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Addendum

STATUS/PROSPECTS OF ARTICLE 5 COUNTRIES IN ACHIEVING COMPLIANCE WITH THE INITIAL AND INTERMEDIATE CONTROL MEASURES OF THE MONTREAL PROTOCOL

This addendum is issued to **add** the attached Part II entitled Status of Implementation in Countries Subject to Decisions of the Parties on Compliance and Those at Risk of Non-compliance to document UNEP/OzL.Pro/ExCom/47/6.

Pre-session documents of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol are without prejudice to any decision that the Executive Committee might take following issue of the document.

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PART II: STATUS OF IMPLEMENTATION IN COUNTRIES SUBJECT TO DECISIONS OF THE PARTIES ON COMPLIANCE AND THOSE AT RISK OF NON-COMPLIANCE

1. This section addresses those countries for which the Meetings of the Parties have taken decisions and/or made recommendations on compliance and those that appear to be at risk of non-compliance, in alphabetic order. A table is provided at the end of this annex that addresses countries with licensing system requirements in the light of decision XVI/32.

2. The following countries that have subsequently clarified apparent data deviations and/or reported missing data and are in compliance are not included: Afghanistan (data reporting), Albania (reported establishment of licensing system and ban on ODS imports per decision XV/26), Bangladesh (TCA), Belize (CFC), Bolivia (CFC), Cameroon (halons), Ethiopia (CFCs), Kiribati (data reporting), Lesotho (halons), Maldives (CFCs), Namibia (CFCs), Nepal (CFCs)¹, Nigeria (CFCs), Pakistan (halons), Papua New Guinea (CFCs), Saint Vincent and the Grenadines (CFCs), Turkey (Bromochloromethane), Tuvalu (data reporting), Uganda (methyl bromide), and Uruguay (methyl bromide).

Armenia (methyl bromide)

3. Armenia's 2004 methyl bromide consumption of 1.02 ODP tonnes exceeded its baseline of zero methyl bromide consumption. Recommendation 34/3 of the 34th Meeting of the Implementation Committee (July 2005) requested Armenia to submit a plan of action with time-specific benchmarks for returning the Party to compliance. UNIDO has submitted a project to the 47th Meeting to provide technical assistance to Armenia. The project, however, raises policy issues concerning the funding of projects for countries with a zero baseline that have already received funding from the Global Environment Facility before being reclassified as an Article 5 country. The project has been submitted to the Executive Committee for individual consideration.

Bosnia and Herzegovina (CFC, methyl bromide and methyl chloroform)

4. Bosnia and Herzegovina reported 2004 CFC consumption of 187.9 ODP tonnes of CFCs. This exceeds the requirement in the plan of action for a maximum 2004 consumption of 167 ODP tonnes. A representative of Bosnia and Herzegovina attended the 34th Meeting of the Implementation Committee in July 2005 and provided a revised CFC action plan that differs from the current action plan. The new plan would return the Party to compliance in 2009 instead of 2007 and would result in a zero consumption plus total phase-out in 2009 instead of 2008. The issue of the revised plan of action is before 35th Meeting of the Implementation Committee.

5. Pursuant to decision XV/30 of the 15th Meeting of the Parties, Bosnia and Herzegovina had been required to establish a system for licensing imports and exports of ODS, including quotas, by 2004 and to ban imports of ODS-based equipment by 2006. Moreover, as a signatory to the Montreal Protocol, Bosnia and Herzegovina had been urged to establish import and export licensing systems as a matter of urgency (decision XVI/32).

¹ Subject to compliance decision instead of non-compliance decision.

6. Bosnia and Herzegovina reported that its 2004 consumption (2.44 ODP tonnes) exceeds its methyl chloroform (TCA) baseline (1.55 ODP tonnes). UNIDO is implementing a TCA component as part of an umbrella refrigeration project in Bosnia and Herzegovina at three enterprises (Soko Paneli, Soko IPV and Kuca Leda) (BHE/REF/39/INV/14). Despite delays in the implementation of the project, UNIDO reported that these projects have either been completed or would be completed by the end of the year leading to a phase out of 92.51 ODP tonnes of CFC and 0.63 ODP tonnes of TCA.

7. At its 44th Meeting, the Executive Committee approved the second tranche of the national ODS phase-out plan. In so doing, it requested UNIDO to withhold the disbursement of US\$19,019 of that tranche until the TCA consumption target had been met and the country's licensing system had been established.

