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THIRTEENTH MEETING OF THE PARTIES TO
THE MONTREAL PROTOCOL ON
SUBSTANCES THAT DEplete
THE OZONE LAYER
Colombo, 16-19 October 2001

**REPORT OF THE THIRTEENTH MEETING OF THE PARTIES TO
THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete
THE OZONE LAYER**

Introduction

1. The 13th Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer was held at the Bandaranaike Memorial International Conference Hall (BMICH) in Colombo, Sri Lanka, from 16 to 19 October 2001. It consisted of a preparatory segment, held on 16 and 17 October, and a high-level segment, held on 18 and 19 October.

I. OPENING OF THE MEETING

2. The preparatory segment of the 13th Meeting of the Parties was opened by its Co-Chair, Mr. Milton Catelin of Australia, at 10 a.m. on 16 October 2001. Opening statements were made by the Hon. Dinesh Gunawardena, Minister of Transport and Environment, Sri Lanka, and Mr. Michael Graber, Deputy Executive Secretary, Ozone Secretariat, UNEP.

3. In his opening address, Mr. Gunawardena welcomed the participants to Sri Lanka and expressed his gratitude to the Parties for accepting Sri Lanka's offer to host the 13th Meeting of the Parties to the Protocol. He said that he viewed the opportunity as a sign of encouragement given by the Parties and the United Nations to the people of Sri Lanka to implement environmental protection programmes. He pointed out that Sri Lankans had a long tradition of living in harmony with nature while at the same time harnessing environmental resources to meet their basic needs.

4. He lamented the fact that Sri Lanka, like most developing countries, was faced with a wide range of environmental problems that included land degradation, loss of biodiversity, air pollution and climate change. As a result of those environmental problems, the country was prone to environmental disasters such as floods, drought, loss of productivity of the soil and salinity in the agricultural soils of marginal areas. He noted that rapid population growth, unemployment and poverty had also become major social problems in most developing countries and needed to be addressed as a priority. The challenge facing countries was to achieve higher economic growth, while causing minimum harm to the natural environment, cultural norms and society at large and without compromising the rights and needs of future generations. He outlined the

measures taken by the Government of Sri Lanka for the protection of the environment, such as the research being conducted by the Research Institute of Sri Lanka to find alternatives to replace methyl bromide, currently used by tea growers to control nematodes and other organisms in the soil of tea nurseries.

5. Mr. Michael Graber, Deputy Executive Secretary of the Ozone Secretariat, speaking on behalf of Dr. Klaus Töpfer, Executive Director of the United Nations Environment Programme (UNEP), welcomed participants to the meeting and expressed his gratitude to the government and people of Sri Lanka for hosting it.

6. He introduced the items on the agenda and the draft decisions and other proposals that would be before the Meeting at its preparatory segment. Those would form the basis for the recommendations which would be submitted, in turn, to the high-level segment for approval. He highlighted some of the key proposals to be discussed: on the terms of reference for the Replenishment Study of the Multilateral Fund for the triennium 2003-2005; on the review of the fixed-exchange-rate mechanism used by some Parties to contribute to the Fund; on an evaluation of the financial mechanism; on the pattern of consumption of HCFCs in Article 5 countries; on industrial rationalization; and on illegal trade in ozone-depleting substances (ODS).

7. Further proposals had arisen from the work of the Assessment Panels: on the production of CFCs for metered-dose inhalers (MDIs); on halons needed for critical uses; on new ozone-depleting substances and their ozone-depleting potentials (ODPs); on essential-use exemptions; and on process agents. The Panels were now embarking on their 2002 assessments, and Mr. Graber appealed to Parties to continue to provide support for the Panels in carrying out this crucial task.

8. He informed the Meeting that, since the 12th Meeting of the Parties, five new Parties – Cambodia, Cape Verde, Palau, Sierra Leone and Somalia – had ratified the Vienna Convention and the Montreal Protocol, bringing the total number of Parties to the Montreal Protocol to 180. However, 27 Parties to the Montreal Protocol had yet to ratify the London Amendment, all but one of them Article 5 Parties; 52 Parties had yet to ratify the Copenhagen Amendment, 46 of them Article 5 Parties; only 63 Parties had ratified the Montreal Amendment, 41 of which were Article 5 Parties; and the Beijing Amendment had been ratified by only 11 Parties.

9. He commended Parties for achieving a reporting rate of over 95 per cent for 1999 data: of 170 Parties that were required to report under Article 7 of the Protocol, 154 had done so. The reporting rate for 2000 was better than for 1999: 101 Parties out of the 175 had reported by 13 October 2001. He also appealed to Parties to pay their arrears of contributions to the Trust Funds of the Vienna Convention and Montreal Protocol and to the Multilateral Fund in full as soon as possible. Finally, he reported that in the absence of an offer to host the Sixth Conference of the Parties to the Vienna Convention and the 14th Meeting of the Parties to the Montreal Protocol, they would be held in Nairobi from 25 to 29 November 2002.

II. ORGANIZATIONAL MATTERS

A. Attendance

10. The Meeting of the Parties was attended by representatives of the following Parties: Algeria, Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Czech Republic, Denmark, Egypt, El Salvador, Estonia, Ethiopia, European Community, Fiji, Finland, France, Gabon, Germany, Ghana, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liechtenstein, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Mali, Mexico, Mongolia, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Senegal,

Slovakia, Slovenia, South Africa, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

11. The following non-Party was represented: Niue.

12. Representatives of the following United Nations bodies and specialized agencies also attended: Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol, International Labour Organization (ILO), International Monetary Fund (IMF), Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), UNEP Division of Technology, Industry and Economics, UNEP Office of the Executive Director, United Nations Food and Agriculture Organization (FAO), United Nations Industrial Development Organization (UNIDO), United Nations Population Fund (UNFPA), World Bank, World Food Programme (WFP), World Health Organization (WHO).

13. The following intergovernmental and non-governmental bodies and agencies were also represented: Climate Action Lanka, Environmental Investigation Agency, Environmental Law Alliance Worldwide Sri Lanka, Green Movement of Sri Lanka, Greenpeace International, Industrial Technology Research Institute, INSTICOH Project of MPPA, International Institute of Refrigeration, South Pacific Regional Environment Programme, Tea Research Institute, University of Peradeniya; East Energy Union, Elf Atochem, Environmental Foundation Ltd., Indian Chemical Manufacturers' Association, International Pharmaceutical Aerosol Consortium, PREC Institute Inc., R&M Consultancy Inc., Refrigerant Gas Manufacturers' Association, Serenth Nature Protect Ltd.

B. Officers

14. Mr. Milton Catelin (Australia) and Mr. P.V. Jayakrishnan (India), Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol, served as Co-Chairs of the preparatory segment of the 13th Meeting of the Parties.

C. Adoption of the agenda

15. Co-Chair Mr. Catelin introduced the provisional agenda (UNEP/OzL.Pro.13/1). At the suggestion of one representative, he agreed that sub-item 3 (l) should be split into two parts, dealing first with the report of the Executive Committee and second with consideration of any proposals that might follow.

16. Following a proposal by one representative, the Meeting agreed to insert a new item 6 (a) on its agenda, dealing with nominations for critical use exemptions for applications of methyl bromide.

17. Following a proposal by one representative, the Meeting agreed to insert a new item 6 (b) on its agenda, dealing with the appointment of a new Executive Secretary of the Ozone Secretariat and on draft decisions prepared by the Secretariat for Meetings of the Parties.

18. Following a proposal by one representative, the Meeting agreed to insert a new item 6 (c) on its agenda, dealing with nominations for Co-Chairs of the Methyl Bromide Technical Options Committee and the Foams Technical Options Committee of the Technology and Economic Assessment Panel

19. Following a proposal by one representative, the Meeting agreed to insert a new item 6 (d) on its agenda, dealing with input from the Meeting of the Parties to the World Summit on Sustainable Development and UNEP discussions on international environmental governance.

20. The following agenda for the preparatory segment of the combined meeting was adopted, as amended, on the basis of the provisional agenda which had been circulated:

I. Preparatory segment (16-17 October)

1. Opening of the meeting:
 - (a) Statement by a representative of the Government of Sri Lanka;
 - (b) Statement by the Executive Director of the United Nations Environment Programme (UNEP).
2. Organizational matters:
 - (a) Adoption of the agenda;
 - (b) Organization of work.
3. Discussion on the issues and on draft decisions:
 - (a) Terms of reference for the study on the 2003-2005 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol;
 - (b) Proposal for an evaluation of the financial mechanism of the Montreal Protocol on Substances that Deplete the Ozone Layer;
 - (c) Review of the implementation of the fixed-exchange-rate mechanism and determination of the impact of the mechanism on the operations of the Multilateral Fund for the Implementation of the Montreal Protocol and on the funding of the phase-out of ozone-depleting substances in Article 5 Parties for the triennium 2000-2002;
 - (d) Consumption of hydrochlorofluorocarbons (HCFCs) in Article 5 Parties;
 - (e) Information on new ozone-depleting substances;
 - (f) Criteria to assess the potential ozone-depleting potential (ODP) of new chemicals;
 - (g) Essential-use exemption applications;
 - (h) Industrial rationalization;
 - (i) Production of CFCs for metered-dose inhalers (MDIs);
 - (j) Assessment of the future need for halons for essential uses in light of national or regional strategies for the management of halons, including reduction of emissions and ultimate elimination of their use;
 - (k) Proposed study on issues relating to monitoring of international trade and prevention of illegal trade in ozone-depleting substances, mixtures and products containing ozone-depleting substances;
 - (i) Report of the Executive Committee on progress made in reducing emissions of controlled substances from process-agent uses and on the implementation and development of emission reduction techniques and alternative processes not using ozone-depleting substances;
 - (ii) Consideration of proposals on process agents;

- (m) Reporting of data;
 - (n) Ratification of the Convention, the Protocol and its amendments;
 - (o) Selection of:
 - (i) Members of the Implementation Committee;
 - (ii) Members of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol; and
 - (iii) Co-Chairs of the Open-ended Working Group for future years.
4. Compliance issues considered by the Implementation Committee.
 5. Financial statements and budget for the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer.
 6. Other matters:
 - (a) Nominations for critical-use exemptions for applications of methyl bromide;
 - (b) Appointment of new Executive Secretary of the Ozone Secretariat and draft decisions prepared by the Secretariat for Meetings of the Parties;
 - (c) Nominations for Co-Chairs of the Methyl Bromide Technical Options Committee and the Foams Technical Options Committee;
 - (d) Input from the Meeting of the Parties to the World Summit on Sustainable Development and UNEP discussions on international environmental governance.

D. Organization of work

21. The Meeting agreed to follow its customary procedure.

III. DISCUSSION ON THE ISSUES AND ON DRAFT DECISIONS

A. Terms of reference for the study on the 2003-2005 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol

22. The preparatory segment agreed to reconstitute the existing open-ended contact group, convened to discuss the issue of terms of reference for the study on the 2003-2005 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol, into a closed contact group, comprising equal representation by Article 5 and non-Article 5 Parties, to be coordinated by the representative of Brazil.

23. Reporting to the preparatory segment on the results of the work of the group, the coordinator informed the Meeting that it had held two meetings and had comprised representatives from Argentina, Australia, China, Colombia, Finland, France, Germany, India, Islamic Republic of Iran, Japan, Poland, Sri Lanka, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Zimbabwe. The group had reached a consensus on the terms of reference of the study and a draft decision had been prepared as a conference room paper. In its deliberations, the contact group had referred extensively to decision X/13, which had formed the basis for the terms of reference of the study for the replenishment for the previous triennium. The group had also reviewed a submission by the Group of 77 and China and had concluded that most items of concern to the Group of 77 and China were covered by the

agreed terms of reference, while some other specific issues could be dealt with in appropriate sensitivity analyses. He drew attention to the merged texts that had been proposed by the Group of 77 and China: pages 3 and 4 of documents UNEP/OzL.Pro13/INF.1, with amendments brought forward from document UNEP/OzL.Pro13/INF.1/Add.1 (items m and r). In conclusion, he expressed thanks to all members of the contact group and expressed the hope that the resulting proposal formed a good basis for the upcoming important decisions to be taken on replenishment of the Multilateral Fund.

24. One representative proposed an amendment to the draft decision.

25. The preparatory segment decided to forward the draft decision on terms of reference for the study on the 2003-2005 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol, as amended, to the high-level segment for approval.

B. Proposal for an evaluation of the financial mechanism of the Montreal Protocol on Substances that Deplete the Ozone Layer

26. Introducing the item, the Co-Chair drew attention to a conference room paper, submitted by the European Community and its member States, containing a proposal for a draft decision on an evaluation study on the managing and implementing bodies of the financial mechanism of the Montreal Protocol.

27. One representative expressed reservations concerning the proposal, and considered that the view that the existing evaluation mechanisms of the United Nations, such as the Office of Internal Oversight Services (OIOS) or the Board of Auditors, should carry out any such evaluation. He also proposed that any relevant findings of those mechanisms concerning the management of the Multilateral Fund should be submitted to the next Meeting of the Parties, through the Open-ended Working Group, and suggested the insertion of language to that effect in the proposal. In addition, he considered that any evaluation of the activity of the Multilateral Fund should take place prior to the 2003-2005 replenishment of the Fund.

28. Other representatives expressed strong approval for the proposal, with one observing that the existing United Nations mechanisms were purely for audit purposes and were inappropriate for providing the required in-depth review of the activity of the Multilateral Fund. Noting that the Multilateral Fund was currently in the process of implementing a new strategy and modality of operation, which needed time to gather experience, he considered that an external evaluation at the appropriate point in time was necessary.

29. The preparatory segment decided to forward the draft decision on an evaluation study on the managing and implementing bodies of the financial mechanism of the Montreal Protocol, as amended, to the high-level segment for approval.

C. Review of the implementation of the fixed-exchange-rate mechanism and determination of the impact of the mechanism on the operations of the Multilateral Fund for the Implementation of the Montreal Protocol and on the funding of the phase-out of ozone-depleting substances in Article 5 Parties for the triennium 2000-2002

30. The Meeting considered document UNEP/OzL.Pro.13/6, containing an interim review of the implementation of the fixed-exchange-rate mechanism, prepared jointly by the Treasurer and the Secretariat of the Multilateral Fund.

31. The Treasurer reported that the use of the fixed-exchange-rate mechanism had caused a loss to the Multilateral Fund for the year 2000 of \$8.599 million, or 13.63 per cent of the pledges for the year by the Parties using the mechanism. In the year 2001 up to 31 August, the loss amounted to \$2.864 million, or 4.54 per cent of the pledges for the year by the Parties using the mechanism. In the period 1 January 2000 – 31 August 2001, the payments made by the Parties using the fixed-exchange-rate mechanism had amounted to 52.84 per cent of their pledges for the years 2000 and 2001.

32. On the basis of the foregoing, the eventual loss to the Multilateral Fund for the triennium was projected to be \$34.5 million, or 7.85 per cent of the triennium's replenishment level of \$440 million.
33. The representative of the Multilateral Fund Secretariat said that the use of the fixed-exchange-rate mechanism impacted the business planning process, in that the amount that would actually be available for disbursement in each of the years of the triennium could no longer be predicted with certainty. It also impacted the project approval process, in that if some payments were not received by the deadline of 1 June each year as provided for under the fixed-exchange-rate mechanism, under the terms of reference of the Multilateral Fund some projects could not be started until those late payments had been received. That situation had occurred in the first year of the current triennium.
34. The fixed-exchange-rate mechanism also impacted ODS phase-out. On the basis of the loss of \$11.5 million for the period 2000-2001, and the approximate figure, taken from the August 2001 business plans, of \$5,000 per ODP tonne of phase-out, the loss could have funded 2,091 ODP tonnes of phase-out.
35. A number of representatives from Article 5 Parties expressed alarm at such a financial shortfall and at the resultant possible delay in phase-out. That delay was of particular importance given that Article 5 Parties were currently in their first control period. They expressed the view that there should be a return to the system used before the fixed-exchange-rate mechanism had been implemented, in order to prevent further losses.
36. A number of Parties using the fixed-exchange-rate mechanism expressed the view that insufficient time had elapsed for a balanced review to be made of it; the decision to adopt the mechanism had been taken on a trial basis, to be assessed after the first full triennium, which had not yet been completed. They called for the review to be pursued and for a report to be submitted to the next Meeting of the Open-ended Working Group. Representatives also pointed out that the report had failed to evaluate some of the benefits of the mechanism, including the fact that the number of countries paying on time was much higher among those using the fixed-exchange-rate mechanism, and that the appreciation of the United States dollar had reduced project costs in some cases because of the dollar's higher purchasing power. A proper review should take into account the experiences of other institutions using fixed-exchange-rate mechanisms or similar systems and should call on external consultancy expertise, if needed.
37. One representative from a non-Article 5 Party, expressing the view that sufficient time had now passed to reveal that the fixed-exchange-rate mechanism in its present form was not satisfactory, called for its revision. While supporting the provision of a report to the next meeting of the Open-ended Working Group, he said that, in the meantime, measures should be sought to keep the losses from the present mechanism to a minimum. Another representative commented that countries which ended up paying lower contributions than anticipated because of the operation of the mechanism could compensate Article 5 Parties in other ways, for example through increasing their bilateral aid, as his country had done.
38. The Co-Chair introduced a conference room paper, submitted by the European Community and its member States, containing a proposal for a draft decision on review of the implementation of the fixed-exchange-rate mechanism and determination of the impact of the mechanism on the operations of the Multilateral Fund for the Implementation of the Montreal Protocol and on the funding of the phase-out of ozone-depleting substances in Article 5 Parties for the triennium 2000 – 2002.
39. A number of representatives of Article 5 Parties expressed the view that, since the fixed-exchange-rate mechanism was likely to lead to a shortfall in the already negotiated and agreed level of funding for the triennium in question, and because the review had not been completed in 2001 as originally intended, the draft decision should contain a reference to a commitment as to how the shortfall would be met or offset.
40. One representative, pointing out that his country had never supported the application of the fixed-exchange-rate mechanism, said that it was reluctant to bear the burden of any additional expenditure to meet an eventual shortfall in the level of the Fund as a result of the approach taken. Other representatives

considered that it was too early to draw any conclusions on the outcome of the review of the fixed-exchange-rate mechanism, and the issue of shortfall should therefore not be prejudged.

41. After further informal discussions, the representative of Belgium, on behalf of the European Community and its member States, introduced a revised draft decision. The preparatory segment decided to forward the draft decision to the high-level segment for approval.

D. Consumption of hydrochlorofluorocarbons (HCFCs) in Article 5 Parties

42. The representative of the European Community, speaking also on behalf of its member States, introduced a proposal for a draft decision on the consumption of HCFCs in Article 5 Parties. He explained that the draft decision requested the Technology and Economic Assessment Panel to examine past and likely future patterns of HCFC consumption by sector and existing and future availability of non-HCFC substances and technologies and, on the basis of this information, to evaluate the ability of Article 5 Parties to comply with each of a range of control scenarios, including an assessment of the likely impact of each scenario on CFC phase-out. The report would enable Parties to consider possible adjustments to the HCFC phase-out schedule in 2003, though he stressed that the Community had no intention of proposing any change to the final phase-out date of 2040.

43. He recalled that the concept of a study by the Technology and Economic Assessment Panel had first been introduced at the 12th Meeting of the Parties in 2000. Since then it had been subject to very extensive consultation and dialogue with Article 5 and non-Article 5 Parties and relevant sections had been revised as a result. He considered that the proposal was fully in line with past declarations and resolutions made by Parties, including those in 1990, 1993, 1995, 1997 and 1998. It fully took into account the terms of the study by the Technology and Economic Assessment Panel already requested by decision XI/28 but went further in examining a much wider range of factors affecting Parties' ability to comply with phase-out scenarios. Bearing in mind the current vulnerable state of the ozone layer, with chlorine loading near its maximum, he believed that it was important to maintain momentum in efforts to phase out HCFCs. Despite extensive consultation, he welcomed any further comments and suggested the establishment of a contact group to consider the matter further.

44. Many representatives of Article 5 Parties expressed appreciation for the work of the European Community and its member States but, nevertheless, some were unable to agree with its proposal. Representatives observed that Article 5 Parties were currently concentrating all their efforts on achieving phase-out of CFCs, which had much higher ODP values than HCFCs, and they did not want to take any decisions that might hinder that process and cause uncertainty for enterprises which had converted from CFCs to HCFCs. It was not an easy process either repeatedly to amend national legislation or to carry out extensive conversion processes, and any acceleration in HCFC phase-out schedules risked the possibility of creating chaos amongst Governments and industries.

45. Those representatives had serious concerns about the cost, availability, accessibility and safety of alternatives to HCFCs and were constrained in adopting some alternatives by other environmental agreements such as the Kyoto Protocol. One Article 5 representative considered parts (a) and (b) of the proposal to be acceptable, but rejected parts (c) and (d). Representatives would welcome initiatives such as studies and demonstration projects on alternative substances and technologies and believed that their industrial enterprises would be quick to adopt cost-effective alternatives. They felt, however, that at the current time the study described in decision XI/28 was sufficient to provide the basis for future discussions and that there was no point in establishing a contact group to discuss the proposal by the European Community and its member States.

46. Many representatives of non-Article 5 Parties spoke in support of the proposal, thanking the European Community and its member States for their patience in pursuing the matter and welcoming the improvements in the proposal following consultations, particularly the addition of economic, social and safety factors to the remit of the proposed study. The study described in decision XI/28 was restricted to issues of production and market availability of HCFCs; whereas the study described in the proposal went

further in looking at the availability of alternatives to HCFCs, which would be valuable for both Article 5 and non-Article 5 Parties in planning eventual phase-out. Representatives observed that the tradition of the Montreal Protocol was to carry out studies to provide comprehensive information on which Parties could take informed decisions. Agreeing to conduct a study did not commit any Party to agreeing with its conclusions.

