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EXECUTIVE COMMITTEE OF
THE MULTILATERAL FUND FOR THE
IMPLEMENTATION OF THE MONTREAL PROTOCOL
Eighty-third Meeting
Montreal, 27-31 May 2019

**TERMS OF REFERENCE FOR THE DESK STUDY ON THE EVALUATION OF THE
SUSTAINABILITY OF THE MONTREAL PROTOCOL ACHIEVEMENTS**

Background

1. At the 82nd meeting, the Senior Monitoring and Evaluation Officer (SMEO) submitted the draft monitoring and evaluation work programme for 2019,¹ which presented possible evaluation topics, and requested guidance from the Executive Committee on which of them should be included in the work programme.
2. During discussions several members expressed interest in an evaluation of the sustainability of the Montreal Protocol achievements, including an assessment of the role of the national ozone units (NOUs) and project management units (PMUs) in monitoring ODS phase-out. A member mentioned that it would be timely to review how NOUs and governments have incorporated the Montreal Protocol obligations and project outcomes into their legal and policy frameworks and how this is reflected in NOU activities. Other suggestions concerned the coordination of all stakeholders at the national level and the methodologies adopted to ensure effective implementation of the Montreal Protocol and the functioning of mechanisms to monitor redirection from non-controlled uses to controlled uses of substances. In addition, the evaluation could build a synergy with the second phase of the evaluation of pilot demonstration projects on ODS disposal and destruction concerning the role of waste prevention².
3. Following discussions, the Executive Committee requested the SMEO to present to the 83rd meeting the terms of reference for the desk study on the evaluation of the sustainability of the Montreal Protocol achievements as reflected in projects funded by the Multilateral Fund (MLF), which were approved as part of the monitoring and evaluation work programme for 2019 (decision 82/10).

¹ UNEP/OzL.Pro/ExCom/82/13/Rev.1

² The desk study for the evaluation for the pilot demonstration project on ODS destruction and disposal was presented at the 75th meeting and the terms of reference for the second phase were approved as part of the Draft monitoring and evaluation work programme for 2019 (UNEP/OzL.Pro/ExCom/82/13/Rev.1).

4. This present document is proposed in response to decision 82/10(b).

Objective and scope of the desk study

5. The desk study will assess how the reductions achieved under the Montreal Protocol have been sustained after the completion of the projects funded by the MLF and the extent to which MLF-supported activities contribute to sustaining compliance after the completion of MLF-funded activities.

6. It will cover various aspects related to the policies, regulatory frameworks, institutions and mechanisms; monitoring and reporting; role and responsibilities of the NOUs and PMUs, role of institutional strengthening (IS); production, consumption; stakeholders and awareness-raising activities; in the context of support provided under MLF-funded projects.

7. It will address the topics listed below.

Policies, regulatory frameworks, institutions and mechanisms

8. How do countries ensure compliance with Montreal Protocol obligations, and in particular the sustained aggregate reductions of controlled substances, after MLF-funded activities are completed? Do national policies, legislation and regulations integrate these issues?

9. What is the role of the NOUs and PMUs in assisting in the development of policies and regulatory frameworks? Are there appropriate regulations to control the export, import, manufacture, sale and certain uses of ODS and products containing them? How are new developments and difficulties in implementation tackled?

10. Are fiscal mechanisms, such as tax incentives/disincentives or removal of subsidies, used to encourage enterprises to convert from the use of controlled substances?

11. Is there a framework to enforce existing policies, legislation and regulations addressing sustained aggregate reductions under the Montreal Protocol, including monitoring and return to compliance under national processes? Do countries have penalties in place for violators of these regulations?

12. What is the role of professional organizations and associations contributing to the legislation and monitoring its implementation?

Monitoring and reporting

13. What mechanisms are in place to monitor the phase-out of controlled substances after the completion of the project?

14. Which institutions are currently involved in these monitoring activities? What is their capacity (e.g., technical staff, access to data and monitoring protocols) and how can it be improved?

