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**Eighteenth Meeting of the Parties  
to the Montreal Protocol on  
Substances that Deplete the Ozone Layer**  
New Delhi, 30 October–3 November 2006  
Item 14 of the provisional agenda\*  
**Compliance and data reporting issues  
considered by the Implementation Committee**

**Reporting, presentation and review of data in respect of very  
small quantities (de minimis) of ozone-depleting substances,  
relative to compliance with the Montreal Protocol**

**Note by the Secretariat**

1. Among the issues considered by the Implementation Committee at its thirty-sixth meeting was the treatment of data in respect of very small quantities (de minimis) of ozone-depleting substances, relative to compliance with the Montreal Protocol. In the light of the importance of this issue, and the Committee's limited competence to address it, the Committee requested the Secretariat to circulate its recommendation 36/54, which included a request for guidance from the Parties and a request that the Secretariat circulate the paper which it had prepared on this issue so that the Parties would be in a position to provide the Committee with informed guidance on the matter. Accordingly, recommendation 36/54 of the Implementation Committee is reproduced in annex I to the present note. The Secretariat paper was circulated to the Implementation Committee in document UNEP/OzL.Pro/ImpCom/36/INF/2, the text of which is reproduced in annex II to the present note. The text of the paper has not been formally edited.

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\* UNEP/OzL.Pro.18/1.

## Annex I

### Recommendation 36/54

“The Committee therefore *agreed*:

(a) To request the Parties’ guidance on the number of decimal places to which baseline and annual data should be rounded for the purposes of implementing the non-compliance procedure of the Montreal Protocol;

(b) To request the Secretariat to circulate to the Parties the document ‘Reporting, presentation and review of data in respect of very small quantities (*de minimis*) of ODS, relative to compliance with the Montreal Protocol’ (UNEP/OzL.Pro/ImpCom/36/INF/2) to facilitate the Parties’ consideration of the request contained in subparagraph (a) above;

(c) Further to request the Secretariat to inform the Parties that the Committee recommended to the Parties the combination approach contained in paragraphs 39–42 of that document as the Committee’s preferred approach, on the basis that such an approach would appear best to accommodate the principles both of accuracy and of practicality;

(d) Also to request the Secretariat to inform the Parties that they might wish to request the Implementation Committee to keep under review the implementation of any guidance agreed by the Parties, to determine whether the guidance resulted in any unanticipated adverse consequences.”

## Annex II

### Reporting, presentation and review of data in respect of very small quantities (*de minimis*) of ODS, relative to compliance with the Montreal Protocol

#### Note by the Secretariat

#### Executive Summary

2. Neither the Montreal Protocol nor the decisions of the Parties provide guidance to either the Secretariat, or the Parties on the number of decimal places that must be reported when providing baseline, base year, or production and consumption data for controlled substances. As a consequence, due to issues that may include different national rules and practices, as well as technical capability and resource constraints, Parties have reported with varying degrees of specificity. In contrast, the Secretariat has, since 2005, used a standard of three decimal places for the presentation of data to the Parties and to the Implementation Committee. As the Committee is scheduled to consider at the current meeting at least two cases in which the Parties appear to deviate from the compliance requirement by a fraction of a tonne, the issue of the number of decimal places the Secretariat should use to identify cases of possible non-compliance has assumed much greater significance. Consequently, in order to enable the Committee to fully assess this issue, the Secretariat has evaluated the data submissions of the Parties for a number of key years. This evaluation has shown that:

(a) In the majority of cases, the Parties have reported their data to two decimal places.

(b) The formulae prescribed by the Montreal Protocol for calculating baseline data indicates that baseline data will not necessarily share the same number of decimal places as the annual data used to calculate the baseline. Consequently, should a hypothetical Party A submit more accurate data for a baseline year or years than a hypothetical Party B, it would not necessarily result in Party A being subject to a baseline containing a greater number of decimal places.

