

The European Union's Instrument for Pre-Accession Assistance (IPA)

Regional Environmental Network for Accession (RENA)

Workshop Report

*National Workshop on the inclusion of Croatia into the
aviation sector of the Emission Trading System*

28 September 2011 in Zagreb, Croatia



This project is funded by
the European Union



A project implemented by a
Consortium led by Hulla & Co.
Human Dynamics KG

National Workshop on the inclusion of Croatia into the aviation sector of the Emission Trading System
28 September 2011, Zagreb, Croatia

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 **Regional Environmental Network for Accession**



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1. Introduction

1.1 Aviation and the EU-ETS

The EU Emissions Trading System, which started on 1 January 2005, covered in the past only energy-intensive industrial installations – more than 10,000 of them across Europe, which are collectively responsible for nearly half of total EU CO₂ emissions. Following the EU legislation adopted in 2009, air operators are also covered from 1 January 2012.

Like industrial installations, airlines will receive on the basis of their aviation activities in a determined monitoring year, receive free tradeable allowances giving them a right to emit a certain level of CO₂ emissions from their flights per year.

The existence of a market in which these allowances can be traded enables operators to manage their emissions cost-effectively. If their actual emissions are lower than their allowances received for free, they can sell their surplus allowances on the market or else "bank" them to cover future emissions. If they anticipate that their emissions will exceed their free allowances, they can either take measures to reduce their emissions -for instance by investing in more efficient technologies or operational practices- or they can buy additional emission allowances on the market, whichever is cheaper. Thus, for example, airlines may be able to buy allowances from industrial installations that have reduced their emissions.

From the start of 2012, emissions from all domestic and international flights that arrive at or depart from an EU airport will be covered by the EU Emissions Trading System. It implies that in addition to the 27 EU Member States, the EU ETS for aviation also applies to the three EEA-EFTA States (Iceland, Liechtenstein and Norway). It will extend to Croatia by 1 January 2014 after the country's planned accession to the EU on 1 July 2013. It will then cover 31 countries.

Aircraft operators covered by the EU Emissions Trading System (EU ETS) are attributed for administrative purposes to the administering Member State. Aircraft operators are to submit to their competent authority a monitoring plan, according to which they will monitor and later report their emissions during the year.

The emissions data in the annual emissions report must be verified by the 31st of March each year by an accredited verification body. By 30th of April each year, aircraft operators must surrender a number of allowances equivalent to the total emissions during the preceding calendar year. Common rules for the accreditation of verifiers and the verification of annual emissions report are important for improving the quality of verification of annual reporting.

RENA (Regional Environmental Network for Accession) is financed by the EU and managed by the European Commission, and assists the beneficiaries (Albania, Bosnia and Herzegovina, Croatia, Kosovo under UN Council Resolution 1244/99, the FYR of Macedonia, Montenegro, Serbia and Turkey) in exchange of information and experience related to preparation for accession. Through RENA the Commission promotes and facilitates enhanced regional cooperation in the Western Balkans and Turkey in the field of environment in the prospect of EU accession.

1.2 Extension of aviation in the EU ETS to Croatia

By 1 January 2014, the aviation part of the Emissions Trading System (EU ETS) should expand to Croatia due to the country's planned accession to the EU on 1 July 2013. The scope of the aviation part of the EU ETS will therefore in the future cover some additional flights: the domestic flights within Croatia, as well as those between Croatia and non-EEA countries.

Following the extension of the aviation part of the EU ETS to Croatia, a number of important steps need to be taken, such as the calculation of historical aviation emissions for additional flights, the calculation of the cap and the adoption of the decision on the distribution of allowances.

Aircraft operators performing domestic flights within Croatia and flights between Croatia and non-EEA countries will have the possibility to monitor the tonne-km data for the additional flights in 2012 and to apply for additional free allowances by 31 March 2013.

Eurocontrol identified a number of aircraft operators, which performed domestic flights within Croatia and flights between Croatia and non-EEA countries in 2010. It has also identified aircraft operators who could become new entrants to the EU ETS because they perform these additional flights.

If these aircraft operators continue performing such flights in 2012, they may be eligible to perform tonne-km monitoring in 2012 and apply for free allowances in 2013.

The tonne-km monitoring related to Croatian accession is not limited to the operators listed in the table. Any aircraft operator who will perform domestic flights within Croatia or flights between Croatia and non-EEA countries in 2012 and is not exempt from the EU ETS, has a right to participate in the tonne-km exercise in 2012.

