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IMPLEMENTATION COMMITTEE UNDER THE
NON-COMPLIANCE PROCEDURE FOR THE
MONTREAL PROTOCOL
Twenty-sixth meeting
Montreal, 23 July 2001

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

I. INTRODUCTION

1. The twenty-sixth meeting of the Implementation Committee under the Non-compliance Procedure for the Montreal Protocol was held at the headquarters of the International Civil Aviation Organization in Montreal on 23 July 2001.

II. ORGANIZATIONAL MATTERS

A. Opening of the Meeting

2. The President of the Committee, Ms. Maria Nolan (United Kingdom of Great Britain and Northern Ireland), opened the meeting at 10 a.m. on 23 July 2001.

B. Attendance

3. The meeting was attended by representatives of Argentina, Bangladesh, the Czech Republic, Egypt, Senegal, Slovakia, Sri Lanka, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Committee member from Ecuador did not attend.

4. The meeting was also attended by representatives of the Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol and the implementing agencies of the Fund – the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), the United

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Nations Industrial Development Organization (UNIDO) and the World Bank. The full list of participants is contained in the annex to the present report.

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

C. Adoption of the agenda and organization of work

6. The Committee adopted the following agenda based on the provisional agenda circulated as document UNEP/OzL.Pro/ImpCom/26/1:

1. Opening of the meeting.
2. Adoption of the agenda and organization of work.
3. Preliminary report of the Secretariat on data reported under Article 7 of the Protocol and compliance issues arising from the report.
4. Remarks by the Secretariat of the Multilateral Fund on the work of the Executive Committee; and the implementing agencies – UNDP, UNEP, UNIDO, World Bank – on their activities to implement projects approved by the Executive Committee in relevant countries.
5. Analysis of compliance with the Montreal Protocol by some Article 5 countries with potential non-compliance status.
6. Status of compliance with decisions X/20 (Azerbaijan); X/21 (Belarus); X/22 (Czech Republic); X/23 (Estonia); X/24 (Latvia); X/25 (Lithuania); X/26 (Russian Federation); X/27 (Ukraine); and X/28 (Uzbekistan) of the Tenth Meeting of the Parties.
7. Interaction between the Implementation Committee and the Executive Committee of the Multilateral Fund (paragraph 7 (f) of the Non-Compliance Procedure (1998)).
8. Reporting requirements on process agents.
9. Review of past recommendations by the Implementation Committee.
10. Other matters.
11. Consideration and approval of the report of the meeting.
12. Closure of the meeting.

III. PRELIMINARY REPORT OF THE SECRETARIAT ON DATA REPORTED UNDER ARTICLE 7 OF THE PROTOCOL AND COMPLIANCE ISSUES ARISING FROM THE REPORT

7. The Ozone Secretariat presented the report comprising an analysis of the data for production and consumption of ozone-depleting substances (ODS) received from Parties, as contained in documents

UNEP/OzL.Pro/ImpCom/26/3 and Add.1. The Secretariat explained that it was receiving data all the time, and that neither document was completely up-to-date. The Committee's attention was drawn to the sections of the report dealing with the number of ratifications of the Protocol and its amendments, and the number of Parties reporting baseline data.

8. The Ozone Secretariat also drew the Committee's attention to Tables 2 and 3 in document UNEP/OzL.Pro/ImpCom/26/3, which summarized the deviation from consumption and production reduction schedules, respectively, for non-Article 5 Parties in 1999. The tables contained all the instances of Parties not meeting the Protocol's ODS reduction schedules, together with the explanations for such deviations. Some of the deviations were the result of consumption and production for essential uses, as approved by Meetings of the Parties, and for laboratory and analytical uses, which possessed a global exemption; production for export to Article 5 Parties to meet their basic domestic needs; and production and consumption figures which did deviate from the schedules but which had been allowed by decisions of Meetings of the Parties.