47. One representative observed that the Seventh Meeting of the Parties, in 1995, had agreed to review, in 2000, the need for further adjustments in the phase-out schedule for HCFCs and that the current proposal provided a good basis for doing that; if a decision were not taken on the matter at the current meeting, the discussion would proceed indefinitely. Another representative suggested that the proposed study would benefit from input from the Scientific Assessment Panel, which could assess the environmental benefits of the various scenarios. Yet another representative described how the adoption of stepped reductions in HCFC consumption had provided a predictable framework for enterprises' planning and investment decisions in her country.

48. An observer from an environmental non-governmental organization supported the proposal as it aimed to consider both the environmental benefits and the technological feasibility of HCFC phase-out in Article 5 Parties. He observed that non-Article 5 Parties must eventually be prepared to provide second-stage funding to the Multilateral Fund to ensure that Article 5 Parties were not stuck in an HCFC – or HFC – cul-de-sac.

49. The representative of the European Community, speaking also on behalf of its member States, reminded the Meeting that the proposal of the European Community and its member States was for a study, not for any adjustment to the HCFC phase-out schedule, and also that the questions of CFC and HCFC phase-out schedules were quite separate. The first control measure for HCFCs in Article 5 Parties was a freeze at 2015 levels in 2016, six years after total phase-out of CFCs; he believed it would be inappropriate to consider any acceleration in that schedule. He believed that the scenarios could help to identify a "roadmap" of steps to phase-out, providing clear and predictable signals to industry in Article 5 Parties. He stressed the point that the study described in decision XI/28 was useful but narrowly focused, and in any case once it was complete Parties would then have to decide what decision to take; the point of the scenarios proposed by the European Community and its member States was to help them consider that decision. He concluded by outlining a number of initiatives by the European Community and its member States for the development of alternatives to HCFCs, including a booklet, to be published in early 2002; a workshop at the next meeting of the Open-ended Working Group; and a possible study tour for factory managers and others to look at the operation of alternative substances and technologies.

50. Summarizing the discussion, the Co-Chair said that he felt, with some sadness, that there was no consensus for the establishment of a contact group, and that the proponents of the proposal should pursue the matter in the margins of the current and subsequent meetings.

51. The representative of the European Community, speaking also on behalf of its member States, expressed grave disappointment at the outcome of the discussion and stated that the Community would need to review the timing of the technology transfer activities he had earlier outlined. He believed that the decision not to carry out a study, which aimed to provide Parties with the information on which they could take informed decisions, was without precedent in the history of the Montreal Protocol. The European Community and its member States, however, would continue to work with others to identify a way forward as the issue continued to be important.

E. Information on new ozone-depleting substances

52. The representative of the European Community, speaking also on behalf of its member States, introduced a proposal for a draft decision on n-propyl bromide (nPB).

53. One representative noted that proposals on the subject of nPB had already been discussed in the Open-ended Working Group, and some Parties had expressed reservations on the issue.

54. One representative, pointing to the very low ODP of the substance, considered that caution was needed in applying control measures to nPB since they might encourage the use of more environmentally harmful alternatives. He proposed amendments to that effect to the draft of the decision. Another representative, also opposing action to control nPB, recalled that the substance was still under examination by the Technology and Economic Assessment Panel, and that no final conclusions had yet been reached.

55. The preparatory segment decided to forward the draft decision on nPB, as amended, to the high-level segment for approval.

F. Criteria to assess the potential ozone-depleting potential (ODP) of new chemicals

56. A member of the Scientific Assessment Panel made a presentation on the assessment of new ozone-depleting substances. He said that the characteristics which determined ozone depletion were the amounts emitted; transportation and removal in the troposphere; breakup and ozone destruction in the stratosphere; the ODP calculation and the expected future ozone loss. The information needed about a proposed substance included the expected rate of emission, the removal process, and the potential impact on the ozone.

57. The representative of the European Community, speaking also on behalf of its member States, introduced a proposal for a draft decision. He said that the proposal was based on previous decisions of the Parties. In the view of the European Community, and its member States, the Secretariat should post all new ODS on a Website. In addition, it considered that one year was sufficient for the assessment of new chemicals. Moreover, the cost of an assessment of the ODP of a substance should be funded by the enterprise wishing to produce it. He suggested that the Technology and Economic Assessment Panel and the Scientific Assessment Panel should recommend appropriate actions to the Parties to enable them to limit or ban the use of ODS.

58. One representative pointed out that there were a number of significant issues relating to the criteria for assessment of the ODP of new chemicals. In his view, new substances should be defined as substances submitted by Parties, as in decisions IX/24 and X/8. He wondered what would happen if, for example, a country requested a company to assess the ozone-depleting potential of a substance and it refused to do so. He said that any decision regarding assessment should recommend to the Parties the analyses that could be conducted by Parties if companies refused to comply.

59. Another representative said that the real issue was how the control mechanisms worked. He suggested that Parties should adopt a holistic approach in the identification of new substances and that assessment should be systematic and thorough. One other representative said that it was important to come to an agreement on what was meant by the term "new substances" and that Parties should liaise with industry to determine whether a new substance warranted being listed as a controlled substance.

60. An observer from an environmental non-governmental organization, pointing to the known harmful effects of depletion of the ozone layer, said that incentives were needed for an accelerated phase-out of CFCs in developing countries and that the time had come to eliminate the production of CFCs in industrialized countries. It was necessary to send a clear message that no new ODS would be tolerated, perhaps by inserting an umbrella clause in the Montreal Protocol and initiating a fast-track approach to the phase-out of new substances with an ozone-depleting potential. Concerning critical-use exemptions, he believed that the burden of proof should lie with industry.

61. Following discussions in an informal group, the representative of the European Community, speaking also on behalf of its member States and the United States of America, introduced a conference room paper containing merged texts of the earlier draft decisions from both Parties. He stressed that the procedure outlined in the draft decision represented an important step forward in working in partnership with industry to assess the ozone-depleting potential of new substances.

62. The preparatory segment decided to forward the draft decision to the high-level segment for approval.

G. Essential-use exemption applications

63. The Deputy Executive Secretary introduced a draft decision on essential-use nominations for non-Article 5 Parties for controlled substances for the year 2002 and beyond, and drew attention to the list of essential-use nominations for 2002-2004 recommended by the Open-ended Working Group for consideration by the 13th Meeting of the Parties and annexed to that draft decision. He said that Ukraine had supplied additional information for its 2002 nominations and that the Technology and Economic Assessment Panel had recommended the quantities for asthma and chronic obstructive pulmonary disease, but had not recommended the quantities for cardiovascular diseases since non-ODS alternatives were available. He further stated that the Russian Federation had provided additional information, as requested by the Technology and Economic Assessment Panel, on essential-use nominations of CFCs, and the Panel had recommended 396 tonnes for 2002 and 391 tonnes for 2003.

64. The preparatory segment decided to forward the draft decision on applications for essential-use nominations recommended by the Open-ended Working Group to the high-level segment for approval.

H. Industrial rationalization

65. The representative of India introduced a draft decision on industrial rationalization. He expressed the view that, whereas as originally used the term meant only “the transfer of all or a portion of the calculated level of production of controlled substances of one Party to another” and was a term which related only to the production sector, it was now being used differently and as an equivalent to the term “industrial consolidation,” or the “voluntary amalgamation of two or more independent legal corporate entities for purposes of economies of scale”. Used in that way, there was a danger that it would have consequences of de-industrialization or reduction in installed manufacturing capacity in Article 5 countries.

66. He explained that the submitted draft decision would call on the Executive Committee to re-examine all its past decisions to ensure that they had not had the effect of bringing about de-industrialization or reduction in installed manufacturing capacity in Article 5 countries.

67. The representative of one Party, which had also submitted a proposal for a draft decision on the subject, said that to suggest that the Meeting of the Parties should re-examine and possibly overturn past decisions of the Executive Committee, negotiated in good faith, would be to take a step down a very dangerous road. There were other decisions which had produced outcomes which were highly disappointing to Article 2 and Article 5 countries, but no suggestion was being made that they should be re-opened or renegotiated: they had been agreed in good faith and should remain untouched. He said that the overriding concern was that the resources of the Multilateral Fund should not be wasted on converting excessive, useless industrial capacity.

68. A number of Parties spoke in support of the two opposing views expressed. One representative suggested that a study or paper might be prepared so that all Parties should have a clearer understanding of the way the term “industrial rationalization” was being used. Another pointed out that funding had never been approved on the basis of installed capacity, but only on that of actual production.

69. The Co-Chair, observing that no consensus could be reached on the issue, proposed and the preparatory segment agreed to defer its discussion until an unspecified future time.

I. Production of CFCs for metered-dose inhalers (MDIs)

70. One representative introduced a draft decision, on production of metered-dose inhalers, contained in an informal paper originally submitted to the 21st Meeting of the Open-ended Working Group. He said that it was important for the Article 5 Parties to be assisted to move to CFC-free production of MDIs, as otherwise there was a danger that consumption of CFCs would actually increase in those countries.

71. Supporting the proposed draft decision, another representative pointed out that whereas it had been envisaged that the Article 5 countries would enjoy a 10-year grace period for the production of MDIs, in the event the technology had not advanced much in those 10 years, at least not in directions that would make it easier for the developing countries to adopt such technology. Consequently, there might be a need for an exemption for Article 5 countries in the metered-dose inhaler area.

72. The preparatory segment agreed to forward an amended version of the draft decision to the high-level segment.

73. One representative introduced a draft decision on further study of campaign production of CFCs for MDIs, contained in an informal paper originally submitted to the 21st Meeting of the Open-ended Working Group. He pointed out that although both the Technology and Economic Assessment Panel and the Technical Options Committee had recommended just-in-time production of CFCs for the manufacture of MDIs as the best approach to protect the health of patients, there was a danger that just-in-time production might not be available to the end of the transition period. In consequence, there was need for an analysis of the current essential-use decisions and procedures to determine what changes were needed to facilitate expedient authorization for campaign production.

74. One representative, while supporting the proposed draft decision, suggested the addition of a provision on the time-frame for reporting the findings of the study of campaign production, and a further provision on continued monitoring and reporting on the timing of the likely need for campaign production.

75. The preparatory segment agreed to forward the draft decision, as amended, to the high-level segment for approval.

J. Assessment of the future need for halons for essential uses in light of national or regional strategies for the management of halons, including reduction of emissions and ultimate elimination of their use

76. In the absence of support from the Parties for the draft decision, it was not forwarded to the high-level segment.

K. Proposed study on issues relating to monitoring of international trade and prevention of illegal trade in ozone-depleting substances, mixtures and products containing ozone-depleting substances

77. The Co-Chair drew the Meeting's attention to the draft decision on the monitoring of international trade and the prevention of illegal trade. The representative of Canada introduced a conference room paper dealing with the allocation of customs codes (reproduced in Annex II) to products containing ODS as recommended by the Customs Cooperation Council in 1999, and commented that it was presented for information. He added that Canada was producing a training package for customs officers and, together with Finland, a manual for law enforcement officers in identifying illegal trade; he suggested that any further decision of the Meeting could be delayed until the completion of these activities. A number of representatives agreed with the need for a clarification of some of the terms, and for the development of customs codes.

78. Many representatives supported the taking of a decision at the current Meeting. They pointed out that the 12th Meeting of the Parties had adopted decision XII/10, which gave a clear remit for a study and report on labelling and classification of ODS, mixtures and products containing ODS, and incidents of illegal trade. The last Meeting of the Open-ended Working Group had fully discussed a range of options dealing with the implementation of that decision. What was needed now was a decision requesting the Secretariat, with assistance from consultants and in consultation with the organizations listed in decision XII/10, to produce the study called for in that decision, using its contents as the terms of reference for the study. The draft decision tabled for discussion largely repeated decision XII/10, an unnecessary repetition.

79. The preparatory segment agreed to forward the draft decision, as amended, to the high-level segment for approval.

L. (i) Report of the Executive Committee on progress made in reducing emissions of controlled substances from process-agent uses and on the implementation and development of emission reduction techniques and alternative processes not using ozone-depleting substances

80. The Chair of the Executive Committee, presenting the report of the Executive Committee, said that despite a number of initial challenges a number of projects had been funded, many of them small-scale. All of them had involved process change which had proved preferable to emission control.

81. A representative of the Technology and Economic Assessment Panel pointed out that the authorization to use ozone-depleting substances as process agents granted under decision X/14 would expire on 31 December 2001. Noting that the issue of process-agent uses was a complex one, he expressed the view that it might perhaps be best handled by individual governments. A number of countries using process agents had so far reported as required, but using different methodologies. Consequently, there was a need to prepare a common reporting format for chemicals used as process agents.

L. (ii) Consideration of proposals on process agents

82. A number of representatives considered that the report of the Technology and Economic Assessment Panel presented at the 21st meeting of the Open-ended Working Group had been insufficiently detailed to allow any meaningful assessment of a reduction in ODS consumption. It was recalled that the Open-ended Working Group had observed that there was no consensus on the issue of process agents and had requested the Technology and Economic Assessment Panel and the Process Agent Task Force to update the report with official data for presentation at the 13th Meeting of the Parties. However, it was currently not clear to what extent that had been done. One representative requested that the actual figures provided by the reporting Parties should be supplied.

83. A member of the Secretariat said that such figures might be confidential. The Secretariat would discuss with the reporting Parties whether they were prepared to make their figures public. A member of the Technology and Economic Assessment Panel Process Agent Task Force noted that it had been difficult to produce a comprehensive report, partly because the Secretariat had received some data as late as August and September 2001. He appealed to Parties to submit their data by 31 March 2002 to enable the Panel to prepare a comprehensive report in time for the meeting of the Open-ended Working Group.

84. One representative expressed concern over ODS emissions from process agents used in the manufacture of aluminium. A member of the Technology and Economic Assessment Panel Process Agent Task Force said that the Panel was in possession of relevant information, that it was planning to report on the issue at the next meeting of the Open-ended Working Group, but that he would be very willing to discuss it with the representative at the current Meeting.

85. The representative of the European Community, speaking also on behalf of its member States, introduced a draft decision on the topic. Supporting the draft decision, several representatives said that Table A should be updated as new processes involving ozone-depleting substances were identified.

86. The preparatory segment decided to forward the draft decision, as amended, to the high-level segment for approval.

M. Reporting of data

87. The Deputy Executive Secretary drew attention to the draft decision on data and information provided by the Parties in accordance with Article 7 of the Montreal Protocol.

88. The preparatory segment decided to forward the draft decision to the high-level segment for approval.

N. Ratification of the Convention, the Protocol and its amendments

89. The Deputy Executive Secretary drew attention to the draft decision on ratification of the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer and the London, Copenhagen, Montreal and Beijing Amendments.

90. The representative of the United Kingdom of Great Britain and Northern Ireland reported that her country had deposited instruments of ratification for the Montreal and Beijing Amendments during the preceding week.

91. The representative of Maldives informed the Meeting that his country had deposited instruments of ratification of the Copenhagen and Montreal Amendments two months previously, but that that had not been reflected in the documentation prepared by the Secretariat for the current Meeting. A member of the Secretariat offered its assistance in ensuring that the Depositary was notified of the ratifications.

92. The representative of Nigeria reported that his country had ratified the London, Copenhagen and Montreal Amendments in July 2001, and that the instruments of ratification had been submitted to the Depositary.

93. The representative of Togo reported that his country had ratified the Montreal and Beijing Amendments on 9 October 2001.

94. On the understanding that the Secretariat would complete the figures to be provided therein, the preparatory segment decided to forward the draft decision on ratification of the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer and the London, Copenhagen, Montreal and Beijing Amendments to the high-level segment for approval.

O. Selection of:

(i) Members of the Implementation Committee

(ii) Members of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol

(iii) Co-Chairs of the Open-ended Working Group for future years

95. Concerning the above three sub-items on the agenda, the preparatory segment considered proposals for filling positions on the Implementation Committee and the Executive Committee of the Multilateral Fund and the posts of Co-Chairs of the Open-ended Working Group for future years, and agreed to recommend three draft decisions on the subject to the high-level segment.

IV. COMPLIANCE ISSUES CONSIDERED BY THE IMPLEMENTATION COMMITTEE

96. The President of the Implementation Committee introduced the draft decisions arising from the 27th meeting of the Committee, on 13 October 2001, contained in a conference room paper. One draft decision dealt with a group of 15 Article 5 Parties that had reported data showing CFC consumption for either 1999 and/or 2000 that was above their individual baseline and had failed to respond to a request from the Secretariat for specific data on the control period 1 July 1999 to 30 June 2000, and were therefore presumed to be in non-compliance. All the other decisions dealt with individual Parties that were in non-compliance, either as a result of failure to report data or as a result of data showing production or consumption above their benchmarks or baseline figures.
97. One representative expressed his deep concern at the level of non-compliance with the initial phase-out target among Article 5 Parties, commenting that he found it difficult to understand why that was the case after 10 years' worth of financial assistance from the Multilateral Fund. Some of the Parties under consideration had even failed to implement quota and licensing systems, which were fundamental components of any control regime. He felt that financial assistance should continue to be made available, but if any of those Parties were still in non-compliance in 2002, their cases should be examined very carefully.
98. Many of the Article 5 Parties listed in the first draft decision mentioned described the particular conditions existing in their countries. All of them assured the Meeting of their commitment to the aims of the Montreal Protocol and set out the progress of their phase-out programmes and their status with regard to ratification of the amendments to the Protocol. In a number of cases, phase-out activities had been hampered by unanticipated delays in the preparation of projects for the Multilateral Fund or in their approval, or in the disbursement of funding by the implementing agencies. In all cases, the Parties were confident that they would return to a situation of compliance in the near future.
99. One representative drew attention to the problems caused for Article 5 Parties, particularly those which did not produce ODS, by the low prices for CFCs currently prevailing in world markets. Those had led to a reluctance on the part of industry to convert products to alternative substances because they tended not to be competitive. He suggested that international pressure should be placed on producing countries to reduce their production of CFCs, leading to a rise in prices, and to reduce the price of alternatives to CFCs.
100. The representative of Oman stated that his country had successfully concluded projects reducing consumption of ODS, and that it was in compliance with the Protocol. He requested the deletion of Oman from the list of Parties included in the first draft decision. The representative of Armenia stated that her country had submitted full data to the Ozone Secretariat on more than one occasion, and that therefore the draft decision relating to Armenia should not be adopted.
101. One representative drew attention to the closure of production of CFCs in the Russian Federation, and suggested that the words "with appreciation" should be added after "to note" in paragraph 6 of the draft decision dealing with the Russian Federation. In response to a question, the representative of the Russian Federation stated that the references to "ODS" in the draft decision should refer to "Annex A and B ODS". The import and export ban which had come into effect on 1 March 2000 did not cover used ODS, as those were not controlled substances under the Protocol.
102. A number of representatives stated that they believed that the role of the Implementation Committee was to help Parties facing difficulties in compliance by identifying the additional efforts needed and helping in the provision of financial assistance. One representative suggested that the word "caution" in the draft decisions was too strong and should be replaced by the word "inform". He also suggested that the examples, included in many of the draft decisions, of particular actions that Parties could undertake should be deleted, as they were not exhaustive and most of them were obvious.

103. Another representative, however, believed that the Meeting should respect the work of the Implementation Committee and not try to amend its draft decisions. His Party felt that some of the draft decisions could be more strongly worded, but had refrained from suggesting amendments. He believed that the list of suggested actions was worth including, and disagreed that they were obvious; if they were, they would have been implemented.

104. The President of the Implementation Committee reminded representatives that the word "caution" was taken directly from the indicative list of measures that might be taken by a Meeting of the Parties in respect of non-compliance with the Protocol, and furthermore had been used in many previous decisions of Meetings of the Parties dealing with Parties in non-compliance. Previous decisions had also contained lists of specific actions similar to these now suggested by the Committee. She confirmed that those were not meant to be exhaustive, and the final choice of policies and measures was a matter for the Party concerned, but that the Committee felt that they provided helpful guidance, particularly in regard to actions which required no external financial assistance. She explained that the Parties which were listed in the draft decisions as not having reported data were included either because no data had been received from them by the Ozone Secretariat, and/or because they had failed to respond to a request from the Secretariat for further information.

105. The preparatory segment decided to forward the draft decisions contained in the conference room paper, including the amendments suggested to the draft decision on the Russian Federation, to the high-level segment for approval.

V. FINANCIAL STATEMENTS AND BUDGET FOR THE TRUST FUND FOR THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

106. The representative of the Czech Republic reported on the deliberations of the informal group which had reviewed the financial reports on the Montreal Protocol Trust Funds and the Vienna Convention Trust Fund for year 2000 contained in document UNEP/OzL.Pro.13/4, and the approved budget for the Montreal Protocol Trust Fund for 2001 and the proposed 2002 and 2003 budgets contained in document UNEP/OzL.Pro.13/5. In line with decision XI/21 of the 11th Meeting of the Parties, the budgets for 2002 and 2003 had been kept below the total figure of \$4 million, thus achieving the goal of zero nominal growth. In turn, by drawing down the existing unspent balance, it was possible for the total contributions required from Parties to be lower in 2002 and 2003 than in 2001.

107. He stated his appreciation for the work of the Secretariat in using their resources effectively, thus generating substantial savings on the budget, and added that he believed that the 14th Meeting of the Parties should be prepared to review the continuing role of an operating surplus and identify the optimal way to balance the budget, as in the medium- and long-term it was undesirable to accumulate excessive surpluses. He concluded by commending the discipline of Parties in achieving a higher rate of contributions paid than that of many other multilateral environmental agreements.

108. One representative stated that he believed that it would be preferable to return the substantial surplus in one year rather than two, which would reduce further contributions requested from Parties in that year. As he was still consulting with his capital, however, he would not stand in the way of the decision taken.

