

## REFERENCE II

## Actions Taken on the 2001 OECD Review Recommendations

Recommendations	Actions taken
<b>GREENING GROWTH</b>	
<i>Decouple</i> pressures on the environment from sectoral activities (e.g. energy, industry, transport, agriculture) through better <i>institutional and market integration</i> of environmental concerns in sectoral decision making and practices.	An extensive planning and consultative framework has been established at the governmental level to integrate environmental considerations in sectoral policies. This has resulted in a reduction of the environmental impacts of economic growth. The Ministry of Environment and Spatial Planning has led a number of initiatives resulting in the introduction of regulatory and economic instruments that stimulated structural change, investment and better sectoral policies, which has helped to reduce most forms of pollution.
Further strengthen national and local <i>sustainable development</i> efforts (e.g. by adopting a national sustainable development strategy).	The National Strategy for Sustainable Development to 2015 and its implementation plan were approved in 2007. The Strategy provides the framework for the integration of various planning and strategic instruments. Its implementation is regularly monitored.
Integrate environmental concerns in <i>fiscal</i> policies and decrease environmentally harmful subsidies.	Portugal has introduced several environmentally related fiscal measures, including the waste management tax, the water resource tax and the tax on inefficient light bulbs. Other taxes have been reformed to reflect environmental performance, such as those on the purchase and ownership of vehicles (now partly linked to CO <sub>2</sub> emissions) and the local property tax (now reduced when renewable energy source equipment and solar panels are installed). Excise duties have been increased, especially those on industrial fuels and domestic heating oil. Excise duty exemptions and reduced value added tax rates continue to apply to different uses of energy products and to products or activities that are potentially environmentally harmful.
Ensure that <i>environmental convergence</i> , both within the EU and within Portugal (e.g. among regions) receives higher priority in the implementation of EU cohesion policies.	In the programming period 2000-06, the EU's contribution to environmentally related investments accounted for 9% of the EU funds allocated to Portugal. Funds were mostly used to finance water and waste infrastructure investment. In the programming period 2007-13, about 23% of the total available EU contribution has been allocated to improving the environment, promoting sustainable growth and combating climate change.
Develop the use of <i>economic instruments</i> and full cost recovery in the provision of environmental services, and progress towards full adherence to the polluter pays and user pays principles.	An increase in water and waste tariffs, in conjunction with the introduction of water and waste management taxes, has enabled better cost recovery in water and waste service provision. Most households (nearly 90%) are subject to a multi-part water tariff, consisting of a fixed connection charge and billing at a volumetric rate. There is also widespread use of increasing block tariffs. Wastewater charges are less well-developed, as they are either fixed or dependent on water consumption and other variables, e.g. property value. Similarly, several municipalities do not charge households for waste services or the charges are based on water bills and other variables.
Significantly increase <i>economic analyses</i> of environmental policy measures.	Economic analysis is not used systematically to support environmental policy decisions, although a few policy documents (e.g. the Portuguese Environment and Health Action Plan) have undergone some form of economic or cost-benefit analysis.
Take <i>distributive effects</i> into account when privatising environmental services, introducing economic instruments or changing legislation concerning property and user rights.	In 1997, the Institute for the Regulation of Water and Solid Waste (IRAR) was created to regulate water supply, wastewater and urban waste service operators. Its purpose, in particular, has been to ensure that tariffs guarantee efficient and socially acceptable prices without harming the financial sustainability of service providers. The IRAR also analyses consumer complaints and assists in conflict resolution between consumers and service providers. The IRAR was transformed into the Water and Waste Services Regulation Authority (ERSAR) in 2009, with increased regulatory responsibilities covering approximately 500 management service entities irrespective of their management model.