9. The Secretariat listed the Parties which had not provided such explanations for all or part of their consumption and production deviations. For consumption, they included Armenia (Annex A Group I substances, and Annex C Group I substances, although Armenia had not yet ratified the London and Copenhagen amendments to the Protocol, which meant that it would only be in non-compliance with regard to Annex C Group I substances when it did so); Bulgaria (Annex E); European Community (Annex B Group III); Hungary (Annex E); Japan (Annex B Group II and Annex E); Kazakhstan (where no data had been reported for 1999); Latvia (no data reported for 1999); Russian Federation (Annex A Group I, Annex B Groups II and III) and Tajikistan (no data reported for 1999). The Secretariat mentioned that some of the deviations were very small.

10. For production, the Parties which had not provided complete explanations included France (where 27 per cent of production of Annex B Group III substances was not covered by essential uses or export to Article 5 Parties); Germany (Annex A Group I); Italy (Annex A Group I – 2 per cent of production not covered by essential uses or export to Article 5 Parties; and Annex B Group II); Japan (Annex B Group II, for which an essential use exemption had been claimed, but no such exemption had in fact been agreed by the Parties); Netherlands (Annex A Group I – 32 per cent of production not covered by essential uses or export to Article 5 Parties); Russian Federation (Annex B Group I); and the United Kingdom (Annex A Group I – 8 per cent of production not covered by essential uses or export to Article 5 Parties).

11. The representative of the European Community reported back on the Community's commitment, made at the twenty-fifth meeting of the Implementation Committee, to investigate the issue of non-compliance with the phase-out of consumption of carbon tetrachloride in 1998. A number of errors had been made in completing the data forms, including a misallocation of use as feedstock instead of as process agents. However, the corrected figure was still in excess of the reduction schedule because of a production surplus that had been stockpiled by companies for use in future years. The surplus was not intended for consumption in 1998, but under the Protocol's procedures had to be reported as such.

12. The representative of the Russian Federation, commenting on the discrepancies for consumption and production data, explained that they were due to stockpiling in advance of production sector phase-out at the end of 2000, to allow sufficient supplies for future needs as consumption was also phased out. The representative of the World Bank confirmed that that had been agreed with the Global Environment Facility (GEF).

13. The representative of the United Kingdom, commenting on the discrepancy in the production figures for Annex A Group I ODS, explained that it reflected production that had been originally intended

either for export to Article 5 Parties, to meet their basic domestic needs, or for essential uses, but had not been needed for either at the time when the producers came to supply the substances and had therefore been stockpiled for use in a future year.

14. In considering how to deal with the reported cases of potential non-compliance, the Committee agreed that various groups of Parties needed to be treated differently. The Committee agreed that Armenia, the European Community, France, Hungary, Japan, Germany, Italy and Netherlands should receive letters from the Secretariat, asking them to explain in writing their situations of potential non-compliance. The Committee agreed that Bulgaria and Latvia, which had been the subject of previous decisions of the Parties regarding their non-compliance with the Montreal Protocol, should receive strongly-worded letters reminding them that full reporting of data, or a full explanation in writing for reported discrepancies, constituted part of their obligations under the Montreal Protocol. The Committee agreed that Azerbaijan, Lithuania, Russian Federation and Ukraine should be asked by the Secretariat to explain their situations of potential non-compliance, in writing and preferably also in person before the Committee at its next meeting. Since the latter Parties were operating under agreed phase-out plans set out in previous decisions of the Parties, the Committee might wish to recommend further decisions, probably at its next meeting, noting their continued situations of non-compliance and encouraging them to meet their agreed targets.

15. The Implementation Committee agreed to request the Secretariat to send letters to the European Community, France, Germany, Hungary, Italy, Japan and Netherlands, alerting them to situations of potential non-compliance, and requesting explanatory information in writing about either their consumption or production figures.

16. The Implementation Committee took note of the explanation by the United Kingdom regarding its potential non-compliance with CFC phase-out in 1999 and requested the United Kingdom to confirm its explanation in writing to the Secretariat.

Kazakhstan

17. Kazakhstan had not yet agreed benchmarks with the Committee. In consequence, the Implementation Committee agreed:

- (a) to request the Secretariat to write to Kazakhstan asking it to confirm its acceptance of the phase-out benchmarks;
- (b) to invite representatives of Kazakhstan to the next meeting of the Committee in order to present the country's data to the Committee and clarify any issues that the Committee might wish to raise with Kazakhstan regarding the benchmarks.

