

**United Nations
Environment
Programme**Distr.
GENERALUNEP/OzL.Pro/ExCom/99/10
29 October 2026

ORIGINAL: ENGLISH



EXECUTIVE COMMITTEE OF
THE MULTILATERAL FUND FOR THE
IMPLEMENTATION OF THE MONTREAL PROTOCOL
Ninety-ninth Meeting
Montreal, 7–11 December 2026
Item 6(b) of the provisional agenda¹

**UPDATED TERMS OF REFERENCE FOR AN IN-DEPTH COMPREHENSIVE
EVALUATION OF THE COMPLIANCE ASSISTANCE PROGRAMME****Introduction**

1. At its 93rd meeting, the Executive Committee approved the terms of reference (TORs) for a desk study for the evaluation of the United Nations Environment Programme (UNEP) Compliance Assistance Programme (CAP), contained in document UNEP/OzL.Pro/ExCom/93/12/Rev.1. The desk study constituted the first phase of the evaluation, aimed at taking stock of the evolution and achievements of the CAP since the previous evaluation completed in 2007.²
2. The desk study was presented at the 95th meeting in document UNEP/OzL.Pro/ExCom/95/11. The Executive Committee reaffirmed the importance of CAP, particularly in the context of HFC phase-down, and supported a more comprehensive second-phase evaluation focused on CAP's impact and effectiveness as a global programme.
3. During the discussion, Executive Committee members noted that the desk study, by design, reviewed available documentation to develop preliminary findings, and that more elaborate dimensions, such as the impact and effectiveness of CAP, should be addressed in the second phase of the evaluation. Members suggested that the second phase assess CAP as a global programme, which would not necessarily require field missions. They also proposed that the TORs cover support to Article 5 countries on energy efficiency projects, a deeper analysis of barriers and challenges affecting implementation, and the concerns reported by Article 5 countries to the Thirty-Sixth Meeting of the Parties, through a focus on systemic issues and interviews with national ozone units (NOUs). Members highlighted possible areas of focus, including the regional networks, supply-chain challenges, enforcement and illegal trade, data submissions, case studies and standardized implementation guidance, and outreach on low-global-warming-potential technologies to low-volume-consuming (LVC) countries. It was also stressed that CAP's role should be distinct from UNEP's role as an implementing agency, particularly given its clearing-house function, and that the focus

¹ UNEP/OzL.Pro/ExCom/99/1

² UNEP/OzL.Pro/ExCom/52/9

of CAP should be to help Article 5 countries strengthen national mechanisms and frameworks to achieve and sustain compliance during the HFC phase-down. Finally, members indicated that any revision of the CAP performance indicators should be kept separate from the evaluation.³

4. Subsequently, the Executive Committee requested the then Senior Monitoring and Evaluation Officer (SMEO) to present at the 97th meeting⁴ updated TORs for an in-depth comprehensive evaluation of the CAP taking into account the suggestions made by members at the 95th meeting on the desk study, the follow-up to the evaluation of regional networks of national ozone officers (NOOs) under decision 92/5 including the report by UNEP OzonAction to the 96th meeting,⁵ and the possibility for the evaluation to provide insights for the further revision of CAP performance indicators (decision 95/9).

Main findings and lessons learned from the first phase

5. The first phase reviewed the governance arrangements, activities and functioning of the CAP over the period 2007–2023, mainly through documentary review complemented by selected interviews. The desk study conveyed an overall positive assessment of the CAP. It found the CAP to be highly valued and effective in strengthening compliance in Article 5 countries, serving as an important link between country-level realities and the institutions involved in implementation of the Montreal Protocol. It also found that CAP services had evolved in response to changing country needs, including through increased regionalization, a shift in focus from CFC phase-out to HCFC phase-out and HFC phase-down, more country-driven capacity-building approaches, greater use of digital knowledge services, country-to-country cooperation, and engagement with relevant partners.

6. The desk study identified a number of lessons learned and good practices that could inform the second phase. Structured exchanges between countries, country-pairing arrangements, regional expertise rosters, sharing of case studies and regional cooperation on standards, customs training and enforcement were found to support the transfer of experience and practical problem-solving. The experience during the COVID-19 pandemic also showed that virtual tools could complement in-person activities and help maintain the continuity of CAP support.

