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IMPLEMENTATION COMMITTEE UNDER THE
NON-COMPLIANCE PROCEDURE FOR
THE MONTREAL PROTOCOL
Twenty-first meeting
Cairo, 16 November 1998

REPORT OF THE IMPLEMENTATION COMMITTEE UNDER THE NON-COMPLIANCE
PROCEDURE FOR THE MONTREAL PROTOCOL ON THE
WORK OF ITS TWENTY-FIRST MEETING

I. INTRODUCTION

1. The twenty-first meeting of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol was held at the Cairo International Conference Centre on 16 November 1998.

II. ORGANIZATIONAL MATTERS

A. Opening of the meeting

2. The meeting was opened at 10 a.m. on Monday, 16 November 1998.

3. Mr. Peter Acquah (Ghana) served as President and Mr. Tom Land (United States of America) as Vice-President and Rapporteur.

B. Attendance

4. The meeting was attended by Committee members from the Dominican Republic, Germany, Ghana, Kenya, Latvia, Lithuania and the United States of America. Bolivia, Indonesia and Pakistan were not represented.

5. The meeting was also attended by representatives of the Implementing Agencies of the Multilateral Fund for the Implementation of the Montreal Protocol (the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), the United Nations Industrial Development Organization (UNIDO) and the World Bank) and the secretariats of the Multilateral Fund and the Global Environment Facility (GEF). The Co-Chair of the Technology and Economic Assessment Panel was also present.

6. At the invitation of the Committee, representatives of Belarus, the Czech Republic and the Russian Federation attended in order to present information on their respective countries' progress towards compliance with the Montreal Protocol.

7. The full list of participants is contained in annex II to the present report.

III. ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

8. The Committee adopted the following amended agenda on the basis of the provisional agenda that had been circulated as document UNEP/OzL.Pro/ImpCom/21/1:

1. Opening of the meeting.
2. Adoption of the agenda and organization of work.
3. Consideration of the updated data report under Articles 7 and 9 of the Protocol.
4. Consideration of information relating to non-compliance by some Parties as well as their statements, and adoption of any recommendations to the Parties at their Tenth Meeting.
5. Statements by representatives of the Fund Secretariat, the GEF Secretariat and the Implementing Agencies (UNDP, UNEP, UNIDO, World Bank) on activities by their organizations in the countries receiving their assistance.
6. Consideration of the conflicting data reporting periods for Parties operating under Article 5 for verifying their compliance from 1 July 1999.
7. Other matters.
8. Closure of the meeting.

IV. CONSIDERATION OF THE UPDATED DATA REPORT BY THE SECRETARIAT

9. The Secretariat drew the Committee's attention to the report of the Secretariat on information provided by the Parties in accordance with Articles 7 and 9 of the Montreal Protocol (UNEP/OzL.Pro.10/3). The Secretariat highlighted several aspects of the report and outlined updated information which it had received after the report had been distributed to the Parties.

10. With regard to ratifications, the Secretariat reported that, as at 16 November 1998, there were 168 Parties to the Montreal Protocol, 125 Parties had ratified the London Amendment, 81 Parties had ratified the Copenhagen Amendment and three Parties had ratified the Montreal Amendment.

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11. Regarding reporting of base-year and baseline data, the Secretariat drew the attention of the meeting to paragraph 5 of document UNEP/OzL.Pro.10/3. He noted that, since the production of that document, Antigua and Barbuda had submitted base-year data for 1986 and 1989; the Democratic People's Republic of Korea had reported base-year data for 1986; Barbados and Saint Vincent and the Grenadines had reported base-year data for 1991; and Argentina, Bolivia, Cameroon, China, Côte d'Ivoire, Dominican Republic, Ethiopia, Gambia, Guyana, Kenya, Malawi, Myanmar, Paraguay, Qatar, St. Kitts and Nevis, Sudan, Swaziland, Thailand, Turkey, United Arab Emirates, Venezuela, Viet Nam and Zimbabwe had reported baseline data for Annex A substances for 1995, 1996 and 1997. Those additions brought to 68 the number of Parties operating under Article 5 which had reported baseline data for Annex A substances for 1995, 1996 and 1997.

12. The Secretariat recalled that concerns had been expressed at the previous meeting of the Committee about the non-reporting of base-year data by the Democratic People's Republic of Korea, Liberia and Samoa, provisionally classified as operating under Article 5. Since that time, the necessary data had been received from the Democratic People's Republic of Korea and Samoa, and their Article 5 status was thus no longer in jeopardy under the terms of decision VI/5 of the Sixth Meeting of the Parties. With regard to Liberia, it should be noted that the country was recovering from a long period of civil turmoil, with all the attendant difficulties in collecting and reporting on ODS consumption. He suggested that the Committee might wish to take note of the problems facing the country.

13. While taking note of the situation in Liberia, the Committee was nonetheless of the opinion that, since the required information from Liberia had not been forthcoming in the specified period, Article 5 status was no longer available for it in terms of decision VI/5, (a)(ii). The Committee agreed that it would favourably review Liberia's situation with respect to the restoration of Article 5 status whenever Liberia was ready to approach the Parties on the matter.

14. In the days following the meeting of the Implementation Committee, UNEP received a faxed letter in fulfilment of the requirements under decision VI/5. Accordingly, Liberia maintained its status as an Article 5 Party, on the understanding that, with the expected assistance from UNEP to prepare a country programme, the data required under Article 7 of the Protocol should be collected and reported to the Secretariat in due course.

15. Regarding data for 1996, the representative of the Secretariat said that Chad, the Democratic People's Republic of Korea, Guatemala, Saudi Arabia and the Solomon Islands had recently reported data, bringing the total number of Parties reporting to 140. A total of 140 Parties had also reported data for 1995.

16. With regard to data for 1997, he reported that, notwithstanding the requirement for all Parties to report their data for 1997 by the end of September 1998, to date only 88 Parties had done so, 70 of those being Parties operating under Article 5.

17. One representative noted that it was very important for the Implementation Committee to highlight the need for Parties operating under Article 5 to submit their 1995, 1996 and 1997 data so that the baseline for the control measures for those countries could be determined.

