

**Montreal Protocol
on Substances that
Deplete the Ozone Layer**

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**Implementation Committee under
the Non-Compliance Procedure
for the Montreal Protocol
Seventy-fifth meeting**
Nairobi, 31 October and 1 November 2025

**Report of the Implementation Committee under the
Non-Compliance Procedure for the Montreal Protocol on the
work of its seventy-fifth meeting****I. Opening of the meeting**

1. The seventy-fifth meeting of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol on Substances that Deplete the Ozone Layer was held at the headquarters of the United Nations Environment Programme (UNEP), in Nairobi, on 31 October and 1 November 2025.
2. The President of the Committee, Martijn Hildebrand (Kingdom of the Netherlands), opened the meeting at 10 a.m. on Friday, 31 October 2025.
3. Megumi Seki, Executive Secretary, Ozone Secretariat, welcomed the members of the Committee and representatives of the secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol and its implementing agencies. She briefly reviewed the items that the Committee would consider during the meeting, noting that the high number of items to be considered had led to the scheduling of a two-day meeting for the second time in a row. Noting that the Committee would, as usual, have to agree on recommendations and on draft decisions to be forwarded to the Thirty-Seventh Meeting of the Parties, which was to be held the following week, she recalled that the compilation of draft decisions to be forwarded by the Committee would include the draft decision on the revision of hydrofluorocarbon (HFC) baselines already agreed by the Committee at its seventy-fourth meeting. The Committee would review several cases, including some that had already been considered at the seventy-fourth meeting. Cases related to the status of adherence to three plans of action to return to compliance; requests from six parties to revise their baseline data for HFCs and, in two of those cases, for hydrochlorofluorocarbons (HCFCs) as well; five cases of possible non-compliance, including one party that had already submitted a plan of action to return to compliance and another that had clearly indicated that it would submit such a plan of action before the seventy-sixth meeting of the Committee; and four cases of parties that had not reported on the establishment and operation of licensing systems for HFCs, including two over the long term.
4. The Committee would furthermore continue its discussion, begun at the seventy-fourth meeting, of systemic issues in relation to compliance. The President was expected to make a brief presentation at the beginning of the informal meeting of the parties on the strengthening of the Montreal Protocol, to be held on 2 November 2025, including on the key issues arising from the Committee's discussion. The Secretariat had managed to review, analyse and include in the pre-session documents all information received from the relevant parties, except for one case. That case related to Mali, and the information had been sent to the Committee members by email after the finalization of the pre-session documents. The party had been given until 29 October 2025 to provide a clarification and, because it had not done so, in accordance with the non-compliance procedure, the Secretariat had informed the Committee about the case. In closing, she assured members that the

Secretariat was, as always, available to assist the Committee in its work, with the Multilateral Fund secretariat and implementing agencies providing any additional information required.

II. Adoption of the agenda and organization of work

A. Attendance

5. Representatives of the following Committee members attended the meeting: Benin, Chile, Czechia, Dominican Republic, Iran (Islamic Republic of), Kenya, Montenegro, Netherlands (Kingdom of the), Saudi Arabia and United States of America.
6. The meeting was also attended by representatives of the secretariat of the Multilateral Fund and representatives of the implementing agencies of the Fund: the United Nations Development Programme, UNEP, the United Nations Industrial Development Organization and the World Bank.
7. The list of participants is set out in annex II to the present report.

B. Adoption of the agenda and organization of work

8. The Committee adopted the following agenda on the basis of the provisional agenda (UNEP/OzL.Pro/ImpCom/75/R.1):
 1. Opening of the meeting.
 2. Adoption of the agenda and organization of work.
 3. Presentation by the Ozone Secretariat on data and information submitted under Articles 7 and 9 of the Montreal Protocol and on related issues.
 4. Presentation by the secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol on relevant decisions of the Executive Committee of the Fund and on activities carried out by the implementing agencies to facilitate compliance by parties.
 5. Follow-up on previous decisions of the parties and recommendations of the Implementation Committee on issues related to non-compliance:
 - (a) Data reporting obligations under Article 7 (decision XXXVI/13): Côte d'Ivoire (recommendation 74/1);
 - (b) Existing plans of action to return to compliance:
 - (i) Democratic People's Republic of Korea (recommendation 74/2);
 - (ii) Kazakhstan (recommendation 74/3);
 - (iii) Libya (recommendation 74/4).
 6. Consideration of other possible non-compliance issues arising from the data report.
 7. Requests for changes in baseline data (decisions XIII/15 and XV/19):
 - (a) Armenia (recommendation 74/11);
 - (b) Guinea (recommendation 74/13);
 - (c) Morocco;
 - (d) Bosnia and Herzegovina;
 - (e) Brazil;
 - (f) Somalia.
 8. Establishment of licensing systems under Article 4B, paragraph 2 *bis*, of the Montreal Protocol (decision XXXVI/15 and recommendation 74/14).
 9. Systemic issues in relation to compliance (decision XXXVI/9).
 10. Other matters.
 11. Adoption of the recommendations and the report of the meeting.
 12. Closure of the meeting.

9. The Committee agreed to take up the agenda items in sequential order and to follow its usual procedures.

III. Presentation by the Ozone Secretariat on data and information submitted under Articles 7 and 9 of the Montreal Protocol and on related issues

10. A representative of the Secretariat gave a presentation summarizing the report of the Secretariat on the information provided by parties in accordance with Articles 7 and 9 of the Montreal Protocol (UNEP/OzL.Pro.37/6–UNEP/OzL.Pro/ImpCom/75/2) and the addendum thereto (UNEP/OzL.Pro.37/6/Add.1–UNEP/OzL.Pro/ImpCom/75/2/Add.1). He explained that he would not repeat the information presented to the Committee at its seventy-fourth meeting and would provide only updates and new information.

11. With regard to reporting of data under Article 7, a total of 185 parties had reported for 2024, of which 135 were parties operating under paragraph 1 of Article 5 of the Protocol (Article 5 parties) and 50 were parties not so operating (non-Article 5 parties). Of the 185 parties, 120 had used the online reporting system and 170 had met the deadline of 30 September 2025. The 13 parties that were yet to meet their obligations to report annual data for 2024 were Armenia, Bahamas (The), Burundi, Cabo Verde, Comoros, Equatorial Guinea, Honduras, Iceland, Myanmar, the Republic of Moldova, Sao Tome and Principe, Suriname and the Syrian Arab Republic.

12. Côte d'Ivoire, which had been listed in decision XXXVI/13 as not having reported its HFC data for 2023, had since submitted the information. Additionally, Papua New Guinea had submitted its HFC baseline data for 2020, 2021 and 2022. Four Article 5, group 1 parties that had recently ratified the Kigali Amendment to the Protocol had yet to report HFC data for their baseline years, and five Article 5, group 2 parties that had recently ratified the Kigali Amendment had yet to report HFC data for 2024, one of the baseline years for HFCs.

13. A total of 16 parties had been identified by the Secretariat as having cases of possible non-compliance, where their reported consumption or production had exceeded the limit set under the Protocol and the excess consumption or production could not be attributed to allowed uses. In several cases, clarification from the parties concerned was still awaited. Other cases would be considered further by the Committee under agenda items 6 and 7.

14. Four parties had reported excess production in 2024 of controlled substances attributable to stockpiling, pursuant to decisions XVIII/17 and XXII/20. The European Union, France, Israel and Spain had reported that those cases related to unintentional production of those substances which was destined for destruction, except for the reported excess production of methyl bromide by Israel that was intended for export for feedstock use in future years.

15. All four parties that still used controlled substances for process-agent uses, namely China, the European Union, Israel and the United States of America, had reported the required data for 2024, together with information on the containment technologies used. China and the European Union had additionally reported the production or import of substances to be used for process agent uses; the Secretariat would write to Israel and the United States of America to request that information with regard to their uses of process agents.

16. With regard to the completion of data forms, in relation to decisions XXIV/14 and XXIX/18, all the parties that had submitted incomplete forms over the last 10 years when reporting Article 7 data had subsequently confirmed that a zero should have been placed in all the blank cells on those forms.

17. Finally, he noted that, in relation to decisions XIII/15 and XV/19, the Secretariat had received requests from six parties for the revision of their baseline data for HFCs; the Committee would consider the issue further under agenda item 7.

18. In response to questions from members of the Committee, he clarified that Papua New Guinea had reported its baseline data for the two years for which it had been missing, the United Arab Emirates had reported its HFC data for 2024, and Romania had reported its data after the finalization of document UNEP/OzL.Pro.37/6/Add.1–UNEP/OzL.Pro/ImpCom/75/2/Add.1. He would reply bilaterally to a question about the volume of consumption accounted for by the 13 parties that had not yet reported data for 2024. He explained that Tajikistan appeared twice in the list of countries for which data had showed possible non-compliance because one line referred to 2023 data, for which the party had now provided clarification, and the other to 2024 data, for which it had not.

19. Introducing a proposed draft recommendation and decision on data and information reporting, he explained that it incorporated slight modifications from the language used in previous years. In previous years, the Committee had forwarded the draft decision with square brackets around the number of parties that had reported data, which had enabled the number to be updated if parties had reported during the meeting. However, it had been suggested by legal advisers, both within the Secretariat and from a number of parties, that such an approach was undesirable, as it suggested that the draft decision could be reopened for discussion during the Meeting of the Parties. It was suggested, therefore, that the proposed draft decision should be forwarded to the Thirty-Seventh Meeting of the Parties without any square brackets, and the number of parties reporting be fixed at a date to be chosen by the Committee; the date in the proposed text was 31 October 2025, which was one day before the Committee would adopt its recommendations.

20. Another representative of the Secretariat added that the analysis of systemic issues in relation to compliance, which would be discussed under agenda item 9, had identified late reporting of data as one of the issues that caused difficulty in determining parties' status of compliance. The issue had also been highlighted when the Secretariat had carried out an enterprise risk management analysis. The Secretariat had suggested 31 October as that date would enable the Committee to include updated figures for data reporting when it reviewed the draft decisions to be annexed to its draft recommendations on the second day of its meeting, 1 November.

21. One member of the Committee suggested that the draft decision should include an additional line on online reporting, with the intention of encouraging more parties to use the online reporting system. Other members supported the proposal.

22. The Committee therefore decided to forward for consideration by the Thirty-Seventh Meeting of the Parties the draft decision on data and information reporting set out in section A of annex I to the present report.

Recommendation 75/1

IV. Presentation by the secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol on relevant decisions of the Executive Committee of the Fund and on activities carried out by the implementing agencies to facilitate compliance by parties

23. The Chief Officer of the Multilateral Fund secretariat, Tina Birmpili, informed the Committee that there had been no meeting of the Executive Committee of the Fund since the seventy-fourth meeting of the Implementation Committee, so much of the information in her presentation would be similar to that given at the previous meeting. She intended, however, to highlight certain issues that were on the agenda of the ninety-seventh meeting of the Executive Committee, to be held from 1 to 5 December 2025.

24. The phase-out of HCFC consumption was progressing well and, according to submitted Article 7 data, the overall HCFC consumption of Article 5 parties was at 35.9 per cent of the overall HCFC baseline. That meant that the 2025 consumption target of 32.5 per cent of the baseline was expected to be achieved.

25. In terms of HCFCs, the current work of the Multilateral Fund and its implementing agencies focused mainly on the phase-out of HCFC-123 and the remaining quantities of HCFC-22, through HCFC phase-out management plans. The approved HCFC phase-out management plans would result in the phase-out of 84.3 per cent of the HCFC consumption starting point and 82.9 per cent of baseline consumption.