109. The preparatory segment decided to forward the draft decision on financial matters to the high-level segment for approval.

VI. OTHER MATTERS

A. Nominations for critical-use exemptions for applications of methyl bromide

110. The representative of Australia introduced a conference room paper containing a draft decision on critical-use submissions for methyl bromide applications, representing the outcome of discussions by a contact group of Parties. She explained that the decision arose out of concerns previously expressed by the Technology and Economic Assessment Panel about the timing and content of critical-use submissions following the adoption of decision IX/6 at the Ninth Meeting of the Parties. Parties feared that in the absence of near-term guidance, different countries could submit different information, leading to difficulties in ensuring a fair and equitable review of exemption requests, and agreed that it would be desirable to establish a schedule for submission mirroring that already in place for essential-use exemptions.

111. The group had accepted the suggestion of the Methyl Bromide Technical Options Committee that essential components of a critical-use exemption request should include the following: name of crop/use for which the exemption was being requested; location of the use; basic information on related soil type and climate associated with areas where the exemption was being requested (if relevant); the pests or problems which methyl bromide was being used to control; historic use of methyl bromide in total kilograms, kilograms/hectare (or acre) and total hectares (or acres) covered; kilograms of methyl bromide requested in the exemption and the duration of the exemption requested; techniques used to minimize emissions (e.g. tarpaulins or methyl bromide injection techniques); cost of methyl bromide per hectare (or acre) and cost of alternatives tried; cost of application of methyl bromide and alternatives; cost of fixed and variable inputs; gross and net revenue; price received by the user and in major markets; and historic yield information with methyl bromide and alternatives (if available). The Technology and Economic Assessment Panel should make adjustments to the list to cover non-soil uses.

112. In addition, the provision of information demonstrating that appropriate efforts were being made to evaluate, commercialize and secure regulatory approval of alternatives and substitutes was required under decision IX/6. In that regard, the fullest information available should be provided on trials with alternatives and their results. Regarding alternatives, Parties should seek to ensure that users had tried the alternatives listed in past TEAP reports as available, or included an explanation showing that alternative was not feasible in the given situation, or what plans the applicant had to test or put in place the alternative. In any event, under decision IX/6 Parties must present a plan to test and switch to alternatives in the near term. Also under decision IX/6, Parties must provide information indicating that methyl bromide was not available from banked or recycled supplies.

113. The group had also felt that it would be useful for Parties submitting applications to consider possible ways to consolidate national applications in order to make review by the Technology and Economic Assessment Panel and the Parties more manageable. The group agreed that it would be useful for the Panel to make available, as soon as possible, a methyl bromide critical uses handbook, including the key application information requirements outlined above, and a consolidated list of alternatives that had been included in past reports of the Panel and the Methyl Bromide Technical Options Committee. The group also agreed that as issues relating to application of the economic criteria contained in decision IX/6 were likely to be difficult for the Committee to review, it would be useful to ask the Panel and the Committee to consider how to add agricultural economists to the membership of the Committee to assist it in the review of critical-use nominations.

114. Following a discussion, the preparatory segment decided to forward the draft decision, as amended, to the high-level segment for approval.

B. Appointment of new Executive Secretary of the Ozone Secretariat and draft decisions prepared by the Secretariat for Meetings of the Parties

115. The representative of the United States of America introduced a draft decision, contained in a conference room paper, directing UNEP to proceed with a sense of urgency to fill the position of Executive Secretary of the Ozone Secretariat. He thanked the members of the Secretariat for their efforts in operating without an Executive Secretary for a period of 18 months. He stated that he could not understand why the replacement for the previous Executive Secretary had not been appointed before his retirement, to allow for a period of overlap, or why there was still no replacement in sight. Secretariats of other environmental agreements had not been treated like that, and the Meeting of the Parties should convey its disagreement with the apparent belief that the Montreal Protocol could function short-handed for long periods.

116. Another representative asked whether the Meeting could communicate its decision directly to the Secretary-General of the United Nations. The representative of the Secretariat said that he would consult and inform the high-level segment how that concern could be properly reflected in the decision taken.

117. The preparatory segment decided to forward the draft decision to the high-level segment for approval.

118. The representative of the United States introduced a conference room paper containing a draft decision requesting the Secretariat to refrain from preparing draft decisions except where such decisions solely covered administrative matters or had been specifically advanced by individual Parties. Representatives agreed with the sentiments expressed in the draft decision but felt that it did not need to be adopted as a decision and should simply be reflected in the text of the report of the Meeting.

119. Responding to a question, the Secretariat confirmed that conference room papers remained in existence only for the duration of the meeting at which they were introduced, and if the contents of any particular paper needed to be discussed again at a future meeting, another conference room paper should be produced.

C. Nominations for Co-Chairs of the Methyl Bromide Technical Options Committee and the Foams Technical Options Committee

120. Mr. Jonathan Banks, Co-Chair of the Methyl Bromide Technical Options Committee, informed the Meeting that 34 nominations from 31 Parties had been received for the replacement for Mr. David Okioga, retiring Co-Chair of the Committee. After looking at the nominees' scientific and technical backgrounds and expertise, the Technology and Economic Assessment Panel had decided to nominate Mr. Nahum Marban Mendoza (Mexico) as Co-Chair of the Committee, but also wished to invite several other nominees to join the Committee as ordinary members, in anticipation of the Committee's future workload.

121. Mr. Banks also informed the Meeting that Mr. Laszlo Dobo had announced his retirement from the Panel, and the process for appointing his replacement was under way.

122. Mr. Paul Ashford, Co-Chair of the Foams Technical Options Committee, informed the Meeting that the Technology and Economic Assessment Panel wished to nominate Mr. Miguel Wenceslao Quintero (Colombia) to replace Ms. Lalitha Singh as Co-Chair of the Committee.

123. The preparatory segment decided to forward the nominations to the high-level segment for approval.

D. Input from the Meeting of the Parties to the World Summit on Sustainable Development and UNEP discussions on international environmental governance

124. The Co-Chair of the Meeting drew representatives' attention to the draft decision, contained in a conference room paper submitted by the European Community and its member States, recognizing the preparations for the World Summit on Sustainable Development in 2002 and, in particular, the UNEP

process on international environmental governance currently under way. Several representatives proposed amendments, mainly dealing with the issue of collaboration between multilateral environmental agreements.

125. The preparatory segment decided to forward the draft decision, as amended, to the high-level segment for approval.

E. Expedited procedures for adding new substances to the Protocol

126. The representative of the European Community, speaking also on behalf of its member States, introduced a draft decision on expedited procedures for adding new substances to the Protocol, stating his concern at the minimum of two or three years that the current procedures took to add new substances. There had been relevant developments since the 11th Meeting of the Parties had considered the issue and adopted decision XI/20, such as the negotiation of the Stockholm Convention on Persistent Organic Pollutants. He suggested that the Legal Drafting Group should consider the mechanisms used in other conventions and produce a report for future consideration by the Parties.

127. Mr. Patrick Széll, Chair of the Legal Drafting Group but speaking in his individual capacity, observed that revising the long-established procedure of the Montreal Protocol for adding new substances by amendment would indeed be a significant change, and warranted careful consideration by the Legal Drafting Group of all the implications.

128. A number of representatives expressed their unhappiness with the lack of prior consultation on the topic, so after further discussion in an informal group, the representative of the European Community, speaking also on behalf of its member States, introduced a revised draft decision requesting the Secretariat to compile precedents in other conventions and provide a report at the 22nd meeting of the Open-ended Working Group in 2002.

129. The preparatory segment decided to forward the revised draft decision to the high-level segment for approval.

F. Ad hoc working group on the 2003–2005 replenishment of the Multilateral Fund

130. The representative of Nigeria introduced a draft decision proposing the establishment of an ad hoc working group to work with the Technology and Economic Assessment Panel on its study of the 2003–2005 replenishment of the Multilateral Fund. He observed that the 10th Meeting of the Parties had followed the same procedure with regard to the previous replenishment, and that he felt it had been a useful exercise and should be repeated.

131. Many representatives expressed their support for the proposal. After discussion on the timing of the meeting of the group, the Meeting agreed that it should meet immediately following the 22nd meeting of the Open-ended Working Group, in order to take account of the discussions there on the initial report from the Technology and Economic Assessment Panel, which would be produced and circulated to all Parties before the meeting. It would then be able to provide the panel with advice on sensitivity analyses and would probably not need to meet again. The 14th Meeting of the Parties would then establish a separate group to negotiate the details of the replenishment itself.

132. The Meeting decided that the membership of the ad hoc working group should comprise eight members and one Co-Chair representing Article 5 Parties and eight members and one Co-Chair representing non-Article 5 Parties.

133. The preparatory segment decided to forward the draft decision to the high-level segment for approval.

G. Production and consumption of CFCs

134. The observer from an environmental non-governmental organization drew the Meeting's attention to the fact that 1999 figures showed about 147,000 ODP-tonnes of global CFC production and about 146,000 ODP-tonnes of CFC consumption, leaving a production surplus of about 1,200 ODP-tonnes. That surplus did not seem large enough to account for the current very low prices for CFCs on world markets. He wondered whether that indicated unreported production and suggested that the matter should be investigated. He suggested also that non-Article 5 Parties should consider ending their remaining production of CFCs for non-essential purposes by the date of the World Summit on Sustainable Development in 2002; that should drive up CFC prices and accelerate phase-out, so long as measures were taken to restrain production in Article 5 Parties also. He further suggested that every encouragement should be given to Article 5 Parties to phase out ODS consumption faster than required by the Protocol, and that the likely costs of such accelerated phase-outs should be included in the study on the replenishment of the Multilateral Fund.

H. Special Ministerial meeting

135. On 17 October 2001, a special meeting was held, in the margins of the Meeting of the Parties, for Ministers from Article 5 countries to exchange ideas and share information on the implementation of the Montreal Protocol after the end of the 10-year grace period. At the meeting, senior representatives of UNEP, the Secretariat, the Multilateral Fund and the Implementation Committee formed a panel for an informal question-and-answer session on ways and means of ensuring compliance.

I. OPENING OF THE HIGH-LEVEL SEGMENT

136. The high-level segment of the 13th Meeting of the Parties was held on 18 and 19 October 2001. Opening statements were made by Mr. Milton Catelin, President of the Bureau of the 12th Meeting of the Parties, Mr. Dinesh Gunawardena, Minister of Transport and Environment of Sri Lanka, Mr. Kakakhel, Deputy Executive Director, United Nations Environment Programme (UNEP), and Mr. Ratnasiri Wickremanayake, Prime Minister of Sri Lanka.

137. Mr. Catelin, speaking on behalf of the members of the Bureau, expressed appreciation to the Parties for giving him and the rest of the members of the Bureau the opportunity to serve them over the past year. He also commended the Ozone Secretariat for its support, which had made the work of the Bureau easier and more interesting. Noting that the Montreal Protocol was considered a success, he pointed out, however, that it was also facing severe challenges and that it was only through the commitment, hard work and sustained effort of the Parties that the ozone layer could recover.

138. He highlighted an issue that had been taken very seriously at the meeting of the Bureau immediately before the Meeting of the Parties: the ratification by Governments of the Montreal Protocol and its four Amendments. The Bureau had noted that, out of 180 Parties to the Protocol, only 11 had ratified the Beijing Amendment, whereas for the Amendment to enter into force at least 20 instruments of ratification had to be deposited with the United Nations in New York. He urged countries to ratify the Beijing Amendment in order to bring it to life. He noted that the Bureau had expressed concern also because the Montreal Amendment had been ratified by only 63 Parties while the Copenhagen Amendment had been ratified by 128 Parties and the London Amendment by 153, and on behalf of the Bureau he called upon the Parties to focus on ratifying all the Amendments to the Montreal Protocol.

139. Mr. Shafqat Kakakhel, Deputy Executive Director of UNEP, speaking on behalf of the Executive Director of UNEP, Mr. Klaus Töpfer, welcomed the representatives to the high-level segment of the Meeting and congratulated the Government of Sri Lanka for hosting the Meeting.

140. He recalled that the 10-year grace period granted to developing countries for complying with the control measures of the Montreal Protocol had ended in 1999. Consequently, developing countries were currently responsible for implementing the phase-out schedule with which the majority of developed countries had already complied. Developing countries should have frozen their consumption, if any, of CFCs for the period July 1999 – June 2000. It was gratifying that the overall consumption of developing countries had dropped below baseline and most had reduced their production and consumption of ODS.

141. The international community had established the Multilateral Fund to assist Article 5 countries to meet their commitments under the Protocol. The Fund had provided extensive support to developing countries which were willing to move faster in phasing out ODS before the deadline set by the Protocol. The major producers of ODS in developing countries had agreements with the Executive Committee of the Fund to stop production of those substances, and were gradually reducing it in accordance with an agreed schedule. Given the reduction in the supply of ODS, particularly CFCs, it would be prudent for developing countries to move forward in a well-planned manner with a view to meeting or even exceeding their phase-out obligations.

142. Mr. Gunawardena expressed gratitude to the Parties for agreeing to hold the 13th Meeting of the Parties in Sri Lanka. He lamented the fact that human activities had led to the depletion of the ozone layer and observed that the advancing destruction of the ozone layer could be reversed only through the joint efforts of the global community. He commended the global community for implementing successful programmes towards that end and expressed the hope that the Meeting would further strengthen the global effort to protect the ozone layer.

143. He said that, in addressing global environmental problems such as the depletion of the ozone layer and climate change, it was important to be aware of the problems associated with the unequal distribution among countries of the impacts, costs and benefits of response measures. Sri Lanka, for example, was at one and

the same time a victim of climate change and also, and unrelatedly, a very low consumer of ozone-depleting substances. He observed that compliance with the Montreal Protocol placed a heavy burden on national economies, particularly those of developing countries.

144. Depletion of the ozone layer exposed people to health risks such as cancer of the skin, cataracts and suppression of the immune system. Conscious of this, Sri Lanka had taken all possible measures to implement the Montreal Protocol and other international environmental conventions. As a result of the strong political will of the Sri Lankan Government, the country had achieved significant progress in the area of environmental protection. The need to protect, preserve and improve the environment for the benefit of the community had been recognized in the country's constitution and the country had adopted an integrated approach that recognized the role of civil society, non-governmental organizations, community-based organizations and the private sector. That integrated approach had enabled the country to involve the private sector effectively in the successful implementation of the Montreal Protocol.

145. The Prime Minister of Sri Lanka welcomed the representatives to his country and expressed his appreciation to the Secretariat of the Montreal Protocol and to UNEP for giving Sri Lanka the opportunity to host the Meeting. Sri Lankans had, over the years, practised principles of sustainable development that had enabled them to live in harmony with nature. However, sustainable development was now threatened by over-exploitation of natural resources. He expressed the hope that, despite that threat, the traditional concepts applied by Sri Lankans for environmental protection could be promoted to strengthen international cooperation for the protection of the ozone layer. The international community should be genuinely committed to the protection of the ozone layer for the benefit of present and future generations.

146. He pointed out that, although Sri Lanka did not produce ozone-depleting substances, it had already ratified the Montreal Protocol and its amendments and attached great importance to implementing the Protocol. The country used relatively small amounts of CFCs, in refrigerators and vehicle air conditioners, and intended to phase out CFCs by 2005, five years ahead of the target for Article 5 countries. The Government of Sri Lanka had already taken steps to control imports of ODS by imposing regulatory measures, including measures to control imports of used products containing CFCs. Sri Lanka had established a Global Affairs Unit and Global Environmental Convention Reference Centre within the Ministry of Transport and Environment to assist in implementing the international conventions which it had ratified

II. ORGANIZATIONAL MATTERS

A. Election of the officers of the Thirteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer

147. At the opening session of the high-level segment, in accordance with rule 21, paragraph 1 of the rules of procedure, the following officers were elected, by acclamation, to the Bureau of the 13th Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer:

President:	Mr. Noah Katana Ngala (Kenya)
Vice-Presidents:	Mr. Dinesh Gunawardena (Sri Lanka)
	Mr. Jiří Hlavaček (Czech Republic)
	Mr. Bishnunarine Tulsie (Saint Lucia)
Rapporteur:	Ms. Laurence Musset (France)

B. Adoption of the agenda

148. At the opening session of the high-level segment, the Parties adopted the following agenda for the high-level segment on the basis of the provisional agenda which had been circulated in document UNEP/OzL.Pro.13/1, and as orally amended:

1. Opening of the high-level segment:
 - (a) Welcome by the representative of the Government of Sri Lanka;
 - (b) Statement by the Executive Director of United Nations Environment Programme;
 - (c) Statement by the President of the twelfth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.
2. Organizational matters:
 - (a) Election of officers of the Thirteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer;
 - (b) Adoption of the agenda;
 - (c) Organization of work;
 - (d) Credentials of representatives.
3. Summary presentations by the Assessment Panels.
4. Presentations by the representatives of United Nations agencies and the World Bank.
5. Presentation by the Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol.
6. Presentation by the President of the Implementation Committee.
7. Statements by heads of delegations.
8. Report of the Co-Chairs of the preparatory segment and consideration of the recommended decisions.
9. Date and venue of the Fourteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.
10. Other matters.
11. Adoption of the report of the Thirteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.
12. Closure of the Meeting.

C. Organization of work

149. The Meeting agreed to follow its customary procedure.

D. Credentials of representatives

150. A member of the Bureau reported that the Bureau of the 13th Meeting of the Parties to the Montreal Protocol had approved the credentials of the representatives of 64 Parties out of 107 represented at the Meeting. The Bureau had also provisionally approved the representation of three Parties on the understanding that they would send their credentials to the Secretariat as soon as possible. The Bureau

urged all Parties attending future Meetings of the Parties to make their best efforts to submit credentials to the Secretariat, as required under rule 18 of the rules of procedure

III. SUMMARY PRESENTATIONS BY THE ASSESSMENT PANELS

Scientific Assessment Panel

151. Mr. Ayite-Lo Ajavon, Co-Chair of the Scientific Assessment Panel, introduced a progress report (UNEP/OzL.Pro.13/INF/2) by the Co-Chairs on the status of and plans of the 2002 Scientific Assessment of Ozone Depletion. The Parties had identified topics for which updates were requested. Also, the Parties had nominated scientists as potential contributors and the scientific community had provided comments about research advances and the structure of the Assessment. In the progress report, the Co-Chairs of the Scientific Assessment Panel had presented information on the scope, approach, the lead authors and co-authors and also the estimated timetable for the Assessment document. In February 2002, the draft would be circulated for mail review; in July 2002 the peer review by the Panel would take place and the executive summary would be completed; and the finalized Assessment report would be sent to UNEP for printing and distribution to the Parties in December 2002.

Environmental Effects Assessment Panel

152. Mr. Jan C. van der Leun, Co-Chair of the Environmental Effects Assessment Panel, reported that the Panel's 2002 Assessment would pay special attention to interactions between ozone depletion and climate change. A start in that direction had been made in the Interim Summary 2001, which had been presented to the current meeting (UNEP/OzL.Pro.13/INF/3). He described a few such interactions.

153. One aspect of climate change was cooling of the stratosphere, which was expected to delay the recovery of the ozone layer. The effects of long-term exposure to ultraviolet radiation, such as skin cancer and cataracts and long-term damage to trees and forests, would not only be prolonged by that delay, they would also be increased.

154. Experiments showed that sub-Arctic plants had decreasing resistance to chilling and frost as they were subjected to more UV-B radiation and higher concentrations of carbon dioxide. The combination of those two factors could affect both plant productivity and plant distribution. Also, the oceanic sink for carbon dioxide might be reduced by ultraviolet radiation damage to phytoplankton, thus exacerbating global climate change. Quantification of such interactions was difficult because of the many unknown factors.

155. Skin cancer was comparatively accessible to quantitative work because of the high availability of data. An interaction between rising temperatures and UV-induced skin cancer was under study. In experiments on mice, UV-carcinogenesis became markedly more effective at elevated room temperatures. Should a similar interaction operate in human populations, rising environmental temperatures would not only exacerbate the effect of ozone depletion on the incidence of skin cancer, it would also increase the baseline incidence, attributable mainly to the solar ultraviolet present even before the additional UV dose resulting from ozone depletion was factored into account. The latter interaction would be both quantitatively greater and would increase faster so long as temperatures went on rising.

Technology and Economic Assessment Panel

Aerosols

156. Mr. Nick Campbell reported on behalf of the Co-Chairs that there were currently no technical barriers for a transition to alternatives, other than for metered-dose inhalers (MDIs) for asthma and chronic obstructive pulmonary disease (COPD), in either Article 5 or non-Article 5 Parties. Total CFC use in non-Article 5 countries which manufactured MDIs had fallen by 30 per cent since 1996, despite the rise in the levels of asthma and COPD and also despite a slower than anticipated transition to non-CFC alternatives.

There had been some regional relocation of CFC manufacture, though total CFC use for MDIs was decreasing overall.

Foams

157. Co-Chair Mr. Paul Ashford presented an update on progress in the foams sector, drawing attention to the significant strides made by Article 5 countries in the phase-out of CFC use with the able assistance of the implementing agencies. Attention was also drawn, however, to the continuing barriers to transition, particularly as they affected small and medium-sized enterprises in both developed and developing countries. These included regional variations in the availability of blowing agents and the financial implications of alternative blowing-agent selections.

158. HFC-245fa and HFC-365mfc were expected to be commercially available in the second half of 2002 and could particularly fulfil the need for efficient thermal insulation in space-linked and other demanding applications. Hydrocarbons were also making substantial inroads in the insulation foam market. However, both safety in handling and product fire standards continued to be a problem in some areas.

159. The phase-out in use of HCFCs in the foam sector in non-Article 5 countries could have implications for the on-going supply in developing countries. The issue was being examined under decision XI/28.