V. CONSIDERATION OF INFORMATION RELATING TO NON-COMPLIANCE
BY SOME PARTIES

18. The Secretariat drew the Committee's attention to paragraphs 22-25 and tables 1 and 2 of its report, contained in document UNEP/OzL.Pro.10/3, which discussed a number of Parties whose data suggested that they were in non-compliance in 1996 with the control measures in Article 2 of the Protocol. The Secretariat recalled that, at its twentieth meeting, the Committee had considered non-compliance with the Protocol by those Parties. The recommendations of the Committee on each of the cases had been conveyed to the Parties concerned, which had been requested to send the relevant information to the Secretariat by 30 September 1998, including provisions for interim reductions and other benchmarks which the Implementation Committee could use to monitor progress.

19. The Secretariat then drew the Committee's attention to its reports on the information provided by Azerbaijan, Belarus, Estonia, Latvia, Lithuania, Russian Federation, Ukraine and Uzbekistan, contained in documents UNEP/OzL.Pro/ImpCom/21/2 and Add.1, as well as the specific communications from those countries contained in the annexes to those documents.

Azerbaijan

20. No representative from Azerbaijan was present. The Secretariat reported that, in its view, the information received did not include specific benchmarks or an adequate plan for the full phase-out of ODS.

21. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee agreed to recommend decision (a), contained in annex I to the present report, for adoption by the Meeting of the Parties.

Belarus

22. The representative of Belarus reported to the Implementation Committee on activities within that country to phase out ODS. Most important was a recent decision by the Cabinet of Ministers in November 1998, which would lead to a ban on consumption by January 2000 on controlled substances listed in groups I and II of Annex A and B to the Protocol. A licensing system was already in place, as were controls on imports and exports. Financial and technical assistance from GEF had been and would continue to be of great importance in eliminating ODS in Belarus. One serious problem was posed by refrigeration equipment in the agricultural sector, over 90 per cent of which used CFC-12 and which emitted more than 60 tons of CFC-12 to the atmosphere each year. Phase-out in that sector would cost an additional \$7 million, of which Belarus could provide \$3.5 million.

23. The representative of GEF stated that GEF had only very recently learned of the difficulties in the agricultural sector in Belarus and had not had time to consider the provision of additional financial assistance. In general, however, GEF policy was to provide a single package of assistance and it was the responsibility of the Party and the Implementing Agencies to develop a programme for the comprehensive phase-out of ODS from all sectors. Accordingly, the request for additional financial assistance by Belarus, which he saw as a request to the international community in general, was of an exceptional nature and he believed that more consultations were needed on the issue.

24. The representative of the World Bank said that the two existing projects in Belarus were expected to be completed by July 1999. The information on the agricultural sector was new to the World Bank as well. He said that it was unclear what could be done and that consultations were needed to consider possible courses of action.

25. Two representatives expressed serious concern regarding the apparent failure by Belarus to provide the information requested by the Implementation Committee at its last meeting and stressed that non-compliance issues were very serious matters. It was pointed out that the provision of financial assistance was dependent upon satisfactory progress toward compliance, including the creation and communication of detailed phase-out plans containing specific benchmarks with which the Committee could monitor a Party's progress.

26. The Secretariat noted that, while it had received some of the required data from Belarus, it had not received information regarding interim benchmarks, despite repeated inquiries. The Committee suggested that Belarus should discuss the matter with the World Bank, which was the implementing agency for Belarus, at the current meeting, so that the information requested by the Committee could be provided prior to the Tenth Meeting of the Parties.

27. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee agreed to recommend decision (b), contained in annex I to the present report, for adoption by the Meeting of the Parties.

Estonia

28. No representative from Estonia was present. The Secretariat noted that Estonia had submitted the required information but had yet to ratify the London and Copenhagen amendments, rendering it ineligible for GEF assistance, as the GEF operational strategy required ratification of the London Amendment before financial assistance to phase out controlled substances could be provided.

29. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee agreed to recommend decision (d), contained in annex I to the present report, for adoption by the Meeting of the Parties.

Latvia

30. The representative of Latvia outlined the information provided to the Secretariat and stated that Latvia had recently acceded to the London and Copenhagen amendments. He expected that GEF and UNDP assistance would allow Latvia to complete its phase-out plan and clarified that Latvia had a quota system in place for imports and that those quotas would be reduced each year.

31. The representative of GEF said that Latvia's ratification of the London and Copenhagen amendments would allow GEF to act soon to endorse these projects and that implementation of the projects could begin in January 1999.

32. The representative of UNDP said that it would be ready to implement the projects as soon as funding was available and that it expected to complete the projects within two years.

33. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee agreed to recommend decision (e), contained in annex I to the present report, for adoption by the Meeting of the Parties.

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Lithuania

34. The representative of Lithuania thanked GEF and UNDP for their assistance and noted that the projects undertaken under the country programme should be sufficient to phase out ODS. She said that Lithuania would need a certain amount of CFC-12 to service the refrigeration sector after the planned 2000 phase-out. She proposed changes in the relevant draft decision to reflect that Lithuania would cut CFC-12 by 86 per cent by 2000 and would phase out CFC-12 by 2005.

35. One representative noted that the issue of a "servicing tail" was different from those usually addressed by the Implementation Committee. He expressed concern that endorsing the request from Lithuania would lead to similar requests for servicing tails from other countries and said that the Implementation Committee would have to think very carefully before further extensions of the phase-out requirements, particularly of the kind proposed by Lithuania.

36. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee decided to recommend rejection of requests for such servicing tails and, instead, to recommend careful planning that would encourage increased recovery and recycling and imports of used material. Accordingly, the Committee agreed to recommend decision (f), contained in annex I to the present report, for adoption by the Meeting of the Parties.

Ukraine

37. No representative from Ukraine was present. The Secretariat reported that it had very recently received new information from Ukraine, which outlined a phase-out of ODS by 2000 except for CFCs used to service the refrigeration sector, which would continue until 2010. The Secretariat noted that this servicing tail was not included in the plan submitted by Ukraine in 1995.

38. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee decided to recommend rejection of requests for such servicing tails and, instead, to recommend careful planning that would encourage increased recovery and recycling and imports of used material. Accordingly, the Committee agreed to recommend decision (h), contained in annex I to the present report, for adoption by the Meeting of the Parties.

Uzbekistan

39. No representative from Uzbekistan was present.

40. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee agreed to recommend decision (i), contained in annex I to the present report, for adoption by the Meeting of the Parties.

Czech Republic

41. The representative of the Czech Republic recalled that, at its twentieth meeting, the Implementation Committee had identified the import of controlled substances into the Czech Republic during 1994, 1995 and 1996 as non-compliance with the Montreal Protocol. He pointed out, however, that the Czech Republic was not bound by the terms of the London and Copenhagen amendments to the Montreal Protocol until 18 March 1997, the date on which its accession to those amendments had entered into force. In view of that accession date and the fact that most of the ODS in question were used for recognized essential uses, the Czech Republic requested that the relevant cases not be considered as cases of non-compliance.

42. One representative noted that the control measures referred to in the submission by the Czech Republic had been introduced in the London and Copenhagen adjustments, which were binding on all Parties to the Montreal Protocol irrespective of whether or not they had ratified the London and Copenhagen amendments. He also noted that the Czech Republic had taken significant measures to enter into and remain in compliance with the Montreal Protocol and its amendments and that cases of technical non-compliance should not obscure the Czech Republic's clear intention to remain in compliance.

43. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee agreed to recommend decision (c), contained in annex I to the present report, for adoption by the Meeting of the Parties.

Russian Federation

44. The representative of the secretariat explained that, while the Russian Federation had not been required to report to the Implementation Committee at its current meeting, the secretariat had been asked to review the information available to it to ensure that the Russian Federation was still on course with its 1995 implementation schedule. He drew attention to the October 1998 donors' meeting in Moscow, at which earmarked funding of \$19 million had been pledged by the Governments of Austria, Denmark, Finland, Germany, Italy, Japan, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America for a special initiative for ODS production closure in the Russian Federation.

45. The representative of GEF suggested that, as a consequence of the closure of some ODS-consumption facilities in the Russian Federation brought about by current economic conditions, it might be possible to reallocate certain funds within the \$60 million envelope for the Russian Federation from the consumption to the production sector, thus facilitating full cessation of CFC production in the country.

46. The representative of the Russian Federation confirmed that his country was well ahead of the targets set in its 1995 phase-out plan and drew attention, in particular, to recent legislative enactments to ban ODS production by 2000; to reaffirmed commitments by ODS producers to cease production by the beginning of 2000; to the control system in place in the country to eliminate production and consumption of ODS by 2000; and to the reduced quotas for CFC consumption set by the Russian Federation Committee for Environmental Protection for 1998, which would be further reduced in 1999 and would achieve zero in 2000.

47. Following a request from one representative and from the representative of the Secretariat, the representative of the Russian Federation undertook to provide the Committee, if possible before the Tenth Meeting of the Parties, with complete data on its 1997-2000 consumption benchmarks, to supplement that on its 1997-2000 production benchmarks already provided.

48. Following further discussion, including consultations in closed session attended only by members of the Committee, the Implementation Committee agreed to recommend decision (g), contained in annex I to the present report, for adoption by the Meeting of the Parties.

VI. STATEMENTS BY REPRESENTATIVES OF THE FUND SECRETARIAT THE GEF SECRETARIAT AND THE IMPLEMENTING AGENCIES (UNDP, UNEP, UNIDO, WORLD BANK) ON STRATEGIES AND ACTIVITIES BY THEIR ORGANIZATIONS IN THE COUNTRIES RECEIVING THEIR ASSISTANCE.

49. The Chief Officer of the Multilateral Fund reported that, since the last meeting of the Committee in July, the total of \$725 million approved for phase-out projects in Article 5 countries had increased to \$800 million, covering more than 2,500 activities, which, by the end of 1998, would have resulted in the elimination of 80,043 tonnes of ODS.

50. He said that data reports submitted by some countries operating under Article 5 still showed discrepancies and inconsistencies and referred to the cases of Malawi and the United Republic of Tanzania. One representative suggested that data should be confirmed, possibly by the Implementing Agencies, before projects were recommended for approval, and that the Fund Secretariat might be asked to consult expeditiously with the Ozone Secretariat to verify data before recommending such approval.

51. The representative of GEF reported that three additional projects had been approved by the GEF Council since July 1998, namely, projects for Argentina, Azerbaijan and Turkmenistan. Three countries, Estonia, Kazakhstan and Tajikistan, had already started project identification activities and their proposals should be presented in the next few months.

52. In addition, enquiries had been received from Armenia and Kyrgyzstan but as those countries were not parties to the Montreal Protocol, no assistance could be given to them. He noted that, by the year 2000, all GEF-supported projects currently under implementation in Eastern Europe would be completed.

53. The representative of UNDP informed the meeting that the Programme was implementing 21 institutional strengthening projects funded from the Multilateral Fund, 13 of which were for large-volume-consuming countries, including China, India and Mexico.

54. UNDP had also been concerned by the discrepancy, in Malawi and the United Republic of Tanzania, where UNDP was the implementing agency, between data reported in country data reports and those obtained from enterprises but believed that the under-reporting of data was due to unfounded fears about taxes which might be imposed. He supported the suggestion that a mechanism should be established whereby, once the implementing agency formulating a project noted such a discrepancy in a country's data, it would notify the Ozone Secretariat, which would, in turn, consult the country concerned with a view to resolving the discrepancy.

55. With regard to GEF-funded activities implemented by UNDP, he confirmed that the Lithuanian project was proceeding rapidly and that UNDP was now ready to start four more, in Azerbaijan, Latvia, Turkmenistan and Uzbekistan. In summary, he said that, as of the end of 1997, UNDP had eliminated 7,500 ODP tons, and expected to exceed its target of 10,000 ODP tons by the end of 1998.

