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

Seventh meeting
Bangkok, 16-17 November 1993

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

I. INTRODUCTION

1. The seventh meeting of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol was held at the United Nations Conference Centre, Bangkok, on 16-17 November 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, Bulgaria, Cameroon, Chile, Republic of Korea, Russian Federation, Thailand, Uganda and the United States of America. Representatives of Belarus, Costa Rica, Iran (Islamic Republic of), Italy, Syrian Arab Republic and Ukraine who had been earlier requested to attend this meeting also attended. 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/7/1:

1. Opening of the meeting
2. Organizational matters: adoption of the agenda
3. Substantive matters: exchange of views on data reporting with some non-reporting Parties to the Montreal Protocol
4. Other matters
5. Adoption of the report
6. Closure of the meeting.

III. SUBSTANTIVE MATTERS

5. The Ozone Secretariat reported that, as requested by the Committee at its previous meeting, the Secretariat had contacted Parties that had consistently failed to provide data as required by the Protocol. They were: Belarus; Burkina Faso; Costa Rica; Iran (Islamic Republic of); Italy; Maldives; Syrian Arab Republic; Togo; Trinidad and Tobago; and Ukraine. Only two of those Parties had responded, namely Burkina Faso, which had reported the required data and was thus in compliance, and Belarus, whose reply had been insufficient. Concerning the reporting of data in general, the Secretariat stated that nearly all Parties not operating under Article 5 had reported their data for 1991 and most of them had reported their data for 1992.

6. The Committee then invited representatives of above-mentioned Parties which, despite repeated inquiries by the Secretariat, had failed to report data concerning their production and consumption of controlled substances as required by the Protocol, to inform the Committee why they have not yet done so.

7. The representative of Costa Rica stated that, for 1992, his Government had collected data with a 60 per cent reliability on the controlled substances consumed in Costa Rica. He mentioned that the country programme had been approved and Costa Rica would be able to complete the inventory of controlled substances and report the data to the Secretariat. It was mainly delays in receiving funds from the United Nations Development Programme (UNDP), the implementing agency, which had prevented the completion of the report. Following recent consultations with representatives of UNDP regarding the transfer of the funds, his Government fully expected to be in a position to submit complete data within two

months.

8. In reply to questions from members of the Committee, the representative of Costa Rica stated that its country programme would help Costa Rica to create the infrastructure needed to collect and submit data on an annual basis as required by the Protocol and that, after it had submitted its initial data report in January 1994, Costa Rica would be able to meet future reporting requirements.

9. The representative of Italy stated that, while her Government had experienced problems in reporting data to the Secretariat, Italy was fully implementing all the other requirements of the Protocol. The failure to report data was purely the result of bureaucratic problems which a new bill was designed to remedy. Once adopted, the legislation in question would allow the Ministry of Environment to report complete data directly to the Ozone Secretariat. As a result, Italy expected to report the required data early in 1994. A letter to that effect was in the process of being dispatched to the Secretariat.

10. In reply to questions from members of the Committee, she stated that the forthcoming legislation would resolve all Italy's past, present and future problems in reporting data to the Secretariat. All the data currently outstanding should reach the Secretariat in January or February 1994, and future reporting deadlines would be met.

11. The representative of the Islamic Republic of Iran said that, as a result of visits paid by UNIDO to a number of Iranian plants, a country programme and phasing-out projects had been passed on to UNDP. He was unaware of their current status.

12. A member of the Implementation Committee provided the information that the country programme and projects in question had been very recently approved by the Executive Committee. However, the data submitted with the country programme were, though useful, not entirely adequate.

13. The representative of the Islamic Republic of Iran said that his delegation had in its possession some further consumption data which, with the permission of his Government, might be made available to the Ozone Secretariat.

14. The representative of Belarus stated that problems in the collection and reporting of data as required by the Protocol stemmed from political and economic problems relating to his country's recent independence. Prior to 1991, all data for Belarus had been reported to central organizations within the former Soviet Union. Only this year had his Government decided to establish the necessary organs to collect the required data and report it to the Secretariat. He reported that preliminary data indicated that Belarus produced no controlled substances and that consumption was approximately 1,800 metric tons or 0.2 kilogrammes per capita. That information had been sent to the Secretariat very recently and his delegation had carried copies of the transmission to Bangkok to ensure that it reached the Secretariat.

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The representative also reported on two projects, one that was complete and one under way, that are converting production facilities from ones using CFCs to ones which do not use controlled substances. The representative also handed to the Secretariat some materials containing some information on ongoing activities. Those materials, although containing some information on consumption data, were not in conformity with the data reporting format.

15. In response to questions from members of the Committee, the representative of Belarus confirmed that with the necessary structures and procedures in place and data reporting begun, Belarus was ready to fulfil all future reporting requirements. He could not confirm, however, that Belarus would be able to meet all the 1994 reduction targets for controlled substances as mandated by the Protocol or that access to existing halon banks would meet perceived future halon requirements in Belarus. The representative also stated that he would take up the suggestion of the Committee and initiate discussions with the Secretariat of the Multilateral Fund concerning potential licensing arrangements of its conversion technology as an in-kind contribution to the Fund.