26. According to country programme data for 2024, three sectors had the largest HCFC consumption: refrigeration servicing, refrigeration manufacturing and foams. As consumption of HCFCs in manufacturing decreased, parties' servicing needs were increasing. Most of the foam manufacturing sector and large proportions of refrigeration and air-conditioning manufacturing were in the process of converting, mainly to the use of low-global-warming-potential technologies.

27. Some Kigali HFC implementation plans were also at the initial stages of implementation. All Article 5 parties were addressing the refrigeration servicing sector, but some were experiencing challenges with regard to the availability of some of the alternative technologies in local markets.

28. Regarding HFCs, country programme data for 2024, which had been submitted by 119 Article 5 parties, showed that the sectors where consumption was highest were the fire-fighting, refrigeration-manufacturing and refrigeration-servicing sectors and that consumption of HFC-32,

HFC-134A and R410A remained relatively high. A main observation about the HFC consumption reported through the country programme data was the fact that HFCs were reported as pure or in blends, but HFC consumption reported under Article 7 was reported as pure, in blends or a combination of the two. Reconciliation of the Article 7 data on HFCs and those reported under country programmes was therefore challenging, leading to a number of iterations between the Multilateral Fund secretariat and the implementing agencies and between the implementing agencies and the countries, during the project review process. Furthermore, pursuant to decisions 92/4 and 94/3 of the Executive Committee, the Fund secretariat was following up on the provision by parties of additional information or estimates on the uses or most likely applications of HFC-23 reported in the column “other” in the country programme data reporting format.

29. An important issue under discussion by the Executive Committee was how to strengthen country programme data reporting. Online data reporting had been introduced in 2025 and was helping in that regard. The Fund secretariat, with the help of the implementing agencies, especially OzonAction and the UNEP Compliance Assistance Programme, had worked with countries to ensure that they could submit their reports online. One advantage of online reporting was that parties had the possibility to check the trends in their data and to see whether there were any irregularities. Fewer errors had been observed since its inception. Noting that the years 2023 and 2024 might not be reflective of current HFC consumption, Ms. Birmpili explained that discussions with parties on the matter took place when a Kigali HFC implementation plan for their country was submitted and when the Executive Committee reviewed that submission.

30. Giving an overview of what would be considered by the Executive Committee at its ninety-seventh meeting, Ms. Birmpili said that the value of the projects, as submitted, totalled more than \$110 million; there were a number of projects pursuant to decision 96/60 on energy efficiency in different refrigeration and air-conditioning applications, following the recent approval of the operational framework on energy efficiency; work on HCFC phase-out management plans and Kigali HFC implementation plans would continue; there would be a discussion on centres of excellence and testing centres; a paper on life-cycle refrigerant management would feed the reflection on whether to establish a related funding window; the Executive Committee was working to streamline reporting requirements to alleviate the burden for countries and implementing agencies; and there would be a presentation on the results framework and indicators of how well the Multilateral Fund was performing.

31. Finally, Ms. Birmpili provided more information on the online country programme data centre, which had been launched on 1 January 2025 for the reporting of data for 2024. The system was currently being used by 123 countries, and 118 countries had officially submitted their country programme data for 2024 via the system. Despite challenges related to the confidentiality of data, Ms. Birmpili was confident that the country programme data centre would go live before the ninety-seventh meeting of the Executive Committee.

32. The Committee took note of the information provided.

V. Follow-up on previous decisions of the parties and recommendations of the Implementation Committee on issues related to non-compliance

33. A representative of the Secretariat presented information on cases related to compliance with obligations under the Montreal Protocol (UNEP/OzL.Pro/ImpCom/75/R.3), along with the list of compliance issues to be considered by the Committee at the current meeting (UNEP/OzL.Pro/ImpCom/75/INF/R.1) and the information submitted by parties (UNEP/OzL.Pro/ImpCom/75/INF/R.2).

A. Data reporting obligations under Article 7 (decision XXXVI/13): Côte d’Ivoire (recommendation 74/1)

34. In decision XXXVI/13, the Thirty-Sixth Meeting of the Parties had noted that Côte d’Ivoire, a party that had ratified the Kigali Amendment, had submitted data for other controlled substances for 2023 but not for HFCs. At its seventy-fourth meeting, the Committee had adopted recommendation 74/1, in which it had noted with concern that Côte d’Ivoire had still not submitted the required Article 7 data on HFCs for 2023 to the Secretariat and therefore remained in non-compliance with its data reporting obligations under paragraph 3 of Article 7 of the Montreal Protocol. In the same recommendation, the Committee had urged Côte d’Ivoire to report to the Secretariat its outstanding data for 2023 for HFCs as a matter of priority, and preferably no later than 15 September 2025, to

enable the Committee to assess at its seventy-fifth meeting the status of compliance by the party with its data reporting obligations. Côte d'Ivoire had subsequently submitted its Article 7 data for HFCs for 2023.

35. The Committee therefore agreed to note with appreciation that Côte d'Ivoire had submitted the outstanding data on Annex F substances for 2023 to the Secretariat in accordance with its data reporting obligations under paragraph 3 of Article 7 of the Montreal Protocol and as urged in paragraph 7 of decision XXXVI/13 and in recommendation 74/1.

B. Existing plans of action to return to compliance

1. Democratic People's Republic of Korea (decisions XXXII/6 and XXXV/18)

36. The representative of the Secretariat recalled that in decision XXXII/6, the Thirty-Second Meeting of the Parties had noted with appreciation the submission of the plan of action for the Democratic People's Republic of Korea to return to compliance with its annual reduction commitments for the consumption and production of HCFCs up to 2023. The party had also been invited to establish additional national policies to facilitate HCFC phase-out, including but not limited to bans on imports, on production or on new installations, and certification of refrigeration technicians and companies.

37. The Article 7 data for HCFCs that the party had submitted showed a continuous fall in levels of production and consumption since 2020, and adherence to the plan of action for 2020 and 2022. The data for 2021 had shown levels of production and consumption slightly above its commitments, while the data for 2023 and 2024 indicated that it had exceeded its commitments for both years and that it was therefore in possible non-compliance with those commitments and the control measures under the Montreal Protocol.

38. With respect to the 2021 deviation, the Secretariat had informed the Committee at its seventy-second and seventy-third meetings, in 2024, that during an in-person exchange with two representatives of the Democratic People's Republic of Korea in March 2024, the party had explained the 2021 deviation as a calculation error on its part. The party had not provided further explanations in response to the Committee's recommendations, but it could still request a correction of the HCFC data for 2021 under paragraph 3 of decision VI/5, accompanied by an explanatory note.

39. In its decision XXXVI/16, the Thirty-Sixth Meeting of the Parties had noted with concern the non-adherence by the Democratic People's Republic of Korea to its commitments for 2021. It had expressed serious concern over the lack of communication from the party, despite several Committee requests, in recommendations 68/4, 69/4, 70/2 and 72/3, and repeated reminders by the Secretariat. It had also noted that the party had submitted all its outstanding Article 7 data for 2022, confirming adherence to its commitments contained in the plan of action to return to compliance for that year. It had urged the party to provide an explanation for the deviations for 2021, together with Article 7 data for 2023, as a matter of urgency and no later than 31 March 2025, and, if appropriate, to submit a revised plan of action for consideration by the Committee at its seventy-fourth meeting. Finally, it had urged the party to submit a progress report on its efforts to establish additional national policies and had invited it to send a representative to the seventy-fourth meeting of the Implementation Committee.

40. At that meeting, the representative of the Democratic People's Republic of Korea had delivered a statement regarding his country's efforts to comply with its obligations under the Protocol. The statement had included the explanation that the party had made efforts to implement its action plan by partially banning the import of HCFCs, exploring the possibility of phasing out HCFCs, establishing contact and institutional devices related to ozone layer protection, and conducting awareness-raising activities, but that it had faced ongoing challenges owing to the complete absence of technology transfer and financial cooperation activities in accordance with Articles 10 and 10A of the Protocol, which it considered to be the basic prerequisite for implementing its action plan.

41. When the Democratic People's Republic of Korea had submitted its plan of action to return to compliance in October 2020, it had mentioned that its implementation would depend upon the availability of technical and financial assistance from the Multilateral Fund. Subsequently, the representative of the party had mentioned to the Committee at its sixty-fifth meeting that the achievement of its targets for 2021 would depend on the completion of certain activities under stage I of its HCFC phase-out management plan. During his report to the Thirty-Second Meeting of the Parties, the President of the Committee had stated that the implementation of the party's plan of action would depend on the availability of technical and financial assistance from the Multilateral Fund.

42. During its seventy-fourth meeting, the Committee had reminded the party of the caution set out in paragraph 7 of decision XXXVI/16, that failure to return to compliance could lead to measures consistent with item C of the indicative list of measures of the non-compliance procedure, including the possibility of actions available under Article 4 of the Montreal Protocol, such as ensuring that the supply of HCFCs, the substances that were the subject of non-compliance, was ceased so that exporting parties did not contribute to a continuing situation of non-compliance. The Committee had informed the party that if it failed to respond as requested in recommendation 74/2, it would recommend that the parties take measures under item C of the indicative list. The party had previously been similarly cautioned in decisions XXXII/6 and XXXV/18. However, no further information had yet been received from the party.

43. Several members of the Committee agreed that the issue had been a long-running and complicated case. They expressed the view that the Democratic People's Republic of Korea had now been issued with enough requests for information, calls to return to compliance and cautions. They noted that the party had not replied to several requests for information after the seventy-fourth meeting of the Committee and that recommendation 74/2 had indicated that if the party failed to provide relevant responses as requested, the Committee would recommend stronger measures. A representative added that if the party wished to correct its data for 2021, the proper procedure to do so would be to request a correction to the Secretariat, accompanied by an explanatory note, but the party had failed to do so.

44. The Committee therefore decided to forward for consideration by the Thirty-Seventh Meeting of the Parties the draft decision on the Democratic People's Republic of Korea set out in section B of annex I to the present report.

Recommendation 75/2

2. Kazakhstan (recommendation 74/3)

45. The representative of the Secretariat recalled that, in decision XXIX/14, on non-compliance in 2015 and 2016 with the provisions of the Montreal Protocol governing consumption of the controlled substances in Annex C, group I (HCFCs), by Kazakhstan, the Twenty-Ninth Meeting of the Parties had noted the submission by Kazakhstan of a revised plan of action to ensure the party's return to compliance, with commitments up to 2030 to comply with the Protocol's control measures and had agreed to continue to monitor closely progress by Kazakhstan with regard to the implementation of its revised plan of action. By the time of the seventy-fourth meeting, the party had not submitted its HCFC consumption data for 2024 in accordance with Article 7, and the Committee, in its recommendation 74/3, had requested Kazakhstan to report those data to the Secretariat no later than 15 September 2025 to enable the Committee to assess, at its seventy-fifth meeting, the status of compliance of Kazakhstan. The party had done as requested, reporting 0.25 tonnes of HCFC consumption for 2024.

46. The Committee therefore agreed to note with appreciation that Kazakhstan had submitted its Article 7 data for 2024 confirming that the party had adhered to its commitment contained in the plan of action to return to compliance for that year, as set out in decision XXIX/14.