Refrigeration

160. Owing to the absence of Dr. Lambert Kuijpers, Mr. Ashford presented a brief review of the refrigeration and air-conditioning sector. The seminal role of HFCs in the phase-out of CFCs and HCFCs was noted, reflected in the significant uptake of HFC-134a initially, with the introduction of more refined brands later to meet the breadth of applications in the sector. Hydrocarbons were making strong inroads on a regional basis in domestic appliances and small commercial units. Ammonia use was also increasing as an alternative to HCFCs (not HFCs). While much research continued with carbon dioxide, there were difficulties in specifying equipment for commercialization. Finally, attention was drawn to the strong role of emissions control in assessing the environmental impact of the sector.

Solvents

161. Mr. Jorge Corona de la Vega reported on behalf of the Co-Chairs that as CFC uses had been totally phased out in non-Article 5 countries, except for some essential uses in aerospace and other high-technology industries for which stockpiled materials were being used, the efforts of the European Community and its member States were being focused on phasing out methyl chloroform (1,1,1-trichloroethane), and, for that purpose, the European Community and its member States were implementing stringent regulations which could probably be replicated in most non-Article 5 countries.

162. The Solvents Technical Options Committee was at present cataloguing suitable alternatives consistent with European Union regulations and applicable by industry worldwide. As a zero-ODP solution for substituting CFCs and HCFCs as solvents, the use of aqueous alkaline cleaning was increasing steadily. That technology was also environmentally sound because it reduced water consumption by 95 per cent, with less need for treating contaminated effluents, and was cost-effective for cleaning and degreasing processes. New alternatives to ODS solvents were frequently being introduced into the market, such as the new, low-pH alkaline cleaners.

Methyl bromide

163. Co-Chair Mr. David Okioga reported that there were numerous effective alternatives to methyl bromide that had been identified from the national field trials carried out by the developed countries, as well as those demonstrated in Article 5 countries with assistance from United Nations and bilateral implementing agencies. For soil fumigation, chemical alternatives such as 1,3-dichloropropene (Telone) offered control as good as methyl bromide, particularly when used in a mixture with other soil fumigants. Other alternatives

included Metam sodium and Dazomet. There were also a number of chemical alternatives to methyl bromide currently under development. Non-chemical alternatives such as soilless cultivation, steam floating trays and solarization were effective alternatives to methyl bromide. For durable treatment, phosphine offered an effective alternative, whereas sulphuryl fluoride was an acceptable alternative for treatment of wood and wood products. Methyl bromide use for perishables was mainly for quarantine and pre-shipment treatments that were exempt from the Protocol's control. However, the Panel was in the process of identifying alternatives to methyl bromide in that sector. One of the constraints in adopting the identified alternatives was that national registration of the alternatives took time. As an interim measure, Parties were urged to minimize emissions of methyl bromide during use. Use of tarpaulins for soils treated with methyl bromide minimized emissions. Use of activated charcoal or zeolite-based methyl bromide systems had been proven to prevent emissions of methyl bromide in space fumigation. The Panel was updating the progress made on alternative technologies and, in particular, the results from over 44 demonstration projects that were currently being carried out in Article 5 countries. The analysis of those results would be presented to the Meeting of the Parties to facilitate the Parties' decisions on further control measures on methyl bromide.

Composition of the Technology and Economic Assessment Panel

164. On behalf of the Co-Chairs of the Technology and Economic Assessment Panel, Ms. Zhang Shiqiu presented the composition of the Panel in 2001. Currently, the Panel had 27 members from 19 countries, of which 50 per cent were from Article 5 countries and countries with economies in transition. The Panel had six Technical Options Committees with 164 members from 64 countries, and 30 per cent of the members were from Article 5 countries and countries with economies in transition. The Task Forces for nPB and process agents, with 26 members from 14 countries, drew 40 per cent of their membership from Article 5 countries and countries with economies in transition.

IV. PRESENTATIONS BY THE REPRESENTATIVES OF UNITED NATIONS AGENCIES AND THE WORLD BANK

UNDP

165. The Resident Representative *ad interim* of UNDP in Colombo informed the Meeting that UNDP had received \$349.7 million in Multilateral Fund funding, an additional \$4.3 million from bilateral activities and \$21.3 million in GEF funding for Protocol activities in countries with economies in transition. All those activities were implemented through the UNDP Montreal Protocol Unit. Its 1,440 projects in 78 countries would eliminate 41,500 tonnes of ODS, with \$214 million disbursed and 822 projects completed as of December 2000.

166. She listed a number of specific UNDP contributions: the development of ODS phase-out strategies in small- and medium-sized enterprises; the preparation of the China solvent sector plan; the development of an incentive approach for commercial refrigeration end-user sector programmes within an overall Refrigeration Management Plan (RMP); and training and extension projects for farmers on a methyl bromide procedure that involved all stakeholders and used national experts, institutes and agencies in an effort to boost sustainability.

167. In association with the Multilateral Fund and its partner agencies, UNDP had moved towards the country-driven approach in the preparation of its 2001, and 2002, business plans. It was also looking at national and sector phase-outs as the preferred way to address compliance goals in countries that were ready to do so.

UNEP

168. The representative of UNEP said that the non-investment activities with which UNEP had been charged, such as capacity-building through information exchange, training, institutional strengthening, networking and preparation of the country programmes, had paid rich dividends. There were

30 Article 5 countries with consumption of ODS only in the servicing sector which had no investment projects, and which had achieved compliance with the Montreal Protocol only through non-investment activities.

169. The Executive Committee of the Multilateral Fund and the GEF Council had been extremely supportive of the various innovative approaches used by UNEP in its activities. Nearly 75 per cent of the Article 5 countries were small countries with ODS consumptions below 360 ODP tonnes annually, mainly in the refrigeration-servicing sector. Through the OzonAction programme, UNEP had mainstreamed nearly 80 such countries into the implementation of the Montreal Protocol through RMPs that contained integrated training and policy-setting strategies. The Government of France had contributed in the development of guidelines for such RMPs.

170. The regional networks of the national ozone units had been a unique initiative that started with assistance from the Government of Sweden and had subsequently received support from the Multilateral Fund. National ozone units from 112 countries used such networks to exchange experience and make progress in establishing policies and legislation. Those networks had become central pillars of the implementation of the Montreal Protocol. Assistance to non-Parties was another innovative approach taken by UNEP, with the help of the Government of Finland. The first business-to-business Web portal on the Internet (<http://www.halontrader.org/>) had been started by UNEP with the help of the Halon Technical Options Committee and formed a near total marketplace for trading in existing halons and avoiding producing new halons. Over 1,000 ODP tonnes of halons had been registered and possibly traded through the portal so far.

171. The first-ever ODS programme to work with non-governmental organizations had been initiated by UNEP in 12 countries. The expertise of non-governmental organizations in creating awareness, and their outreach to farmers, had been used to good effect in the project to reduce methyl bromide use.

172. Information exchange and training were the backbone of the OzonAction programme's activities. Materials to raise awareness, and also technology source books, policy handbooks and training manuals, had been key support and self-help material for national ozone units and enterprises.

173. UNEP planned activities to prevent illicit trade in ODS by providing assistance for effective monitoring of the trade and for strengthening regional institutes and trade associations in order to build up the information network for tracking the sources of illicitly traded ODS. In association with the South Pacific Regional Environment Programme, the Government of Australia and the Government of New Zealand, UNEP was proposing to formulate a regional strategy to achieve an accelerated phase-out in the Pacific island countries by 2005.

174. In collaboration with Japan, UNEP was starting to assist Sri Lanka in preparing its strategic compliance plan by involving all stakeholders, including non-governmental organizations from Sri Lanka and corresponding experts and non-governmental organizations in Japan. The plan would help Sri Lanka achieve phase-out by 2005, five years ahead of the Protocol schedule. With the World Bank, UNEP was working to develop a plan to assist small countries through innovative financing. UNEP was also working with UNDP on refrigerant management plans, and with UNIDO on methyl bromide activities.

UNIDO

175. The representative of UNIDO said that one of the organization's roles was as a catalyst in raising awareness of and instigating action on protection of the ozone layer in developing countries in a partnership whose effectiveness depended on the efficiency of the implementing agencies, and in supporting technological innovation and diffusion to ensure that beneficiary industries of the Montreal Protocol programme could capitalize on the synergies of the technology transfer process to maximize productivity gains in a manner that ensured sustainability and also market competitiveness.

176. UNIDO was playing a leading role in contributing to Article 5 countries' efforts to meet their scheduled methyl bromide freeze in 2002. Most of its demonstration projects in that area had been completed and phase-out projects had been initiated in 23 countries since 1998, with partial phase-outs in 2001 and completion expected in 2002. Also, a Website had been set up to disseminate the results of those demonstration projects in order to assist efforts to adopt more environmentally sustainable agricultural practices.

177. UNIDO was also active in the solvent sector, particularly with small- and medium-sized enterprises, and was implementing some of the first process-agent projects and preparing, along with the World Bank, a process-agent strategy for that sector in India. It was assisting over 60 countries in ODS phase-out efforts in partnership with national ozone units, environmental authorities and industrial associations and enterprises. As of July 2001, it had 743 investment, non-investment and demonstration projects in six sectors, approved by the Executive Committee at its 34th session, with a total value of \$241.42 million, with the aim of phasing out 28,465 ODP tonnes. In that regard, UNIDO recognized the importance of industry in the phase-out process because the commercialization of new, alternative chemicals and technologies, without which the process towards the landmark goals of the Montreal Protocol would have been slower and costlier, had been driven by industry.

World Bank

178. The representative of the World Bank said that, since the inception of the Multilateral Fund, almost 500 investment projects implemented by the Bank had channelled over \$330 million in funding to over 20 Article 5 countries, resulting in the phase-out of nearly 110,000 ODP tonnes. That represented 74 per cent of the total ODP tonnage phased out under the Multilateral Fund to date. Since the introduction of production-sector projects in China, the Bank had also signed closure agreements with India and the Russian Federation constituting 70 per cent of total production by Article 5 countries. The Russian Federation had already closed down all CFC production, China and India were progressing towards closure as planned, and plans for closure in Argentina and Venezuela were under way. A comprehensive sector plan had recently been approved in Turkey, the first of its kind, which addressed the entire refrigeration sector, including end users. The sector plan aimed to assist Turkey to phase out its entire consumption of imported CFCs by 2006. Through the Bank, Malaysia and Thailand were submitting ambitious national CFC phase-out plans to end consumption within the Protocol's schedule. Those plans were distinctive in that they relied on cooperative action by various Government agencies to address all aspects of ODS consumption and included investment activities alongside regulatory and policy measures. In the light of the experience gained from preparing those national CFC phase-out plans, other Parties had requested the Bank to assist them in developing projects that would end their ODS consumption once and for all. With the assistance of UNEP and the Bank, Bahamas had prepared a terminal phase-out management plan for submission to the Executive Committee which would allow the country to manage all remaining consumption of CFCs and implement an action plan for a final phase-out in 2008.

V. PRESENTATION BY THE CHAIR OF THE EXECUTIVE COMMITTEE OF THE MULTILATERAL FUND FOR THE IMPLEMENTATION OF THE MONTREAL PROTOCOL

179. Mr. Heinrich Kraus (Germany), Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol, introduced the report of the Executive Committee to the 13th Meeting of the Parties (UNEP/OzL.Pro.13/7).

180. The report covered the activities of the Executive Committee meetings in March and July 2001. The third and final Executive Committee meeting in 2001 would take place in December.

181. In the current period, the Executive Committee had approved additional funding of \$86 million for projects and activities to eliminate consumption of another 6,600 tonnes of ODS. That brought to 193,000 tonnes the total amount of controlled substances that had been phased out with funding from the Multilateral Fund since its inception, at a total cost of about \$1.2 billion. Some 142,000 ODP tonnes of ODS had already been phased out. The impact of the funding for that phase-out had been very positive and had helped many Article 5 countries comply with the CFC freeze, as shown by the consumption data for 2000.

182. A recent analysis of ODS consumption in Article 5 countries which had been undertaken by the Secretariat of the Multilateral Fund and considered by the Executive Committee indicated that the vast majority of countries were on track towards compliance or would be able to comply with the initial control measures of the Protocol. That had been confirmed by the information provided to the Implementation Committee earlier in the week. It was clear that the work of the Multilateral Fund was bearing good fruit. However, the analysis also indicated that much remained to be done to assist countries operating under Article 5 of the Protocol in meeting their future commitments.

183. Until recently the Committee had focused on achieving the greatest possible decrease in consumption of ODS at the global level during the grace period, but the focus had now shifted to facilitating compliance at the country level. In that regard, the Executive Committee had adopted a framework of objectives, priorities, problems and modalities for strategic planning. The Executive Committee would continue its deliberations on the operation of that framework at its next meeting.

184. The introduction to report UNEP/OzL.Pro.13/7 and Section A provided details of the Committee's composition and structures, which were similar to previous years.

185. Section B provided an overview of the Fund's contributions and disbursements. For the duration of the Multilateral Fund up to the last complete year, 2000, overall receipts constituted 86 percent of pledges. Some 90 percent of the arrears were associated with countries with economies in transition. For the current reporting period, to 20 July 2001 \$34 million had been received against pledges of \$146 million. There was therefore still room for improvement and he urged non-Article 5 Parties to make their contributions as early as possible during the accounting year in which they were due.

186. The bilateral assistance programme continued to grow. The Executive Committee had approved some \$6 million for bilateral activities, which currently stood at around 4 per cent of the total value of assistance provided from the Multilateral Fund.

187. Sections C and D contained key information on business planning and Fund achievements, with paragraph 20 in Section D providing highlights of the programme of investment and demonstration projects approved within the last 10 months. Approval had been given in principle for a sector plan for the complete phase-out of remaining ODS in the refrigeration sector in Turkey by 2005; to an agreement on a complete phase-out of halon production and consumption in India; and to a further eight investment projects to phase out methyl bromide, including a total phase-out for non-quarantine and pre-shipment use in Lebanon, Romania, Uganda and Uruguay.

188. The Executive Committee had approved a further five refrigerant management plans (RMPs), bringing the total approved to 71. The Committee was watching the progress of RMPs with great interest because they were the principal means to assist many countries in meeting their phase-out obligations. The RMPs also presented challenges for countries because, if they were to be successful, they required countries to develop and implement a range of institutional measures.

189. In the last 10 months the Executive Committee had also approved the country programme for an additional country, the Lao People's Democratic Republic. It had approved funding for the establishment of a national ozone office and the implementation of an RMP project for that country at the same time.

190. Section E of the report addressed the Monitoring and Evaluation Programme of the Multilateral Fund. Although the outlook for compliance with the CFC freeze was positive, the prospects for compliance with some forthcoming control measures would have to be strengthened. In particular, urgent action was required to enable several Article 5 countries to comply with the halon and/or methyl bromide freezes commencing in 2002, and also with the 50 per cent reduction in CFCs, the 85 per cent reduction in CTC and the 50 per cent reduction in halons by 2005.

191. With those figures in mind, the Executive Committee had paid particular attention to the speed of implementation of projects, and to project delays. The Committee had monitored progress reports closely and examined in detail the circumstances surrounding projects with implementation delays with a view to minimizing future delays.

192. The Executive Committee had also considered evaluation reports on projects in the foam sector world wide, on completed projects for the conversion of compressor manufacture in China and on the regional network programme. The foam sector report had made recommendations, covering technical, financial and implementation matters, which could improve project effectiveness in terms both of costs and delivery.

193. Section F of the report outlined the policy issues considered by the Committee in the current period. The Committee had paid particular attention to the definition of a starting point for determining the permanent reduction in total national ODS consumption for each country. In due time, it would define both the magnitude of the task facing each country and, in aggregate, the future liability of the Multilateral Fund. The Executive Committee had begun the task of defining the role that permanent reductions in national aggregate ODS consumption would play in the operation of the Multilateral Fund and in the funding of projects.

194. Noting the significant discrepancies currently emerging between data submitted by countries and the data in project documents, the Executive Committee had decided that such inconsistencies, when identified, should be resolved before projects were submitted. That would also be a key element in reaching an understanding - for a country, for the relevant implementing agency and for the Executive Committee - of the situation in that country's various industrial sectors.

195. He had joined the Vice-Chair and the Chief Officer of the Fund Secretariat in missions to Senegal for meetings with the Ministers of Environment of Burkina Faso, Niger, Togo and Senegal; to Morocco to attend the 26th meeting of the Executive Board of the Council of Arab Environment Ministers; and to Indonesia and Turkey for meetings with senior Government officials. The purpose of those missions had been to discuss compliance with the Protocol and continuing assistance from the Multilateral Fund to enable and sustain compliance. He expressed his gratitude towards the Governments that had participated in those meetings.

196. Finally, the Annex to the report contained a compendium of actions to improve the financial mechanism, provided in response to various decisions of Meetings of the Parties. That work had largely come to an end. Of the 21 actions originally recommended for implementation, 17 had been completed. Four actions (6, 10, 13 and 21) remained outstanding. The nature of those actions was such that they had been largely absorbed into the day-to-day operations of the Executive Committee. While it was unlikely that they would be definitively resolved or concluded in the short term, they would continue to be reported if that was the wish of the Parties.

197. He extended his gratitude and thanks to the Chief Officer of the Multilateral Fund Secretariat, Dr. Omar El-Arini, and to his staff for their sustained and diligent work, particularly in 2001, which marked the tenth anniversary of the Multilateral Fund.

VI. PRESENTATION BY THE PRESIDENT OF THE IMPLEMENTATION COMMITTEE

198. The President of the Implementation Committee, Ms. Maria Nolan (United Kingdom of Great Britain and Northern Ireland), said that the Implementation Committee had met twice in 2001 under the non-compliance procedure for the Montreal Protocol, in Montreal on 23 July and in Colombo on 13 October.

199. In its deliberations at the Montreal meeting, the Implementation Committee had considered, inter alia, the preliminary report of the Secretariat on data for 1999 and 2000, and for other years, reported under Article 7 of the Montreal Protocol, and the compliance issues arising from that report, including the status of compliance by several countries with economies in transition that had been subject of previous decisions by the Parties. The Committee had also made a preliminary analysis of compliance by Article 5 Parties with the freeze on production and consumption of CFCs from 1 July 1999 and had considered the data so far provided by some Parties for the year 2000. Other issues considered by the Committee included the interaction between the Implementation Committee and the Executive Committee of the Multilateral Fund, and the review of past recommendations by the Implementation Committee.

200. At its 26th meeting, in Montreal in July, after reviewing the data report the Committee had agreed to request the Secretariat to send letters to eight non-Article 5 Parties which, in the opinion of the Committee, were potentially in non-compliance. The letters sought explanations of consumption or production figures that did not meet the expected levels for achieving or maintaining compliance with Protocol controls. For the Parties with economies in transition whose non-compliance with the Protocol had previously been determined by the Parties, the Committee requested the Secretariat to send strongly worded letters alerting them to their continuing non-compliance and requesting information which would assist the Implementation Committee in reviewing their status further at its next meeting. The status of two Parties whose compliance benchmarks had not yet been agreed by the Committee was also reviewed and the Committee agreed to request the Secretariat to write letters to those Parties asking them to confirm their acceptance of the phase-out benchmarks. The Committee had also agreed to invite representatives of those Parties to attend its meeting in Colombo on 13 October to present their data to the Committee and clarify any issues that the Committee might wish to raise regarding their benchmarks.

201. At its 13 October meeting, the Committee had further reviewed the issue of data reporting and noted with appreciation that many Parties had reported data for 2000. In analysing the data available for 1999 and 2000 for some Article 5 Parties, it had been noted that a number were in non-compliance with the freeze on CFC production or consumption. The Committee had noted that, in addition to the data reports presented by the Ozone Secretariat, the reports presented to the Committee by the Fund Secretariat and the implementing agencies revealed special circumstances applying to many of those Parties, such as very recent ratification of the Protocol or some of its Amendments, or problems relating to imports of second-hand CFC-containing equipment. The Committee had taken those circumstances into account in making its recommendations.

202. Other issues discussed by the Implementation Committee included the interaction between the Implementation Committee and the Executive Committee of the Multilateral Fund. That interaction had been discussed also by the Executive Committee at its 33rd meeting, in March 2001, in the context of the "Framework for Strategic Planning of the Multilateral Fund During the Compliance Period". At that meeting, the Executive Committee had recognized the need to facilitate further interaction between the two bodies. There was an understanding that the meetings of each Committee should be attended by the Chair and Vice-Chair of the other. The Implementation Committee had agreed that to facilitate the exchange of information the Chair and Vice-Chair of the Executive Committee would be invited to future meetings, and had expressed the wish that the President and Vice-President of the Implementation Committee should participate in meetings of the Executive Committee on a reciprocal basis.

203. The Implementation Committee had also discussed a number of other matters. The desirability of early reporting of data had been stressed, and in that regard the Implementation Committee had agreed to recommend that the Meeting of the Parties urge Parties to report consumption and production data as soon as the figures were available rather than waiting until the final annual deadline of 30 September. That would assist the Committee in its consideration of the status of compliance by Parties and, in particular, would

provide the Secretariat with sufficient time to clarify any inconsistencies. It would also be helpful if all Article 5 Parties were to provide data for the CFC freeze period 1 July 1999 to 30 June 2000 in order to assist the Technology and Economic Assessment Panel to provide a well-founded report on the level of Multilateral Fund replenishment needed for the next triennium, 2003-2005. She recalled that the data reported under Article 7 of the Montreal Protocol were also the means by which the Implementation Committee judged compliance by Parties. The timely submission of accurate data was therefore of utmost importance to the success of the Protocol.

204. The Implementation Committee had also considered the issue of the need to prevent the adjustment of reported baseline figures, which might be used as a tactic to change a country's compliance status. The Committee had agreed to recommend that the Meeting of the Parties should advise Parties that any requests for changes in reported baseline data for the base years would need to come before the Implementation Committee, which would then work with the Executive Committee and the Ozone Secretariat to confirm the justifications for the changes and submit them to the Meeting of the Parties for approval.

