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蒙特利尔议定书违约程序
所设执行情况委员会
第十九次会议
1997年9月8日，蒙特利尔

蒙特利尔议定书违约程序
所设执行情况委员会
第十九次会议工作报告

一. 导言

1. 蒙特利尔议定书违约程序所设执行情况委员会于1997年9月8日至10日在蒙特利尔国际民航组织总部举行了第十九次会议。

二. 组织事项

A. 会议开幕

2. 执行情况委员会主席 Denis Langlois 先生于1997年9月8日上午10时宣布会议开幕。

B. 主席团成员

3. 根据委员会在其第十七次会议上作出的决定，Denis Langlois 先生（加拿大）担任会议主席，Peter Acquah 博士（加纳）担任报告员。

C. 会议参加情况

4. 来自加拿大、多米尼加共和国、德国、加纳、印度尼西亚、立陶宛、斯里兰卡、乌克兰、乌拉圭和赞比亚的委员会成员参加了会议。

5. 出席会议的还有执行蒙特利尔议定书多边基金的各执行机构（联合国开发计划署（开发计划署）、联合国环境规划署（环境规划署）、联合国工业发展组织（工发组织）和世

界银行)、多边基金秘书处和全球环境融资机构秘书处。

6. 捷克共和国和俄罗斯联邦的代表应委员会邀请出席了会议,以便提出关于其各自国家对《蒙特利尔议定书》遵守情况的资料。
7. 以色列、新西兰和美利坚合众国的代表也应委员会的邀请出席了会议,以便提出其各自国家在项目 5 下的意见。
8. 本报告附件二开列了全部与会者的名单。

D. 通过议程和工作安排

9. 委员会根据作为 UNEP/OzL.Pro/ImpCom/19/1 号文件分发的临时议程通过议程如下:
 1. 会议开幕。
 2. 通过议程和工作安排。
 3. 俄罗斯联邦和捷克共和国提交的关于其对《蒙特利尔议定书》遵守情况的资料。
 4. 文莱达鲁萨兰国关于改划为第 5 条国家的请求。
 5. 《蒙特利尔议定书》为评估遵守情况所规定的提出报告任务和数据上报格式草案。
 6. 其他事项。
 7. 会议闭幕。

三. 俄罗斯联邦和捷克共和国提交的 关于其对《蒙特利尔议定书》遵守情况的资料

俄罗斯联邦

10. 根据执行情况委员会第十八次会议的请求 (UNEP/OzL.Pro/ImpCom/18/3, 第 26 (h) 段), 俄罗斯联邦的代表汇报了该国为建立一套回收和再循环制度所进行的努力。他说, 除了在以前会议上汇报的措施之外, 又正在试验两项从军事基地以及工业和商用冷却系统回收消耗臭氧物质 (ODS) 的技术, 预计这两项技术将为建立一个 ODS 回收制度奠定技术基础, 一旦制订出经济鼓励措施, 该制度便将建立。自 1997 年 1 月以来, 已经回收和再循环了大约 100 公吨的各类含氯氟烃 (CFC)。他强调, 这些物质是为了国内使用, 不是为了出口。

11. 在俄罗斯保护臭氧层机构间委员会的一次会议上, 1998 - 2000 年联邦 ODS 回收方案草案得到了普遍赞同。该委员会还在同一次会议核准采取一项新的主动行动, 建立一套与

关于有害废料的制度类似的为释放 ODS 付费的制度。还在探讨其他主动行动，其目的是鼓励用户购买再循环的 ODS，而不是新产的 ODS。针对回收的 ODS 的再循环在经济上效益不高的情况，正在研制把这些 ODS 转化为各类氟氯烃化合物（HCFC）或使其全部矿化的技术。通过这些措施和一套新的特许制度，打算在 2000 年年初之前停止所有 ODS 的生产和耗用，并实现对《议定书》的充分遵守。

12. 在答复臭氧秘书处的代表就出口管制情况提出的问题时，俄罗斯联邦的代表告知说，在 1997 年第一季度仅出口了 1,000 吨，目的地是中国。出口的是四氯化碳，用途是作为原料。尚得不到关于该年其余时间的数字，但俄罗斯当局正在实行已经通过的特许制度，人们期望，1997 年受管制物质的出口总量仅有几千吨，而且主要是出口给独立国家联合体的成员国。

13. 俄罗斯联邦的代表强调，全球环境融资机构和世界银行在继续进行该国的再循环和回收努力方面发挥了必不可少的作用。环境融资机构的代表则重申，该机构理事会决定为执行俄罗斯联邦的逐步停用 ODS 方案提供支助，但条件是须按时执行该国于 1995 年提交的逐步停用时间表。应在 1998 年核准第二笔援助，但在放款时需要执行情况委员会明确表示继续提供援助是适当的。

14. 执行情况委员会在讨论后决定，鉴于俄罗斯联邦代表提供的关于该国回收和再循环努力的资料，建议继续积极考虑向该国提供国际援助，尤其是全球环境融资机构的援助，以便为俄罗斯联邦的执行该国逐步停用消耗臭氧物质方案的项目提供资金。