In order to be able to apply for free allowances by 31 March 2013, aircraft operators need to submit a specific tonne-km monitoring plan that needs to be approved by the Croatian competent authority before 2012.

The expansion of the EU ETS for aviation to Croatia entails that aircraft operators operating domestic flights within Croatia and flights between Croatia and non-EEA countries will be requested to report their greenhouse gas emissions for these flights from the date of accession of Croatia to the EU (likely to happen by 1 July 2013).

Relevant stakeholders are invited to contact their competent authority if an update of their monitoring plan is necessary.

2. The Seminar (28 September 2011)

2.1 General

On 28 September 2011 a national RENA **Workshop on the inclusion of Croatia into the aviation sector of the emission trading system** was held in Hotel Westin, Zagreb, Croatia. The key objective is to provide an overview of how and when Croatia will be included in the aviation sector of the EU ETS and what is required from the Airline Operators to comply.

The target group for this event are Croatian officials of the relevant climate departments of the Ministries and involved authorities, as well as the aviation sector in Croatia.

In 2011 seven RENA climate events have been implemented:

- **First event**: Annual RENA Working Group Meeting on Climate in Zagreb, Croatia on 22 February 2011
- **Second Event**: Regional Workshop on the Climate and Energy Package in Budva, Montenegro on 21 and 22 March 2011
- **Third event**: Regional Workshop on the revised EU –ETS in Istanbul, Turkey on 16 and 17 May 2011
- **Fourth event**: Regional Workshop on EU Policies and legislation on transport/fuels and F-gases in Istanbul, Turkey on 18 May 2011
- **Fifth event**: Regional workshop on the Identification of follow-up national ReCAP events on concrete climate actions in Bonn, 12 June 2011
- **Sixth event**: Workshop on the Monitoring Mechanism Decision (280/2004/EC) and its implementing provisions in Skopje on 30 June and 1 July, 2011.

- **Seventh event:** Workshop on the EU –ETS with a focus on Monitoring, Reporting and Verification, held in Zagreb on 26 and 27 September, 2011.

The climate activities under RENA (Working Group 2) have been launched during the RENA Climate Working Group meeting in Zagreb in February 2011 (www.renanetwork.org). This is the **Eighth RENA** Climate event within that framework.

The facilitators were:

- ✓ Yolanda Villar Ruberte (European Commission - DG Climate Action)
- ✓ Yvonne Schmidt (European Commission - DG Climate Action)
- ✓ Imre Csikós (Coordinator of the RENA Climate Working Group)
- ✓ Visnja Grgasovic (Ministry of Environment and Physical planning of Croatia, MZOPU)
- ✓ Mark Sinton (Environmental Agency England and Wales)
- ✓ Saviour Vassallo (Climate Change Malta Resources Authority)

The list of participants is attached in **Annex 1**. The agenda of the workshop is attached in **Annex 2**.

2.2 Proceedings of the workshop

All presentations are presented **under separate cover** on the website of RENA (www.renanetwork.org). (Annex 3).

1. After a short welcome by Mr Imre Csikós, the meeting was opened by Mrs Visnja Grgasovic, on behalf of the host country of Croatia. Mrs Grgasovic explained the need and importance for this workshop for Croatia.



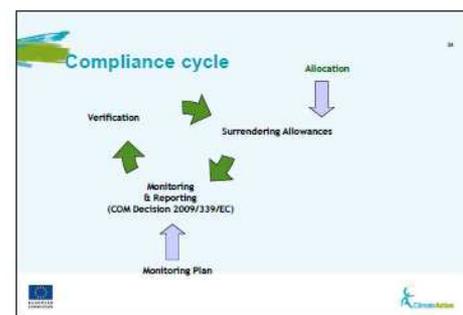
2. Mrs Yolanda Villar Ruberte of DG Climate Action of the European Commission welcomed the participants. She stressed the importance of the workshop as a platform for exchange of information and expertise between the climate experts from Croatia, RENA experts, the EU Member States and also from the Commission. She indicated the need for Croatia to step up efforts to align with the EU Climate Acquis and that this workshop is one of the vehicles to promote

this. She also indicated that her door is always open for questions and discussions.