56. The representative of the UNEP Technology, Industry and Economics Division (UNEP/TIE) drew attention to salient points in the Office's written report to the Committee. UNEP support focused on

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assisting countries in meeting their data-reporting requirements and, while significant progress had been achieved in ensuring the regularity of reports, problems remained with their reliability. That progress was most marked in the African, Latin American and West Asian regions and could be attributed, in particular, to the use of regional networks.

57. In response to the problem of the reliability of reported data, UNEP/TIE had prepared a user-friendly data reporting handbook, which would be launched at the Tenth Meeting of the Parties, designed to assist national ozone units in dealing with the reporting frameworks. In conclusion, he noted the significant benefits to be derived from the use of the relatively low-cost tools of networking and training.

58. The representative of UNIDO informed the meeting that a national ozone unit had recently been established in Romania, and it was hoped that the data reporting from that country would now be considerably improved. UNIDO was still encountering problems with the management of the ozone unit in Bosnia and Herzegovina, related to the ethnic conflict in that country.

59. He was pleased to report good progress, on the other hand, in the projects in Egypt, the Syrian Arab Republic and the former Yugoslav Republic of Macedonia. In conclusion, he said that firm measures had been taken by UNIDO to enhance implementation of its projects and to ensure that the targets set in its business plan were met.

60. The representative of the World Bank, reporting on activities additional to those already discussed in reviewing the compliance of Belarus and the Russian Federation, said that the Bank had received over \$300 million from the Multilateral Fund and GEF for ODS phase-out projects in countries with economies in transition. World Bank-implemented projects accounted for more than 70 per cent of the total quantity of ODS phased out under the Multilateral Fund.

61. In conclusion, he said that the World Bank would be working on the phase-out projects for China, India and the Russian Federation, which would contribute substantially to meeting the targets set by the Montreal Protocol.

VII. CONSIDERATION OF THE CONFLICTING DATA-REPORTING PERIODS FOR PARTIES OPERATING UNDER ARTICLE 5 FOR VERIFYING THEIR COMPLIANCE FROM 1 JULY 1999

62. Introducing the item, the Secretariat recalled that, at its seventeenth meeting, the Open-ended Working Group had requested the Implementation Committee to consider the question of the conflict between the data-reporting period under Article 7 of the Protocol, which was based on the calendar year, and the period to be used to assess compliance with the freeze on production and consumption of ozone-depleting substances in Article 5 Parties, which would begin on 1 July 1999 and run on a July-June control period, with a view to clarifying which data would be used to evaluate compliance with the freeze. In order to facilitate the Committee's discussion, the Secretariat had analysed the issue by studying what had occurred when Article 2 Parties had been faced with the corresponding phase-out schedule in the period 1989-1992. As a result of its analysis, the Secretariat noted that the Parties not operating under Article 5 had experienced problems in reporting data for periods other than the calendar year, as evidenced by the low level of reporting for the July-June control period. In spite of the very low reporting record for the control periods, however, no action had been taken on the matter by the Meeting of the Parties. The Secretariat assumed that the Parties could have taken note of the short period for which the problem would persist before Parties reverted to reporting data based on the calendar year.

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The Parties might have been satisfied that, given the compliance for calendar years, compliance for the non-calendar-year control periods could be assumed. Therefore, the problem might not be as severe as it was perceived to be. In conclusion, the Secretariat recalled that the requirement to report data for control periods, as opposed to the reporting of annual data under Article 7, was not built into the Protocol.

63. Following a brief discussion, the Committee agreed to recommend decision (j), contained in annex I to the present report, for adoption by the Meeting of the Parties.

VIII. OTHER MATTERS

64. There were no other matters.

IX. CLOSURE OF THE MEETING

65. Following the customary exchange of courtesies, the President declared the twenty-first meeting of the Implementation Committee closed at 4.40 p.m. on Monday, 16 November 1998.

Annex I

DRAFT DECISIONS SUBMITTED BY THE IMPLEMENTATION COMMITTEE FOR THE
CONSIDERATION OF THE MEETING OF THE PARTIES*

At its twenty-first meeting, the Implementation Committee recommends that the Parties consider the following decisions:

The Tenth Meeting of the Parties decides:

Decision (a). - Compliance with the Montreal Protocol by Azerbaijan

1. To note that Azerbaijan ratified the Montreal Protocol and the London and Copenhagen Amendments on 21 June 1996. The country is classified as a non-Article 5 Party under the Protocol and, for 1996, reported positive consumption of 962 ODP tonnes of Annex A and B substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1996, Azerbaijan was in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. Azerbaijan also expresses a belief that this situation will continue through at least the year 2000, necessitating annual review by the Implementation Committee and the Parties until such time as Azerbaijan comes into compliance;
2. To express great concern about Azerbaijan's non-compliance and to note that Azerbaijan only very recently assumed the obligations of the Montreal Protocol, having ratified it in 1996. It is with that understanding that the Parties note, after reviewing the country programme and submissions of Azerbaijan (which was prepared with UNEP assistance), that Azerbaijan specifically commits:
 - To a phase-out of CFCs by 1 January 2001 (save for essential uses authorized by the Parties);
 - To establish, by 1 January 1999, a system for licensing imports and exports of ODS;
 - To establish a system for licensing operators in the refrigeration-servicing sector;
 - To tax the imports of ozone-depleting substances, to enable it to ensure that it meets the year 2001 phase-out;
 - To a ban, by 1 January 2001, on all imports of halons; and
 - To consider by 1999, a ban on the import of ODS-based equipment;
3. That the measures listed in paragraph 2 above should enable Azerbaijan to achieve the virtual phase out of CFCs, and a complete phase-out of halons by 1 January 2001. In this regard, the Parties urge Azerbaijan to work with relevant Implementing Agencies to shift current consumption to non-ozone-depleting alternatives, and to quickly develop a system for managing

* In the interests of consistency, the text of the recommendations in the present annex incorporates the technical corrections introduced during their subsequent discussion in the Open-ended Working Group and the Tenth Meeting of the Parties.

banked halon for any continuing critical uses. The Parties note that these actions are made all the more urgent due to the expected closure of CFC and halon-2402 production capacity in its major source (Russian Federation) by the year 2000, and the very limited international availability of halon-2402 from other sources;

