



United Nations
Environment
= Programme



Distr.
GENERAL

UNEP/OzL.Pro/WG.1/15/2
13 March 1997

ORIGINAL: ENGLISH

OPEN-ENDED WORKING GROUP OF THE PARTIES TO
THE MONTREAL PROTOCOL ON SUBSTANCES THAT
DEplete THE OZONE LAYER
Fifteenth meeting
Nairobi, 3-6 June 1997

ISSUES BEFORE THE OPEN-ENDED WORKING GROUP
AT ITS FIFTEENTH MEETING

Note by the Secretariat

I. CONSIDERATION AND CONSOLIDATION OF THE AMENDMENTS AND ADJUSTMENTS
PROPOSED BY PARTIES (ITEM 3 OF THE PROVISIONAL AGENDA)

1. The amendments and adjustments proposed by Australia, Canada, the European Union, India, Switzerland and the United States of America have been communicated to all the Governments as documents UNEP/OzL.Pro/WG.1/15/2/Add.1-6, in accordance with Article 9 and 10 of the Vienna Convention for the Protection of the Ozone Layer and Article 2, paragraphs 9 and 10 of the Montreal Protocol on Substances that Deplete the Ozone Layer. Some of the proposals relate to the same subject and it will be useful to consolidate all the adjustments and amendments into a single text after they have been considered by the Open-ended Working Group at its fifteenth meeting.

2. In addition to the Parties mentioned above, Japan has submitted a proposal that the phase-out schedule of methyl bromide for Article 5 Parties "should be determined soon as well as the schedule of other ODSs to ensure the protection of the ozone layer in the future".

II. REPORTS OF THE TECHNOLOGY AND ECONOMIC ASSESSMENT PANEL ON
ESSENTIAL USES AND OTHER ISSUES (ITEMS 4 AND 6 OF THE
PROVISIONAL AGENDA)

3. The reports of the Technology and Economic Assessment Panel (TEAP) are expected to be dispatched to all Parties by 15 April 1997.

Na.97-1145 260397

/...

For reasons of economy, this document is printed in a limited number. Delegates are kindly requested to bring their copies to meetings and not to request additional copies.

4. The following Parties have submitted essential-use nominations for 1998 and 1999: Australia, European Community, Hungary, Russian Federation, South Africa and United States of America.

III. REPORT OF THE TECHNOLOGY AND ECONOMIC ASSESSMENT PANEL ON METHYL BROMIDE (ITEM 5 OF THE PROVISIONAL AGENDA)

5. The report of the Technology and Economic Assessment Panel on methyl bromide is expected to be dispatched to all Parties by 15 April 1997. As there are adjustments and amendments proposed regarding methyl bromide, the TEAP report could, perhaps, be discussed along with item 3 of the provisional agenda.

IV. CONTROL OF EXPORTS OF OZONE DEPLETING SUBSTANCES (ITEM 7 OF THE PROVISIONAL AGENDA)

6. Since some of the proposals made by Parties regarding adjustments and amendments relate to exports by Parties, items 7 (a) and 7 (b) of the provisional agenda could, perhaps, also be discussed along with item 3.

7. With regard to item 7 (c) of the provisional agenda, 12 African countries (Burkina Faso, Cameroon, Central African Republic, Chad, Gambia, Ghana, Kenya, Malawi, Senegal, Seychelles, United Republic of Tanzania and Zimbabwe) have proposed an amendment to decision VII/32. As amended, the decision would read as follows:

- "1. To recommend that each Party adopt legislative and administrative measures, including labelling of products and equipment, to regulate the export and import, as appropriate, of products and equipment containing substances listed in Annexes A and B of the Montreal Protocol and of technology used in the manufacturing of such products and equipment, in order to avert any adverse impact associated with the export of such products and equipment using technologies that are or will soon be obsolete because of their reliance on Annex A or Annex B substances and which would be inconsistent with the spirit of the Protocol, including decision I/12 C of the First Meeting of the Parties to the Protocol, held in Helsinki in 1989; *
- "2. To recommend to Article 2 Parties to restrict the export to African countries, of used products and equipment containing substances listed in Annexes A and B of the Montreal Protocol; **
- "3. To recommend to Article 2 Parties to report to the next meeting of the Parties on actions taken to implement the present decision; **

* No change suggested from the decision of the Seventh Meeting.