Recommendations	Actions taken
<b>IMPLEMENTATION OF ENVIRONMENTAL POLICIES</b>	
Continue implementing the various national plans and investment programmes and review and revise the <i>National Environment Plan</i> .	A large number of national plans and investment programmes related to priority environmental issues, identified by the 1995 National Environment Plan, were designed during the review period. They have been implemented in connection with national development plans, such as the 2000-06 National Plan for Economic and Social Development, the 2005 National Action Programme for Growth and Jobs (PNACE) and the 2006 National Policy Programme for Land Use Planning (PNPOT). Planning development has been closely linked with the EU funds provided by the Operational Programme of the third Community Support Framework for the period 2000-06, and with the National Strategic Reference Framework (QREN) for the period 2007-13.
Continue to strengthen implementation of <i>integrated pollution prevention and control</i> licensing mechanisms.	Significant reform of the environmental permitting and licensing system was launched in 2000 with the introduction of IPPC permitting for large installations. Permitting procedures have been simplified: the Environment Agency is the only competent national authority for IPPC permitting, and installations may use accredited private entities to prepare permit requests. A new system for accelerated licensing of projects of potential national interest (PIN) has been in force since 2005.
Prepare contingency plans in the event of an industrial accident, pursuant to the <i>Seveso</i> Directive.	National legislation on the prevention of major accidents was strengthened in 2007 by the introduction of additional evaluation mechanisms such as an annual presentation of audit reports on Safety Management Systems, performed by qualified auditors and applicable to operators of "upper tier" establishments, and land use compatibility assessments applicable to new Seveso sites and changes in existing ones. Several guidance documents and forms have been published to support the implementation of these mechanisms. The system of integrated environmental permits covers sites listed under the <i>Seveso II</i> Directive. However, about half the required installations have not completed External Emergency Plans.
Strengthen the financial and human resources devoted to national environmental inspection to support progress in <i>compliance with and enforcement of environmental regulations</i> .	The capacity of the Environmental and Spatial Planning General Inspectorate (IGAOT) has been strengthened to carry out and co-ordinate compliance assurance and promotion with regard to environmental, spatial planning and nature protection legislation. Since 2006, the IGAOT has also exercised financial and administrative control of the operations of agencies subordinate to the MAOT. Enforcement of nature protection legislation has been strengthened by the creation of the Service for Nature and Environmental Protection (SEPNA) of the National Republican Guard, which enforces compliance with environmentally related legislation, particularly concerning hunting, fishing, and non-compliance in the forestry sector. The IGAOT and the SEPNA are authorised to carry out inspections, investigate non-compliance and initiate administrative offence procedures. They function as law enforcement bodies, as set out in relevant legislation.
Strengthen the capacity to <i>evaluate the environmental impact</i> of regional and sectoral development schemes.	Procedures for environmental impact assessments of projects that may have significant environmental impacts were revised in 2000 and again in 2005. As required under EC regulations, EIAs in Portugal involve multi-stage procedures that are to be undertaken prior to project development. EIA procedures begin with the submission of an environmental impact study (EIS) by proponents of projects. The EIS is subject to non-mandatory screening to help focus on projects that present the greatest potential environmental risks. In 2007, detailed provisions were set out to ensure public participation in the environmental assessment of sectoral plans and programmes. Several public discussions took place on key strategic documents, such as the National Sustainable Development Strategy, River Basin Management Plans, the National Climate Change Programme, the National Environmental and Health Action Plan, and the National Strategic Tourism Plan.
Foster the development of <i>environmental democracy</i> through further improvement in environmental information, increased participation ( <i>e.g.</i> in EIA processes) and the development of Local Agenda 21 initiatives.	Provision of environmental information was strengthened during the review period. The Environment Agency has become the key government body responsible for collecting, maintaining and disseminating environmental data and carrying out an integrated analysis of the results of implementing policies and measures. The annual State of the Environment reports produced by the Environment Agency are presented to the Parliament to support discussions of the national budget. Since 1999, the use of indicators in environmental reporting has become widespread. A 2007 publication on a system of sustainable development indicators (SIDS) presented environmental topics in the wider context of sustainability, reflecting efforts to integrate environmental concerns in sectoral ( <i>e.g.</i> energy, transport, agriculture, tourism and industry) policy. In 2008, several portals were launched to provide on-line access to information on a wide range of environmentally related issues. Portugal ratified the Aarhus Convention in 2003 and has made progress in ensuring that the public is able to exercise the rights set out in the Convention's three "pillars". A 2006 law on access to environmental information and the conditions for its provision has strengthened access to the already well-established system for dissemination of environmental information to the public.

