



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 12 June 2014
(OR. en)**

**Interinstitutional File:
2013/0443 (COD)**

**10294/14
ADD 1**

LIMITE

**ENV 484
ENER 203
IND 173
TRANS 289
ENT 130
SAN 216
PARLNAT 151
CODEC 1367**

NOTE

From: General Secretariat of the Council

To: Delegations

No. prev. doc.: 10232/14 ENV 476 ENER 198 IND 171 TRANS 287 ENT 129 SAN 213
PARLNAT 148 CODEC 1363

No. Cion doc.: 18167/13 ENV 1235 ENER 600 IND 388 TRANS 693 ENT 356 SAN 555
PARLNAT 325 CODEC 3086 - COM(2013) 920 final

Subject: Proposal for a Directive of the European Parliament and of the Council on the
reduction of national emissions of certain atmospheric pollutants and amending
Directive 2003/35/EC

- Comments from delegations

Delegations will find in Annex comments from Croatia on the above-mentioned proposal.

CROATIA

General comments

Since national consultations regarding the NECD proposal and the related impact assessment are ongoing, Croatian comments are preliminary and we maintain the general reservation on the proposal.

We have a particular reservation on Art. 4 and Annex II due to ambitious emission reduction commitments of the NECD proposal compared to those in the revised Gothenburg Protocol.

Croatia finds the 70% gap closure to be too ambitious. We have concerns that it would be difficult for the industry to comply with the 2030 reduction targets, as there might be difficulties also in fulfilling requirements of the current legislative framework.

IIASA Report

The correctness of the data and reliability of the methodology used in the IIASA report should be taken into account, when deciding on binding emission ceilings for each individual Member State.

We have concerns regarding the extent to which reduction commitments, due to their high ambition, the assumption of a single energy scenario in the IIASA report and exclusion of any potential uncertainties, may effect further development of Member States' economies, taking into account, in particular, determination of the Member States' own energy mix in the future.

Comments on Articles and Annexes to the NECD proposal

Article 1

Croatia is aware of positive aspects of regulating methane as one of the ozone precursor and synergies with climate-energy package, but we need to carry out extensive consultations at the national level on the inclusion of methane in the NECD proposal with all relevant stakeholders. Also, we believe that further consultations are needed in the framework of the LRTAP Convention.

Articles 6

Regarding the proposed period for the revision of the National air pollution control program (Article 6(3)) we think that, due to administrative overload, Member States should themselves have a possibility to decide about the frequency of the revision of the National program, depending on the yearly National Reports on emission inventories and projections.

In that respect, we propose the revision period between 2 and 5 years.

Annex I, Part A

In our opinion the proposed deadline for delivery of the *Preliminary national emissions by aggregated NFR, as aggregated in sectors as defined in Annex IV of the guidelines for reporting of the LRTAP Convention* is too tight and therefore not realistic. In Croatia the National energy balance report is available in the middle of November and National statistics data in October.

Considering the fact that the above mentioned are not official publications, we are in favour of a more realistic deadline, which is 31 December, as defined in Article 8 of Directive 2001/81/EC. Otherwise, the quality of data will be affected, since by the proposed deadline of 30 September, we can have only an assessment, instead of a proper calculation.

Annex III

We think that the approach and measures proposed in Point 4 of the Annex III. Part 1 A are very strict and limiting for farmers. We are very much concerned that the implementation of these measures would require significant financial investments on farms, as well as in education, but also it would require an overall change of common farming practices in Croatia. Therefore, the economic justification for the introduction of such practices and the ability of farmers to finance the implementation of such measures should be carefully assessed.

Annex IV, Part 1

The use of Tier 2 methodology for particular emission source depends on availability of the data. If detailed data is not available, we think that, as explained by the Commission on the last WPE, it should be possible to use Tier 1 methodology for pollutants emission calculations even for key sources of particular pollutant emission.

