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THE MULTILATERAL FUND FOR THE
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**CRITERIA FOR THE ASSESSMENT OF THE PROGRESS REPORTS AND
VERIFICATION AUDITS OF MULTI-YEAR AGREEMENTS
(FOLLOW-UP TO DECISION 43/38)**

I. INTRODUCTION

1. This document contains the revised version of the criteria for the assessment of the progress reports and verification audits of the multi-year agreements (MYAs), which had been submitted by the Secretariat to the 43rd Meeting of the Executive Committee in July 2004 (UNEP/OzL.Pro/ExCom/43/50). The first version had resulted in considerable discussion from members of the Committee at the 43rd Meeting, which could be broadly summarized as follows.
2. There might be a need to differentiate between the level of monitoring and reporting for the MYAs of medium- and large-volume-consuming countries (non-LVCs) and refrigerant management plans (RMPs) and/or terminal phase out management plans (TPMPs) from low-volume-consuming countries (LVCs). This is because although RMPs and/or TPMPs are multi-year in nature and carry the obligation to report to the Executive Committee annually, they usually cover a modest level of ODS consumption and a limited level of financial commitment from the Multilateral Fund.
3. Currently there are two reports which are mandatory for LVCs as a consequence of the decisions of the Executive Committee, the first one is the annual report on the implementation of the country programme and the other one a bi-annual report on the institutional strengthening projects submitted along with requests for renewal of such projects. For the purpose of monitoring the implementation of RMPs/TPMPs, there is the need to examine the practicality and efficiency of combining the reporting under the RMP with the existing reporting requirements and producing a single format for this group of countries.
4. For the non-LVCs, it is recognized that the MYAs under the national and sectoral phase-out plans require the responsible implementing agencies to submit an annual verification report on the achievement of the ODS reduction targets as a prerequisite for the release of the next tranche of funds. It is, however, necessary to ensure that the criteria for reporting are adequate and at the same time realistic. In that context, it is relevant to examine both the possibility of developing uniform criteria to be used by all MYAs and the feasibility of identifying country-specific criteria for each MYA in recognition of the different circumstances of each country.
5. In view of the additional issues needing clarification, the Executive Committee decided:
 - (a) To request Executive Committee members, bilateral agencies and implementing agencies to submit their written comments on the criteria for the assessment of the progress reports and verification audits of multi-year agreements contained in document UNEP/OzL.Pro/ExCom/43/50 to the Secretariat before 20 September 2004; and
 - (b) To request the Secretariat to prepare a new document for consideration at the 44th Meeting of the Executive Committee (Decision 43/38).
6. As of the beginning of October 2004, the Secretariat received contributions from Argentina, Bangladesh, Canada and Japan, which were very helpful in assisting the Secretariat in

revising the paper. The Secretariat also shared the revised paper with colleagues from the implementing and bilateral agencies and reflected their feedback in the revision as appropriate.

7. In light of the comments received, the Secretariat re-examined the criteria for monitoring and reporting of the MYAs separately for LVCs in section II and those for the non-LVCs in section III. For each of these two groups of countries, the examination went through the following sequence of questions to address the issues raised by the Executive Committee, including the concern for duplicative reporting:

- Why is the annual reporting necessary for MYAs?
- What are the data needed for the monitoring of the MYAs?
- Are these data already provided in the existing reporting requirements, and how often is the existing reporting submitted?
- Is there a gap between the data needed for the MYA reporting and those available from the existing reporting? How can the gap be bridged?

8. For the non-LVCs, the paper also briefly discusses in section III the two possible approaches for developing criteria to conduct verification audits namely, applying uniform standards or country-specific standards.

9. Finally the paper presents a set of conclusions and recommendations/options.

II. MONITORING AND REPORTING OF RMP AND/OR TPMP FOR LVCS

II.1 Why is the annual RMP and/or TPMPs reporting necessary?

10. Decision 31/48 by which the Executive Committee decided to increase the level of funding of RMPs of LVCs by 50 per cent from their initial level requests a commitment from each recipient country “to annual reporting of progress in implementing the RMP and meeting the reduction steps”.