(c) Rounding the maximum allowable consumption for given controlled substances in 2005 to the nearest one or two decimal places using standard rounding techniques would not have allowed more total global consumption of those controlled substances in that year, but could have had compliance consequences for some Parties.

(d) In the absence of guidance from the Parties, each Party may round its data to the number of decimal places that places it in the most favourable position with regard to its annual consumption and production limits.

3. Given the factors above, as well as the increasing workload of the Implementation Committee, this note explores five options that the Committee or the Parties may wish to consider: a) maintaining the status quo whereby the Secretariat uses three decimal places and each Party is free to round its data to the number of decimal places that puts it in the most favourable position vis a vis compliance; b) rounding to the advantage of the Party when the deviation is *de minimis* (for example less than one tenth of an ozone-depleting tonne), which would essentially ensure equivalent treatment of all Parties by requiring the Secretariat to apply the notion of rounding to the decimal place most favourable to the Party in question; c) directing the Implementation Committee to defer consideration of a Party's compliance status if its deviation in a given year was less than an agreed *de minimis* amount, unless and until the *de minimis* amount was exceeded in a future year, or provided that the situation was corrected in the following year; d) agreeing a standardized number of decimal places to be used in reporting by the Parties and in presenting data to the Parties and possible cases of non-compliance to the Implementation Committee; or e) a combination approach where Parties continue to report to the number of decimal places of which they are capable, the Secretariat is given guidance on the level of specificity it should use in presentation of data and referral of cases of possible non-compliance to the Implementation Committee, and, the Parties agree on a level of deviation that would trigger a one or more year deferral of the consideration of a Party's compliance status.

## A. Background

4. Decision XVII/30 of the Seventeenth Meeting of the Parties, held from 12 to 16 December 2005, noted that China had reported annual consumption of the controlled substances in Annex B, group I (other CFCs), for 2004 of 20.539 ODP-tonnes, which exceeded the Party's maximum allowable consumption level of 20.5336 ODP-tonnes for those controlled substances in that year, and that, in the absence of further clarification, China was presumed to be in non-compliance with the control measures of the Protocol. The decision requested China, as a matter of urgency, to submit to the Implementation Committee for consideration at the present meeting an explanation for its excess consumption, together with a plan of action with time-specific benchmarks to ensure a prompt return to compliance.

5. China submitted an explanation for its consumption deviation (contained in annex III to document UNEP/OzL.Pro/ImpCom/36/INF/1). The explanation recorded the Party's agreement with the calculation of its consumption of Annex B, group I controlled substances (other CFCs) in 2004. China disagreed, however, with its designation as a Party in potential non-compliance with the Protocol's consumption control measures for those substances on the basis that it has a different understanding of its baseline and resulting maximum allowable consumption level in 2004 for such substances.

6. China noted that the Protocol does not provide a clear definition as to which decimal place baseline and annual maximum allowable consumption and production data should be rounded. The Party further noted that, prior to 2005, the Ozone Secretariat usually rounded data presented in its annual data report to one decimal place. Similarly, prior to 2005, the annual data reports that the Secretariat sent to the Parties for review were usually rounded to one decimal place. It was on this basis, that China had determined its Annex B, group I controlled substances (other CFCs) baseline data to be 25.7 metric tonnes (25.7 ODP-tonnes), and therefore calculated its maximum allowable consumption level in 2004 to be 20.6 metric tonnes (20.6 ODP-tonnes), rather than the 20.5336 ODP-tonnes stated in decision XVII/30.

7. In presenting the above information on China in the meeting document UNEP/OzL.Pro/ImpCom/36/3, the Secretariat noted that, since 2005, it had uniformly rounded to three decimal places consumption and production figures presented in its annual data reports to the Meetings of the Parties and the data reports sent to individual Parties for review. The number of decimal places was standardised in the documents prepared by the Secretariat for consistency, three decimal places were chosen in order to accommodate the increasingly very small (*de minimis*) quantities of consumption and production reported by the Parties as they progressed their phase out of ozone-depleting substances in accordance with the Protocol.