3. Libya (recommendation 74/4)

47. The representative of the Secretariat recalled that, in decision XXVII/11, on non-compliance with the Montreal Protocol by Libya, the Twenty-Seventh Meeting of the Parties had noted that Libya had committed to imposing, in the near future, a ban on the procurement of air-conditioning equipment containing HCFCs and to considering a ban on the import of such equipment. The Committee, in recommendation 74/4, had invited Libya to submit information on refrigeration and air-conditioning equipment containing HCFCs already in stock before the entry into force of the ban on imports and procurement. The party had also been requested to provide a further update on the number of ministries and public institutions, and the status thereof in terms of implementation of the ban on procurement, preferably no later than 15 September 2025, for consideration by the Implementation Committee at its seventy-fifth meeting. The party had done as requested and had provided a progress report on its compliance with the ban on the import and purchase of HCFC-based air-conditioning and refrigeration equipment.

48. According to that progress report, no stockpiles of HCFC-based air-conditioning or refrigeration equipment existed in Government or state-owned institutions; environmental inspections in 2025 in Benghazi, Misurata and Tripoli had confirmed that there were only minimal quantities of HCFC-based units in the commercial market, as alternatives were cheaper and dominated sales; no new import licences had been issued for HCFC-based equipment since the adoption of decision

No. 165 of 2025 by the environment minister; and official 2024 data showed that HCFC-22 units imported through the port of Misurata accounted for only 0.4 per cent of total imports. Furthermore, a national survey project, supervised by the United Nations Industrial Development Organization (UNIDO), would run from October 2025 to September 2026 with full government logistical and data support; all ministries and institutions were complying with the directive prohibiting new HCFC-based installations, which was legally binding under the Environmental Protection and Improvement Law of 2003 and enforced through procurement rules; public procurement used the criterion of lowest price, with non-HCFC equipment being cheaper and widely available; and no recent budgets had been allocated for major equipment purchases or new facilities.

49. One member asked for more information on the nationwide survey to be conducted by UNIDO. The representative of UNIDO explained that the survey was part of a project on the preparation of national inventories of banks of used or unwanted controlled substances and a plan for the management of such banks. The project had been approved under the Multilateral Fund funding window established in decision 91/66 of the Executive Committee. The survey was indeed due to take place from October 2025 to September 2026, with UNIDO as the lead implementing agency. UNIDO had identified and subcontracted an expert agency, from Egypt, and was helping the agency to obtain the necessary visas and arranging the logistics for it to conduct the survey. Given the challenging situation in the country, ample time had been foreseen for the conduct of the survey.

50. The Committee therefore decided to forward for consideration by the Thirty-Seventh Meeting of the Parties the draft decision on Libya, as set out in section C of annex I to the current report.

Recommendation 75/3

VI. Consideration of other possible non-compliance issues arising from the data report

51. Introducing the item, the representative of the Secretariat drew attention to the report of the Secretariat on information on cases related to compliance with obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer (UNEP/OzL.Pro/ImpCom/75/R.3) and the addendum thereto (UNEP/OzL.Pro/ImpCom/75/R.3/Add.1). Additional information about Mali had been sent to members by email as the three months that were mentioned in paragraph 3 of the non-compliance procedure for a response by a party to a request by the Secretariat for additional information or resolution of the issue through administrative action or diplomatic contacts had passed only two days before the current meeting.

Israel

52. Israel had reported its data for 2024 on 30 September 2025. It had reported consumption for 2024 of 4.33 ozone-depleting-potential (ODP) tonnes of HCFCs, whereas the limit for the party for that year was 1.60 ODP-tonnes. When submitting its data, Israel had acknowledged that its consumption exceeded the limit under the Protocol and had stated that the excess consumption was due to extraordinary national circumstances, primarily concerning the health and safety of the civilian population amid the ongoing, prolonged and intense armed conflict. HCFCs were used by the defence and health sectors to maintain critical operations, as there were no feasible available alternatives. Israel had further stated that the increase was temporary and that it predicted that consumption for 2025 would be within the limits. Israel had also stated that it was actively reviewing the continued need for excess imports and that the defence sector would implement updated acquisition procedures with a view to ensuring that, where possible, new acquisitions were based on non-controlled refrigerant equipment only.

53. The party had also subsequently stated that it remained committed to coming into full alignment with its HCFC phase-out obligations as soon as possible and that work on a plan of action to return to compliance had already begun. The party had been unable to finalize the plan in time for its submission for consideration by the Committee at the current meeting.

54. The representative of the Secretariat proposed that a representative of Israel be invited to attend the seventy-sixth meeting of the Committee, when it was expected that the Committee would review the plan of action of Israel.

55. The Committee agreed:

(a) To note the self-submission made by Israel under paragraph 4 of the non-compliance procedure and the explanation provided concerning consumption for 2024 of 4.33 ozone-depleting-

potential tonnes (ODP-tonnes) of hydrochlorofluorocarbons above the limit for the party for that year of 1.6 ODP-tonnes;

(b) To also note that the party had indicated that it was working on a plan of action to ensure its return to compliance with the control measures of the Montreal Protocol for hydrochlorofluorocarbons but that the very short time available had not allowed for the plan to be submitted for consideration by the Committee at its seventy-fifth meeting;

(c) To request Israel to submit its plan of action as a matter of urgency and no later than 31 March 2026 for review by the Committee at its seventy-sixth meeting and to invite Israel to send a representative to that meeting.

Recommendation 75/4

Saint Vincent and the Grenadines

56. Saint Vincent and the Grenadines had reported its data for 2024 on 5 February 2025. It had reported consumption for 2024 of 45,975 CO₂-equivalent tonnes of HFCs, whereas its baseline was 25,280 CO₂-equivalent tonnes. The Secretariat had therefore written to the party on 25 July 2025 to seek clarification. The party had indicated that the excess consumption had arisen owing to a series of exceptional circumstances that had influenced consumption levels in the years following the baseline years. Those elements included the impact of the eruption of the La Soufrière volcano in 2021, immediately after the coronavirus disease (COVID-19) pandemic; economic contraction followed by a period of rapid recovery marked by significant reconstruction and investment; and an expansion of domestic and commercial cooling capacity to combat rising global temperatures amid the national effort to recover from the volcanic eruption. Furthermore, the party had explained the initiatives that it had planned in preparation for implementation of the Kigali HFC implementation plan for the country and reaffirmed its commitment to the objectives of the Montreal Protocol and its Kigali Amendment.

57. Additionally, the party had submitted a proposed plan of action containing a number of benchmarks for returning to compliance in 2034. The party had also described policies that it could implement, such as the enactment by 2030 of revised regulations to strengthen and sustain the monitoring and enforcement of its licensing and quota system; the introduction by 2030 of mandatory training and certification programmes on the safe use and handling of alternative technologies for new technicians and existing technicians who wished to advance in the certification structure; the implementation by 2035 of a ban on high-global-warming-potential HFC-based equipment or the establishment of a policy on the gradual reduction of imports of high-global-warming-potential HFC-based equipment; the conduct by 2035 of a comprehensive market needs assessment to inform the national strategy for transitioning to sustainable alternatives; and the conduct by 2035 of stakeholder awareness campaigns with a view to increasing pressure on importers and retailers to offer low-global-warming-potential, energy-efficient options.

58. Some members expressed concern that the plan of action covered the period until 2035 and that the party would not return to compliance earlier than 2034. The Committee requested the Secretariat to contact the party to seek clarification of the issues raised.

59. Subsequently, the representative of the Secretariat reported that a response had been received from the party, by email, and that the message had been forwarded to members. In the message, Saint Vincent and the Grenadines indicated the sectors in which it had conducted a rapid assessment of the refrigeration and air-conditioning servicing sector prior to the submission of the plan of action. That assessment had identified a large amount of HFC-based equipment still in operation that was expected to have reached its end of life by 2035. The timeline of up to 2035 would enable market transition to low-global-warming-potential alternatives. Furthermore, following the global economic downturn as a result of the COVID-19 pandemic, the country had embarked on an economic development trajectory, particularly in the refrigeration and air-conditioning, intensive-agriculture and tourism sectors. That had led to the construction of a resort, hotels and a modern port facility, and the reconstruction of schools, clinics and other government infrastructure. In addition, the message said that Saint Vincent and the Grenadines, as a low-volume-consuming country and small island developing State with limited opportunity for economies of scale, faced higher per-unit costs for the import of and transition to new technologies. A transition period of up to 2035 would enable the investments made to be recovered, minimizing the economic strain on the Government, small businesses and end users.

60. In response to a question by a member, the Chief Officer of the Multilateral Fund secretariat said that the party had not yet submitted a Kigali HFC implementation plan but had had funding approved for the preparation of such a plan. The representative of UNEP said that the Kigali HFC implementation plan for the country was due for submission to the Executive Committee at its

ninety-eighth meeting. Given the time frame foreseen in the plan of action, one member suggested that the Kigali HFC implementation plan could perhaps be more ambitious.

61. Many members considered the time frame covered by the plan of action to be too long. One of them proposed that the party be asked to shorten it so that it ended in 2029. One member proposed asking the party to revise its plan of action, while another member suggested that doing so would make sense only after the submission of the Kigali HFC implementation plan to ensure that the plan of action was in line with the Kigali HFC implementation plan.

62. The Committee therefore decided to forward for consideration by the Thirty-Seventh Meeting of the Parties the draft decision on Saint Vincent and the Grenadines, as set out in section D of annex I to the present report.

Recommendation 75/5

Tajikistan

63. Tajikistan had reported its data for 2023 on 28 October 2024. It had reported consumption for 2023 of 457,613 CO₂-equivalent tonnes of HFCs, whereas its baseline was 446,600 CO₂-equivalent tonnes. The Secretariat had therefore written to the party on 25 July 2025 to seek clarification of the data for 2023. In response, Tajikistan had stated that the primary cause of increased consumption of HFCs for 2023 was the amendments and additions made to legislation concerning environmental protection, particularly the protection of the ozone layer. Tajikistan had also expressed its full readiness to develop a plan of action to return to full compliance with its obligations under the Montreal Protocol. Subsequently, on 29 September 2025, Tajikistan had reported excess HFC consumption for 2024 too, in the amount of 456,901 CO₂-equivalent tonnes. The Secretariat had written to the party on 8 October 2025, indicating that it could consider also including a response to the 2024 reported data in the plan of action under elaboration. At the time of preparation of the addendum to the report of the Secretariat on information on cases related to compliance with obligations under the Montreal Protocol, Tajikistan had not submitted a plan of action to return to compliance.

64. The three months mentioned in paragraph 3 of the non-compliance procedure had passed since the Secretariat had written to the party about the data for 2023, but had not yet passed since the Secretariat had written about the data for 2024.

65. The Committee therefore decided to forward for consideration by the Thirty-Seventh Meeting of the Parties the draft decision on Tajikistan, as set out in section E of annex I to the present report.

Recommendation 75/6

Zambia

66. Zambia had reported its data for 2024 on 30 May 2025. It had reported consumption for 2024 of 1,166,837 CO₂-equivalent tonnes of HFCs, whereas its baseline was 699,513 CO₂-equivalent tonnes. The Secretariat had written to the party on 25 July 2025 to seek clarification.

67. On 8 October 2025, Zambia had stated that it was in the process of officially responding to the Secretariat's query seeking clarification on the situation, that the difference was due to a typing error and that it would send an official letter requesting a correction. At the time of preparation of the addendum to the report of the Secretariat on information on cases related to compliance with obligations under the Montreal Protocol, however, Zambia had not submitted to the Secretariat the letter requesting a correction, and the three months mentioned in paragraph 3 of the non-compliance procedure had passed.

68. Later in the meeting, the representative of the Secretariat informed the Committee that, on 31 October 2025, Zambia had submitted new data, but those data still showed HFC consumption for 2024 that was in excess of the baseline, which was the limit for 2024 under the Protocol.