** Proposed addition.

"4. To recommend that Parties report on action taken to implement the present decision of future Meetings of the Parties." ***

8. As this proposal, too, is related to some of the proposals for amendments to the Protocol, the item could, perhaps, also be discussed along with item 3.

9. With regard to item 7 (d), Poland, in a letter to the Secretariat, has suggested that the Ninth Meeting of the Parties might request all Parties to make use of the publication Monitoring Imports of ODS: A Guide Book published by the UNEP Industry and Environment Office, as an implementing agency of the Multilateral Fund, together with the Stockholm Environment Institute and the Swedish International Development Cooperation Agency, as a guide for applying customs codes to ozone-depleting substances in order to facilitate the reporting of the data and restrict illegal trade. Poland has mentioned that HCFCs and HCFC blends are being supplied under improper customs codes by some companies. The Open-ended Working Group may wish to consider this issue.

V. REPORT OF THE EXECUTIVE COMMITTEE (ITEM 8 OF THE PROVISIONAL AGENDA)

10. The report of the Executive Committee on reducing the support costs of the Implementing Agencies of the Multilateral Fund and on action to report the functioning of the Financial Mechanism will be presented to the Open-ended Working Group by the Chairman of the Committee.

VI. ARREARS IN THE CONTRIBUTION TO THE MULTILATERAL FUND BY NON-ARTICLE 5 PARTIES WHICH HAD NOT RATIFIED THE LONDON AMENDMENT (ITEM 9 OF THE PROVISIONAL AGENDA)

11. In its decision VIII/6, the Eighth Meeting of the Parties decided that, with effect from 1997, contributions to the Multilateral Fund concerned only Parties not operating under Article 5 that are Parties to the London Amendment to the Montreal Protocol. It was also agreed during the Eighth Meeting that the issue of arrears in contributions to the Multilateral Fund up to 1996 by Parties which have not ratified the London Amendment will be discussed by the Ninth Meeting of the Parties. A table giving the arrears from such Parties is annexed to the present note.

VII. APPLICATION OF THE REPUBLIC OF MOLDOVA FOR CLASSIFICATION AS A DEVELOPING COUNTRY (ITEM 10 OF THE PROVISIONAL AGENDA)

12. The Government of the Republic of Moldova has addressed a letter dated 12 February 1996 to the Secretariat requesting that it be considered for inclusion in the list of developing countries in accordance with Article 5 of the Protocol for the following reasons:

(a) Its per capita GDP during the last five years did not exceed

*** Same as paragraph 2 decision VII/32.

/...

US\$ 879 (see The World Bank Atlas, 1995, Washington, D.C.);

(b) When the list of developing countries was approved by the Parties in 1989, the Republic of Moldova did not have the status of an independent State.

13. In its November 1996 report, the Technology and Economic Assessment Panel Task Force on the CEIT (Countries with Economies in Transition) Aspects, inter alia, estimated the consumption of CFCs of Moldova for 1995 as 160 tonnes and of HCFCs as 10 tonnes. Its population in 1995 is estimated at 4,444,000. Its per capita consumption of CFCs is, therefore, 0.03 kilogrammes. No figures are available for other annex A or annex B substances.

VIII. REPORT OF THE IMPLEMENTATION COMMITTEE (ITEM 11 OF THE PROVISIONAL AGENDA)

14. The Implementation Committee is meeting in Geneva on 15-16 April 1997. Its report will be communicated to all the Parties soon thereafter. The Open-ended Working Group may wish to consider the report of the Implementation Committee.

IX. REPORT BY THE OZONE SECRETARIAT ON UTILIZATION OF THE FUNDS FOR THE PARTICIPATION OF EXPERTS FROM DEVELOPING COUNTRIES AND COUNTRIES WITH ECONOMIES IN TRANSITION IN THE MEETINGS OF THE ASSESSMENT PANELS AND THE TECHNICAL OPTIONS COMMITTEES (ITEM 12 OF THE PROVISIONAL AGENDA)

15. As of 31 March 1997, meetings of the following bodies had been held: the Process Agents Task Force of the Technology and Economic Assessment Panel, the Economic Options Committee and the Technical Options Committees for methyl bromide, halons, aerosols and foams. The Secretariat provided financial support amounting to some US\$ 124,000 for the participation in the meeting of 34 members of the Task Force and the committees from developing countries and countries with economies in transition. This expenditure is in accordance with the budget prepared by the Co-Chairs of TEAP. The Co-Chairs have reported that there will be 12 more meetings of TEAP and its Committees in the remainder of 1997.