8. The Secretariat concurred with China's conclusion that the Protocol does not appear to provide guidance as to the number of decimal places to which baseline and annual data should be presented by the Secretariat, or the number of decimal places that the Secretariat should take into account in bringing possible cases of non-compliance to the attention of the Implementation Committee in accordance with paragraph 3 of the non-compliance procedure of the Montreal Protocol. That paragraph states, amongst other things, that where the Secretariat, during the course of preparing its report, becomes aware of possible non-compliance by any Party with its obligations under the Protocol, it shall inform the Implementation Committee if there is no response from the Party to the Secretariat's request for information or the matter is not resolved through administrative action or diplomatic contact. The Secretariat also notes that the Protocol does not provide guidance to the Parties themselves on the number of decimal places to which they should report their baseline, base year and annual data in accordance with Articles 5 and 7 of the Protocol.

9. As illustrated by the case of China, and the case of Mauritius which is also before the present meeting for consideration, the absence of guidance on these matters has more than scholarly significance; having the potential to result in more cases of possible non-compliance as the Parties approach total phase out of each controlled substance.

10. Consequently, the Secretariat has prepared the present note to assist the Committee consider the issue of the reporting, presentation and review of data relative to compliance with the Protocol. The note outlines issues that the Committee may wish to consider in determining what steps, if any, should be taken to address the absence of guidance, specifically in the following three areas:

(a) the number of decimal places to which a Party should report its annual, baseline and base year date, in accordance with Articles 5 and 7 of the Protocol;

(b) the number of decimal places to which the annual data reports of the Secretariat should be presented;

(c) the number of decimal places that the Secretariat should take into account in bringing possible cases of non-compliance to the attention of the Implementation Committee in accordance with paragraph 3 of the non-compliance procedure of the Montreal Protocol.

11. The note also suggests a number of options with associated implications for addressing this matter that the Committee may wish to consider in developing its recommendation to the Meeting of the Parties.

## **B. Issues associated with the absence of guidance on the reporting, review and presentation of data relative to compliance with the Protocol**

### **a. Historical data reporting characteristics of the Parties**

12. The Secretariat reviewed the Parties' data reports for the Annex A, group I (CFCs) and Annex E (methyl bromide) controlled substances, for the year 1995. This year was selected as the data was significant for both Parties operating under Article 5 (Article 5 Parties) of the Protocol and Parties not so operating (non-Article 5 Parties). Data for 1995 was used to calculate the CFC and methyl bromide baselines for Article 5 Parties. Data for 1995 was also used to determine the compliance of non-Article 5 Parties with the Protocol's CFC control measures in the year immediately prior to their obligation to achieve total phase out of those controlled substances. It was also the first year in the phase out schedule for methyl bromide for non-Article 5 Parties. The 1995 data reports submitted by all Parties for CFCs and methyl bromide indicate that the majority of Parties (59 Parties, 33% of reporting Parties) reported data for these controlled substances to two decimal places. The next greatest number of Parties (46 Parties, 26% of reporting Parties) reported the data to one decimal place. The majority of Article 5 Parties (55 Parties) reported the data to two decimal places and the majority of non-Article 5 Parties (19 Parties) reported the data to zero decimal places.

13. The Secretariat also reviewed the Parties' data reports for the most recent year with near complete data, 2004. The review focused on the controlled substances for which the greatest ozone-depleting tonnage was reported by Article 5 Parties, namely Annex A, group I (CFC) controlled substances, and non-Article 5 Parties, namely Annex E (methyl bromide) controlled substances. The 2004 data reports submitted by all Parties for CFCs and methyl bromide indicate that the majority of Parties (81 Parties, 51% of reporting Parties) reported data for these controlled substances to two decimal places. The next greatest number of Parties (28 Parties, 18% of reporting Parties) reported the data to three decimal places. The majority of Article 5 Parties (74 Parties) reported the data to two decimal places and the majority of and non-Article 5 Parties (8 Parties) reported the data to zero decimal places.