4. To closely monitor the progress of Azerbaijan with regard to the phase-out of ozone-depleting substances, particularly towards meeting the specific commitments noted above. In this regard, the Parties request that Azerbaijan submit a complete copy of its country programme, and subsequent updates, if any, to the Ozone Secretariat. To the degree that Azerbaijan is working towards and meeting the specific time-based commitments noted above and continues to report data annually demonstrating a decrease in imports and consumption, Azerbaijan should continue to be treated in the same manner as a Party in good standing. In this regard, Azerbaijan should continue to receive international assistance to enable it to meet these commitments in accordance with item A of the indicative list of measures that might be taken by a Meeting of the Parties in respect of non-compliance. However, through this decision, the Parties caution Azerbaijan, in accordance with item B of the indicative list of measures, that in the event that the country fails to meet the commitments noted above in the times specified, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures could include the possibility of actions that may be available under Article 4, designed to ensure that the supply of CFCs and halons that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance;

Decision (b). - Compliance with the Montreal Protocol by Belarus

1. To note that Belarus ratified the London Amendment on 10 July 1996. The country is classified as a non-Article 5 Party under the Protocol and, for 1996, reported positive consumption of 599.7 ODP tonnes of Annex A and B substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1996, Belarus was in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. Belarus also expresses a belief that this situation will continue through at least the year 2000, necessitating annual review by the Implementation Committee and the Parties until such time as Belarus comes into compliance;
2. To note that although Belarus submitted a list of specific projects with international financing that will reduce national consumption, it has not responded to the request of the Implementation Committee from its twentieth meeting for a phase-out plan with specific benchmarks demonstrating a schedule for coming into compliance with control obligations under Articles 2A through 2E of the Montreal Protocol. The Parties also note that in a verbal presentation to the Implementation Committee on 16 November 1998, Belarus announced the recent adoption, on 13 November 1998, of a resolution by its Cabinet of Ministers committing Belarus, through regulation:
 - To a phase-out in the consumption of Annex A and B substances by 1 January 2000.

However, Belarus noted that there may be difficulty in phasing out consumption for refrigeration associated with agriculture;

3. To closely monitor the progress of Belarus with regard to the phase-out of ozone-depleting substances, particularly towards meeting the specific commitments noted above. In this regard, the Parties request that Belarus submit a complete copy of its country programme, and subsequent updates, if any, to the Ozone Secretariat. To the degree that Belarus is working towards and

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meeting the specific time-based commitments noted above and continues to report data annually demonstrating a decrease in imports and consumption, Belarus should continue to be treated in the same manner as a Party in good standing. In this regard, Belarus should continue to receive international assistance to enable it to meet these commitments in accordance with item A of the indicative list of measures that might be taken by a Meeting of the Parties in respect of non-compliance. However, through this decision the Parties caution Belarus, in accordance with item B of the indicative list of measures, that in the event that the country fails to meet the commitments noted above in the times specified, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures could include the possibility of actions that may be available under Article 4, designed to ensure that the supply of CFCs and halons that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance;

Decision (c). - Compliance with the Montreal Protocol by the Czech Republic

1. To note that the Czech Republic ratified the London and Copenhagen Amendments on 18 December 1996. The country is classified as a non-Article 5 Party under the Protocol. For 1996, the Czech Republic reported positive consumption of 49.6 ODP tonnes of Annex A, Group I, substances that are partially accounted for under the essential-use exemption by the Parties for laboratory and analytical applications. However, the Czech Republic claims the remainder of the 1996 CFC consumption was for essential uses for metered-dose inhalers. But, as the Czech Republic imported ozone-depleting substances in 1996 without obtaining an essential-use authorization from the Parties to the Protocol, the Czech Republic was in state of technical non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol for 1996. The Czech Republic reported to the Implementation Committee that it has the utmost interest in reliably meeting its obligations under the Montreal Protocol;
2. To take note of the Czech Republic's status regarding obligations under Articles 2A through 2E of the Montreal Protocol for 1996 and ask the Implementation Committee to continue to review annually the Czech Republic's status;

Decision (d). - Compliance with the Montreal Protocol by Estonia

1. To note that Estonia acceded to the Montreal Protocol on 17 October 1996. Estonia is classified as a non-Article 5 Party under the Protocol and, for 1996, reported positive consumption of 36.5 ODP tonnes of Annex A and B substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1996, Estonia was in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. Estonia also expresses a belief that this situation will continue through at least the year 2000, necessitating annual review by the Implementation Committee and the Parties until such time as Estonia comes into compliance;
2. To note with appreciation Estonia's significant strides in coming into compliance with the Montreal Protocol. Estonia decreased its consumption steadily from an estimated 131 ODP tonnes in 1995 to 36.5 tonnes in 1996. This significant reduction is a clear demonstration of Estonia's determination to achieve a complete phase-out according to its schedule. In response to a request from the Ozone Secretariat, Estonia submitted interim reductions targets for the phase-out. In this phase-out plan with interim benchmarks, Estonia commits:

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- To reduce consumption by 1 January 1999 to no more than 23 ODP tonnes for Annex A and B substances;
 - To completely phase out consumption of Annex B substances by 1 January 2000;
 - To reduce consumption by 1 January 2000 to no more than 14 ODP tonnes of Annex A substances;
 - To reduce consumption of CFC-12 to all but 1 tonne in 2001;
 - To a complete phase out of Annex A substances by 1 January 2002; and
 - To establish, for 1999, a harmonized system for monitoring and controlling imports of ozone-depleting substances;
3. To urge Estonia, in order to assist it in meeting its commitments, to work with relevant Implementing Agencies to shift current consumption to non-ozone-depleting alternatives, and to quickly develop a system for managing recovered refrigerants and halon for any continuing critical uses. The Parties note that these actions are made all the more urgent due to the expected closure of CFC and halon-2402 production capacity in its major source (Russian Federation) by the year 2000, and the very limited international availability of halon-2402 from other sources.
4. To closely monitor the progress of Estonia with regard to the phase-out of ozone-depleting substances, particularly towards meeting the specific commitments noted above. In this regard, the Parties request that Estonia submit a complete copy of its country programme, and subsequent updates, if any, to the Ozone Secretariat. The Parties urge Estonia to ratify the London and Copenhagen Amendments. To the degree that Estonia is working towards and meeting the specific time-based commitments noted above and continues to report data annually demonstrating a decrease in imports and consumption, Estonia should continue to be treated in the same manner as a Party in good standing. In this regard, Estonia should, to the degree consistent with relevant assistance requirements, receive international assistance to enable it to meet these commitments in accordance with item A of the indicative list of measures that might be taken by a meeting of the Parties in respect of non-compliance. However, through this decision the Parties caution Estonia, in accordance with item B of the indicative list of measures, that in the event that the country fails to meet the commitments noted above in the times specified, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures could include the possibility of actions that may be available under Article 4, designed to ensure that the supply of CFCs and halons that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance;