16. The representative of Ukraine stated that his country was experiencing severe economic problems and had only recently begun to build the infrastructure necessary to collect and report data as required by the Protocol. Preliminary data from a recent inventory showed that Ukraine would consume approximately 5,000 tons of controlled substances in 1993, 40 tons of which would be halons. That was down from 9,500 tons in 1986. Ukraine did not produce controlled substances. He also reported that technical experts from the World Bank had visited Ukraine and had recently completed a plan to convert factories to use non-controlled substances and to develop better systems of collecting and reporting data to the Secretariat.

17. In response to questions from members of the Committee, the representative of Ukraine stated that a framework was now in place that would allow regular data reporting in the future. He also stated that economic difficulties made any type of contribution extremely difficult at present. He said that his delegation would contact the Secretariat of the Multilateral Fund to explore possibilities of in-kind contributions.

18. The representative of the Syrian Arab Republic presented his report.

19. In response to questions from the committee after his report, the representative of the Syrian Arab Republic stated that his delegation had brought the required data to the meeting and would make immediate arrangements with the Secretariat to report the data in the required formats.

20. Representatives of UNEP as one of the implementing agencies of the Multilateral Fund stated that the relevant data from the Maldives and the Syria Arab Republic had been

collected as part of the preparation of the relevant country programmes, and that data from the Maldives had just been reported to the Secretariat in Nairobi. One representative of IE/PAC stated that her organization stood ready, if so instructed by the Parties, to prepare a handbook to assist developing countries in collecting and reporting the required data.

21. One member of the Implementation Committee - the representative of the Russian Federation - also had some information to submit regarding data reporting by his country. He said that his country's data had either already been transmitted to the Ozone Secretariat or was on the point of being so transmitted. There had been several reasons for the delay in reporting. In the first place, the legal and administrative machinery for collecting information, particularly from the private sector, had yet to be established, although a bill was being prepared on the subject and statistical committees and a new Government department were being set up. That problem affected consumption data in particular, since production was concentrated in a limited number of undertakings, whose statistics had changed little in recent years. The production data was thus quite reliable. As for the consumption data, the statistics were complicated not only by the collection problems he had mentioned but also by the fact that, as a result of the break-up of the former Soviet Union, what had previously been domestic consumption had to be divided appropriately among the successor States with the consequent difficulties in differentiating among domestic consumption, exports and imports, especially where consuming units were located near the new international borders or where contacts between units had hitherto been direct. He hoped that, once the new system was in place, regular and prompt reporting would become possible and that the accuracy of the consumption data would be improved, the first reliable figures being those relating to consumption in 1994.

22. In reply to questions by members of the Committee, he confirmed that, as stated by his delegation at the Fifth Meeting of the Parties and also in the Preparatory Meeting, the Russian Federation intended to produce halons in 1994 and would thus not be in compliance with the Copenhagen Adjustments. An informal suggestion having been made in the Committee that bilateral discussions with various other Parties might result in the replacement of the proposed production by imports from existing halon banks, he said that the suggestion was an interesting one but that there could, of course, be no question of any commitment until such discussions had been held.

23. The Committee took note of those reports and thanked the representatives for their efforts to explain their countries' difficulties in reporting data as required by the Protocol.

24. In response to the discussions, the Secretariat noted that, in many situations where preparation of Country Programmes were seen as a necessary step in preparing data for submission to the Secretariat, the Parties often had still not submitted data long after their country programmes had been approved. It called on the implementing agencies to urge all countries to submit the required data immediately after their respective country programmes had been finalized.

25. The Secretariat noted that many countries apparently remained concerned regarding the confidentiality of submitted data. It noted that the Third Meeting of the Parties had decided that data submitted to the Secretariat on the production of controlled substances would be confidential while data on the consumption of controlled substances would not. The Secretariat always acted in compliance with that decision. It also stated that it was important for countries to report data even if such data were incomplete. In the absence of any attempt at proper reporting, it was impossible for the Secretariat and the Implementation Committee to identify those Parties experiencing legitimate difficulties.

26. The Vice-President of the Committee noted that the reports had provided the Committee with the information it needed on the problems the Parties in question were experiencing in reporting data and stated that he hoped each of the Parties concerned would, as they had indicated, meet their reporting requirements in the future.

27. The Vice-President, reflecting upon what the Committee had learned at the meeting, suggested that the Committee needed to expand its analysis of why reporting difficulties existed, expand its dialogue with the implementing agencies to see if those difficulties could be removed and expand its examination of the reporting requirements to include their substance as well as their process. He called on the members of the Committee to assist in these efforts. The Committee agreed with his suggestions.

IV. OTHER MATTERS

28. The Vice-President requested that the Secretariat make every effort to ensure that all Parties that were members of the Implementation Committee as well as representatives of the four implementing agencies and the Multilateral Fund were aware of and attended every meeting of the Implementation Committee. In an attempt to ensure continuity, the Vice-President also requested that the Secretariat should attempt to ensure that each Party represented on the Committee nominate one individual to represent that Party for that Party's entire term.

V. ADOPTION OF THE REPORT

29. The Committee delegated the approval of the report to the Vice-President.

VI. CLOSURE OF THE MEETING

30. After the customary exchange of courtesies, the meeting was closed at 12:30 p.m. on 17 November 1993.

Annex

A. Members of the Committee

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