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**Implementation Committee under the
Non-Compliance Procedure for
the Montreal Protocol
Forty-eighth meeting**
Bangkok, 29 and 30 July 2012

Report of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol on the work of its forty-eighth meeting

I. Opening of the meeting

1. The forty-eighth meeting of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol was held at the United Nations Conference Centre in Bangkok on 29 and 30 July 2012.
2. Mr. W.L. Sumathipala (Sri Lanka), President of the Committee, opened the meeting at 10.00 a.m. on 29 July. Briefly outlining the history of the Committee as it approached the twentieth anniversary of its existence, he expressed confidence that it would efficiently and effectively deal with the items on the agenda of the current meeting.
3. Mr. Paul Horwitz, Deputy Executive Secretary of the Ozone Secretariat, speaking on behalf of Mr. Marco González, Executive Secretary of the Secretariat, welcomed the meeting participants, including in particular the representatives of new members Guinea (continuing the term of Algeria), Lebanon, Poland and Zambia. Those new members would provide an infusion of enthusiasm and new perspectives, he said, while the existing members would provide continuity and experience, a perfect balance that was a tribute to the wisdom of the parties to the Montreal Protocol in structuring the Committee. That wisdom was also evident in the collaborative process by which the Committee dealt with the matters before it, drawing on the experience and expertise of the Ozone Secretariat, the Multilateral Fund for the Implementation of the Montreal Protocol and the Protocol's implementing agencies to enable parties to comply with their obligations under the Protocol. Through that process the Committee had over the years forwarded to the Meeting of the Parties close to 200 draft decisions, nearly all of which had been accepted by the Meeting of the Parties without change. Noting that, while the agenda for the current meeting was relatively light, the Committee's habitual thorough approach would require the utmost efforts of all, he wished the members good luck and good skill, and on behalf of the ozone community he thanked them for their work.

Attendance

4. Representatives of the following Committee members attended the meeting: Armenia, Germany, Guinea, Lebanon, Nicaragua, Poland, Saint Lucia, Sri Lanka, the United States of America and Zambia.
5. The meeting was also attended by representatives of the secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol, by the Vice-Chair of the Executive Committee of the Multilateral Fund and by representatives of the implementing agencies of the Multilateral Fund: the

United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), the United Nations Industrial Development Organization (UNIDO) and the World Bank.

6. A list of participants is set out in annex II to the present report.

II. Adoption of the agenda and organization of work

7. The meeting was presided over by Mr. Sumathipala as President of the Committee. Mr. Janusz Kozakiewicz (Poland) served as Vice-President and Rapporteur of the Committee.

8. The Committee adopted the following agenda on the basis of the provisional agenda contained in document UNEP/OzL.Pro/ImpCom/48/1:

1. Opening of the meeting.
2. Adoption of the agenda and organization of work.
3. Presentation by the Secretariat on data and information under Articles 7 and 9 of the Montreal Protocol and on related issues.
4. Presentation by the secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol on relevant decisions of the Executive Committee of the Fund and on activities carried out by implementing agencies (the United Nations Development Programme, the United Nations Environment Programme, the United Nations Industrial Development Organization and the World Bank) to facilitate compliance by parties.
5. Follow-up on previous decisions of the parties and recommendations of the Implementation Committee on non-compliance-related issues:
 - (a) Data-reporting obligations:
 - (i) Israel (recommendation 47/5);
 - (ii) Yemen (decisions XXIII/22 and XXIII/25);
 - (b) Existing plans of action to return to compliance:
 - (i) Ecuador (decision XX/16);
 - (ii) Libya (decisions XV/36 and XVII/37);
 - (iii) Uruguay (decision XVII/39);
 - (c) Other recommendations and decisions on non-compliance: Libya (decision XXIII/23).
6. Review of information:
 - (a) Requests for change of baseline data (decisions XIII/15 and XV/19):
 - (i) Algeria;
 - (ii) Democratic Republic of the Congo (recommendation 47/11);
 - (iii) Equatorial Guinea (recommendation 47/12);
 - (iv) Gambia (recommendation 47/11);
 - (v) Guinea Bissau (recommendation 47/12);
 - (vi) Mozambique;
 - (vii) Niger;
 - (b) Potential non-compliance with hydrochlorofluorocarbon phase-out by Ukraine and request for assistance.
7. Consideration of other non-compliance issues arising out of the data report.
8. Reporting of data under Article 7 of the Protocol:
 - (a) Methyl bromide used in quarantine and pre-shipment applications;
 - (b) Destruction of ozone-depleting substances.

9. Consideration of the report of the Secretariat on the establishment of licensing systems: status of establishment of licensing systems under Article 4B of the Montreal Protocol (decision XXIII/31).
10. Information on compliance by parties present at the invitation of the Implementation Committee.
11. Other matters.
12. Adoption of the recommendations and report of the meeting.
13. Closure of the meeting.

III. Presentation by the Secretariat on data and information under Articles 7 and 9 of the Montreal Protocol and on related issues

9. Introducing the item, the representative of the Secretariat summarized the information provided by parties in accordance with article 7 of the Protocol, as detailed in document UNEP/OzL.Pro/ImpCom/48/R.2.

10. Regarding the status of ratification, he said that 19 parties had yet to ratify one or more of the amendments to the Protocol, and the Secretariat was actively encouraging parties to ratify them, particularly the Beijing Amendment. On the status of annual data reporting under article 7, he said that over 125 parties had reported so far for 2011, and for the years 1986 to 2010, all parties had complied fully with their reporting obligations except Libya and Mozambique, whose non-compliance issues would be discussed at the current meeting. It was noteworthy that Yemen had recently submitted all missing data from previous years, along with its data for 2011. Turning to compliance with control measures applicable to parties not operating under paragraph 1 of Article 5, he said that Ukraine had recently requested the upward revision of its 2010 hydrochlorofluorocarbon (HCFC) consumption data, which placed the party in non-compliance with the Protocol. For parties operating under paragraph 1 of Article 5, no new cases of possible non-compliance had been identified by the Secretariat. The Secretariat, however, had yet to complete the review and assessment for compliance of the more than 80 submissions of data that it had received from parties within the preceding month.

11. With regard to accounting for exemptions for essential uses of chlorofluorocarbons (CFCs), the Dominican Republic and Mexico had yet to submit their accounting reports for 2011, while the Russian Federation had submitted its report for metered-dose inhalers but not for the aerospace sector. Of the parties granted exemptions for critical uses of methyl bromide, only Israel had not yet submit its accounting report for 2011. On the matter of reporting of exports and destination countries in accordance with decision XVII/16, 33 parties had reported exports for 2010, of which 25 had specified destinations for all exports. Destinations had been specified for 98 per cent of exports by weight. Data for 2011 were still being received, with key exporters yet to report; hence global statistics were not presented as they would have been incomplete. There were no reports so far of exports to non-parties for the two years.