捷克共和国

15. 根据执行情况委员会的十八次会议的请求，捷克共和国代表提供了关于该国 1995 年溴代甲烷耗量的数据。他说，在 1995 年共进口了 18.6 吨溴代甲烷（相当于 11.1 吨消耗臭氧潜能值(ODP)），其中 13.2 吨是在当年 12 月进口，大部分直到 1996 年才使用。在 1996 年没有进口任何溴代甲烷。因此，尽管 1995 年进口的 18.6 吨超过了 1991 年的 10.8 吨（相当于 6.5 吨 ODP），但这个数量是供 1995 和 1996 两年耗用，因此年平均耗用量没有超过 9.3 吨（相当于 5.6 吨 ODP）。

16. 委员会决定：

- (a) 注意到捷克共和国在 1995 年没有冻结溴代甲烷耗用的违约行为。根据捷克共和国提供的资料，1995 年共进口了 11.16 吨溴代甲烷，其中 7.9 吨用于 1996 年，该年没有进口任何溴代甲烷；
- (b) 注意到，因此，尽管 1995 年溴代甲烷的进口数量超过了为捷克共和国规定的 6.0 吨冻结水平，但 1995 和 1996 两年的年耗量低于该水平；
- (c) 建议各缔约国根据以上所述不对这次违约事件采取行动，但应请捷克共和国保证

类似情况不再发生。

四. 文莱达鲁萨兰国关于改划为第 5 条国家的请求

17. 秘书处通知委员会，由于文莱达鲁萨兰国的 1994 年数据原显示人均耗量高于 0.3 公斤，因此将该国划为非第 5 条国家，而现在该国又提交了重新计算的数据，显示 1994 年的人均耗量低于 0.3 公斤，并因此请求改划为第 5 条国家。但是，臭氧秘书处的代表回顾说，尽管缔约国会议第 VI/5 号决定允许缔约国重新提交某年的数据以供澄清问题之用，但该年的分类不得改动。

18. 主席回顾说，第六届缔约国会议第 VI/5 号决定分段 (c) 要求提交更正数据的缔约国向委员会提供解释性说明，以方便委员会的工作。他认为，文莱达鲁萨兰国仅仅通知秘书处，由于进行了一次新的 ODS 普查，数字已经改动，却没有为前后差别提供任何解释。

19. 委员会商定，要求文莱达鲁萨兰国提交解释性说明，以便能够就此事项采取行动。

20. 委员会经过讨论商定，建议第十届缔约国会议决定如下：

- (a) 回顾第六届缔约国会议第 VI/5 号决定分段 (c)，其中允许缔约国更正其提交的关于某年的数据以求达到准确，但是不允许改变该年根据更正前数据进行的分类；
- (b) 注意到文莱达鲁萨兰国上报的 1994 年消耗臭氧物质耗量订正数据显示，该年的人均耗量低于为在第 5 条第 1 款下行事所规定的限度；
- (c) 还注意到，文莱达鲁萨兰国上报的 1995 年消耗臭氧物质耗量数据显示，该年的人均耗量低于为在第 5 条第 1 款下行事所规定的限度；
- (d) 根据 1995 年的数据将文莱达鲁萨兰国改划为在第 5 条第 1 款下行事的缔约国，从 1995 年 1 月生效。

五. 《蒙特利尔议定书》为评估遵守情况所规定的 提出报告任务（第 VII/1/21 号决定）和数据上报格式草案。

21. 主席在介绍议程项目 5 时说，经委员会第十八次会议讨论，已经根据当时发表的意见和随后从各国政府收到的意见对数据上报格式草案进行了订正，上述意见已列入 UNEP/OzL.Pro/ImpCom/19/2 号文件提交委员会。主席还指出，根据缔约国会议关于就格式草案提交意见的请求，以色列、新西兰和美利坚合众国的代表出席了会议。

22. 以色列代表重申了该国发表的书面意见，其中指出，在数据表 5 中应该删去请求提供关于溴代甲烷出口目的地国的资料的栏目。在以色列只有一个公司生产和出口这种物质，因此，任何关于出口目的地国的资料将反映这一个企业的活动，而这是保密资料，根据以色列法律，国家有义务保护。她提请注意《维也纳公约》第 5 条和第一届缔约国会议第 I/11

号决定，其中都提到上报资料的保密性，并说，《蒙特利尔议定书》没有任何规定，要求缔约国提交关于和其进行受管制物质贸易的国家的资料。

23. 秘书处在答复时回顾说，第七届缔约国会议请求提交关于出口货物类型、数量和目的地的资料。此外还提议，缔约国应上报进口物质的原产国，以便有助于在出现违约情况进行核对。事实上在其他场合中也提出过保密问题，但《议定书》第7条不允许任何豁免。然而，秘书处向会议保证，资料仅以汇总形式发表，保密资料将不发表，并已经有适当的保证措施对其进行保护。