69. The Committee therefore decided to forward for consideration by the Thirty-Seventh Meeting of the Parties the draft decision on Zambia, as set out in section F of annex I to the present report.

Recommendation 75/7

Mali

70. Mali had reported its data for 2024 on 21 May 2025. It had reported consumption of 1,773,126 CO₂-equivalent tonnes of HFCs, whereas its baseline was 399,935 CO₂-equivalent tonnes. The Secretariat had written to the party on 29 July 2025 to seek clarification. Mali had replied on

9 October 2025, stating that it understood the data from 2020 to 2022, the baseline years for HFCs, to be provisional. During those years, the country had been affected by the COVID-19 pandemic; HFCs had not been subject to import authorizations, and the focus had been on HCFCs. A survey conducted for the preparation of the Kigali HFC implementation plan for the country had revealed that the 2024 data was reflective of the current situation. At the time of preparation of the addendum to the report of the Secretariat on information on cases related to compliance with obligations under the Montreal Protocol, the three months mentioned in paragraph 3 of the non-compliance procedure had not passed, but they had on 29 October 2025.

71. One member recalled that the Committee had agreed at its seventy-fourth meeting no longer to treat data submitted by parties and designated as provisional as such. The representative of the Secretariat confirmed that Mali had not previously communicated that its data were provisional so it was not one of the parties that had been informed in writing about the conclusion on the matter agreed by members of the Committee at its seventy-fourth meeting.

72. In response to questions from members, the representative of the Secretariat stated that Mali had implied that it would request a revision of the baseline, but had not actually requested such a revision. The Committee therefore requested the Secretariat to contact the party to ask for clarification of the situation.

73. Later in the meeting, the representative of the Secretariat informed the Committee that Mali had responded, confirming its wish to submit a request to revise its baseline. He also confirmed that the email was considered an official communication from the party but that the party had not yet provided the documentation required under decision XV/19 to substantiate its request to revise its baseline.

74. The Committee therefore decided to forward for consideration by the Thirty-Seventh Meeting of the Parties the draft decision on Mali, as set out in section G of annex I to the present report.

Recommendation 75/8

VII. Requests for changes in baseline data (decisions XIII/15 and XV/19)

75. Introducing the item, a representative of the Secretariat drew attention to the report of the Secretariat on the changes requested to parties' baseline data (UNEP/OzL.Pro/ImpCom/75/R.4 and UNEP/OzL.Pro/ImpCom/75/R.4/Add.1), as well as to the note by the Secretariat on information submitted by parties for the consideration of the Committee at its seventy-fifth meeting (UNEP/OzL.Pro/ImpCom/75/INF/R.2) and its annexes. The Committee had before it a total of six requests made by parties for the revision of their HFC baseline data; two of them had also requested revisions in their HCFC baseline data. He reminded the Committee of the methodology set out in decision XV/19, which required parties to identify the baseline year or years to be corrected or modified, and to provide explanations as to why the existing baseline data were incorrect and why the requested changes should be considered correct, including data collection and verification procedures and supporting documents such as licenses, shipping and customs documentation and survey reports.

A. Armenia (recommendation 74/11)

76. Armenia had requested the revision of its HFC consumption data for 2020, 2021 and 2022. The revised baseline would represent an increase of 266,218 CO₂-equivalent tonnes (56 per cent) from the initial baseline level. The request had been discussed at the Committee's seventy-second, seventy-third and seventy-fourth meetings, where the Committee had concluded that the information submitted by the party in support of its request to revise its HFC baseline data was not sufficient to meet the requirements of decision XV/19. The representative of Armenia had attended the seventy-third meeting, and had acknowledged issues relating to historical gaps in the party's control of substances, limited availability of data on blends, and challenges with monitoring online purchases. She had also informed the Committee that the party was improving its monitoring system and coordinating relevant authorities to improve its supervision of internal trade and address the challenges related to unreported imports and online sales.

77. At its seventy-fourth meeting, the Committee had reviewed documents previously submitted by Armenia in support of its request, including invoices from one importer showing a total of about 33 tonnes of imports in 2020. Considering that to be insufficient, the Committee had issued recommendation 74/11, in which it had requested Armenia to submit the outstanding information that was needed to meet the requirements of decision XV/19.

78. Following the meeting, Armenia had submitted to the Secretariat a letter explaining the steps it had undertaken to obtain additional information, in accordance with recommendation 74/11, together with copies of communications between the Ministry of Environment of Armenia and two electronic marketplace operators. One of those companies had reported 7 tonnes of substances delivered to Armenia between 2020 and 2025; the company had also committed to a complete ban on trade in controlled substances on its platforms. The letter sent by Armenia had included the fact that the company had obtained that information by employing artificial intelligence tools but also that it did not represent an exhaustive summary. Another company had not provided any data but had informed the party that it had taken measures to prevent any delivery of controlled substances to Armenia.

79. Recalling that recommendation 74/11 had included a request to Armenia to provide information that would “significantly substantiate its request”, some members of the Committee said that the party had not provided such information; the data provided was very limited, and only covered a small proportion of the requested revised consumption levels. Other members expressed the view that Armenia had made strenuous efforts to collect data and suggested that some would never be available, mainly because of the international agreements made by the party, which meant that they did not monitor all cross-border trade; they asked what more information the Committee could reasonably expect Armenia to provide. Recognizing those challenges, members of the Committee expressed their sympathy for the situation Armenia found itself in, but nonetheless said that the party still needed to provide more information to justify the revised baseline levels it was requesting, in line with the methodology set out in decision XV/19.

80. At the invitation of the Committee, two representatives of Armenia attended the meeting. In response to questions from members of the Committee, one of the representatives explained that the revised baseline data that Armenia was requesting were based on a survey of HFC use in the country. The survey had calculated consumption figures for different sub-sectors, including assembly, where equipment was imported empty and filled with refrigerants in the country.

81. She explained that the main problem with using customs data was the fact that, as a member of the Eurasian Economic Union and its common customs territory, Armenia did not monitor trade with the other members of the Union. Any movement of controlled substances within the customs territory should still be accompanied by a permit issued by the destination country, but unfortunately, enforcement of that requirement had been weak. A meeting was planned in the near future with two other members of the Eurasian Economic Union, Kazakhstan and Kyrgyzstan, to address the problem.

82. The other challenge was that some of the purchases had taken place through two online marketplaces, both based in the Russian Federation; Armenia had been in touch with both of them, and while one had only been able to supply limited information on sales and the other none, both had banned purchases of controlled substances, from 18 September 2025 and 30 September 2025, respectively. She estimated that 90 per cent of total purchases had been through those online marketplaces.

83. After the representatives of Armenia had left the meeting, members of the Committee expressed their sympathy for the situation the party found itself in, but expressed their concern at the possible precedent that could be set by agreeing to its request, particularly for other parties which were also members of common customs territories such as that of the Eurasian Economic Union. Those parties presumably faced similar problems of monitoring imports and exports, which would make the calculation of the consumption and production figures needed to substantiate their baseline levels very difficult.

84. In response to questions, the representative of UNIDO, which was the main implementing agency working with Armenia, and other parties requesting changes in baseline data, informed the Committee that the need for revision of the Article 7 data for the baseline years had mostly emerged as a result of comparing data from surveys with data from customs. In its review of about 100 licensing systems, the Secretariat had noted that tracking sales from online marketplaces had been mentioned as one of the emerging problems. She added that that was supported by a recent report from the Environmental Investigation Agency, which had reached similar conclusions about online marketplaces emerging as a matter of concern with regard to trade and illegal trade.

85. The representative of UNEP agreed that online trading of controlled substances was becoming more prevalent around the world, and the issue had been raised in discussions in the Europe and Central Asia Regional Network of Ozone Officers, which included Armenia. It was a matter of growing concern owing to its potential to undermine licensing and quota systems. As the representative of Armenia had stated, her party was intending to discuss means of dealing with it. His organization’s budget for 2026 included an element to be devoted to analysing the problem. Members

of the Committee suggested that the issue could usefully be raised in the informal meeting of the parties to the Montreal Protocol scheduled for 2 November 2025.

86. Since the survey of users of HFCs in Armenia appeared to be the only source of data that could be used for substantiating the party's proposed change in its baseline data, one member of the Committee asked whether there was any way of independently verifying its findings. Another member agreed, observing that surveys of installed equipment and the substances contained within them and in stocks could result in very different figures from the definition of consumption in the Montreal Protocol, which was imports plus production minus exports. It was a difficult challenge, but the Committee had to find a workable solution to it for the sake of other parties who found themselves in a similar situation in the future.

87. Representatives of the Multilateral Fund secretariat, the World Bank and UNEP explained their organizations' experiences with verification processes, for example for licensing systems for imports and exports. Typically, an independent expert would be hired; they would interview customs officers, national ozone units and importers and issue reports on the functioning of the licensing system, usually with suggested improvements. Such an exercise could take up to a year from the initial decision to commission the verification report. Routine verification reports as part of countries' HCFC phase-out management plans could take between six and nine months, depending on how complex the process of cross-checking data was.

88. Subsequently, one member reported back on the Committee's informal consultations, which had been aided by members of the Multilateral Fund secretariat. In subparagraph (c) of its decision 96/22, the Executive Committee had encouraged countries that wished to do so to include the baseline years in the verification of their HFC consumption. The member explained that, in doing so, Armenia could ensure that there was an independent report on its baseline data. Furthermore, the process would be financed through the Multilateral Fund. As the verification report could be ready in 2027, the earliest that Armenia could request a revision of its baseline would be at the second meeting of the Implementation Committee in 2027.

89. The Chief Officer of the Multilateral Fund secretariat explained that there was an approved Kigali HFC implementation plan for Armenia and that the request for the second funding tranche was due to be submitted to the Executive Committee in 2027. That meant that the funding for verification of the first tranche, which was required for approval of the second tranche, would have to be approved at the first meeting of the Executive Committee in 2026. On that basis, the verification report could be ready by January 2027 for consideration at the first meeting of the Executive Committee in 2027. The verification should therefore be available for the Implementation Committee to consider at its second meeting of 2027. The Committee noted that verification through the Multilateral Fund was just one of the options available to Armenia and that it was up to the party to determine the next step.

90. Although one member said that he wished to note in the draft decision that the current baseline data would remain applicable for the following two years, other members pointed out that the Committee did not know exactly when the situation would be resolved.

91. In response to a question by one member, the representative of the Secretariat confirmed that Armenia had yet to submit its data for 2024. Other members noted that the Committee could not make any assumptions about the compliance situation of Armenia for 2024 until it had received and reviewed those data.

92. The Committee therefore agreed:

Taking note of the request by Armenia for the revision of its existing consumption data for the baseline years 2020, 2021 and 2022 for Annex F, group I, controlled substances (hydrofluorocarbons),

Recalling decision XV/19, which set out the methodology for the submission of requests for the revision of baseline data,

Noting with appreciation the information provided by Armenia to support its request for the revision of its baseline data,

Noting, however, that the information submitted was considered by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol at its seventy-fifth meeting to be insufficient to enable it to approve the changes requested by the party,

1. To invite Armenia to either submit to the Secretariat the outstanding information that was needed to meet the requirements of decision XV/19, in order to significantly substantiate its request for the revision of its hydrofluorocarbon baseline data, as soon as possible and preferably no later than 31 March 2026, for consideration by the Implementation Committee at its seventy-sixth

meeting, or to request, in line with Executive Committee decision 96/22, subparagraph (c), to include the baseline years in its verification of hydrofluorocarbon consumption;

2. To also invite Armenia, in the event that the party requested a verification report, to review their current request and either maintain their current request or submit a revised request for a baseline change for hydrofluorocarbons, based on the verification report, for consideration by the Implementation Committee.

