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EXECUTIVE COMMITTEE OF THE MULTILATERAL FUND FOR THE IMPLEMENTATION OF THE MONTREAL PROTOCOL Forty-ninth Meeting Montreal, 10-14 July 2006

PROVISIONAL ANNOTATED AGENDA

1. Opening of the meeting

Opening remarks by the Chairperson of the Executive Committee.

2. Organizational matters:

(a) Adoption of the agenda

<u>Document UNEP/OzL.Pro/ExCom/49/1</u>: contains the Provisional Agenda for the 49th Meeting of the Executive Committee.

Action expected from the Executive Committee: the Committee might wish to adopt the Agenda of the meeting on the basis of the Provisional Agenda as contained in document UNEP/OzL.Pro/ExCom/49/1.

(b) Organization of work

The Chairperson will propose to the plenary the organization of work.

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.

For reasons of economy, this document is printed in a limited number. Delegates are kindly requested to bring their copies to the meeting and not to request additional copies.

3. Secretariat activities

<u>Document UNEP/OzL.Pro/ExCom/49/2</u>: presents a report on the activities of the Secretariat since the 48th Meeting of the Executive Committee. The document includes information on the follow-up activities implemented by the Secretariat on the outcome of the 48th Meeting, and the preparations for the 49th Meeting, as well as information on the missions undertaken by the Chief Officer and the staff of the Secretariat during this period of time.

Issues to be addressed: none.

Action expected from the Executive Committee: the Executive Committee may wish to take note of the report.

4. Status of contributions and disbursements

<u>Document UNEP/OzL.Pro/ExCom/49/3</u>: provides information on the status of the fund as at 12 June 2006 as recorded by the Treasurer. At that date, the fund's balance stood at US \$25,455,421. This is the net balance after taking into account all the funds approved by the Executive Committee, up to and including the 48th Meeting. The document provides the updated information on the FERM which stands at **US \$11,468,684** and provides the list of the **eight** countries which confirmed they would be using the FERM. It also provides information on promissory note transfers, receipts and encashments as a follow-up to decision 45/59 f (i).

<u>Issues to be addressed</u>: The document addresses the late payment of some contributing parties to the Fund and the level of PNs withheld as well the difficulties the Treasurer faces in encashing the Promissory Notes.

Action expected from the Executive Committee: the Executive Committee may wish to:

- (a) Note the Report of the Treasurer on the Status of Contributions and disbursements as contained in UNEP/OzL.Pro/Excom/49/3;
- (b) Request the Treasurer to provide information for the 50th Meeting of the Executive Committee as to when Parties unable to make their contributions by 1 June would make their payments in line with decision XI/6 paragraph 7 of the 11th Meeting of the Parties;
- (c) Note with concern, that US \$95,637,792 in promissory notes has not been encashed and represents approximately two thirds of the Fund's annual budget;
- (d) Note with concern that no feedback was provided to the Treasurer to his request to accelerate the encashment of promissory notes;
- (e) Urge countries holding promissory notes to take necessary action to accelerate their encashments before the 50th Meeting of the Executive Committee; and
- (f) Note the list of countries opting to use the fixed-exchange-rate mechanism facility in making their contributions to the Fund for the triennium 2006 2008 as at 12 June 2006 as per Annex I to the document.

5. Status of resources and planning:

(a) Report on balances and availability of resources

<u>Document UNEP/OzL.Pro/ExCom/49/4</u>: contains the submissions of the implementing agencies on completed projects with balances, and the return of funds from cancelled projects.

Issues to be addressed:

- Implementing agencies are returning US \$4,324,771 plus US \$532,132 in agency fees; and
- Total resources available for the 49th Meeting.

Action expected from the Executive Committee: the Executive Committee may wish to:

- (a) Note the report on balances and availability of resources contained in UNEP/OzL.Pro/ExCom/49/4;
- (b) Note the net level of funds being returned by the multilateral implementing agencies to the 49th Meeting against project balances totalling US \$4,324,771. This includes the return of US \$650,450 from UNDP, US \$50,803 from UNEP, US \$216,855 from UNIDO, and US \$3,406,663 from the World Bank.
- (c) Note the net level of support costs being returned by the multilateral implementing agencies to the 49th Meeting against project support cost balances totalling US \$532,132. This includes the return of US \$82,209 from UNDP, US \$12,076 from UNEP, US \$26,190 from UNIDO, and US \$411,657 from the World Bank;
- (d) Note that implementing agencies had balances totalling US \$14,550,486 excluding support costs from projects completed over two years ago. This includes US \$366,760 plus support costs from UNDP, US \$258,155 plus support costs from UNEP, US \$223,151 plus support costs from UNIDO, and US \$13,702,420 plus support costs from the World Bank; and
- (e) Note that US \$949,658 (to be updated at the meeting) was available to the Executive Committee for approvals at the 49th Meeting.

(b) 2006 business plans

<u>Document UNEP/OzL.Pro/ExCom/49/5:</u> considers business planning in the light of the submissions to the 49th Meeting.

Issues to be addressed:

- Activities that were required for compliance but not submitted to the 49th Meeting;
- Modifications of the existing performance indicators; and
- Activities critical to compliance left to be submitted in the 2006 business plans.

Action expected from the Executive Committee: the Executive Committee may wish to consider:

- (a) Noting the Report on the status of the 2006 business plans as contained in UNEP/OzL.Pro/ExCom/49/5 and the fact that US \$65.4 million in activities that were required for compliance had not been submitted to the 49th Meeting, and that the value of forward commitments approved at the 49th Meeting [exceeds/is below] the value in the 2006-2008 business plan of the Multilateral Fund by US \$ [to be provided based on actual approvals];
- (b) Modifying the existing performance indicators, starting with the business plans for 2007, as follows:
 - (i) By removing the words policy and regulatory from the example for the indicator "Milestone Activities Completed" so that the example reads as follows: "Milestone activities completed/ODS levels achieved for approved multi-year annual tranches versus those planned";
 - By defining the indicator "Percentage of policy/regulatory assistance (ii) completed versus that planned" as activities to be undertaken by the implementing agencies in assisting Article 5 countries in the development/adoption/implementation of relevant policy and regulatory activities including, but not limited to: enactment of licensing system/quota system for all controlled substances under the Montreal Protocol (and not limited to CFCs only), and informing the Ozone Secretariat accordingly; ratification of remaining amendments to the Montreal Protocol, when applicable; addressing relevant decisions taken by the Parties to the Montreal Protocol in regard to specific compliance issues; enactment of legislation/regulation for the certification of technicians, when applicable; establishment of bans on the import of controlled substances as in the case of halon and ODS-containing equipment; modifications to fire/equipment codes; and legislation for combating illegal trade of ODS. These needs would be identified at the beginning of each year at the annual business plan coordination meeting and the activities to be undertaken would based upon inter alia specific requests from countries, activities already proposed in individual projects and/or in multi-year agreements, and actions associated with institutional strengthening projects; and
- (c) Urging bilateral and multilateral implementing agencies to submit those activities required for compliance in the 2006 business plans to the 50th Meeting.
- (c) Status/prospects of Article 5 countries in achieving compliance with the initial and intermediate control measures of the Montreal Protocol