3. Mr Csikós then explained the purpose of the meeting provided a brief outline of the RENA programme and the planned activities under the Climate Component of RENA. He also indicated that this Eighth RENA Seminar is implemented in the framework of the EU-ETS activities of RENA and as such is a follow-up on the Third RENA ETS Seminar held in Istanbul in May 2011 and the Seventh RENA ETS Seminar in Zagreb on 26 and 27 September 2011.
4. Mrs Yolanda Villar Ruberte and Mrs Yvonne Schmidt then presented the general introduction to the ETS-post 2012 as an essential part of a wider package of climate and energy policies. They then focused on the inclusion of aviation activities into the EU-ETS (Directive 2008/101/EC); linking and recognition of third country measures for aviation and the enlargement to Croatia.
 - For the period from 1 January 2012 to 31 December 2012, the total quantity of allowances to be allocated to aircraft operators shall be equivalent to 97 % of the Historical Aviation Emissions (HAE).

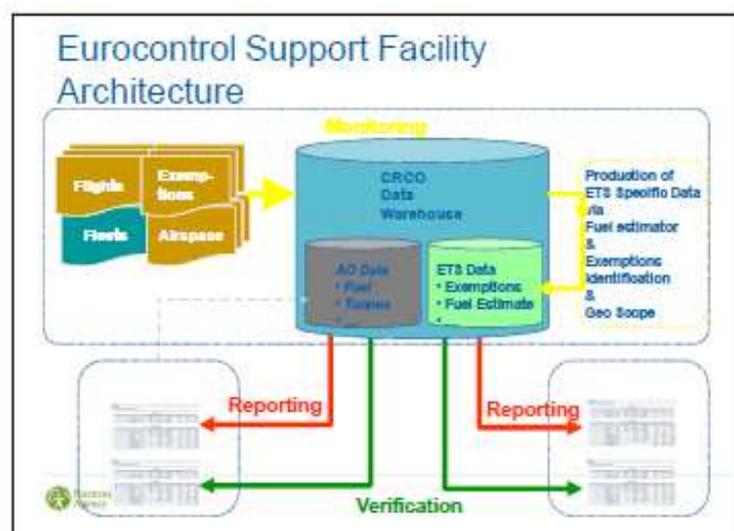
For the period 1 January 2013 until 31 December 2020 this will be 95%. Com Decision 2011/49/EU sets the Union-wide historical aviation emissions.

- From 1 January 2012 the compliance cycle for flights arriving or departing an EU Member State or EEA—EFTA country.
- The threshold for inclusion is CO₂ emissions of 10.000 t.p.a or more than 243 flights by an airline operator (AO)
- The operating licenses are granted by the EU Member State. The next update of the list of AOs will be on 1 February 2012. The list will ensure that each AO knows which State he will be regulated by (or Member States know which AOs they need to regulate). The current list is based on Commission Regulation 394/2011.
- For the calculation of free allowances the administering Member State calculates and then publishes the allocations per AO based on (=tkm (application) * EEA benchmark; whereas tkm = distance * payload)
- The deadlines: The verified emission reports and tonne-kilometre reports had to have been submitted before on 31 March 2011 for the previous year, whereas by 30 June 2011 the MSs have to submit their national reports and applications to the Commission. By 30 September 2011 a COM decision will be issued concerning the cap and the allowances covering the period 2012 and that of 2013-2020.
- Within 3 months after the COM Decision the MSs will publish the total allocation of free allowances to each AO. The first tranche of allowances by the MSs will be issued by 28 February 2012.
- Verification procedure was explained with reference to the new A&V Regulation, to be published by end of 2011.
- Compliance will need to be ensured though surrendering aviation allowances, general allowances or approved Kyoto credits. From 2013 at least 1.5% per year of CERs/ERUs can be surrendered.
- A special reserve will be put aside for new entrants to the market and for fast growing airlines (tonne kilometre data increase of 18% annually, not as a result of talking over another airline). The application for this will need to be made by 30 June 2015.
- For Croatia the Accession Treaty foresees in 2011 the preparation and submission of the 2012 tkm monitoring plans to the Croatian CA. In 2012 the tkm exercise for additional aviation activities: Monitoring of the tkm data for the whole calendar year. In 2013 deadline for the application of free allowances to the Croatian CA, calculation of cap by Commission, emissions monitoring from the date of accession (1 July 2013). In 2014 first compliance cycle starts: Additional aviation activities “fully included and the issuing of free allowances starts.