12. Nine parties were requesting revision of their HCFC consumption baselines in accordance with decision XIII/15. The requests, from Algeria, Congo, the Democratic Republic of the Congo, Equatorial Guinea, Eritrea, Guinea-Bissau, Haiti, Mozambique and Niger, would be reviewed during the current meeting. With regard to the reporting of stockpiled excess production or consumption of ozone-depleting substances in accordance with decision XXII/20, no new cases had been reported for 2011; he recalled that two parties had previously reported stockpiling in 2010: the United States of America had reported stockpiling of methyl bromide for export in later years and India had reported the stockpiling for destruction of by-product non-pharmaceutical grade CFCs.

13. With regard to the reporting of process-agent uses, the representative of the Secretariat recalled that by decision XXI/3, all parties with process-agent uses had been requested to submit the information required by decision X/14 by 30 September each year; that annual reporting obligation did not apply, however, to any party that informed the Secretariat that it did not have process-agent uses. By recommendation 47/8 the Implementation Committee had urged 42 parties that had not submitted process-agent use information to do so expeditiously. Of those, 22 parties had not submitted the required information by the time of the current meeting. The Secretariat would provide further updated information at the forty-ninth meeting of the Committee.

14. Turning to the reporting of use of methyl bromide for quarantine and pre-shipment applications as required under article 7, he said that some parties had suggested that there was some uncertainty in the reported data owing to the fact that some parties did not fill in all the cells in their reporting forms and it was impossible to know whether those blank cells were intended to denote zero

consumption or represented non-reporting. Possible remedies included requesting parties to confirm, on a one-time basis as was done in respect of process agent uses, that they did not use methyl bromide for quarantine and pre-shipment purposes. Parties could also be requested to confirm whether blank cells for previous years represented zeros or non-reporting and, in the case of the latter, to report the missing data. Finally, with regard to the reported data on the destruction of ozone-depleting substances, he noted that some parties with destruction facilities had never reported data on destruction, while some parties reporting destruction were not known to have destruction facilities. Whether that matter merited consideration by the Implementation Committee was open to discussion.

15. During the ensuing discussion, one member said that it would be helpful to the Committee for the Secretariat to include in the report on data that it prepared for each meeting of the Committee a list of those parties that had not ratified the Protocol amendments relevant to the issues discussed in the report. He also asked what efforts were being made by the Secretariat and the implementing agencies to encourage those parties to ratify the amendments to the Protocol, particularly given the trade implications of the HCFC consumption freeze that would become operative on 1 January 2013.

16. The representative of the Secretariat said in response that the parties that had not ratified amendments were now few enough in number that they could easily be listed in future reports on data reporting. On the efforts to encourage ratification, the Secretariat had communicated with those parties that had not ratified and had written to producers advising them of the impending HCFC control measures and their implications for trade with non-parties, and it was also making efforts to assist national ozone units of the non-parties concerned in relation to ratification and other matters related to compliance, including through missions to those countries. It had also been advising non-parties to ratify all amendments simultaneously to avoid being faced with trade sanctions. The representatives of the implementing agencies similarly outlined the efforts that their organizations had been making to encourage parties to ratify the amendments.

17. On the issue of reporting of exports and destination countries, one member queried why certain parties were not reporting that information. The representative of the Secretariat said that the Secretariat normally raise the issue with parties that omitted destination information when reporting; such parties, however, sometimes indicated that such information was confidential, and the Secretariat was not empowered to pursue the matter further.

18. One member recalled that under XXII/20 the Committee was not required to follow up on reported cases of stockpiling only if the parties reporting the stockpiling also reported that they had in place measures to prevent the use of the stockpiled substances for any purpose other than those mentioned in the decision. Noting that the Secretariat's report on data reported under article 7 (UNEP/OzL.Pro/ImpCom/48/R.2) made no mention of whether the United States and India had such measures in place, he suggested that the Secretariat should in the future request parties reporting information on stockpiled ozone-depleting substances to confirm the existence of such measures in writing. The representative of the Secretariat, saying that the issue should have been addressed in document UNEP/OzL.Pro/ImpCom/48/R.2, explained that the United States had in fact provided detailed information on such measures, while India had provided none.

19. Regarding use of methyl bromide for quarantine and pre-shipment purposes, one member supported the Secretariat's suggestion that those parties not using methyl bromide for that purpose should report that fact explicitly on a one-time basis. The Committee agreed to discuss the matter further under item 8 (a) of the agenda.

20. On the matter of destruction, several members expressed concern at the inconsistencies between reported destruction of ozone-depleting substances and the existence of destruction facilities noted by the Secretariat. One member suggested that those parties with facilities who had not reported destruction be requested, on a one-time basis, to confirm that they did not destroy ozone-depleting substances, and that those parties that had reported destruction but were not known to have destruction facilities be requested to supply information on their facilities. Furthermore, those parties with destruction facilities could be asked to supply more information on the nature of those facilities. The Committee agreed to discuss the matter further under item 8 (b) of the agenda.

21. One member asked why the report of the Secretariat provided no information on feedstock uses, reporting on which was also required under article 7, and suggested that parties that had never reported feedstock uses should be requested to confirm, on a one-time basis, that they did not have such uses. The member also requested the Secretariat to include in its report information on feedstock uses reported by the Parties. The representative of the Secretariat said that the Secretariat was guided by the Committee and the Meeting of the Parties, and would present information on feedstock uses if the Committee or the Meeting of the Parties so requested. The Committee agreed to discuss the matter further under item 8 of the agenda.

IV. Presentation by the secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol on relevant decisions of the Executive Committee of the Fund and on activities carried out by implementing agencies (the United Nations Development Programme, the United Nations Environment Programme, the United Nations Industrial Development Organization and the World Bank) to facilitate compliance by parties

22. The representative of the Multilateral Fund secretariat reported on the status of phase-out projects financed by the Fund. For Annex A and Annex B substances, a total of 111 investment projects, mostly relating to CFCs, were currently under way, while four out of 11 projects for metered-dose inhalers had been completed and seven were still under way.

23. With regard to HCFCs, funding had been approved for 127 parties operating under paragraph 1 of article 5 for the preparation of phase-out management plans totalling \$498.9 million, of which \$231.3 million had been released. HCFC phase-out management plans for a further 18 countries were expected to be submitted to the Executive Committee. Stage I HCFC phase-out management plans covered the period 2011–2020 for 82 countries and 2011–2015 for a further 24 countries; nine such plans aimed to achieve complete HCFC phase-out, well in advance of the 2040 deadline.

24. Investment projects for methyl bromide were being implemented in 18 countries. Nine countries had received Executive Committee approval for projects to achieve partial methyl bromide consumption phase-out, in the amount of 823.7 ODP-tonnes, and four of the nine had reported zero consumption for more than one year. Projects for the treatment of high moisture-content dates in Algeria and Tunisia, for which methyl bromide use was permitted under decision XV/12, would be considered for preparation once alternatives had been identified. A project for the total phase-out of methyl bromide production was under way in China.