<u>Document UNEP/OzL.Pro/ExCom/49/6</u>: contains three parts and two annexes. Part I has been prepared in response to decisions 32/76(b) and 46/4, which requested that the Secretariat prepare an annual update of the status of compliance of Article 5 countries that are subject to the Montreal Protocol control measures. Part II contains an update of the status of implementation

of projects for all Article 5 countries whose most recently reported consumption levels exceed targets specified in current control measures, and those that are at risk of being in non-compliance with future control measures. Part III presents data on the implementation of country programmes, including an analysis of the ODS consumption data by sector. It also contains a new section on implementation of CP data that addresses the characteristics of ODS phase-out programmes and a qualitative assessment of their performance.

Issues to be addressed:

- Status of compliance, status of implementation of ongoing projects and data on the implementation of country programmes;
- Activities to be included in 2007-2009 business plans for Somalia (CFCs and halon), Bolivia and Macedonia (CTC), and Croatia and Zimbabwe (TCA); and
- Implementation of new reporting format for CP data.

Action expected from the Executive Committee: The Executive Committee may wish to:

- (a) Note the report on the status/prospects of Article 5 countries in achieving compliance with the initial and intermediate control measures of the Montreal Protocol as contained in UNEP/OzL.Pro/ExCom/49/6;
- (b) Request bilateral and implementing agencies to include phase-out activities, where appropriate, for eligible consumption in their 2007-2009 business plans for the following countries:
 - (i) CFCs and halon: Somalia (if conditions permit);
 - (ii) CTC: Bolivia and Macedonia; and
 - (iii) TCA: Croatia and Zimbabwe;
- (c) Request bilateral and multilateral implementing agencies to assist Article 5 countries to fully complete the data/information required in the new reporting format for CP data; and
- (d) Request UNEP to include, as an agenda item in its network meetings taking place prior to May 2007, a discussion on completing the new reporting format for CP data.

6. Programme implementation:

- (a) Monitoring and evaluation:
 - (i) Compendium of recommendations relevant to the evaluation of refrigerant management plans and national phase-out plans in non-low-volume-consuming countries focusing on the refrigeration servicing sector (follow-up to decision 48/10)

<u>Document UNEP/OzL.Pro/ExCom/49/7</u>: The compendium of recommendations has been prepared following a discussion at the 48th Meeting of the Executive Committee on the final report on the intermediate evaluation of refrigerant management plans (RMPs) and national phase-out plans (NPPs) in non-low-volume-consuming countries (non-LVCs) focusing on the refrigeration servicing sector (UNEP/OzL.Pro/ExCom/48/12). The decision requested all relevant recommendations related to the evaluation of RMPs and NPPs in non-LVCs to be combined into one decision for easy reference. The text of previous decisions included in the compendium is quoted in italics and the number of the respective decision is indicated.

Issues to be addressed: none.

Action expected from the Executive Committee: The Committee may wish to:

- (a) Recommend that National Ozone Units planning and implementing refrigerant management plans and National or Terminal Phase-out Plans consider, where feasible and in cooperation with other relevant government ministries/agencies:
 - (i) updating and complementing ODS-related legislation where additional legal measures are needed and further specification of enforcement mechanisms has been identified. These initiatives may include the ban on import and export of CFC-based second-hand refrigeration equipment, the mandatory certification of technicians for performing professional activities in refrigeration servicing, the specification of a system of sanctions in cases of violation of legal regulations, the improvement of the mechanisms for import and export quota allocations under the licensing system and the monitoring of their actual use, and the enhancement of cooperation between the NOU and Customs.
 - (ii) upgrading, where needed, the curriculum for technical training in refrigeration and to provide all training institutions with the latest relevant information with regard to the general application of good practices to significantly reduce usage of CFCs and to promote the use of alternatives.
- (b) Request implementing and bilateral agencies, when implementing on-going national phase-out plans and when planning new national phase-out plans, to take into account decision 41/100 for the Recovery and Recycling part of national phase-out plans, in particular the following paragraphs:
 - (i) Concentrating recovery and reuse of CFC on large-size commercial and industrial installations and mobile air conditioning (MAC) sectors, if

- significant numbers of CFC-12 based systems still exist and the availability of CFC is strongly reduced by the adoption of effective import control measures:
- (ii) Further exploring possibilities for facilitating cost-effective retrofitting and/or use of drop-in substitutes, possibly through incentive programmes;
- (iii) Becoming more selective in providing new recovery and in particular recycling equipment by:
 - a. establishing during project preparation a sounder estimate of the likely demand for recovery and recycling equipment;
 - b. delivering equipment to the country only against firm orders and with significant cost participation by the workshops for equipment provided, using locally-assembled machines to the extent possible;
 - c. procuring delivering and distributing equipment in several stages, after reviewing the utilization of equipment delivered and verifying further demand; and
 - d. ensuring that adequate follow-up service and information are available to keep the recovery and recycling equipment in service.
- (iv) Monitoring the use of equipment and knowledge acquired by the beneficiaries, on an ongoing basis, through regular consultations and collection of periodic reports from the workshops, to be carried out by national consultants in cooperation with associations of technicians. Progress reports based on such monitoring should be prepared annually by the consultant and/or the National Ozone Units, in cooperation with the implementing agency, as provided for in Decision 31/48, and sufficient additional resources should be made available to allow for such follow-up and reporting work. (from decision 41/100);
- (c) Request implementing and bilateral agencies, in cooperation with the relevant national institutions, to:
 - (i) base the training of technicians on a strategy combining theoretical training with practical exercises during seminars with limited numbers of participants, and assisting in up-grading the curriculum of technical training institutes for refrigeration servicing in countries where this had not yet been done;
 - (ii) pay full attention to safety aspects and the necessary modification or replacement of electrical components in countries where training in the usage of hydrocarbons and particularly retrofitting is carried out; and
 - (iii) select carefully the type of refrigerant identifiers to be purchased, taking into account preferences for small portable units, suitable for identifying

different types of refrigerants, and including a test phase, where feasible, before buying larger numbers. Moreover, the administrative details of their distribution, usage and storage should be planned in advance in order to avoid delays and to increase the effectiveness of their use.

