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Twenty-Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer
Geneva, 12–16 November 2012
Item 16 (b) of the provisional agenda for the preparatory segment*
Compliance and data reporting issues: presentation on and consideration of the work and recommended decisions forwarded by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol

Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol
Forty-ninth meeting
Geneva, 8 and 9 November 2012
Item 10 of the provisional agenda**
Consideration of the report of the Secretariat on the establishment of licensing systems: status of establishment of licensing systems under Article 4 (b) of the Montreal Protocol (recommendation 48/14)

Status of licensing systems and focal points

Note by the Secretariat

I. Establishment and reporting of information on licensing systems

A. Establishment of licensing systems

1. Article 4B of the Montreal Protocol on Substances that Deplete the Ozone Layer requires each party to the Protocol to establish a system for licensing the import and export of new, used, recycled and reclaimed controlled substances listed in Annexes A, B, C and E to the Protocol by 1 January 2000 or three months after the date of entry into force of article 4B for the party. Article 4B came into existence with the adoption of the Montreal Amendment to the Protocol and enters into force for each party at the time of entry into force of the Montreal Amendment for the party. Pursuant to paragraph 4 of article 4B, the Secretariat is required to prepare and circulate periodically to all parties a list of parties that have reported to the Secretariat on their licensing systems. The Secretariat is also required to forward that list to the Implementation Committee for its consideration and appropriate recommendations to the parties.

2. In recommendation 48/14 of the Implementation Committee at its forty-eighth meeting, held in July 2012, following its review of information submitted by parties in response to decision XXIII/31 of the Twenty-Third Meeting of the Parties, the Committee noted with appreciation the tremendous efforts that the parties to the Montreal Protocol had made in the establishment and operation of licensing systems for imports and exports of ozone-depleting substances. The Committee further noted, however, that some parties that had reported on the establishment of such systems had not included disaggregated information that detailed the annexes and groups of substances covered by

* UNEP/OzL.Pro/ImpCom/49/1.

** UNEP/OzL.Pro.ImpCom/49/4.

those systems and that, in a few cases, the licensing systems in place did not regulate exports of ozone-depleting substances or did not cover some groups of substances.

B. Implementation of recommendation 48/14 of the Committee

3. In paragraph 2 of recommendation 48/14, the Implementation Committee requested Dominica and Tajikistan to provide detailed disaggregated information on the groups of substances covered by their licensing systems to the Secretariat as a matter of urgency, and no later than 15 September 2012, for consideration by the Committee at its forty-ninth meeting.

4. In paragraph 3 of recommendation 48/14, the Implementation Committee urged Timor-Leste to complete the process of establishing a licensing system as soon as possible and to report to the Secretariat thereon no later than 15 September 2012.

5. In paragraph 4 of recommendation 48/14, the Implementation Committee requested the Gambia to submit an update to the Secretariat by 15 September 2012 on any action that it had taken to regulate exports of ozone-depleting substances through its licensing system.

6. In paragraph 5 of recommendation 48/14, the Implementation Committee urged Honduras, which operated a licensing system for ozone-depleting substances that did not include export controls, to ensure that it was structured in accordance with article 4B of the Protocol and that it provided for licensing imports and exports of substances in Annex C of the Protocol and to provide information thereon to the Secretariat by 15 September 2012.

7. In paragraph 6 of recommendation 48/14, the Implementation Committee encouraged Botswana and South Sudan, which were non-parties to the Montreal Amendment to the Protocol and had not yet established licensing systems, to ratify the Amendment and to establish licensing systems to control imports and exports of ozone-depleting substances in accordance with article 4B of the Protocol.

8. The status of the parties subject to recommendation 48/14 in respect of licensing systems, along with that of Botswana and South Sudan, is summarized in tabular form in annex I to the present note. The table has not been formally edited.

9. The Committee may wish to consider the information above and make appropriate recommendations.

II. Licensing system focal points

10. In its decision IX/8, the Ninth Meeting of the Parties decided that, to facilitate the efficient notification, reporting and cross-checking of information on licensing systems, each party should inform the Secretariat of the name and contact details of a focal point to whom information and requests should be directed. Annex II to the present note contains a list of names and contact details of such focal points, updated as at 15 September 2012. Parties are encouraged to check the details concerning their focal points and to send to the Secretariat any necessary corrections and updates. The list has not been formally edited.

Annex I

A. Status of licensing systems of parties subject to recommendation 48/14

	Party	Date of ratification	Status of licensing system	Annexes and groups of ozone-depleting substances (ODS) covered by the licensing system				Does licensing system control ODS imports and exports?
				ANNEX A	ANNEX B	ANNEX C	ANNEX E	
1	Botswana		-					
2	Dominica	7.3.2006	√	Group I II	Group I II III	Group I II III	Group I	Yes
3	Gambia	30.4.2008	√	Group I II	Group I II III	Group I II III	Group I	Yes*
4	Honduras	14.9.2007	√	Group I II	Group I II III	Group I II III	Group I	Yes
5	South Sudan		-					
6	Tajikistan	7.5.2009	√	Group I- II -	Group I - II - III -	Group I - II - III-	Group I-	-
7	Timor-Leste	16.9.2009	√	Group I II	Group I II III	Group I II III	Group I	Yes

√ indicates that the party has a licensing system.

- indicates that details of disaggregated data on licensing system are not available as of 17 September 2012.

* Party has stated that it does not produce or export ozone-depleting substances.

Annex II

Licensing system focal points as at 15 September 2012

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