25. Turning to country programme data, he said that no party appeared to be in non-compliance based on the 2011 data reports and the country programme data submitted by 12 June 2012. Of the 144 countries that had reported country programme data for 2010 or 2011, 134 had what were described as operational licensing systems, while others regulated imports but did not describe the regulations through which they did so as “licensing systems”. That fact could explain why the Multilateral Fund secretariat’s data on licensing systems differed from that of the Ozone Secretariat. Of the 67 countries that had reported 2011 data, 65 had operational licensing systems, with 97 per cent of them reported to be functioning “satisfactorily” or “very well”.

26. For the 77 countries reporting both 2010 and 2011 country programme data, HCFC consumption had fallen by 5.4 per cent from 2010 levels. Prices of HCFC-22 and HCFC-142b were reported still to be lower than those of their alternatives, whereas prices of HCFC-141b were reported still to be lower than those of some alternatives (HCFC-245fa and HFC-356mfc), but higher than those of others (cyclopentane, methyl formate and pentane). Such price information was provided by national ozone units but was not vetted.

27. On the subject of parties requesting changes in their HCFC baseline data, he said that the Executive Committee’s agreements with such parties that either did not include established baselines, or that had been concluded in anticipation that baselines might change, would be modified to reflect any baseline changes and the funding levels would be adjusted accordingly.

28. Responding to questions from Committee members, he clarified what was meant by “stage I” and “stage II” HCFC phase-out management plans. The former were plans aimed at meeting the 2015 reduction target of 10 per cent, but in fact several countries (mostly low-volume-consuming countries) had submitted proposed plans that went well beyond that target, even to the point of complete phase-out. Stage II plans were intended to deal with phase-out beyond the 2015 deadline, and the Executive Committee would be considering guidelines for them over the next few years. A total of eighteen countries had received funding for HCFC phase-out before approval of their HCFC phase-out management plans, of which four (the Philippines, Saudi Arabia, Syria and Turkey) had received significant funding.

V. Follow-up on previous decisions of the parties and recommendations of the Implementation Committee on non-compliance-related issues

A. Data reporting obligations

29. The representative of the Secretariat introduced the item, summarizing outstanding issues related to data-reporting obligations, as detailed in documents UNEP/OzL.Pro/ImpCom/48/R.2, UNEP/OzL.Pro/ImpCom/48/R.3 and UNEP/OzL.Pro/ImpCom/48/INF/R.1.

30. He noted that Israel had submitted its accounting frameworks for critical uses of methyl bromide for 2009 and 2010 in accordance with decision XVI/6, as requested in recommendation 47/5. The Committee therefore agreed to note with appreciation the submission by Israel of its accounting framework for critical uses of methyl bromide in 2010.

31. The representative of the Secretariat also noted that Liechtenstein and Peru had reported their data for 2010, as they had been requested to do in decision XXIII/22. In addition, Yemen had submitted its HCFC data for 2009, as requested in decision XXIII/25, and had also reported its data for 2010 as requested in decision XXIII/22.

32. The Committee therefore agreed to note with appreciation the submission by Liechtenstein, Peru and Yemen of all outstanding data in accordance with their data-reporting obligations under the Protocol, as requested in decision XXIII/22, which indicated that they were in compliance with the Protocol's control measures in 2010.

Recommendation 48/1

B. Existing plans of action to return to compliance

1. **Ecuador (decision XX/16)**
2. **Libya (decisions XV/36 and XVII/37)**
3. **Uruguay (decision XVII/39)**

C. Other recommendations and decisions on non-compliance: Libya (decision XXIII/23)

33. The Committee discussed items 5 (b) and (c) together.

34. Introducing the item, the representative of the Secretariat summarized outstanding issues under existing plans of action to return to compliance for three parties, as detailed in document UNEP/OzL.Pro/ImpCom/48/R.3. He reported that by the time of the current meeting Ecuador had not submitted its 2011 data, as a result of which its compliance with the methyl bromide consumption limit in its plan of action in decision XX/16 could not be assessed. Libya had likewise not yet submitted its data for 2010 and its compliance with its CFC, methyl bromide and halons consumption obligations for that year, as set out in its plans of action in decisions XV/36 and XVII/37, could not be assessed; neither had it provided information, as requested in decision XXIII/23, on its 2009 halons consumption, which its 2009 data had shown to be in excess of its consumption limit under decision XVII/37. The Secretariat had made efforts to communicate with the party regarding the matter but the situation in the country had made it impossible even to identify any responsible officials who could provide the information required. Finally, Uruguay had recently submitted data confirming that it had met the 2011 methyl bromide consumption target of 6.0 ODP-tonnes set out in its plan of action in decision XVII/39.

35. The Committee therefore agreed to note with appreciation that Uruguay had reported its data on consumption of ozone-depleting substances for the year 2011, which showed that the Party was in compliance with its commitment contained in decision XVII/39 to limit its consumption of methyl bromide to no greater than 6.0 ODP-tonnes in that year.

Recommendation 48/2

36. The Committee also agreed to urge Ecuador to submit to the Secretariat its data for the year 2011 in accordance with paragraph 3 of Article 7 of the Protocol, preferably no later than 15 September 2012, in order that the Committee might assess at its forty-ninth meeting the status of compliance by the party with its commitment contained in decision XX/16 to limit its consumption of methyl bromide to no greater than 52.8 ODP-tonnes in that year.

Recommendation 48/3

37. The Committee further agreed:

Recalling that Libya had reported consumption of 1.8 ODP-tonnes of the Annex A, group II, controlled substances (halons) in 2009, an amount that was inconsistent with its commitment contained in decision XVII/37 to limit halon consumption to no greater than zero ODP tonnes in that year,

Recalling also decision XXIII/23, which requested Libya to submit to the Secretariat, as a matter of urgency and no later than 31 March 2012, for consideration by the Implementation Committee at its forty-eighth meeting, an explanation for its excess consumption of halons, together with a plan of action with time-specific benchmarks to ensure the party's prompt return to compliance with its commitment contained in decision XVII/37,

Noting that Libya has not yet responded to the request recorded in decision XXIII/23,

Noting also with concern that Libya has not yet reported its ozone-depleting substance data for 2010 and that its compliance with its commitments contained in decisions XV/36 and XVII/37 to reduce consumption of the controlled substances in Annex A, group I (chlorofluorocarbons), and Annex E (methyl bromide), respectively, in that year therefore cannot be assessed,

(a) To request Libya to submit to the Secretariat as a matter of urgency, and no later than 15 September 2012, a status report on:

(i) Its data reporting for 2010 to allow assessment of its compliance with its commitments contained in decisions XV/36 and XVII/37;

(ii) Its implementation of the provisions contained in decision XXIII/23 in respect of its excess halon consumption in 2009;

(b) To invite Libya, if necessary, to send a representative to the Committee's forty-ninth meeting to discuss the matter.