- (d) Request implementing and bilateral agencies to develop, in cooperation with the Fund Secretariat, recommendations for lists of appropriate equipment for the main target groups and share information about competitive suppliers, including from Article 5 countries;
- (e) Request the Fund Secretariat, in cooperation with implementing and bilateral agencies to develop an appropriate reporting format for the assessment of progress achieved in the annual work programmes, summarizing in standardized overview tables the information requested in decision 47/50. Such assessment should contain a "comparison of what had been planned in the previous annual tranche and what had been achieved. The disbursement information should be provided cumulatively and data concerning actual or planned commitments could also be provided, as appropriate. The information should also specify how the relevant flexibility clause in the agreement was implemented and/or how to allocate unused funds from previous tranches". (from decision 47/50, para. (b)(i))

(ii) Desk study on the evaluation of the CAP programme

<u>Document UNEP/OzL.Pro/ExCom/49/8</u>: The evaluation of the CAP is part of the 2006 and 2007 Monitoring and Evaluation Work Programme. The desk study was prepared based on UNEP DTIE documents. Comments prepared by the Fund Secretariat on these documents and information contained in databases were also analyzed. The study identifies the main evaluation issues to be covered and suggests a tentative work plan for the field phase.

Issue to be addressed:

• Evaluation issues and suggested work plan for submission to the 52nd Meeting of the Executive Committee.

Action expected from the Executive Committee: The Executive Committee may wish to take note of the information provided in the Desk Study on the Evaluation of the Compliance Assistance Programme (CAP), as presented in document UNEP/OzL.Pro/ExCom/49/8, including the proposed evaluation issues and work plan for the second phase of the evaluation.

(b) Progress reports as at 31 December 2005:

(i) Consolidated progress report

<u>Document UNEP/OzL.Pro/ExCom/49/9</u>: summarises the progress and financial information on the implementation of projects and activities supported by the Fund up to 31 December 2005. The report consists of three parts and two annexes. The three parts are: Part I: A summary of implementation progress at the country level; Part II: A summary of activities to the end of 2005; and, Part III: Comments and recommendations of the Fund Secretariat. The two annexes

are: Annex I: Project implementation data by country; and, Annex II: Analysis of Progress Report Data.

Issues to be addressed:

- Slow rate of project completion;
- Implementing agencies' capacity to deliver projects; and
- Data issues.

Action expected from the Executive Committee: the Executive Committee may wish to:

- (a) Note the Consolidated Progress Report of the Multilateral Fund as contained in UNEP/OzL.Pro/ExCom/49/9;
- (b) Note the slow rate of project completion for the third consecutive year and the rates of achievement of project completion as follows: UNDP (45%), UNEP (35%), UNIDO (52%), and the World Bank (70%);
- (c) Consider the capacity of UNDP, UNIDO and the World Bank to deliver in the context of its review of administrative costs at its 50th Meeting; and
- (a) Note that the Fund Secretariat will update the consolidated progress report database following the receipt of clarifications from bilateral and multilateral implementing agencies on remaining data issues.

(ii) Bilateral cooperation

<u>Document UNEP/OzL.Pro/ExCom/49/10</u>: contains the progress report on activities up to 31 December 2005 implemented under bilateral cooperation by: Australia, Canada, Finland, France, Germany, Italy, Japan, Spain and Sweden.

Issue to be addressed:

- Progress reports that were not received from Portugal, Switzerland and United States of America;
- Request for additional status reports on projects with slow progress.
- Completion of the halon banking project in India (IND/HAL/32/TAS/281 and 278) under implementation by Australia and Canada.

Action expected from the Executive Committee: The Executive Committee may wish to:

- (a) Note with appreciation the progress reports submitted by the Governments of Australia, Canada, Finland, France, Germany, Italy, Japan, Spain and Sweden;
- (b) Request the Governments of Portugal, Switzerland and United States of America to provide their progress reports to the 50th Meeting of the Executive Committee;

- (c) Request the Governments of Canada, France, Germany, Italy, Japan, Sweden and Switzerland to provide reports on the projects with implementation delays to the 50th Meeting of the Executive Committee;
- (d) Consider whether Australia and Canada should proceed with the completion of their components of the halon banking project in India (IND/HAL/32/TAS/281 and 278), noting several attempts to secure the required regulations, and/or request an additional status report for this project to the 50th Meeting, as appropriate;
- (e) Request additional status reports on the following projects:
 - (i) Customs officers training project in the Federated States of Micronesia (FSM/REF/36/TAS/01) under Australian implementation;
 - (ii) Customs officers training project in Tuvalu (TUV/REF/36/TAS/02) under Australian implementation;
 - (iii) Customs officers training project in Marshall Islands (MAS/REF/36/TAS/04) under Australian implementation;
 - (iv) Customs officers training project in Vanuatu (VAN/REF/36/TAS/02) under Australian implementation;
 - (v) Customs officers training project in Benin (BEN/REF/32/TRA/08) under Canadian implementation;
 - (vi) Environmental inspectors training project in Benin (BEN/REF/32/TRA/11) under Canadian implementation;
 - (vii) RMP activities in the Central African Republic (CAF/REF/34/TRA/09, TAS/10, TAS/11, and TRA/12) under French implementation;
 - (viii) CTC phase-out plan in India (IND/PHA/42/INV/374 and IND/PHA/45/INV/387) under French implementation;
 - (ix) Halon bank project in Iran (IRA/HAL/38/TAS/49) under French implementation;
 - (x) RMP in Cote d'Ivoire (IVC/REF/24/TAS/10 and IVC/REF/37/TAS/16) under French implementation;
 - (xi) Chiller project in Cote d'Ivoire (IVC/REF/37/INV/17) under French implementation;
 - (xii) R&R network in Lebanon (LEB/REF/23/TAS/21), under French implementation;
 - (xiii) Methyl bromide project in Morocco (MOR/FUM/29/INV/37), under French implementation;