8. UNIDO indicated that, at the time of writing, there had been no progress in adopting the draft legislation and that the reasons for no progress had been difficulties arising from the special circumstances in the country requiring approval of two States, the retirement of the ozone officer, and the process of privatization occurring in the country. UNIDO stated that it would assign a national expert to assist the new ozone officer.

Botswana (methyl bromide)

9. Botswana reported 2004 methyl bromide consumption in 2004 of 0.036 ODP tonnes. Pursuant to decision XV/31, its plan of action requires a maximum consumption of 0.2 ODP tonnes in 2004.

10. UNIDO completed the methyl bromide phase-out project in Botswana in 2004. An RMP update has been approved for implementation by Germany to provide assistance for the finalization and approval of ODS regulations; complementary training programmes for customs officers and refrigeration servicing technicians; and assistance for monitoring the implementation of the RMP update.

11. An institutional strengthening project had been approved for UNEP at the 41st Meeting of the Executive Committee. The project addressed *inter alia* the implementation of ODS regulations; the establishment of a licensing system to better control ODS consumption; the organization of follow-up training workshops for customs officers to ensure effective customs control at the country's entry points; and ratification of the Beijing and Montreal Amendments to the Montreal Protocol.

12. UNEP and Germany indicated that they had been discussing a way forward for establishing licensing and quota systems in Botswana. Botswana has been developing an action plan for immediate implementation that included the establishment of ODS regulations, including a quota system.

Chile (Other CFCs, methyl bromide and TCA)

13. Chile provided a plan of action as requested in decision XVI/22 to the Ozone Secretariat that had been considered at the last meeting of the Implementation Committee and recommended for approval by the 17th Meeting of the Parties in December 2005.

14. The issue of the consumption of “Other CFCs” was resolved as the consumption had been reported in error. The World Bank submitted a request for institutional strengthening renewal to the 47th Meeting that has been recommended for individual consideration.

15. The World Bank is implementing an investment project in the methyl bromide sector that had been approved by the Executive Committee at its Meeting in April 2004. Chile’s 2004 consumption of methyl bromide (262.78 ODP tonnes) exceeds the baseline (212.51 ODP tonnes). The Bank reported that a ban was already in place on importing methyl bromide during 2005, in order to ensure compliance with the set targets. The Bank also reported that imports had been suspended from April of this year to facilitate compliance with the maximum consumption cap for 2005 and that the consolidation of the regulatory framework (that is currently in Congress) would also ensure compliance with all control measures.

16. Chile reported 2003 consumption of 6.97 ODP tonnes that exceeded its baseline for TCA of 6.44 ODP tonnes. Chile’s 2004 consumption was 3.65 ODP tonnes that is below the freeze requirement. UNDP reported that, based on information on imports as at October 2005, Chile’s 2005 consumption is expected to be similar to that of 2004 so enabling it to remain in compliance.

China (Other CFCs)

17. China reported consumption of 20.539 ODP tonnes of Annex B group I (Other CFCs) in 2004 that exceeds the required consumption (20.536 ODP tonnes) to achieve the 80 per cent reduction from the baseline. The annual tranche of the China production sector agreement is submitted to the 47th Meeting for approval, which requires China to meet its “Other CFC” reduction targets for production. The project has been submitted to the Executive Committee for individual consideration. China has indicated that it would seek clarification from the one remaining producer of “Other CFCs” concerning the 3 ODP kilogram variance from the compliance requirement.

Cook Islands (base year, baseline, and 2004 data reporting)

18. Decision XVI/18 requires Cook Islands to report base year and baseline data. These data have been subsequently reported. However, the Cook Island have not reported 2004 consumption data thereby putting them potentially in non-compliance with the most recent consumption data reporting pursuant to Article 7.

Ecuador (TCA)

19. For the last three year (2002, 2003 and 2004), Ecuador’s TCA consumption exceeded its baseline of 1.997 ODP tonnes. 2004 TCA consumption was 2.559 ODP tonnes. Decision XVI/20 requests Ecuador to provide to the Meeting of the Parties an explanation for a deviation in its 2003 TCA consumption or a plan of action to return to compliance. The Bank indicated that the quota system had been in place since 14 May 2004. The system sets quotas for all ODS including CTC and TCA. The plan of action has been submitted to the Ozone Secretariat.