Recommendation 48/4

VI. Review of information

A. Requests for change of baseline data (decisions XIII/15 and XV/19)

1. Status of the compliance issue

38. Introducing the sub-item, the representative of the Secretariat said that the Committee would consider requests by nine parties, all operating under paragraph 1 of article 5, for the revision of their existing HCFC consumption data for 2009 and/or 2010, which were the two years used for determining the HCFC production and consumption baselines for such parties. Three other such requests had been submitted but would not be considered at the current meeting: that of Gambia had been withdrawn and those of the Former Yugoslav Republic of Macedonia and the United Republic of Tanzania had arrived too late and would be on the agenda of the Committee's forty-ninth meeting. All nine parties with requests to be considered by the Committee, except for Haiti, had had their HCFC phase-out management plans approved by the Executive Committee of the Multilateral Fund. Documents pertaining to the requests of seven such parties were reproduced in the annex to document UNEP/OzL.Pro/ImpCom/48/INF/R.3.

39. In its responses to the parties requesting the revision of their baseline data the Secretariat had advised that the review of their requests would be guided by decision XIII/15, which provided that requests for the revision of baseline data must be submitted to the Implementation Committee for its consideration, and decision XV/19, which set out the methodology for the submission and review of the information that should be submitted to the Committee in support of such requests. Paragraph 2 (a) of decision XV/19 required the submission of the following information:

“(i) Identification of which of the baseline year's or years' data are considered to be incorrect and proposed new figures for that year or those years;

(ii) Explanation as to why the existing baseline data are incorrect, including information on the methodology used to collect and verify that data, along with supporting documentation where available;

(iii) Explanation as to why the requested changes should be considered to be correct, including information on the methodology used to collect the relevant data and to verify the accuracy of the proposed changes;

- (iv) Documentation substantiating data collection and verification procedures and the findings from the application of those procedures, which could include:
- a. Copies of invoices (including ozone-depleting-substance production invoices), shipping and customs documentation from either the requesting party or its trading partners (or aggregation of those with copies available upon request);
 - b. Copies of surveys and survey reports;
 - c. Information on the requesting party's gross domestic product, ozone-depleting-substance consumption and production trends, and business activity in the ozone-depleting-substance sectors concerned."

40. Of the nine requests, four (those of those of Congo, the Democratic Republic of the Congo, Equatorial Guinea and Guinea-Bissau) had been considered by the Committee at previous meetings and had been the subject of Committee recommendations requesting the parties to provide further information in accordance with decision XV/19. By the time of the current meeting two of the parties subject to those recommendations had provided the requested information, while two had not. In addition Mozambique, which had submitted its request in March 2012 and was therefore not the subject of any previous recommendation, had not submitted any supporting information as required by decision XV/19.

41. In addition to providing the information summarized in table 2, the representative of the Secretariat outlined in some detail the explanation and information submitted by each party pertaining to the collection and verification of the data underlying its request for the revision of its baseline data, as outlined in document UNEP/OzL.Pro/ImpCom/48/INF/R.3 and in some cases based on later submitted information, as well as the Secretariat's assessment of whether the party had provided information addressing the requirements of decision XV/19. In the Secretariat's view Algeria, Congo, Equatorial Guinea, Eritrea, Haiti and Niger had provided information that appeared to address those requirements, while the Democratic Republic of the Congo, Guinea-Bissau and Mozambique had not.

42. The requests for the revision of the 2009 and 2010 HCFC baseline data considered by the Committee at the current meeting, as they stood at the start of the meeting, are summarized in the following table.

Parties' requests for revision of 2009 and 2010 HCFC baseline data

<i>Party (all parties operating under paragraph 1 of article 5, with HCFC baseline being the average of 2009 and 2010 consumption)</i>	<i>Substance</i>	<i>Existing data (in metric tonnes)</i>		<i>Proposed new data (in metric tonnes)</i>		<i>Party subject to previous Committee recommendation requesting information in accordance with decision XV/19</i>	<i>Party responded to recommendation requesting information in accordance with decision XV/19</i>	<i>Initial Secretariat assessment of whether the party provided information to address the provisions of decision XV/19</i>
		<i>2009</i>	<i>2010</i>	<i>2009</i>	<i>2010</i>			
Algeria	HCFC-22	446.284	446.284	1025.9	1083.5	No	N/A	Yes
	HCFC-141b	51.466	51.466	35.7	39.0			
Congo ^{a, b}	HCFC-22	128.5	-	176.0	-	Yes (recomms. 46/3 and 47/10)	Yes	Yes
Democratic Republic of the Congo ^a	HCFC-22	890.0	-	1014.984	-	Yes (recomm. 47/11)	No	No
	HCFC-141b	245.0	-	0	-			
	HCFC-142b	150.0	-	0	-			
Equatorial Guinea ^a	HCFC-22	253	-	113.0	-	Yes (recomm. 47/12)	Yes	Yes
Eritrea ^c	HCFC-22	1.8	1.9	19.1	20.31	No	N/A	Yes
Guinea-Bissau ^a	HCFC-22	0	-	50	-	Yes (recomm. 47/12)	No	No
Haiti ^c	HCFC-22	35.308	33.410	70	62	No	N/A	Yes
Mozambique	HCFC-22	78.6	-	143.6	-	No	N/A	No
Niger ^a	HCFC-22	660	-	290	-	No	N/A	Yes

^a Request considered by the Committee at previous meetings.

^b Follow-up request received after the issuance of the provisional agenda for the current meeting.

^c Request received after the issuance of the provisional agenda for the current meeting.

2. Discussion at the current meeting

43. In the discussion that followed the Secretariat presentation a number of points were raised regarding the evidence submitted by the parties requesting the revision of their baseline data.

44. One member said that, since the requests were for the revision of consumption baselines and consumption was defined as production plus imports minus exports, the primary type of information supporting the requests should be data on imports, exports and re-exports provided through licensing systems, specifically through mandatory annual reports on actually imported or exported or re-exported quantities provided by eligible importers and exporters or re-exporters. Those data should be then cross-checked with customs data. He suggested, however, that customs data regarding HCFCs covering the period before 1 January 2010, i.e., the date when the individual codes under the Harmonized Commodity Description and Coding System for the main HCFCs were introduced by the World Customs Organization, was unreliable and highly variable, while surveys of importers were flawed by a reluctance to participate on the part of illegal importers, which might have resulted in the understatement of imports. In that situation, taking into account other data, such as estimates of quantities used for equipment servicing provided by servicing companies, seemed to be helpful; such data, however, should be considered with great care and only as a supplement to information on imports, exports and re-exports. He also observed that neither exported nor re-exported quantities were mentioned in the data provided by the parties requesting baseline changes.

45. In response, the representative of the Secretariat noted that the methods used to compile data in support of requests for baseline revisions were the same as those used for the reporting of production and consumption data under article 7 of the Protocol; any action taken in regard to them in the current context, he suggested, might therefore have repercussions for overall reporting. He also noted that licensing systems did not typically feature reporting requirements regarding quantities of imported ozone-depleting substances, and that there was therefore no way to know whether an importer licensed to import a given amount under such a system actually imported that amount.