14. Lastly, the Secretariat reviewed the Parties' data reporting for 2004 focusing on the controlled substances in Annex B, which are commonly consumed in the smallest quantities of all the controlled substances and therefore would be arguably most affected by any decision regarding the rounding of data. In that year, the majority of Parties (21 Parties, 33% of reporting Parties) reported data for these controlled substances to two decimal places. The next greatest number of Parties (18 Parties, 29% of reporting Parties) reported data to zero decimal places. The majority of Article 5 Parties (16 Parties) reported the data to two decimal places, while the majority of non-Article 5 Parties (6 Parties) reported their Annex B data to zero decimal places, compared to 5 non-Article 5 Parties that reported data to two decimal places.

### **b. Implications for baseline data of the Parties' historical data reporting characteristics**

15. The formulae prescribed by the Montreal Protocol for calculating baseline data indicates that baseline data will not necessarily share the same number of decimal places as the annual data used to calculate the baseline.

16. With two exceptions, the Protocol prescribes that the baseline data for the controlled substances that are yet to be subject to total phase are an average of data reported for those controlled substances for more than one year. The exceptions are the formulae prescribed by the Protocol for calculating Article 5 Parties' baseline for the Annex C, group I (HCFC) controlled substances and the formula for calculating the non-Article 5 Parties' baseline for the production of the controlled substances in Annex B, group II (carbon tetrachloride) and Annex B, group III (methyl chloroform) to meet the basic domestic needs of Article 5 Parties. These formulae use the data of only one year to calculate the

baseline. To illustrate the implications of baseline data calculated as an average of data over more than one year, the consumption baseline for the controlled substances in Annex A, group I (CFCs) for Article 5 Parties is an average of CFC consumption data for the years 1995 to 1997. Consequently, a Party that reported CFC consumption data for 1995 to 1997 of 0.33, 0.33, and 0.33, would have a CFC consumption baseline with the same number of decimal places as each of the baseline years, 0.33. If however the Party reported baseline year data of 0.12, 0.25 and 0.67, the resulting baseline would have a greater number of decimal places, 0.34666667. Therefore, as mentioned above, baseline data will not necessarily share the same number of decimal places as the annual data used in its calculation.

17. With regard to the two instances mentioned in paragraph 15 of the present note where the Protocol prescribes that certain baselines would be determined by data from only a single year of consumption or production, the fact that the annual data reported by the Parties must be converted into ozone-depleting potential tonnes, and multiplied by 15 per cent in the case of production for basic domestic needs, indicates that the number of decimal places in such baselines would also not necessarily be the same as the number of decimal places in the annual data used to calculate the baseline. This is because, with respect to the calculation of Article 5 Parties' baseline for Annex C, group I (HCFC), there are more than one species of controlled substance in the annex, the species' ozone-depleting potentials vary from two to three decimal places and Parties commonly consume or produce more than one species. Consequently, an Article 5 Party could report consumption of Annex C group I (HCFCs) to zero decimal places in 2015, for example: 10 metric tonnes of HCFC-22, 5 metric tonnes of HCFC-123 and 22 metric tonnes of HCFC-141b. Conversion of the data into ozone-depleting potential tonnes and aggregation of the consumption data of the three species, would result in a HCFC consumption baseline to two decimal places (3.07 ODP-tonnes).

18. With respect to the calculation of the non-Article 5 Parties' baseline for the production of the controlled substances in Annex B, group II (carbon tetrachloride) and Annex B, group III (methyl chloroform) to meet the basic domestic needs of Article 5 Parties, the ozone-depleting potentials of these controlled substance are not whole figures. In addition, the baseline calculation formula requires the multiplication of the production data for the baseline year of 1989 by 15 per cent. Therefore, if a non-Article 5 Party reported 1989 carbon tetrachloride production to zero decimal places, for example 50 metric tonnes, conversion of the data into ozone-depleting potential tonnes and multiplication by 15 per cent in accordance with the Protocol, would result in a basic domestic needs production baseline of two decimal places (8.25 ODP-tonnes).

