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EXECUTIVE COMMITTEE OF THE MULTILATERAL FUND FOR THE IMPLEMENTATION OF THE MONTREAL PROTOCOL Forty-fifth Meeting Montreal, 4-8 April 2005

Addendum

PROJECT PROPOSAL: VIET NAM

This document is being issued to:

- **Replace** the project evaluation sheet on page 2 **with** the new one attached
- Add the following paragraphs:

18. bis. The Secretariat and the World Bank discussed the version of the draft agreement submitted by the World Bank. This version adhered in most parts exactly to the language of a "sample draft agreement" provided in Annex II to the guidelines for the preparation of national ODS phase-out plans, which were endorsed by the Executive Committee in decision 38/65. This decision acknowledged that "because of the different situations and needs of countries, and the impracticability of attempting to encompass every situation, the purpose of the guidelines is to provide general principles and procedures that should be followed in developing and implementing performance-based ODS phase-out plans".

18. ter. The Secretariat proposed a number of changes to the draft agreement which resemble widely agreed practice among agencies and represent today the typical wording in such agreements. At this 45th Meeting, two more projects - Macedonia and Romania - use the Secretariat's proposed wording in their draft agreements, and the same applies to the majority of projects in the past. The World Bank insisted on retaining exactly the language of the sample draft agreement, arguing that it is the World Bank's desire to adhere as closely as possible to any policies approved by the Executive Committee, despite the flexibility explicitly provided by the Executive Committee in this case.

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18. qua. In addition to a number of legal semantic issues, such as improving language to achieve a unified definition of use, the Secretariat raised three major issues with the World Bank regarding the language used in the draft agreement. However, since an agreement has not at this stage been reached on these issues, the Secretariat decided to forward the draft agreement including the language used in the majority of agreements, in an effort to support Viet Nam in the most expeditious manner possible. The issues in question and the language proposed by the Secretariat are indicated below:

- In paragraph 7, the draft agreement submitted by the World Bank indicates that (a) reallocation of funding is possible without the endorsement of the Executive which would review it post facto. The UNEP/OzLPro/ExCom/45/15 "Issues identified during project review", issued for consideration at the present Meeting, points out that this does not provide a meaningful way for the Executive Committee to exercise its discretion, since there are no avenues for recourse if the Executive Committee were to conclude that the reallocation was not acceptable. The draft agreement supplied to the Executive Committee therefore contains, in square brackets, the text suggested in the said document.
- (b) In paragraph 9, the language used by the World Bank suggests calculating a potential penalty proportional to each ODP tonne of reductions in consumption not achieved, i.e., in the case of this agreement this relates to Appendix 2-A, rows 3, 7, and 11. In such a case, a country which meets not only all annual consumption targets, but achieves more rapid phase-out than foreseen in one year and accordingly slower phase-out in the next might be penalized for not achieving the reduction steps. The Secretariat instead inserted the typical language of such agreements where a potential penalty is calculated on the basis of each ODP tonne exceeding the Maximum Allowable Total Consumption of CFCs limit (rows 1, 5, and 9 in Appendix 2-A), thus avoiding such an unintended penalty provision.
- (c) In Appendix 6-A of the sample draft agreement, guidance is provided on the role of the lead implementing agency, stating that it should carry out a range of activities along the lines of a list of examples approved by the Executive Committee in the guidelines. The Secretariat understands the words "along the lines" in this context to be procedural language, intended to advise the user. In formulating the legal obligations, the World Bank insisted on keeping this procedural language intact, leading to the responsibilities of the World Bank being defined only "along the lines", not in exact legal terms. The Secretariat rejected this interpretation of the guidelines and replaced the World Bank's "along the lines of" in paragraph 1 of Appendix 6-A by the same wording as in other agreements, "as follows".

18. quin. The Secretariat noted that despite the stated intention to adhere closely to the guidelines and the sample draft agreement, the World Bank nonetheless proposes to introduce a

significant change to the key provision in the guidelines mentioned above regarding the frequency of reporting and fund disbursement. The World Bank insists on receiving funding in two-year tranches (except in the first year), and on reporting only three times up to 2010, while the guidelines foresee an annual funding and reporting cycle. While a two-year funding cycle as such is not disputed by the Secretariat, it seems to be inconsistent with the intentions stated by the World Bank.

