**Implementation Committee under the   
Non-Compliance Procedure for the   
Montreal Protocol**

**Sixty-first meeting**

Quito, 3 November 2018

**[Draft recommendations]**

A. Ukraine

1. 3. The Committee agreed:
   1. To note with appreciation the submission by Ukraine of its data under Article 7 for 2017, which confirmed that the party is in compliance with its commitment concerning the consumption of HCFCs under its plan of action to return to compliance, as recorded in decision XXIV/18;
   2. To also note with appreciation the submission by Ukraine of information relating to the progress made towards the adoption of the law on ozone-depleting substances and fluorinated greenhouse gases;
   3. To request Ukraine to submit to the Secretariat by 31 March 2019, for consideration at the Committee’s sixty-second meeting, information on the timing of each stage of the process leading to the entry into force of the its law.

**Recommendation 61/1**

B. Data reporting obligations: non-compliance by two parties with their data reporting obligations

1. 4. The Committee therefore agreed to forward for consideration by the Thirtieth Meeting of the Parties the draft decision set out in section A of Annex I to the present report, which would, among other things, record and note with appreciation the number of parties that had reported ozone-depleting-substance data for the year 2017 and related information, as well as list the parties that were in non-compliance with their data-reporting obligations under Article 7 of the Montreal Protocol.
2. **Recommendation 61/2**

C. Decision XXIV/14 and XXIX/18: reporting of zero in Article 7 data reporting forms

1. 5. The Committee agreed:
   1. To note with appreciation that most parties when reporting data as required under Article 7 have entered a number in each cell in the data reporting forms that they submit to the Secretariat, including zero, where appropriate, rather than leaving the cell blank, as requested in decisions XXIV/14 and XXIX/18;
   2. To note with concern, however, that 20 parties submitted forms for reporting data in accordance with Article 7 for 2017 containing blank cells contrary to decisions XXIV/14 and XXIX/18, which required additional work by the Secretariat;
   3. To further note with concern that by the time of the meeting, one Party had still not provided clarification in response to the Secretariat’s request;
   4. To forward for consideration by the Thirtieth Meeting of the Parties the draft decision set out in section B of Annex I to the present report;

**Recommendation 61/3**

D. Decisions XVII/16 and XXIV/12, on reporting information on destination and source countries for exports and imports of ozone-depleting substances

1. 6. The Committee therefore agreed:
2. (a) To note with appreciation that a majority of Parties exporting controlled substances regularly provide information on the countries of destination for their exports, in response to decision XVII/16;
3. (b) To further note with appreciation that a number of Parties importing controlled substances regularly provide information on the source countries for their imports, in response to decision XXIV/12,
4. (c) To note that this information facilitates the exchange of information and identification of differences between data reported on imports and data reported on exports, which in turn facilitates the identification of possible cases of illegal trade;
5. (d) To note, however, that a large number of importing Parties and a small number of exporting Parties do not provide this information, which impedes the identification of cases of illegal trade in substances controlled under the Protocol;
6. (e) To forward for consideration by the Thirtieth Meeting of the Parties the draft decision set out in section C of Annex I to the present report;

**Recommendation 61/4**

Annex I

Section A

[Draft decision XXX/[ ]: Data and information provided by the parties in accordance with Article 7 of the Montreal Protocol

*The Thirtieth Meeting of the Parties decides,*

1. To note that [[195] parties of the 197 parties / all 197 parties] that should have reported data for 2017 have done so, and that 190 of those parties had reported their data by 30 September 2018 as required under paragraph 3 of Article 7 of the Montreal Protocol

2. To note with appreciation that 133 of those parties had reported their data by 30 June 2018 in accordance with the encouragement in decision XV/15, and that reporting by 30 June each year greatly facilitates the work of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol in assisting parties operating under paragraph 1 of Article 5 of the Protocol to comply with the Protocol’s control measures;

[3. To note further that a lack of timely data reporting by parties impedes the effective monitoring and assessment of parties’ compliance with their obligations under the Montreal Protocol;

4. To note with concern that [2 parties], namely [Central African Republic and Yemen, has/have] not reported [its/their] 2017 data as required under Article 7 of the Montreal Protocol, and that this places [it/them] in non-compliance with [its/their] data reporting obligations under the Montreal Protocol until such time as the Secretariat receives [its/their] outstanding data;

5. To urge [Central African Republic and Yemen] to report the required data to the Secretariat as quickly as possible;

6. To request the Implementation Committee to review the situation of [that party/those parties] at its sixty-second meeting;]

7. To encourage parties to continue to report consumption and production data as soon as figures are available, and preferably by 30 June each year, as agreed in decision XV/15.]

Section B

[Draft decision XXX/[ ]: Reporting of zero in Article 7 data reporting forms

*The Thirtieth Meeting of the Parties decides,*

*Recalling* paragraph 3 of decision XXIX/18 where the Parties were urged when submitting forms for reporting data in accordance with Article 7, to ensure that all cells in the forms are completed with a number, including zero, where appropriate, rather than leaving the cell blank

*Recalling* further that, by decision XXIX/18 the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol was requested to review the status of compliance by the Parties with paragraph 3 of that decision at its sixty-first meeting

*Noting* with appreciation that the majority of parties are continuing to report data consistent with the request made in decision XXIV/14 and reiterated in decision XXIX/18 by recording a number in each cell in the data reporting forms that they submit, including zero, where appropriate, rather than leaving the cell blank;

*Noting* with concern, however, that there are still a number of Parties which leave blank cells in their Article 7 reports, which requires additional work by the Secretariat;

1. To note that 20 parties submitted forms for reporting data in accordance with Article 7 for 2017 containing blank cells, contrary to decisions XXIV/14 and XXIX/18, and that 19 of those provided clarification in response to the request of the Secretariat;

2. [To urge the remaining Party, namely Dominica, which has not yet provided clarification, to do so as soon as possible;]

3. To urge all Parties, when submitting forms for reporting data in accordance with Article 7, to ensure that in the future all cells in the data reporting forms are completed with a number, including zero, where appropriate, rather than leaving the cell blank, in accordance with decision XXIV/14;

4. To request the Implementation Committee to review the status of adherence to paragraph[s 2 and] 3 of the present decision at its sixty-third meeting;

Section C

[Draft decision XXX/[ ]: Reporting information on destination countries for exports and source countries for imports of ozone-depleting substances

*The Thirtieth Meeting of the Parties decides,*

*Recalling* decisions XVII/16 and XXIV/12 of the Parties which refer to the submission of data on destinations of exports and sources of imports of controlled substances by importing Parties and exporting Parties, respectively, to the Ozone Secretariat in their annual reports due based on Article 7 of the Protocol;

*Noting* with appreciation that a majority of Parties exporting controlled substances regularly provide information on the countries of destination for their exports, in response to decision XVII/16;

*Further noting* with appreciation that a number of Parties importing controlled substances regularly provide information on the source countries for their imports, in response to decision XXIV/12,

*Recognising* that this information facilitates the exchange of information and identification of differences between data reported on imports and data reported on exports, which in turn facilitates the identification of possible cases of illegal trade;

*Noting*, however, that a large number of importing Parties and a small number of exporting Parties do not provide this information, which impedes the identification of cases of illegal trade in substances controlled under the Protocol;

1. To urge Parties exporting controlled substances to report to the Secretariat information on the destinations of their exports, as called for in Decision XVII/16 of the Parties;
2. To request Parties importing controlled substances to report to the Secretariat information on the sources of their imports, as set out in Decision XXIV/12;