24. 以色列代表回答说，第VII/9号决定仅涉及附件A和附件B开列的物质，而《议定书》第7条并没有要求提供关于受管制物质目的地国或原产国的资料。以色列对《议定书》第12条分款(b)感到关注，因为其中允许任何国家从秘书处得到根据第7条提交的资料。以色列如果得到保密的保证，也许可以提供所要求的资料。当前，《蒙特利尔议定书》没有列入许多类似公约都列入的核查规定，也没有任何对侵犯保密性者进行处罚的规定。以色列代表团准备协助开展讨论，以便建立一个机制，来使保密性得到保证，并使潜在的竞争者无法获得资料。但是，她说，即将举行的缔约国会议无法进行这项工作。

25. 一些代表表示认为，一个缔约国一旦签署了某项国际条约，就有义务遵守其条款，在必要情况下，还须修改任何与条约冲突的国内法律。有一位代表提出，如果缔约国会议通过一项决定，规定更强有力的保密措施，以色列的担忧便可能减轻。

26. 新西兰和美利坚合众国的代表随后应主席邀请就数据上报格式草案发表了意见。

27. 新西兰代表说，他对上报混合物中的受管制物质数量的困难有若干关注之处。他提出，委员会可以请技术和经济评估小组提供一份这种混合物及其商业名称的清单。他还建议，可以请环境规划署与该小组合作，利用其当前的工作编制一份关于如何上报这类数据的简短的手册。关于在溴代甲烷的检查和装运前豁免方面采用“使用”而不是“耗用”一词的问题，他建议，纯粹为了上报数据的目的，应对该用词进行澄清，确定其指的是“耗用”。

28. 美利坚合众国代表对格式草案发表了若干编辑上的意见，其中包括：调查表上的每个问题后面应该紧跟相应的说明；需要进一步考虑是否应该分开上报关于不同异构物的数据的问题；关于溴代甲烷的说明应该分开列为一节；应该用较为适当的措辞取代“为已销毁的ODS进行的抵扣”；可以把关于回收和再生物质的两个栏目并为一个栏目，题为“二手物质和再循环物质”；每个表格均应明确指出所使用的度量单位是公吨，而不是ODP吨；在涉及溴代甲烷的表格中列入一个上报关键农业用途的栏目为时尚早。他还建议，由于没有任何法律规定应上报关于进口物质原产国的资料，应该删去列入这种资料的栏目，以避免对上报资料的缔约国造成额外负担。他又表示支持新西兰代表就检查和装运前用途发表的意见。

29. 秘书处提请注意芬兰和日本在 unep/OzL.Pro/ImpCom/19/2 号文件中发表的意见,并通知委员会,在编制订正格式时已考虑到这些意见。还应指出,秘书处打算以电子数据表的形式分发表格,以便上报资料的缔约国可以增加行数,开列进口物质的所有原产国。

30. 随后集中就以下政策问题进行了讨论:是否应在上报格式中列入进口物质原产国,以及关于出口目的地的资料是否应仅涉及附件 A 和附件 B 开列的物质。有一名代表在讨论期间建议,应该仅在涉及那些有栏目编码的物质时才要求提供关于进口物质原产国的资料,而另一名代表则说,由于秘书处必须能够在核查数据方面向委员会提供直到,应该提供关于所有物质的出口目的地国的资料,并由缔约国会议通过一项决定,为这些资料保密。该代表又说,还应列入关于进口物质原产国的资料,除非这样做完全不切实际。另一名代表对以下提议表示支持:由于第 VII/9 号决定是为了管制已经停用的物质的非法贩运,关于上报出口目的地国的规定在目前可以仅限于附件 A 和附件 B 开列的物质。该代表还指出,提交第九届缔约国会议的决定和修正案草案中所提议的特许制度可以使收集数据的工作更容易进行。

31. 委员会然后决定,一个由加拿大、加纳、以色列、新西兰、斯里兰卡、乌克兰和美国代表组成的小型非正式工作组应该举行会议,以便根据在委员会中发表的意见进一步制订这些表格。

32. 在该非正式工作组提交了一份订正案文之后,委员会进一步完善了上报格式,并商定将下文附件一中的格式和说明提交第九届缔约国会议。

33. 委员会还:

- (a) 赞赏地注意到秘书处和其他方面在重新设计数据报表方面进行的工作;
- (b) 还注意到上报数据问题是一个重要问题,因此各缔约国可考虑在这个方面给予更多审议;
- (c) 又注意到,上报关于在混合物中进口的物质的数据可能是一项困难的工作,而提供这方面的资料将有助于各缔约国更准确地上报数据。

34. 执行情况委员会因此建议第九届缔约国会议决定如下:

- (a) 核准订正数据表,以便上报根据《议定书》规定的上报任务编制的的数据。数据表载于本报告附件一;
- (b) 回顾第 IV/10 号决定,请技术和经济评估小组编制一份清单,开列已知含有受管制物质的混合物以及这些物质在混合物中所占百分比。特别重要的是,该清单应该提供关于混合制冷剂和溶剂的资料。应该在不限成员名额工作组第十七次会议上向各缔约国报告这些资料,然后每年上报;