18. sex. In order to ensure that Viet Nam can receive the necessary funding as soon as possible, the World Bank was informed to be prepared with a clear mandate from the country regarding the acceptability of the language in an agreement, to allow conclusion of the issue at the present Meeting of the Executive Committee.

- **Replace** paragraph 19 **with** the following paragraph:
- 19. Based on above comments of the Fund Secretariat, and pursuant to decision 44/46, the Executive Committee may wish to consider:
 - (a) approving the associated "Agreement between Viet Nam and the Executive Committee of the Multilateral Fund for the Phase-out of Ozone Depleting Substances";
 - (b) approving the first annual work programme for 2005; and
 - (c) approving the first tranche of the plan at the funding levels shown in the table below:

	Project Title	Project	Support Cost	Implementing
		Funding (US\$)	(US\$)	Agency
(a)	National CFC and halon phase-out plan (first tranche)	495,537	37,165	World Bank

PROJECT EVALUATION SHEET - VIET NAM

PROJECT TITLE

BILATERAL/IMPLEMENTING AGENCY

National CFC and halon phase-out plan (first tranche)		World Bank
NATIONAL CO-ORDINATING AGENCY:	Ministry of Natural Reso	urces and Environment

LATEST REPORTED CONSUMPTION DATA FOR ODS ADDRESSED IN PROJECT

A: ARTICLE-7 DATA (ODP TONNES, 2003, AS OF FEBRUARY 17, 2005)

Annex A Group I	Annex A Group II	Annex B Group II	
243.2	0	0	

B: COUNTRY PROGRAMME SECTORAL DATA (ODP TONNES, 2003, AS OF SEPTEMBER 2004)

ODS	Foam	Ref.	Aerosol	ODS	Fire	Solvent*	Fumigant
					Protection*		C
CFC - 11	19.00	0.60		Halon - 1301	40		
CFC - 12		223.06		Halon -2402	36		
CFC - 115		0.90		CTC		0.22	

^{*}Consumption in 2002. In 2003, the required amounts were drawn from existing stocks within the country.

CFC consumption remaining eligible for funding (ODP tonnes)	44 th Meeting approved allocation of all
	remaining eligible tonnes to this project

CURRENT YEAR DRAFT BUSINESS PLAN: Total funding \$ 1.26 million: total phase-out 278 ODP tonnes

PROJECT	DATA	2004	2005	2006	2007	2008	2009	2010	Total
Annex A	Montreal Protocol limits	500	250	250	75	75	75	0	n.a
Group I	Annual consumption limit	$(243.2)^*$	240	200	75	40	10	0	n.a
(ODP	Annual phase-out from ongoing projects	0	0	0	0	0	0	0	0
tonnes)	Annual phase-out newly addressed	n.a.	40 (+3.2)**	125	35	30	10	n.a.	240 (+3.2)**
	Annual unfunded phase-out	0	0	0	0	0	0	0	0
Annex A	Montreal Protocol limit	37	18.5	18.5	18.5	18.5	18.5	0	n.a
Group II	Annual consumption limit	(0)*	18.5	18.5	18.5	18.5	18.5	0	n.a
(ODP	Annual phase-out from ongoing projects	0	0	0	0	0	0	0	0
tonnes)	Annual phase-out newly addressed	0	0	0	0	0	18.5	n.a.	18.5
tollies)	Annual unfunded phase-out	0	0	0	0	0	0	0	0
Annex B	Montreal Protocol limit	n.a.	0.24	0.24	0.24	0.24	0.24	0	n.a.
Group II	Annual consumption limit	0	0.19	0.19	0.19	0.19	0.19	0	n.a.
(ODP	Annual phase-out from ongoing projects	0	0	0	0	0	0	0	0
tonnes)	Annual phase-out newly addressed	0	0	0	0	0	0.19	n.a.	0.19
,	Annual unfunded phase-out	0	0	0	0	0	0	0	0
TOTAL	ODS CONSUMPTION TO BE PHASED OUT		40						258.69
		0	(+3.2)**	125	35	30	28.69	n.a.	(+3.2)**
	consumption to be phased-in (HCFCs)	0	1	0	0	0	0	0	1
	t as originally submitted (US \$)		1,232,500		1,232,387				2,464,887
Final Proje	ect costs (US \$):								
F	unding for World Bank	-	495,537	586,000	0	178,463	0	0	1,260,000
Total project funding		-	495,537	586,000	0	178,463	0	0	1,260,000
Final Support costs (US \$)									
Support cost for World Bank		-	37,165 37,165	43,950	0	13,385	0	0	94,500
	Total support costs			43,950	0	13,385	0	0	94,500
TOTAL C	OST TO MULTILATERAL FUND (US \$)	-	532,702	629,950	0	191,848	0	0	1,354,500
Final project	ct cost effectiveness (US \$/kg)								4.89

Note: Maximum allowable total consumption of TCA (Annex B Group III substance) is zero. Presently, there is no consumption of this substance.

