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IMPLEMENTATION COMMITTEE UNDER THE
NON-COMPLIANCE PROCEDURE FOR THE
MONTREAL PROTOCOL
Fifth meeting
Geneva, 9 March 1993

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

I. INTRODUCTION

1. The fifth meeting of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol was held at the headquarters of the World Meteorological Organization (WMO), Geneva, on 9 March 1993.

II. ORGANIZATIONAL MATTERS

2. The Coordinator of the Secretariat for the Vienna Convention and the Montreal Protocol, Mr. K.M. Sarma, opened the meeting and welcomed all the participants.

3. The Committee elected Mr. Rafael Asenjo of Chile as President and Mr. Hugo Schally of Austria as Vice-President and Rapporteur.

4. The meeting had before it for its consideration the report of the Secretariat on the reporting of data by the Parties to the Montreal Protocol (UNEP/OzL.Pro/ImpCom/5/2).

5. The meeting was attended by Committee members from Argentina, Austria, Bulgaria, Cameroon, Chile, Republic of Korea, Thailand, Uganda and United States of America. The Russian Federation did not attend. The list of participants is annexed to the present report.

6. The meeting adopted the following amended version of the provisional agenda contained in document UNEP/OzL/Pro/ImpCom/5/1:

1. Opening of the meeting.
2. Organizational matters:
 - (a) Election of the President and Vice-President;
 - (b) Adoption of the agenda.
3. Substantive matters: consideration of the report of the Secretariat on data.

4. Other matters.
5. Adoption of the report.
6. Closure of the meeting.

III. SUBSTANTIVE MATTERS: CONSIDERATION OF THE REPORT
OF THE SECRETARIAT ON DATA

7. The representative of the Ozone Secretariat introduced the report of the Secretariat on the reporting of data by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (UNEP/OzL.Pro/ImpCom/5/2) and explained the current status with regard to ratification, as well as to reporting under Article 7 of the Protocol. The Committee noted that of the 74 Parties to the Protocol required to report their 1991 data, only 18 Parties had done so. Fifty-six Parties had not reported at all. The Committee noted with satisfaction that the Parties not operating under Article 5 showed an overall decline of 51.52 per cent in production and 62.05 per cent in consumption of controlled substances. The Parties operating under Article 5 had reported per capita annual consumption levels of less than 0.3 kilograms. The report showed a decline of 3.17 per cent in consumption of controlled substances by these Article 5 Parties that had reported. One hundred and seven had ratified the Vienna Convention and 102 had ratified the Montreal Protocol. No new information had been reported by Parties under Articles 4 and 9 of the Protocol since the previous meeting of the Implementation Committee. The Committee expressed satisfaction with the report of the Secretariat.

8. In response to queries raised by the members, the representative of the Ozone Secretariat said that the production data would in future be furnished duly weighted, as was currently the case with consumption data. The Committee members from Austria and Thailand stated that their countries had already provided their data but that was not reflected in the report. The Committee suggested that an analysis of all the data received for each year should be provided in the future data reports of the Secretariat, which would be presented to the meetings of the Parties. The representative of the Secretariat explained that when a Party did not provide its population data, the United Nations data for that country was relied upon. The representative of the Secretariat informed the committee that 42 country programmes were under preparation for Article 5 Parties by the implementing agencies of the Multilateral Fund while nine programmes had so far been approved by the Executive Committee of the Fund. In response to the doubts expressed by some members about the classification of Slovenia and Croatia as Parties operating under Article 5, the representative of the Secretariat explained that the classification was provisional pending receipt of data from the Parties or from other sources.

9. The Committee discussed the status of reporting for 1991 and the previous years and expressed serious concern at the non-reporting of data by many Parties. It recalled Decision IV/5 of the Fourth Meeting of the Parties regarding the non-compliance procedure and the mandate of the Implementation Committee. It requested the Secretariat to contact each of the Parties that had not reported their data expressing the concern of the Implementation Committee in the light of its mandate as approved by the Fourth Meeting of the Parties. While contacting the Parties operating under Article 5, mention might be made of the assistance available to them from the Multilateral Fund. The Secretariat might, with advantage, consult the President of the Implementation Committee informally on the drafts of those letters to the non-reporting Parties.

10. The Committee expressed particular concern at the non-receipt of production data from some of the Parties members of the European Communities (Belgium, Greece, Italy and Portugal) and 1991 consumption data from the Commission of the European Communities, in view of their significant production and consumption of the controlled substances and their obligation to phase out the production and consumption very shortly in the light of the Copenhagen adjustments to the Protocol. The Committee decided to invite a representative of the Commission to its next meeting for an exchange of views on the issue. The Commission might also be requested to help encourage all members of the Communities to report their production data.

11. The Committee then discussed the status of reporting from the central and eastern European countries. It expressed its serious concern regarding the non-reporting by many of those countries. It noted the information provided by the Secretariat that a European ministerial conference would be held shortly to review the environmental action programme for central and eastern Europe. The Committee requested the Secretariat to follow up on the matter and the report to it at its next meeting.

12. The serious situation of non-reporting by most Parties operating under Article 5, paragraph 1, was also discussed by the Committee. It noted that even some of the countries whose country programmes had been approved by the Executive Committee had not reported their data. It resolved to request the Fund secretariat and the implementing agencies to provide reports at the Committee's next meeting on the extent to which their activities in Article 5 countries had helped to create the necessary conditions for the fulfilment of their reporting obligations. It was also resolved to invite the Fund secretariat and the implementing agencies of the Fund to send representatives to the next meeting of the Implementation Committee to consider those issues, including the training programmes of the Fund which could assist the Article 5 Parties to report promptly. The Fund secretariat should also be requested to comment on regional efforts, on the lines of the United Nations Development Programme - Swedish International Development Agency project for members of the Association of South East Asian Nations (ASEAN). The reports of the Fund secretariat and the implementing agencies on those issues should be obtained in advance and circulated to the members of the Committee.

13. The Committee resolved to recommend to the Governments of the Parties to which its members belonged to maintain continuity in their representation on the Implementation Committee.

14. The Committee requested the Ozone Secretariat that the next meeting of the Committee be held back-to-back with the ninth meeting of the Open-ended Working Group of the Parties to the Montreal Protocol.

IV. OTHER MATTERS

15. The representative of the Secretariat informed the Committee that Solomon Islands had reported under Decision IV/17 C and the Committee took note of that information.

V. ADOPTION OF THE REPORT

16. The Committee adopted the present report on the basis of the draft report at its closing session on 9 March 1993.

VI. CLOSURE OF THE MEETING

17. After the customary exchange of courtesies, the President declared the meeting closed at 5 pm. on Tuesday 9 March 1993.

Annex

List of participants

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