11. However, the need for annual RMP reporting goes beyond this legal and administrative requirement. The LVCs are the largest group of countries on the funding list of the Multilateral Fund and face the same phase-out obligations under the Montreal Protocol. However, due to the limited level of ODS consumption, institutional strengthening and RMPs are usually the only projects that these countries receive funding from the Multilateral Fund. Apart from the progress reporting on the implementation of the institutional strengthening projects at the time of requesting renewals, in most cases every two years, there is very little feedback from the countries on the implementation of the RMP, which is the only tool to assist the countries to comply with their phase-out schedule.

12. An RMP typically consists of a number of activities, such as training of the refrigeration technicians and customs officers and a CFC recovery and recycling programme. However, the

training and the installation of the recovery and recycling equipment are not ends in themselves but the conditions set up to achieve the reductions in CFC consumption as per the Montreal Protocol schedule. In many cases, the reported completion of these activities means an end to any further information about the RMPs until the country is included in the list of countries in non-compliance by the Montreal Protocol's Implementation Committee and the Meeting of the Parties. During the discussion of the status/prospect of Article 5 countries in achieving their phase-out targets at the 43rd Meeting, the Executive Committee noted the need to strengthen the current compliance monitoring system by gathering information "on the nature of the impediments to achieving compliance with control measures, in particular with regard to LVC countries".

13. Therefore, the purpose of monitoring the implementation of the RMPs annually is to inform the Executive Committee in a timely manner of the difficulties or challenges that LVCs may be facing and enable the Multilateral Fund to intervene to assist in resolving the problems before non-compliance becomes an issue.

II.2 What are the data needed for the monitoring of RMPs in LVCs?

14. If the emphasis of the monitoring is on pre-empting the occurrence of non-compliance, data needed would be those which could send signals about the key parameters of the ongoing RMPs. These would include the overall ODS consumption in the country, the effectiveness of the ODS import control regime and the supply and demand of the ODS, including the availability of recovered and reused ODS. On this basis, a number of possible indicators have been reviewed as follows:

II.2.1 Consumption data as per Article 7 of the Montreal Protocol

15. For countries with an approved RMP, the only indicator for determining actual reductions in CFC consumption is the data that the countries concerned report under Article 7 of the Montreal Protocol. The advantage of this indicator is that it represents the official data from the country concerned and is the ultimate basis for assessing the country's compliance with the control schedules.

16. This indicator does, however, have major limitations as an active monitoring tool for the implementation of RMPs. This is because partly due to the time at which the data becomes available and partly due to the nature of the data, it provides a snapshot of the status of ODS consumption at a particular point in time, which is typically between six and 18 months out of date. It does not show the process leading up to that position. Planning action on the basis of that data alone might result in late assistance.

17. Therefore, the consumption data as per Article 7 could serve as an important reference point, as used in the current compliance monitoring system, but it should not be the only indicator because it provides no guidance on what is happening on the ground.

II.2.2 Enforcement of regulations to control ODS

18. In the majority of LVC countries, ODS regulations, including the licensing of ODS imports, have either been enacted or are in an advanced state of preparation. In many countries, enforcement of the legislation has taken longer than anticipated. However, it is the enforcement of such controls that has an impact on the availability of ODS in the country. If a country has established a well organized enforcement structure, it is likely that the controls will be implemented.

19. The enforcement structure may vary from country to country. However, it would invariably include such steps as the registration of the ODS importers, the designation of a government agency for issuing the import quotas and the establishment of a database for registering ODS imports either by the customs or by another department. These could be the indicators to monitor the progress of a country in enforcing the ODS import control regime provided such a regime has been introduced.

II.2.3 Prices of ODSs (retail prices)

20. Prices of ODS could be a useful indicator of the supply and demand of ODS, especially if continuous year-by-year data is available. An upward moving trend of prices could show a decreasing supply and, combined with the quantity imported, could provide good clues to the supply and demand of ODS and the effectiveness of the ODS import control.