X. REPORT BY THE UNITED NATIONS ENVIRONMENT PROGRAMME ON THE WAYS IN WHICH THE 13 PER CENT PROGRAMME SUPPORT COSTS ASSESSED BY THE UNITED NATIONS ENVIRONMENT PROGRAMME TO THE TRUST FUND BUDGET HAVE BEEN USED FOR THE BENEFIT OF THE CONVENTION AND ITS SECRETARIAT (ITEM 13 OF THE PROVISIONAL AGENDA)

16. The secretariat of UNEP will present a report on the issue to the meeting.

/...

XI. OTHER MATTERS (ITEM 14 OF THE PROVISIONAL AGENDA)

17. Lithuania ratified the Montreal Protocol on 18 January 1995 but not the London Amendment. It informed the Secretariat on 18 February 1997 that it was unable to ratify the London Amendment because of the difficulties it faces in contributing to the Multilateral Fund. It considers that it was not a debtor to the Multilateral Fund up to 1996 since it had not ratified the London Amendment. In addition, it requests special treatment to allow Lithuania to postpone its obligation to contribute to the Multilateral Fund until the year 2001 without accumulation of the arrears in this period. It is intending to ratify the London Amendment shortly. The meeting may wish to consider the request.

Annex

ARREARS TO THE MULTILATERAL FUND FROM COUNTRIES THAT HAD NOT RATIFIED THE LONDON AMENDMENT

1 PARTY	2 DATE OF RATIFICATION OF THE MONTREAL PROTOCOL DD/MM/YY	3 DATE OF RATIFICATION OF THE LONDON AMENDMENT DD/MM/YY	4 DATE OF ENTRY INTO FORCE OF THE RATIFICATION OF THE LONDON AMENDMENT DD/MM/YY	5 OUTSTANDING CONTRIBUTIONS 1991 - 1996 (US\$)	6 ARREARS PRIOR TO ENTRY INTO FORCE OF THE LONDON AMENDMENT (1/1/1991 - 10/8/1992) ^{2/}	7 ARREARS AFTER THE ENTRY INTO FORCE OF THE LONDON AMENDMENT AND PRIOR TO ITS RATIFICATION BY THE PARTY					
						1992	1993	1994	1995	1996	TOTAL (1991-1996)
KUWAIT	23/11/92	22/7/94	25/10/94	286,549	-	-	286,549	-	-	-	286,549
POLAND	13/7/90	10/2/96	10/5/96	2,853,711	-	0	626,210	819,851	819,851	211,993	2,477,905
BELARUS	31/10/88	10/6/96	8/9/96	3,309,593	377,066	108,977	639,534	837,295	837,295	350,752	2,773,853
AZERBAIJAN	12/6/96	12/6/96	10/9/96	63,182	-	-	-	-	-	63,182	63,182
BRUNEI DARUSSALAM	27/5/93			34,833	-	-	-	-	-	34,833	34,833
BULGARIA	20/11/90			143,684	-	0	0	0	0	143,684	143,684
GEORGIA	21/3/96			109,589	-	-	-	-	-	109,589	109,589
LATVIA	28/4/95			241,846	-	-	-	-	98,162	143,684	241,846
LITHUANIA	18/1/95			325,820	-	-	-	-	177,782	148,038	325,820
UKRAINE	20/9/88			12,056,367	1,428,282	412,791	1,705,917	3,261,961	3,261,961	1,985,455	10,628,085
UNITED ARAB EMIRATES	22/12/89			1,063,543	0	0	0	366,317	366,317	330,909	1,063,543
UZBEKISTAN	18/5/93			1,362,934	-	-	216,390	453,535	453,535	239,474	1,362,934
TOTAL				21,851,651	1,805,349	521,767	3,474,600	5,738,959	6,014,903	3,761,593	19,511,823

Notes:

- (1) A hyphen (-) indicates that the country has not been assessed for that year, either due to classification as operating under Article 5 or to non-ratification of the Protocol, while a zero (0) indicates that the

contributions due have been paid.

- (2) The London Amendment entered into force on 10 August 1992.