18. Such benchmarks might need negotiation with the Government as part of their commitment to the Protocol, hence the need for representation by Kazakhstan at the next meeting of the Committee, to be facilitated by the Secretariat.

Tajikistan

19. Tajikistan had not yet agreed benchmarks with the Committee. In consequence, the Implementation Committee agreed:

- (a) to request the Secretariat to write to Tajikistan asking it to confirm its acceptance of the benchmarks;

- (b) to invite representatives of Tajikistan to the next meeting of the Committee in order to present the country's data to the Committee clarify any issues that the Committee might wish to raise with Tajikistan regarding the benchmarks.
20. Such benchmarks might need negotiation with the Government as part of their commitment to the Protocol, hence the need for representation by Tajikistan at the next meeting of the Committee, to be facilitated by the Secretariat.

IV. REMARKS BY THE SECRETARIAT OF THE MULTILATERAL FUND ON THE WORK OF THE EXECUTIVE COMMITTEE; AND THE IMPLEMENTING AGENCIES – UNDP, UNEP, UNIDO, WORLD BANK – ON THEIR ACTIVITIES TO IMPLEMENT PROJECTS APPROVED BY THE EXECUTIVE COMMITTEE IN RELEVANT COUNTRIES

Secretariat of the Multilateral Fund

21. The Multilateral Fund Secretariat explained that, since it and the Ozone Secretariat used the same data on ODS consumption and production, Table 6 of the Ozone Secretariat's report on information provided by the Parties (UNEP/OzL.Pro/ImpCom/26/3) gave a good picture of the situation in Article 5 Parties with regard to compliance status as seen by the Multilateral Fund Secretariat.
22. The Multilateral Fund Secretariat also explained that its document UNEP/OzL.Pro/ExCom/34/16, which analysed potential for compliance and which had been presented at the thirty-fourth meeting of the Executive Committee, provided additional information on the countries listed in Table 6 in the Ozone Secretariat's document and other Article 5 Parties, by assessing the impact of projects approved by the Multilateral Fund, and of policies enacted by Article 5 Parties in implementing their compliance obligations. The document could be used to track the real chances of compliance in Article 5 Parties, and the estimated dates for it.

UNDP

23. The representative of UNDP explained that Bangladesh had not been able to comply with the 1999 CFC freeze target owing to adverse technical conditions in the implementation of the ACI aerosols project, which now accounted for two-thirds of ODS consumption in the country. That project would be completed by the end of the third quarter 2001, and the resultant large drop in CFC consumption would enable Bangladesh to meet its 1999 CFC freeze requirement as well as its 50 per cent CFC reduction target for 2005.
24. He stated that the Islamic Republic of Iran had exceeded its 1995-1997 CFC baseline in 1998, but was within the target for 1999, and would be under the baseline for 2000. Several refrigeration projects that had been held back in 2000 had been approved the previous week by the Executive Committee and would help the Islamic Republic of Iran move towards its 2005 targets. In Trinidad and Tobago, consumption which had been above the baseline in 1998 had dropped below it in 1999; the recovery and recycling project had been completed, and the aerosol project nearing completion would bring consumption down even further. He expressed concern over the situation in Brazil, where it would be a distinct challenge to achieve 50 per cent reduction by 2005, particularly given the amount of ODS consumption in the servicing sector, and given that no phase-out projects in that subsector had been approved.

