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IMPLEMENTATION COMMITTEE UNDER THE
NON-COMPLIANCE PROCEDURE FOR
THE MONTREAL PROTOCOL
Twenty-second meeting
Geneva, 14 June 1999

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

I. INTRODUCTION

1. The twenty-second meeting of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol was held at the Palais des Nations, Geneva, on 14 June 1999.

II. ORGANIZATIONAL MATTERS

A. Opening of the meeting

2. The meeting was opened by the representative of the Secretariat at 10 a.m. on Monday, 14 June 1999.

B. Attendance

3. The meeting was attended by Committee members from Antigua and Barbuda, Bolivia, Kenya, Latvia, Mali, Pakistan, Poland, Saudi Arabia, United Kingdom and the United States of America.

4. 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). A member of the Technology and Economic Assessment Panel was also present.

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5. At the invitation of the Committee, representatives of the Russian Federation and Ukraine attended in order to participate in discussions regarding their country's progress towards compliance with the Montreal Protocol.
6. The full list of participants is contained in the annex to the present report.

C. Election of the President and Vice-President

7. The committee elected Mr. Tom Land (United States of America) to serve as President and Mr. Mamadou Iam Diallo (Mali) to serve as Vice-President and Rapporteur.

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/22/1:
 1. Opening of the meeting.
 2. Election of the President and Vice-President
 3. Adoption of the agenda and organization of work.
 4. Consideration of information relating to non-compliant Parties, as well as their statements, and adoption of any recommendation to the Eleventh Meeting of the Parties.
 5. Consideration of the updated data report for 1996, 1997 and 1998 under Article 7 of the Protocol.
 6. Statements by representatives of the Multilateral Fund Secretariat, the GEF Secretariat, and the Implementing Agencies (UNDP, UNEP, UNIDO, World Bank) of the Multilateral Fund, on activities by their organizations in the countries receiving their assistance.
 7. Other matters.
 8. Closure of the meeting.

IV. CONSIDERATION OF INFORMATION RELATING TO NON-COMPLIANT PARTIES AS WELL AS THEIR STATEMENTS, AND ADOPTION OF ANY RECOMMENDATION TO THE ELEVENTH MEETING OF THE PARTIES

9. The Secretariat drew the attention of the Committee to paragraph 3 of document UNEP/OzL.Pro/ImpCom/22/2, which summarized information regarding compliance, phase-out plans, benchmarks and financial support with respect to the Parties that were subject to decisions adopted by the Tenth Meeting of the Parties. Updating the information contained in that document, the Secretariat noted that all the Parties listed in paragraph 3, including Azerbaijan and Uzbekistan, had now submitted data for 1997.

10. Following discussion, the Committee:

- (a) Took note of the report of the Secretariat;
- (b) Requested the Secretariat to work with representatives of the Global Environment Facility and UNDP to draft an update of the information contained in document UNEP/OzL.Pro/ImpCom/22/2 in light of recent phase-out activities in the countries concerned;
- (c) Agreed that it was not necessary to require retroactive benchmarks for 1997 and 1998 but that benchmarks for 1999 and later years were very important in order to assess the progress of Parties found to be in non-compliance;
- (d) Requested the Secretariat to address letters to those Parties subject to decisions X/20 - X/28, that had not provided their ODS phase-out benchmarks requesting them to provide such benchmarks for 1999 and subsequent years through the final phase-out date to which they had committed themselves for the relevant controlled substances.

Bulgaria

11. With regard to Bulgaria, the Committee:

- (a) Noted that Bulgaria had apparently been in non-compliance with the Protocol in 1996 and 1997, although it appeared to have been in compliance in 1998;
- (b) Requested the Secretariat to write to the Government of Bulgaria and request it to provide information regarding its apparent non-compliance in 1996 and 1997; confirm a phase-out plan with the apparent phase-out of the relevant controlled substances reported for 1998; confirm that such compliance would continue. Bulgaria should be invited to attend the next meeting of the Implementation Committee to provide a verbal explanation of the situation in Bulgaria with respect to compliance with the Montreal Protocol.

Turkmenistan

12. With regard to Turkmenistan, the Committee:

- (a) Noted that Turkmenistan had not yet provided base-year data;
- (b) Noted that Turkmenistan had apparently been in non-compliance with the Protocol in 1996 and 1997, although it appeared to have been in compliance in 1998;
- (c) Requested the Secretariat to write to the Government of Turkmenistan and request it to report the required data to the Secretariat; provide the Implementation Committee, through the Secretariat, with a phase-out plan that included specific benchmarks. Turkmenistan should be invited to attend the next meeting of the Implementation Committee to provide a verbal explanation of the situation in Turkmenistan with respect to compliance with the Montreal Protocol.

V. CONSIDERATION OF THE UPDATED DATA REPORT FOR 1996, 1997 AND 1998 UNDER ARTICLE 7 OF THE PROTOCOL

13. The Secretariat drew the attention of the Committee to its report on data provided by Parties in accordance with Article 7 and 9 of the Montreal Protocol (UNEP/OzL.Pro/ImpCom/22/3). The Secretariat circulated an update to the information contained in the document, highlighting that of the 166 Parties required to report data for 1997, 139 had done so, including 102 Parties operating under Article 5. However, only 27 Parties had reported data for 1998, including 23 Parties operating under Article 5.

14. Noting that five Parties not operating under Article 5 (Greece, Israel, Japan, Liechtenstein and Slovakia) had not yet reported data for 1997, the Committee requested that the Secretariat write the Governments of these Parties regarding this matter and to include with the letter a copy of the new data-reporting handbook developed by UNEP.