- (xiv) R&R network in Morocco (MOR/REF/23/TAS/17) under French implementation;
- (xv) R&R component of the RMP in Tanzania (URT/REF/36/TAS/14) under German implementation;
- (xvi) R&R component of the RMP in Syria (SYR/REF/30/TAS/59) under German implementation;
- (xvii) CFC phase-out plan in Brazil: Customs officers training (BRA/PHA/37/TRA/260) under German implementation;
- (xviii) CTC phase-out plan in India (IND/PHA/42/INV/375 and IND/PHA/45/INV/388) under German implementation;
- (xix) CFC phase-out plan (Servicing Sector) in India (IND/REF/42/INV/369) under German implementation;
- (xx) ODS phase-out plan in Mauritius (MAR/PHA/45/INV/16) under German implementation;
- (xxi) Regional halon bank for Eastern and Southern African countries (Botswana, Ethiopia, Kenya, Lesotho, Namibia, Tanzania and Zimbabwe) (AFR/HAL/35/TAS/29) under German implementation;
- (xxii) Halon banking project in Algeria (ALG/HAL/35/TAS/51) under German implementation;
- (xxiii) Halon banking project in Nigeria (NIR/HAL/37/TAS/103) under German implementation;
- (xxiv) TPMP in Mongolia (MON/PHA/47/INV/10) under Japanese implementation;
- (xxv) ODS phase-out project in Sri Lanka (SRI/PHA/43/TAS/26, 27, 28, and 29) under Japanese implementation; and
- (xxvi) CFC phase-out plan in Serbia and Montenegro (YUG/PHA/43/TAS/22) under Swedish implementation.

(iii) UNDP

<u>Document UNEP/OzL.Pro/ExCom/49/11</u>: contains the progress report of UNDP for activities up to 31 December 2005 and the comments and recommendations of the Fund Secretariat on the report.

Issue to be addressed:

• Request for additional status reports on projects with slow progress.

- Request for a status report on the HCFC surveys under implementation that are due to be completed in December 2006;
- Need for a revised project proposal for the halon banking project in Mexico (MEX/HAL/35/TAS/104); and
- Overrun issue.

Action expected from the Executive Committee: the Executive Committee may wish to:

- (a) Note UNDP's Progress Report contained in UNEP/OzL.Pro/ExCom/49/11;
- (b) Request additional status reports on the following projects to be submitted to the 50th Meeting;
 - (i) ODS phase-out in Bangladesh (BGD/PHA/42/TAS/19);
 - (ii) Methyl bromide phase-out plan in Costa Rica (COS/FUM/43/INV/33);
 - (iii) National CFC phase-out plan in Panama (PAN/PHA/44/INV/22 and PAN/PHA/47/INV/24);
 - (iv) Terminal foam umbrella project in Argentina (ARG/FOA/38/INV/132);
 - (v) Country programme update in Nigeria (NIR/SEV/36/CPG/102);
 - (vi) Regional halon bank West and Central Africa (Benin, Burkina Faso, Cameroon, Congo, Congo DR, and Guinea) (AFR/HAL/37/TAS/31);
 - (vii) Halon banking in Dominican Republic (DOM/HAL/38/TAS/32);
 - (viii) Halon banking activity in Egypt (EGY/HAL/32/TAS/81);
 - (ix) Monitoring of RMP in Burkina Faso (BKF/REF/34/TAS/13);
 - (x) Spare parts component of the RMP in Gabon (GAB/REF/41/TAS/11);
 - (xi) RMP activities in Haiti (HAI/REF/39/TAS/04 and HAI/REF/39/TAS/06);
 - (viii) Monitoring component of RMP in Togo (TOG/REF/38/TAS/05); and
 - (xii) Technician training component of the RMP in Honduras (HON/REF/44/TAS/15);
- (c) Note UNDP's intention to submit a status report to the 50th Meeting on the HCFC surveys under implementation that are due to be completed in December 2006, while encouraging UNDP to complete as many surveys as possible by the 50th Meeting;
- (d) Consider the need for a revised project proposal to be submitted to the 50th Meeting for the halon banking project in Mexico (MEX/HAL/35/TAS/104) in light of an update from UNDP at the 49th Meeting;

- (e) Note that UNDP will report to the 50th Meeting on up to 31 projects with implementation delays including six projects that were classified as such in 2004; and
- (f) Urge UNDP to resolve the overrun issue in the context of the annual reconciliation of accounts to be submitted to the 50th Meeting.

(iv) UNEP

<u>Document UNEP/OzL.Pro/ExCom/49/12</u>: contains the progress report of UNEP for activities up to 31 December 2005 and the comments and recommendations of the Fund Secretariat on the report.

Issues to be addressed:

- Request for additional status reports on projects with slow progress; and
- Request for revised progress report with corrected financial information.

Action expected from the Executive Committee: the Executive Committee may wish to:

- (a) Note UNEP's progress report contained in UNEP/OzL.Pro/ExCom/49/12;
- (b) Request that additional status reports be submitted to the 50th Meeting for the following individual projects on institutional strengthening:
 - (i) Grenada (GRN/SEV/44/INS/07);
 - (ii) Myanmar (MYA/SEV/29/INS/02);
 - (iii) Uganda (UGA/SEV/13/INS/02);
 - (iv) Saint Kitts and Nevis (STK/SEV/21/INS/02 and STK/SEV/43/INS/05);
 - (v) Sudan (SUD/SEV/42/INS/16);
 - (vi) Somalia (SOM/SEV/36/INS/03);
- (c) Request that additional status reports be submitted to the 50th Meeting, for the following individual RMP projects:
 - (i) Honduras (HON/REF/44/TRA/16, HON/REF/44/TAS/17, and HON/REF/44/TAS/18);
 - (ii) Guatemala (GUA/REF/23/TAS/23, GUA/REF/35/TAS/24, GUA/REF/25/TAS/25, GUA/REF/35/TAS/26, and GUA/REF/35/TAS/27)
 - (iii) Paraguay (PAR/REF/32/TRA/07);
 - (iv) Brunei (BRU/REF/44/TAS/09 and BRU/REF/44/TRA/07);

