



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MS / Rank	CA situation overall	M&R Robustness	V&A implementation	Inspection & Enforcement	Total Score
1					1,55
2					1,65
3					1,81
4					2,44
5					2,44
6					2,51
7					2,63
8					2,73
9					2,77
10					2,81
11					2,88
12					2,91
13					2,93
14					2,99
15					3,02
16					3,04
17					3,04
18					3,05
19					3,15
20					3,16
21					3,16
22					3,24
23					3,25
24					3,26
25					3,30
26					3,31
27					3,31
28					3,35
29					3,46
30					3,49
31					3,80

# Follow-up actions (1)

## General follow up:

- *A general survey sent out to all Member States in order to fill information gaps or to clarify inconsistencies in data sources used*
- *Information obtained is used as input for other tasks of the project:*
  - Identification of need for further guidance and tools
  - Decide on possible Compliance Forum Events (trainings)

## Follow-up actions (2)

### MS-specific follow up:

- *MS-specific questions could not be included in the survey → they will be asked in letters addressed to the MS*
- *For some Member States interviews for clarification of open issues may be scheduled*
- *Where appropriate, some concrete improvement actions will be proposed to Member States based on the findings*

# Link to Inspections and Enforcement

- *Inspections have been identified as a weak spot in the EU ETS implementation*
- *Only few MS carry out systematic inspections*
- *Few MS have inspectors who are specifically trained on ETS issues*
- *Report by European Court of Auditors (2015; on phase II)*
  - On-the-spot inspections of installations were very limited
  - Recommendation: MS should implement coherent, effective control frameworks, including *inspections*, for MRVA
- *Enforcement: Few penalties seem to be imposed*
  - Might be due to high compliance rate
  - Might be due to pragmatic approaches – try to solve problems without penalties
  - Might be due to deficits in exerting controls



## Your Contribution

- *Next agenda item of this conference is dedicated to inspections and enforcement*
- *Invite to open exchange of views and experience*
- *Guidance on inspections planned  
→ input welcome (also in written form)*

# Thank you for your attention

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