- (c) 请环境规划署工业与环境机构利用其现有的报告和臭氧行动信息交流磁盘数据库并与其他执行机构和多边基金秘书处合作，编制一份关于数据上报的手册，以便向各缔约国提供资料，协助所有缔约国上报数据。这些资料应该包括收集数据的技术、技术和经济评估小组查明的商业名称、海关编码（如果有的话）以及关于哪些工业部门可以利用这些产品的说明；
- (d) 规定仅为收集数据的目的，各缔约国在上报关于溴代甲烷的数据以便提出检查和装运前申请时，应该上报耗量（即进口数量加产量减出口数量），而不是实际“用量”。

六. 其他事项

35. 没有其他事项。

七. 通过报告

36. 委员会在 1997 年 9 月 10 日的闭幕会议上根据 UNEP/OzL.Pro/ImpCom/19/L.1 号文件所载报告草案的基础上通过了本报告。

八. 会议闭幕

37. 在互致敬意之后，主席于 1997 年 9 月 10 日星期三下午 8 时宣布执行情况委员会第十八次会议闭幕。

Annex I

Data Reporting Forms

Country: _____

Reporting Year: _____

Questionnaire

Q1. Did your Country import CFCs, Halons, Carbon Tetrachloride, Methyl Chloroform, HCFCs, or Methyl Bromide in the reporting year?

Yes []

No []

If Yes, go to Data Form 1 and enter the relevant data. Please read Instruction I on page 4 carefully before filling in the form. If No, ignore Data Form 1 and go to Question 2.

Q2. Did your Country export CFCs, Halons, Carbon Tetrachloride, Methyl Chloroform, HCFCs or Methyl Bromide in the reporting year?

Yes []

No []

If Yes, go to Data Form 2 and enter the relevant data. Please read Instruction II on page 5 carefully before filling in the form. If No, ignore Data Form 2 and go to Question 3.

Q3. Did your Country produce CFCs, Halons, Carbon Tetrachloride, Methyl Chloroform, HCFCs or Methyl Bromide in the reporting year?

Yes []

No []

If Yes, go to Data Form 3 and enter the relevant data. Please read Instruction III on page 6 carefully before filling in the form. If No, ignore Data Form 3 and go to Question 4.

Q4. Did your Country destroy any ODSs in the reporting year?

Yes []

No []

If Yes, go to Data Form 4. Please read Instruction IV on page 7 carefully before filling in the form. If No, ignore Data Form 4 and go to Question 5.

Q5. Did your country import from or export to non-Parties in the reporting year?

Yes []

No []

If Yes, go to Data Form 5. Please read Instruction V on page 7 carefully before filling in the form. If No, ignore Data Form 5.

Name of reporting officer:.....
Designation:.....
Organization:.....
Contact details: (Phone, Fax, Postal Address and EMail Address)
.....
.....
Country:.....
Date:

ANNUAL DATA REPORTING

I INTRODUCTION

The data forms have been designed to make reporting easier for the Parties.

The major features of the forms are as follows:

- (a) Five separate data forms are provided for imports, exports, production, trade with non-Parties, and destruction of ozone depleting substances (ODSs). Many Parties do not produce, destroy or export any of the substances. If this is the case, please use only the imports Data Form 1 and Data Form 5, as applicable.
- (b) A row has been provided for each of the substances in Annex A. However, for categories of Annex B CFCs and HCFCs, the form is made shorter by providing rows only for substances which have been reported by Parties in the past, if needed. A few blank rows are provided for more substances, if needed. HBFCs (Annex C, Group II) have already been phased out by all the Parties. Hence, only one blank row has been provided for them, as a formality. The use of computerized forms supplied by the Secretariat is encouraged. Paper forms are also available. Parties who use the computerized forms may add more rows as needed, otherwise Parties are free to use additional pages as required.
- (c) The following are the exempted categories of ODSs:
 - Feedstocks for all the substances,
 - Essential uses for Annexes A, B and C substances as approved from time to time, and
 - Quarantine and Preshipment applications for Methyl Bromide.

It is necessary for each Party to specify how much of its production, export and import is used for these exempted categories. The Secretariat will deduct these exempted quantities from the total figures. Provision is made in the data forms for these exempted categories.

- (d) The same forms can be used for the base year and other years.
- (e) The basis for reporting requirements and definitions are annexed.