Recommendations	Actions taken
<b>IMPLEMENTATION OF ENVIRONMENTAL POLICIES (cont.)</b>	
<p>Several tools have been developed to enable adequate public participation in EIA procedures. They include notification that documents are available for consultation, through press releases and the print and other media, as well as letters to NGOs, universities, industry associations and others informing them about the EIA procedures. A database has been made available on the Internet to provide further information on EIA processes, including non-technical summaries of EIAs, executive summaries of environmental conformity reports concerning environmental impact declarations, and proposals to define the scope of public consultations. The results of decisions on projects under evaluation are also made available on the Internet. Help desks and clarification meetings (in which project proponents, project consultants and the Evaluation Committee participate) respond to inquiries by citizens directly affected by projects.</p>	
<b>Air Management</b>	
<p>Implement further measures to reduce <math>SO_x</math>, <math>NO_x</math> and <math>CO_2</math> emissions in order to fulfil domestic and international commitments cost-effectively; continue to design and implement measures to reduce emissions of ozone precursors.</p>	<p>Progress in reducing emissions of key air pollutants from the industrial and energy sectors has mainly been achieved through structural changes, fuel switching, and efficiency improvements in energy transformation. Air pollution reduction efforts have been supported by further development of a regulatory framework for better air management, industrial licensing, and enforcement and compliance promotion. These reductions have allowed Portugal to meet the 2010 <math>SO_x</math> emission target established under the EU National Emission Ceilings (NEC) Directive ahead of schedule, and to be on track to meet <math>NO_x</math> and NMVOCs emission targets. Emissions of suspended particulate matter, largely generated by the energy industries, industrial processes and transport, stabilised during the review period following increases in the 1990s.</p>
<p>Expand air quality <i>monitoring</i> (e.g. to include fine particulates and ground-level ozone).</p>	<p>Portugal is now covered by the Air Quality Monitoring Network, comprising 77 stations that continuously measure concentrations of <math>CO</math>, <math>NO_2</math>, <math>SO_2</math>, <math>O_3</math>, <math>PM_{10}</math>, <math>PM_{2.5}</math> and benzene (<math>C_6H_6</math>). Stations are located in urban and rural areas affected by industrial or traffic related emissions. Measurement campaigns are also carried out to evaluate concentrations of heavy metals and hazardous substances. Since 2004, installations subject to industrial permitting have been required to carry out self-monitoring and report to the Portuguese Environmental Agency and Regional Development and Co-ordinating Commissions.</p>
<p>Establish or enhance <i>air quality management programmes</i> for major cities.</p>	<p>Pollution reduction in large urban areas, such as Greater Lisbon (Lisbon and the Tagus Valley) and Greater Porto, has been guided by Air Quality Improvement Plans developed to identify the main pollution sources and measures needed to meet <math>PM_{10}</math> and <math>NO_2</math> limit values. The plan for Lisbon has given priority to shifting passenger travel from private vehicles to light rail, buses and the recently expanded subway system, as well as introducing access charges for entering the centre of Lisbon by car (differentiated according to the number of passengers). Other measures have included designation of high occupancy lanes of highways, and renovation of taxis and the solid urban waste collection fleet.</p>
<b>Water Management</b>	
<p>Implement <i>water management by river basin</i>, in particular through river basin authorities.</p>	<p>Ten River Basin Boards, created in 2008, are responsible for water resources planning and the development of <i>River Basin Management Plans</i>. Although these Plans have not been finalised, they are expected to provide a better instrument to manage and protect surface and groundwater resources. Important linkages are also expected to be made with plans for coastal area management.</p>
<p>Continue to improve the <i>efficiency of water and wastewater services</i> by extending the formation of plurimunicipal bodies to the whole territory, by opening the water service supply sector to private operators and private funding and by applying the user pays and polluter pays principles.</p>	<p>Guided by the strategic plans for water and wastewater services, PEAASAR I (2000-06) and PEASSAR II (2007-13), initiatives have been taken to complete consolidation of the "wholesale" water supply and sanitation systems by plurimunicipal companies (in the first period) and to optimise the sector's environmental performance, clarify the role of private enterprises and improve organisation of the "end-users" service system (in the second period). The "end-users" service is still dominated by municipalities, but the number of corporatised municipal companies and concessionaries has been growing.</p>
<p>Mobilise national and international technical, human and financial resources to achieve the 2006 objective of <i>90% of population connected</i> to public wastewater treatment.</p>	<p>The share of the population connected to public wastewater treatment plant increased during the review period, from 55% in 1999 to 72% in 2008. However, the established objective has not been met. Connection rates vary from relatively high levels in the south (83% in Sado and Mira, 79% in the Algarve) to as low as 47% further north (Minho, Lima). Additional efforts are needed to achieve the 90% objective by 2013 in the new timeframe.</p>

