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IMPLEMENTATION COMMITTEE UNDER THE NON-COMPLIANCE PROCEDURE FOR THE MONTREAL PROTOCOL

Sixth meeting Geneva, 26 August 1993

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

I. INTRODUCTION

1. The sixth meeting of the Implementation Committee under the Non Compliance Procedure for the Montreal Protocol was held at the headquarters of the International Labour Organisation (ILO), Geneva, on 26 August 1993.

II. ORGANIZATIONAL MATTERS

2. The Vice-President of the Committee presided over the meeting in the absence of the President and welcomed all the participants.

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

4. The meeting adopted the following agenda as contained in document UNEP/Ozl.Pro/ImpCom/6/1:

1. Opening of the meeting

2. Organizational matters: **adoption of the agenda**

3. Substantive matters:

- (a) Exchange of views on data reporting with the representative of EEC;
- (b) Presentation of reports by the Multilateral Fund and implementing agencies on the extent to which their activities have assisted Article 5 countries to collect data on controlled substances and on the progress made in institutional strengthening;
- (c) Consideration of the report of the Secretariat on data and information reported by the Parties pursuant to Articles 4, 7 and 9 of the Protocol;
- (d) Consideration of the data and information reported by non-Parties to the Protocol pursuant to decision IV.1"17 of the Fourth Meeting of the Parties;
- (e) Formats for data reporting consequent to the Copenhagen Amendment to the Montreal Protocol.

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

III. SUBSTANTIVE MATTERS.

A. Exchange of views on data with the representative of EEC

5. In the absence of a representative of the European Economic Community, the Secretariat informed the Committee with regard to the improvement of the status of reporting from the Commission of European Communities and its member States. The Commission had made efforts to contact all its member States that had not yet reported 1991 data to the Ozone Secretariat and most of them had done so. The Committee took note of that information.

B. Presentation of reports by the implementing agencies and the Multilateral Fund on the extent to which their activities have assisted Article 5 countries to collect data on controlled substances and on the progress made in institutional strengthening

6. The Committee heard the presentations by the Multilateral Fund Secretariat and the implementing agencies on the extent to which their **Activities had assisted Article 5 countries** to collect data on the controlled substances. The Chief Officer of the Fund Secretariat said that, in accordance with the terms of the Multi-lateral Fund, country programmes had been developed by Article 5 countries in order to facilitate their compliance with the Protocol. He added that country programmes were critical, strategic documents by which countries reviewed their production and the consumption of controlled substances and delineated a strategy and an action plan for their phase-out. Funds had been allocated for preparation of country programmes in 44 countries. Twenty-one programmes had been prepared. The plan for 1994-1996 envisaged preparation of such programmes for 60 more countries. With regard to institutional strengthening in developing countries, the Chief Officer said that the Executive Committee had approved the projects on institutional strengthening on a **case-by-case** basis taking into consideration the quantities of controlled substances consumed in the countries and the linkage between institutional strengthening and specific projects. That strengthening would **promote** prompt collection and reporting of data. Tile workshops arid training programmes financed by the Fund would also help in this respect. Reporting of accurate data was of much significance to the **Fund**.

The Coordinator of **OzonAction** Programme, **UNEP** Industry and Environment Programme Activity Centre (**IE/PAC**), mentioned that **UNEP** had laid special emphasis on the reporting of data by Article 5 Parties. The regional workshops in which nearly 100 developing countries participated, both Parties and non-Parties, **had given detailed attention** to data-reporting. Attempts had been made to adapt the Harmonized System for customs declarations, both internationally and nationally, to suit the needs of collecting import data by assigning special code **numbers** to the controlled substances. That worked reasonably well with regard to pure chemicals but was difficult to implement for mixtures. On the whole, the System was not very helpful for prompt collection of data. Many countries based their data collection on voluntary cooperation by industry associations. He also mentioned that the most reliable data were acquired when a special licence was required for import of ozone-depleting substances. To give as accurate data as possible, the granting of permits allowing import should be coupled with the requirement to report the quantity actually imported. **UNEP** had held a special workshop in South-east Asia and the Pacific to discuss the problems of data collection. On **UNEP's** plans for further action, he said that, based on the experience collected so far and the comments to be received on the report from this, **IE/PAC** intended to arrange a series of workshops on data collection within its 1994 **OzonAction** work programme, provided that funding was approved by the Executive Committee of the Multilateral Fund.

8. The representative of the United Nations Development Programme (UNDP) presented highlights of the UNDP report which had been circulated to all Committee members in July 1993. She noted that out of 10 approved projects for **institutional strengthening carried out by UNDP, 9 were** under way and, upon completion, the countries concerned should be able to report their data regularly. **Under those projects, three to four personnel would be recruited for country programme implementation and information** management. Equipment costs for a microcomputer system for data collection, communication systems such as telephones, telex and fax machines, and reproduction systems such as copiers, etc. would be met. Operational costs included expenditures that would be incurred in the dissemination of information such as postage charges, service charges, and the costs of office supplies and maintenance of equipment. With regard to training programmes under the Multilateral Fund, the representative of UNDP mentioned the activities in the sectors of aerosols, refrigeration and air conditioning, foams, solvents and halons that had been carried out in different countries. She said those activities would generate accurate data.