II GENERAL INSTRUCTIONS

- (a) Parties are requested to report the production and consumption of bulk ODSs in metric tonnes, without multiplying by the relevant ODPs (ozone depleting potentials).
- (b) In order to avoid duplication, quantities contained in end-products should not be included in a country's consumption, regardless of whether the end-products are imported or exported.
- (c) The data reported in accordance with the data forms will be used to determine the calculated levels of production and consumption, upon which the control measures are based. It is therefore crucial that data be provided separately for each individual substance listed in the forms.
- (d) When calculating consumption the Montreal Protocol allows countries to deduct amounts of ODS used for feedstock uses, exempted essential uses and for quarantine and preshipment applications. However, when reporting data Parties should not deduct these figures from their data. The Secretariat will do this.
- (e) It should be noted that both paragraphs 1 and 2 of Article 7 provide that the Parties should submit the best possible estimates for the base year where actual data are not available.
- (f) Parties producing and consuming controlled substances for approved essential uses should also report to the Parties using the form approved by the decision VIII/9.

INSTRUCTION I: Data on Imports of ODSs

1. For reporting data on imports of substances of Annex A (CFCs and Halons), Annex B (Other CFCs, Methyl Chloroform and Carbon Tetrachloride), Annex C (HCFCs or HBFCs) or Annex E substance (Methyl Bromide), please use Data Form 1.
2. Please enter the number of metric tonnes imported in Data Form 1 for each substance imported. If you did not import any of the substances listed, or if you have imported only recovered or reclaimed substances, please enter zero (0) in the column for "New Imported Quantities" for each substance.
3. When calculating a Party's consumption, the Montreal Protocol does not include substances used as feedstock for the production of other chemicals. Substances so used are completely transformed in the manufacturing process of the new chemical. In Data Form 1 the quantity of new substances imported to be used as feedstock in your Country should be entered in the form, but should not be deducted from the total quantity of new substances imported.
4. When calculating a Party's consumption the Montreal Protocol does not include quantities of Methyl Bromide which is used for quarantine and pre-shipment. In Data Form 1, quantities of Methyl Bromide imported for quarantine and pre-shipment applications should be entered separately, but not deducted from the quantity imported.
5. If your country imported mixtures (blends) of controlled substances, e.g. R-502 (HCFC-22 48.8%; CFC-115 51.2%), please report the quantity of the individual controlled substances contained in the mixture by entering the appropriate data under each controlled substance (e.g. R-502 should be reported as CFC-115 and HCFC-22). For further information about the composition of other mixtures refer to the diskette version of information circulated by UNEP IE known as the OAIC-DV Mk V, or refer directly to UNEP IE.
6. In Data Form 1, all substances of Annex A and Annex B (Groups II and III) have been listed. For Annex B Group I (Other CFCs) and Annex C Group I (HCFCs), only substances which have been reported by Parties in the past are listed. HBFCs have already been phased out by all Parties and hence for HBFCs only one blank row has been provided as a formality. If you are importing controlled substances other than those listed, please use the blank space to report data on these substances, or use additional sheets, if necessary.

INSTRUCTION II: Data on Export of ODSs

1. For reporting data on exports of substances of Annex A (CFCs and Halons), Annex B (Other CFCs, Methyl Chloroform and Carbon Tetrachloride), Annex C (HCFCs or HBFCs) or Annex E (Methyl Bromide), please use Data Form 2.
2. The first column SUBSTANCES has been left blank because each Party may export different substances. Please add the names and relevant information of only those substances being exported.
3. Approximately 20% of the Parties to the Montreal Protocol export some ODS. Reporting exports is necessary for two purposes: First, it is necessary to determine the level of a country's consumption. Consumption under the Protocol is defined as production plus imports minus exports. Accordingly, if your Country is exporting ODS, please provide in Data Form 2 the appropriate total amount of metric tonnes for the relevant newly produced chemical(s) you exported. If you exported any recovered or reclaimed chemicals, you should enter the data in the appropriate columns.
4. Second, Decision VII/9 paragraph 4 requests the parties to report on the destination of all substances (new, recovered or reclaimed) that are exported. Accordingly, fill out the columns on the destination of exports in Data Form 2. If you report that ODS was exported for feedstock uses this amount should also be included in the "Total Production" column of Data Form 3.
5. Similarly the quantity of new substances exported for essential uses should be entered in Data Form 2 and not deducted from the total quantity of new substances exported.
6. When calculating a Party's consumption, the Montreal Protocol does not include ODSs used as feedstock for the production of other chemicals. ODSs so used are completely transformed in the manufacturing process of new chemicals. In Data Form 2, the quantity of newly produced substances exported to be used as feedstock should be entered in the form and not deducted from the total quantity of new substances exported.
7. When calculating a Party's consumption, the Montreal Protocol does not include Methyl Bromide which is used for quarantine and pre-shipment (QPS) applications. In Data Form 2, quantities of Methyl Bromide exported for quarantine and pre-shipment applications should be entered separately, and not deducted from the quantity exported.
8. If your Country exported mixtures of controlled substances, e.g. R-502, please report the quantity of the respective controlled substances contained in the mixture by entering the appropriate data for each component of the mixture which is a controlled substance (see Instruction I, paragraph 5).