Recommendation 75/9

B. Guinea (recommendation 74/13)

93. The representative of the Secretariat recalled that Guinea had submitted two requests for changes in baseline data, one for HFCs and one for HCFCs. If both requests were approved, the new HFC baseline would be 1,798,954 CO₂-equivalent tonnes. The Committee had reviewed the request to revise the HFC baseline data at its seventy-fourth meeting and had issued recommendation 74/13, requesting the party to provide more information to substantiate that request, as well as to submit a request to revise HCFC baseline data as previously agreed and documented in the proposal for stage I of its Kigali HFC implementation plan for the period 2025–2029.

1. HFC baseline data

94. On the request to revise its data for HFCs for the baseline years 2020, 2021 and 2022, Guinea had since provided the Secretariat with documentation from importers on HFC imports for 2021 and 2022. The companies had noted that some invoices could not be provided due to disruptions related to the COVID-19 pandemic. The party had also mentioned that its customs office had been affected by a fire that had resulted in the loss of some documents, including import permits and customs records. The Secretariat had reviewed the information provided by Guinea and had concluded that it substantiated its request for an increase in the baseline data for HFCs.

95. Responding to questions from members of the Committee, representatives of the Secretariat explained that although Guinea had not been able to provide all the relevant invoices, it had provided reports from the importing companies, as had been the case for some of the Pacific Island countries the Committee had discussed at its seventy-fourth meeting. The Secretariat had analysed the information provided, which had specified the number of cylinders imported, the substances they contained and their weight in kilograms, and had found that the amounts matched those claimed by the party; they had therefore reached the conclusion that the information was sufficient to substantiate the request. One member of the Committee commented that it would be helpful, in future similar cases, for the Committee to be able to see any similar analyses by the Secretariat.

96. Some members of the Committee expressed the view, nevertheless, that there were still some discrepancies in the figures, and asked why Guinea should be treated differently to Armenia, where there were also discrepancies. Other members pointed to the much larger gap in the figures for Armenia than for Guinea. The Secretariat informed the Committee that the documentation submitted by Guinea fully substantiated its request.

97. The Committee therefore agreed:

Noting with appreciation the information submitted by Guinea in support of its request to revise its existing consumption data for the baseline years 2020, 2021 and 2022 for Annex F, group I, controlled substances (hydrofluorocarbons),

Noting that decision XV/19 sets out the methodology for the submission of requests for the revision of baseline data,

Noting with appreciation the efforts made by Guinea to fulfil the information requirements of decision XV/19,

To forward for consideration by the Thirty-Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer the draft decision set out in section H of annex I to the present report, by which the Thirty-Seventh Meeting of the Parties would approve the request by Guinea for the revision of its consumption data for hydrofluorocarbons for the baseline years 2020, 2021 and 2022 to 1,896,234 CO₂-equivalent tonnes, 1,728,541 CO₂-equivalent tonnes and 1,715,084 CO₂-equivalent tonnes, respectively.

Recommendation 75/10

2. HCFC baseline data

98. On Guinea's request for a change in its baseline data for HCFCs, the Secretariat had analysed the information provided and had reached the conclusion that it substantiated the significant reduction in the baseline consumption level that Guinea was requesting.

99. The Committee therefore agreed:

Noting with appreciation the information submitted by Guinea in support of its request to revise its existing consumption data for the baseline years 2009 and 2010 for Annex C, group I, controlled substances (hydrochlorofluorocarbons),

Noting that decision XV/19 set out the methodology for the submission of requests for the revision of baseline data,

Noting with appreciation the efforts made by Guinea to fulfil the information requirements of decision XV/19,

To forward for consideration by the Thirty-Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer the draft decision set out in section H of annex I to the present report, by which the Thirty-Seventh Meeting of the Parties would approve the request by Guinea for the revision of its consumption data for hydrochlorofluorocarbons for the baseline years 2009 and 2010 to 1.03 ODP-tonnes (33,756.50 CO₂-equivalent tonnes) and 0.75 ODP-tonnes (24,706.50 CO₂-equivalent tonnes), respectively.

Recommendation 75/11

C. Morocco

100. Morocco had requested the revision of its HFC consumption data for the baseline years 2020, 2021 and 2022. The revised baseline would represent an increase of 889,244 CO₂-equivalent tonnes (42 per cent) from the initial baseline level. In line with decision XV/19, Morocco had explained that the baseline data used for its Article 7 data reporting was based on an estimation from a survey conducted under the enabling activities project for ratification of the Kigali Amendment and on import data shared with the Secretariat by countries exporting to Morocco. According to the Harmonized Commodity Description and Coding System customs codes for HFCs blends, which had been introduced in 2021, substances were categorized by product group, which did not allow tracking of individual substances. Furthermore, the data for 2022 did not include HFC blends, and the customs system had only been adapted in 2023 for the individual classification of blends. The party had provided invoices for imports and exports confirming the revised data; the proposed stage I of its Kigali HFC implementation plan; the 2022 edition of a compendium of customs tariffs for imports; and samples of questionnaires used in the survey to determine the party's consumption of HFCs and their blends between 2019 and 2023.

101. The Committee therefore agreed:

Noting with appreciation the information submitted by Morocco in support of its request to revise its existing consumption data for the baseline years 2020, 2021 and 2022 for Annex F, group I, controlled substances (hydrofluorocarbons),

Noting that decision XV/19 set out the methodology for the submission of requests for the revision of baseline data,

Noting with appreciation the efforts made by Morocco to fulfil the information requirements of decision XV/19,

To forward for consideration by the Thirty-Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer the draft decision set out in section H of annex I to the present report, by which the Thirty-Seventh Meeting of the Parties would approve the request by Morocco for the revision of its consumption data for hydrofluorocarbons for the baseline years 2020, 2021 and 2022 to 2,602,515 CO₂-equivalent tonnes, 1,648,604 CO₂-equivalent tonnes and 2,169,487 CO₂-equivalent tonnes, respectively.

Recommendation 75/12

D. Bosnia and Herzegovina

102. Bosnia and Herzegovina had submitted two requests: one for a revision of its HCFC consumption data for the baseline year 2009, and one for a revision of its HFC consumption data for the baseline year 2022.

1. HCFC baseline data

103. Bosnia and Herzegovina had requested the revision of its HCFC consumption data for the baseline year 2009. The revised baseline would represent an increase of 0.18 ozone-depleting tonnes (3 per cent) and 6,154 CO₂-equivalent tonnes (5.5 per cent) from the initial consumption for 2009. In line with decision XV/19, Bosnia and Herzegovina had explained that there had been an erroneous report of an export by a company in 2009. The party had clarified that the company had carried out only one export of that amount, and that that had taken place in 2010, which had been confirmed by correspondence with the National Ozone Unit of Serbia, customs documentation and a signed statement by the company.

104. The Committee therefore agreed:

Noting with appreciation the information submitted by Bosnia and Herzegovina in support of its request to revise its existing consumption data for the baseline year 2009 for Annex C, group I, controlled substances (hydrochlorofluorocarbons),

Noting that decision XV/19 set out the methodology for the submission of requests for the revision of baseline data,

Noting with appreciation the efforts made by Bosnia and Herzegovina to fulfil the information requirements of decision XV/19,

To forward for consideration by the Thirty-Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer the draft decision set out in section H of annex I to the present report, by which the Thirty-Seventh Meeting of the Parties would approve the request by Bosnia and Herzegovina for the revision of its consumption data for hydrochlorofluorocarbons for the baseline year 2009 to 5.96 ODP-tonnes (117, 966.60 CO₂-equivalent tonnes).

Recommendation 75/13

2. HFC baseline data

105. Bosnia and Herzegovina had requested the revision of its HFC consumption data for the baseline year 2022. The revised baseline would represent an increase of 61,763 CO₂-equivalent tonnes (4.6 per cent) from the initial consumption data for 2022. In line with decision XV/19, Bosnia and Herzegovina had explained that an import by one company in 2022 had been incorrectly recorded under 2023 because of late customs clearance and that, in the case of another company, a customs officer had used incorrect tariff codes. The party had provided documentation substantiating the incorrect recording of the 2022 imports, including a packing list from China for 2022; a note from China for 2022 under the Convention on the Contract for the International Carriage of Goods by Road; an official report from an importer for 2022; the packing list from China for the alleged 2023 import; information from the importer for 2023; and a customs report from the electronic system indicating imports by the company in 2022.

106. The Committee therefore agreed:

Noting with appreciation the information submitted by Bosnia and Herzegovina in support of its request to revise its existing consumption data for the baseline year 2022 for Annex F, group I, controlled substances (hydrofluorocarbons),

Noting that decision XV/19 set out the methodology for the submission of requests for the revision of baseline data,

Noting with appreciation the efforts made by Bosnia and Herzegovina to fulfil the information requirements of decision XV/19,

To forward for consideration by the Thirty-Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer the draft decision set out in section H of annex I to the present report, by which the Thirty-Seventh Meeting of the Parties would approve the request by Bosnia and Herzegovina for the revision of its consumption data for hydrofluorocarbons for the baseline year 2022 to 1,402,682 CO₂-equivalent tonnes.

Recommendation 75/14

E. Brazil

107. Brazil had requested the revision of its HFC consumption data for the baseline year 2022. The revised baseline would represent a decrease of 10,340,564 CO₂-equivalent tonnes (12 per cent) from the initial consumption data for 2022. In line with decision XV/19, Brazil had explained that, following the submission of the 2022 data, several export licences had been cancelled or had expired because they had not been used within the prescribed 180-day period. That had led to a reduction in the values initially reported. The party had also explained that the 2022 import cycle had been fully completed and that all the data related to the import licences had been duly reviewed by the national agency responsible for managing the import licensing system and by the Ministry of Environment and Climate Change. The methodology used to collect and verify the accuracy of the new figures included exhaustive analysis of all import licenses issued and completed in 2022. The party had provided documentation substantiating its request, including the records of the electronic system used by Brazil that contained information on all the licences provided by the party.

108. The Committee therefore agreed:

Noting with appreciation the information submitted by Brazil in support of its request to revise its existing consumption data for the baseline year 2022 for Annex F, group I, controlled substances (hydrofluorocarbons),

Noting that decision XV/19 sets out the methodology for the submission of requests for the revision of baseline data,

Noting with appreciation the efforts made by Brazil to fulfil the information requirements of decision XV/19,

To forward for consideration by the Thirty-Seventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer the draft decision set out in section H of annex I to the present report, by which the Thirty-Seventh Meeting of the Parties would approve the request by Brazil for the revision of its consumption data for hydrofluorocarbons for the baseline year 2022 to 79,416,087 CO₂-equivalent tonnes.

Recommendation 75/15

F. Somalia

109. Somalia had requested the revision of its HFC consumption data for the baseline year 2022. The revised baseline would represent an increase of 600,824 CO₂-equivalent tonnes (172 per cent) from the initial consumption data for 2022. In line with decision XV/19, Somalia had explained that the initial HFC baseline data had shown significantly lower consumption levels than in previous years, despite a steady increase in the quantity of refrigeration and air-conditioning equipment in use. The updated data had been gathered through a comprehensive and systematic approach to verification, which had assessed the country's consumption and management of HFCs. The process ensured the collection of robust data using standardized tools for consistency and accuracy. The party had provided only the report of the aforementioned verification to substantiate its request.