25. According to UNDP's data, ODS consumption in Paraguay was in fact within the target, and set to drop further with the umbrella terminal refrigeration project and the refrigerant management plan approved in December 2000. It would take full implementation of these two projects, and the elimination of 43 ODP tonnes per year, for Paraguay to meet the 50 per cent CFC reduction target. In Peru, submission of new phase-out foam projects was on hold due to discrepancies in data breakdown per sector, which it had not been possible to clarify in time for presentation at the current meeting. In Ghana, the refrigerant management plan recently approved by the Executive Committee would foster compliance, since that sector was virtually the only source of ODS consumption in the country, except for low levels of methyl bromide use. In Nigeria, ODS consumption had risen significantly, with a considerable amount of activity in the foam, refrigeration and servicing sectors. He suggested that that might be due to the country having underestimated its true CFC consumption when the baseline was set. He expected consumption to drop due to ongoing phase-out activities in the foam and refrigeration sectors. In Morocco, the problem with meeting the baseline was linked to the foam sector, since several foam projects had been approved a few years earlier, but had encountered implementation difficulties. For the 10 countries with economies in transition in Table 2 of the Ozone Secretariat's report, seven programmes had been approved, two were being formulated, and one was being started. UNDP was ready to provide specific progress reports for those countries as required.

UNEP

26. The representative of UNEP described the agency's enabling activities, and outlined the trends in data reporting, CFC consumption and production, and policy preparation and implementation in the 114 countries assisted by UNEP through institutional strengthening and networking activities. Most of the countries that had failed to provide baseline information did not have their country programmes completed. There had been a significant improvement in data reporting over the preceding six months, across reporting periods and across all regions. With regard to policy setting, there had been improvement in both the number of policy initiatives and the impact of those initiatives in meeting the freeze. In terms of compliance, the representative of UNEP stated that 60 per cent of countries with institutional strengthening assistance and 71 per cent of countries with networking assistance had achieved results going beyond compliance. He stressed that non-investment activities were very important for compliance, since 37 countries with no investment projects were likely to meet compliance. Overall, 68 countries were likely to meet the freeze, 37 countries were "on the edge" and required close monitoring, and only one country was in danger of non-compliance and would need special assistance to meet the freeze.

27. In Ghana and Mongolia, the importation of ODS-using equipment was at the root of non-compliance. There had been a marginal increase in consumption in Paraguay. In Ethiopia, which had ratified the Montreal Protocol but not the subsequent amendments, a project with bilateral assistance by the Government of Finland had been withdrawn due to the political situation in Ethiopia. It was therefore delayed and was now being implemented by UNEP. In Ghana, the problem of ODS-using equipment imports was proving difficult to handle, since customs officers were often faced with huge shipments of refrigerators entering the country. Jamaica's solution of requiring retrofit by the importers at the port of entry was not viable in Ghana because of the sheer volume of imports. In Mongolia, there was a ban on importing such equipment for commercial use, but not for personal use, and that loophole was difficult to close. In Oman and other western Asian countries with pressing desertification and water issues, UNEP had found that the Montreal Protocol was not a priority despite efforts to keep it on those countries' agendas.

28. Similarly, in Pacific Island countries the issue of sea-level rise due to global warming was threatening survival. Ozone problems were not a priority. Many of such States had also ratified the Kyoto Protocol.

UNIDO

29. The representative of UNIDO reported that Bosnia and Libyan Arab Jamahiriya had not provided a baseline report for 1999-2000, but that since their national ozone units had been set up recently it was now to be hoped that the reports would be forthcoming. In Romania, the ozone officer had been ill, but had now recovered. In Yugoslavia, the national ozone unit was reorganizing itself after the country's recent turmoil. While UNIDO had received the annual report data from the Syrian Arab Republic, the data were not reflected in the Ozone Secretariat's report, and he requested clarification of what had happened. In the Democratic People's Republic of Korea, a Multilateral Fund audit was under way to obtain correct production figures for 2000. In Kenya, the customs problems had been solved, and compliance with Annex A Group I substances should be achieved with proper reporting. Current reporting provided a distorted picture of compliance due to the discrepancy between imports and real consumption affected by stockpiling or smuggling.

World Bank

30. The representative of the World Bank reported that Turkey's 1998 apparent excess consumption data had to be seen in the context of stockpiling against production in India and China. The terminal refrigeration project approved at the preceding meeting would bring Turkey into compliance in the following few years. In the Russian Federation, the complete ban on imports and exports, as well as permanent closure of all production facilities, had been verified in March and April 2001. In India and China, CFC and halon production was down and meeting targets established by the Executive Committee.