- (v) Yemen (YEM/REF/37/TRA/17 and YEM/REF/37/TRA/18);
- (vi) PIC Strategy (ASP/REF/36/TAS/44);
- (vii) Myanmar (MYA/REF/45/TAS/05); and
- (viii) Nicaragua (NIC/REF/45/TAS/15, NIC/REF/45/TAS/16, and NIC/REF/45/TRA/14);
- (d) Note that UNEP has 11 projects classified with implementation delays, including 9 projects that were so classified last year, and that a report on these projects should be submitted to the 50th Meeting; and
- (e) Request that UNEP submit a revised progress report eight week prior to the 50th Meeting with corrected financial information so that the report can be used for the reconciliation of accounts.

(v) UNIDO

<u>Document UNEP/OzL.Pro/ExCom/49/13</u>: contains the progress report of UNIDO for activities up to 31 December 2005 and the comments and recommendations of the Fund Secretariat on the report.

Issues to be addressed:

- Request for additional status reports on projects with slow progress;
- Incrementality of the purchase of vehicles (DOM/FUM/38/INV/3) and/or office equipment (CUB/FUM/44/INV/29) as part of the implementation of methyl bromide phase-out projects; and
- Plan for the sustainability of the halon bank in Libya required by decision 47/11.

Action expected from the Executive Committee: The Executive Committee may wish to:

- (a) Note UNIDO's progress report contained in UNEP/OzL.Pro/ExCom/49/13;
- (b) Request additional status reports on the following projects to be submitted to the 50th Meeting:
 - (i) National CFC phase-out plan (YUG/PHA/43/TAS/23);
 - (ii) Terminal foam umbrella project in China (CPR/FOA/35/INV/379);
 - (iii) National CFC phase-out plan in Libya (LIB/PHA/45/INV/25);
 - (iv) ODS phase-out plan in Bosnia and Herzegovina (BHE/PHA/41/INV/16 and BHE/PHA/44/INV/21);
 - (v) Methyl bromide phase-out project in Guatemala (GUA/FUM/38/INV/29);

- (vi) Methyl bromide project in Zimbabwe (ZIM/FUM/31/INV/21);
- (vii) Methyl bromide workshops in El Salvador (ELS FUM/45/TAS/18), Madagascar (MAG/FUM/45/TAS/09), Moldova (MOL/FUM/45/TAS/13), Nicaragua (NIC/FUM/45/TAS/12), Pakistan (PAK/FUM/45/TAS/63), and Venezuela (VEN/FUM/45/TAS/104);
- (viii) Halon banking project in Pakistan (PAK/HAL/41/TAS/55);
- (ix) CTC/TCA workshops in Oman (OMA/SOL/45/TAS/11), Tunisia (TUN/SOL/45/TAS/45), Morocco (MOR/SOL/45/TAS/53), and Ethiopia (ETH/SOL/45/TAS/15);
- (x) Institutional strengthening in Bosnia and Herzegovina (BHE/SEV/43/INS/19); and
- (xi) Institutional strengthening in Libya (LIB/SEV/32/INS/04);
- (c) Note that UNIDO will report to the 50th Meeting on up to 23 projects with implementation delays in 2005 including eight projects that were classified as such in 2004;
- (d) Consider the incrementality of the purchase of vehicles (DOM/FUM/38/INV/3) and/or office equipment (CUB/FUM/44/INV/29) as part of the implementation of methyl bromide phase-out projects; and
- (e) Note that UNIDO has indicated that a plan for the sustainability of the halon bank in Libya required by decision 47/11 will be submitted to the 50th Meeting.

(vi) World Bank

<u>Document UNEP/OzL.Pro/ExCom/49/14</u>: contains the progress report of the World Bank for activities up to 31 December 2005 and the comments and recommendations of the Fund Secretariat on the report.

Issues to be addressed:

- The Bank's definition on project completion for annual tranches;
- Request for additional status reports on projects with slow progress;
- Savings identified for the China's CFC foam (CPR/FOA/44/INV/424) and halon (CPR/HAL/47/INV/433) phase-out plans;
- Implementation of the halon banking guidelines as per decision 18/22(a)(v); and
- Reporting on disbursement of phase-out agreement funds according to the definition of funds disbursed established in the progress report guidelines.

Action expected from the Executive Committee: The Executive Committee may wish to:

(a) Note the World Bank's progress report contained in UNEP/OzL.Pro/ExCom/49/14;

- (b) Request that the World Bank define completion dates according to the completion of activities associated with annual tranches and submit these dates to the Executive Committee for approval at its 50th Meeting for those annual tranches where there are remaining funds to be disbursed;
- (c) Request that additional status reports on the following projects be submitted to the 50th Meeting:
 - (i) CFC production phase-out plan in Argentina (ARG/PRO/45/INV/143);
 - (ii) CFC phase-out plan in the Philippines (PHI/PHA/47/INV/79);
 - (iii) CFC phase-out plan in Antigua and Barbuda (ANT/PHA/44/INV/10);
 - (iv) CFC phase-out plan in Mexico (MEX/PHA/45/INV/124);
 - (v) Methyl bromide alternatives demonstration project in Argentina (ARG/FUM/29/DEM/93);
 - (vi) Halon banking project in Argentina (ARG/HAL/26/TAS/80);
 - (vii) Halon banking project in Turkey (TUR/HAL/38/TAS/80); and
 - (viii) Halon banking project in Indonesia (IDS/HAL/27/TAS/107);
- (d) Request that the World Bank indicate how it plans to address the savings identified for the China's CFC foam (CPR/FOA/44/INV/424) and halon (CPR/HAL/47/INV/433) phase-out plans in its request for funding for the next tranche of the agreements;
- (e) Note that the World Bank will report to the 50th Meeting on a total of 16 projects with implementation delays including nine projects that were classified as such in 2004;
- (f) Urge the World Bank to ensure that halon banking guidelines are implemented with respect to the requirement that regulations facilitating production and import bans of controlled halons are established within six months after the reclamation centre is set up, as per decision 18/22(a)(v); and
- (g) Request that the World Bank report in the future progress reports on disbursement of phase-out agreement funds, in particular in China, according to the definition of funds disbursed established in the progress report guidelines and which should also be the basis for reporting on all projects.
- (c) Evaluation of the implementation of the 2005 business plans

<u>Document UNEP/OzL.Pro/ExCom/49/15</u>: presents the evaluation of the 2005 business plans of the implementing agencies using the performance indicators approved at the 41st Meeting, and the targets that were adopted for the 2005 business plans by the Executive Committee. This

document also presents a trend analysis for each of the nine performance indicators used in prior evaluations, and concludes with the Secretariat's observations and recommendations.