Recommendations	Actions taken
Promote the use of economic instruments such as <i>pollution charges</i> for industry and <i>withdrawal charges</i> for agriculture.	The Water Resources Tax, introduced in 2008, has become a key instrument of national water management policy that implements the polluter pays and user pays principles. It collects a rent for use of water resources by economic entities, helps cover the environmental costs of activities likely to have significant impacts on water resources, and recovers administrative costs related to planning, management and oversight of water quality and quantity. The tax has five components, including a volumetric payment for water abstracted for private use, differentiated according to the type of user and adjusted according to the water scarcity coefficient in a region, and a payment for discharging, directly or indirectly, effluents that could have significant impacts (COD/BOD, nitrogen or phosphorus pollution), differentiated according to the pollutant and pollution load contained in the discharge, expressed in kilograms.
Prepare national pollution reduction programmes for all <i>hazardous substances</i> discharged into water (e.g. by industry).	Several legal provisions have been adopted to reduce and control discharges of hazardous substances to the aquatic environment, but no explicit programme has been developed.
Extend water quality monitoring to <i>all groundwater sources</i> used or intended for drinking water abstraction.	Water quality monitoring systems have been extended to all groundwater sources expected to be used for public supply. There has been a significant decrease in the number of analyses whose results show standards for drinking water being exceeded.
<b>Waste Management</b>	
Complete closure of uncontrolled <i>dumping sites</i> by 2001.	All uncontrolled waste dumps were closed in 2002. Landfills are subject to analysis and monitoring related to the technical requirements for closure, and for collection and treatment of leachate and biogas, as required by the EU Landfill Directive.
Continue to implement the <i>national plans on municipal, industrial and hospital waste management</i> , monitor the performance in implementation, and review and revise the plans accordingly, with special attention to waste prevention efforts.	Several measures have been taken to implement the 1997-2005 Strategic Plans for Municipal Solid Waste (PERSU I), with a focus on creating an incentive framework for waste reduction and the development of adequate infrastructure for waste treatment. A new programme for the period 2007-16, PERSU II, was approved based on a review of PERSU I. It emphasises the need to develop appropriate infrastructure and equipment to support waste collection and separation, including collection and recycling centres and the development of Extended Producer Responsibility schemes for specific waste streams. The 2003 National Plan for the Prevention of Industrial Waste (PNAPRI) established specific additional goals for waste reduction and increased recycling and recovery, including the objective of Portuguese self-sufficiency in managing hazardous waste through the construction of integrated recovery and disposal centres (CIRVER) and co-incineration in cement kilns. The Strategic Plan for Hospital Waste (PERH) was approved in 2009.
Where appropriate, adopt <i>household waste charges</i> based on waste production rather than on water consumption.	Progress in establishing household waste charges that would allow better cost recovery has been slow. Several municipalities do not charge households for waste services at all. In those that charge, rates are still linked to water bills or other variables.
Continue to develop quantitative targets for <i>industrial waste</i> stream management; use economic incentives to encourage industrial waste recycling.	Reuse of waste or recovered material as a secondary raw material was encouraged by the creation in 2006 of the Organised Waste Market, a voluntary system which promotes exchange of information about waste materials available on the market and facilitates trading of these materials between economic entities.
Foster the development of a <i>waste management industry</i> including co-incineration of hazardous industrial waste in cement plants.	Two specialised facilities for hazardous waste treatment (CIRVER) were opened in 2008, bringing Portugal closer to meeting the long overdue objective (established at the beginning of the review period) of self-sufficiency in hazardous waste treatment.
Develop public information on options for <i>hazardous waste</i> treatment.	A Waste Registry and Information System (SGIR), transformed in 2007 into the Integrated Electronic Database on Waste (SIRER), provides a uniform mechanism for waste registration and access to information about different types of waste. It makes updated information available to the public.
<b>Nature and Biodiversity</b>	
Implement the <i>national biodiversity strategy</i> , in particular measures to control rapid urban expansion and tourism development in coastal areas and taking account of the <i>Natura 2000</i> network.	The process of designating areas within the <i>Natura 2000</i> network (except marine areas) is practically completed. Total land areas cover nearly 2 million ha (total marine areas cover only 130 000 ha). Land management in these areas has been given high priority. A Guide for the Eco-Tourism Investor has been published.
Finish establishing and implement management plans for the <i>national network of protected areas</i> ; establish and implement management plans for Ramsar <i>wetlands</i> and restore migratory routes between marine and inland waters for migratory fish species.	New or improved management plans (PO) have been prepared for several protected areas. Progress has been made in inventorying, evaluating and monitoring wetlands, which will facilitate their management.
Ensure that nature conservation is taken fully into account in <i>implementing regional, coastal and municipal land use plans</i> .	The <i>Natura 2000</i> Network Sectoral Plan provides guidance on the inclusion of relevant measures and restrictions in municipal or special plans for land use planning. The whole of Portugal's coastal area is now covered by land use plans.