INSTRUCTION III: Data on Production of ODSs

1. For reporting data on production of substances of Annex A (CFCs and Halons), Annex B (Other CFCs, Methyl Chloroform and Carbon Tetrachloride), or Annex C (HCFCs and HBFCs), or Annex E (Methyl Bromide), use Data Form 3.
2. When calculating a Party's consumption the Montreal Protocol does not include ODS which is used as a feedstock for the production of other chemicals. ODS so used is completely transformed in the manufacturing process of the new chemical. Very few countries report production for feedstock use. If your country produced ODS for feedstock use within the reporting period, please provide data on the quantity of each ODS produced for feedstock purposes in the appropriate column of the form.
3. Producers of Annex A and B substances are allowed to produce additionally, 10 per cent (prior to phase out) or 15 per cent (after phase out), of their base-year production to meet the basic domestic needs of Parties operating under Article 5 paragraph 1. If your Country produced ODS for this purpose, please enter the amount so produced in the appropriate column on Data Form 3.
4. In Data Form 3, please give the total production of your Country without making any deductions for feedstock, destruction, export for feedstock uses, or any other use. The quantity of production used for feedstock within your country and production for supply to Parties operating under Article 5, should be filled in the form and not deducted from the total production. You should report exports of ODS to be used for feedstock on Data Form 2 (Data on Exports).
5. In the case of Methyl Bromide, the quantity produced for quarantine and pre-shipment (QPS) or feedstock, which is eligible for exemption, should be filled in Data Form 3 and not deducted from the total production. You should report exports of Methyl Bromide to be used for exempted uses on Data Form 2 (Data on Exports).
6. In Data Form 3, all substances of Annex A and Annex B (Groups II and III) have been listed. For Annex B Group I (Other CFCs) and Annex C Group I (HCFCs), only substances which have been reported by Parties in the past are listed. HBFCs have already been phased out by all Parties and hence for HBFCs only one blank row has been provided as a formality. If you are producing controlled substances other than those listed, please use the blank space to report data on these substances, or use additional sheets, if necessary.

INSTRUCTION IV: Data on Destruction of ODSs

1. Very few countries have the capacity to destroy ODSs using approved destruction technologies. If you have destroyed any of the substances of Annex A (CFCs and Halons), Annex B (Other CFCs, Methyl Chloroform and Carbon Tetrachloride), Annex C (HCFCs and HBFCs) or Annex E (Methyl Bromide) in the reporting period, please use Data Form 4.
2. The first column "Substances" has been left blank because each Party may destroy different substances. Please add the names of only those substances being destroyed.
3. When calculating a Party's consumption, the Montreal Protocol does not include the amount of substances destroyed, if destruction occurred through the use of a Protocol-approved technology.

INSTRUCTION V: Data on Imports from and Exports to non-Parties

1. Please use Data Form 5 for reporting data on imports from and exports to non-Parties of substances of Annex A (CFCs and Halons), Annex B (Other CFCs, Methyl Chloroform and Carbon Tetrachloride), Annex C (HCFCs and HBFCs) or Annex E (Methyl Bromide).
2. The first column "Substance" has been left blank because each Party may import different substances from and/or export different substances to non-Parties. Please add the names of only those substances that were imported from and/or exported to non-Parties.
3. "Non-Party", for the purpose of Data Form 5, means:
 - Countries which have not ratified the 1987 Montreal Protocol are considered non-Parties in regard to the substances in Annexes A, B, C and E.
 - Parties which have ratified the 1987 Montreal Protocol, but not the London Amendment of the Montreal Protocol, are considered non-Parties in regard to the substances in Annexes B, C and E.
 - Parties which have ratified the 1987 Montreal Protocol and the London Amendment to the Montreal Protocol, but not the Copenhagen Amendment to the Montreal Protocol, are considered non-Parties in regard to the substances in Annexes C and E.
 - The status of ratification of the Parties to the 1987 Montreal Protocol, the London Amendment and Copenhagen Amendment to the Montreal Protocol can be found in a document published and by the Secretariat and updated four times a year.

DEFINITIONS

- (a) "Consumption" means production plus imports minus exports of controlled substances.
- (b) "Controlled substance" means a substance in Annex A, Annex B, Annex C or Annex E to the Protocol, whether existing alone or in a mixture. It includes the isomers of any such substance. It excludes any controlled substance or mixture (blend) which is in a manufactured product other than a container used for the transportation or storage of that substance.
- (c) "Destruction process" is one which, when applied to controlled substances, results in the permanent transformation or decomposition of all or a significant portion of such substances (Dec.I/12F, IV/11, V/26 and VII/35).
- (d) "Production" means the amount of controlled substances produced minus the amount destroyed by technologies approved by the Parties and minus the amount entirely used as feedstock in the manufacture of other chemicals. The amount recycled and reused is not to be considered as "Production".
- (e) "Quarantine and preshipment applications" have been defined by the Parties as follows (Decision VII/5):
1. "Quarantine applications", with respect to Methyl Bromide, are treatments to prevent the introduction, establishment and/or spread of quarantine pests (including diseases), or to ensure their official control, where:
 - (i) Official control is that performed by, or authorized by, a national plant, animal or environmental protection or health authority;
 - (ii) Quarantine pests are pests of potential importance of the areas endangered hereby and not yet present there, or present but not widely distributed and being officially controlled.
 2. "Pre-shipment applications" are those treatments applied directly preceding and in relation to export, to meet the phytosanitary or sanitary requirements of the importing country or existing phytosanitary or sanitary requirements of the exporting country.
- (f) "Recovery, Recycling and Reclamation" have been defined by the Parties as follows (Decision IV/24):
1. "Recovery": The collection and storage of controlled substances from machinery, equipment, containment vessels, etc., during servicing or prior to disposal;