46. Another member said that data collection was a difficult undertaking, requiring parties to use a variety of methods, and that she saw no problem in principle with any of the methods. The evidence, she suggested, had to be taken on a case-by-case basis, taking into account the difficulties that parties faced. There was general agreement that the Committee, in assessing requests for baseline revision and related data collection efforts, should take into account the particularly difficult circumstances facing some countries such as Eritrea and Haiti.

47. The use of equipment leakage estimates as a means of calculating consumption was questioned in cases where the claimed leakage rates seemed unrealistically high. In the case of Congo, for example, the information submitted by the party indicated that they were as high as 60 and 90 percent for certain categories of equipment. Where such estimates appeared to be in line with experience elsewhere, however, they provided useful information and could even make up for deficits in other information provided, as in the case of Algeria. In the case of Congo one member also noted that the party's proposed revised consumption of HCFC was significantly higher than its historical consumption of CFCs; that fact, together with the very high leakage rates, suggested to him that the party should be asked to provide further information.

48. One member, while acknowledging that the items listed in paragraph 2 (a) (iv) of decision XV/19 were only indicative, expressed concern that parties seeking the revision of their baselines were not providing copies of invoices, shipping and customs documentation or surveys, and in the case of the last item were providing only summaries rather than copies of the surveys themselves. Echoed by others, he also reiterated suggestions made at previous Committee meetings. The first was that the Committee should not maintain indefinitely on its agenda a request by any party that failed repeatedly to respond to the Committee's requests for information in accordance with decision XV/19; such a request should instead be deemed to have expired. The second suggestion was to the effect that the informational requirements of decision XV/19 should be relaxed somewhat in the case of parties seeking downward revisions of their baselines.

49. Taking the case of Algeria as an example, one member asked for information on how surveys were used to estimate ozone-depleting substance consumption. The representative of UNIDO, which served as the implementing agency for that country, explained that such surveys were undertaken in connection with preparing parties' HCFC phase-out management plans and sought to obtain data from importers, end users and national authorities such as customs offices, with the data from each source cross-checked against that from the others, as well as from other sources. In the case of Algeria, UNIDO had conducted the survey in conjunction with the national ozone unit and other national experts, and the cross-checking of data suggested that the figures obtained were reliable, with, for example, the estimated consumption calculated from equipment leakage matching fairly closely the results of end user surveys.

50. The representative of Guinea outlined efforts to improve data collection in his country. While more work was needed, for example in connection with the operation of the country's licensing system, considerable progress had been made in enhancing the reliability of collected data through greater participation in data collection efforts on the part of Customs authorities and informal sector importers of ozone-depleting substances.

3. Recommendations

(a) Recommendation regarding parties that had submitted sufficient information according to the methodology set out in decision XV/19: Algeria, Equatorial Guinea, Eritrea, Haiti and Niger

51. The Committee therefore agreed:

Noting with appreciation the information submitted by Algeria, Equatorial Guinea, Eritrea, Haiti and Niger in support of their requests for the revision of their baseline consumption data for the Annex C, group I, controlled substances (hydrochlorofluorocarbons) for the years 2009, 2010 or both,

Recalling decision XV/19, which set out the methodology to be used to review requests for the revision of baseline data,

Noting with appreciation the efforts made by the above parties to satisfy the information requirements of decision XV/19, in particular their efforts to verify the accuracy of their proposed new baseline data through national surveys of hydrochlorofluorocarbon use in the countries carried out with the assistance of the implementing agencies and funding from the Multilateral Fund for the Implementation of the Montreal Protocol,

To forward for consideration by the Twenty-fourth Meeting of the Parties the draft decision contained in section A of annex I to the present report, which would approve the requests of Algeria, Equatorial Guinea, Eritrea, Haiti and Niger for the revision of their baseline consumption data for hydrochlorofluorocarbons.

Recommendation 48/5

(b) Recommendation regarding parties that had been the subject of previous recommendations and had submitted information that was insufficient according to the methodology set out in decision XV/19: Congo

52. The Committee also agreed:

Recalling decision XV/19, which set out the methodology to be used to review requests for the revision of baseline data,

Recalling also recommendations 46/3 and 47/10, by which Congo had been requested to submit information in accordance with decision XV/19 in support of its request to revise its consumption data for the baseline year 2009 for the Annex C, group I, controlled substances (hydrochlorofluorocarbons),

Noting with appreciation the supporting information submitted by Congo in May 2012,

Noting, however, that the submitted information was considered by the Committee to be insufficient to allow it to approve the changes requested by the party,

(a) To urge Congo to submit to the Secretariat additional information pertaining to its calculation of its revised baseline data in accordance with decision XV/19 to support its request for the revision of its baseline data as soon as possible, and preferably no later than 15 September 2012, for consideration by the Committee at its forty-ninth meeting;

(b) To request Congo, in case confidentiality issues prevented it from disclosing information in support of its request for the revision of its hydrochlorofluorocarbon baseline, to provide such information to the Secretariat, which would ensure the confidentiality of the information when reporting on it to the Committee;

(d) To invite Congo, if necessary, to send a representative to the Committee's forty-ninth meeting to discuss its request.

Recommendation 48/6

(c) **Recommendation regarding parties that had not provided information in accordance with decision XV/19 as requested in previous recommendations: Democratic Republic of the Congo and Guinea-Bissau**

53. The Committee further agreed:

Noting with appreciation the information submitted by the Democratic Republic of the Congo in support of its request for the revision of its baseline consumption data for the Annex C, group I, controlled substances (hydrochlorofluorocarbons) for the year 2009,

Noting, however, that the party had yet to provide some outstanding information to satisfy the requirements of decision XV/19 as requested in recommendation 47/11,

Noting also that Guinea-Bissau had not submitted any information to satisfy the requirements of decision XV/19 to support its request for the revision of its baseline consumption data for hydrochlorofluorocarbons) for the year 2009,

Noting with concern that Guinea-Bissau had not responded to the request recorded in recommendation 47/12 that it submit information in accordance with decision XV/19,

(a) To invite the Democratic Republic of the Congo and Guinea-Bissau, should they still wish to pursue their requests to revise their hydrochlorofluorocarbon baseline data, to submit to the Ozone Secretariat the outstanding information as soon as possible, and preferably not later than 15 September 2012, for consideration by the Committee at its forty-ninth meeting;

(b) To request the parties named above, in the event that information required to support their requests for the revision of their hydrochlorofluorocarbon baseline data was confidential, to provide such information to the Secretariat, which would ensure the confidentiality of the information when reporting on it to the Committee;

(c) To invite each of the Democratic Republic of the Congo and Guinea-Bissau, if necessary, to send a representative to the Committee's forty-ninth meeting to discuss its request.