19. These illustrations suggests that, should a hypothetical Party A submit more accurate data for a baseline year or years than a hypothetical Party B (that is Party A reports its data to a greater number of decimal places than Party B) it would not necessarily result in Party A being subject to a baseline containing a greater number of decimal places.

### **c. Implications for compliance of historical data reporting characteristics**

20. As indicated in section B (b) above, it does not necessarily follow that a Party that reports its baseline year data to a greater number of decimal places will find itself subject to a baseline of the same number of decimal places. Similarly, it does not necessarily follow that rounding the maximum allowable consumption or production levels for a particular year would allow a Party to consume or produce more of a controlled substance or avoid a deviation from the Protocol's control measures. The Secretariat reached this conclusion after a comparison of the 2005 annual CFC and methyl bromide consumption limits for Article 5 Parties, when rounded to three, two and one decimal place. With regard to the 2005 CFC consumption limits, the Secretariat found that if the limits were rounded to two rather than three decimal places, there was nearly an even split in the number of Article 5 Parties that would be able to consume more (61 Parties) and remain in compliance, and the number that would have to consume less to remain in compliance (57 Parties). With regard to rounding the 2005 methyl bromide consumption limit from three to two decimal places, more Article 5 Parties (30 Parties) would have to consume less to remain in compliance, while only 20 Article 5 Parties would be able to consume more and remain in compliance. In terms of total global allowable consumption of CFC and methyl bromide, such rounding would have reduced the amount of either controlled substance that could have been consumed in 2005 in compliance with the Protocol.

21. If the 2005 CFC consumption limit were rounded to one rather than three decimal places, a significantly greater number of Article 5 Parties (81) would have to consume less to remain in compliance, compared to the number that could consume more (56). If the 2005 methyl bromide consumption limit were rounded to one rather than three decimal places, there would be a nearly even split in the number of Article 5 Parties that would be able to consume more (39 Parties) and remain in

compliance, and the number that would have to consume less to remain in compliance (38 Parties). Again, in terms of total global allowable consumption of CFC and methyl bromide, such rounding would have reduced the amount of either controlled substance that could have been consumed in 2005 in compliance with the Protocol.

22. Obviously, in the absence of guidance deeming the number of decimal places to which a Party must report its annual consumption and production data, a Party may round its data to the number of decimal places that places it in the most favourable position with regard to its annual consumption and production limits.

## **C. Possible options and associated implications**

### **a. Status quo**

23. The individual Parties continue to report their data to the number of decimal places that they deem appropriate. The Secretariat continues to use the standard of three decimal places for the presentation of data to the Parties and review of data for the purpose of highlighting possible cases of non-compliance to the Implementation Committee.

24. As mentioned in paragraph 21 of the present note, this approach obviously provides significant scope for Parties to tailor their annual data report such that it places them in the most favourable compliance position. By continuing to allow each Party to determine the level of accuracy to which it reports its data, however, the approach is also sensitive to the fact that the human and financial resources available to fulfil the Protocol's data reporting obligations differs from Party to Party.

25. Should the cases of China and Mauritius be any indication, this approach is likely to lead to an increasing number of cases of possible non-compliance that involve very small volume deviations. This would add to the workload of the Protocol's institutions for addressing non-compliance, the Implementation Committee and the Meeting of the Parties, which is already expected to increase with the commencement in 2005 of five new control measures applicable to Article 5 Parties. This raises the question as to whether, given the tonnages involved and the good faith efforts of all Parties to ultimately achieve total phase out, this approach results in the most appropriate use of the Protocol's and the Parties' limited resources.