2. "Recycling": The re-use of a recovered controlled substance following a basic cleaning process such as filtering and drying. For refrigerants, recycling normally involves recharge back into equipment. It often occurs "on-site";
3. "Reclamation": The re-processing and upgrading of a recovered controlled substance through such mechanisms as filtering, drying, distillation and chemical treatment in order to restore the substance to a specified standard of performance. It often involves processing "off-site" at a central facility.

- (g) "Regional Economic Integration Organization" means an organization constituted by sovereign states of a given region which has competence in respect of matters governed by this convention or its protocols and has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve or accede to the instruments concerned.

The Montreal Protocol stipulates that any Parties which are Member States of a regional economic integration organization as defined above may agree that they shall jointly fulfill their obligations respecting consumption provided that their total combined calculated level of consumption under Articles 2, 2A and 2H of the Protocol does not exceed the levels required by these Articles.

The Montreal Protocol further stipulated that the requirements in Article 7 of the Protocol in respect of statistical data on imports and exports shall be satisfied if the regional economic integration organization concerned provides data on imports and exports between the organization and States that are not members of that organization.

- (h) At the Fourth Meeting of the Parties, it was decided (decision IV/14):

"To clarify Article 7 of the amended Protocol so that it is understood to mean that, in cases of transshipment of controlled substances through a third country (as opposed to imports and subsequent re-exports), the country of origin of the controlled substances shall be regarded as the exporter and the country of final destination shall be regarded as the importer. Cases of import and re-export should be treated as two separate transactions; the country of origin would report shipment of the country of intermediate destination, which would subsequently report the import from the country of origin and export to the country of final destination, while the country of final destination would report the import."

- (i) "At the Eighth Meeting of the Parties it was decided (decision VIII/14):

"To clarify decision I/12A of the First Meeting of the Parties as follows: trade and supply of Methyl Bromide in cylinders or any other container will be regarded as trade in bulk in Methyl Bromide."

REPORTING REQUIREMENTS

Reporting requirements under the Montreal Protocol and pursuant to requests for data by Meetings of the Parties are as follows:

<u>Basis for reporting</u>	<u>Information to be provided</u>
(a) To verify implementation of Articles 2A - 2H	Increased (annual) production of each ODS to meet meet the basic domestic needs of Articles 5 Parties.
(b) Article 7	Production, imports and exports of each of the controlled substances. Amounts used for feedstock. Amounts destroyed. Imports from and exports to non-Parties.
(c) Article 9	Summary of activities (every two years).
(d) Article 2, paragraphs 5, 5 <u>bis</u> 6, 7	Transfer or addition of production (as and when it occurs).
(e) Decision IV/17 A, paragraph 1	Information on the Implementation of Article 4.
(f) Decision IV/24, paragraph 2	Import and export of recycled and used controlled substances.
(g) Decision V/15	Information relevant to international halon bank management (to UNEP IE PAC).
(h) Decision V/25 and VI/14 A	Parties supplying ODS to Article 5 Parties provide annually summary of requests from importing Parties.
(i) Decision VI/19, paragraph 4	List of reclamation facilities and their capacities.
(j) Decision VII/9, paragraph 4	Types, quantities and destinations of exports of Annex A and Annex B substances.
(k) Decision VII/30	Importing countries to report to the Secretariat on the volumes of controlled substances imported for feedstock.
(l) Decision VII/32	Report on measures taken to regulate import and export of products and equipment containing Annex A and Annex B substances and technology used in their manufacture.
(m) Decision VIII/9, paragraph 9	Reporting quantities and uses of ODSs produced and consumed for essential uses.

Data Form I

DATA ON IMPORTS

in metric tonnes (not ODP tonnes)

Annexes A, B, C and E substances

Period: January - December 19__

Country: _____

I. Fill in this form only if the Country imported CFCs, HCFCs, Halons, Methyl Chloroform, Carbon Tetrachloride, or Methyl Bromide.