Eritrea (data reporting)

20. Eritrea has not reported data pursuant to Article 7. Recommendation 34/47 of the Implementation Committee requests Eritrea to provide the data. UNDP and UNEP have submitted requests for funding of country programme preparation and an RMP to the 47th Meeting of the Executive Committee. These projects have been submitted for blanket approval.

Federated States of Micronesia (data reporting)

21. Micronesia had been requested to provide missing data in decision XVI/17. Data for the years 2001-2004 and the base years have been reported. However, the data were subsequently revised indicating a variance with the CFC freeze requirement of 1.219 ODP tonnes of CFC for the years 2002, 2003, and 2004. 2004 consumption was 1.451 ODP tonnes. A request for institutional strengthening renewal has been submitted to the 47th Meeting of the Executive Committee and was recommended for individual consideration.

Fiji (methyl bromide)

22. Decision XVI/23 requested Fiji to submit a plan of action to the Meeting of Parties for methyl bromide. Fiji's 2003 and 2004 methyl bromide consumption exceeded the baseline of 0.671 ODP tonnes. Its 2004 consumption was 1.609 ODP tonnes of methyl bromide. Fiji submitted a plan of action with time-specific benchmarks to the Ozone Secretariat in response to Recommendation 34/15. UNDP and UNEP have submitted a total methyl bromide phase-out project to the 47th Meeting that is recommended for blanket approval. In addition, 10 projects have been submitted to the 47th Meeting of the Executive Committee on behalf of Fiji including institutional strengthening renewal and CFC phase-out plan projects. All of these projects have been recommended for individual consideration.

Guatemala (ban on imports, CFCs, and methyl bromide)

23. The action plan approved pursuant to decision XV/34 requires Guatemala to ban the import of ODS-using equipment. The decision also requires 2004 CFC consumption below 120 ODP tonnes. Guatemala's 2004 CFC consumption was 65.4 ODP tonnes. However, the ban was not in place as of this writing. A law was approved (Law Number 110-97 to ban import of CFC based technology equipment), but it cannot enter into force until Customs identification codes and other administrative arrangements are established.

24. Decision XV/34 established a plan of action for Guatemala regarding methyl bromide consumption. The plan requires Guatemala to reduce methyl bromide consumption to 492 ODP tonnes in 2004. Guatemala's 2004 consumption was 484.2 ODP tonnes. UNIDO indicated that Guatemala has a licensing and quota system for controlling the methyl bromide imports. A request for technical assistance to support the methyl bromide phase-out in Guatemala and Honduras has been submitted to the 47th Meeting by Spain and was recommended for blanket approval.

Guinea-Bissau (CFCs)

25. The Parties approved an action plan for Guinea-Bissau that requires CFC consumption not to exceed 26.275 ODP tonnes in 2004 and to implement a licensing and quota system in 2004 (decision XVI/24). Guinea-Bissau's 2004 CFC consumption was 25.235 ODP tonnes.

26. UNEP is implementing the institutional strengthening project. It reported that ODS regulations have been approved and enacted in 2004 but that the country could not provide copies before the final approval by the new Head of State. Decision XVI/24 requires Guinea-Bissau to introduce an ODS quota system by the end of 2004. An RMP is under implementation by UNDP. UNDP indicated that implementation of the RMP was conditional upon Guinea-Bissau introducing the ODS quota system and the competitiveness of price of alternatives with that of CFCs.

Honduras (methyl bromide)

27. Honduras reported consumption of 340.89 ODP tonnes in 2004 when its action plan required a maximum consumption of 306.1 ODP tonnes, as per decision XV/35 of the Meeting of the Parties.

28. UNIDO is implementing the phase-out of methyl bromide in the melon and banana producing sector and for tobacco seedling in Honduras (HON/FUM/37/INV/10). UNIDO reported that during the course of the last three years, there had been several problems with the implementation of the project that have delayed the implementation of the phase-out plan. A full report has been presented to the 47th Meeting of the Executive Committee. UNIDO also indicated that Honduras was planning to submit a request to the 48th Meeting for new phase-out benchmarks to the existing agreement. A technical assistance project to assist Guatemala and Honduras in its methyl bromide efforts has been submitted to the 47th Meeting by Spain and was recommended for blanket approval.