Issues to be addressed:

• Implementing agencies' performance against their 2005 business plan performance indicators.

Action expected from the Executive Committee: the Executive Committee may wish to note the evaluation of the implementing agencies' performance against their 2005 business plans as contained in UNEP/OzL.Pro/ExCom/49/15 and the overall largely sustained and improved performance of the agencies.

(d) Project implementation delays

<u>Document UNEP/OzL.Pro/ExCom/49/16</u>: contains an assessment of progress on projects identified with implementation delays based on decisions taken at previous meetings of the Executive Committee. It addresses delayed projects in countries with related compliance issues. It also presents a project proposed for possible cancellation and discusses the impact of their compliance.

Issues to be addressed: None.

Action expected from the Executive Committee: the Executive Committee may wish to consider:

- (a) Noting with appreciation the reports on projects with implementation delays submitted to the Secretariat by France, Italy, Sweden and the four implementing agencies as contained in the document on project implementation delays (UNEP/OzL.Pro/ExCom/49/16);
- (b) Noting that the Secretariat and implementing agencies would take established actions according to the Secretariat's assessments (progress, some progress, or no progress) and report to and notify governments and implementing agencies as required;
- (c) Noting the completion of three out of the 38 projects listed with implementation delays;
- (d) Noting that letters of possible cancellation should be sent for the following projects:

Agency	Code	Project Title
UNDP	CUB/ARS/34/INV/18	Phase-out of CFC-12 in the manufacture of insecticides and technical aerosols by conversion to hydrocarbon propellant at CIDT aerosol plant in Cuba.
World Bank	JOR/HAL/32/INV/69	Terminal halon-1211 and halon-1301 phase-out umbrella project for fire equipment manufacturers and suppliers in Jordan converting to ABC powder, CO ₂ , HFC-227ea and inert gases as substitutes.
World Bank	PAK/FOA/23/INV/20	Umbrella project: Conversion to CFC-free technology in the manufacture of rigid polyurethane foam (thermoware) in Pakistan.

Agency	Code	Project Title
World Bank	PAK/FOA/25/INV/25	Terminal umbrella: Conversion to HCFC-141b and water blown technology in the
		manufacture of rigid polyurethane foam (thermoware) in Pakistan.
UNEP	PAN/PHA/44/TAS/23	National phase-out plan for Annex A (Group I) substances (first tranche) in Panama.
World Bank	TUR/FUM/31/INV/69	Phase-out of methyl bromide in the dried fig sector in Turkey.

(e) Noting the cancellation of the methyl bromide project preparation in India (IND/FUM/39/PRP/360) by mutual agreement between UNIDO and India and requesting the return, at the 50th Meeting of the Executive Committee, of the balance of remaining funds.

(e) Annual tranche submission delays

<u>Document UNEP/OzL.Pro/ExCom/49/17</u>: addresses delays in the submission of tranches that were due at the 49th Meeting together with the five outstanding requests for changes held over from the 48th Meeting, and presents recommendations for consideration by the Executive Committee.

Issues to be addressed:

• Requests for changes in due dates.

Action expected from the Executive Committee: the Executive Committee may wish to consider:

- (a) Noting the information on annual tranches of multi-year agreements submitted to the Secretariat by Germany, UNDP, UNIDO, and the World Bank as contained in the document on annual tranche submission delays (UNEP/OzL.Pro/ExCom/49/17);
- (b) Agreeing to the changes in due dates for specific annual tranches as indicated in Table 1 of document UNEP/OzL.Pro/ExCom/49/17);
- (c) Noting that 13 of the 17 annual tranches of multi-year agreements that were due for submission were submitted on time to the 49th Meeting;
- (d) Noting that letters should be sent for the following annual tranches that were due for submission to the 49th Meeting with the reasons indicated for the delay, and encouraging implementing agencies and the relevant Article 5 governments to submit these annual tranches to the 50th Meeting:

Country	Agency	Project Title	Annual	Reason for Delay
			Tranche	
Argentina	World Bank	CFC production closure plan	2006	Awaiting clearance by the
				Government.
Kenya	Germany	Technology transfer leading to	2006	Need to submit along with
		methyl bromide phase-out in soil		the companion UNDP
		fumigation in all other horticulture		project.
Libya	UNIDO	National phase-out plan	2006	Pending verification report.
Macedonia	UNIDO	Terminal phase-out management	2006	Pending verification report.
		plan for CFCs		

(f) Report on implementation of approved projects with specific reporting requirements

<u>Document UNEP/OzL.Pro/ExCom/49/18</u>: consistent with reporting requirements in the agreements governing the majority of MB projects, and in response to requests from the Secretariat to relevant agencies, this document contains progress reports on MB projects in Cuba, Ghana, Indonesia, Mexico, Sri Lanka, Uganda and Zimbabwe.

Issue to be addressed: None.

Action expected from the Executive Committee: the Committee may wish to note the progress reports on MB projects submitted by relevant agencies on behalf of the Governments of Cuba, Ghana, Indonesia, Mexico, Sri Lanka, Uganda and Zimbabwe.

7. Project proposals:

(a) Overview of issues identified during project review

<u>Document UNEP/OzL.Pro/ExCom/49/19</u>: provides statistics on project submissions received, presents one issue arising from project review, contains the list of all projects and activities recommended for blanket approval (Annex I) and the list of projects for individual consideration (Annex II).

Issues to be addressed:

- A request from UNDP for a change in technology from liquid carbon dioxide to methylene chloride in a project in the foam sector approved for Libya at the 35th Meeting.
- Consideration of the list of projects and activities recommend for blanket approval.