2. Please read Instruction I carefully before filling in this form.

ANNEX/ GROUP	SUBSTANCES	TOTAL QUANTITIES IMPORTED FOR ALL USES		QUANTITIES OF NEW SUBSTANCES IMPORTED AS FEEDSTOCK	QUANTITIES OF NEW SUBSTANCES IMPORTED FOR EXEMPTED ESSENTIAL USES
		NEW	RECOVERED AND RECLAIMED		
A-Group I	CFC-11 (CFC ₁)				
	CFC-12 (CFC ₂ -Cl ₂)				
	CFC-113 (C ₂ F ₃ Cl ₃)				
	CFC-114 (C ₂ F ₄ Cl ₂)				
	CFC-115 (C ₂ F ₅ Cl)				
A-Group II	HALON 1211 (CF ₂ BrCl)				
	HALON 1301 (CF ₃ Br)				
	HALON 2402 (C ₂ F ₄ Br ₂)				
B-Group I	CFC-13 (CF ₃ Cl)				
B-Group II	Carbon tetrachloride (CCl ₄)				
B-Group III	Methyl chloroform, 1,1,1-trichloroethane (C ₂ H ₃ Cl ₃)				

ANNEX/ GROUP	SUBSTANCES	TOTAL QUANTITIES IMPORTED FOR ALL USES		QUANTITIES OF NEW SUBSTANCES IMPORTED FOR EXEMPTED ESSENTIAL USES
		NEW	RECOVERED AND RECLAIMED	
C-Group I	HCFC-21 (CHFCI ₂)			
	HCFC-22 (CHF ₂ Cl)			
	HCFC-31 (CH ₂ FCI)			
	HCFC-123 (C ₂ HF ₃ Cl ₂)			
	HCFC-124 (C ₂ HF ₄ Cl)			
	HCFC-133 (C ₂ H ₂ F ₃ Cl)			
	HCFC-141b (CH ₃ CFCl ₂)			
	HCFC-142b (CH ₃ CF ₂ Cl)			
	HCFC-225 (C ₃ HF ₃ Cl ₂)			
	HCFC-225ca (CF ₃ CF ₂ CHCl ₂)			
	HCFC-225cb (CF ₂ ClCF ₂ CHClF)			
C-Group II	HBFCs			
E-Group I	Methyl Bromide (CH ₃ Br)			
	Quantities of Methyl Bromide imported to be used for Quarantine and Preshipment Applications			

1. Fill in this form only if the country produced CFCs, HCFCs, Halons, Methyl Chloroform, Carbon Tetrachloride or Methyl Bromide.
2. Please read Instruction III carefully before filling in this form.

Data Form 3

DATA ON PRODUCTION

in metric tonnes (not ODP tonnes)

Annexes A, B, C and E substances

Period: January - December 19__

Country: _____

ANNEX/GROUP	SUBSTANCES	TOTAL PRODUCTION FOR ALL USES	QUANTITIES PRODUCED FOR EXEMPTED USES WITHIN YOUR COUNTRY		PRODUCTION FOR SUPPLY TO ARTICLE 5 COUNTRIES IN ACCORDANCE WITH ARTICLE 2A-2H
			Quantity Produced for Feedstock within your Country	Quantity Produced for Essential Uses within your Country	
A-Group I	CFC-11 (CFCl ₃)				
	CFC-12 (CFC ₂ Cl ₂)				
	CFC-113 (C ₂ F ₃ Cl ₃)				
	CFC-114 (C ₂ F ₄ Cl ₂)				
	CFC-115 (C ₂ F ₅ Cl)				
A-Group II	HALON 1211 (CF ₂ BrCl)				
	HALON 1301 (CF ₃ Br)				
	HALON 2402 (C ₂ F ₄ Br ₂)				
B-Group I	CFC-13 (CF ₃ Cl)				
B-Group II	Carbon tetrachloride (CCl ₄)				
B-Group III	Methyl chloroform, i.e., 1,1,1-trichloroethane (C ₂ H ₃ Cl ₃)				

Data Form 3 (Continued)

ANNEX/GROUP	SUBSTANCES	TOTAL QUANTITIES PRODUCED FOR ALL USES	QUANTITIES PRODUCED FOR EXEMPTED USES WITHIN YOUR COUNTRY		PRODUCTION FOR SUPPLY TO COUNTRIES IN ACCORDANCE WITH ARTICLE 2A-2H
			Quantity Produced for Feedstock within your Country	Quantity Produced for Essential Uses within your Country	
C-Group I	HCFC-21 (CHFCI ₃)				
	HCFC-22 (CHF ₂ Cl)				
	HCFC-31 (CH ₂ FCI)				
	HCFC-123 (C ₂ HF ₃ Cl ₂)				
	HCFC-124 (C ₂ HF ₄ Cl)				
	HCFC-133 (C ₂ H ₂ F ₃ Cl)				
	HCFC-141b (CH ₃ CFCl ₂)				
	HCFC-142b (CH ₃ CF ₂ Cl)				
	HCFC-225 (C ₃ HF ₅ Cl ₂)				
	HCFC-225ca (CF ₃ CF ₂ CHCl ₂)				
	HCFC-225cb (CF ₂ ClCF ₂ CHClF)				
C-Group II	HBFC,				
E-Group I	Methyl Bromide (CH ₃ Br)				
	Quantity of Methyl Bromide Produced for Quarantine and Preshipment Applications				

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