15. Several representatives requested that the Secretariat augment future documents by providing information on the actual quantities of controlled substances, in addition to the percentages, when summarizing changes in production and consumption of ODS. It was also suggested that graphical presentations of the data would be useful, as would presentations of the data on the Secretariat's website.

16. The representative of Antigua and Barbuda informed the Committee that the required data by his country had been included in his Government's country programme but that an internal oversight had prevented its extraction and submission to the Secretariat. This had been done and the necessary data would be submitted at the time of the present meeting.

17. The Committee took note of several positive trends as well as several areas of concern revealed in the data reported to the Secretariat and agreed that the President should include these in his report to the Open-Ended Working Group.

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

18. Representatives of GEF informed the Committee about progress in GEF activities to assist Parties implement the Protocol. They highlighted a comprehensive survey undertaken in conjunction with the UNEP Division of Technology, Industry and Economics (UNEP/TIE) on production and consumption trends of ozone-depleting substances to assess the role of GEF-sponsored projects in enabling compliance of countries with economies in transition. The survey focused on identifying progress to date as well as any outstanding problems; closing outstanding data gaps; and clarifying future benchmarks in the completion of the phase-out process. An interim report was currently available and, GEF was invited to present the final results of the survey to the Eleventh Meeting of the Parties.

19. The representative of UNDP informed the Committee that the Agency was implementing institutional-strengthening projects in 22 countries, four of which were very large countries with high ODS-consumption levels. He was pleased to report that all of the countries in which UNDP was implementing projects had submitted data in accordance with their obligations.

20. The representative of UNEP reported that the Agency was currently implementing projects in 64 countries, all of which were low-volume-consuming countries. Work in 15 more countries would begin once the respective country programmes were finalized. Introducing a report on UNEP's activities, he drew attention to UNEP's role in promoting regional networks, including the organization of regional workshops. Those networks facilitated regional comparison of phase-out implementation and promoted improved data-collection techniques, the latter being a prerequisite for reliable data-reporting.

21. The representative of UNIDO informed the meeting that the Agency was implementing institutional-strengthening projects in six countries. He noted that a national ozone unit had recently been established in Bosnia, a development that should facilitate data-reporting. He further noted that the relevant data from Yugoslavia had been supplied in the country programme report and would be forthcoming shortly. The representative called for continued attention to the serious matter of discrepancies between data reported to the Secretariat under Article 7 and UNIDO's own estimates of actual amounts of ODS consumed and/or phased out in particular countries.

22. The representative of the World Bank reported that good progress had been made in implementing projects in Belarus, the Czech Republic, Russia and Ukraine. He noted that most of these projects would be completed by the following year, including the special initiative to phase out ODS production in Russia by 2000.

23. The representative of the Secretariat of the Multilateral Fund reported that, as at March 1999, the Executive Committee of the Fund had approved over 2700 projects, which when completed would phase out 119,000 tonnes of ODS consumption and 42,000 tonnes of ODS production in 115 Parties operating under Article 5. Through these projects, as at December 1998 approximately 90,000 ODP tonnes had already been phased out. He also informed the Committee that to date the Multilateral Fund has collected more than US\$ 878 million through contributions.

VII. OTHER MATTERS

24. The representative of UNEP reminded the Committee that many small island developing States were very low consumers of ozone-depleting substances, and other environmental issues, such as climate change, were generally given higher priority in their respective national agendas. That factor could help to explain problems that several such nations had had with reporting data. He was pleased to inform the Committee that UNEP, together with the Secretariat and the Government of New Zealand, was organizing a consultative meeting with representatives of these States to discuss ways to strengthen national ozone programmes and reporting mechanisms.

25. The President drew the attention of the meeting to the ongoing problem of illegal importation of ODS, and recalled paragraph 2 of decision IX/8 of the Ninth Meeting of the Parties, which requested all Parties to identify a central contact person for national licensing systems. He proposed that the Committee recommend that all Parties implement this decision, which would facilitate the rapid exchange of information among Parties suspecting illegal shipments. The Committee also agreed that all Parties should be urged to ratify the Montreal Amendment to the Montreal Protocol one of the provisions of which was to establish licensing systems to control the import and export of ozone-depleting substances.

26. The World Bank reported that significant progress had been made in the halon production sector project in China. This included a 32.6 per cent drop in production of halon-1211 from 1997 to 1998. He also noted that the Executive Committee had approved the first production closure project in China and that there was now a strategy in place to phase-out CFC production in China, which represented 42 per

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cent of current global production.

27. The representative of UNEP drew attention to the burden entailed by the diverse data reporting requirements of various agencies. He suggested the harmonization of data-reporting requirements would considerably ease this burden and in turn reduce the incidence of late or unreliable reporting. Many representatives acknowledged this burden and urged that all steps possible should be undertaken to ease it.

28. The Secretariat stated that, together with the Secretariat of the Multilateral Fund, serious consideration had already been given to identifying means to harmonize the reporting requirements. However, because their respective data requirements are fundamentally different, harmonization was feasible only to a limited degree. The representative of the Multilateral Fund pointed out that the Fund Secretariat had recently introduced the use of electronic forms in reporting, which would hopefully both ease the burden of reporting and improve the quality of data reporting.

VIII. CLOSURE OF THE MEETING

29. Following the customary exchange of courtesies, the President declared the twenty-second meeting of the Implementation Committee closed at 4.30 p.m. on Monday, 14 June 1999.

Annex

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