Iran (CTC and TCA)

29. UNIDO is preparing a solvent sector (CTC) phase-out project in Iran (IRA/SOL/33/PRP/80). Decision XVI/20 of the Meeting of the Parties requested the Government of Iran to prepare an action plan, while noting that Iran might be seeking a baseline change for CTC and TCA. UNIDO hired a consultant to assist in the preparation of the action plan for the verification of the baseline for CTC/TCA consumption to the 35th Meeting of the Implementation Committee. Although the deadline for the verification report was 1 October 2005, at the time of writing, the report had not been submitted. Moreover, there also remains questions concerning distinctions between ODS and non-ODS solvents and missing data for each year of the proposed new baseline. Whilst institutional strengthening renewal, project preparation for the MDI sector, and a phase-out plan for the methyl bromide sector have been submitted to the 47th Meeting, the CTC/TCA phase-out plan has not.

30. UNIDO informed that the licensing and quota system in Iran had been implemented in December 2004.

Kyrgyzstan (halon)

31. Kyrgyzstan's 2004 halon consumption was 2.4 ODP tonnes which exceeds its baseline of zero ODP tonnes. No halon consumption had been reported prior to 2004. Kyrgyzstan indicated that this consumption had not been reported because the military does not report its imports to Customs. Recommendation 34/22 requested Kyrgyzstan to submit an action plan. The action plan included a ban on imports of equipment in 2006 and a ban on imports of new halons in 2008. It does not mention the introduction of a quota system. A halon banking project has been submitted to the 47th Meeting for individual consideration since it would represent the first time the Committee had approved a stand alone halon project for a country with a zero baseline and recently discovered ODS consumption.

Libya (CFCs, halons and methyl bromide)

32. Libya reported 2004 CFC consumption of 459 ODP tonnes, which places it in compliance with its commitment pursuant to decision XV/36 to achieve CFC consumption of 610 ODP tonnes or less in 2004. However, decision XV/36 also required that an ODS import/export licensing and quota system be implemented in 2004. UNIDO indicated that it had assisted Libya in preparing the legislation and that this was going through official channels in order to be enacted. It also indicated that said legislation included import/export quotas on all ODS and ODS-containing equipment. However, at the time of writing, the ODS import and export licensing system had not been reported as implemented and the draft legislation still needs to be adopted.

33. Libya reported 2004 halon consumption (714.5 ODP tonnes) that exceeds its baseline for halons (633.07 ODP tonnes). Decision XVI/26 requested Libya to submit an action plan for returning to compliance with the halon control measures. UNIDO informed that an action plan has been proposed that included time-specific benchmarks for Libya's return into compliance by the year 2008 when the consumption of halons would be zero. A halon banking project has been submitted to the 47th Meeting of the Executive Committee and was recommended for blanket approval.

34. Libya reported 2004 methyl bromide consumption of 96 ODP tonnes that exceeds its baseline level of 94.05 ODP tonnes. Libya submitted an action plan with time specific benchmarks that would return it into compliance in 2010 when consumption would be zero. A methyl bromide phase-out project has been submitted to the 47th Meeting and was recommended for individual consideration.

Mozambique (methyl bromide and 2004 data reporting)

35. Recommendation 33/20 of the Implementation Committee requested Mozambique to clarify its consumption of methyl bromide in 2002 (4.5 ODP tonnes), which appeared to be in excess of the freeze (3.376 ODP tonnes). Mozambique reported methyl bromide consumption of 1.02 ODP tonnes in 2003. Mozambique has not reported 2004 data.

36. UNEP indicated that it assisted Mozambique in conducting a national survey on current imports, applications and uses of methyl bromide to enable it to explain 2002 methyl bromide consumption. At the time of writing the National Ozone Unit (NOU) was awaiting the final and approved survey report containing 2004 consumption data. UNEP expected Mozambique to

report data by December 2005. It also indicated that the NOU had replied to the Ozone Secretariat regarding Recommendation 33/20.

Nauru (base year data and 2004 data reporting)

37. Recommendation 34/29 requested Nauru to submit outstanding data including base year data. Nauru has subsequently reported base year data, but it has not reported 2004 data.

Serbia and Montenegro (baseline data reporting)

38. Serbia and Montenegro has not reported baseline data for Annex B (Other CFCs, CTC and TCA) and Annex E (methyl bromide) substances as requested in Recommendation 34/47. UNIDO stated that due to the fact that Serbia and Montenegro only recently ratified the Copenhagen Amendment (22 March 2005), it had not collected the data. However, as a result of the approval of the project preparation for the methyl bromide project in April 2005, consumption and users of methyl bromide would be identified that would facilitate reporting of the baseline years. UNIDO and Sweden have submitted requests for the second tranche of the national CFC phase-out plan to the 47th Meeting and were recommended for blanket approval.