II.2.4 Quantity of CFC recovered and reused

21. The quantity of recovered and reused ODS could indicate the effectiveness of the training of the refrigeration technicians and the rate of utilization of the recovery and recycling equipment. An increased quantity of recycled ODS could result from tighter control on imports of ODS and higher prices of ODS. A continuous collection of the year-by-year data could reveal the progress or lack of it in the ODS recovery effort.

22. Clearly the above four indicators are interrelated, and although individually they may not reveal much, together they may be able to provide some signals on the status of the implementation of the RMP in a particular country. In addition to these quantitative indicators a brief qualitative assessment of the progress of the RMP activities, in so far as assisting the country concerned in achieving its ODS consumption reductions, would substantiate these quantitative indicators.

23. The report should be prepared by the ozone unit and reviewed by the responsible implementing agencies. This will make the annual reporting a powerful monitoring tool of the implementation of the RMPs in LVCs.

II.3 Are these data already provided in the existing formatting?

Needed Data	Availability and Source	Frequency of Reporting	Adequacy
Consumption data (Article 7)	Yes, Ozone Secretariat, country programme implementation report	Annual	Yes
Legislation on import control and enforcement	Yes, country programme implementation report	Annual	No, only availability of control is reported, not enforcement
Prices of ODS	No		
Quantity of ODS recovered and reused	No		

II.4 The data gap and the way to bridge it

24. The table in the above section shows that there is a gap between the data needed for compliance monitoring in LVCs and the data which is collected under existing reporting. The data on the enforcement of ODS import control, the prices of ODS, and the quantity of the recycled and reused ODS should be readily available under the on-going RMPs in these countries, but are not being collected by the existing reports.

25. While these data can be collected through separate reporting under RMPs as per decision 31/48, it is reasonable to examine first the possibility of incorporating them in the existing reports and avoid creating an additional reporting requirement. There are currently two reporting requirements for LVCs which are mandated by decisions of the Executive Committee, namely, the annual report on the implementation of the country programme, and the biannual report on the implementation of institutional strengthening projects. A review of the contents of these reports indicates that the report on the implementation of country programme could be recast to serve the need for RMP monitoring, because:

- it is submitted by each Article 5 country annually to the Fund Secretariat;
- it contains the ODS consumption data, which is the same as the Article 7 data, since a joint reporting format has been used for reporting to the Ozone Secretariat and the Fund Secretariat. In addition, the report also collects the breakdown of ODS use by sector, which has been useful in monitoring project approvals. The format for reporting on the implementation of country programme could be adjusted to collect data on ODS prices and quantities of recovered and reused ODS.
- it has a quite elaborate system for collecting ODS policy controls, and the data on the enforcement of such controls could be added.

II.5 Conclusions

26. The annual reporting on RMPs in LVCs originates in decision 31/48. However, the need for monitoring of LVCs goes beyond this requirement. There is a lack of information on the status of the national ODS phase-out plans in these countries, which prevents a realistic assessment of the prospect of the countries to achieve compliance and consequently precludes timely intervention by the Multilateral Fund to assist when needed.

27. The existing system for monitoring compliance in LVCs, which relies almost solely on the ODS consumption data of Article 7, should be reinforced by information collected on enforcement of ODS import control, ODS prices, and the amount of ODS recovered and reused. The information should be prepared by the ozone unit and reviewed by implementing agencies.

28. The annual report on country programme should be reviewed and recast to collect the data needed for the annual reporting of RMPs in LVCs.

III. VERIFICATION AUDITS OF MYAS FOR MEDIUM- AND LARGE-VOLUME-CONSUMING COUNTRIES (NON-LVCS)

III.1 Why is annual reporting of MYAs in non-LVCs necessary?

29. The MYAs of the non-LVCs are significantly different from the RMPs of LVCs. Firstly, it is the implementing agency, not the government concerned, which is responsible for the annual reporting. Secondly, the reporting requirement is defined in each of the agreements and is mandatory for the continued funding of the agreements. Thirdly, the core factor in monitoring and reporting is data validation through a credible process to determine the success or otherwise of the Agreement in achieving the ODS consumption targets in the year relevant to the plan.