*Last reported consumption (2003); **: phase-down from last reported consumption to reach 2005 target

FUNDING REQUEST: Approval of funding for first tranche (2005) as indicated above.

SECRETARIAT'S RECOMMENDATION	Individual consideration
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Annex I

DRAFT AGREEMENT FOR THE NATIONAL CFC AND HALON PHASE-OUT PLAN FOR VIET NAM

- 1. This Agreement represents the understanding of the Social Republic of Viet Nam (the "Country") and the Executive Committee with respect to the complete phase-out of controlled use of the ozone-depleting substances set out in Appendix 1-A (the Substances) prior to 1 January 2010, compliance with Protocol schedules.
- 2. The Country agrees to phase-out the controlled use of the Substances in the consumption sector in accordance with the annual phase-out targets set out in rows 1, 5 and 9 of Appendix 2-A (the "Targets, and Funding") of this Agreement. The annual phase-out targets will, at a minimum, correspond to the reduction schedules mandated by the Montreal Protocol. The Country accepts that, by its acceptance of this Agreement and performance by the Executive Committee of its funding obligations described in paragraph 3, it is precluded from applying for or receiving further funding from the Multilateral Fund in respect to the Substances.
- 3. Subject to compliance by the Country with its obligations set out in this Agreement, the Executive Committee agrees in principle to provide the funding set out in row 13 of Appendix 2-A (the "Targets, and Funding") to the Country. The Executive Committee will, in principle, provide this funding at the Executive Committee meetings specified in Appendix 3-A (the "Funding Approval Schedule").
- 4. The Country will meet the consumption limits for each Substance as indicated in rows 1, 5 and 9 in Appendix 2-A. It will also accept independent verification by the relevant Implementing Agency of achievement of these consumption limits as described in paragraph 8 of this Agreement.
- 5. The Executive Committee will not provide the Funding in accordance with the Funding Approval Schedule unless the Country satisfies the following conditions at least 60 days prior to the applicable Executive Committee meeting set out in the Funding Approval Schedule:
 - (a) that the Country has met the Targets for the applicable year;
 - (b) that the meeting of these Targets has been independently verified as described in paragraph 8; and
 - (c) that the Country has substantially completed all actions set out in the 2005 annual or the following Biennium Implementation Programmes, as applicable;
 - (d) that the Country has submitted and received endorsement from the Executive Committee for a biennium implementation programme in the form of Appendix 4-A (the "Format for Annual Implementation Programmes") in respect of the year for which funding is being requested.

- 6. The Country will ensure that it conducts accurate monitoring of its activities under this Agreement. The institutions set out in Appendix 5-A (the "Monitoring Institutions and Roles") will monitor and report on that monitoring in accordance with the roles and responsibilities set out in Appendix 5-A. This monitoring will also be subject to independent verification as described in paragraph 8.
- 7. While the Funding was determined on the basis of estimates of the needs of the Country to carry out its obligations under this Agreement, the Executive Committee agrees that the Country may [use the funding for other purposes that can be demonstrated to facilitate the smoothest possible phase-out, consistent with this Agreement, whether or not that use of funds was contemplated in determining the amount of funding under this Agreement. Any changes in the use of the Funding must, however, be documented in advance in the Country's Annual/Biennium Implementation Programme, endorsed by the Executive Committee as described in sub-paragraph 5(d) and be subject to independent verification as described in paragraph 8.]
- 8. The Country agrees to assume overall responsibility for the management and implementation of this Agreement and of all activities undertaken by it or on its behalf to fulfill the obligations under this Agreement. The World Bank (the "Lead IA") has agreed to be the lead implementing agency in respect of the Country's activities under this Agreement. The Lead IA will be responsible for carrying out the activities listed in Appendix 6-A, including but not limited to independent verification. The Country also agrees to periodic evaluations, which will be carried out under the monitoring and evaluation work programmes of the Multilateral Fund. The Executive Committee agrees, in principle, to provide the Lead IA with the fees set out in row 14 of Appendix 2-A.
- 9. Should the Country, for any reason, not meet the Targets for the elimination of the Substances set out in Appendix 1-A or otherwise does not comply with this Agreement, then the Country agrees that it will not be entitled to the Funding in accordance with the Funding Approval Schedule. In the discretion of the Executive Committee, Funding will be reinstated according to a revised Funding Approval Schedule determined by the Executive Committee after the Country has demonstrated that it has satisfied all of its obligations that were due to be met prior to receipt of the next installment of Funding under the Funding Approval Schedule. The Country acknowledges that the Executive Committee may reduce the amount of the Funding by the amounts set out in Appendix 7-A in respect of each ODP tonne of the amount exceeding the Maximum Allowable Total Consumption of CFCs limit (Appendix 2-A) in any one year.
- 10. The funding components of this Agreement will not be modified on the basis of any future Executive Committee decision that may affect the funding of any other consumption/production sector projects or any other related activities in the Country.
- 11. The Country will comply with any reasonable request of the Executive Committee and the Lead IA to facilitate implementation of this Agreement. In particular, it will provide the Lead IA with access to information necessary to verify compliance with this Agreement.