110. The Committee therefore agreed:

Taking note of the request by Somalia for the revision of its existing consumption data for the baseline year 2022 for Annex F, group I, controlled substances (hydrofluorocarbons),

Recalling decision XV/19, which set out the methodology for the submission of requests for the revision of baseline data,

Noting with appreciation the information provided by Somalia to support its request for the revision of its baseline data,

Noting, however, that the information submitted was considered by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol to be insufficient to enable it to approve the changes requested by the party,

1. To request Somalia to submit to the Ozone Secretariat the outstanding information that was needed to meet the requirements of decision XV/19, in order to significantly substantiate its request for the revision of its hydrofluorocarbon baseline data, as soon as possible and preferably no later than 31 March 2026, for consideration by the Implementation Committee at its seventy-sixth meeting;

2. To also request Somalia, in the event that the information required to support its request for the revision of its baseline data was confidential, to provide such information to the Secretariat in accordance with paragraph 2 of decision I/11, which would ensure that the data were treated with professional secrecy and as confidential when they were reported to the Implementation Committee.

Recommendation 75/16

VIII. Establishment of licensing systems under Article 4B, paragraph 2 bis, of the Montreal Protocol (decision XXXVI/15 and recommendation 74/14)

111. Introducing the item, the President drew attention to the report of the Secretariat on the status of licensing systems for HFC (UNEP/OzL.Pro/ImpCom/75/R.5). The representative of the Secretariat informed the Committee that since the issuance of the document on 29 August 2025, five more parties to the Montreal Protocol had ratified the Kigali Amendment. As at 30 October, of the 169 parties that had ratified the Kigali Amendment, 160 had notified the Secretariat of the establishment and operation of their licensing systems. The 160 parties consisted of 42 non-Article 5 parties and 118 Article 5 parties. Another 4 parties that had not ratified the Kigali Amendment had also reported on the establishment of their licensing systems.

112. Overall, therefore, a total of 9 of the 169 parties that had ratified the Kigali Amendment had not yet reported on the establishment and operation of their licensing systems. For four of those nine parties, namely Angola, Djibouti, San Marino and Oman, the deadline for reporting had passed. The other five parties, namely Brunei Darussalam, the Central African Republic, Pakistan, Saint Kitts and Nevis, and Saudi Arabia, were still within their reporting deadlines.

113. With regard to follow-up to decision XXXVI/15, on the status of the establishment of licensing systems under Article 4B, paragraph 2 bis, of the Montreal Protocol, and to recommendation 74/14, one of the parties listed in the annex to the decision, namely Kenya, had reported on the establishment and operation of its HFC licensing system. It had voluntarily submitted a copy of its new regulations. Angola had informed the Secretariat that it was working to establish its licensing system and would submit the information by September 2025. Nevertheless, the Secretariat had yet to receive any update. San Marino had not responded to the follow-up emails sent by the Secretariat in August and October 2025 regarding recommendation 74/14. The United Arab Emirates had reported on the establishment and operation of its licensing system, and Djibouti had informed the Secretariat that it had prepared a draft decree on the control of HFCs and that the decree was under review and expected to be submitted for adoption at the start of the next Government term in September to October 2025. The Secretariat had not received any further updates.

114. In response to one member's suggestion that the Committee encourage parties that had not yet done so to ratify the Kigali Amendment, another member expressed the view that such text was better placed in a decision to be adopted by the Thirty-Seventh Meeting of the Parties.

115. One representative considered reasonable the proposed deadline of 31 March 2026 to provide information to the Secretariat on the establishment and operation of their licensing systems. Given the prolonged lack of response from Angola and San Marino, one member, supported by another, proposed that representatives be invited to the seventy-sixth meeting to provide information in person.

116. Later in the meeting, the representative of the Secretariat informed the Committee that Angola had provided additional information which clarified that the party in fact had an HFC licensing system in force. It had been developed based on its previous HCFC licensing system, although it was experiencing new challenges, especially with regard to blends. Members of the Committee agreed that since they had not agreed a cut-off date for the submission of information on licensing systems, unlike for data reporting, it would be appropriate to remove the references to Angola in the draft decision.

117. The Committee agreed:

(a) To take note with appreciation of the report on the status of licensing systems for hydrofluorocarbons under Article 4B, paragraph 2 bis, of the Montreal Protocol;

(b) To forward, for consideration by the Thirty-Seventh Meeting of the Parties to the Montreal Protocol, the draft decision contained in section I of annex I to the present report, which, among other things, recorded the number of parties to the Montreal Protocol having ratified the Kigali Amendment that had reported to the Secretariat on the establishment and operation of systems for

licensing the import and export of Annex F controlled substances in accordance with paragraph 3 of Article 4B of the Montreal Protocol;

(c) To urge the three parties listed in the draft decision set out in section I of annex I to the present report to provide information to the Secretariat on the establishment and operation of their licensing systems, as a matter of urgency and no later than 31 March 2026;

(d) To continue reviewing periodically the status of the establishment of such licensing systems by all parties to the Montreal Protocol that had ratified the Kigali Amendment and to consider any appropriate recommendations to the parties in accordance with Article 4B, paragraph 4, of the Protocol.

Recommendation 75/17

IX. Systemic issues in relation to compliance (decision XXXVI/9, para. 6)

118. Introducing the item, the President reminded the Committee that the Secretariat had presented the paper on analysis of systemic issues in relation to compliance based on cases considered by the Committee over the past 10 years (UNEP/OzL.Pro/ImpCom/74/R.5) at the seventy-fourth meeting of the Committee, and members had had the opportunity for a brief discussion there. He planned to summarize the paper in a brief presentation to the informal meeting of the parties to the Montreal Protocol on 2 November 2025, and invited comments from members of the Committee. Committee members thanked the Secretariat for its hard work in putting the paper together and said that it provided the basis for a valuable contribution to the discussions at the informal meeting.

119. On data reporting under Article 7, one member expressed the view that it would be helpful for parties to be made aware of the Committee's decision to introduce a cut-off date into the draft decision on data reporting, as discussed under agenda item 3. It would enable the President to highlight the difficulties caused by late reporting of data. Another member suggested highlighting the Committee's conclusion, agreed at the seventy-fourth meeting, not to allow the submission of provisional data. He also suggested that the reduction, over the last few years, in the number of parties reporting by 30 June should be mentioned, and parties encouraged to meet that deadline.

120. On import and export licensing systems, some members said that it would be valuable to have more information on the functioning of parties' licensing systems rather than merely whether or not they possessed one. One highlighted the wording of paragraph 3 of Article 4B of the Montreal Protocol, which required parties to report "on the establishment and operation of that system", not only on its establishment. He suggested that it might be possible to analyse the features of licensing systems reported to the Secretariat and then to draw up a checklist of features that parties could be requested to report against when they established a new licensing system. Another member suggested consideration of how licensing systems could deal with online purchases of controlled substances. Several members drew attention to the need for effective enforcement of licensing systems and other regulations.

121. On compliance with the control measures, one member highlighted the problem of HFC blends, and the challenges faced by importers in reporting accurate data on them. Another drew attention to the fact that the deadlines for data reporting always fell very shortly before the meetings of the Implementation Committee and the Meeting of the Parties, which complicated the process of discussing parties' status of compliance. He did not, however, have a solution to propose.

122. On changes to baseline data, two members observed that while some changes requested by parties could be dealt with very smoothly, others were far more difficult, and the common feature was usually weaknesses in customs controls, licensing and enforcement. Another drew attention to the problem of information being transmitted from customs agencies inaccurately or slowly.

123. On other matters, one member observed that often when parties were running into difficulties with collecting data or complying with their control measures, the problem first became evident in its reports to the Multilateral Fund secretariat or the implementing agencies. He wondered whether it might be possible for such problems to be flagged up early for the attention of the Implementation Committee.

124. The President thanked all the members of the Committee for their contributions and stated that he aimed to reflect them in his contribution to the discussions in the informal meeting of the parties.

X. Other matters

125. No other matters were raised.

XI. Adoption of the recommendations and the report of the meeting

126. The Committee approved the recommendations set out in the present report and agreed to entrust the finalization and approval of the meeting report to its President, working in consultation with the Secretariat.

XII. Closure of the meeting

127. Following the customary exchange of courtesies, the President declared the meeting closed at 4.30 p.m. on Saturday, 1 November 2025.

Annex I

Draft decisions forwarded by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol at its seventy-fourth and seventy-fifth meetings for consideration by the Thirty-Seventh Meeting of the Parties to the Montreal Protocol

A. Draft decision XXXVII/[--]: Data and information provided by the parties in accordance with Article 7 of the Montreal Protocol

The Thirty-Seventh Meeting of the Parties decides

1. To note that 194 parties of the 198 parties that should have reported data for 2024 had done so by 31 October 2025, that 123 parties had done so through the online reporting system, and that 170 parties had reported their data by 30 September 2025 as required under paragraph 3 of Article 7 of the Montreal Protocol on Substances that Deplete the Ozone Layer;

2. To note with appreciation that 74 of the reporting parties had submitted their data for 2024 by 30 June 2025, in accordance with the encouragement in decision XV/15, and that reporting by 30 June each year greatly facilitates the work of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol in assisting parties operating under paragraph 1 of Article 5 of the Protocol to comply with the Protocol's control measures;

3. To note with concern that four parties, namely Armenia, Comoros, Iceland and Sao Tome and Principe, had not reported their data for 2024 by 31 October 2025, and that this places them in non-compliance with their data reporting obligations under paragraph 3 of Article 7 of the Montreal Protocol until such time as the Ozone Secretariat receives their outstanding data;

4. To note that a lack of timely data reporting by parties impedes the effective monitoring and assessment of parties' compliance with their obligations under the Montreal Protocol;

5. To urge the parties listed in paragraph 3 above that have not yet done so to report the required data to the Secretariat as soon as possible;

6. To request the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol to review the situation of those parties at its seventy-sixth meeting;

7. To encourage parties to continue to report consumption and production data as soon as the figures are available, and preferably by 30 June each year, as encouraged in decision XV/15 and subsequent decisions on the matter.