31. Under this agenda item, the Implementation Committee:

- (a) Requested the representative of the Multilateral Fund Secretariat to make document UNEP/OzL.Pro/ExCom/34/16 available to its members;
- (b) Noted that a signal from the Implementation Committee to the Government of Morocco would be useful to UNDP as pressure to ensure more effective cooperation with projects;
- (c) Requested the Ozone Secretariat to arrange with the GEF Secretariat to obtain the Project Implementation Reports (PIRs) and make them available to the members of the Implementation Committee prior to its next meeting.

**V. STATUS OF COMPLIANCE WITH DECISIONS X/20 (AZERBAIJAN);
X/21 (BELARUS); X/22 (CZECH REPUBLIC); X/23 (ESTONIA); X/24 (LATVIA);
X/25 (LITHUANIA); X/26 (RUSSIAN FEDERATION); X/27 (UKRAINE); AND
X/28 (UZBEKISTAN) OF THE TENTH MEETING OF THE PARTIES**

32. The Implementation Committee discussed the situation of the above countries with economies in transition, including consultation in closed sessions attended only by members of the Committee. The Committee agreed that it was important to determine the underlying country-specific reasons for any Party's inability to achieve compliance. The Committee also agreed that it was important to take into account whether a Party was persistently in a state of non-compliance, or had only recently agreed phase-out benchmarks with either the Parties or the Global Environment Facility (GEF).

Azerbaijan

33. The Implementation Committee agreed that no action needed to be taken, as the series of benchmarks agreed between the Committee and Azerbaijan had not come into operation before 2000.

Belarus

34. The Implementation Committee agreed that no action needed to be taken, as the consumption levels reported by Belarus fell within the series of benchmarks agreed between the Committee and Belarus.

Czech Republic

35. The Implementation Committee agreed that no action needed to be taken, as the consumption figures reported by the Czech Republic showed that it was in compliance.

Estonia

36. The Implementation Committee agreed that no action needed to be taken, as the consumption levels reported by Estonia fell within the series of benchmarks agreed between the Committee and Estonia.

Latvia

37. The Implementation Committee agreed to request the Secretariat to send a strongly-worded letter to Latvia, alerting the country to its situation of potential non-compliance because of its failure to report data for 1999, recalling the prior decision about its situation and reminding it that data reporting was one of its obligations under the Protocol.

Lithuania

38. The Implementation Committee agreed that no action needed to be taken, as the series of benchmarks agreed between the Committee and Lithuania had not come into operation before 2000.

Russian Federation

39. The Implementation Committee agreed to request the Secretariat to send a letter to the Russian Federation, alerting it to its situation of potential non-compliance, and requesting explanatory information about its consumption and production figures for the year 2000.

Ukraine

40. The Implementation Committee agreed that no action needed to be taken, as the series of benchmarks agreed between the Committee and Ukraine had not come into operation before 2000.

Uzbekistan

41. The Implementation Committee agreed to request the Secretariat to send a strongly-worded letter to Uzbekistan, alerting the country to its situation of potential non-compliance because of its failure to report data for 1999, recalling the prior decision about its situation and reminding it that data reporting was one of its obligations under the Protocol.

Other countries with economies in transitionArmenia

42. The Implementation Committee agreed to request the Secretariat to send a letter to Armenia, alerting it to its situation of potential non-compliance, and requesting explanatory information about its consumption figures.

Bulgaria

43. The Implementation Committee agreed to request the Secretariat to send a letter to Bulgaria, alerting it to its situation of potential non-compliance, and requesting explanatory information about its consumption figures.

VI. ANALYSIS OF COMPLIANCE WITH THE MONTREAL PROTOCOL BY SOME ARTICLE 5 COUNTRIES WITH POTENTIAL NON-COMPLIANCE STATUS

44. The Ozone Secretariat drew the Committee's attention to Table 6 in UNEP/OzL.Pro/ImpCom/26/3, which listed those Parties that had reported consumption of Annex A Group I ODS above the baseline in either 1998, 1999 or 2000. Since the table was prepared, data had been reported which added four Parties to the list: Namibia and Papua New Guinea (excess consumption for 2000) and Solomon Islands and Togo (excess consumption for 1999). Since the first control period for Article 5 phase-out of CFCs was 1 July 1999 – 30 June 2000, it was not possible to tell for certain whether any of these Parties was actually in non-compliance, but it was reasonable to assume that at least those Parties reporting excess consumption in both 1999 and 2000 were potentially in non-compliance. Only two Parties (Brazil and Jamaica) had so far reported consumption for the control period 1999-2000.