Sierra Leone (halons)

39. Sierra Leone's 2004 halon consumption (18.45 ODP tonnes) exceeds its baseline (16 ODP tonnes). The Party advised the Ozone Secretariat that this was due to a recent increase in fires in the country caused by new electricity generators. UNDP advised that draft ODS regulations were being considered by the Law Officers Department for final drafting. Following this, the regulations would be submitted to Parliament for ratification. UNDP informed that the regulations were expected to be in force early in 2006. UNEP confirmed this understanding.

Somalia (halons)

40. Decision XVI/19 of the 16th Meeting of the Parties requests Somalia to submit an action plan or an explanation for its deviation from the halon freeze in 2002. UNEP indicated that Somalia had submitted an explanation on its deviation from the halon freeze to the Ozone Secretariat advising that: halons had been imported in response to several destructive fires, as well as frequent fires in Mogadishu; that there was low public awareness on alternatives; and a lack of both local and central authority. Somalia reported 2004 halon consumption (25.71 ODP tonnes) that exceeds its baseline (17.70 ODP tonnes). UNEP submitted a request for halon banking but withdrew it because the circumstances in the country had not been conducive to the successful implementation of the project. A request for institutional strengthening had also been withdrawn from consideration at the 47th Meeting.

Turkmenistan (CFC)

41. Turkmenistan's 2004 CFC consumption (58.412 ODP tonnes) exceeded its baseline (37.33 ODP tonnes). Its 2003 CFC consumption was 43.39 ODP tonnes. Turkmenistan committed to achieve zero consumption of CFCs in 2003 in decision XI/25 of the 11th Meeting of the Parties. Recommendation 34/43 requested an explanation of the deviation from decision XI/25.

42. Turkmenistan received support from the Global Environment Facility and institutional strengthening from the Multilateral Fund. In approving the institutional strengthening, the Executive Committee noted that the Party was not eligible for any other forms of assistance from the Fund. UNEP indicated that Turkmenistan suggested that the increase in its CFC consumption was due to its economic recovery and the price of CFCs. UNEP further indicated that Turkmenistan had submitted its explanation concerning the deviation in the CFC consumption for 2003 and 2004 to the Ozone Secretariat.

United Arab Emirates (baseline and base year data reporting)

43. United Arab Emirates (UAE) had been requested to report baseline and base year methyl bromide data. UNEP indicated that UAE had only recently ratified the Copenhagen Amendment (16 February 2005), but that the regional CAP team was working with UAE to facilitate that reporting.

LICENSING SYSTEMS PER DECISION XVI/32

44. Implementing agencies with relevant ongoing projects were asked to indicate the status of implementation of licensing systems for those Article 5 countries that have ratified the Montreal Amendment. Table 2 presents the latest status of implementation of licensing systems for those countries subject to decision XVI/32 and indicates that 10 of the 31 Article 5 countries have implemented licensing systems.

Table 2

STATUS OF IMPLEMENTATION OF LICENSING SYSTEMS FOR ARTICLE 5 PARTIES THAT HAVE RATIFIED THE MONTREAL AMENDMENT SUBJECT TO DECISION XVI/32

Country	Agency	Licensing System Implemented	Status of Implementation of Licensing Systems (47th Meeting Update)
Afghanistan	UNEP	No—draft licensing system undergoing review through various relevant Ministries	No—draft licensing system undergoing review through various relevant Ministries.
Barbados	UNEP	No—project to be completed in December 2005.	No—Draft completed.
Bhutan	UNEP	No—draft licensing system is undergoing internal review.	Yes—Licensing system has been promulgated in August 2005 and is under implementation.