30. Verifications of MYAs have been carried out by implementing agencies for a number of years, and vary in the methodologies used and consequently in quality. The criteria which are being proposed below are intended to achieve some consistency and uniformity in the methodology for carrying out these verifications. They cover, among other things, data requirement, the procedure to be followed in carrying out the verification and the composition of the verification team.

III.2 General guidelines for annual verification audits of MYAs

III.2.1 Purpose

31. The purpose of the general guidelines is to provide guidance for the conducting of annual verification audits of the MYAs, bearing in mind the specific reporting requirements in each of these agreements.

III.2.2 Applicability

32. These general guidelines are intended for multi-year agreements for sectoral and national phase out plans for CFCs, halons, CTC, TCA, and methyl bromide. They do not apply to ODS production sector phase out agreements which are governed by guidelines approved by the Executive Committee in the year 2000.

III.2.3 Time of submission

33. Annual verification of MYAs with a funding request should be submitted according to the schedule as prescribed in the agreements.

III.2.4 Basis for verification audits of MYAs

34. Since the MYAs define their achievement targets in annual national maximum allowable consumption of an ODS, the MYAs should use the Montreal Protocol definition of consumption as the basis for the verification of the targets (i.e. consumption = production+imports-exports). For those Article 5 countries which do not produce the ODS, the formula can be simplified to be consumption equals imports (minus exports where appropriate). The collection and verification of the data on imports would be the means for confirming the national aggregate consumption of the ODS concerned in a country in a given year. For those countries where the ODS is produced, the verification of consumption has to include verification of production data using the guidelines approved by the Executive Committee, and the criteria defined herein to verify imports and exports.

III.2.5 Data need

35. For the verification process, the following information should be available:

- (a) Policy of the government for controlling ODS, which should include the nature of the policy (for instance, a government decree, a law, etc), date of its enactment, the scope of its coverage etc;
- (b) Enforcement structure for the policy, such as the government department for issuing import quota and export licenses, and the responsibility of the customs services and the department of statistics;
- (c) Government statistics of imports and exports of ODS;
- (d) Annual import and export quota issued;
- (e) Actual import and export quota used;
- (f) Actual imports and exports by the authorized importers and exporters, supported by customs declaration forms, any/or other supporting documentation, if available;
- (g) List of the importers and exporters authorized by the government; and
- (h) List of distributors authorized by the government, if available.

III.2.6 Procedure of the verification

36. The verification audit of the ODS consumption should be conducted in accordance with international or national standards. Specifically it should:

- (a) Review the government policy controlling ODS consumption and production, and the division of responsibility between national institutions for enforcing the relevant policies;

- (b) Review the government statistics on ODS imports and exports against the data from the customs and, the amount of quota issued against actual quota applied;
- (c) Review the list of government authorized importers and exporters against the records of the customs;
- (d) Review, on a representative sampling basis if necessary, the records of importers/exporters against the customs records and the quota issued;
- (e) Discuss conclusions on the achievement of the annual ODS reduction target as well as recommendations; and
- (f) Review the plan of action proposed by the Government to implement the recommendations from the auditors.

III.2.7 The verification team

37. The verification should be carried out by reputable audit institutions that have international or national accreditation, such as certified accountants. The selection should be determined with due consultation with the government concerned.

III.3 Country-specific criteria for the verification of MYAs

38. The concept of country-specific criteria for the verification of MYAs is to allow implementing agencies to work with each Article 5 country with a MYA in proposing criteria to verify their specific MYAs. Once these criteria are agreed upon by the Executive Committee, they will be annexed to the MYA concerned and used to carry out the verification in the future.

39. The benefit of the concept is the consideration given to the specific circumstance of each MYA. However since the verification of ODS consumption is basically an auditing exercise, there is considerable uniformity in the standards and procedures that are used across countries. The guidelines that are being proposed are intended as general guidance for such audits and are to be applied with flexibility to accommodate the specific circumstances of each MYA. Therefore the chance that the diversity and specifics of the MYAs are disregarded is limited. In addition, country-specific criteria may pose a challenge to the comparison of results across countries and to system-wide consolidation.