45. The representative of UNDP requested guidance on a matter that had been raised with him by several of the Article 5 Parties which UNDP was assisting. They were seeing ODS imports from three European countries even though the respective Article 5 Governments had made no official request for such imports to meet their basic domestic needs; the trade was being arranged solely between the producing and importing enterprises. The Ozone Secretariat confirmed that there was no requirement that the exporting country should receive approval from the importing country prior to export. The Secretariat also confirmed that until a licensing system was in place, the Article 5 Parties had no effective means of controlling such imports, though the countries of export could control production and export through their own licensing systems and other regulations.

Parties reporting excess consumption for both 1999 and 2000

46. The Committee discussed how to deal with the reported potential cases of non-compliance, noting that the reports of the Fund Secretariat and of the implementing agencies had revealed special circumstances applying to many of those Parties, such as very recent ratification, or problems of imports of second-hand equipment, which the Committee should take into account when reaching decisions.

47. The Implementation Committee agreed to request the Secretariat to write to those Parties that had already reported excess consumption for both 1999 and 2000, and any Parties that did so in the future, asking for an explanation.

Article 5 Parties potentially in non-compliance

48. The Committee also considered the issue of potential non-compliance by Article 5 Parties, noting that any specific information about their situation would be useful additional information, although also stating that it would still be the responsibility of the Parties themselves to provide explanations for their apparent non-compliance.

49. The Implementation Committee agreed

- (a) To request the Secretariat to prepare a table of Article 5 Parties potentially in non-compliance, showing their dates of ratification of the Protocol and relevant amendments. The table would cover when the countries had requested assistance with preparing their country programmes; when the country programmes had been approved; whether there were any approved updates; the total funding received under the Multilateral Fund; the total of ODP tonnes phased out to date; and any relevant special circumstances;
- (b) To request the Fund Secretariat to provide to the Ozone Secretariat for circulation to the members of the Implementation Committee the “country programme information sheets” for Article 5 Parties potentially in non-compliance so as to obtain information on consumption by sector, and the funds approved by the Executive Committee by sector for the relevant controlled substance(s);
- (c) To request the Secretariat to liaise with the Multilateral Fund Secretariat to ensure that the members of the Committee received in good time the report on the “Status of Article 5 Countries in Achieving Compliance with Control Measures of the Montreal Protocol” which is submitted to the Executive Committee of the Multilateral Fund.

VII. INTERACTION BETWEEN THE IMPLEMENTATION COMMITTEE AND THE EXECUTIVE COMMITTEE OF THE MULTILATERAL FUND (PARAGRAPH 7 (F) OF THE NON-COMPLIANCE PROCEDURE (1998))

50. The representative of the Multilateral Fund Secretariat reported that the topic of interaction between the Implementation Committee and the Executive Committee had been discussed at the Executive Committee meeting in March 2001, in the context of the “Framework on the Objectives, Priorities, Problems and Modalities for Strategic Planning of the Multilateral Fund in the Compliance Period”. The issue had been covered in document UNEP/OzL.Pro/Excom/33/32, which said, inter alia, “There should be an examination of ways to strengthen the interaction between the Executive Committee and the Implementation Committee, as well as the involvement of the Parties concerned, including the exchange of information in order to address better the situation of possible non-compliance by any Article 5 Party with its obligations under the Montreal Protocol”. The Executive Committee had recognized the need to facilitate further interaction between the two bodies.

51. The Implementation Committee agreed that in order further to facilitate the exchange of information between the two Committees, the Chair and Vice-Chair of the Executive Committee should be invited to attend the Implementation Committee’s meetings. Similarly, the Committee expressed the wish for the President and Vice-President to be invited to attend the Executive Committee’s meetings on a reciprocal basis.