Recommendations	Actions taken
Explore the possibility of raising private funds for nature conservation to progressively assure its <i>long-term financing</i> .	The Fund for the Conservation of Nature and Biodiversity was created in 2009. It is based on promoting participation by local authorities, private sector organisations, representatives of civil society, and other public and private entities in financing nature conservation activities. The Business and Biodiversity Initiative has been consolidated.
Continue efforts to implement biodiversity conservation in <i>agriculture, forestry and fisheries</i> .	The Strategy of Agricultural and Forestry Management for <i>Natura 2000</i> is part of the National Strategy for Rural Development 2007-13. The Operational Fisheries Programme 2007-13 includes measures to protect aquatic wildlife and enhance the environmental quality of coastal communities.

#### INTERNATIONAL COMMITMENTS

Ratify and implement formal international agreements to prevent <i>marine pollution</i> from ships (OPRC, London Protocol to the London Dumping Convention) and those that would enable higher compensation in the event of an <i>oil spill accident</i> or damage from noxious substances along the coasts.	Portugal has ratified international agreements to prevent marine pollution from ships (OPRC 1990, OPRC-HNS 2000, MARPOL PROT 1997) and to enable higher compensation in the event of an oil spill accident (CLC PROT 1992, FUND PROT 1992, FUND PROT 2003). Other key international agreements that enhance maritime safety and environmental protection (LC PROT 1996, AFS 2001, BWM 2004) have not yet been ratified.
Take measures to reduce imports of <i>CFCs</i> so as to contribute to protection of the ozone layer, pursuant to the Montreal Protocol.	Imports of ozone-depleting substances (ODS) are subject to the EC Regulation 2037/2000 (replaced by Regulation 1005/2009 in January 2010). Releases of controlled substances for free circulation or inward processing require an import licence from the European Commission. Free introduction into the European Community of regulated substances from third countries is subject to quantity limits. Since 2004, all ODS are under strict customs control. Imports of CFC-12 to Portugal decreased from 2000 to 2005, but increased in 2006 and 2007.
Increase <i>ODA</i> in line with national commitments, as well as the share of ODA devoted to environmental projects.	Between 2000 and 2009, Portugal's net ODA fell slightly. It did not meet the EU target of 0.33% ODA/GNI in 2006 and the projection for 2010 (0.34%) is well below the minimum DAC-EU donor target of 0.51%. The objective of 0.7% in 2015 will be extremely challenging.  The share of environment, and water and sanitation, in total official development assistance (about 1%) reflects a low priority in Portuguese development co-operation compared to that indicated by other DAC countries.