Action expected from the Executive Committee: The Executive Committee may wish to:

- (a) Approve UNDP's request for a change in technology, noting the intention of UNDP to return the US \$50,000 for licensing fees plus support cost prior to the 50th Meeting and, upon completion of the project, to return any additional funds recovered by UNDP from return of the equipment to the supplier of LCD technology.
- (b) Approve the list of projects and activities recommended for blanket approval (Annex I to the above document).

(b) Bilateral cooperation

<u>Document UNEP/OzL.Pro/ExCom/49/20</u>: contains 5 projects and activities submitted for approval by the Governments of Canada, France and Germany as bilateral cooperation. Three projects are addressed in the document and the remaining 2 will be considered in Agenda Item 7 (d), investment projects. Two projects, one submitted by the Governments of Canada and the other submitted by the Government France, are recommended for blanket approval and were

considered in Agenda Item 7 (a). The other proposals have been recommended for individual consideration.

Issues to be addressed:

- Non-receipt of a letter from Seychelles confirming the choice of an agency for implementing the TPMP;
- Germany has already received approval for annual tranches of multi-year agreements that have fully utilized its 2006 allocation and some of its 2007 allocation and is requesting additional funding to be credited against its 2007 allocation.

Action expected from the Executive Committee: the Committee may wish to continue to inform the Meeting of the Parties in cases where bilateral cooperation exceeds 20% of the current year's contribution during the current triennium, in particular where they relate to commitments for existing multi-year agreements.

(c) Amendments to work programmes for 2006

(i) Amendments to UNDP's work programme for 2006

<u>Document UNEP/OzL.Pro/ExCom/49/21</u>: contains five activities submitted by UNDP, comprising three proposals for preparation of TPMPs in LVC countries and two requests for renewal of institutional strengthening projects. All the proposals were recommended for blanket approval and have therefore been considered in Agenda Item 7(a).

Issues to be addressed: None

(ii) Amendments to UNEP's work programme for 2006

<u>Document UNEP/OzL.Pro/ExCom/49/22</u>: contains 23 activities submitted by UNEP, including 11 requests for renewal of institutional strengthening projects, and one request for institutional strengthening start-up funding. Twelve of the activities were recommended for blanket approval and were considered in Agenda Item 7(a). Three activities associated with phase-out plans are discussed in the relevant country project document. Two activities for a new party and six proposals for renewal of institutional strengthening projects are for individual consideration.

Issues to be addressed:

- UNEP has requested funding to prepare a CP/TPMP for Equatorial Guinea and to start up an institutional strengthening project. Although UNEP was advised that the country had deposited the instrument of ratification of the Montreal Protocol, the UN depositary has not yet received the documentation and the country is not yet a Party to the Protocol.
- UNEP has submitted a request for renewals of institutional strengthening projects for Kiribati, Micronesia, Palau, Solomon Islands, and Tonga, five of eleven countries whose compliance needs are being addressed through a regional strategy for Pacific Island Countries (PIC Strategy), approved at the 36th Meeting and extended at the 44th Meeting, with the objective of phasing out ODS consumption by the end of 2005. Not all the actions

funded under the PIC strategy have been completed and three of the five countries continue to consume CFCs. No overall report on implementation of the strategy has yet been submitted.

Action expected from the Executive Committee: the Committee may wish to:

(a) Approve the preparatory funding and institutional start-up funding for Equatorial Guinea provided that confirmation of ratification of the Protocol is available by the time of the meeting, otherwise, defer the requests.

(b) Consider:

- (i) Approving, on an exceptional basis, funding for one year only for extension of the institutional strengthening projects for the five countries at an amount prorated from the initial level of funding approved at the 36th Meeting, namely: US \$7,666 for Kiribati, US \$11,333 for Micronesia, US \$11,333 for Palau, US \$6,833 for Solomon Islands and US \$6,566 for Tonga;
- (ii) Urging UNEP to work closely with the countries to facilitate reporting of consumption data as soon as possible, and to enable them to meet the annual reporting requirements under the PIC Regional Strategy (decision 36/27 (c));
- (iii) Requesting UNEP, in conjunction with the Government of Australia, if relevant, to submit, not later than the 51st Meeting, the following:
 - a. A comprehensive report on the implementation of the PIC strategy to date covering all the countries concerned; and
 - b. An integrated proposal detailing any potential extension of assistance under the Multilateral Fund to all the countries covered by the PIC strategy, including all the institutional strengthening projects, in the light of relevant Executive Committee decisions and guidelines. The proposal should also include other projects that may be submitted through bilateral assistance.

(iii) Amendments to UNIDO's work programme for 2006

<u>Document UNEP/OzL.Pro/ExCom/49/23</u>: contains four activities submitted for funding by UNIDO including one request for renewal of an institutional strengthening project. Three activities were recommended for blanket approval and have been considered in Agenda Item 7(a). One request for approval of the second year of an institutional strengthening project has been submitted for individual consideration.

<u>Issues to be addressed</u>:

• The current institutional strengthening project for Qatar was approved at the 41st Meeting for one year only, as the country was declared in non-compliance under decision XV/41 of the

Parties. Qatar subsequently reported consumption data for 2003 indicating that it had returned to compliance and Article 7 data for 2005 shows further reductions. Qatar has not, to date, provided a country programme report for 2005.

<u>Action expected from the Executive Committee</u>: the Committee may wish to consider approving funding for the second year of Phase II of the institutional strengthening project for Qatar.

(d) Investment projects

<u>Document UNEP/OzL.Pro/ExCom/49/19</u>: contains in Annex II a list of 6 projects for individual consideration. All other investment projects, both on-going and new activities, were recommended for blanket approval and were considered in Agenda Item 7(a). Incremental costs have been agreed for all the projects.

Issues to be addressed:

• In the Annex II table (reproduced below): each of the 6 projects should be considered for approval individually. Project descriptions and the comments of the Secretariat can be found in the relevant country project document referred to in the table (*if required*, the Secretariat will outline the issue or issues involved).