### **b. Where an apparent deviation is less than an agreed de minimis amount, rounding to the advantage of the Party**

26. Given the diminishing marginal benefits to be derived from the dedication of the Protocol's and Parties' limited resources to deviations arising from the difference of one or two decimal places between a Party's maximum allowable consumption or production level in a given year and their reported consumption or production for that year, the Parties may wish to agree an alternate approach to the status quo. The Parties may also wish to consider a "trigger" for the alternate approach, such as agreeing that any deviation amounting to the de minimis amount of less than one tenth of an ozone-depleting tonne would be subject to the alternate procedure.

27. In terms of an alternate approach for addressing de minimis deviations, the Parties might consider rounding up the maximum allowable consumption or production limit for the year of the deviation, with the intention that the rounding would increase the annual allowable limit to an amount that would resolve the deviation.

28. As illustrated in section B (c) of the present note, however, it would not always be possible to round the annual limit to the advantage of the Party. Section B (c) noted the conclusion of the exercise conducted by the Secretariat that rounding the maximum allowable CFC consumption limit for Article 5 Parties in 2005 from three to even one decimal places did not increase the maximum annual allowable consumption of 56 Article 5 Parties, while rounding the maximum allowable methyl bromide consumption limit to one decimal place did not increase the maximum allowable consumption of 38 Article 5 Parties.

29. This alternate approach does not therefore appear to provide a reliable solution should the Parties wish to avoid finding Parties to be in non-compliance when their deviations from the Protocol's control measures are less than an agreed de minimis amount.

**c. Where an apparent deviation is less than an agreed de minimis amount, deferring consideration of the compliance status of that Party unless the deviation exceeds the agreed amount in a future year**

30. This alternate approach to the status quo would operate such that if a Party reported a deviation from the Protocol's control measures that was less than an agreed de minimis amount, for example less than one tenth of an ozone-depleting tonne, the Implementation Committee would be directed by the Parties to defer consideration of the compliance status of that Party with respect to that deviation on the condition that the deviation was corrected the following year, or unless and until the deviation exceeded the de minimis amount in a future year.

31. This approach would achieve the purpose of focusing the Protocol's and Parties' limited resources on redressing significant deviations from the Protocol's control measures, while avoiding the unpredictability associated with the alternate approach contained in section C (b) above.

**d. Agree a standardised number of decimal places that would be used in the reporting, presentation and review of the Parties' data for the purpose of identifying possible cases of non-compliance**

32. Under this approach the Parties could agree to standardising:

(a) the number of decimal places to which a Party should report its annual, baseline and base year date, in accordance with Articles 5 and 7 of the Protocol;

(b) the number of decimal places to which the annual data reports of the Secretariat should be presented;

(c) the number of decimal places that the Secretariat should take into account in bringing possible cases of non-compliance to the attention of the Implementation Committee in accordance with paragraph 3 of the non-compliance procedure of the Montreal Protocol.

33. This approach would provide the Parties and the Secretariat with greater certainty as to the nature of the Parties' data reporting obligations, and greater clarity as to the calculation of the Parties' annual allowable consumption and production limits under the Protocol and review of these limits by the Secretariat against the Parties' annual data for the purpose of identifying possible cases of non-compliance for consideration by the Implementation Committee.

34. With regard to determining a standardised number of decimal places, the Parties may wish to consider the following issues. As mentioned in section B (a) above, the majority of Parties have reported their data to two decimal places. Therefore it would appear possible to standardise data reporting, presentation and review to two decimal places, thereby maintaining a high degree of accuracy in the data available for monitoring the Parties' individual and aggregate progress in eliminating the consumption and production of controlled substances.

35. The Secretariat's analysis also shows however that some Parties have not historically reported their data to two decimal places. Standardising data reporting to two decimal places may therefore be beyond some Parties' expertise or resource capacity. Furthermore, there is the possibility that, in attempting to provide the greater level of data reporting accuracy required by a standardised approach, these Parties would redirect resources away from production and consumption phase out activities.