B. Draft decision XXXVII/[--]: Non-compliance with the Montreal Protocol by the Democratic People's Republic of Korea

The Thirty-Seventh Meeting of the Parties,

Recalling decision XXXII/6, in which the Thirty-Second Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer noted that the Democratic People's Republic of Korea was in non-compliance with the control measures under the Protocol in relation to hydrochlorofluorocarbon production and consumption in 2019, but also noted with appreciation the plan of action submitted by the party to ensure its return to compliance with those measures in 2023,

Noting with concern that the Democratic People's Republic of Korea reported, for 2021, annual production of 24.81 ozone-depleting-potential tonnes (ODP-tonnes) of hydrochlorofluorocarbons and annual consumption of 58.03 ODP-tonnes of hydrochlorofluorocarbons, which is higher than its commitment, as set out in decision XXXII/6, to reduce its production and consumption of hydrochlorofluorocarbons to no greater than 24.80 ODP-tonnes and 58.00 ODP-tonnes, respectively,

Noting also with concern that the Democratic People's Republic of Korea reported, for 2023, annual production of 24.77 ODP-tonnes of hydrochlorofluorocarbons and annual consumption of 57.76 ODP-tonnes of hydrochlorofluorocarbons, which is higher than its commitment, as set out in decision XXXII/6, to reduce its production and consumption of hydrochlorofluorocarbons to no greater than 0 ODP-tonnes and 33.20 ODP-tonnes, respectively,

Noting further with concern that the Democratic People's Republic of Korea reported, for 2024, annual production of 21.61 ODP-tonnes of hydrochlorofluorocarbons and annual consumption of 51.43 ODP-tonnes of hydrochlorofluorocarbons, which is higher than its commitment, as set out in decision XXXII/6, to reduce its production and consumption of hydrochlorofluorocarbons to no greater than 17.9 ODP-tonnes and 50.7 ODP-tonnes, respectively,

Noting with serious concern that, despite several requests by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol in its recommendations 68/4, 69/4, 70/2, 72/3 and 74/2 and repeated reminders by the Ozone Secretariat, the Democratic People's Republic of Korea has not provided an explanation for the deviations of the data reported for 2021, has not submitted a revised plan of action to ensure its return to compliance and has not submitted a progress report on efforts to establish additional national policies facilitating the phase-out of hydrochlorofluorocarbons, as urged in decisions XXXV/18 and XXXVI/16,

Noting also with serious concern that the Democratic People's Republic of Korea has not provided an explanation for the deviations for the data reported for 2023 and 2024 as urged by the Implementation Committee in its recommendation 74/2,

Recalling decisions XXXII/6, XXXV/18 and XXXVI/16, in which the Meetings of the Parties cautioned the Democratic People's Republic of Korea, in accordance with item B of the indicative list of measures that may be taken by the Meeting of the Parties in respect of non-compliance, that if the Democratic People's Republic of Korea failed to return to compliance, the parties would consider measures consistent with item C of the indicative list of measures, including the possibility of actions available under Article 4 of the Montreal Protocol, such as ensuring that the supply of hydrochlorofluorocarbons, the substances that were the subject of non-compliance, was ceased so that exporting parties did not contribute to a continuing situation of non-compliance,

Decides:

1. In order to assist the Democratic People's Republic of Korea in returning to compliance with the control measures in relation to hydrochlorofluorocarbons under the Montreal Protocol, to agree to suspend, consistent with item C of the indicative list of measures that might be taken by the Meeting of the Parties in respect of non-compliance with the Protocol, the rights and privileges of parties to the Protocol relating to trade in hydrochlorofluorocarbons, the substances that are the subject of non-compliance, between the Democratic People's Republic of Korea and other parties to the Protocol, such that no such trade will be permissible under the Protocol;

2. That the suspension of trade referred to in paragraph 1 above will continue until such time as the Democratic People's Republic of Korea returns to compliance with control measures in relation to hydrochlorofluorocarbons under the Montreal Protocol as recommended by the Implementation Committee on the basis of data reported pursuant to Article 7 or until otherwise decided by the Meeting of the Parties.

C. Draft decision XXXVII/[--]: Adherence by Libya to its commitments under its plan of action to return to compliance

The Thirty-Seventh Meeting of the Parties,

Noting that Libya submitted a plan of action to ensure its return to compliance with the hydrochlorofluorocarbon consumption control measures under the Montreal Protocol on Substances that Deplete the Ozone Layer in 2022 and subsequent years, as noted by the Twenty-Seventh Meeting of the Parties in decision XXVII/11,

Noting also that the plan of action submitted by Libya included commitments to monitoring the enforcement of its system for licensing imports and exports of ozone-depleting substances, as well as to imposing a ban on the procurement of air-conditioning equipment containing hydrochlorofluorocarbons in the near future and to considering a ban on the import of such equipment,

Noting further that Libya has adhered to its commitments under its plan of action to ensure its return to compliance as noted in decision XXVII/11,

Decides:

1. That no further action is necessary in view of the party's return to compliance with the hydrochlorofluorocarbon control measures under the Montreal Protocol and the other commitments contained in its plan of action to ensure its return to compliance;

2. To urge the party to continue implementing its obligations under the Montreal Protocol.

D. Draft decision XXXVII/[--]: Non-compliance with the Montreal Protocol by Saint Vincent and the Grenadines

The Thirty-Seventh Meeting of the Parties,

Noting that Saint Vincent and the Grenadines acceded to the Montreal Protocol on Substances that Deplete the Ozone Layer, to the London Amendment and to the Copenhagen Amendment on 2 December 1996, to the Montreal Amendment and to the Beijing Amendment on 11 May 2009 and ratified the Kigali Amendment on 7 November 2022, and is classified as a party operating under paragraph 1 of Article 5 of the Protocol,

Noting also that the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol has approved \$1,780,193 from the Multilateral Fund in accordance with Article 10 of the Protocol in order to enable Saint Vincent and the Grenadines to achieve compliance with the Protocol,

Noting further that the annual consumption of 45,975 CO₂-equivalent tonnes of the controlled substances in Annex F to the Montreal Protocol (hydrofluorocarbons) reported by Saint Vincent and the Grenadines for 2024 exceeds the party's maximum allowable consumption of 25,280 CO₂-equivalent tonnes for controlled substances for that year and that the party was therefore in non-compliance with the hydrofluorocarbon consumption control measures under the Montreal Protocol,

Decides:

1. To note with appreciation the submission by Saint Vincent and the Grenadines of an explanation for its non-compliance and a plan of action to ensure its return to compliance with the hydrofluorocarbon consumption control measures of the Montreal Protocol on Substances that Deplete the Ozone Layer in 2035;
2. To note that the submitted plan of action includes a prolonged timeline for the party to return to compliance;
3. To request Saint Vincent and the Grenadines to submit a revised plan of action after its Kigali hydrofluorocarbon implementation plan has been approved by Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol;
4. To urge Saint Vincent and the Grenadines to work with relevant implementing agencies to develop its plan of action to phase down consumption and production of hydrofluorocarbons;
5. To monitor closely the progress of Saint Vincent and the Grenadines with regard to the implementation of its obligations under the Montreal Protocol. To the extent that the party is working towards and meeting specific Protocol control measures, it should continue to be treated in the same manner as a party in good standing. In that regard, Saint Vincent and the Grenadines should continue to receive international assistance to enable it to meet those commitments in accordance with item A of the indicative list of measures that may be taken by the Meeting of the Parties in respect of non-compliance;
6. To caution Saint Vincent and the Grenadines, in accordance with item B of the indicative list of measures that may be taken by the Meeting of the Parties in respect of non-compliance, that, in the event that Saint Vincent and the Grenadines fails to return to compliance, the parties will consider measures consistent with item C of the indicative list of measures, which may include the possibility of actions available under Article 4, such as ensuring that the supply of hydrofluorocarbons that are the subject of non-compliance is ceased so that exporting parties do not contribute to a continuing situation of non-compliance.

E. Draft decision XXXVII/[--]: Non-compliance with the Montreal Protocol by Tajikistan

The Thirty-Seventh Meeting of the Parties,

Noting that Tajikistan acceded to the Montreal Protocol on Substances that Deplete the Ozone Layer and to the London Amendment on 7 January 1998 and to the Copenhagen Amendment, the Montreal Amendment and the Beijing Amendment on 7 May 2009, that it ratified the Kigali

Amendment on 29 June 2022, and that it is classified as a party not operating under paragraph 1 of Article 5 of the Protocol,

Noting also that Tajikistan has reported, for 2023, annual consumption of 457,613 CO₂-equivalent tonnes of the controlled substances in Annex F to the Montreal Protocol (hydrofluorocarbons), which exceeds the party's maximum allowable consumption of 424,270 CO₂-equivalent tonnes of hydrofluorocarbons for 2023, and that Tajikistan is therefore in non-compliance with the hydrofluorocarbon consumption control measures under the Montreal Protocol,

Decides:

1. To request Tajikistan to submit to the Ozone Secretariat, as a matter of urgency and no later than 31 March 2026, for consideration by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol on Substances that Deplete the Ozone Layer at its seventy-sixth meeting, a plan of action with time-specific benchmarks to ensure the party's prompt return to compliance with its hydrofluorocarbon obligations under the Protocol, as well as specific policies that it will adopt in support of its implementation efforts;

2. To monitor closely the progress of Tajikistan with regard to the phase-down of hydrofluorocarbons. To the degree that Tajikistan is working towards and meeting the specific control measures under the Montreal Protocol, it should continue to be treated in the same manner as a party in good standing. In that regard, Tajikistan should continue to receive international assistance to enable it to meet its commitments in accordance with item A of the indicative list of measures that may be taken by the Meeting of the Parties in respect of non-compliance;

3. To caution Tajikistan, in accordance with item B of the indicative list of measures, that, in the event that it fails to return to compliance in a timely manner, the Meeting of the Parties will consider measures consistent with item C of the indicative list of measures, which may include the possibility of actions available under Article 4, such as ensuring that the supply of hydrofluorocarbons that are the subject of non-compliance is ceased so that exporting parties do not contribute to a continuing situation of non-compliance.

F. Draft decision XXXVII/[--]: Non-compliance with the Montreal Protocol by Zambia

The Thirty-Seventh Meeting of the Parties,

Noting that Zambia acceded to the Montreal Protocol on Substances that Deplete the Ozone Layer on 24 January 1990, ratified the London Amendment on 15 April 1994 and acceded to the Copenhagen Amendment, to the Montreal Amendment and to the Beijing Amendment on 11 October 2007, that it ratified the Kigali Amendment on 15 March 2021 and that it is classified as a party operating under paragraph 1 of Article 5 of the Protocol,

Noting also that Zambia has reported, for 2024, annual consumption of 857,857 CO₂-equivalent tonnes of the controlled substances in Annex F to the Montreal Protocol (hydrofluorocarbons), which exceeds the party's maximum allowable consumption of 699,513 CO₂-equivalent tonnes of hydrofluorocarbons for 2024, and that Zambia is therefore in non-compliance with the hydrofluorocarbon consumption control measures under the Montreal Protocol,

Decides:

1. To urge Zambia to provide an explanation for the deviation as a matter of urgency, no later than 31 March 2026, and, if appropriate, to submit by that date a plan of action with time-specific benchmarks to ensure the party's prompt return to compliance with its hydrofluorocarbon obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer, as well as specific policies that it will adopt in support of its implementation efforts, for consideration by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol at its seventy-sixth meeting;

2. To monitor closely the progress of Zambia with regard to the phase-down of hydrofluorocarbons. To the degree that Zambia is working towards and meeting the specific control measures under the Montreal Protocol, it should continue to be treated in the same manner as a party in good standing. In that regard, Zambia should continue to receive international assistance to enable it to meet its commitments in accordance with item A of the indicative list of measures that may be taken by the Meeting of the Parties in respect of non-compliance;

3. To caution Zambia, in accordance with item B of the indicative list of measures, that, in the event that it fails to return to compliance in a timely manner, the Meeting of the Parties will consider measures consistent with item C of the indicative list of measures, which may include the possibility of actions available under Article 4, such as ensuring that the supply of hydrofluorocarbons that are the subject of non-compliance is ceased so that exporting parties do not contribute to a continuing situation of non-compliance.