7. The desk study also identified matters requiring further examination. The existing CAP performance indicators were considered no longer sufficient to provide a meaningful account of programme performance; further clarification was considered necessary regarding the roles and distinct activities of the CAP and UNEP as an implementing agency; and the reporting requirements applicable to the programme were considered complex and potentially burdensome.

Rationale for the second phase

8. The second phase is well-timed in view of the increasing importance of the CAP during HFC phase-down. Article 5 countries are implementing the final stages of HCFC phase-out management plans (HPMPs) while preparing and implementing Kigali HFC implementation plans (KIPs) and addressing related issues, including energy efficiency, life-cycle refrigerant management (LRM), supply-chain constraints, enforcement, data reporting and the sustainability of achieved reductions. The evaluation should therefore assess the extent to which CAP services are responding effectively to compliance and associated evolving needs, and to the different circumstances of Article 5 countries.

9. The evaluation should also consider whether CAP support enables countries to respond to the constraints that may affect the adoption of alternatives, including access to reliable information on suitable

³ UNEP/OzL.Pro/ExCom/95/94, paras. 54-59

⁴ Due to the retirement of the SMEO, the submission of the TORs was postponed to the 99th meeting, under the responsibility of the newly appointed Senior Evaluation Officer (SEO)

⁵ UNEP/OzL.Pro/ExCom/96/10

technologies and global trends, enforcement mechanisms, and illegal trade, wherever those matters fall within the CAP mandate.

10. The evaluation of regional networks of NOOs found that the networks had performed well and identified a roadmap for further improvement. In line with decision 92/5, UNEP OzonAction reported to the 96th meeting on actions taken in relation to the planning and organization of network meetings, reporting and follow-up, inter-regional exchanges, participation of relevant stakeholders, promoting women's participation and empowerment, participation of implementing and bilateral agencies, and continued use of virtual modalities. The second phase of the desk study will evaluate the contribution of these actions towards the overall effectiveness of CAP delivery.

11. The discussion at the 96th meeting also highlighted matters relevant to the second phase of the CAP desk study, including keeping compliance with the Montreal Protocol as the fundamental purpose of activities financed by the Multilateral Fund; the value of earlier preparation of network meetings; and the need for stakeholder participation to remain relevant to the needs of the NOUs.

12. Finally, the 2007 evaluation of the CAP, contained in document UNEP/OzL.Pro/ExCom/52/9, provides an additional reference point for assessing the programme's evolution. That evaluation emphasized, inter alia, assistance to countries in actual or potential non-compliance, strengthening national capacities and regulatory frameworks, country-to-country assistance, sustainable training capacity, cooperation between customs and environment authorities, regional cooperation on enforcement, and close coordination among implementing and bilateral agencies. The second phase should examine the continued relevance of those findings and the extent to which the CAP has adapted those approaches.

Objective and scope

13. The objective of the second phase is to assess, in greater depth, the relevance, effectiveness, impact and efficiency of the CAP as a global programme in assisting Article 5 countries to achieve and sustain compliance with the Montreal Protocol and its amendments. The evaluation will build on, and not repeat, the documentary review undertaken during the first phase, and will use updated evidence and direct inputs from the NOUs and the implementing and bilateral agencies.

14. The evaluation will cover all components of the CAP and their contribution to the programme's overall results. It will consider, as applicable, direct country assistance and capacity building; information exchange and the clearing-house function; country-to-country cooperation; regional and inter-regional support; cooperation with the Fund and Ozone Secretariats, the bilateral and implementing agencies and other relevant stakeholders; and the relationship between CAP services and the implementation of Multilateral Fund-supported projects.

15. The evaluation will give particular attention to the specific needs of LVC countries, which often face constraints that differ from those of countries with higher consumption, including limited institutional and technical capacity, small national markets, and limited availability of trained technicians and service infrastructure, among others. In this context, the CAP plays an important role in supporting LVC countries by providing continuous policy and technical advice, strengthening the capacity of NOUs, facilitating access to regional expertise, and helping countries address emerging challenges. The analysis will therefore assess the extent to which CAP support is responsive to the specific circumstances of LVC countries, including differences across regions, and will identify whether tailored approaches, enhanced regional support, targeted capacity building, or other forms of assistance may be needed to strengthen implementation and sustain results.