205. A number of Parties, both Article 5 and non-Article 5 Parties, that were identified as not having complied with the ODS phase-out schedule had been the subject of various recommendations submitted to the Parties for approval. Those draft decisions indicated that 24 Parties had been found to be in various stages of non-compliance. The proposed decisions covered failures to comply with the data-reporting requirement under Article 7 of the Montreal Protocol, as well as various incidents of non-compliance with the control measures.

206. For Parties that did not report data or did not respond to requests from the Secretariat for clarification of that data, the Implementation Committee recommended that the Meeting of the Parties should request the Parties concerned to report data as soon as possible. With respect to countries that failed to comply with the phase-out schedule for ozone-depleting substances, the recommended actions to be taken ranged from monitoring the progress of specific benchmarks until they returned to compliance, to recommending the provision of technical and financial assistance.

207. Since the current year was the first year in which compliance with phase-out measures for Article 5 Parties was being assessed, a considerable amount of time had been spent on ensuring that the causes of non-compliance had been identified and in considering what appropriate action should be taken to bring those Parties into compliance. In that regard, the recommended decisions included continued international assistance to enable those Parties to meet their commitments under the Montreal Protocol and regular monitoring by the Implementation Committee and the Parties until compliance was fully achieved.

208. The Committee had also benefited from interacting with the Secretariat of the Multilateral Fund and the implementing agencies in the course of determining causes of non-compliance. The information provided by those bodies had greatly helped the Committee in the formulation of its decisions.

VII. STATEMENTS BY HEADS OF DELEGATIONS

209. In the ensuing debate, the Meeting heard statements from the representatives of 25 Parties to the Protocol and 2 non-governmental organizations.

210. All speakers expressed their appreciation to the Government and people of Sri Lanka for hosting the Meeting and for their hospitality. They also commended the Secretariat on its good work and the various organs of the Montreal Protocol for performing their duties diligently.

211. Several speakers, particularly from non-Article 5 countries, said that they had already fulfilled their obligations with regard to phasing out ODS. It was generally felt that such countries should share their experiences with developing countries to help them to comply with their obligations under the Protocol. One such speaker said that his country, together with UNEP, had begun a bilateral cooperation project aimed at assisting South Asian and other developing countries in formulating their compliance strategies.

212. A number of speakers reported that their countries had faced many difficulties in their efforts to phase out ODS. In developing countries, the most serious problem was that of poverty: despite campaigns to inform people of the benefits of reducing ODS consumption, most people still relied on used products imported from developed countries because they could not afford new products. Several speakers cited increasing imports, of used vehicles with air-conditioners and of used domestic refrigeration equipment, as impediments to compliance. It was felt that that trade could not be stopped unless safe and affordable alternatives to such ODS-containing equipment were found. Several speakers said that the developed countries must play their part by banning exports on the one hand and, on the other, by helping raise average incomes in developing countries so that the average consumer could afford the non-ozone-depleting alternatives to cut-price, illicit refrigeration equipment, thus integrating poverty eradication and the elimination of CFCs and combating some of the perverse side-effects of globalization.

213. One speaker went further, demanding not only the banning of exports of ODS-containing equipment from non-Article 5 countries but also an end to bulk exports of ODS.

214. A number of speakers mentioned the importance of proper regulations and enforcement mechanisms on both sides to police the licit trade and combat the illicit trade in ODS and ODS-containing equipment. Traders were mentioned by several as a group that required special attention because their behaviour was based on purely economic motives and was otherwise amoral.

215. The lack of scientific and technical know-how was reported as a major obstacle to the phase-out of ODS in many developing countries. Most speakers said, however, that there was a great deal of political goodwill in their countries and were optimistic that they would be able to phase out ODS within the stipulated time-limit.

216. One speaker said that he felt it was premature to discuss any potential adjustments to the HCFC phase-out schedule in Article 5 Parties because of the economic and technical difficulties they faced. The phase-out of process-agent uses similarly faced economic and technical difficulties, and greater progress with technology transfer would be needed in the future. He also observed that the forthcoming replenishment of the Multilateral Fund was a highly important matter, and the Technology and Economic Assessment Panel should consult with all Parties, particularly Article 5 Parties, to ensure that more effective support was provided.

217. Consumers of ODS who wished to eliminate them were in some cases forced to use technologies that involved safety and health risks. One speaker said that in his country the CFCs used in foam-blowing had been replaced with methylene chloride, which was known to be carcinogenic. He noted that as more industries became aware of the health problems associated with methylene chloride they were slowly reverting to the use of CFCs. The safe use of methylene chloride might not be a viable solution as the cost of putting the necessary safety mechanisms in place could be prohibitive. The impact on human health and the environment should therefore always be considered before alternatives to ODS were recommended.

218. Many representatives said that the problems of ensuring their countries' compliance concerned mainly practical difficulties, such as those of policing imports of second-hand, ODS-containing domestic refrigeration and air conditioning equipment, or institutional difficulties such as those involved in passing the necessary legislation when other considerations appeared more important to other players on the domestic political scene. Late disbursements from the Multilateral Fund were also mentioned as a problem, for project implementation in particular. Also, to overcome institutional opposition and inertia, the Multilateral Fund was a vital tool because there must be a perception that the costs of eliminating CFCs would be at least offset. There were many calls for the Fund to be fully replenished and even increased, and for contributors to pay their contributions on time and in full: unless the Fund was disbursed in full and on time, Article 5 countries could not be expected to comply with the Protocol in full and on time.

219. One speaker from a non-English-speaking country referred to the translation load for Protocol-related documents as a significant problem and cause of delay in implementation. Also, on the matter of non-compliance, several representatives of Article 5 countries stated that the baseline data for their countries had proved to be erroneous, which made the question of their non-compliance moot.

220. Another speaker mentioned a possible moral hazard from disbursements of Multilateral Fund monies and warned that it remained possible, in theory at least, for unscrupulous operators to abscond with the proceeds.

221. A speaker representing a country directly affected by the Antarctic ozone hole lamented the fact that no Multilateral Fund monies were available in compensation for the harmful effects of increased UV-B radiation on human health and economic activities such as agriculture, livestock-breeding, forestry and fisheries, or to protect against those effects where possible.

222. One speaker, pointing to the need for a high level of ambition at the upcoming World Summit on Sustainable Development, said that his regional economic integration organization, in a spirit of partnership and solidarity with all countries and stakeholders, would strive to achieve a "Global Deal" at the Summit containing commitments by Governments, as well as other stakeholders, to concrete action to improve the implementation of sustainable development policies. The Montreal Protocol had established its place in sustainable development; the latest challenge was the phase-out of HCFCs, and his organization had adopted a regulation mandating their phase-out by 2010, 20 years earlier than mandated by the Protocol. He expressed his organization's concern that a request for a study on an earlier phase-out of HCFCs had been rejected.

223. As the precautionary principle should be paramount, new substances which might have an ODP should not be developed or be introduced onto the world market. Moreover, there was an urgent need to introduce an expeditious procedure for adding new substances to the Protocol without going through a ratification procedure for every such substance, because when more ODS was produced the costs of eliminating it rose also. He cited the Stockholm Convention on Persistent Organic Pollutants as a model for such a procedure.

224. Noting that it was essential for Article 5 Parties to ensure minimum viable conditions for achieving phase-out, including introducing appropriate legislation, he stated that they should now move into the driving seat in that process, particularly during the current compliance period, with the other Parties to the Protocol contributing towards that goal.

225. He welcomed the strategic shift in the operation of the Multilateral Fund to a country-driven focus and urged the Executive Committee to implement that new strategy as soon as possible.

226. An observer from an environmental non-governmental organization said that Parties must find practical solutions to the dumping of old CFC-containing equipment from industrialized countries into developing countries. A solution should as far as possible combine environmental concerns with the human factor, as in a programme for converting old CFC refrigerators to hydrocarbon refrigerants. He expressed dismay at the failure of the Parties to agree to a proposed study of the ecological and technological merits of an earlier HCFC phase-out in Article 5 countries.

227. An observer from another environmental non-governmental organization said that the phase-out schedule was jeopardized by the growth of the illicit trade in ODS in Article 5 Parties. Criminals after a fast profit had proved quicker to spot opportunities presented by the phase-out regime than legislators had been to plug the loopholes. Because of the two-year delay since the idea of a study on the issue had been raised in the Open-ended Working Group, smuggling had become both widespread and entrenched. As cross-border movements were involved, an international response on the part of enforcement agencies was required, and he warned that legislation without enforcement was destined to fail. He pointed out that other multilateral environmental agreements experienced similar difficulties and cited the Enforcement Assistance Unit of the Secretariat of the Convention on International Trade in Endangered Species as a model for the Montreal

Protocol. The Protocol Secretariat should work also with the Rotterdam Convention on Harmful Chemicals and Pesticides and the Stockholm Convention on Persistent Organic Pollutants to establish practical methods, such as prior informed consent procedures, of tracking shipments of controlled chemicals. Lastly, he called on non-Article 5 Parties to contribute to ending the illicit trade by ceasing their production of ODS.

VIII. REPORT OF THE CO-CHAIRS OF THE PREPARATORY SEGMENT AND CONSIDERATION OF THE RECOMMENDED DECISIONS

228. The Co-Chair of the preparatory segment informed the high-level segment about the main issues covered in the deliberations of the preparatory segment and pointed to the draft decisions which had been approved for transmission to the high-level segment.

229. The Meeting of the Parties adopted a number of decisions on the basis of the draft forwarded by the preparatory segment and on the basis of other proposals submitted to the high-level segment. The texts of the decisions, as adopted, are set out below.

A. Decisions

230. The 13th Meeting of the Parties decides:

Decision XIII/1. Terms of reference for the study on the 2003-2005 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol

1. To request the Technology and Economic Assessment Panel to prepare a report for submission to the 14th Meeting of the Parties, and present it through the Open-ended Working Group at its 22nd meeting, to enable the 14th Meeting of the Parties to take a decision on the appropriate level of the 2003-2005 replenishment of the Multilateral Fund. In preparing its report, the Panel should take into account, *inter alia*:
 - (a) All control measures, and relevant decisions, agreed by the Parties to the Montreal Protocol and the Executive Committee including decisions agreed by the 13th Meeting of the Parties and the 35th Meeting of the Executive Committee, in so far as these will necessitate expenditure by the Multilateral Fund during the period 2003-2005;
 - (b) The need to allocate resources to enable all Article 5 Parties to maintain compliance with the Montreal Protocol;
 - (c) Agreed rules and guidelines for determining eligibility for funding of investment projects (including those in the production sector) and non-investment projects;
 - (d) Approved country programmes;
 - (e) Financial commitments in 2003-2005 relating to sectoral phase-out projects agreed by the Executive Committee;
 - (f) Experience to date, including limitations and successes of the phase-out of ozone-depleting substances achieved with the resources already allocated, as well as the performance of the Multilateral Fund and its implementing agencies;
 - (g) The impact that the controls and country activities are likely to have on the supply and demand for ozone-depleting substances, and the effect that this will have on the cost of ozone-depleting substances and the resulting incremental cost of investment projects during the period under examination;

- (h) Administrative costs of the implementing agencies, taking into account paragraph 6 of decision VIII/4, and the cost of financing the secretariat services of the Multilateral Fund, including the holding of meetings;
2. That, in undertaking this task, the Technology and Economic Assessment Panel should consult widely with relevant persons and institutions and other relevant sources of information deemed useful;
3. That the Panel shall strive to complete its work in time to enable its report to be distributed to all Parties two months before the 22nd Meeting of the Open-ended Working Group.

Decision XIII/2. Ad hoc working group on the 2003-2005 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol

Noting that an ad hoc working group was set up by the 10th Meeting of the Parties to work closely with the Technology and Economic Assessment Panel to review the study on the 2000-2002 replenishment,

Noting further that the involvement of the ad hoc working group in the course of the study enhanced its outcome,

- To set up an Ad Hoc Working Group on the 2003-2005 replenishment with membership comprising the following Parties operating under Article 5: Argentina, Brazil (Co-Chair), China, Colombia, India, Islamic Republic of Iran, Nigeria, Tanzania and Zimbabwe; and the following Parties not operating under Article 5: Australia, Finland (Co-Chair), France, Germany, Italy, Japan, Poland, United Kingdom of Great Britain and Northern Ireland and United States of America. The ad hoc working group will meet following the 22nd Meeting of the Open-ended Working Group to provide initial feedback to the Technology and Economic Assessment Panel and advice on sensitivity analyses.

Decision XIII/3. Evaluation study on the managing and implementing bodies of the financial mechanism of the Montreal Protocol

1. To evaluate and review, by 2004, the financial mechanism established by Article 10 of the Montreal Protocol with a view to ensuring its consistent, effective functioning in meeting the needs of Article 5 Parties and non-Article 5 Parties in accordance with Article 10 of the Protocol, and to launch a process for an external, independent study in that regard which shall be made available to the 16th Meeting of the Parties;
2. That the study shall focus on the management of the financial mechanism of the Montreal Protocol;
3. That the terms of reference and modalities of the study shall be submitted to the 15th Meeting of the Parties;
4. To consider the necessity to launch such an evaluation on a periodic basis;
5. To request the existing evaluation mechanism in place within the United Nations system to provide the Meeting of the Parties, for its consideration, with any relevant findings on the management of the financial mechanism of the Montreal Protocol at any time such findings are available.

Decision XIII/4. Review of the implementation of the fixed-exchange-rate mechanism and determination of the impact of the mechanism on the operations of the Multilateral Fund for the Implementation of the Montreal Protocol and on the funding of the phase-out of ozone-depleting substances in Article 5 Parties for the triennium 2000-2002

Noting the interim report jointly prepared by the Treasurer and the Secretariat of the Multilateral Fund on the implementation of the fixed-exchange-rate mechanism in response to decision XI/6,

Noting that due to lack of time the report lacks information on a number of areas which the delegates raised at the 21st Meeting of the Open-ended Working Group, in particular the reviewing of the impact of purchasing power and the experience gained with fixed-exchange-rate mechanisms in other similar institutions,

With the view that the possible impact of the fixed-exchange-rate mechanism should be balanced,

1. To request the Treasurer and the Secretariat of the Multilateral Fund to finalize the review, as per decision XI/6, and give a final report to the Parties at the 22nd Meeting of the Open-ended Working Group; and
2. That in so doing, the Secretariat should:
 - (a) Consult, as appropriate, other relevant multilateral funding institutions that use a fixed-exchange-rate mechanism, or similar mechanisms;
 - (b) Identify options on how a fixed-exchange-rate mechanism could be implemented so that the process of phasing out ozone-depleting substances is not adversely affected, and hire consultants for that purpose, as appropriate.

Decision XIII/5. Procedures for assessing the ozone-depleting potential of new substances that may be damaging to the ozone layer

Understanding that “new substances” are those believed to deplete the ozone layer and to have the likelihood of substantial production but not listed as controlled substances under Article 2 of the Protocol,

Mindful of the requests to Parties under decision IX/24 and decision X/8 to report to the Ozone Secretariat new substances being produced in their territory,

Recalling decision XI/19 on the assessment of new substances, which requests the Technology and Economic Assessment Panel and the Scientific Assessment Panel to develop criteria to assess the potential ODP of a new substance and to produce a guidance paper on public/private sector partnerships in this assessment,

Understanding the urgency and the benefit of disseminating information on new substances that enables individual Parties to limit or ban the use of those substances as soon as possible,

Noting the desirability of having a standardized and independent ODP analysis in order to ensure consistent and reproducible results,

1. To request the Secretariat to keep the list of new substances submitted by Parties pursuant to decision IX/24 on the UNEP Website up to date and to distribute the current version of the list to all Parties about six weeks in advance of the meeting of the Open-ended Working Group and the Meeting of the Parties;
2. To ask the Secretariat to request a Party that has an enterprise producing a listed new substance to request that enterprise to undertake a preliminary assessment of its ODP following procedures to be developed by the Scientific Assessment Panel and to submit, if available, toxicological data on the listed new substance, and further to request the Party to report the outcome of the request to the Secretariat;
3. To call on Parties to encourage their enterprises to conduct the preliminary assessment of its ODP within one year of the request of the Secretariat and, in cases where the substance is produced in more than one territory, to request the Secretariat to notify the Parties concerned in order to promote the coordination of the assessment;
4. To request the Secretariat to notify the Scientific Assessment Panel of the outcome of the preliminary assessment of the ODP to enable the Panel to review the assessment for each new substance in its annual report to the Parties and to recommend to the Parties when a more detailed assessment of the ODP of a listed new substance may be warranted.

Decision XIII/6. Expedited procedures for adding new substances to the Montreal Protocol

Recalling decision XI/20, which requires Parties to give full consideration to ways for expediting the procedure for adding new substances and their associated control measures to the Protocol,

- To request the Ozone Secretariat to compile precedents in other Conventions regarding the procedures for adding new substances and to provide a report at the 22nd Meeting of the Open-ended Working Group, in 2002.

Decision XIII/7. n-propyl bromide

Noting the Technology and Economic Assessment Panel's report that n-propyl bromide (nPB) is being marketed aggressively and that nPB use and emissions in 2010 are currently projected to be around 40,000 metric tonnes,

1. To request Parties to inform industry and users about the concerns surrounding the use and emissions of nPB and the potential threat that these might pose to the ozone layer;
2. To request Parties to urge industry and users to consider limiting the use of nPB to applications where more economically feasible and environmentally friendly alternatives are not available, and to urge them also to take care to minimize exposure and emissions during use and disposal;
3. To request the Technology and Economic Assessment Panel to report annually on nPB use and emissions.

Decision XIII/8. Essential-use nominations for non-Article 5 Parties for controlled substances for the year 2002 and beyond

1. To note with appreciation the excellent work done by the Technology and Economic Assessment Panel and its Technical Options Committees;

2. To authorize the levels of production and consumption necessary to satisfy essential uses of CFCs for metered-dose inhalers (MDIs) for asthma and chronic obstructive pulmonary disease and CFC-113 for torpedo maintenance as specified in Annex I to the report of the 13th Meeting of the Parties.

Decision XIII/9. Metered-dose inhaler (MDI) production

- To request the Executive Committee to prepare guidelines for the presentation of MDI projects involving the preparation of strategies and investment projects that would enable the move to CFC-free production of MDIs in Article 5 countries, and enable them to meet their obligations under the Montreal Protocol.

Decision XIII/10. Further study of campaign production of CFCs for metered-dose inhalers (MDIs)

Noting that the Technology and Economic Assessment Panel and Technical Options Committee review recommended that just-in-time production of CFCs for the manufacture of metered-dose inhalers is the best approach to protect the health of patients,

Noting, however, the possibility that just-in-time production of CFCs for the manufacture of CFC-based MDIs may not be available through to the end of the transition, and that the end of just-in-time production could come unexpectedly,

1. To note with appreciation the work of the Technology and Economic Assessment Panel and its Technical Options Committees in studying the issue of campaign production of CFCs for manufacturing CFC-based MDIs;
2. To request the Technology and Economic Assessment Panel and Technical Options Committees to analyse the current essential-use decisions and procedures to identify if changes are needed to facilitate expedient authorization for campaign production, including information needed for the review and authorization of nominations for campaign production quantities, the contingencies for under- and over-estimation of the quantities needed for a campaign production, the timing of the campaign production vis-à-vis export and import of those quantities, the oversight and reporting on the use of campaign production quantities, and the flexibility in ensuring that the campaign production is used only in the manufacture of MDIs for the treatment of asthma and chronic obstructive pulmonary disease or that any excess is destroyed;
3. To request the Technology and Economic Assessment Panel to present its findings to the Open-ended Working Group in 2002;
4. To request the Technology and Economic Assessment Panel to continue to monitor and report on the timing of the likely need for campaign production.

Decision XIII/11. Procedures for applying for a critical-use exemption for methyl bromide

Noting that Parties not operating under paragraph 1 of Article 5 must cease production and consumption of methyl bromide for other than quarantine and pre-shipment applications from 1 January 2005, except for consumption and production that meet the levels agreed by the Parties for critical uses,

Noting the importance of providing the Parties not operating under paragraph 1 of Article 5 with early guidance on arrangements for implementing decision IX/6, which provides criteria and procedures for assessing a critical methyl bromide use,

Noting the need for the Parties to have adequate guidance to enable them to submit nominations for critical-use exemptions for consideration at the 15th Meeting of the Parties in 2003,

1. To note with appreciation the work of the Methyl Bromide Technical Options Committee (MBTOC) in presenting the information required in order adequately to assess nominations submitted in pursuance of decision IX/6 for critical-use exemptions and the ongoing work of the Technology and Economic Assessment Panel in preparing a consolidated list of alternatives to methyl bromide that had been included in past TEAP and MBTOC reports;
2. To request the Technology and Economic Assessment Panel to prepare a handbook on critical-use nomination procedures which provides this information, and the schedule for submission which reflects that currently employed in the essential-use nomination procedure;
3. To request the Technology and Economic Assessment Panel to finalize the consolidated list of alternatives to methyl bromide referred to in paragraph 1 and post it on its Website as soon as possible;
4. To request the Technology and Economic Assessment Panel to finalize the “Handbook on Critical Use Nominations for Methyl Bromide” by January 2002, and the Secretariat to post this Handbook on its Website as soon as possible;
5. To request the Technology and Economic Assessment Panel to engage suitably qualified agricultural economists to assist it in reviewing critical-use nominations.