List of projects for individual consideration

Country	Project	Sector	Agency	Document No.					
Fumigant sector									
Syria	Methyl bromide national phase-out plan (soil fumigation)	Fumigant	UNIDO	UNEP/OzL.Pro/ExCom/49/33					
Phase-out plan									
D.R. Congo	National CFC phase-out plan (first tranche)	Phase-out plan	UNDP/ UNEP	UNEP/OzL.Pro/ExCom/49/24					
Croatia	Terminal CFC phase-out management plan (4th, 5th and 6th tranches)	Phase-out plan	UNIDO	UNEP/OzL.Pro/ExCom/49/26					
Syria	National CFC phase-out plan for Syria (first tranche)	Phase-out plan	UNIDO	UNEP/OzL.Pro/ExCom/49/33					
Tunisia	National ODS phase-out plan	Phase-out plan	World Bank	UNEP/OzL.Pro/ExCom/49/35					
Production sector	or	•	1						
India	CTC phase-out for the consumption and production sectors: 2006 annual programme	CFC production	France, Germany, UNIDO, World Bank	UNEP/OzL.Pro/ExCom/49/29					

Action expected from the Executive Committee: the Committee may wish to consider whether to approve each of the 6 projects listed in the table on the basis of: the information provided in the relevant project proposal document including the Secretariat's comments; any additional documents circulated in accordance with decision 41/80; and, any additional information provided at the meeting by the Secretariat or the relevant implementing agency.

8. Country programmes

<u>Document UNEP/OzL.Pro/ExCom/49/37</u>: contains the country programme update of India.

<u>Issues to be addressed</u>: None.

<u>Action expected from the Executive Committee</u>: the Committee may wish to approve the India country programme update, noting that approval of the country programme does not denote approval of the projects identified therein or their funding levels.

9. The relative merits of replacing the current requirements for submissions of requests for renewal of an institutional strengthening project with a simplified arrangement (follow-up to decision 47/49)

<u>Document UNEP/OzL.Pro/ExCom/49/38</u>: contains the policy paper prepared by the Secretariat on the above issue.

Issues to be addressed:

• Any administrative advantages in simplifying current arrangements for renewing institutional strengthening projects, compared to the assessment of the data and information provided in the terminal reports and action plans as part of the renewal process that might be considered fundamental to sound management of the Multilateral Fund.

Action expected from the Executive Committee: the Committee may wish to consider:

- (a) Maintaining for the time being the current arrangements for submission and consideration of requests for renewal of institutional strengthening projects;
- (b) Requesting the Secretariat to continue to examine opportunities to fine-tune the institutional strengthening renewal process and to address any additional findings in the context of the review of IS funding post 2010, to be presented to the Executive Committee at the end of 2007 decision 47/49; and
- (c) Requesting the Secretariat to provide draft remarks to the governments of those countries for which there are issues that may require urgent attention to maintain progress with phase-out and/or compliance or, alternatively, commenting favourably on exceptional successes or specific phase-out achievements.
- 10. Options for addressing the situation of countries referred to in decision XVII/14 of the Seventeenth Meeting of the Parties (follow-up to decision 48/36)

<u>Document UNEP/OzL.Pro/ExCom/49/39</u>: contains the policy paper prepared by the Secretariat on the above issue.

Issues to be addressed: Pending.

Action expected from the Executive Committee: Pending.

11. Costs charged to Multilateral Fund accounts that were not assigned to either project or administrative costs with respect to the application of miscellaneous income, exchange rate losses and gains, and bank charges (follow-up to decision 48/38)

<u>Document UNEP/Ozl.Pro/ExCom/49/40</u>: reports by the implementing agencies on costs charged to the Multilateral Fund accounts that were not assigned to either project or administrative costs in response to decision 48/38.

Issues to be addressed:

- UNEP's agreement that all costs would be classified as either project or administrative costs and expenditures that previously were not so assigned would be categorized as such; and
- UNIDO's miscellaneous income/expenditure (i.e., costs not assigned to either project or administrative costs) for the period 1993-2005.

Action expected from the Executive Committee: the Executive Committee may wish to:

- (a) Note the report on costs charged to the Multilateral Fund accounts that were not assigned to either project or administrative costs with respect to the application of miscellaneous income, exchange rate losses and gains, and bank charges (follow-up to decision 48/38) as contained in UNEP/OzL.Pro/ExCom/49/40);
- (b) Note, with appreciation, that all of the costs of UNDP and the World Bank are assigned to either project or administrative costs;
- (c) Note, with appreciation, UNEP's agreement that all costs would be classified as either project or administrative costs and that expenditures amounting to US \$60,556 that previously were not so assigned would be categorized as such; and
- (d) Request UNIDO to continue its efforts to comply with decision 48/38(b) and report on the outcome to the 50th Meeting of the Executive Committee in the context of the annual reconciliation of accounts required by decision 38/9(d).

12. Provisional 2005 accounts

<u>Document UNEP/OzL.Pro/ExCom/49/41</u>: this document summarises the provisional accounts for the year 2005. The 2005 provisional accounts are submitted to this meeting for information only pending their certification by the Board of Auditors. The final 2005 Accounts will be submitted to the 50th meeting following the schedule of submission agreed on at the workshop on common terminology and procedures.

Issues to be addressed: Pending.

Action expected from the Executive Committee: Pending.

13. Continuation of the consideration of terms of reference, budget and modalities for a study regarding collection, recovery, recycling, reclamation, transportation and destruction of unwanted ODS

<u>Document UNEP/Ozl.Pro/ExCom/49/42</u>: contains a brief introduction recalling the recent discussions of the Executive Committee on the matter. Document UNEP/Ozl.Pro/ExCom/47/56 is attached as Annex I, containing proposed terms of reference, budget and modalities for a study regarding collection, recovery, recycling, reclamation, transportation and destruction of unwanted ODS (follow-up to decision 46/36).

<u>Issues to be addressed:</u>

• The Executive Committee agreed in decision 47/52 to consider at its 48th Meeting terms of reference, budget and modalities for a study regarding collection, recovery, recycling, reclamation, transportation and destruction of unwanted ODS in light of the results of the results of a meeting of experts that would assess the extent of current and future requirements for the collection and disposition (emissions, export, reclamation and destruction) of non-reusable and unwanted ODS in Article 5 countries. The 48th Meeting did not consider the proposed terms of reference, therefore the item has been placed on the agenda for this meeting, as per "Rules of procedure for meetings of the Executive Committee of the Multilateral Fund".

<u>Action expected from the Executive Committee</u>: the Executive Committee may wish to: consider the proposed terms of reference contained in document UNEP/OzL.Pro/ExCom/47/56.