16. The analysis will also consider the geographical distribution of Article 5 countries and the extent to which needs, barriers and the effectiveness of CAP support vary across regions. Regional context can significantly influence implementation, as countries may face different institutional capacities, market

conditions, technical infrastructure, access to servicing equipment and refrigerants, availability of trained technicians, transport and logistical constraints, and opportunities for regional cooperation. The evaluation will therefore assess regional patterns and differences in the effectiveness of CAP assistance and, where relevant, identify region-specific barriers, lessons learned and recommendations to ensure that support is appropriately designed for the circumstances of each region.

17. The regional networks will be considered as an integral component of the CAP only to the extent necessary for the global assessment of the programme and for following up on decision 92/5 and the implementation of the roadmap report presented in document UNEP/OzL.Pro/ExCom/96/10. The evaluation will not repeat the evaluation of the regional networks completed in 2023.

18. The evaluation will examine the respective roles, functions and activities of the CAP and UNEP as an implementing agency under the Multilateral Fund, including the clearing-house function, with a view to assessing whether responsibilities are sufficiently clear and whether duplication or gaps arise in programme delivery.

19. The evaluation will examine the reporting and administrative requirements applicable to the CAP, including reporting to UNEP and to the Executive Committee, and assess whether the existing arrangements support efficient programme delivery and the effective use of staff resources.

20. Consistent with the discussion at the 95th meeting, the second phase of the evaluation study will not revise or propose a new set of performance indicators. However, the evaluation may provide evidence and insights relevant to a future revision of CAP performance indicators.

Methodology

21. The evaluation will be undertaken by an independent consultant under the supervision of the SEO and in line with applicable evaluation norms and standards. The methodology will be agreed with the SEO and designed to assess the CAP as a global programme and to provide sufficient evidence on outcomes and impact, while avoiding duplication of the first-phase desk study and the completed evaluation of the regional networks.

22. Evidence will be collected through a review of the documentation of the programme, including the triennial CAP strategies, annual work plans and budgets, progress and financial reports, the logical framework and theory of change of the programme, the reports of the network and thematic meetings, the relevant decisions of the Executive Committee meetings, the discussions of relevance occurring at inter-agency coordination meetings, and the previous evaluations, as well as the evidence collected during the first phase.

23. A set of key information-gathering interviews will be conducted with: CAP management and staff teams at the global and regional levels; staff of the Multilateral Fund Secretariat, and the Ozone Secretariat; staff of implementing and bilateral agencies; members of the Executive Committee; targeted NOUs; and selected technical or other stakeholders, where their participation is directly relevant to the issues being assessed. In addition, a survey will be addressed to NOUs across all regions and will be tailored to address regional priorities and conditions. The evaluation is designed as an assessment of the CAP as a global programme and does not require field missions.

24. The methodology will combine quantitative and qualitative information and will cross-check evidence from different sources. Results will be considered against the CAP mandate, expected results and applicable performance framework. The assessment of impact and effectiveness will distinguish, to the extent possible, the contribution of CAP services from the contribution of projects implemented by UNEP or other agencies.

25. The consultant will prepare an inception report, in line with the guidelines of the Multilateral Fund evaluation unit, setting out the evaluation matrix, the selection of the stakeholders to be consulted, the data-collection methods including the development of the survey to be sent to the NOUs and the detailed timetable. The proposed indicative list of evaluation questions presented in annex I to the present document is an integral part of the present TORs and are to be addressed by the evaluation; additional questions may be identified during the preparation of the report, as needed.

26. The tasks and actions required of the consultant will be commensurate with the objective and the scope of the evaluation as set out in the present TORs.

Expected result

27. The final report will provide an analytical assessment of the CAP as a global programme, examining its relevance, effectiveness, impact and efficiency. It will include the key findings, lessons learned and propose specific, measurable, achievable, relevant and time-bound (SMART) recommendations for the consideration of the Executive Committee. The report will include a dedicated analysis of: (a) the impact and effectiveness of CAP support as a global programme and the results at the country level; (b) recurrent barriers and challenges affecting implementation, and the contribution of CAP to addressing them; (c) the follow-up to the regional-network evaluation and decision 92/5; (d) reporting and administrative arrangements; and (e) evidence and insights relevant to any separate future revision of CAP performance indicators.