Recommendation 48/7

(d) **Recommendation regarding parties that repeatedly fail to provide information as requested by the Committee**

54. The Committee also agreed:

To advise parties requesting the revision of their baseline data but failing to provide information required under decision XV/19, despite repeated requests by the Committee that they do so, that in the event that they did not provide such information to the Committee after two such requests the Committee would consider their requests for the revision of their hydrochlorofluorocarbon baseline data to have expired and would take no further action on them.

Recommendation 48/8

(e) **Recommendation regarding parties that had not been the subject of previous recommendations and had not submitted information as required by decision XV/19: Mozambique**

55. The Committee also agreed:

Recalling decision XV/19, which set out the methodology to be used to review requests for the revision of baseline data,

Taking note of the request of Mozambique to revise its existing consumption data for the baseline year 2009 for the Annex C, group I, controlled substances (hydrochlorofluorocarbons),

(a) To request Mozambique to submit to the Secretariat information in accordance with decision XV/19 to support its request to revise its baseline data as soon as possible, and preferably no later than 15 September 2012, for consideration by the Committee at its forty-ninth meeting;

(b) Also to request Mozambique, in submitting information in accordance with decision XV/19, to include information used in verifying baseline data such as copies of any survey reports containing the full survey findings, invoices and Customs reports that would support the proposed new baseline data;

(c) To request the party, in the event that information required to support its request for the revision of its hydrochlorofluorocarbon baseline data was confidential, to provide such information to the Secretariat, which would ensure the confidentiality of the information when reporting on it to the Committee;

(d) To invite Mozambique, if necessary, to send a representative to the Committee's forty-ninth meeting to discuss the above matters.

Recommendation 48/9

B. Potential non-compliance with hydrochlorofluorocarbon phase-out by Ukraine and request for assistance

56. Introducing the item, the representative of the Secretariat said that Ukraine had requested the Secretariat to adjust its HCFC consumption data for 2010, as outlined in document UNEP/OzL.Pro/ImpCom/48/R.3, based on the results of analytical work and field studies carried out under a regional project funded by the Global Environment Facility in 2008. The requested adjustment had resulted in Ukraine's consumption exceeding its reduction commitment by 45.8 ODP-tonnes for 2010, placing the party in non-compliance. The party had accordingly been requested by the Secretariat to provide further information on the reasons for the change, along with supporting data; a plan of action for a return to compliance; and information on the implementation of its licensing system. The party had submitted information in response to the request but there had been insufficient time to review that information before the present meeting. The Secretariat therefore proposed that the Committee should defer consideration of the matter to its forty-ninth meeting.

57. The representative of UNDP said that the organization was assisting Ukraine with HCFC data collection. The task was being carried out as part of a regional project including Belarus, Tajikistan and Uzbekistan, in addition to Ukraine. Institutional changes in the Government of Ukraine had made the task difficult, but promising progress had been made since the end of 2010, when a more stable structure had been put in place. Meanwhile, UNDP had developed a project concept to attract investment through the Global Environment Facility for HCFC consumption phase-out in specified sectors in the four countries. That activity had generated additional data, based on which a project proposal had been submitted to the Facility in April 2012. The proposal was currently awaiting approval. Due to the organizational difficulties of attempting a top-down survey in Ukraine, UNDP had initially collected data using a bottom-up survey of large HCFC users in the manufacturing and servicing sectors, including through field visits. Improvements to the party's licensing system in 2011 had generated additional information, on which the data reported for that year under article 7 were based.

58. In the ensuing discussion one member said that, in the light of the changes in the administrative structure in Ukraine and the complicated pattern of HCFC consumption in the country, it would be advisable to invite a representative of the party to attend the forty-ninth meeting of the Committee. Another member said that further information on the status of the proposed regional project under the Global Environment Facility would aid consideration of the case.

59. The Committee therefore agreed to invite Ukraine, if necessary, to send a representative to the committee's forty-ninth meeting to discuss the matter.

VII. Consideration of other non-compliance issues arising out of the data report

60. Introducing the item, the representative of the Secretariat presented information on non-reporting by Mozambique, the Dominican Republic, Mexico, the Russian Federation and Israel. Mozambique had not provided methyl bromide data for 2010; the Dominican Republic and Mexico had not submitted their reports to account for exemptions granted for essential uses of CFCs for 2011; the Russian Federation had submitted its report to account for exemptions granted for essential uses of CFCs in the metered-dose inhaler sector but not in the aerospace industry; and Israel had not submitted its report to account for exemptions granted for critical uses of methyl bromide for 2011.

61. The Committee therefore agreed:

Noting with appreciation that Mozambique had reported all its data for 2010 except for its methyl bromide data,

Noting that the non-reporting of its methyl bromide data placed Mozambique in non-compliance with its reporting obligations under paragraph 3 of Article 7 of the Montreal Protocol,

Noting with appreciation the information provided by a member of the Committee at its forty-eighth meeting indicating that Mozambique expected to submit the missing data soon,

To request Mozambique to submit the missing data as soon as possible, and no later than 15 September 2012, for consideration by the Committee at its forty-ninth meeting or, if it was not able to do so, to submit an explanation in that regard by that time.

Recommendation 48/10

62. The Committee also agreed:

Noting with concern that the Dominican Republic, Mexico and the Russian Federation had not submitted their reports to account for exemptions granted for essential uses of chlorofluorocarbons for 2011,

To request the Dominican Republic, Mexico and the Russian Federation to submit their reports to account for exemptions granted for essential uses of chlorofluorocarbons in 2011 as soon as possible, and no later than 15 September 2012, for consideration by the Committee at its forty-ninth meeting or, if they were unable to do so, to submit an explanation in that regard by that time.

Recommendation 48/11

63. The Committee further agreed:

Noting with concern that Israel had not submitted its report to account for exemptions granted for critical uses of methyl bromide in 2011,

To request Israel to submit its report to account for exemptions granted for critical uses of methyl bromide in 2011 as soon as possible, and no later than 15 September 2012, for consideration by the Committee at its forty-ninth meeting or, if it was unable to do so, to submit an explanation in that regard by that time.

Recommendation 48/12

VIII. Reporting of data under Article 7 of the Protocol

A. Methyl bromide used in quarantine and pre-shipment applications

B. Destruction of ozone-depleting substances

64. Outlining the information set out in document UNEP/OzL.Pro/ImpCom/48/R.2, the representative of the Secretariat said that parties did not take a consistent approach to the reporting of data on the use of ozone-depleting substances used for quarantine and pre-shipment purposes or on the destruction of ozone-depleting substances. He recalled that parties were required to report on the latter under article 7 and that the Meeting of the Parties had adopted several decisions calling on parties to report on the former. In the light of those facts he suggested that the committee might wish to consider whether it should request the Secretariat to ask each party to report, on a one-time basis, to confirm whether it had used any ozone-depleting substances for quarantine and pre-shipment purposes or had destroyed any ozone-depleting substances.

65. A member of the Committee suggested that, in a similar vein, there was little information available on the extent to which parties used ozone-depleting substances for feedstock purposes, specifically in the absence of any information on quantities of ozone depleting substances used as feedstock in the Secretariat's reports presented to the Committee, and he suggested that perhaps the Secretariat should request the parties to report, again on a one-time-only basis, on whether they had done so.