VIII. REPORTING REQUIREMENTS ON PROCESS AGENTS

52. At the suggestion of the President, who pointed out that the question of reporting requirements for process agents had been discussed by the Technology and Economic Assessment Panel and was due to be discussed by the Open-ended Working Group, the Committee agreed to defer discussion of the issue until its next meeting.

IX. REVIEW OF PAST RECOMMENDATIONS BY THE IMPLEMENTATION COMMITTEE

53. The President drew the Committee's attention to the compilation of past recommendations of the Implementation Committee, together with the actions taken thereafter, which had been prepared by the Secretariat (UNEP/OzL.Pro/ImpCom/26/4). She thanked the Secretariat for its hard work and asked the Committee for their views on further work that might be necessary on the document.

54. The representative of the United Kingdom suggested that the document would be more useful if the recommendations were grouped by issue, for example data reporting, trade, etc., rather than chronologically.

55. The representative of the United States pointed out that the outcome of at least one discussion, on how a Party could report seizures of ODS imported illegally, was missing. He suggested that the document should be reviewed again to ensure completeness.

56. The Implementation Committee requested the Secretariat to reorganize the document by subject area. Once completed it would serve as a future reference for the Committee on its past recommendations on various subjects.

X. OTHER MATTERS

Date for reporting of data

57. Under "Other matters", the Implementation Committee discussed the desirability of early reporting of data, noting that Article 7 of the Montreal Protocol stipulated that data should be supplied for a given year no later than the end of September of the year following the one to which the data related, which did not preclude earlier reporting if the data were available earlier.

58. The Implementation Committee agreed to recommend a decision by the Meeting of the Parties which should strongly urge Parties to report consumption and production data as soon as the figures were available, rather than waiting until the final deadline of 30 September.

Reporting of historical data

59. The Implementation Committee also considered the reporting of historical data for the 1986, 1989 and 1991 base years, in the light of the limited accessibility and relevance of those data, particularly for countries that had ratified the Montreal Protocol only recently.

60. The Implementation Committee agreed to recommend that the Meeting of the Parties request Parties that had not already done so to report baseline data for 1986, 1989 and 1991, specifically noting that if precise figures were not available, estimates were acceptable.

Adjustment of reported 1995-1997 baseline figures

61. The Implementation Committee also discussed the need to prevent the adjustment of reported 1995-1997 baseline figures as a tactic to change a country's compliance status.
62. The Implementation Committee agreed to recommend that the Meeting of the Parties advise Parties that requests for changes in reported baseline data for the base years would have to come before the Implementation Committee, which would then work with the Executive Committee and Ozone Secretariat to confirm the justification for the changes, and present them to the Meeting of the Parties for approval.

Pre-mixed polyols

63. The Committee addressed the issue of whether the classification of pre-mixed polyols as non-controlled substances under the Montreal Protocol provided a loophole for continued CFC consumption, and how to prevent that situation.
64. The Implementation Committee agreed to recommend that the Meeting of the Parties should decide that countries that used CFCs to blend pre-polymers (pre-mixed polyols) were to count that use as CFC consumption. If such products were then exported, that would count against the consumption allowance in the exporting countries. The Committee also noted a technical question on the definition of polyols and that it might be useful for the Meeting of the Parties to seek further guidance from the Technology and Economic Assessment Panel on the issue.

Reports on bilateral projects

65. The Implementation Committee discussed the need to be informed about the status of bilateral projects assisting Article 5 Parties to comply with their Protocol obligations.
66. The Implementation Committee agreed to request the Multilateral Fund Secretariat to include information on bilateral activities in its future presentations to the Implementation Committee on Multilateral Fund supported activities with support from implementing agencies.

XI. CONSIDERATION AND APPROVAL OF THE REPORT OF THE MEETING

67. The President and the Vice-President (who was also the Rapporteur) were entrusted with the completion and approval of the report.

XII. CLOSURE OF THE MEETING

68. The President declared the meeting closed at 4.30 p.m. on 23 July 2001.

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