Decision (e). - Compliance with the Montreal Protocol by Latvia

1. To note that Latvia acceded to the Montreal Protocol on 28 April 1995 and ratified the London and Copenhagen Amendments on 2 November 1998. The country is classified as a non-Article 5 Party under the Protocol and, for 1996, reported to positive consumption of 342 tonnes ODP of Annex A and B substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1996, Latvia was in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. Latvia also expresses a belief that this situation may continue through at least the year 2000, necessitating annual review by the Implementation Committee and the Parties until such time as Latvia comes into compliance.

2. To note with appreciation the fact that Latvia has made tremendous strides in coming into compliance with the Montreal Protocol. Although Latvia ratified the Protocol just three years ago, it has decreased its consumption steadily from 1986, when it was 6,558 tonnes, to 1993, when its consumption was 1,205 tonnes, to 1995, when its consumption was 711.5 tonnes to the present level of 342.8 tonnes. This significant reduction is a clear demonstration of Latvia's commitment to become a Party in full compliance with the Protocol. The Parties note with appreciation that Latvia has made efforts to achieve compliance through agreements with its industry, and through the application of a tax on imports of ozone-depleting substances. Latvia has also undertaken efforts to understand the disposition of halons that are currently deployed, and to stockpile halon from decommissioned uses in order to ensure availability to meet future critical uses. The Parties note these important undertakings, and point out that similar undertakings could be considered by other countries who are striving to comply with the provisions of the Protocol. The Parties also note that Latvia's submission and statements to the Implementation Committee indicate a commitment:
 - To observe the ban on the production and import of Annex A, Group II, substances imposed on 12 December 1997;
 - To limit consumption of Annex A, Group I, substances to no more than 100 metric tonnes in 1999; and
 - To ban the production and import of Annex A, Group I, and all Annex B substances by 1 January 2000;

3. To note Latvia's report that a majority of its remaining use of ozone-depleting substances is in the aerosol sector, a sector with alternatives that are available at a cost savings to users. The Parties further note the late time at which phase-out projects are being initiated. Accordingly, and considering the plan produced by Latvia, the Parties are hopeful that Latvia will be able to achieve a total phase-out of Annex A and B substances by 1 July 2001. Achievement of these commitments and goals will necessitate the strict application of import quota restrictions on an annual basis to ensure phased reductions in consumption;

4. To closely monitor the progress of Latvia with regard to the phase-out of ozone-depleting substances, particularly towards meeting the specific commitments noted above. In this regard, to request that Latvia submit a complete copy of its country programme, and subsequent updates, if any, to the Ozone Secretariat. To the degree that Latvia is working towards and meeting the specific time-based commitments noted above and continues to report data annually demonstrating a decrease in imports and consumption, Latvia should continue to be treated in the same manner as a Party in good standing. In this regard, Latvia should continue to receive international assistance to enable it to meet these commitments in accordance with item A of the indicative list of measures that might be taken by a meeting of the Parties in respect of non-compliance. However, through this decision, the Parties caution Latvia, in accordance with item B of the indicative list of measures, that in the event that the country fails to meet the commitments noted above in times specified, the Parties shall consider measures, consistent with item C of the indicative list of measure. These measures could include the possibility of actions that may be available under Article 4, designed to ensure that the supply of CFCs and halons that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance;

Decision (f). - Compliance with the Montreal Protocol by Lithuania

1. To note that Lithuania acceded to the Montreal Protocol on 18 January 1995, and acceded to the London and Copenhagen Amendments on 3 February 1998. The country is classified as a non-Article 5 Party under the Protocol and, for 1996, reported positive consumption of 295 ODP tonnes ODP of Annex A and B substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1996, Lithuania was in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. Lithuania also expresses a belief that this situation may continue through at least the year 2000, necessitating annual review by the Implementation Committee and the Parties until such time as Lithuania comes into compliance;
2. To note with appreciation the fact that Lithuania has made tremendous strides in coming into compliance with the Montreal Protocol. Although Lithuania ratified the Protocol just three years ago, it has decreased its consumption steadily from 1986, when it was estimated at 6,089 tonnes, to 1993, when its consumption was estimated at 935 ODP tonnes, to 1995, when its consumption was 428 tonnes, to 1996 when its consumption of Annex A and B substances is reported at 295 tonnes. Lithuania is very clear in admitting that a substantial reason for the significant reduction in consumption is due to the economic turmoil that has been taking place in its country. After review of the submissions and presentation to the Implementation Committee, it is noted that Lithuania commits:
 - To ban the import of CFC-113, carbon tetrachloride and methyl chloroform by 1 January 2000; and
 - To reduce the consumption of Annex A and B substances by 86 per cent from 1996 levels by 1 January 2000;