66. With regard to the destruction of ozone-depleting substances, the representative of the Secretariat recalled the definition of production in article 1 of the Montreal Protocol: "the amount of controlled substances produced, minus the amount destroyed by technologies ... approved by the Parties and minus the amount entirely used as feedstock in the manufacture of other chemicals. The amount recycled and reused is not to be considered as 'production'".

67. He noted that the number of parties reporting data on destruction had increased from two in 1990 to 17 in recent years, including three parties operating under paragraph 1 of article 5, and that eight parties operating under that paragraph had reported at least once. A number of parties had begun reporting data only recently. The total volume of substances destroyed had peaked in 2007. The list of known destruction facilities for ozone-depleting substances and polychlorinated biphenyls presented to the current meeting had been drawn from the Secretariat's report on the environmentally sound management of ozone-depleting substance banks in July 2009.

68. The data reported to date suggested several anomalies. Thus, twelve parties known to have destruction facilities had never reported destroying any ozone-depleting substances, whereas six parties not known to have such facilities had done so. Informal discussions with one party possessing destruction facilities but never reporting any destruction had revealed that it had believed that it was obliged to report destroyed substances only when it wanted or needed to deduct such substances from its production and consumption data to ensure compliance with the Protocol's phase-out targets, and also that it had thought that reported data on destruction concerned virgin substances only. In addition, the party had experienced difficulties in obtaining destruction data that was disaggregated by substance. In the light of those facts the Secretariat had suggested that the Committee might wish to

request parties with destruction facilities that had never reported destruction data to confirm that they did not destroy ozone-depleting substances and/or provide any relevant information.

69. In the ensuing discussion one member of the Committee suggested that each of the three cases was different. The approach adopted for reporting process agent uses was to ask each party to confirm, on a one-time basis, whether it had any such use; this was appropriate, as process agent uses tended to involve large and permanent facilities requiring significant levels of investment, and a party reporting that it did not have such a use at any given moment was unlikely to have such a use in the future.

70. Such was not the case, however, for the consumption of methyl bromide for quarantine and pre-shipment uses, as a party that had never used the substance could find it necessary to do so at any given moment in response to an infestation of agricultural products. The fact that a party consumed no methyl bromide for quarantine and pre-shipment use in one year was therefore not a good predictor of whether it might do so in the following year.

71. Destruction was more like quarantine and pre-shipment uses than process agent uses in this regard, prone to change from year to year. A party could destroy ozone-depleting substances in relatively small pieces of equipment that did not require a major investment and could be moved between countries easily. Projects were under way in a number of countries to convert cement kilns to incinerators that could destroy ozone-depleting substances, and destruction facilities could be used to treat a wide range of chemicals, not just ozone-depleting substances. Thus the fact that a party reported no destruction in one year would not be a good indication of destruction activity five years later. Furthermore, the relatively low volume of ozone-depleting substances reported as destroyed could be a result of the low prices currently prevailing on global carbon markets, meaning that destruction activity could increase as the price of carbon credits rose. For all these reasons, asking parties to report just once on the state of their destruction facilities was not likely to be useful.

72. Feedstock uses were more like process agents uses, but again there were differences. For example, feedstock could be used in relatively small facilities, not requiring a major investment, and in irregular patterns. Again, then, the fact that a party had used ozone-depleting substances as feedstock in one year was not necessarily a reliable indicator that it would do so in the next.

73. Another member said that he supported the draft recommendation prepared by the Secretariat, adding that it was necessary to obtain updated information on parties' destruction facilities. Such information should include information on the types of facilities that existed and the technologies that they employed, including technologies that had been approved by the Meeting of the Parties. He suggested that such information should be sought from parties and that the Secretariat should include it in an updated version of the table that it had prepared in annex VIII of document UNEP/OzL.Pro/ImpCom/48/R.2.

74. Two members said that it was important to learn why countries with destruction facilities were not reporting destruction; one of them noted that a survey of destruction facilities was under way in her country and expressed the hope that more information on the lack of reporting would be available to the Committee at its forty-ninth meeting.

75. Members of the Committee also discussed the extent to which the Committee possessed the mandate to request further information from parties. One member said that, although each of these issues related to the data reporting requirements of parties under Article 7, asking parties to report information that in his view went beyond the basic reporting requirements under the Protocol, such as the types of destruction facilities a party possessed, potentially exceeded the Committee's remit. It might also cause parties to worry needlessly that the Committee believed them to be in non-compliance with their obligations under the Protocol.

76. The Committee agreed to revisit the discussion on methyl bromide used for quarantine and pre-shipment purposes, destruction of ozone-depleting substances and feedstock uses of ozone-depleting substances at its next meeting, after an opportunity for further reflection. The Committee concluded, however that it could reach a conclusion on the specific issue, which had been discussed at the recently concluded thirty-second meeting of the Open-ended Working Group, of the desirability of clarifying whether blank entries in data reporting submissions represented zeroes or non-reporting.

77. The Committee therefore agreed:

Recognizing that for the past several years the parties had been discussing the completeness of data reporting, focusing in particular on quarantine and pre-shipment uses of methyl bromide,

Taking into consideration that the parties had adopted several decisions, including decisions XXIII/5, XXI/10, XX/6, XVIII/14, XVI/10 and XI/13, that reminded, urged and encouraged parties to report data on quarantine and pre-shipment uses of methyl bromide,

Wishing to find a way to ensure that submitted data was complete, not only for methyl bromide uses but for all other controlled substances as well,

To forward for consideration by the Twenty-Fourth Meeting of the Parties the draft decision contained in section B of annex I to the present report.

Recommendation 48/13

IX. Consideration of the report of the Secretariat on the establishment of licensing systems: status of establishment of licensing systems under Article 4B of the Montreal Protocol (decision XXIII/31)

78. The representative of the Secretariat introduced the item, outlining the information set out in documents UNEP/OzL.Pro/ImpCom/48/R.4 and UNEP/OzL.Pro/ImpCom/48/INF/R.1. She recalled that article 4B of the Protocol, which had been introduced by the Montreal Amendment in 1997, required each party to establish a system for licensing the import and export of new, used, recycled and reclaimed controlled substances by 1 January 2000 or within three months of the date of entry into force of article 4B for the party.

79. The vast majority of parties had ratified (and were thus subject to) the Montreal Amendment, had introduced and were operating licensing systems and were reporting disaggregated information on them, i.e., information detailing which annexes and groups of substances under the Montreal Protocol were subject to their systems. Decision XXIII/31 had requested a number of parties that had not yet done one or more of these things to do so.

80. Of the parties that had been requested in the decision to report disaggregated data, Bolivia, the Democratic People's Republic of Korea, Ecuador, Ghana, Guinea, the Holy See, Papua New Guinea and Thailand had now done so. Ecuador had clarified that recent amendments to its licensing system had extended it to include export controls, and Bolivia had clarified very recently that its licensing system covered exports as well as imports. Dominica and Tajikistan had not yet reported disaggregated data.

