

**Open-ended Working Group of the Parties to  
the Montreal Protocol on Substances that  
Deplete the Ozone Layer  
Thirty-second meeting  
Bangkok, 23–27 July 2012  
Agenda item 12  
Other matters**

## **Draft decision on differences between data reported on imports and data reported on exports**

### **Submission by the contact group on data discrepancies**

#### **Explanatory note**

1. At present, data on imports and exports of controlled substances are reported by the parties on the basis of Article 7 of the Montreal Protocol and according to the reporting format as last revised by decision XVII/16. Parties exporting controlled substances are requested, inter alia, to submit information on countries of destination in their reports. Data received are reviewed by the Ozone Secretariat in order to calculate consumption of controlled substances by individual parties. The Ozone Secretariat then provides all importing countries with information on all reported exports to their countries. Since currently there is no request for importing parties to provide information on source countries in the reports that they submit to the Ozone Secretariat, the process of clarifying any differences is lengthy and burdensome, especially for importing countries. Moreover, it should be recognized that while such differences may result from the submission of incomplete data, they may also result from illegal trade activities which have been overlooked by the customs authorities in exporting and importing countries. Thus analysis of the data may also assist parties in identifying such illegal activities.

2. The objectives of the following draft decision are:

(a) To diminish the administrative burden connected with the complexity of the process of clarifying differences between import and export data in the absence of a request for importing countries to submit information on countries of origin;

(b) To identify and prevent illegal trade activities in trade in controlled substances, including the diversion of substances into prohibited uses.

*The Twenty-Fourth Meeting of the Parties decides:*

*Noting that there [are significant] may be differences in data on imports and exports of controlled substances submitted by the parties under Article 7 of the Montreal Protocol, and recognizing that while such shipments may have plausible explanations such as shipments over the end of a calendar year [differences may result from] or the submission of incomplete data, they may also result from illegal trade activities or resulting from companies that do not comply with domestic legislation without criminal intent,*

*Noting also* that in the Article 7 data reporting format, as last revised by decision XVII/16, parties exporting controlled substances are requested to submit to the Ozone Secretariat information on countries of destination, while there is no request for parties importing controlled substances with regard to source countries,

*Noting further* that the absence of a request for importing countries to submit information on source countries makes the process of clarification of differences complex and burdensome for both importing and exporting countries,

*Mindful* that the further improvement of data reporting systems will facilitate the prevention of the illegal trade in controlled substances,

Recalling Decision IV/14 and IX/34 that provided some clarification on how to report transshipments and imports for re-export and thereby provided an indication on what country is to be considered as [source country][exporting country]

2. [To request the Ozone Secretariat to revise, before 1 January 2014 [2013], the reporting format resulting from decision XVII/16 to include in Data Form 1 a column indicating the exporting Party for the quantities reported as import, and to [urge] invite the parties to implement the revised reporting format [expeditiously] as soon as possible;]

[3. To request the Ozone Secretariat to report back [every January] aggregated information related to the controlled substances in question received from the importing/re-importing to the exporting party concerned together with the information provided under Decision XVII/16;]

[3 To request the ozone secretariat to compile data, on an annual basis, that is reported under article 7 on imports per paragraph 2 above, together with the information provided as per decision XVII/16 on exports and to send the Parties concerned this information.]

4. To [encourage] [invite] parties [to enhance cooperation with the view to clarifying any difference in import and export data and to considering possible action as appropriate] [informed by the Ozone Secretariat [in accordance with paragraph 3 above] [to check for differences and] to [consider undertaking any] [undertake the] actions necessary to clarify the reasons for any differences found and to consider introducing preventive measures, as appropriate].

5. To invite Parties to consider participation in the informal Prior Informed Consent (iPIC) scheme as a means to improve information about their potential imports of controlled ODS.

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