9. The representative of the World Bank said that while the Bank concentrated on investment projects, it emphasized data collection when working with the countries whose country programmes were being carried out. Elements of the action plans of these countries such as licensing systems for ODS use and import and monitoring would facilitate data collection. There were many difficulties in data collection in developing countries - lack of awareness, no system for monitoring imports, need for training and inaccurate data. The solution to those difficulties lay in institutional strengthening and coordination. Such strengthening for data collection should be eligible for funding by the Fund.

10. Following the presentations by the Multilateral Fund and implementing agencies, the Committee members expressed their satisfaction that there was a positive approach to data-reporting by Parties operating under Article 5 of the Protocol. Several questions were raised on whether the Multilateral Fund could finance data collection projects. The Chief Officer of the Multilateral Fund indicated that the Executive Committee was supporting institutional strengthening to the required extent. The implementation of country programmes necessarily required collection and reporting of data for proper monitoring. All the investment projects approved would also lead to data collection and reporting. He suggested that the implementing agencies might include reporting of data as one of the obligations of the country in their agreements with these countries.

C. Consideration of the report of the Secretariat on data and information reported by Parties pursuant to Articles 4, 7 and 9 of the Protocol

11. The Committee considered the report of the Secretariat on data and information reported by Parties pursuant to Articles 4, 7 and 9 of the Protocol. The Committee noted the improvement in the status of reporting. The Commission of the European Communities had reported its consumption data for the years 1991 and 1992 and persuaded many of its members to report their data. All the Eastern European Parties had reported their data. There had been improvement in the **reporting from the Parties operating under Article 5**. During the **discussion, the representative of Cameroon submitted its data while the representatives of Argentina and Uganda indicated that their data reports for the years 1990, 1991 and 1992** would be submitted to the Ozone Secretariat well in advance of the next meeting of the Implementation Committee. The Committee thanked Cameroon for submitting its data and welcomed Argentina's and Uganda's intention to submit its data soon.

12. The Committee noted with satisfaction that 55 Parties (out of the 100 expected to report), 24 not operating under Article 5 and 21 operating under Article 5, had fulfilled their reporting obligations. Out of the remaining Parties, the Committee noted with serious concern that the following Parties who had ratified the Protocol before 31 December 1991, had not given any data so far to the Secretariat: Burkina Faso, Costa Rica, Gambia, Iran, Libyan Arab Jamahiriya, Maldives, Syrian Arab Republic, Togo, Trinidad and Tobago (Article 5 countries), Belarus, Italy and Ukraine (non-Article 5 countries). The Committee noted with concern that some other countries had reported data only for some years and not for all the years due.

13. The Committee decided that it would be useful to hold a meeting during the preparatory meetings to the Fifth Meeting of the Parties in Bangkok in November 1993 for an exchange of views by the Committee with the representatives of the 12 Parties mentioned in paragraph 12 above and requested the Secretariat to arrange for such a meeting. The implementing agencies responsible for the country programmes of those countries may also be invited to be present during this exchange of views. The Committee also requested the Secretariat to address all the other Parties which have not reported for all the years, reminding these Parties of their obligations under Article 7. The implementing agencies for those Parties may be requested to contact them and ensure early reporting.

14. The Committee noted with great satisfaction that the reduction of consumption of ODS by many of the Parties that had reported was beyond their obligations under the Protocol.

D. Consideration of the data and information reported by non-Parties to the Protocol pursuant to decision IV/17 C of the Fourth Meeting of the Parties

15. The Committee considered the data and the information reported by non-Parties pursuant to decision IV/17 C of the Fourth Meeting of the Parties. It noted that some information was missing in the data reports of some countries. It requested the Secretariat to urge them to submit the missing information as soon as possible so that it could be considered by the Fifth Meeting of the Parties. **The Committee observed** that the information and data submitted by the following non-Parties to the Montreal Protocol satisfied the requirements of decision IV/17 C: Guyana, Lithuania, Myanmar and Viet Nam. **The countries that needed** to provide more information were Comoros, Congo, Dominican Republic, Gabon, Laos, Madagascar, Mali and Suriname.

16. The Committee also observed that the following non-Parties to the London Amendment to the Montreal Protocol had satisfied decision IV/17 C: Belgium, Hong Kong, Jordan, Nicaragua, Poland, Sudan, Turkey, Uruguay and Yugoslavia. Malta would have to give more information.

17. The Secretariat was instructed to inform these countries that the exemption from the trade restrictions to the non-Parties that reported data was applicable only until the Fifth Meeting of the Parties.

E. Formats for data reporting consequent to the Copenhagen Amendment to the Montreal Protocol

18. The Secretariat introduced the proposed new data-reporting format. Changes had been proposed to the existing format as called for by the adoption of the Copenhagen adjustments and Amendment to the Montreal Protocol. The Committee recommended for approval the proposed new data format to the Fifth Meeting of the Parties.

IV. OTHER MATTERS

19. The Vice-President advised the countries members of the Implementation Committee to maintain the same representatives in the Committee for the purpose of continuity.

V. ADOPTION OF THE REPORT

20. The Committee delegated the approval of the report to the Vice President.

VI. CLOSURE OF THE MEETING

21. After the customary exchange of courtesies the meeting was closed at 4.15 p.m.

Annex

A. Members of the Committee

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