81. Ethiopia, San Marino and Timor-Leste, which had been requested to complete the establishment and operation of licensing systems as soon as possible, had done so, although though Timor-Leste had reported in July that the necessary legislation had been adopted but had not yet enter into force. Botswana, which had been encouraged to ratify the Montreal Amendment and establish a licensing system, had reported that it was making progress towards both ratification and the establishment of a licensing system. South Sudan, which had become a party to the Montreal Protocol only recently, upon becoming the world's newest country, said that it was in the process of ratifying the amendments to the Protocol but would probably would require financial assistance to enable it establish a licensing system.

82. Of those parties that had been urged to include export controls in their licensing systems, as required under article 4B, Chad, Comoros, the Federated States of Micronesia, Solomon Islands, Sudan and Tonga had reported that they had done so. Gambia had reported that it was still working to update its licensing system to include export controls. Finally, of those parties that had been urged to include HCFCs in their licensing systems in accordance with article 4B, Togo had reported doing so, while Honduras had not yet responded.

83. Members of the Committee applauded the significant progress that parties had made in establishing licensing systems but observed that in addition to establishing them they needed to implement them properly. The discussion on parties' requests for the revision of their baseline data had revealed that some parties did not believe their licensing systems to be operating satisfactorily.

84. The Committee therefore agreed:

Noting with appreciation the tremendous efforts that the parties to the Montreal Protocol had made in the establishment and operation of systems for licensing exports and imports of ozone-depleting substances in accordance with article 4B of the Protocol,

Noting, however, that some Parties that had reported to the Secretariat on the establishment of such licensing systems had not included disaggregated information that detailed the annexes and groups of substances covered by those systems and that in some few cases the licensing systems in place did not regulate exports of ozone-depleting substances or did not cover some groups of substances,

1. To note with appreciation that updated disaggregated information on the establishment and operation of licensing systems in accordance with Article 4B of the Montreal Protocol that detailed the annexes and groups of substances covered by those systems had been reported to the Secretariat by Bolivia, Chad, Comoros, the Democratic People's Republic of Korea, Ecuador, Ethiopia, the Federated States of Micronesia, Ghana, Guinea, the Holy See, Papua New Guinea, San Marino, Solomon Islands, Sudan, Thailand, Togo and Tonga;
2. To request Dominica and Tajikistan to provide detailed disaggregated information on the groups of substances covered by their licensing systems to the Secretariat as a matter of urgency, and no later than 15 September 2012, for consideration by the Committee at its forty-ninth meeting;
3. To urge Timor-Leste to complete the process of establishing a licensing system as soon as possible and to report to the Secretariat thereon no later than 15 September 2012;
4. To request Gambia to submit an update to the Secretariat by 15 September 2012 on any action that it had taken to regulate exports of ozone-depleting substances through its licensing system;
5. To urge Honduras, which operated a licensing system for ozone-depleting substances that did not include export controls, to ensure that it was structured in accordance with article 4B of the Protocol and that it provided for licensing imports and exports of substances in Annex C of the Protocol and to provide information thereon to the Secretariat by 15 September 2012;
6. To encourage Botswana and South Sudan, which were non-parties to the Montreal Amendment to the Protocol and had not yet established licensing systems, to ratify the Amendment and to establish licensing systems to control imports and exports of ozone-depleting substances in accordance with article 4B of the Protocol;
7. To review the status of the establishment of import and export licensing systems for ozone-depleting substances at its forty-ninth meeting.

Recommendation 48/14

X. Information on compliance by parties present at the invitation of the Implementation Committee

85. No parties had been invited to attend the current meeting and accordingly no information was provided under the item.

XI. Other matters

86. The Committee considered no other matters.

XII. Adoption of the recommendations and report of the meeting

87. The Committee approved the recommendations set out in the present report and agreed to entrust the preparation of the report to the President and to the Vice-President, who also served as Rapporteur for the meeting, working in consultation with the Secretariat.

XIII. Closure of the meeting

88. Following the customary exchange of courtesies, the President declared the meeting closed at 12.30 p.m. on Monday, 30 July 2012.

Annex I

Draft decisions approved by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol at its forty-eighth meeting for consideration by the Twenty-Fourth Meeting of the Parties to the Montreal Protocol

A. Draft decision XXIV/-: Requests for the revision of baseline data by Algeria, Equatorial Guinea, Eritrea, Haiti and Niger

The Twenty-Fourth Meeting of the Parties decides:

Noting that, in accordance with decision XIII/15, by which the Thirteenth Meeting of the Parties decided that parties requesting the revision of reported baseline data should present such requests to the Implementation Committee, which in turn would work with the Secretariat and the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol to confirm the justification for the changes and present them to the Meeting of the Parties for approval,

Noting also that decision XV/19 sets out the methodology for the submission of such requests,

1. That Algeria, Equatorial Guinea, Eritrea, Haiti and Niger have presented sufficient information, in accordance with decision XV/19, to justify their requests for the revision of their consumption data for hydrochlorofluorocarbons for the years 2009, 2010 or both, which are part of the baseline for parties operating under paragraph 1 of Article 5,

2. To approve the requests of the parties listed in the preceding paragraph and to revise their baseline hydrochlorofluorocarbon consumption data for the respective years as indicated in the following table:

Party	Previous HCFC data				New HCFC data			
	(metric tonnes)		(ODP tonnes)		(metric tonnes)		(ODP tonnes)	
	2009	2010	2009	2010	2009	2010	2009	2010
1. Algeria	497.75	497.75	30.2	30.2	1061.6	1122.5	60.35	63.88
2. Equatorial Guinea	253	-	13.9	6.4	113	-	6.22	-
3. Eritrea	1.8	1.9	0.1	0.1	19.1	20.31	1.05	1.12
4. Haiti	35.308	33.41	1.9	1.8	70	62	3.85	3.41
5. Niger	660	-	36.3	16.0	290	-	15.95	-

B. Draft decision XXIV/-: Draft decision on reporting of zero consumption

Recalling the need for consistent reporting on the production and consumption of ozone-depleting substances in accordance with article 7 of the Montreal Protocol,

Noting that the forms for reporting in accordance with article 7 submitted by parties sometimes contain blank cells, in which no numbers indicating quantities of ozone-depleting substances produced or consumed are entered,

Noting also that such blank cells could be intended by a party in a given case to indicate zero consumption or production of controlled substances or, alternatively, could represent non-reporting by that party in respect of those substances,

(a) That all Parties shall enter an appropriate number in each cell in the data reporting forms that they submit, entering zero in cases in which no production or consumption has occurred;

(b) That the Secretariat shall clarify with any party that submits a reporting form containing blank cells whether the party has had production or consumption of the ozone-depleting substances to which the blank cells relate and, if so, in what amount.

Annex II

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