Decision XIII/12. Monitoring of international trade and prevention of illegal trade in ozone-depleting substances, mixtures and products containing ozone-depleting substances

1. To request the Ozone Secretariat, in consultation, as appropriate, with the Technology and Economic Assessment Panel, the World Customs Organization, the United Nations Environment Programme Division of Technology, Industry and Economics (UNEP/DTIE) and the World Trade Organization to undertake a study and present a report with practical suggestions on the issues contained in decision XII/10 to the Open-ended Working Group at its 22nd meeting, in 2002, for consideration by the Parties in 2002;
2. That in preparing the study, the Secretariat should use decision XII/10 as terms of reference and should study solely those issues discussed in that decision.

Decision XIII/13. Request to the Technology and Economic Assessment Panel for the final report on process agents

Noting with appreciation the report of the Executive Committee in response to decision X/14 on process agents,

Noting the findings of the Technology and Economic Assessment Panel and its request for additional data for the finalization of its report,

Noting that in 2001 Parties provided the Ozone Secretariat with the requested additional data,

- To request the Technology and Economic Assessment Panel to finalize its evaluation, as requested by decision X/14, and report to the Parties at the 22nd Meeting of the Open-ended Working Group, in 2002.

Decision XIII/14. Ratification of the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer and the London, Copenhagen, Montreal and Beijing Amendments

1. To note with satisfaction the large number of countries that have ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer;
2. To note that as of 30 September 2001, 153 Parties had ratified the London Amendment to the Montreal Protocol and 128 Parties had ratified the Copenhagen Amendment to the Montreal Protocol, while only 63 Parties had ratified the Montreal Amendment to the Montreal Protocol;
3. To note further that only 11 Parties have to date ratified the Beijing Amendment to the Montreal Protocol, a situation that made it impossible for the Amendment to enter into force by 1 January 2001 as agreed in Beijing in 1999;
4. To urge all States that have not yet done so to ratify, approve or accede to the Vienna Convention and the Montreal Protocol and its Amendments, taking into account that universal participation is necessary to ensure the protection of the ozone layer.

Decision XIII/15. Data and information provided by the Parties to the 13th Meeting of the Parties in accordance with Article 7 of the Montreal Protocol

1. To note that the implementation of the Protocol by those Parties that have reported data is satisfactory;
2. To note with regret that 16 Parties out of the 170 that should have reported data for 1999 have not reported to date;
3. To strongly urge Parties to report consumption and production data as soon as the figures are available, rather than waiting until the final deadline of 30 September;
4. To urge Parties that have not already done so to report baseline data for 1986, 1989 and 1991 or the best possible estimates of such data where actual data are not available;
5. To advise Parties that request changes in reported baseline data for the base years to present their requests before the Implementation Committee which will in turn work with the Ozone Secretariat and the Executive Committee to confirm the justification for the changes and present them to the Meeting of the Parties for approval.

Decision XIII/16. Potential non-compliance with the freeze on CFC consumption in Article 5 Parties in the control period 1999-2000

1. To note that, in accordance with decision X/29 of the 10th Meeting of the Parties, the Implementation Committee requested the Secretariat to write to the following Article 5 Parties, Bangladesh, Chad, Comoros, Dominican Republic, Honduras, Kenya, Mongolia, Morocco, Niger, Nigeria, Oman, Papua New Guinea, Paraguay, Samoa and Solomon Islands, that had reported data on CFC consumption for either the year 1999 and/or 2000 that was above their individual baselines;
2. That since none of the above Parties has responded to the request from the Secretariat for data for the control period from 1 July 1999 to 30 June 2000, all are presumed to be in non-compliance with the control measures under the Protocol in the absence of further clarification;
3. To closely monitor the progress of these Parties with regard to the phase-out of ozone-depleting substances. To the degree that these Parties are working towards and meeting the specific Protocol control measures, they should continue to be treated in the same manner as Parties in good standing. In this regard,

these Parties should continue to receive international assistance to enable them 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 these Parties, in accordance with item B of the indicative list of measures, that in the event that any country fails to return to compliance in a timely manner, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures may include the possibility of actions available under Article 4, such as ensuring that the supply of CFCs (that is the subject of non-compliance) is ceased and that importing Parties are not contributing to a continuing situation of non-compliance.

Decision XIII/17. Compliance with the Montreal Protocol by the Russian Federation

Having considered the report of the Secretariat on data compliance issues in documents UNEP/OzL.Pro.13/3 and UNEP/OzL.Pro.13/3/Add.1, including Analysis of Data on Production and Consumption by Groups of Substances, and having followed up on the recommendations of the previous meetings of the Implementation Committee,

1. To note that the Russian Federation is operating under an agreed phase-out plan “List of urgent measures to the phase-out of production and consumption of ozone-depleting substances in the Russian Federation over the period 1999-2000” of 30 December 1999;
2. To note that the Russian Federation was in non-compliance with the phase-out benchmarks for 1999 and 2000 for the production and consumption of the ozone-depleting substances covered by Annex A;
3. To note the contribution of the “Special initiative for the phase-out of ozone-depleting production in the Russian Federation” to assist in the phase-out of production of ozone-depleting substances in Annex A and Annex B in the Russian Federation;
4. To note with appreciation the fact that the Russian Federation closed CFC production as from 20 December 2000 and stopped Annex A and B ODS import and export operations as from 1 March 2000, as was confirmed in the letter of the Prime Minister of the Russian Federation of 9 December 2000 and of the First Deputy Minister of Natural Resources of the Russian Federation of 9 October 2000;
5. To recommend that the Russian Federation should, with the assistance of international funding agencies, proceed with the agreed phase-out benchmarks of production and consumption of the Annex A and B ODS to be in full compliance with its obligations under the Montreal Protocol and the London Amendment;
6. To welcome the action taken by the Russian Federation to examine the possibility of ratifying the Copenhagen, Montreal and Beijing Amendments to the Montreal protocol, as was stated by the Prime Minister in his letter of 9 December 2000.

Decision XIII/18. Compliance with the Montreal Protocol by Armenia

1. To note that Armenia is in non-compliance with data reporting requirement under Article 7 of the Protocol, based on which compliance with the phase-out schedule is determined;
2. To note that ratification of the London Amendment is required to qualify for financial assistance from international funding agencies;
3. To recommend that, should Armenia ratify the London Amendment to the Montreal Protocol, international funding agencies should consider favourably the provision of financial assistance to Armenia for projects to phase out ozone-depleting substances in that country.

Decision XIII/19. Compliance with the Montreal Protocol by Kazakhstan

1. To note that Kazakhstan ratified the Montreal Protocol on 26 August 1998 and the London Amendment on 26 July 2001. The country is classified as a non-Article 5 Party under the Protocol. The data for 1998 through 2000 in Kazakhstan's country programme that was submitted to the Implementation Committee indicate positive consumption of Annex A and B substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1998 through 2000, Kazakhstan is in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. Kazakhstan expresses a belief that this situation will continue through at least the year 2004, necessitating annual review by the Implementation Committee and the Parties until such time as Kazakhstan comes into compliance;

2. To express great concern about Kazakhstan's non-compliance and to note that Kazakhstan only very recently assumed the obligations of the Montreal Protocol, having ratified the Montreal Protocol in 1998 and the London Amendment in 2001. It is with that understanding that the Parties note, after reviewing the country programme and submissions of Kazakhstan, that Kazakhstan specifically commits itself:

- (a) To reduce CFC consumption to 162 ODP tonnes for calendar year 2002, to 54 ODP tonnes for 2003; and to phase out CFC consumption by 1 January 2004 (save for essential uses authorized by the Parties);
- (b) To establish, by 1 January 2003, a system for licensing imports and exports of ODS;
- (c) To establish, by 1 January 2003, a ban on imports of ODS-using equipment;
- (d) To reduce halon consumption to 5.08 ODP tonnes for the calendar year 2002 and to phase out halon consumption by 1 January 2003;
- (e) To phase out carbon tetrachloride and methyl chloroform consumption by 1 January 2002;
- (f) To reduce methyl bromide consumption to 2.7 ODP tonnes for calendar year 2002, to 0.44 ODP tonnes for calendar year 2003, and to phase out methyl bromide consumption by 1 January 2004;

3. That the measures listed in paragraph 2 above should enable Kazakhstan to achieve the near total phase-out of all Annexes A, B and E controlled substances by 1 January 2004. In this regard, the Parties urge Kazakhstan to work with relevant implementing agencies to shift current consumption to non-ozone-depleting alternatives;

4. To closely monitor the progress of Kazakhstan 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 Kazakhstan should submit a complete copy of its country programme and subsequent updates, if any, to the Ozone Secretariat. To the degree that Kazakhstan 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, Kazakhstan should continue to be treated in the same manner as a Party in good standing. In this regard, Kazakhstan 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 Kazakhstan, 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 Annex A and B controlled substances that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance.

Decision XIII/20. Compliance with the Montreal Protocol by Tajikistan

1. To note that Tajikistan ratified the Montreal Protocol and the London Amendment on 7 January 1998. The country is classified as a non-Article 5 Party under the Protocol and, for 1999, reported positive consumption of 50.8 ODP tonnes of Annex A and B substances, none of which was for essential uses exempted by the Parties. As a consequence, in 1999 Tajikistan was in non-compliance with its control obligations under Articles 2A through 2E of the Montreal Protocol. Tajikistan also expresses a belief that this situation will continue through at least the year 2004, necessitating annual review by the Implementation Committee and the Parties until such time as Tajikistan comes into compliance;

2. To express great concern about Tajikistan's non-compliance and to note that Tajikistan only very recently assumed the obligations of the Montreal Protocol, having ratified the Montreal Protocol and the London Amendment in 1998. It is with that understanding that the Parties note, after reviewing the country programme and submissions of Tajikistan, that Tajikistan specifically commits itself:

- (a) To reduce CFC consumption to 14.08 ODP tonnes for the calendar year 2002, to 4.69 ODP tonnes for 2003 and to phase out CFC consumption by 1 January 2004 (save for essential uses authorized by the Parties);
- (b) To phase out consumption of all other Annex A and B controlled substances by 1 January 2002;
- (c) To establish, in 2002, a system for licensing imports and exports of ODS;
- (d) To reduce methyl bromide consumption to 0.56 ODP tonnes for calendar year 2002, to 0.28 ODP tonnes for calendar year 2003, and to phase out methyl bromide consumption by 1 January 2005;

3. That the measures listed in paragraph 2 above should enable Tajikistan to achieve the near total phase-out of all Annex B substances by 1 January 2002, all Annex A substances by 1 January 2004 and the Annex E substance by 1 January 2005. In this regard, the Parties urge Tajikistan to work with relevant implementing agencies to shift current consumption to non-ozone-depleting alternatives;

4. To closely monitor the progress of Tajikistan 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 Tajikistan submit a complete copy of its country programme and subsequent updates, if any, to the Ozone Secretariat. To the degree that Tajikistan 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, Tajikistan should continue to be treated in the same manner as a Party in good standing. In this regard, Tajikistan 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 Tajikistan, 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 Annex A and B controlled substances that is the subject of non-compliance is ceased, and that exporting Parties are not contributing to a continuing situation of non-compliance.

Decision XIII/21. Compliance with the Montreal Protocol by Argentina

1. To note that Argentina ratified the Montreal Protocol on 18 September 1990, the London Amendment on 4 December 1992, the Copenhagen Amendment on 20 April 1995, and the Montreal Amendment on 15 February 2001. The country is classified as a Party operating under Article 5 (1) of the Protocol and its country programme was approved by the Executive Committee in 1994. Since approval of the country programme, the Executive Committee has approved \$43,287,750 from the Multilateral Fund to enable compliance in accordance with Article 10 of the Protocol;

2. Argentina's production baseline for Annex A, Group I substances is 2,745.3 ODP tonnes. Argentina reported production of 3,101 and 3,027 ODP tonnes of Annex A, Group I substances in 1999 and 2000 respectively. Argentina responded to the Ozone Secretariat's request for data regarding the control period 1 July 1999 to 30 June 2000. Argentina reported production of 3,065 ODP tonnes of Annex A, Group I controlled substances for the production freeze control period of 1 July 1999 to 30 June 2000. As a consequence, for the control period 1 July 1999 to 30 June 2000, Argentina was in non-compliance with its obligations under Article 2A of the Montreal Protocol;
3. To request that Argentina submit to the Implementation Committee a plan of action with time-specific benchmarks to ensure a prompt return to compliance. Argentina may wish to consider including in its plan actions to establish production quotas that will freeze production at baseline levels and support the phase-out;
4. To closely monitor the progress of Argentina with regard to the phase-out of ozone-depleting substances. To the degree that Argentina is working towards and meeting the specific Protocol control measures, Argentina should continue to be treated in the same manner as a Party in good standing. In this regard, Argentina 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 Argentina, in accordance with item B of the indicative list of measures, that in the event that the country fails to return to compliance in a timely manner, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures may include the possibility of actions available under Article 4, such as ensuring that the supply of CFCs (that is the subject of non-compliance) is ceased and that importing Parties are not contributing to a continuing situation of non-compliance.

Decision XIII/22. Compliance with the Montreal Protocol by Belize

1. To note that Belize ratified the Montreal Protocol, London Amendment, and Copenhagen Amendment on 9 January 1998. The country is classified as a Party operating under Article 5 (1) of the Protocol and had its country programme approved by the Executive Committee in 1999. Since approval of the country programme, the Executive Committee has approved \$327,841 from the Multilateral Fund to enable compliance in accordance with Article 10 of the Protocol;
2. Belize's consumption baseline for Annex A, Group I substances is 16 ODP tonnes. Belize reported consumption of 25 and 9 ODP tonnes of Annex A, Group I substances in 1999 and 2000 respectively. Belize responded to the Ozone Secretariat's request for data for the control period 1 July 1999 to 30 June 2000. Belize reported consumption of 20 ODP tonnes of Annex A, Group I controlled substances for the consumption freeze control period of 1 July 1999 to 30 June 2000. As a consequence, for the control period 1 July 1999 to 30 June 2000, Belize was in non-compliance with its obligations under Article 2A of the Montreal Protocol;
3. To request that Belize submit to the Implementation Committee a plan of action with time-specific benchmarks to ensure a prompt return to compliance. Belize may wish to consider including in its plan actions to establish import quotas to freeze imports at baseline levels and support the phase-out schedule, to establish a ban on imports of ODS equipment, and to put in place policy and regulatory instruments that ensure progress in achieving the phase-out;
4. To closely monitor the progress of Belize with regard to the phase-out of ozone-depleting substances. To the degree that Belize is working towards and meeting the specific Protocol control measures, Belize should continue to be treated in the same manner as a Party in good standing. In this regard, Belize 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 Belize, in accordance with item B of the indicative list of measures, that in the event that the country fails to return to compliance in a timely manner, the Parties shall consider measures, consistent with item C of the indicative list of measures. These

measures may include the possibility of actions available under Article 4, such as ensuring that the supply of CFCs (that is the subject of non-compliance) is ceased and that importing Parties are not contributing to a continuing situation of non-compliance.

Decision XIII/23. Compliance with the Montreal Protocol by Cameroon

1. To note that Cameroon ratified the Montreal Protocol on 30 August 1989, the London Amendment on 8 June 1992, and the Copenhagen Amendment on 25 June 1996. The country is classified as a Party operating under Article 5 (1) of the Protocol and had its country programme approved by the Executive Committee in 1993. Since approval of the country programme, the Executive Committee has approved \$5,640,174 from the Multilateral Fund to enable compliance in accordance with Article 10 of the Protocol;
2. Cameroon's baseline for Annex A, Group I substances is 256.9 ODP tonnes. Cameroon reported consumption of 362 ODP tonnes of Annex A, Group I substances in 1999. Cameroon responded to the Ozone Secretariat's request for data for the control period 1 July 1999 to 30 June 2000. Cameroon reported consumption of 368.7 ODP tonnes of Annex A, Group I controlled substances for the consumption freeze control period of 1 July 1999 to 30 June 2000. As a consequence, for the control period 1 July 1999 to 30 June 2000, Cameroon was in non-compliance with its obligations under Article 2A of the Montreal Protocol;
3. To request that Cameroon submit to the Implementation Committee a plan of action with time-specific benchmarks to ensure a prompt return to compliance. Cameroon may wish to consider including in its plan actions to establish import quotas to freeze imports at baseline levels and support the phase-out schedule, to establish a ban on imports of ODS equipment, and to put in place policy and regulatory instruments that ensure progress in achieving the phase-out;
4. To closely monitor the progress of Cameroon with regard to the phase-out of ozone-depleting substances. To the degree that Cameroon is working towards and meeting the specific Protocol control measures, Cameroon should continue to be treated in the same manner as a Party in good standing. In this regard, Cameroon 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 Cameroon, in accordance with item B of the indicative list of measures, that in the event that the country fails to return to compliance in a timely manner, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures may include the possibility of actions available under Article 4, such as ensuring that the supply of CFCs (that is the subject of non-compliance) is ceased and that importing Parties are not contributing to a continuing situation of non-compliance.

Decision XIII/24. Compliance with the Montreal Protocol by Ethiopia

1. To note that Ethiopia ratified the Montreal Protocol on 11 October 1994 and has not ratified the London and Copenhagen Amendments. The country is classified as a Party operating under Article 5 (1) of the Protocol and had its country programme approved by the Executive Committee in 1996. Since approval of the country programme, the Executive Committee has approved \$330,844 from the Multilateral Fund to enable compliance in accordance with Article 10 of the Protocol;
2. Ethiopia's baseline for Annex A, Group I substances is 33.8 ODP tonnes. Ethiopia reported consumption of 39 and 39 ODP tonnes of Annex A, Group I substances in 1999 and 2000 respectively. Ethiopia responded to the Ozone Secretariat's request for data for the control period 1 July 1999 to 30 June 2000. Ethiopia reported consumption of 39.2 ODP tonnes of Annex A, Group I substances for the consumption freeze control period of 1 July 1999 to 30 June 2000. As a consequence, for the control period 1 July 1999 to 30 June 2000, Ethiopia was in non-compliance with its obligations under Article 2A of the Montreal Protocol;
3. To request that Ethiopia submit to the Implementation Committee a plan of action with time-specific benchmarks to ensure a prompt return to compliance. Ethiopia may wish to consider including in its plan

actions to establish import quotas to freeze imports at baseline levels and support the phase-out schedule, to establish a ban on imports of ODS equipment, and to put in place policy and regulatory instruments that ensure progress in achieving the phase-out;

4. To closely monitor the progress of Ethiopia with regard to the phase-out of ozone-depleting substances. To the degree that Ethiopia is working towards and meeting the specific Protocol control measures, Ethiopia should continue to be treated in the same manner as a Party in good standing. In this regard, Ethiopia 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 Ethiopia, in accordance with item B of the indicative list of measures, that in the event that the country fails to return to compliance in a timely manner, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures may include the possibility of actions available under Article 4, such as ensuring that the supply of CFCs (that is the subject of non-compliance) is ceased and that importing Parties are not contributing to a continuing situation of non-compliance.

Decision XIII/25. Compliance with the Montreal Protocol by Peru

1. To note that Peru ratified the Montreal Protocol and the London Amendment on 31 March 1993 and the Copenhagen Amendment on 7 June 1999. The country is classified as a Party operating under Article 5 (1) of the Protocol and had its country programme approved by the Executive Committee in 1995. Since approval of the country programme, the Executive Committee has approved \$4,670,309 from the Multilateral Fund to enable compliance in accordance with Article 10 of the Protocol;

2. Peru's baseline for Annex A, Group I substances is 289.5 ODP tonnes. Peru reported consumption of 296 ODP tonnes of Annex A, Group I substances in 1999. Peru responded to the Ozone Secretariat's request for data for the control period 1 July 1999 to 30 June 2000. Peru reported consumption of 297.6 ODP tonnes of Annex A, Group I substances for the consumption freeze control period of 1 July 1999 to 30 June 2000. As a consequence, for the control period 1 July 1999 to 30 June 2000, Peru was in non-compliance with its obligations under Article 2A of the Montreal Protocol;

3. To request that Peru submit to the Implementation Committee a plan of action with time-specific benchmarks to ensure a prompt return to compliance. Peru may wish to consider including in its plan actions to establish import quotas to freeze imports at baseline levels and support the phase-out schedule, to establish a ban on imports of ODS equipment, and to put in place policy and regulatory instruments that ensure progress in achieving the phase-out;

4. To closely monitor the progress of Peru with regard to the phase-out of ozone-depleting substances. To the degree that Peru is working towards and meeting the specific Protocol control measures, Peru should continue to be treated in the same manner as a Party in good standing. In this regard, Peru 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 Peru, in accordance with item B of the indicative list of measures, that in the event that the country fails to return to compliance in a timely manner, the Parties shall consider measures, consistent with item C of the indicative list of measures. These measures may include the possibility of actions available under Article 4, such as ensuring that the supply of CFCs (that is the subject of non-compliance) is ceased and that importing Parties are not contributing to a continuing situation of non-compliance.

Decision XIII/26. Membership of the Implementation Committee

1. To note with appreciation the work done by the Implementation Committee in the year 2001;

2. To confirm the positions of Senegal, Slovakia, Sri Lanka and the United Kingdom of Great Britain and Northern Ireland for one further year and to select Australia, Bangladesh, Bolivia, Bulgaria, Ghana and Jamaica as members of the Committee for a two-year period from 1 January 2002;
3. To note the selection of Bangladesh to serve as President and of Australia to serve as Vice-President and Rapporteur of the Implementation Committee for one year effective 1 January 2002.

Decision XIII/27. Membership of the Executive Committee of the Multilateral Fund

1. To note with appreciation the work done by the Executive Committee, with the assistance of the Fund Secretariat, in the year 2001;
2. To endorse the selection of Canada, Finland, France, Japan, Netherlands, Poland and United States of America as members of the Executive Committee representing non-Article 5 Parties to the Protocol and the selection of Burundi, China, Colombia, El Salvador, Nigeria, Syria and Tanzania as members representing Article 5 Parties, for one year effective 1 January 2002;
3. To note the selection of Engineer Bakare D. Usman (Nigeria) to serve as Chair and Professor Tadanori Inomata (Japan) to serve as Vice-Chair of the Executive Committee for one year effective 1 January 2002.