3. To note that achievement of these goals will necessitate a strict application of Lithuania's existing import licensing system to ensure that phased reductions and reduced reliance on ozone-depleting substances continue to take place, and indeed, the Lithuania country programme includes a commitment to make arrangements with its customs department to ensure that imports are ceased. Ensuring that requirement to cease imports is particularly important given the pending closure of CFC producers in Russian Federation, supply on which Lithuania has traditionally depended. Noting Lithuania's obvious commitment to the Montreal Protocol, it is hopeful that the country will be able to achieve a total phase-out of Annex A and B substances by 1 January 2001. In so stating, the Parties noted but specifically rejected a request by Lithuania to allow for continuous imports until 2005 for servicing existing refrigeration equipment. The Parties, in so doing, note that achieving a phase-out by 1 January 2001 may necessitate that Lithuania increase the recovery of existing ODS or the import of recycled material, and urge Lithuania to plan carefully for its future refrigerant-servicing needs and invite the Technology and Economic Assessment Panel to help in this endeavour. The Parties will closely monitor the progress of Lithuania towards meeting the above-noted commitments to reduce CFC-113, carbon-tetrachloride and methyl-chloroform use prior to the next Meeting of the Parties, and to put in place by June 1999 a requirement to cease imports of these substances by 1 January 2000 (save for essential uses authorized by the Parties);
4. To closely monitor the progress of Lithuania with regard to the phase-out of ozone-depleting substances, particularly towards meeting the specific commitments noted above. In this regard, the Parties request that Lithuania submit a complete copy of its country programme, and subsequent updates, if any, to the Ozone Secretariat. To the degree that Lithuania is working towards and meeting the specific time-based commitments noted above and continues to report data annually demonstrating a decrease in imports and consumption, Lithuania should continue to be treated in the same manner as a Party in good standing. In this regard, Lithuania should receive international assistance to enable it to meet these commitments in accordance with item A of the indicative list of measures that might be taken by a meeting of the Parties in respect of non-compliance. However, through this decision, the Parties caution Lithuania, in accordance with item B of the indicative list of measures, that in the event that the country fails to meet the commitments noted above in the times specified, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures could include the possibility of actions that may be available under Article 4, designed to ensure that the supply of CFCs and halons that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance;

Decision (g). - Compliance with the Montreal Protocol by the Russian Federation

1. To note that the Russian Federation ratified the London Amendment on 13 January 1992. The country is classified as a non-Article 5 Party under the Protocol and, for 1996, reported positive consumption of 13,955 ODP tonnes, none of which was for essential uses exempted by the Parties. As a consequence, in 1996, the Russian Federation was in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. The Russian Federation also expresses a belief that this situation will continue through at least the year 2000, necessitating annual review by the Implementation Committee and the Parties until such time as the Russian Federation comes into compliance;
2. To note with appreciation that the Russian Federation is making significant progress in coming into compliance with the Montreal Protocol. Data reported for 1996 indicates that the Russian

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Federation reduced consumption of CFCs from 20,990 ODP tonnes in 1995, to a level of 12,345 ODP tonnes. The Russian Federation submitted a country programme in October 1995 (revised in November 1995) that contains specific benchmarks and a phase-out schedule. In 1996, production of Annex A, Group I, substances was 16,770 ODP tonnes, well below the benchmark of 28,000 ODP tonnes contained in the country programme. Further steps were taken to bring the Russian Federation into compliance with its obligations under Articles 2A through 2E of the Montreal Protocol when, in October 1998, the Special Initiative for ODS Production Closure in the Russian Federation (Special Initiative) was signed. The Parties note that, in the country programme and the Special Initiative, the Russian Federation commits:

- To reduce consumption of Annex A, Group I, substances to no more than 6,280 ODP tonnes in 1999;
 - To reduce consumption of Annex A, Group II, substances to no more than 960 ODP tonnes in 1999;
 - To reduce consumption of Annex B, Group I, substances to no more than 18 ODP tonnes in 1999;
 - To phase out the production of Annex A substances by 1 June 2000; and
 - To phase out the consumption of Annex A and B substances by 1 June 2000;
3. To closely monitor the progress of the Russian Federation with regard to the phase-out of ozone-depleting substances, particularly towards meeting the specific commitments in the 1995 country programme and the Special Initiative noted above. In this regard, the Parties request that the Russian Federation submit a complete copy of its country programme, and subsequent updates, if any, to the Ozone Secretariat. To the degree that the Russian Federation is working towards and meeting the specific time-based commitments in the country programme and the Special Initiative and continues to report data annually demonstrating a decrease in imports and consumption, the Russian Federation should continue to be treated in the same manner as a Party in good standing. In this regard, the Russian Federation should continue to receive international assistance to enable it to meet these commitments in accordance with item A of the indicative list of measures that might be taken by a meeting of the Parties in respect of non-compliance. However, through this decision, the Parties caution the Russian Federation, in accordance with item B of the indicative list of measures, that in the event that the country fails to meet the commitments noted in prior decisions as well as in the above documents in the times specified, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures could include the possibility of actions that may be available under Article 4, designed to ensure that the supply of CFCs and halons that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance;

Decision (h). - Compliance with the Montreal Protocol by Ukraine

1. To note that Ukraine ratified the London Amendment on 6 February 1997. The country is classified as a non-Article 5 Party under the Protocol and, for 1996, reported positive consumption of 1,470 ODP tonnes of Annex A and B controlled substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1996, Ukraine was in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. Ukraine also expresses a belief that this situation will continue through at least the year 2000, necessitating annual review by the Implementation Committee and the Parties until such time as Ukraine comes into compliance;
2. To express great concern about the non-compliance of Ukraine, as well as the significant increase in consumption of ozone-depleting substances in Ukraine from 1995 to 1996, when total consumption doubled from 767 to 1,470 ODP tonnes. The Parties note the commendable actions taken by Ukraine in working with customs and industry to monitor imports and improve the accuracy of the data reported to the Ozone Secretariat. After reviewing Ukraine's submission to the Implementation Committee, the Parties note that the Ukraine, through its acceptance of this decision, specifically commits:
 - To a phase-out of the consumption of Annex A and B substances by 1 January 2002 (save for essential uses authorized by the Parties);

Ukraine notes, however, that there may be difficulty in phasing out consumption in the domestic refrigeration sector;