5. Mrs Visnja Grgasovic then outlined the Croatian legislative alignment and the implementation measures. She confirmed that the timetable as outlined above is now transposed in Croatian legislation and presented the details as regards Croatian legislation. Reference for the details are presented in Annex 3.

6. Mr Sinton gave an overview of the compliance and compliance tools. He introduced and explained the Eurocontrol ETS support facility and the small emitters tools. Particular attention was paid on how the Eurocontrol support facility can help aircraft operators in submitting and verifying emission reports. Operators that fly from and to the EU Member States as well as from and to Norway, Iceland and Liechtenstein need to apply for an emissions plan and need to submit



annual emissions returns unless the relevant flights fall under the exemption. To provide insight whether operators and/or can be exempt or not EU Member States worked with Eurocontrol to develop the ETS support facility. Eurocontrol is the only source of flight data for the whole of the EU (as they collect route charge payments). Although there is no obligation for Eurocontrol to do so, Eurocontrol has committed itself to provide flight data to the EU Commission and to Member States.

The Eurocontrol Support Facility (ETS-SF) is an online tool available to each Member State subscribing to and agreeing to pay for this service. For verification purposes the ETS-SF is the only independent source of flight data.

A demonstration of the tool was presented (screenshots). The data in the ETS-SF are independent of the operator's data, i.e. the operator has no access allowing the change of data, and this assures that the ETS-SF can be used by verifiers to assist in the verification process. The Eurocontrol Small Emitters tool (applicable for <243 flights per annum and < 10,000 tpa CO₂e emissions) is used to estimate the emissions for the small emitters. An excel sheet is available from the Eurocontrol website. The tool is very accurate for modern and commonly used medium to large aircraft, but less accurate for smaller business aircraft because of the lack of historic data for that aircraft.

Also aircraft operators access will be available before the end of 2011 (with 2011 data).

7. Mr Saviour Vasallo then continued to discuss the monitoring and reporting aspects of the inclusion of aviation in the EU-ETS. The presentation addressed on the relevant paragraphs of the Directive and provided insight in the tools available to AOs and CAs.

The legal requirements are:

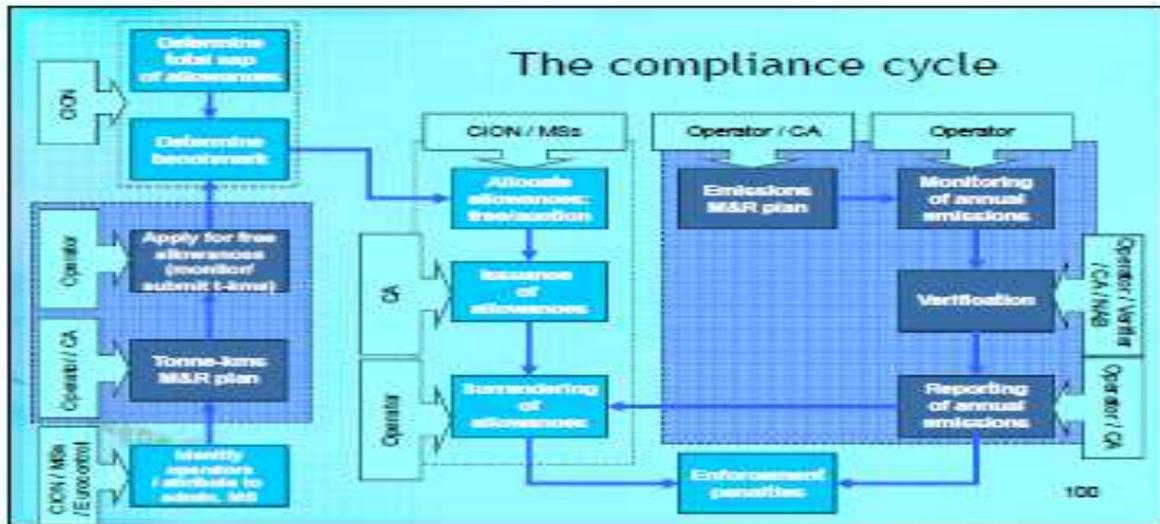
- **Allocation and issue of allowances:** Art 3e of the EU ETS Directive: Each AO may apply for an allocation of allowances to be allocated free of charge. An application may be made by **submitting a verified report on the tonne-kilometre data to the CA** of the administering MS.