15. Do customs have a management information system, if funded by the MLF? Do they have a long-term monitoring and reporting policies?

16. What is the specific role of the NOUs and PMUs in monitoring ODS phase-out? Do the NOUs have a monitoring and data-reporting capacity or management information system accessible to, or shared with, other stakeholders? How can it be improved?

Role and responsibilities of the NOUs and role of IS

17. Where are the NOUs located in the institutional organization of the Government and are there measures to ensure their continued operation? What are the activities undertaken to strengthen the NOUs? What is the staff turnover in the NOUs and what measures are taken with regards to knowledge retention within the NOU?

18. Are the existing monitoring and reporting mechanisms on the implementation of the Montreal Protocol strengthened to function after the end of the MLF-funded projects and ensure sustainable compliance with the Montreal Protocol? What Institutional Strengthening activities are organized for this purpose? What other institutions are involved in this process?

19. How does the UNEP's Compliance Assistance Programme (CAP) support to reinforcing the existing institutions and contribute to their sustainability? How does CAP enable countries to ensure their own compliance with the Montreal Protocol?

Role and responsibilities of the PMUs

20. Are there any measures in place to retain and transfer knowledge and capacities from the PMUs to the NOUs upon completion of the ExCom Agreement?

21. Are the PMUs taking part in establishing the policies, legislation and regulations regarding the sustained aggregate reduction?

Production, consumption, and stockpiles

22. Is there a database on the production enterprises and lines funded for dismantlement? Is there a monitoring mechanism for lines funded for closure? For the production lines that did not close because they only produce controlled substances for exempted uses, how is such production monitored to ensure there is no redirection from feedstock to controlled uses?

23. How many of the manufacturing enterprises that were supported for conversion are still using the agreed alternative? What information is available on stockpiles of phased out controlled substances? If such stockpiles are monitored, who performs it? Are the NOUs involved in this monitoring?

24. Was any ODS collected? Was it locally destroyed or shipped abroad for destruction? Do destruction plants have a financial sustainability to continue the destruction after the project completion? How is this achieved?

Stakeholders

25. What is the coordination mechanism among the stakeholders (Government institutions, the industry, service agencies, technical/vocational institutions, regulators associated with standards and certification bodies)? Does the coordination evolve during the years and, if so, how? Do the NOUs have a role in the coordination process?

26. What measures are taken to ensure that Montreal Protocol-related issues will be included in the training of technicians? Is there a pool of trainers for service technicians in Montreal Protocol-related issues? Is there a certification system for trained technicians and, if yes, how does it function? Are there measures in place to check the certification system? Is there gender-disaggregated data about trainers and trainees? Have professional organizations and associations been established and have the capacity to continue to effectively train technicians after the completion of MLF-funded projects (e.g., refrigeration and air-conditioning associations or technical/vocational institutions)?

27. What measures are taken to ensure the institutionalization of Montreal Protocol-related issues into training courses of customs agents after the end of the MLF-funded projects? Are there trainers to train customs officers in Montreal Protocol issues? Is there follow-up education or training based on new developments or for new employees?

Awareness-raising activities

28. Are there awareness-raising activities about the Montreal Protocol targeting decision-makers, stakeholders and broader public? Who organizes them? What is the involvement of the NOUs? Are gender considerations taken into account in these campaigns? Are the Montreal Protocol-related issues mentioned in the media (e.g., press, TV and social media)?

Organization and output of the evaluation

29. A consultant will be recruited to review the existing documentation, including project proposals, project completion reports, evaluation reports and reports of the Executive Committee meetings and Meetings of the Parties, and write the draft desk study, which will be shared with the Secretariat and the bilateral and implementing agencies for comments, and be presented to the 84th meeting of the Executive Committee.

Recommendation

30. The Executive Committee may wish to approve the terms of reference for the desk study on the evaluation of the sustainability of the Montreal Protocol achievements, contained in document UNEP/OzL.Pro/ExCom/83/9/Rev.1.