36. Thirdly, some Parties are very small consumers of particular controlled substances, so much so that standardising data reporting to one or two decimal places, rather than three decimal places, could effectively relieve those Parties of certain phase out obligations under the Protocol. To illustrate, based on 2004 data, if data reporting were standardised to two decimal places, three Parties that have recorded consumption of a particular controlled substance, would be recorded as having zero consumption of those substances. The volume of controlled substances that would not have been tracked totalled approximately 0.004 ODP-tonnes.

37. If data reporting were standardised to one decimal place, based on 2004 data, fifteen Parties that reported consumption in that year for a given controlled substance would be recorded as having zero consumption. Of these fifteen, four Parties would be recorded as no longer consuming any controlled substance. The volume of controlled substances that would not have been tracked totalled approximately 0.306 ODP-tonnes.

38. To provide an indication of the likely global impact in ozone-depleting potential tonnes of standardising the number of decimal places to which data is reported, the Secretariat reviewed the difference between the Parties' total 2004 global production and consumption calculated to three decimal places, with the total global production and consumption for that year calculated to one and two decimal places. In both cases, the difference created by the change in the number of decimal places is relatively small. Standardising the data to one decimal, compared to three decimal places, increased total production by 0.097 ODP-tonnes and increased total consumption by 0.685 ODP-tonnes. Standardising the data to two decimal places, compared to three decimal places, decreased total production by 0.013 ODP-tonnes and decreases total consumption by 0.025 ODP-tonnes.

39. Lastly, some Parties may have entrenched their annual allowable consumption and production limits in legislation, and require amendment to accommodate any decision to standardise the number of decimal places for calculating a Party's annual allowable consumption and production limit. The necessity of such amendments may however be removed should the decision to standardise the number of decimal places be adopted in conjunction with an approach such as that contained in section C (c) above, that provides for deferral of consideration of a possible case of non-compliance where the deviation is less than an agreed de minimis amount.

#### **e. Combination approach**

40. A combination of the approaches contained in section C might present the best means of avoiding the drawbacks associated with the absence of guidance on the number of decimal places to which data should be reported, presented and reviewed for the purpose of the Montreal Protocol.

41. Firstly, in acknowledgement of the differing expertise and resource capacities of the Parties, the Secretariat would suggest that the current approach of allowing each Party to individually determine the number of decimal places to which they report their data should be retained, although in the interests of greater data accuracy, Parties could be urged to strive to report to two decimal places.

42. Secondly, in the interests of making best use of the Protocol and the Parties' limited resources, the Parties could decide what would constitute a de minimis amount, such that the Implementation Committee would be directed to defer consideration of the compliance status of a Party that reported an apparent deviation less than that amount unless the deviation exceeded the amount in a future year.

43. Thirdly, in the interests of providing the Parties with a clear understanding of the calculation of their annual maximum allowable consumption and production limits, and the Secretariat with a clear understanding of the number of decimal places that it should take in to account in bringing possible cases of non-compliance to the attention of the Implementation Committee in accordance with paragraph 3 of the non-compliance procedure of the Montreal Protocol, the Parties could decide a standardised number of decimal places for the presentation and review of data relative to compliance with the Protocol.

### **D. Conclusion**

44. The present note has been prepared to assist the Committee in considering the issue of reporting, presentation and review of data in respect of very small (de minimis) quantities and its impact to compliance with the Protocol. This issue is relevant to both the current compliance cases of China and Mauritius, as well as the future compliance status of all Parties.

45. To the extent that the matter relates to the future compliance of all Parties, and given the scope of the Committee's mandate under the non-compliance procedure, the Committee may wish to consider the need to refer the issue to the Meeting of the Parties. To the extent that the matter relates to the specific cases of China and Mauritius, the Committee may wish to consider the need to defer a recommendation to the Meeting of the Parties on the compliance status of these Parties until it has received guidance from a Meeting on the issue.