#### ENERGY AND ENVIRONMENT INTEGRATION

Develop energy efficiency programmes in the transport, residential and industry sectors ( <i>e.g.</i> for small and medium-sized industries) so as to derive multiple benefits: more efficient energy use, lower fuel import dependence and reduced emissions of both conventional air pollutants and CO <sub>2</sub> ; implement fuel quality improvement plans fully.	The National Energy Efficiency Action Plan (PNAEE), approved in 2008, includes a wide-ranging set of measures in the transport, residential, service and industry sectors, including the development of certification and energy management schemes for medium-sized industrial facilities. Stricter fuel quality standards, in line with EU rules, have entered into force.
Strengthen the guidance function of environmentally related taxes concerning transport and energy.	The prices of electricity, natural gas and transport fuels have been liberalised. Excise duties have been increased, especially on industrial fuels and domestic heating oil. Taxes on the purchase and ownership of vehicles have been partly linked to CO <sub>2</sub> emissions, and a tax break for less polluting diesel vehicles has been introduced.
Continue to act to reduce the average age of vehicle fleets through improved control of used car imports, enhanced technical inspections and economic incentives for fleet renewal; continue to develop public transport.	Economic incentives for fleet renewal have been provided in the form of car scrapping incentives and vehicle taxation based on CO <sub>2</sub> emissions. The government has provided financial support for the renewal of heavy vehicles used in both passenger and freight transport. Economic and environmental criteria ( <i>e.g.</i> CO <sub>2</sub> emission limits) have been introduced for vehicles in public fleets. Central and local governments have invested in renewing their fleets.
Intensify efforts to improve the modal split in passenger and freight transport, and to develop sustainable urban transport systems.	The government has invested heavily in developing and upgrading public transport infrastructures, such as the Lisbon metro and light rail networks and public transport in Porto. Sustainable mobility plans have been developed for 40 selected municipalities. A Logistics Plan has been developed, providing for a national network of freight multimodal platforms, logistics centres and air cargo centres.
Implement the national strategy to achieve GHG emission reduction targets and capture multiple ancillary benefits.	A national strategy has been developed to combat climate change, accompanied by an implementation plan (PNAC). The PNAC, last revised in 2008, includes several measures designed to abate domestic emissions, supplemented by participation in the EU ETS and use of the Portuguese Carbon Fund.

Recommendations	Actions taken
<b>COASTAL ZONE MANAGEMENT</b>	
Fully monitor and enforce the implementation of recent <i>coastal and municipal land use plans</i> and, in the process, increase municipalities' and tourism professionals' information on and commitment to the integration of environmental concerns into tourism decisions.	<p>A review of implementation of the coastal zone management plans (POOC), carried out in 2005-06, was followed by their revision and the adoption of the <i>Litoral 2007-13</i> programme, which further prioritised implementation of the actions defined in the POOC with a focus on areas where people and buildings are most at risk.</p> <p>Building on the success of an earlier Polis scheme in urban areas, <i>Polis Litoral</i> schemes were launched in four priority areas with a view to better co-ordinating the actions of various authorities. Priority actions focus on demolishing structures in coastal areas that are threatened by encroachment of the sea, and strengthening nature conservation areas while designating locations for economic development, especially tourism and housing.</p>
Put more emphasis on <i>eco-friendly forms of tourism</i> , with efforts to include domestic tourists; promote the integration of <i>sustainable tourism in local economies</i> (e.g. coastal areas that are under intense pressures from tourism, as well as relatively poor inland areas).	The 2007 Tourism Strategy highlights urban, environmental and landscape quality as integral parts of tourism in Portugal. Initiatives have been launched to shift the focus from traditional coastal destinations (e.g. the Algarve and Lisbon) towards destinations inland (six new tourism poles), and to promote quality tourism associated with natural assets such as forests, the landscape and mountains.
Develop the use of <i>economic instruments</i> (e.g. access fees, airport charges, taxation of second homes) in line with the polluter pays and user pays principles.	Economic valuation studies have been carried out to assess biodiversity loss in coastal areas and the benefits of protecting these areas. With the exception of fines for illegal construction in protected areas, there has been no progress in applying economic instruments to strengthen coastal zone management.

Source: OECD, Environment Directorate, Environmental Performance Reviews: Portugal, 2001.



**From:**  
**OECD Environmental Performance Reviews:  
Portugal 2011**

**Access the complete publication at:**  
<https://doi.org/10.1787/9789264097896-en>

**Please cite this chapter as:**

OECD (2011), "Actions Taken on the 2001 OECD Review Recommendations", in *OECD Environmental Performance Reviews: Portugal 2011*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/9789264097896-12-en>

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