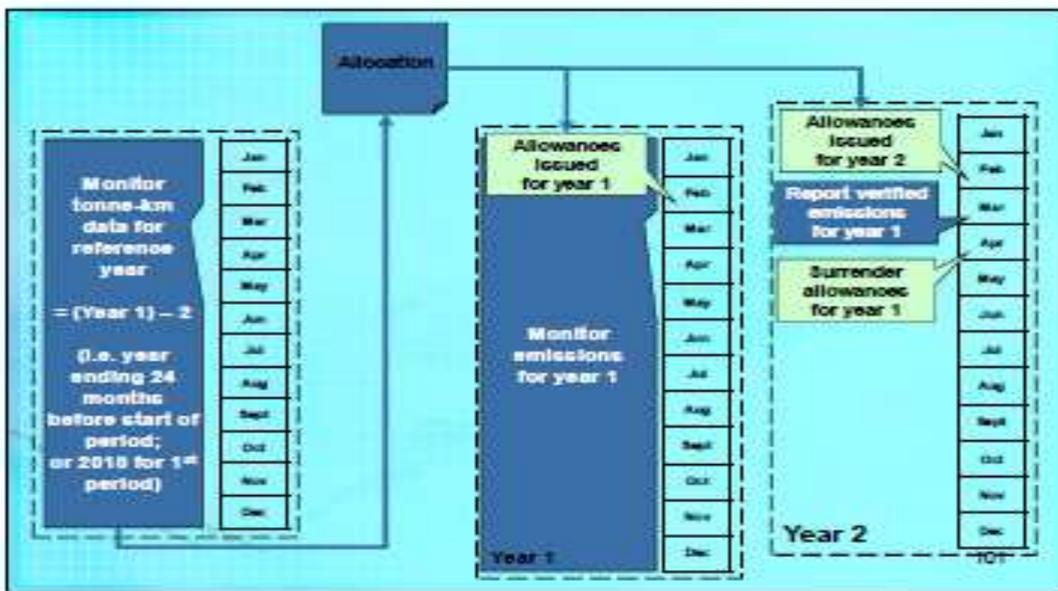
- **Monitoring and Reporting of Emissions:** Art 14 states: Member States shall ensure that each ... **aircraft operator reports the emissions during each calendar year from ... the aircraft, which it operates** to the competent authority after the end of that year **in accordance with the** [monitoring and reporting] **guidelines.**"

ensure that the **reports submitted by ... aircraft operators ... are verified ...**" and "Member States shall ensure that an ... **aircraft operator whose report has not been verified as satisfactory ... cannot make further transfers of allowances** until a report from that ... aircraft operator has been verified as satisfactory."

- **Monitoring and Reporting plans:** Art 3g: "The administering Member State shall ensure that each **aircraft operator submits to the competent authority** in that Member State **a monitoring plan** setting out measures **to monitor and report emissions and tonne-kilometre data** ... and that such plans are approved by the competent authority **in accordance with the** [monitoring and reporting] **guidelines ...**"



How the above needs to be implemented was visualised in the compliance cycle.



Subsequently, Mr Vassallo presented and explained the available “toolkits”:

What?	Who?	Available Tools?
Preparing Monitoring Plan	Operator	<ul style="list-style-type: none"> M&R Guidelines (from 2013 new M&R Reg) Annotated templates Guidance document
Approving Monitoring Plan	Competent Authority	<ul style="list-style-type: none"> M&R Guidelines (from 2013 new M&R Reg) Guidance document
Monitoring & Reporting	Operator	<ul style="list-style-type: none"> M&R Guidelines (from 2013 new M&R Reg) Approved monitoring plan Annotated templates
Verification on report(s)	Verifier	<ul style="list-style-type: none"> M&R Guidelines (from 2013 new M&R Reg) Guidance document

The above tools were demonstrated by showing screenshots of the templates and the guidance documents, fuel consumption methods, monitoring tonne-kms reporting templates, monitoring plan templates and procedures etc.). Reference is made to Annex 3.

8. Mr Sinton then continued to explain the implementation experiences in the UK. The view is that the UK implementation process went very well. Issues that contribute to this assessment:
- UK ran an e-mail help desk – well in advance of application dates
 - Placed advice and guidance on our web site
 - Held training events for operators
 - Issued newsletters
 - UK Government employed a full time consultant to work on customer relationships
 - The Environment Agency tried to be as customer friendly as possible
 - Internet based application system
 - Employed consultants to work on the surge in work load due to the large number of emission and TKM plan applications
 - TKM plans and emission plans all processed on time

However there were also some major challenges: There was an immense amount of effort required to ensure that all who were entitled to free allowances could apply. This had mainly to do with the need to modify UK legislation to deal with this issue, as well as the need to regularly transfer operators to other Member States.