12. All of the agreements set out in this Agreement are undertaken solely within the context of the Montreal Protocol and do not extend to obligations beyond this Protocol. All terms used in this Agreement have the meaning ascribed to them in the Protocol unless otherwise defined herein.

APPENDIX 1-A THE SUBSTANCES

13. The ozone-depleting substances to be phased out under the Agreement are as follows:

Annex A:	Group I	CFC-11, CFC-12, CFC-113 CFC 114 and CFC-115
	Group II	Halon 1211, Halon 1301, and Halon 2402
Annex B:	Group II	CTC
	Group III	TCA

APPENDIX 2-A THE TARGETS, AND FUNDING

	2005	2006	2007	2008	2009	2010	Total
Montreal Protocol Reduction Schedule – Annex A Group I	250	250	75	75	75	0	n.a.
Montreal Protocol Reduction Schedule – Annex A Group II	18.5	18.5	18.5	18.5	18.5	0	n.a.
Montreal Protocol Reduction Schedule – Annex B Group II	0.24	0.24	0.24	0.24	0.24	0	n.a.
1. Max allowable total consumption of Annex A Group I substances (ODP tonnes)	240	200	75	40	10	0	0
2. Reduction from ongoing projects	0	0	0	0	0	0	0
3. New reduction under plan	n.a.	40(+3.2)	125	35	30	10	240(+3.2)*
4. Total annual reduction of Annex A Group I substance (ODP tonnes)	-	40(+3.2)	125	35	30	10	240(+3.2)*
5. Max allowable total consumption of Annex A Group II substance (ODP tonnes)	18.5	18.5	18.5	18.5	18.5	0	18.5.
6. Reduction from ongoing projects	0	0	0	0	0	0	0
7. New reduction under plan	0	0	0	0	18.5	n.a.	18.5
8. Total annual reduction Annex A Group II substances (ODP tonnes)	0	0	0	0	18.5	n.a.	18.5
9. Max allowable total consumption of Annex B Group II substance (ODP tonnes)	0.19	0.19	0.19	0.19	0.19	0	n.a.
10. Reduction from ongoing projects	0	0	0	0	0	0	0
11. New reduction under plan	0	0	0	0	0.19	n.a.	0.19.
12. Total annual reduction of Annex B Group II substance (ODP tonnes)	0	0	0	0	0.19	n.a.	0.19.
13. Total agreed funding (US \$)	495,537	586,000	0	178,463	0	0	1,260,000
14. Total agency support costs (US \$)	37,165	43,950	0	13,385	0	0	94,500

^{*:} phase-down from last reported consumption to reach 2005 target

APPENDIX 3-A FUNDING APPROVAL SCHEDULE

- 1. The first funding tranche will be submitted for the Executive Committee's approval as part of its approval of this Plan. Disbursement of not more than US \$265,537 of the total project funds could be made to Viet Nam until the ODS import/export control system is in place and operational.
- 2. The second funding tranche will be submitted for the Executive Committee's consideration at the second meeting of 2006 along with the biennium implementation programme for 2006 and 2007, and a verification report confirming the achievement of the 2005 targets. The third and final tranche will be submitted at the second meeting of 2008 along with the biennium implementation programme for 2008 and 2009, and a verification report confirming the achievement of the 2006 and 2007 targets.
- 3. In case the Executive Committee decides in the future to held only two meetings a year, the funding request for each respective tranche will be made at the first Executive Committee meeting of the year.