IV. Recommendations

40. The Secretariat recommends the Executive Committee may consider:
- (a) To adopt enforcement of national policy on ODS imports and exports, retail prices of ODS, and amount of recovered and reused ODS as additional indicators for monitoring the implementation of refrigerant management plans in low-volume-consuming countries, in addition to the existing indicator for ODS consumption data as per Article 7 of the Montreal Protocol;

- (b) To adopt the revised country programme report format contained in Annex I to the present document as the format for reporting on RMP implementation in low-volume-consuming countries;
- (c) To request low-volume-consuming countries to submit annual reports on the implementation of refrigerant management plans, as required in Decision 31/48, starting in 2006 using the revised format contained in Annex I;
- (d) To request all medium- and large-volume consuming countries to submit, starting in 2006, the report on the implementation of country programmes using the revised format contained in Annex I;
- (e) To review the new indicators and the revised reporting format in 2007; and
- (f) To adopt the general guidelines for the annual verification audits of the multi-year agreements in Section III.2 of this document as general guidance for such audits, bearing in mind the specific reporting requirement under each multi-year agreement.

Annex I

REVISED COUNTRY PROGRAMME REPORT FORMAT

COUNTRY: XXXXXXXXX

YEAR: January to December of the year

YYYYYYYYYY

A. Data on Controlled Substances (in METRIC TONNES)

NOTE: Data entry is required in UNSHADED cells only

Substance ¹	Consumption by Sector										Import	Export ²	Production ²	
	Aerosol	Foam	Fire Fighting	Refrigeration		Solvent	Process agent	Methyl bromide*		Tobacco fluffing				TOTAL
				Manufacturing	Servicing			QPS	Non-QPS					
Annex A, Group I														
CFC-11											0.00			
CFC-12											0.00			
CFC-113											0.00			
CFC-114											0.00			
CFC-115											0.00			
Sub-Total	0.00	0.00		0.00	0.00	0.00	0.00			0.00	0.00	0.00	0.00	0.00
Annex A, Group II														
Halon 1211											0.00			
Halon 1301											0.00			
Halon 2402											0.00			
Sub-Total			0.00								0.00	0.00	0.00	0.00
Annex B, Group II														
Carbon tetrachloride											0.00			
Sub-Total						0.00	0.00				0.00	0.00	0.00	0.00
Annex B, Group III														
Methyl chloroform											0.00			
Sub-Total						0.00	0.00				0.00	0.00	0.00	0.00
Annex C, Group I														
HCFC-22											0.00			
HCFC-141b											0.00			
HCFC-142b											0.00			
HCFC-123											0.00			
Other ³											0.00			
Sub-Total		0.00	0.00	0.00	0.00						0.00	0.00	0.00	0.00
Annex E														
Methyl bromide											0.00			
Sub-Total								0.00	0.00		0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

* QPS = Quarantine and pre-shipment; Non-QPS = Non-quarantine and pre-shipment.

1 Where the data involves a blend of two or more substances, the quantities of individual components of controlled substances must be indicated separately, e.g.: For R502 consisting of 51.2% CFC-115 and 48.8% HCFC-22, indicate the total quantity of each controlled substance (i.e., CFC-115 and HCFC-22) in the appropriate row.