At this moment the focus is on compliance. The first date for surrender of allowances to cover the emissions will be 2013. There will be a penalty of €100 per tonne CO₂ for failure to surrender sufficient allowances. Another issue of future effort concerns the need to track contact details of operators (non-contactable operators) who are still flying regularly to and from the EU. But all in all a very high level of compliance from the commercial sector is observed.

9. In his second presentation, Mr Saviour Vassallo completed the seminar by explaining Malta's experiences with implementation of ETS for aircraft operators assigned to Malta. The Maltese approach is based on the following principles :
- Pragmatism.
 - Focus on the main players but treat all equitably;
 - Primary aim is common understanding rather than using the whip!
 - Interactive approach with AOs (to the extent possible).
 - The better the understanding of requirements by the AOs, the better their submissions and the easier the work of the CA.
 - Many tools are available – use them.
 - Using different sources of information available, including expertise in the sector;
 - EUROCONTROL's ETS SF has been very useful;
 - Active participation in the EF III and CF task force meetings – interact with experts from other MSs.

It is vital to “know” your operators. Formal letters were sent (post and email) to all operators providing info on the ETS, requesting contact details and requesting submission of AOCertification/OLicence. Eurocontrol's ETS SF was used, but even sources as Wikipedia were useful to track AOs. Also AOs were encouraged to communicate with the CA while drafting the M&R plans for guidance. The review and approval process was also highly interactive.

In the discussion that followed Mr. Vassallo's presentation, Malta's experiences on accepting applications for free allowances and the annual emissions reporting process (including cross checks with corresponding tonne-km reports and with Eurocontrol SF data) were addressed in further detail.

2.3 Evaluation of the workshop

The results of the evaluation of the event on 26 and 27 September 2011 is shown hereunder (reference is made to **Annex 4**). Only five participants filled the evaluation form. Although this evaluation showed that the expectations of the participants as regards the contents of the workshop were met, it is not allowed to draw conclusions as regards this (due to the low number of feedback). The reason for the low feedback is that unfortunately most participants left already before the final presentations were completed.

There was consensus between the RENA Climate Group coordinator, the beneficiary and the Commission that the presentations were very clear, informative and of high quality. It is therefore unclear why many participants left the meeting before the end as the sessions were considered to be very informative and of high quality. One reason could be the overwhelming amount of facts and data provided to participants. In addition some participants (eg airport staff) considered themselves not to be part of the target group.

Annex 1: PARTICIPANTS' LIST:

	names	contact details	Institution
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23	Chris Dekkers	Chris.dekkers@eu-etscomplianceforum.eu , +31 6 1501 7611	RENA expert



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32	Snjezana Vucenovic	Snjezana.vucenovic@gmail.com	Interpreter

Annex 2

AGENDA

Regional Environmental Network for Accession - Working Group 2 Climate National Workshop on the inclusion of Croatia into the aviation sector of the Emission Trading Scheme

Place: Zagreb, Hotel Westin, Izidora Kršjavoga 1, Zagreb 10000, Croatia

Date/Time: 9.00 – 17.00, Wednesday 28 September,

DAY 1

- | | |
|---------------|---|
| 9:00 | <i>Welcome coffee</i> |
| 9:15 – 9:45 | Welcome and introduction
Mrs Yolanda Villar Ruberte Chairman and Facilitator
WG Coordinator of Host country
Introduction of participants
Objectives of the meeting
Approval of the agenda |
| 9:45 – 10.00 | General description of RENA Network and status of project implementation
Introduction by Imre Csikós |
| 10:00 – 11.15 | General introduction to the Main EU ETS and aviation legislation
By Yolanda Villar Ruberte and Yvonne Schmidt, DG Climate Action, International carbon market, aviation and maritime sector <ul style="list-style-type: none">- <i>Directive 2008/101/EC (inclusion of aviation in the ETS)</i>- <i>Implementing legislation (Com Decision 2011/149/EU; Com Regulation No. 82/2010; Com Decision 2009/450/EC; Com Decision 2009/339/EEC)</i>- <i>Extension of the EU ETS to the EEA (EEA-wide figure on historical aviation emissions; list of aircraft operators to the extension of the EU ETS; Com Regulation 394/2011)</i>- <i>Likely consequences for extending EU ETS to aviation in Croatia</i> |
| 11:15 – 11:30 | <i>Coffee break</i> |
| 11:30 – 12:15 | Experience in Croatia with the implementation of the inclusion of aviation into the ETS
By Visnja Grgasovic. MZOPU <ul style="list-style-type: none">- <i>Explanation of Croatia experiences with implementation</i> |