APPENDIX 4- FORMAT FOR ANNUAL IMPLEMENTATION PROGRAMMES

As per Annex I of the Executive Committee's Guidelines for the Preparation, Implementation and Management of Performance-Based Sector and National ODS Phase-out Plans. (decision 38/65, para. 106 and UNEP/OzL.Pro/ExCom/38/57/Rev.1)

1.	Data
	Country
	Year of plan
	# of years completed
	# of years remaining under the plan
	Target ODS consumption of the preceding year
	Target ODS consumption of the 1 st year of plan
	Target ODS consumption of the 2 nd year of plan
	Level of funding requested
	Lead implementing agency

2. Targets

Indicators		Preceding	1st Year of	Reduction	2 nd Year of	Reduction (vs.
		Year	Plan		Plan	1 st Year)
Supply of	Import					
ODS	Production*					
	Total (1)					
Demand of	Manufacturing					
ODS	Servicing					
	Stockpiling					
	Total (2)					

^{*} For ODS-producing countries

3. **Industry Action**

Sector	Consumption Preceding year (1)	Consumption Year of plan (2)	Reduction within year of plan (1)-(2)	Number of projects completed	Number of servicing related activities	ODS phase-out (ODP tonnes)
		Manı	ufacturing			
Aerosol						
Foam						
Refrigeration						
Solvents						
Other						
Total						
		Se	rvicing			
Refrigeration						
Total						
Grand total						

4.	Technical	assistance

Proposed Activity:	
Objective:	
Target Group:	
Impact:	

5. Government Action

Policy/activity planned	Schedule of implementation
Type of Policy Control on ODS Import: servicing, etc	
Public Awareness	
Others	

6. Biennial budget

Activity	Planned expenditures (US \$)
Total	

7. Administrative fees

APPENDIX 5-A MONITORING INSTITUTIONS AND ROLES

1. Various activities will be managed and carried out by the Project Management Unit but not limited to regulations, project implementation, public awareness, and monitoring as indicated in the following paragraphs.

Regulations

- 2. The Project Management Unit will assist the National Ozone Office to undertake the following:
 - (a) Collaboration with the Ministry of Trade, Ministry of Industry, and the Customs Bureau, to establish and implement the import/control system for ODS;
 - (b) Collaboration with the National Ozone Office to assist the Government of Viet Nam to issue measures to eliminate CFC use in the manufacturing of all new products (for example, foam, domestic and commercial refrigerators) by the end of 2006;
 - (c) Providing assistance to the National Ozone Office to review annual ODS import/export license applications to ensure that the list of end-users are provided by importers/exporters, and to ensure that no CFC supply will be offered to applications where the bans have already been issued by the Government;
 - (d) Assisting the National Ozone Office to develop and publish the annual import quotas for CFCs and halons for the period 2005 2010;
 - (e) Collaboration with the Viet Nam Register to include MAC inspection as part of the existing vehicle inspection programme by starting with the two larger cities (Ho Chi Minh and Hanoi) first;
 - (f) Assisting the Viet Nam Register to review experience gained from the MAC inspection programme in Hanoi and Ho Chi Minh with the objective of expanding this requirement to all 80 existing inspection stations throughout the country;
 - (g) Assisting the National Ozone Office and the Viet Nam Register to review the need for including MAC inspection as part of the conditions for renewal of vehicle registrations; and
 - (h) Assisting the Viet Nam Register to review and adopt standards for new non-halon fire protection systems.