Budget and schedule

28. The budget requirements will depend on the approved proposed evaluation work programme for the year 2027 contained in document UNEP/OzL.Pro/ExCom/99/12 submitted at the present meeting. An amount of USD \$30,000 is requested to conduct the evaluation. The final report is scheduled to be submitted at the 101st meeting.

Recommendation

29. The Executive Committee may wish to approve the terms of reference for the second phase of the evaluation of the UNEP Compliance Assistance Programme (CAP) contained in document UNEP/OzL.Pro/ExCom/99/10.

Annex I

EVALUATION QUESTIONS

The proposed indicative questions listed below are to address the second phase of the desk study. They are grouped in three thematic areas and the order in which they are presented does not imply any hierarchy.

Thematic area I: Impact and effectiveness of the Compliance Assistance Programme

- (a) **Impact, relevance and effectiveness:** To what extent has the Compliance Assistance Programme (CAP) contributed to Article 5 countries achieving and sustaining compliance, and how relevant, effective and efficient are its components and services in responding to country needs and Executive Committee priorities?
- (b) **Building and sustaining capacities:** How has the CAP strengthened the capacities of national ozone units and relevant national institutions including through training of trainers, national training arrangements, cooperation with professional associations and relevant authorities, and supported continued access to expertise in relevant areas including licencing systems, data reporting, and illegal trade, and what additional capacities are needed for sustaining results?
- (c) **Support to project implementation and data reporting:** How effective is CAP support to projects, including Kigali HFC implementation plans, implemented by UNEP and other implementing and bilateral agencies? How effective is CAP support to Article 7 and country programme data collection and reporting?
- (d) **Relationship with agencies and international institutions:**
 - (i) To what extent has CAP effectively collaborated and coordinated with implementing agencies, and how effectively does its support respond to their evolving needs and expectations?
 - (ii) To what extent has CAP established and leveraged partnerships with relevant international institutions and professional networks, such as the American Society of Heating, Refrigerating and Air-Conditioning Engineers, International Organization for Standardization, etc. and how could these relationships be further strengthened to translate international technical expertise and knowledge into practical guidance and assistance at the country level?
- (e) **Regional networks and country-to-country cooperation:** To what extent have the actions implemented under the regional-network roadmap enhanced and strengthened the services provided by CAP?

Thematic area II: Mandate, structure and mechanisms of the CAP

- (f) **Mandate and clearing-house function:** How clearly are defined and implemented the CAP functions, particularly the clearing-house function, and are there any gaps or overlaps that affect programme delivery, reporting or funding?
- (g) **Strategy, structure, resources and planning:** How is the CAP's triennial strategy effectively utilized to set the programme's actionable strategic priorities and work plans?

How does the CAP's structure, resources, and planning correspond to and ensure the effective implementation of the strategy?

- (h) **Reporting and performance indicators:** How could CAP reporting and administrative requirements be streamlined to place better emphasis on outcomes and impact, and what evidence could inform a separate future review of performance indicators, particularly for capacity-building and sustainability?

Thematic area III: Constraints and the way forward

- (i) **Systemic barriers, supply chains and enforcement:** What recurrent barriers affect implementation in Article 5 countries in meeting their Montreal Protocol obligations, including access to information on technologies, supply chain constraints, availability of technical expertise, policy and regulatory frameworks, enforcement and illegal trade, and how effectively does CAP within its mandate, assist countries in addressing them?
- (j) **Guidance, compliance, technology outreach and emerging areas:** To what extent are the guidance, case studies, and outreach provided by CAP effective in assisting countries, particularly LVC countries, with meeting compliance schedules, and addressing issues of energy efficiency, technology transition, disposal, standards and safety?
- (k) **Challenges good practices, lessons learned and future delivery:**
 - (i) To what extent CAP evolved, and how should its role further adapt, in response to emerging policy and implementation priorities, including the transition from HCFC phase-out to HFC phase-down and the increasing integration of energy efficiency, life-cycle refrigerant management, and other evolving priorities under the Montreal Protocol?
 - (ii) What lessons from the final report on the evaluation of the CAP programme (2007)⁶, the desk study for the evaluation of the CAP (2024)⁷, the final report on the evaluation of regional networks of national ozone officers⁸ and the proposed evaluation should inform the future delivery of CAP services?

⁶ UNEP/OzL.Pro/ExCom/52/9

⁷ UNEP/OzL.Pro/ExCom/95/11

⁸ UNEP/OzL.Pro/ExCom/92/6