G. Draft decision XXXVII/[--]: Non-compliance with the Montreal Protocol by Mali

The Thirty-Seventh Meeting of the Parties,

Noting that Mali acceded to the Montreal Protocol on Substances that Deplete the Ozone Layer and to the London Amendment on 28 October 1994, accepted the Copenhagen Amendment and the Montreal Amendment on 7 March 2003, the Beijing Amendment on 25 March 2004 and the Kigali Amendment on 31 March 2017, and is classified as a party operating under paragraph 1 of Article 5 of the Protocol,

Noting also that Mali has reported, for 2024, annual consumption of 1,773,126 CO₂-equivalent tonnes of the controlled substances in Annex F to the Montreal Protocol (hydrofluorocarbons), which exceeds the party's maximum allowable consumption 399,935 CO₂-equivalent tonnes of hydrofluorocarbons for 2024, and that Mali is therefore in non-compliance with the hydrofluorocarbon consumption control measures under the Protocol,

Noting further that Mali has indicated its intent to request a revision to its hydrofluorocarbon baseline data but has not yet provided the information required under decision XV/19 to substantiate its request to change its reported baseline data for hydrofluorocarbons,

Decides:

1. To invite Mali to submit to the Ozone Secretariat, as a matter of urgency and no later than 31 March 2026, for consideration by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol on Substances that Deplete the Ozone Layer at its seventy-sixth meeting, either a request to revise its hydrofluorocarbon data for baseline years, including the information required under decision XV/19 to substantiate its request to change its reported baseline data for hydrofluorocarbons, or a plan of action with time-specific benchmarks to ensure the party's prompt return to compliance with its hydrofluorocarbon obligations under the Protocol, as well as specific policies that it will adopt in support of its implementation efforts;

2. To monitor closely the progress of Mali with regard to the phase-down of hydrofluorocarbons. To the degree that Mali provides the information as invited in paragraph 1 above, it should continue to be treated in the same manner as a party in good standing. In that regard, Mali should continue to receive international assistance to enable it to meet its commitments in accordance with item A of the indicative list of measures that may be taken by the Meeting of the Parties in respect of non-compliance.

H. Draft decision XXXVII/[--]: Requests for the revision of baseline data by Bosnia and Herzegovina, Brazil, Guinea, Kiribati, the Marshall Islands, Morocco, Nauru, Nigeria, Niue, Tuvalu and Vanuatu

The Thirty-Seventh Meeting of the Parties,

Noting that, in decision XIII/15, the Thirteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decided to advise parties that request changes in reported baseline data for base years to present their requests before the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol, which in turn would work with the Secretariat of the Montreal Protocol and the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol to confirm the justification for the changes and present them to the Meeting of the Parties for approval,

Noting also that decision XV/19 sets out the methodology for the submission of such requests,

Decides:

1. That Bosnia and Herzegovina has presented sufficient information, in accordance with decision XV/19, to justify its request for the revision of its consumption data for

hydrochlorofluorocarbons for 2009, which are part of the baseline for Article 5, group 1, parties under the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer;

2. To approve the request by Bosnia and Herzegovina and to revise its consumption data for hydrochlorofluorocarbons for the baseline year 2009 as indicated in the following table:

Party/year	Previous HCFC data		New HCFC data	
	ODP-tonnes	CO ₂ -eq tonnes	ODP-tonnes	CO ₂ -eq tonnes
	2009	2009	2009	2009
Bosnia and Herzegovina	5.78	111 812.6	5.96	117 966.6

Abbreviations: CO₂-eq – CO₂-equivalent; HCFC – hydrochlorofluorocarbon; ODP – ozone-depleting potential.

3. That Bosnia and Herzegovina has presented sufficient information, in accordance with decision XV/19, to justify its request for the revision of its consumption data for hydrofluorocarbons for 2022, which are part of the baseline for Article 5, group 1, parties under the Kigali Amendment to the Montreal Protocol;

4. To approve the request by Bosnia and Herzegovina and to revise its consumption data for hydrofluorocarbons for the baseline year 2022 as indicated in the following table:

Party/year	Previous HFC data (CO ₂ -eq tonnes)	New HFC data (CO ₂ -eq tonnes)
	2022	2022
Bosnia and Herzegovina	1 340 919	1 402 682

Abbreviations: CO₂-eq – CO₂-equivalent; HFC – hydrofluorocarbon.

5. That Brazil has presented sufficient information, in accordance with decision XV/19, to justify its request for the revision of its consumption data for hydrofluorocarbons for 2022, which are part of the baseline for Article 5, group 1, parties under the Kigali Amendment to the Montreal Protocol;

6. To approve the request by Brazil and to revise its consumption data for hydrofluorocarbons for the baseline year 2022 as indicated in the following table:

Party/year	Previous HFC data (CO ₂ -eq tonnes)	New HFC data (CO ₂ -eq tonnes)
	2022	2022
Brazil	89 756 651	79 416 087

Abbreviations: CO₂-eq – CO₂-equivalent; HFC – hydrofluorocarbon.

7. That Guinea has presented sufficient information, in accordance with decision XV/19, to justify its request for the revision of its consumption data for hydrochlorofluorocarbons for 2009 and 2010, which are part of the baseline for Article 5, group 1, parties under the Kigali Amendment to the Montreal Protocol;

8. To approve the request by Guinea and to revise its consumption data for hydrochlorofluorocarbons for the baseline years 2009 and 2010 as indicated in the following table:

Party/year	Previous HCFC data				New HCFC data			
	ODP-tonnes		CO ₂ -eq tonnes		ODP-tonnes		CO ₂ -eq tonnes	
	2009	2010	2009	2010	2009	2010	2009	2010
Guinea	21.77	23.45	716 542.8	771 603	1.03	0.75	33 756.5	24 706.5

Abbreviations: CO₂-eq – CO₂-equivalent; HCFC – hydrochlorofluorocarbon; ODP – ozone-depleting potential.

9. That Guinea has presented sufficient information, in accordance with decision XV/19, to justify its request for the revision of its consumption data for hydrofluorocarbons for 2020, 2021 and 2022, which are part of the baseline for Article 5, group 1, parties under the Kigali Amendment to the Montreal Protocol;

10. To approve the request by Guinea and to revise its consumption data for hydrofluorocarbons for the baseline years 2020, 2021 and 2022 as indicated in the following table:

Party/year	Previous HFC data (CO ₂ -eq tonnes)			New HFC data (CO ₂ -eq tonnes)		
	2020	2021	2022	2020	2021	2022
Guinea	878 384	1 477 938	1 673 662	1 896 234	1 728 541	1 715 084

Abbreviations: CO₂-eq – CO₂-equivalent; HFC – hydrofluorocarbon.

11. That Kiribati, the Marshall Islands, Nauru, Niue, Tuvalu and Vanuatu have presented sufficient information, in accordance with decision XV/19, to justify their requests for the revision of their consumption data for hydrofluorocarbons for all or some of the years 2020, 2021 and 2022, which are part of the baseline for Article 5, group 1, parties under the Kigali Amendment;

12. To approve the requests by Kiribati, the Marshall Islands, Nauru, Niue, Tuvalu and Vanuatu and to revise their consumption data for hydrofluorocarbons for the baseline years as indicated in the following table:

<i>Party/year</i>	<i>Previous HFC data (CO₂-eq tonnes)</i>			<i>New HFC data (CO₂-eq tonnes)</i>		
	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Kiribati	7 063	10 471	3 569	7 063	10 471	4 570
Marshall Islands	7 067	4 380	6 943	10 922	13 677	9 095
Nauru	335	1 186	1 456	1 997	2 175	2 326
Niue	–	74	–	–	179	–
Tuvalu	296	343	178	647	695	800
Vanuatu	11 915	13 781	17 511	21 055	13 781	17 511

Abbreviations: CO₂-eq – CO₂-equivalent; HFC – hydrofluorocarbon.

13. That Morocco has presented sufficient information, in accordance with decision XV/19, to justify its request for the revision of its consumption data for hydrofluorocarbons for 2020, 2021 and 2022, which are part of the baseline for Article 5, group 1, parties under the Kigali Amendment to the Montreal Protocol;

14. To approve the request by Morocco and to revise its consumption data for hydrofluorocarbons for the baseline years 2020, 2021 and 2022 as indicated in the following table:

<i>Party/year</i>	<i>Previous HFC data (CO₂-eq tonnes)</i>			<i>New HFC data (CO₂-eq tonnes)</i>		
	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Morocco	1 687 148	1 475 421	590 302	2 602 515	1 648 604	2 169 487

Abbreviations: CO₂-eq – CO₂-equivalent; HFC – hydrofluorocarbon.

15. That Nigeria has presented sufficient information, in accordance with decision XV/19, to justify its request for the revision of its consumption data for hydrofluorocarbons for 2020, 2021 and 2022, which are part of the baseline for Article 5, group 1, parties under the Kigali Amendment to the Montreal Protocol;

16. To approve the request by Nigeria and to revise its consumption data for hydrofluorocarbons for the baseline years 2020, 2021 and 2022 as indicated in the following table:

<i>Party/year</i>	<i>Previous HFC data (CO₂-eq tonnes)</i>			<i>New HFC data (CO₂-eq tonnes)</i>		
	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Nigeria	2 620 048	8 381 305	17 374 682	13 305 145	19 884 612	24 582 158

Abbreviations: CO₂-eq – CO₂-equivalent; HFC – hydrofluorocarbon.

I. Draft decision XXXVII/[--]: Status of the establishment of licensing systems under Article 4B, paragraph 2 *bis*, of the Montreal Protocol on Substances that Deplete the Ozone Layer

Noting that Article 4B, paragraph 2 *bis*, of the Montreal Protocol on Substances that Deplete the Ozone Layer requires each party to establish and implement a system for licensing the import and export of new, used, recycled and reclaimed controlled substances listed in Annex F to the Protocol,

Noting with appreciation that 161 of the 169 parties to the Montreal Protocol that have ratified, accepted or approved the Kigali Amendment to the Protocol have reported the establishment and operation of import and export licensing systems for Annex F controlled substances as required, and that four parties that have not yet ratified, accepted or approved the Kigali Amendment have also reported the establishment of such licensing systems,

Noting, however, that Djibouti, Oman and San Marino have not yet reported to the Ozone Secretariat on the establishment and operation of their licensing systems pursuant to Article 4B, paragraph 3,

Noting with concern that one of the parties listed above, namely San Marino, accepted the Kigali Amendment in 2020 and has not yet reported on the establishment and operation of a licensing system pursuant to Article 4B, paragraph 3,

Recognizing that licensing systems provide for data collection and verification, the monitoring of imports and exports of controlled substances, and the prevention of illegal trade,

Recognizing also that the successful phase-out of most controlled substances by parties is largely attributable to the establishment and implementation of licensing systems to control the import and export of ozone-depleting substances,

Decides:

1. To note with appreciation the efforts made by the parties in the establishment and operation of licensing systems for Annex F controlled substances under Article 4B, paragraph 2 *bis*, of the Montreal Protocol on Substances that Deplete the Ozone Layer;
2. To urge Djibouti, Oman and San Marino to provide information to the Ozone Secretariat on the establishment and operation of their licensing systems as a matter of urgency, and no later than 31 March 2026, for consideration by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol at its seventy-sixth meeting;
3. To invite San Marino to send a representative to the seventy-sixth meeting of the Implementation Committee unless the party reports, prior to the meeting, on the establishment and operation of its licensing system pursuant to Article 4B, paragraph 2 *bis*, of the Montreal Protocol;
4. To urge all parties to the Montreal Protocol that ratify, accept or approve the Kigali Amendment to establish and implement their import and export licensing systems for controlled substances under Annex F to the Protocol within three months of the date of entry into force of the Kigali Amendment for each party and to report on the establishment and operation of such licensing systems to the Secretariat within three months of doing so;
5. To request the Secretariat to periodically prepare and circulate to all parties a list of the parties that have reported to it on their licensing systems and to forward that information to the Implementation Committee for its consideration and with a view to enabling it to make appropriate recommendations to the parties, as called for in Article 4B, paragraph 4, of the Montreal Protocol.

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* The annex has not been formally edited.

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