Project implementation

- 3. The Project Management Unit will undertake the following activities in close cooperation or under supervision of the National Ozone Office:
 - (a) Preparation of a standard implementation procedure for eligible enterprises that would like to seek funding from the resources provided by the Multilateral Fund;
 - (b) Assisting eligible CFC and halon consuming enterprises to prepare proposals to obtain financial support from the funds provided by the Multilateral Fund to phase out their use of these chemicals;

- (c) Arranging technical support, on a need basis, for enterprises to identify appropriate non-ODS technology;
- (d) Review and approve proposals submitted by eligible enterprises;
- (e) Coordination of the establishment of the networks of training centers of the General Department of Vocational Training for the refrigeration and MAC servicing sectors;
- (f) Facilitation of the selection of qualified suppliers to supply tools and equipment for MAC and refrigeration service shops;
- (g) Develop and maintain, in collaboration with the General Department of Vocational Training, a database of refrigeration and MAC certified technicians including names and addresses of service shops that already have their technicians trained;
- (h) Assisting the Viet Nam Register to train their inspection stations to identify various refrigerant types in the MAC systems;
- (i) Organizing training for the six regional offices of the Ministry of Trade that are responsible for issuing ODS import quotas on the issues related to the ozone layer depletion, the obligations of the Montreal Protocol, and experience of other countries in the region pertaining to implementation of their import control systems;
- (j) Maintain and update, in close cooperation with Vietsopetro, the halon databank and communicate with the local users and other international halon banks on the issues related to availability of recycled halons;
- (k) Provide advice and recommendation on the allocation of annual import quotas of all Annex A chemicals to the National Ozone Office of the Ministry of Natural Resources and Environment (MONRE) and the Ministry of Trade; and
- (l) Preparation of Biennium Implementation Programmes of the overall implementation of the National CFC and Halon Phase-out Plan and other reports as required by the Executive Committee.

Public awareness

- 4. The Project Management Unit will undertake the following tasks under supervision of the National Ozone Office:
 - (a) Disseminate information related to the Government's policy to phase out CFCs in the manufacturing sector by the end of 2006;
 - (b) Inform the industry of the availability of funds provided by the Multilateral Fund to support CFC and halon phase-out in Viet Nam;

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- (c) Organize a promotional programme to encourage the public to have their refrigeration and MAC systems repaired by technicians certified by the General Department of Vocational Training; and
- (d) Undertake the public outreach programmes for the refrigeration and MAC servicing sectors to ensure that all service shops are equipped with proper tools for servicing CFC-12 and HFC-134a refrigeration and MAC systems.

Monitoring

- 5. The Project Management Unit will assist the National Ozone Office to carry out the following tasks:
 - (a) Functioning of the industry advisory group for the refrigeration sector in order to ensure maximum outreach to existing CFC refrigeration and MAC service shops;
 - (b) Development of a web site with a list of importers, their annual quotas, and the actual amount already imported within the current calendar year;
 - (c) Update the information on the actual amount of imported CFCs and halons with the Customs Bureau on a quarterly basis;
 - (d) Report of any incidents of illegal import of CFCs and halons; and
 - (e) Carry out safety and technical audits of all relevant activities undertaken under this plan.

APPENDIX 6-A ROLE OF THE LEAD IMPLEMENTING AGENCY

- 1. The Lead IA will be responsible for a range of activities specified in the project document as follows:
 - (a) ensuring performance and financial verification in accordance with this Agreement and with its specific internal procedures and requirements as set out in the Country's phase-out plan;
 - (b) providing verification to the Executive Committee that the Targets have been met and associated activities have been completed as indicated in the Biennium Implementation Programme;
 - (c) assisting the Country in preparation of the Biennium Implementation Programme;
 - (d) ensuring that achievements in previous Biennium Implementation Programmes are reflected in future Biennium Implementation Programmes;

- (e) reporting on the implementation of the Implementation Programme commencing with the Implementation Programme for 2005 to be prepared and submitted in 2006;
- (f) ensuring that technical reviews undertaken by the Lead IA are carried out by appropriate independent technical experts;
- (g) carrying out required supervision missions;
- (h) ensuring the presence of an operating mechanism to allow effective, transparent implementation of the Biennium Implementation Programme and accurate data reporting;
- (i) verification¹ for the Executive Committee that consumption of the Substances has been eliminated in accordance with the Targets;
- (j) ensuring that disbursements made to the Country are based on the use of the Indicators; and
- (k) providing assistance with policy, management and technical support when required.

APPENDIX 7-A REDUCTIONS IN FUNDING FOR FAILURE TO COMPLY

1. In accordance with paragraph 9 of the Agreement, the amount of funding provided may be reduced by US \$9,780 per ODP tonne of reductions in consumption not achieved in the year.

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¹ Given the ODS import/export licensing system will only be in place towards the second half of 2005, verification of consumption for 2005 will be carried out based solely on the customs data. For future verification, the verification procedures will cover the whole process of the ODS import/export licensing system.