Country	Agency	Licensing System Implemented	Status of Implementation of Licensing Systems (47th Meeting Update)
Bosnia and Herzegovina	UNEP/ UNIDO	No—introduction of legislation planned in 2005.	No—Presently working on translation of regulation. Then to seek opinion of Department for Customs Tariffs. Thereafter to proceed to Council of Ministers for adoption. Committed to have regulation adopted by the Council of Ministers by end of this year.
Cape Verde	UNEP	N/a	No—Presently working on translation of regulation. Then to seek opinion of Department for Customs Tariffs. Thereafter to proceed to Council of Ministers for adoption. Committed to have regulation adopted by the Council of Ministers by end of this year.
Cook Islands	UNEP/ Australia	N/a	No—Preliminary work was done by SPREP in August 2004. The legislation is still in the drafting stage. UNEP indicated that concrete actions would follow the receipt of the first installment of funds.
Djibouti	UNDP/UNEP	Yes—in place since mid-2004.	Yes.
Federated States of Micronesia	UNEP/ Australia	No—still working towards establishing ODS regulations.	No—ODS regulations to be submitted in November to Congress according to UNEP.
Grenada	UNEP	N/a	No—advanced draft completed.
Guinea Bissau	UNEP	Yes—ODS regulations approved and enacted.	Yes.
Guyana	UNEP	No—draft has been used for training.	No—Advance draft completed and is awaiting Parliamentary approval.
Haiti	UNEP	No—first draft under preparation.	No update.

Country	Agency	Licensing System Implemented	Status of Implementation of Licensing Systems (47 th Meeting Update)
Iran	UNDP/ UNIDO/ Germany	N/a	No—Licensing system was ready for implementation and a quota system was being implemented with the help of Ministry of Commerce.
Kenya	UNEP/UNDP	No—reviews of draft undertaken in 2004 and draft licensing system expected to be approved by end of May 2005.	No—Draft licensing system submitted to Attorney General for final processing for listing in the gazette--expected implementation within the first quarter of 2006.
Kiribati	Australia	No—still working towards establishing ODS regulations.	No—A one-day workshop was conducted by SPREP in May 2005 on draft regulations. CFC imports to be banned under the “prohibited goods” of the Customs Act but remaining ODS to be addressed in the Environment Bill to be submitted at the end of 2006.
Kyrgyzstan	UNEP	Yes—in place since November 2004.	Yes.
Madagascar	UNEP	Yes—established and implemented.	Yes.
Marshall Islands	UNEP	Yes—established in 2004.	Yes.
Nauru	UNEP	No—planned for 2006.	No—Preliminary work was done by SPREP in August 2004. The legislation is still in the drafting stage. UNEP indicated that concrete actions would follow the receipt of the first installment of funds.
Nigeria	UNDP/UNEP/ Japan	N/a	No—New legislation, incorporating a quota system has been drafted and is currently being reviewed by the Ministry of Justice.

Country	Agency	Licensing System Implemented	Status of Implementation of Licensing Systems (47 th Meeting Update)
Niue	UNEP	No—planned for 2006.	No—Preliminary work was done by SPREP in August 2004. The legislation is still in the drafting stage. UNEP indicated that concrete actions would follow the receipt of the first installment of funds.
Palau	UNEP/ Australia	No—still trying to determine if it can operate under existing legislation or if new legislation needed.	Yes—Established in August 2005. Ozone Layer Protection Regulations 2005.
Rwanda	UNDP	No—no confirmation from lead agency of licensing or that CFC/alternative prices were similar, therefore, no initiation of recovery and recycling project	Yes—The licensing system was put in place in August 2005.
Samoa	UNEP	N/a	Yes—“Ozone Layer Protection Regulations 2005” established in September 2005 according to UNEP.
Sierra Leone	UNEP/UNDP	No—ODS regulations and licensing system enacted but awaiting signature.	No--Waiting approval by the house of Parliament— implementation expected within the first quarter of 2006.
Solomon Islands	UNEP/ Australia	No—ODS regulations being redrafted.	No—In 2004, ODS regulations had been drafted under the “Safety at Works Act”. Additional work to place regulations under “prohibited goods” of Customs and Excise Act for enforcement. Country plans to seek further SPREP’s assistance.
Somalia	UNEP	No—no functional government.	No update.
Tanzania	UNEP/ Germany	No—draft regulations and licensing system submitted to Parliament and is expected to be approved by the end of July 2005	No—Draft ODS regulations still waiting for approval by Parliament. Expected to be approved within the first quarter of 2006.

Country	Agency	Licensing System Implemented	Status of Implementation of Licensing Systems (47th Meeting Update)
Tonga	UNEP/ Australia	No—draft legislation expected to be passed in first half of 2005.	No—Draft ODS Bill had been under review and it has now been submitted to another committee for additional review before submission to Parliament according to UNEP.
Tuvalu	UNEP/ Australia	No—would request information from country.	No—Draft regulations are currently with the Attorney General's office according to UNEP.
Yemen	UNEP	No—final draft is being discussed by the Minister of the Environment and Cabinet of Ministers.	Yes--Yemen has enacted licensing system.