- *Enforcement and compliance issues*

- 12:15 – 13:15 **How to ensure that AOs comply with the EU ETS requirements**
By Mark Sinton, Environmental Agency England and Wales
 - *Explanation of the cooperation with Eurocontrol*
 - *Outline of the ETS Support Facility developed by Eurocontrol and how it is being used to ensure compliance*
 - *Basic steps in the compliance and verification process*
 - *Aviation specific monitoring and reporting issues*
 - *Dealing with the small non-commercial aircraft operators*

- 13:15 – 14:15 *Lunch*

- 14:15 – 15:30 **Monitoring and Reporting**
By Saviour Vassallo, Senior Environment Protection Officer - Climate Change Malta Resources Authority
 - *Explaining the legal , institutional and procedural requirements for the Competent Authorities*
 - *Templates used for the monitoring plans and the emission and Tonne Kilometres reporting*
 - *Step by step explanation of requirements and formats used for the MPs and the TK and emission reports*
 - *Guidance material for monitoring and reporting*
 - *Small emitter's tool*

- 15:30 – 16:15 **Experiences in UK with the implementation of EU ETS in the Aviation Sector**
By Mark Sinton
 - *Explanation of MS experiences with implementation*
 - *Enforcement and compliance issues*

- 16:30 – 16:45 *Tea break*

- 16:45 – 17.30 **Experiences in Malta with the implementation of EU ETS in the aviation sector**
By Saviour Vassallo
 - *Explanation of MS experiences with implementation*
 - *Enforcement and compliance issues*

- 17:30 – 17:45 **Wrap-up of the day**
By Yolanda Villar Ruberte



Annex 3

Sheets

(under separate cover)

Presentations to be found on www.renanetwork.org

Annex 4

POST-WORKSHOP EVALUATION

FULL TITLE OF THE TRAINING: RENA WG2 CLIMATE CHANGE
Activity 2.4 National Workshop on the inclusion of Croatia into the Aviation Sector of the Emission Trading Scheme

LOCATION OF THE TRAINING: Zagreb, Croatia

DATES: 28 September 2011

1. Statistical Information

1.1	Workshop Session	National workshop
1.2	Trainer Name	<i>Imre Csikos/ Chris Dekkers/Yolanda Villar Ruberte/Yvonne Schmidt/Višnja Grgasović/Mark Sinton/Saviour Vassallo/Jozsef Feiler</i>
1.3	Name and Surname of Participants (evaluators)	As per participants' list.

2. Your Expectations

Please indicate to what extent specific expectations were met, or not met:

My Expectations	My expectations were met		
	Fully	Partially	Not at all
1.			
2.			
3.			

3. Workshop and Presentation

Please rate the following statements in respect of this training module:

Aspect of Workshop	Excellent	Good	Average	Acceptable	Poor	Unacceptable
1 The workshop achieved the objectives set	80%	20%				
2 The quality of the workshop material given to me was of a high standard	20%	80%				
3 The content of the workshop was well suited to my level of understanding and experience	40%	60%				
4 The practical work was relevant and informative	40%	60%				
5 The workshop was interactive	60%	40%				
6. The mix between theory and practise allowed sufficient opportunity to implement acquired knowledge and skills	40%	60%				



Aspect of Workshop	Excellent	Good	Average	Acceptable	Poor	Unacceptable
7 Trainers were well prepared and knowledgeable on the subject matter	100%					
8 The duration of this workshop was neither too long nor too short	20%	80%				
9 The logistical arrangements (venue, refreshments, equipment) were satisfactory	80%	20%				
10 Attending this workshop was time well spent	80%	20%				

4. Comments and suggestions

I have the following comment and/or suggestions in addition to questions already answered:

Workshop Sessions:

Trainers:

Workshop level and content:

Other:

- 1)
- 2)
- 3)