3. To urge Ukraine to work with relevant Implementing Agencies to shift current consumption to non-ozone-depleting alternatives, and to quickly develop a plan for managing existing supplies of CFCs as well as training in the refrigeration sector to encourage recovery and recycling. The Parties note that these actions are made all the more urgent due to the expected closure of CFC and halon-2402 production capacity in its major source (Russian Federation) by the year 2000, and the very limited international availability of halon-2402 from other sources. Noting Ukraine's obvious commitment to the Montreal Protocol, it is hopeful that the country will be able to achieve a total phase-out of Annex A and B substances by 1 January 2002. In so stating, the Parties noted but specifically rejected a request by Ukraine to allow for continuous imports until 2010 for servicing existing refrigeration equipment. The Parties, in so doing, note that achieving a phase-out by 1 January 2002 may necessitate that Ukraine increase the recovery of existing ozone-depleting substances or the import of recycled material, and urge Ukraine to plan carefully for its future refrigerant servicing needs and invite the Technology and Economic Assessment Panel to help in this endeavour;
3. To closely monitor the progress of Ukraine with regard to the phase-out of ozone-depleting substances, particularly towards meeting the specific commitments noted above. In this regard, the Parties request that Ukraine submit a complete copy of its country programme, and subsequent updates, if any, to the Ozone Secretariat. To the degree that Ukraine is working towards and meeting the specific time-based commitments noted above and continues to report data annually demonstrating a decrease in imports and consumption, Ukraine should continue to be treated in the same manner as a Party in good standing. In this regard, Ukraine should continue to receive international assistance to enable it to meet these commitments in accordance with item A of the indicative list of measures that might be taken by a meeting of the Parties in respect of non-compliance. However, through this decision, the Parties caution Ukraine, in

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accordance with item B of the indicative list of measures, that in the event that the country fails to meet the commitments noted above in the times specified, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures could include the possibility of actions that may be available under Article 4, designed to ensure that the supply of CFCs and halons that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance;

Decision (i). - Compliance with the Montreal Protocol by Uzbekistan

1. To note that Uzbekistan ratified the Montreal Protocol on 18 May 1993, and ratified the London and Copenhagen Amendments on 10 June 1998. The country is classified as a non-Article 5 Party under the Protocol and, for 1996, reported positive consumption of 272 ODP tonnes of Annex A and Annex B substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1996, Uzbekistan was in non-compliance with its obligations under Articles 2A through 2E of the Montreal Protocol. Uzbekistan also expresses a belief that this situation may continue through at least the year 2001, necessitating annual review by the Implementation Committee and the Parties until such time as Uzbekistan comes into compliance;
2. To note with appreciation the fact that Uzbekistan has made significant strides in coming into compliance with the Montreal Protocol, decreasing consumption steadily from an estimated 1,300 tonnes in 1992 to 275 tonnes in 1996. Its country programme shows its determination and commitment to phase out of Annex A and B substances by 2002. Specifically, the Parties note that the Uzbekistan country programme includes a commitment:
 - To reduce consumption of CFCs by 40% by 2000, by 80% by 2001, and completely by 2002;
 - To reduce consumption of carbon tetrachloride by 35% by 2000, by 67% by 2001, and completely by 2002;
 - To reduce consumption of methyl chloroform by 40% in 2000, by 82% in 2001, and completely in 2002;
 - To put in place in 1999, import quotas in order to freeze the imports at the current level and to support the phase-out schedule noted above;
 - To put in place by 1999, bans on imports of ODS and equipment using and containing ODS;
 - To put in place policy instruments and regulatory requirements to ensure progress in achieving the phase-out;
3. To note that, given the fact that virtually all of its remaining use is in the refrigeration-servicing sector, Uzbekistan will have to work very hard in the coming years to ensure that it maintains a downward momentum in consumption in order to ensure that it meets its commitment for a phase-out in Annex A and B substances by the year 2002. In this regard, the Tenth Meeting of the Parties is happy to see that Uzbekistan intends to focus its efforts towards training in the refrigeration sector, and refrigerant recovery and recycling. The Parties also note that it is critical that Uzbekistan put in place its licensing and quota system to control the import of

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ozone-depleting substances no later than September 1999 to meet its reduction commitment;

4. To closely monitor the progress of Uzbekistan with regard to the phase-out of ozone-depleting substances, particularly towards meeting the specific commitments noted above. In this regard, the Parties request that Uzbekistan submit a complete copy of its country programme, and subsequent updates, if any, to the Ozone Secretariat. To the degree that Uzbekistan is working towards and meeting the specific time-based commitments noted above and continues to report data annually demonstrating a decrease in imports and consumption, Uzbekistan should continue to be treated in the same manner as a Party in good standing. In this regard, Uzbekistan should continue to receive international assistance to enable it to meet these commitments in accordance with item A of the indicative list of measures that might be taken by a meeting of the Parties in respect of non-compliance. However, through this decision, the Parties caution Uzbekistan, in accordance with item B of the indicative list of measures, that in the event that the country fails to meet the commitments noted above in the times specified, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures could include the possibility of actions that may be available under Article 4, designed to ensure that the supply of CFCs and halons that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance;

Decision (j). - Inconsistencies in the timing for reporting data under Article 7 and
the phase-out schedule under Article 5

Noting that the compliance period for Parties operating under paragraph 1 of Article 5 of the Protocol for the freeze in production and consumption extends from 1 July 1999 to 30 June 2000, from 1 July 2000 to 30 June 2001, and from 1 July 2001 to 31 December 2002 under paragraph 8 bis of Article 5,

Noting also that the process of collecting accurate data on anything other than a calendar year basis is very difficult,

Noting further that Parties not operating under paragraph 1 of Article 5 faced similar difficulties, which were overcome when it became clear that their reductions in production and consumption were significantly below those required under the freeze obligations of Article 2A,

1. To urge the Implementation Committee to review and report on the status of the data reported by Parties operating under paragraph 1 of Article 5, relative to the freeze in production and consumption using the best available data submitted;
2. To urge the Implementation Committee to view the data from the July to June time period, or other time periods relevant to paragraph 8 bis of Article 5, as especially critical in cases where annual data submitted by Parties operating under paragraph 1 of Article 5 demonstrates that a country is very close to its baseline freeze level;

Annex II

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