2 Where applicable.

3 Indicate relevant controlled substances.

XXXXXXXXXX

B. Regulatory, administrative and supportive actions

TYPE OF ACTION / LEGISLATION		Ongoing (Yes/No)	Since when (Date)
1.	REGULATIONS:		
1.1	<i>Establishing general guidelines to control import (production and export) of ODSs</i>		
1.1.1	ODS import/export licensing or permit system in place for import of bulk ODSs		
1.1.2	Regulatory procedures for ODS data collection and reporting in place		
1.1.3	Requiring permits for import or sale of bulk ODSs		
1.1.4	Quota system in place for import of bulk ODSs		
1.2	<i>Banning import or sale of bulk quantities of:</i>		
1.2.1	CFCs		
1.2.2	Halons		
1.2.3	Other ODSs (CTC, TCA, methyl bromide)		
1.3	<i>Banning import or sale of:</i>		
1.3.1	Used domestic refrigerators or freezers using CFC		
1.3.2	MAC systems using CFC		
1.3.3	Air conditioners and chillers using CFC		
1.3.4	CFC-containing aerosols except for metered dose inhalers		
1.3.5	Use of CFC in production of some or all types of foam		
1.4	<i>Training and certification programmes</i>		
1.4.1	Requiring training of customs officers		
1.4.2	Requiring training of refrigeration service technicians		
1.4.3	Requiring certification of refrigeration service technicians		
1.4.4	System for monitoring and evaluation of training programmes		
1.5	<i>Recovery and recycling of CFCs</i>		
1.5.1	Mandatory recovery and recycling of CFCs		
1.5.2	Monitoring system for reporting on recovered and recycled CFCs		
1.6	<i>Other regulations (please specify)</i>		
1.6.1			
1.6.2			
2.	ENFORCEMENT OF ODS IMPORT CONTROLS		
2.1	Number of registered ODS importers		
2.2	Agency issuing the import quotas		
2.3	A shared database on import quotas and actual imports between ozone office and customs (Yes/No)		
2.4	Number of instances of unauthorized ODS imports stopped		
2.5	Estimated quantity and origin of unauthorized ODS imports		

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B. Regulatory, administrative and supportive actions (continued)

TYPE OF ACTION / LEGISLATION		Ongoing (Yes/No)	Since when (Date)
3.	INSTITUTIONAL FRAMEWORK FOR MANAGEMENT OF ODS PHASE-OUT		
3.1	National committees (name)		
3.2	Sectoral committees (name)		
3.3	Working groups (name)		
3.4	Other (please specify)		
4.	INFORMATION AND PUBLIC AWARENESS ON ODS		
4.1	Implementation of public awareness campaigns		
4.2	Dissemination of ODS information in schools		
4.3	Celebration of the Ozone Day		
4.4	Establishment of product quality standards ("Ozone Seal" or "Green Label")		
4.5	Other activities		

XXXXXXXXXX

C. Quantitative assessment of the phase-out programme

Description	2004	2005	2006	2007	2008	2009	2010
Import quotas issued (ODP tonnes)							
CFC-11							
CFC-12							
CFC-113							
CFC-114							
CFC-115							
HCFC-22							
HFC-134a (Optional)							
Actual imports (ODP tonnes)							
CFC-11							
CFC-12							
CFC-113							
CFC-114							
CFC-115							
Retail price of ODS/substitutes (US\$/kg)							
CFC-11							
CFC-12							
CFC-113							
CFC-114							
CFC-115							
R-502							
HCFC-22							
HFC-134a (Optional)							
Training programmes							
Number of trainers for customs							
Number of customs officers trained							
Number of trainers for technicians							
Number of technicians trained							
Number of technicians certified							
Recovery/recycling/reused (ODP tonnes)							
CFC-12 recovered							
CFC-12 reused							
HCFC-22 recovered							
HCFC-22 reused							
HFC-134a recovered (Optional)							
HFC-134a reused (Optional)							
Number of recovery machines in operation							
Number or recycling machines in operation							
Number of end-users converted							
Number of end-users retrofitted							

D. Qualitative assessment

1. Is the RMP and its components (recovery and recycling programmes, training of technicians and customs, and legislation) proceeding as scheduled:

- Yes
- No

If not, please specify milestones and completion dates with delays, and explain reasons for the delay and measures taken to overcome the problems: _____

2. The ODS import licensing scheme functions:

- Very well
- Satisfactorily
- Not so well

Please specify problems encountered: _____

3. The CFC recovery and recycling programme functions:

- Very well
- Satisfactorily
- Not so well

Please specify problems encountered: _____

4. The RMP will enable the Government to achieve:

- the 50% CFC reduction target in 2005
- the 85% CFC reduction target in 2007
- the complete phase-out of CFC in 2010

5. Additional measures that are needed and planned to assist in the implementation of the RMP and to achieve compliance:

E. Comment by bilateral/implementing agency(ies)