Decision XIII/28. Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol

- To endorse the selection of Mr. Milton Catelin (Australia) and Mr. Aloysius M. Kamperewera (Malawi) as Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol in 2002;

Decision XIII/29. Recognizing the preparations for the World Summit on Sustainable Development 2002

Recalling the ongoing preparations for the World Summit on Sustainable Development, which will take place in Johannesburg in 2002,

Recognizing the substantial progress made in the implementation of the objectives of the Vienna Convention and its Montreal Protocol,

Stressing that the Protocol has often been cited as an example of a well-functioning multilateral environmental agreement;

1. To note with appreciation the comprehensive preparatory process for the World Summit;
2. To recognize the need to consider ways to improve the overall effectiveness of the international environmental institutions and therefore to welcome the work undertaken by the United Nations Environment Programme (UNEP) in the framework of international environmental governance;
3. To support appropriate collaboration and synergies that may exist between multilateral environmental agreements, as agreed by the Parties to those agreements;
4. To look forward to the recommendations on this issue by the Governing Council of UNEP in its 7th special session, in February 2002, and to the final decisions by the Johannesburg Summit in September 2002 and by the third Global Ministerial Environmental Forum;
5. To request the Executive Director of UNEP to bring this decision to the attention of the President of the UNEP Governing Council and the Chairman of the Preparatory Committee of the World Summit.

Decision XIII/30. Financial matters: Financial reports and budgets

1. To welcome the continuing excellent management by the Secretariat of the finances of the Montreal Protocol Trust Fund;
2. To take note of the financial report of the Trust Fund for 2000, as contained in document UNEP/OzL.Pro.13/4;
3. To approve the budget for the Trust Fund in the amount of \$3,907,646 for 2002 and take note of the proposed budget of \$3,763,034 for 2003, as set out in Annex III of the report of the 13th Meeting of the Parties;
4. To draw down an amount of \$675,000 in years 2002 and 2003 from the Fund balance for the purpose of reducing that balance in accordance with decision XI/21, paragraphs 5 and 6;
5. To draw down, further, from the unspent balance for the year 2000, an amount of \$740,000 in 2002 and \$250,869 in 2003;
6. To ensure, as a consequence of the draw-downs referred to in paragraphs 4 and 5 above, that the contributions to be paid by the Parties amount to \$2,492,646 for 2002 and \$2,837,165 for 2003, as set out in Annex IV of the report of the 13th Meeting of the Parties. The contributions of the individual Parties shall be as listed in Annex IV;
7. To urge all Parties to pay their contributions promptly and in full;
8. To encourage non-Article 5 Parties to continue offering assistance to their members in the three assessment panels and their subsidiary bodies for their continued participation in the assessment activities under the Protocol;
9. To note the provision of assistance for the participation of Article 5 experts in the assessment panels and their subsidiary bodies;
10. To review, at its 14th Meeting, on the basis of a working document prepared by the Secretariat, the continuing growth in the operating surplus and interest being accumulated by the Trust Fund with a view to identifying the optimal way in which to balance the Protocol's operational funds.

Decision XIII/31. Appointment of the Executive Secretary of the Ozone Secretariat

- To request the United Nations Environment Programme and United Nations Headquarters to complete the process for the earliest possible appointment of the Executive Secretary of the Ozone Secretariat.

Decision XIII/32. Colombo Declaration

- To adopt the Colombo Declaration, on Renewed Commitment to the Protection of the Ozone Layer to Mark the Forthcoming World Summit on Sustainable Development, in 2002, the 15th Anniversary of the Montreal Protocol and the 10th Anniversary of the Establishment of the Multilateral Fund, as contained in annex V to the report of the 13th Meeting of the Parties to the Montreal Protocol.

Decision XIII/33. Fourteenth Meeting of the Parties to the Montreal Protocol

- To convene the 14th Meeting of the Parties to the Montreal Protocol at the seat of the Secretariat, in Nairobi, during the week of 25 to 29 November 2002 unless other appropriate arrangements are made by the Secretariat in consultation with the Parties.

B. Comments made at the time of adoption of decisions

231. On the adoption of decision XIII/30, relating to the budget of the Montreal Protocol Trust Fund, the Japanese delegation expressed the wish that the following statement should be included *in extenso* in the report of the Meeting:

“While appreciating the action proposed in paragraph 5 by which the Parties accelerate the reduction of reserve of the Trust Fund currently amounting to more than US\$ 10 million, we consider that the entire unspent balance in the amount of US\$ 990,869 should have been drawn down in line with the relevant provisions of the United Nations Financial Regulations applicable to the disposal of unspent and/or unencumbered balances of the budget. We neither see any ground for retaining a portion of the unspent balance in the reserve of the fund nor accept the use of such portion to alleviate the financial burden on a particular group of Parties in an arbitrary fashion.

It is the understanding of the Japanese delegation that the arrangement proposed in paragraph 5 should not constitute a precedent for the disposal of the unspent balance in the future.”

IX. DATE AND VENUE OF THE FOURTEENTH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

232. In accordance with rule 3 of the rules of procedure, it was agreed that the 14th Meeting of the Parties would take place at the seat of the Secretariat, in Nairobi, from 25 to 29 November 2002 unless other appropriate arrangements were made by the Secretariat in consultation with the Parties (decision XIII/33).

X. OTHER MATTERS

Authority of the high-level segment

233. One representative stated that her delegation’s understanding was that the high-level segment of the Meeting of the Parties had, as a matter of principle, authority to accept, reject or amend, as appropriate, decisions forwarded for its consideration by the preparatory segment. Other representatives concurred in that understanding. The Secretariat clarified that under the rules of procedure there was no specific provision whereby a decision made during the preparatory segment could not be reopened for discussion during the high-level segment.

Declaration by Pacific Island Countries

234. The Meeting took note of the Declaration by the Pacific Island Countries introduced by the representative of Kiribati and reproduced in Annex VI.

UNEP Global Video Competition

235. The representative of UNEP said that, as part of a move to intensify efforts to raise general public awareness of the Montreal Protocol, a video competition for developing country Parties had been organized by UNEP with financial support from the Multilateral Fund. It was envisaged that the winning videos would be dubbed into their local languages to become a resource to assist developing countries in their communication efforts. The competition had been organized through the national ozone units and coordinated by the Regional Network Coordinators. The producer/director of the winning entry would be invited to Paris, where the award would be presented.

236. The global winner was the video “Relaciones peligrosas”, directed by Pablo Massip Ginesta, from Cuba (ROLAC region). The global runners-up were “Tomorrow”, directed by Muhammed Karesly from the

Syrian Arab Republic (West Asia region), and “Magnificent Sky”, directed by Nodar Begiashvili, from Georgia (countries with economies in transition).

Tribute to Patrick Széll and Heinrich Kraus

237. Mr. Catelin, speaking in his capacity as President of the 12th Meeting of the Parties, commended Mr. Patrick Széll of the United Kingdom of Great Britain and Northern Ireland, Chairman of the Legal Drafting Group, and Mr. Heinrich Kraus of Germany, Chair of the Executive Committee of the Multilateral Fund, on their diligent service and informed the Meeting that as Mr. Széll and Mr. Kraus were retiring, the 13th Meeting would be the last which they would be attending in an official capacity. The Meeting expressed its warmest appreciation for their hard work and efforts on behalf of Parties and the protection of the ozone layer over a period of 20 years.

238. Mr. Széll had been involved in the ozone protection process since the first coordination meeting on ozone organized by UNEP in 1981 and on through the negotiation, drafting and adoption of the Vienna Convention in 1985 and its Montreal Protocol in 1987. He had been involved also in drafting all the adjustments and amendments to the Protocol and in developing the rules of procedure for Meetings of the Parties. He had also chaired the working groups that had developed the non-compliance procedure and subsequently reviewed it. He had performed noteworthy service in the interests of humanity and the protection of the environment.

Appointment of Co-Chairs of Technology and Economic Assessment Panel Technical Options Committees

239. The Meeting of the Parties approved the nominations by the Technology and Economic Assessment Panel of Mr. Miguel Wencelao Quintero (Colombia) as Co-Chair of the Foams Technical Options Committee and of Mr. Nahum Marban Mendoza (Mexico) as Co-Chair of the Methyl Bromide Technical Options Committee.

Death of Linda Gronlund

240. The death was announced of Ms. Linda Gronlund, of Sweden, in the events of 11 September 2001. She had served as a consultant to the Refrigeration Technical Options Committee and had been active in the matter of recycling CFC-12 from vehicle air conditioning systems, the phasing out of CFC-12 and the transition to HFC-134a and also in the continuing work to reduce emissions and replace HFC-134a itself. Her contribution to the protection of the ozone layer would be sorely missed, as would her personal qualities.

XI. ADOPTION OF THE REPORT OF THE THIRTEENTH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

241. The present report was adopted on Friday, 19 October 2001 on the basis of the draft report submitted to the Meeting.

XII. CLOSURE OF THE MEETING

Tribute to the host country

242. On behalf of the Meeting, the President expressed gratitude to the Government of Sri Lanka for its generosity in hosting the 13th Meeting of the Parties, and to the people of Sri Lanka in general and Colombo in particular for their warm hospitality, both of which had contributed so much to the Meeting's success.

243. After the customary exchange of courtesies, the Meeting rose at 6 p.m. on Friday, 19 October 2001.

Annex I

**ESSENTIAL-USE NOMINATIONS FOR 2002-2004 AUTHORIZED
BY THE THIRTEENTH MEETING OF THE PARTIES
(in metric tonnes)**

	2002		2003	
	CFCs	CFC-113	CFCs	CFC-113
Australia (1)	-	-	-	-
European Community	-	-	2,539	40
Hungary	1.50	0.25	1.50	0.25
Japan	45	-	-	-
Poland	-	0.85	-	-
Russian Federation	396	-	391	-
Ukraine (2)	144	-	120	-
United States of America (3)	550	-	3,270	-
Total	1,136.5	1.10	6,321.5	40.25

Notes:

1. Australia reduced its essential-use nominations for CFCs in 2001 and 2002 from 74.95 to 11 metric tonnes each year.
2. The total quantities requested by Ukraine were authorized with the proviso that they should be used only for the production of MDIs for asthma and chronic obstructive pulmonary disease. Ukraine should provide additional information before 31 January 2002 on its 2003 nominations for consideration by the 14th Meeting of the Parties.
3. The United States of America nominated a supplemental quantity of 550 metric tonnes for 2002 in addition to the 2,900 metric tonnes previously authorized by the Parties in 2000.

Annex II

RECOMMENDATION OF THE CUSTOMS CO-OPERATION COUNCIL ON THE INSERTION
IN NATIONAL STATISTICAL NOMENCLATURES OF SUBHEADINGS TO FACILITATE
THE COLLECTION AND COMPARISON OF DATA ON THE INTERNATIONAL
MOVEMENT OF SUBSTANCES CONTROLLED BY VIRTUE OF AMENDMENTS
TO THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete
THE OZONE LAYER
(25 June 1999)

THE CUSTOMS CO-OPERATION COUNCIL,

CONSIDERING the continuing urgent need to monitor the international trade in substances that deplete the ozone layer,

TAKING INTO ACCOUNT the request by the United Nations Environment Programme to the collection and comparison of data on the international movement of additional substances controlled by virtue of the amendments to the Montreal Protocol adopted in June 1990 (London) and November 1992 (Copenhagen),

HAVING REGARD TO the Recommendation of 20 June 1995,

NOTING that Member Administrations and contracting Parties to the Harmonized System Convention which has accepted the Recommendation of 20 June 1995 would automatically cease to apply that Recommendation when accepting the Recommendation,

RECOMMENDS that Member Administrations and Contracting Parties to the Harmonized System Convention take all appropriate action to insert the following additional subdivisions in their statistical nomenclatures as soon as possible, either separately or grouped together where necessary to meet national requirements:

Subheadings 2903.19 of the Harmonized System

--- 1, 1, 1-Trichloroethane (methyl chloroform)

Subheading 2903.30 of the Harmonized System

--- Bromomethane (methyl bromide)

Subheading 2903.45 of the Harmonized System

--- Chlorotrifluoromethane

--- Pentachlorofluoroethane

--- Tetrachlorofluoroethanes

--- Heptachlorofluoropropanes

--- Hexachlorodifluoropropanes

--- Pentachlorotrifluoropropanes

--- Tetrachlorotetrafluoropropanes

--- Trichloropentafluoropropanes

--- Dichlorohexafluoropropanes

Subheading 2903.49 of the Harmonized System

--- Chlorodifluoromethane

--- Dichlorotrifluoroethanes

--- Chlorotetrafluoroethanes

--- Dichlorofluoroethanes

--- Chlorodifluoroethanes

--- Dichloropentafluoropropanes

--- Other derivatives of methane, ethane or propane halogenated only with fluorine and chlorine

--- Derivatives of methane, ethane or propane halogenated only with fluorine and bromine

and

REQUESTS Member Administrations and Contracting Parties to the Harmonized System Convention to notify the Secretary General of the acceptance of this Recommendation and of the date of its application and, where applicable, to specify which items have been grouped together.

Most Common ODS Harmonized Codes

2903.12.00.00	Dichloromethane (DCM)		
2903.14.00.00	Carbon tetrachloride		
2903.19.00.10	1,1,1-trichloroethane (methyl chloroform)	$C_2 H_3 Cl_3$	
2903.23.00.00	tetrachloroethylene (PERC)		
2903.30.90.11	Methyl Bromide	CH_3Br	
2903.30.90.21	Difluoroethane	$C_2 H_4 F_4$	HFC-152
2903.30.90.22	1,1,1,2-tetrafluoroethane	$C_2 H_2 F_4$	HFC-134
2903.30.90.29	Fluorinated hydrocarbons ... other		
2903.41.00.00	Trichlorofluoromethane	$C Cl_3 F$	CFC-11
2903.42.00.00	Dichlorodifluoromethane	$C Cl_2 F_2$	CFC-12
2903.43.00.00	Trichlorotrifluoroethane	$C_2 Cl_3 F_3$	CFC-113
2903.44.00.00	Dichlorotetrafluoroethane	$C_2 Cl_2 F_4$	CFC-114
2903.44.00.00	Chloropentafluoroethane	$C_2 Cl F_5$	CFC-115
2903.45.00.10	Chlorotrifluoromethane	$C Cl F_3$	CFC-13
2903.45.00.20	Pentachlorofluoroethane	$C_2 Cl_5 F$	CFC-111
2903.45.00.30	Tetrachlorodifluoroethane	$C_2 Cl_4 F_2$	CFC-112
2903.45.00.91	Heptachlorofluoropropane	$C_3 Cl_7 F$	CFC-211
2903.45.00.92	Hexachlorodifluoropropane	$C_3 Cl_6 F_2$	CFC-212
2903.45.00.93	Pentachlorotrifluoropropane	$C_3 Cl_5 F_3$	CFC-213
2903.45.00.94	Tetrachlorotetrafluoropropane	$C_3 Cl_4 F_4$	CFC-214
2903.45.00.95	Trichloropentafluoropropane	$C_3 Cl_3 F_5$	CFC-215
2903.45.00.96	Dichlorohexafluoropropane	$C_3 Cl_2 F_6$	CFC-216
2903.45.00.97	Chloroheptafluoropropane	$C_3 Cl F_7$	CFC-217
2903.45.00.99	Other		
2903.46.00.00	bromochlorodifluoromethane	$C Br Cl F_2$	Halon-1211
2903.46.00.00	bromochlorodifluoromethane	$C Br F_3$	Halon -1301
2903.46.00.00	dibromotetrafluoroethane	$C_2 Br_2 F_4$	Halon-2402
2903.49.00.11	Chlorodifluoromethane	$CHClF_2$	HCFC-22
2903.49.00.19	Other		
2903.49.00.21	2,2-dichloro-1,1,1-trifluoroethane	$CHCl_2 CF_3$	HCFC-123
2903.49.00.22	2-chloro-1,1,1,2-tetrafluoroethane	$CHClF_2 CF_3$	HCFC-124
2903.49.00.23	1,1-dichloro-1,1-fluoroethane	$CCl_2 FCH_3$	HCFC-141b
2903.49.00.24	1-chloro-1,1-difluoroethane	$CClF_2 CH_3$	HCFC-142b
2903.49.00.29	Other		
2903.49.00.91	2-bromo-2-chloro-1,1,1-trifluoroethane	$C_2 HBrClF_3$	Halothane (HBFC)
2903.49.00.92	1,1-dichloro-2,2,3,3,3-pentafluoropropane	$CHCl_2 CF_2 CF_3$	HCFC-225ca
2903.49.00.93	1,3-dichloro-1,2,3,3,3-pentafluoropropane	$CClF_2 CF_2 CHF_2$	HCFC-225cb
2827.59.00.90	*Chloride, oxychloride and hydroxychloride; bromide and oxybromide; iodine and oxyiodine		

3808.10.20.90 pesticide in bulk or in packages of a gross weight not exceeding 1.36 kg each
3808.10.20.91 mixture of other halogenated hydrocarbons

** Note: This nomenclature differs somewhat from that used in the Harmonized System; however, the classification is correct. Following are the differences:*

Oxychloride = chloride oxide (HS)

Hydroxychloride = chloride hydroxide (HS)

Oxybromide = bromide oxide (HS)

Iodine = iodide (HS) – iodine is the element and iodide refers to a mixture containing the element; however, the terms are used loosely now and pretty much interchangeably

Oxyiodine = iodide oxide (HS)

Annex III

TRUST FUND FOR THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

Approved Budgets for 2001 and 2002 and Proposed Budget for 2003

	W/m	2001 (US\$)	w/m	2002 (US\$)	w/m	2003 (US\$)
10 PROJECT PERSONNEL COMPONENT						
<i>1100 Project personnel</i>						
1101 Executive Secretary (D-2) (shared with the Vienna Convention, VC)	6	104,726	6	104,726	6	107,868
1102 Deputy Executive Secretary (D-1)	12	167,293	12	150,000	12	154,500
1103 Senior Legal Officer (P-5)	12	144,142	12	120,000	12	123,600
1104 Senior Scientific Affairs Officer (P-5) (shared with VC)	6	87,897	6	91,000	6	93,730
1105 Administrative Officer (P-4) (paid by UNEP)		0		0		0
1106 Computer Information Systems Officer (P-3)		51,210		100,000		103,000
<i>1199 Sub-total</i>		<i>555,268</i>		<i>565,726</i>		<i>582,698</i>
<i>1200 Consultants</i>						
1201 Assistance in data reporting, analysis and promotion of implementation of the Protocol +		20,000		135,000		50,000
<i>1299 Sub-total</i>		<i>20,000</i>		<i>135,000</i>		<i>50,000</i>
<i>1300 Administrative Support</i>						
1301 Administrative Assistant (G-7) (shared with VC)	6	10,742	6	11,279	6	11,843
1302 Personal Assistant (G-6)	12	18,091	12	18,996	12	19,945
1303 Programme Assistant (G-6) (paid by VC)		0		0		0
1304 Information Assistant (G-6) (shared with VC)	6	9,611	6	10,092	6	10,596
1305 Programme Assistant (G-6) (shared with VC)	6	9,611	6	10,092	6	10,596

	W/m	2001 (US\$)	w/m	2002 (US\$)	w/m	2003 (US\$)
1306 Documents Clerk (G-4)	12	9,040	12	9,492	12	9,967
1307 Data Assistant (G-6)	12	19,210	12	20,171	12	21,179
1308 Programme Assistant - Fund (G-6) (paid by UNEP)		0		0		0
1309 Logistics Assistant (G-3) (paid by UNEP)		0		0		0
1320 Temporary Assistance		6,781		10,172		10,000
1321 Open-ended Working Group Meetings		546,325		390,000		410,500
1322 Preparatory and Parties Meetings (shared with VC every three years, applies to 2002)		532,877		320,000		450,000
1323 Assessment Panel Meetings		73,226		76,887		73,226
1324 Bureau Meetings		44,147		30,000		44,000
1325 Implementation Committee Meetings		29,069		30,000		30,000
1326 MP Informal Consultation Meeting		11,839		10,000		0
<i>1399 Sub-total</i>		<i>1,320,569</i>		<i>947,179</i>		<i>1,101,852</i>
<i>1600 Travel on Official Business</i>						
1601 Staff travel on official business		133,000		130,000		150,000
1602 Conference Services staff travel on official business		21,535		15,000		15,000
<i>1699 Sub-total</i>		<i>154,535</i>		<i>145,000</i>		<i>165,000</i>
1999 COMPONENT TOTAL		2,050,372		1,792,905		1,899,550

	W/m	2001 (US\$)	w/m	2002 (US\$)	w/m	2003 (US\$)
30 MEETING/PARTICIPATION COMPONENT						
<i>3300 Support for Participation</i>						
3301 Assessment Panel Meetings		450,000		450,000		350,000
3302 Preparatory and Parties Meetings		350,000		350,000		350,000
3303 Open-ended Working Group Meetings		300,000		300,000		300,000
3304 Bureau Meetings		32,298		35,000		35,000
3305 Implementation Committee Meetings		64,605		75,000		72,000
3306 Consultations in an informal meeting (Dec.XII/10)		0		100,000		0
<i>3399 Sub-total</i>		<i>1,196,903</i>		<i>1,310,000</i>		<i>1,107,000</i>
3999 COMPONENT TOTAL		1,196,903		1,310,000		1,107,000
40 EQUIPMENT AND PREMISES COMPONENT						
<i>4100 Expendable Equipment (items under \$1,500)</i>						
4101 Miscellaneous expendables (shared with VC)		22,752		23,890		25,084
<i>4199 Sub-total</i>		<i>22,752</i>		<i>23,890</i>		<i>25,084</i>
<i>4200 Non-Expendable Equipment</i>						
4201 Personal computers and accessories		5,381		5,000		5,000
4202 Portable computers		3,229		5,000		3,200
4203 Other office machines (server, fax, scanner, etc.)		6,068		5,000		5,000
4204 Photocopiers		0		0		0
<i>4299 Sub-total</i>		<i>14,678</i>		<i>15,000</i>		<i>13,200</i>

	W/m	2001 (US\$)	w/m	2002 (US\$)	w/m	2003 (US\$)
<i>4300 Premises</i>						
4301 Rental of office premises (shared with VC)		33,912		25,000		26,250
<i>4399 Sub-total</i>		<i>33,912</i>		<i>25,000</i>		<i>26,250</i>
4999 COMPONENT TOTAL		71,342		63,890		64,534
50 MISCELLANEOUS COMPONENT						
<i>5100 Operation and Maintenance of Equipment</i>						
5101 Maintenance of equipment and others (shared with VC)		13,561		14,200		14,910
<i>5199 Sub-total</i>		<i>13,561</i>		<i>14,200</i>		<i>14,910</i>
<i>5200 Reporting Costs</i>						
5201 Reporting		64,606		64,600		64,000
5202 Reporting (Assessment Panels)		32,298		66,000		35,000
5203 Reporting (Protocol Awareness)		16,013		10,000		10,000
<i>5299 Sub-total</i>		<i>112,917</i>		<i>140,600</i>		<i>109,000</i>
<i>5300 Sundry</i>						
5301 Communications		70,760		40,000		35,000
5302 Freight charges (documents)		71,506		70,000		70,000
5303 Training		11,031		12,500		13,125
5304 Others (International Ozone Day)		10,000		5,000		5,000
<i>5399 Sub-total</i>		<i>163,297</i>		<i>127,500</i>		<i>123,125</i>

	W/m	2001 (US\$)	w/m	2002 (US\$)	w/m	2003 (US\$)
<i>5400 Hospitality</i>						
5401 Hospitality		19,383		9,000		12,000
<i>5499 Sub-total</i>		<i>19,383</i>		<i>9,000</i>		<i>12,000</i>
5999 COMPONENT TOTAL		309,158		291,300		259,035
99 TOTAL DIRECT PROJECT COST		3,627,775		3,458,095		3,330,119
<i>Programme support costs (13%)</i>		<i>471,610</i>		<i>449,551</i>		<i>432,915</i>
GRAND TOTAL (inclusive of programme support costs)		4,099,385		3,907,646		3,763,034
Contribution from fund balance*		1,094,706		675,000		675,000
Contribution from the Secretariat's unspent 2000 balance* *		0		740,000		250,869
Sub-total (contribution from fund balance and 2000 unspent balance)				1,415,000		925,869
Contribution from the Parties***		3,004,679		2,492,646		2,837,165

Budget line 1201 in year 2002 includes \$115,000.00 as a one time expense, for the requirements of TEAP related to the assessment due that year.

* 2001 *Contribution from the fund balance* was based on Decision XI/21, paragraph 5 of the 11th Meeting of the Parties to the Montreal Protocol, "—ensuring that contributions to be paid by the Parties amount to 3,004,679 United States dollars for 2001."

The proposed 2002 & 2003 contribution from reserve is based on Decision XI/21, paragraph 6 of the 11th Meeting of the Parties to the Montreal Protocol.

** To cover the additional requirements arising from decisions of the Meetings of the Parties (proposed study on illegal trade – Dec.XII/10), as well as work related to the 2002 assessment reports being prepared by TEAP, SAP and EEAP, the Secretariat proposes to use the unspent balance from 2000 over 2 years (2002 & 2003).

*** The 2003 *contribution of the Parties* took into account Decision XI/21, paragraph 6 of the 11th Meeting of the Parties to the Montreal Protocol.

Annex IV

**TRUST FUND FOR THE MONTREAL PROTOCOL ON THE SUBSTANCES THAT
DEplete THE OZONE LAYER**

SCALE OF CONTRIBUTIONS BY THE PARTIES FOR THE YEARS 2002 AND 2003 BASED ON THE UNITED NATIONS
SCALE OF ASSESSMENT (GENERAL ASSEMBLY RESOLUTION 55/5B-F OF 23 DECEMBER 2000)
WITH NO PARTY PAYING MORE THAN 22 PER CENT

(in United States dollars)

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Albania	0.003	0.000	0.000	0	0.003	0.000	0.000	0
Algeria	0.071	0.000	0.000	0	0.070	0.000	0.000	0
Antigua and Barbuda	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Argentina	1.159	1.159	1.132	28,212	1.149	1.149	1.124	31,893
Armenia	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Australia	1.640	1.640	1.602	39,920	1.627	1.627	1.592	45,161
Austria	0.954	0.954	0.932	23,222	0.947	0.947	0.926	26,286
Azerbaijan	0.004	0.000	0.000	0	0.004	0.000	0.000	0
Bahamas	0.012	0.000	0.000	0	0.012	0.000	0.000	0
Bahrain	0.018	0.000	0.000	0	0.018	0.000	0.000	0
Bangladesh	0.010	0.000	0.000	0	0.010	0.000	0.000	0
Barbados	0.009	0.000	0.000	0	0.009	0.000	0.000	0
Belarus	0.019	0.000	0.000	0	0.019	0.000	0.000	0
Belgium	1.138	1.138	1.111	27,700	1.129	1.129	1.105	31,338
Belize	0.001	0.000	0.000	0	0.001	0.000	0.000	0

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Benin	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Bolivia	0.008	0.000	0.000	0	0.008	0.000	0.000	0
Bosnia and Herzegovina	0.004	0.000	0.000	0	0.004	0.000	0.000	0
Botswana	0.010	0.000	0.000	0	0.010	0.000	0.000	0
Brazil	2.093	2.093	2.044	50,946	2.390	2.390	2.338	66,339
Brunei Darussalam	0.033	0.000	0.000	0	0.033	0.000	0.000	0
Bulgaria	0.013	0.000	0.000	0	0.013	0.000	0.000	0
Burkina Faso	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Burundi	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Cameroon	0.009	0.000	0.000	0	0.009	0.000	0.000	0
Canada	2.579	2.579	2.518	62,776	2.558	2.558	2.503	71,002
Central African Republic	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Chad	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Chile	0.187	0.187	0.183	4,552	0.212	0.212	0.207	5,884
China	1.545	1.545	1.509	37,607	1.532	1.532	1.499	42,524
Colombia	0.171	0.171	0.167	4,162	0.201	0.201	0.197	5,579
Comoros	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Congo	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Cook Islands	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Costa Rica	0.020	0.000	0.000	0	0.020	0.000	0.000	0
Côte d'Ivoire	0.009	0.000	0.000	0	0.009	0.000	0.000	0
Croatia	0.039	0.000	0.000	0	0.039	0.000	0.000	0
Cuba	0.030	0.000	0.000	0	0.030	0.000	0.000	0

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Cyprus	0.038	0.000	0.000	0	0.038	0.000	0.000	0
Czech Republic	0.172	0.172	0.168	4,187	0.203	0.203	0.199	5,635
Democratic People's Republic of Korea	0.009	0.000	0.000	0	0.009	0.000	0.000	0
Democratic Republic of Congo	0.004	0.000	0.000	0	0.004	0.000	0.000	0
Denmark	0.755	0.755	0.737	18,378	0.749	0.749	0.733	20,790
Djibouti	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Dominica	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Dominican Republic	0.023	0.000	0.000	0	0.023	0.000	0.000	0
Ecuador	0.025	0.000	0.000	0	0.025	0.000	0.000	0
Egypt	0.081	0.000	0.000	0	0.081	0.000	0.000	0
El Salvador	0.018	0.000	0.000	0	0.018	0.000	0.000	0
Estonia	0.010	0.000	0.000	0	0.010	0.000	0.000	0
Ethiopia	0.004	0.000	0.000	0	0.004	0.000	0.000	0
European Community	2.500	2.500	2.500	62,316	2.500	2.500	2.500	70,929
Fiji	0.004	0.000	0.000	0	0.004	0.000	0.000	0
Finland	0.526	0.526	0.514	12,803	0.522	0.522	0.511	14,489
France	6.516	6.516	6.363	158,608	6.466	6.466	6.326	179,476
Gabon	0.014	0.000	0.000	0	0.014	0.000	0.000	0
Gambia	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Georgia	0.005	0.000	0.000	0	0.005	0.000	0.000	0
Germany	9.845	9.845	9.614	239,640	9.769	9.769	9.557	271,158

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Ghana	0.005	0.000	0.000	0	0.005	0.000	0.000	0
Greece	0.543	0.543	0.530	13,217	0.539	0.539	0.527	14,961
Grenada	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Guatemala	0.027	0.000	0.000	0	0.027	0.000	0.000	0
Guinea	0.003	0.000	0.000	0	0.003	0.000	0.000	0
Guyana	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Honduras	0.004	0.000	0.000	0	0.005	0.000	0.000	0
Hungary	0.121	0.121	0.118	2,945	0.120	0.120	0.117	3,331
Iceland	0.033	0.000	0.000	0	0.033	0.000	0.000	0
India	0.344	0.344	0.336	8,373	0.341	0.341	0.334	9,465
Indonesia	0.201	0.201	0.196	4,893	0.200	0.200	0.196	5,551
Iran (Islamic Republic of)	0.236	0.236	0.230	5,744	0.272	0.272	0.266	7,550
Ireland	0.297	0.297	0.290	7,229	0.294	0.294	0.288	8,161
Israel	0.418	0.418	0.408	10,175	0.415	0.415	0.406	11,519
Italy	5.104	5.104	4.984	124,238	5.065	5.065	4.955	140,582
Jamaica	0.004	0.000	0.000	0	0.004	0.000	0.000	0
Japan	19.669	19.669	19.207	478,769	19.516	19.516	19.093	541,698
Jordan	0.008	0.000	0.000	0	0.008	0.000	0.000	0
Kazakhstan	0.029	0.000	0.000	0	0.028	0.000	0.000	0
Kenya	0.008	0.000	0.000	0	0.008	0.000	0.000	0
Kiribati	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Kuwait	0.148	0.148	0.145	3,602	0.147	0.147	0.144	4,080
Kyrgyzstan	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Lao People's	0.001	0.000	0.000	0	0.001	0.000	0.000	0

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Democratic Republic								
Latvia	0.010	0.000	0.000	0	0.010	0.000	0.000	0
Lebanon	0.012	0.000	0.000	0	0.012	0.000	0.000	0
Lesotho	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Liberia	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Libyan Arab Jamahiriya	0.067	0.000	0.000	0	0.067	0.000	0.000	0
Liechtenstein	0.006	0.000	0.000	0	0.006	0.000	0.000	0
Lithuania	0.017	0.000	0.000	0	0.017	0.000	0.000	0
Luxembourg	0.080	0.000	0.000	0	0.080	0.000	0.000	0
Madagascar	0.003	0.000	0.000	0	0.003	0.000	0.000	0
Malawi	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Malaysia	0.237	0.237	0.231	5,769	0.235	0.235	0.230	6,523
Maldives	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Mali	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Malta	0.015	0.000	0.000	0	0.015	0.000	0.000	0
Marshall Islands	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Mauritania	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Mauritius	0.011	0.000	0.000	0	0.011	0.000	0.000	0
Mexico	1.095	1.095	1.069	26,654	1.086	1.086	1.062	30,144
Micronesia (Federated State of)	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Monaco	0.004	0.000	0.000	0	0.004	0.000	0.000	0
Mongolia	0.001	0.000	0.000	0	0.001	0.000	0.000	0

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Morocco	0.045	0.000	0.000	0	0.044	0.000	0.000	0
Mozambique	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Myanmar	0.010	0.000	0.000	0	0.010	0.000	0.000	0
Namibia	0.007	0.000	0.000	0	0.007	0.000	0.000	0
Nepal	0.004	0.000	0.000	0	0.004	0.000	0.000	0
Netherlands	1.751	1.751	1.710	42,622	1.738	1.738	1.700	48,242
New Zealand	0.243	0.243	0.237	5,915	0.241	0.241	0.236	6,689
Nicaragua	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Niger	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Nigeria	0.056	0.000	0.000	0	0.068	0.000	0.000	0
Niue	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Norway	0.652	0.652	0.637	15,870	0.646	0.646	0.632	17,931
Oman	0.062	0.000	0.000	0	0.061	0.000	0.000	0
Pakistan	0.061	0.000	0.000	0	0.061	0.000	0.000	0
Palau	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Panama	0.018	0.000	0.000	0	0.018	0.000	0.000	0
Papua New Guinea	0.006	0.000	0.000	0	0.006	0.000	0.000	0
Paraguay	0.016	0.000	0.000	0	0.016	0.000	0.000	0
Peru	0.119	0.119	0.116	2,897	0.118	0.118	0.115	3,275
Philippines	0.101	0.101	0.099	2,458	0.100	0.000	0.000	0
Poland	0.319	0.319	0.312	7,765	0.378	0.378	0.370	10,492
Portugal	0.466	0.466	0.455	11,343	0.462	0.462	0.452	12,824
Qatar	0.034	0.000	0.000	0	0.034	0.000	0.000	0
Republic of Korea	1.866	1.866	1.822	45,421	1.851	1.851	1.811	51,378

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Republic of Moldova	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Romania	0.059	0.000	0.000	0	0.058	0.000	0.000	0
Russian Federation	1.200	1.200	1.172	29,210	1.200	1.200	1.174	33,308
Saint Kitts and Nevis	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Saint Lucia	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Saint Vincent and the Grenadines	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Samoa	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Saudi Arabia	0.559	0.559	0.546	13,607	0.554	0.554	0.542	15,377
Senegal	0.005	0.000	0.000	0	0.005	0.000	0.000	0
Seychelles	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Sierra Leone	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Singapore	0.396	0.396	0.387	9,639	0.393	0.393	0.384	10,909
Slovakia	0.043	0.000	0.000	0	0.043	0.000	0.000	0
Slovenia	0.081	0.000	0.000	0	0.081	0.000	0.000	0
Solomon Islands	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Somalia	0.001	0.000	0.000	0	0.001	0.000	0.000	0
South Africa	0.411	0.411	0.401	10,004	0.408	0.408	0.399	11,325
Spain	2.539	2.539	2.479	61,803	2.519	2.519	2.464	69,913
Sri Lanka	0.016	0.000	0.000	0	0.016	0.000	0.000	0
Sudan	0.006	0.000	0.000	0	0.006	0.000	0.000	0
Suriname	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Swaziland	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Sweden	1.035	1.035	1.011	25,193	1.027	1.027	1.005	28,499

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Switzerland	1.274	1.274	1.244	31,011	1.274	1.274	1.246	35,362
Syrian Arab Republic	0.081	0.000	0.000	0	0.080	0.000	0.000	0
Tajikistan	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Thailand	0.254	0.254	0.248	6,183	0.294	0.294	0.288	8,161
The Former Yugoslav Republic of Macedonia	0.006	0.000	0.000	0	0.006	0.000	0.000	0
Togo	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Tonga	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Trinidad and Tobago	0.016	0.000	0.000	0	0.016	0.000	0.000	0
Tunisia	0.031	0.000	0.000	0	0.030	0.000	0.000	0
Turkey	0.444	0.444	0.434	10,807	0.440	0.440	0.430	12,213
Turkmenistan	0.003	0.000	0.000	0	0.003	0.000	0.000	0
Tuvalu	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Uganda	0.005	0.000	0.000	0	0.005	0.000	0.000	0
Ukraine	0.053	0.000	0.000	0	0.053	0.000	0.000	0
United Arab Emirates	0.204	0.204	0.199	4,966	0.202	0.202	0.198	5,607
United Kingdom	5.579	5.579	5.448	135,800	5.536	5.536	5.416	153,663
United Republic of Tanzania	0.004	0.000	0.000	0	0.004	0.000	0.000	0
United States of America	22.000	22.000	22.000	548,382	22.000	22.000	22.000	624,176
Uruguay	0.081	0.000	0.000	0	0.080	0.000	0.000	0
Uzbekistan	0.011	0.000	0.000	0	0.011	0.000	0.000	0

Name of the Party	YEAR 2002				YEAR 2003			
	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES	UN Scale of Assessment	Adjusted UN Scale to Exclude Non-Contributors	Adjusted UN Scale with 22% Percentage Ceiling Considered	CONTRIBUTIONS BY PARTIES
Vanuatu	0.001	0.000	0.000	0	0.001	0.000	0.000	0
Venezuela	0.210	0.210	0.205	5,112	0.208	0.208	0.203	5,773
Vietnam	0.013	0.000	0.000	0	0.016	0.000	0.000	0
Yemen	0.007	0.000	0.000	0	0.006	0.000	0.000	0
Yugoslavia	0.020	0.000	0.000	0	0.020	0.000	0.000	0
Zambia	0.002	0.000	0.000	0	0.002	0.000	0.000	0
Zimbabwe	0.008	0.000	0.000	0	0.008	0.000	0.000	0
Total	103.645	101.815	100.000	2,492,646	103.609	101.672	100.000	2,837,165

Annex V

Colombo Declaration on Renewed Commitment to the Protection of the Ozone Layer to Mark the Forthcoming World Summit on Sustainable Development, in 2002, the 15th Anniversary of the Montreal Protocol and the 10th Anniversary of the Establishment of the Multilateral Fund

We Ministers of the Environment and Heads of Delegations at the 13th Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, held in Colombo from 16 to 19 October 2001,

Having participated, at the invitation of the Government of the Democratic Socialist Republic of Sri Lanka, in the high-level segment, held on 18 and 19 October 2001, of that Meeting of the Parties,

Having noted the 10th anniversary of the establishment of the Multilateral Fund and its achievements to date for the protection of the ozone layer,

Recalling the progress made by all the Parties in phasing out ozone depleting substances,

Fully appreciating the efforts by national Governments, the Multilateral Fund, the United Nations Environment Programme and the various implementing agencies to make the Montreal Protocol the most successful multilateral environmental agreement and to achieve universal ratification,

Recognizing the interconnectedness of environmental issues such as climate change and ozone-layer depletion,

Recalling that the year 2002 will be the 10th anniversary of the Rio Conference on Environment and Development, the Earth Summit, and the 15th anniversary of the Montreal Protocol,

Recognizing the importance of sharing the experience gained under the Montreal Protocol with other multilateral environmental agreements in order to achieve the same progress under those agreements;

Declare:

1. That we are pleased to note the significant contributions made by the Multilateral Fund during the last 10 years in the implementation of the Montreal Protocol, that has made possible significant progress in compliance by Article 5 countries;
2. That we express our sincere gratitude to the Governments, international organizations, non-governmental organizations, experts and individuals that have contributed to that progress;
3. That we urge Governments and all stakeholders to take due care in using new substances that may have an ODP, and to take informed decisions on the use of transitional substances;
4. That we appeal to the Article 5 Parties to sustain the permanent phase-out of ODS and comply with their phase-out obligations by establishing the necessary domestic policy and legal regimes;
5. That we appeal to all Parties to cooperate in ensuring that the Multilateral Fund receives the necessary replenishment for its next triennium, 2003 – 2005;
6. That we appeal to all non-Article 5 Parties to continue their efforts to contribute to the Multilateral Fund;

7. That we urge Parties to identify and use available, accessible and affordable alternative substances and technologies that minimize environmental harm while protecting the ozone layer;
8. That we are fully aware that much work remains to be done to ensure the protection of ozone layer;
9. That we decide to share the successful experience of the Montreal Protocol at the World Summit on Sustainable Development to be held in Johannesburg, South Africa, in 2002.

Annex VI**DECLARATION BY THE PACIFIC ISLAND COUNTRIES ATTENDING THE 13TH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL**

We, the Governments of Fiji, Kiribati, Niue, Papua New Guinea and Samoa, are conscious of the serious threat that ozone-depleting substances present to the environment and to the global population.

We note the valuable progress that has been achieved in addressing ozone-depletion by Parties to the Montreal Protocol regarding substances that deplete the ozone layers.

Pacific Island Countries are among the smallest consumers of ozone depleting substances in the world. These are used in areas that are critical to our economic development which includes fishing, tourism and food storage.

We declare our intention to continue working towards the fulfillment of the goals of the Convention and the Protocol at the national, regional and global level.

We acknowledge the initial assistance provided by the Multilateral Fund, the Government of Australia and the Government of New Zealand through the United Nations Environment Programme Division of Technology, Industry and Economics (UNEP-DTIE) and South Pacific Regional Environment Programme (SPREP) for the preparation of national compliance action plans (NCAPs).

In this context, we recognise that regional cooperation has been identified as an effective means to complement national programmes in implementing environmental programmes in Pacific Island Countries. Regarding our intention to continue working for its successful fulfillment at the global as well as regional scale, we undertake to work together in the context of a regional strategy for the Pacific region that all Pacific Island Countries shall:

- (a) ratify the Montreal Protocol and its amendments where applicable;
- (b) urgently adopt import and export controls of ozone-depleting substances, particularly for the use of licensing systems and appropriate legislation;
- (c) take all the necessary measures to comply with the plans to reduce and eliminate the consumption and production of ozone-depleting substances;
- (d) ensure effective fulfillment of Article 7 regarding the need to report on the consumption of ozone-depleting substances;
- (e) commit the accelerated phase-out of CFCs, preferably to year 2005.

We request the Executive Committee of the Multilateral Fund to financially support the Pacific Island Countries, taking into account their specific needs to implement national programmes and regional cooperation mechanism to enable them to comply with the Montreal Protocol.

We urge all parties to take account of the unique circumstances of the Pacific Island Countries when they consider the levels of replenishment for the Multilateral Fund during the triennium 2003 to 2005.
