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制冷剂管理计划联系小组的报告

本文件包括：

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第三部分： 组长就可能列入决定的内容提出的供第二十九次会议进一步讨论的建议

第四部分： 执行委员会成员和各执行机构对制冷剂管理计划的评论

第一部分

秘书处的说明

1. 执行委员会第二十七次会议成立了一个联系小组，以便审查与制冷剂管理计划有关的问题，并对审查当前制冷剂管理计划项目提案的编制准则的必要性进行评估。
2. 该联系小组在其提交执委会同次会议的报告中指出，在制冷剂管理计划方面采取的方式受到若干因素的制约，其中一些因素有可能对制冷剂管理计划项目的编制和执行带来不利影响。这些因素除其他外包括：时间上的限制、投资项目的供资需求、逐个审批项目的制度、可以低廉的成本获得大量 CFC、低耗量国家的状况、政策和法律框架的缺乏以及为各执行机构规定的效绩指标。联系小组还指出了在改变上述方式方面的若干需要，并认为，有必要收集资料和实地工作经验并加以消化，从中得出结论。
3. 执行委员会根据联系小组的初步调查结果决定如下（第 27/85 号决定）：
 - (a) 请执委会成员和各执行机构，包括双边机构，以书面形式向秘书处送交其意见和实地经验，以便该联系小组在执委会第二十八次会议期间进行讨论时参考，并同时顾及 UNEP/OzL.Pro/ExCom/27/Inf.4 号文件以及可能与其他政策问题之间存在的联系；
 - (b) 请监测、评价和财务问题小组委员会审议与编制和执行制冷剂管理计划有关的效绩指标。
4. 截至 1999 年 6 月 1 日，已有下列国家政府提交了关于制冷剂管理计划的评论：加拿大、意大利（由与意大利占有同一席位的德国提供）、瑞典和巴西（由与巴西占有同一席位的乌拉圭提供），环境规划署技工经部也提交了评论。基金秘书处随后对收到的评论进行了汇编，并将其分发给联系小组的所有成员。
5. 联系小组组长在执行委员会第二十八次会议上报告说，该小组尚无法达成结论，并决定其成员应在 1999 年 9 月 1 日之前就此问题向组长提交书面评论。将对这些书面评论进行综述，以便为联系小组下次会议的进一步讨论提供新的基础。组长希望联系小组届时将能够达成结论，以便使执行委员会可在其下次会议上依据充分的资料作出决定。
6. 联系小组的组长提供了一份由以下部分组成的文件：
 - 制冷剂管理计划：组长的综述报告。
 - 组长就可能列入决定的内容提出的供第二十九次会议进一步讨论的建议。
 - 执行委员会成员和各执行机构关于制冷剂管理计划的评论。

以上部分已分别作为第二、第三和第四部份在本文件中转载。组长请秘书处将其分发给执行委员会所有成员。

第二部分

制冷剂管理计划：组长的综述报告

新制冷剂管理计划的编制和执行

执行委员会第 23/15 号决议指出：“制冷剂管理计划的总目标是制定和规划一项战略，以便对制冷和空调设备维修中新产 CFC 制冷剂的使用进行管理，并逐步停用这种制冷剂。”。

当前核准的制冷剂管理计划没有达到这一目标。这些计划的根本弱点在于没有触及关键问题，这个问题是，用于维修（以及现场安装）的 CFC 制冷剂耗量主要是小企业和每个设备业主耗用的，而且其中很多企业是非正式属于非正式部门。

为了达到第 23/15 号决议所规定的目标，必须制订出能够根据《议定书》规定的日程**同时在正式部门和非正式部门**停用 CFC 制冷剂的行动计划。该行动计划必须不仅以维修技师为对象，而且还着手解决制冷剂和 CFC 设备的供应问题，并以设备业主为对象，克服其选用最廉价的解决办法的倾向。作为行动计划的依据，必须对每个次级行业的当前耗量和将来可能的耗量进行详细评估，并对维修企业当前的体制、培训情况、商业操作法和操作方式进行评价。这项计划必须考虑到可以采用的强制实施机制以及如何实现可持续性。行动计划必须综合采用各种方式，其中包括法规、经济鼓励措施和惩罚措施、培训、宣传以及同工业界的合作，因为其中的任何一项单独措施都不足以实现所规定的结果。我们面临的挑战是根据每个国家的当前条件，确定在现有的时间内应该如何综合采取以上措施才能够实现取得所规定的成果（其决定因素包括 CFC 基准耗量、CFC 当前耗量以及进行中或规划中的项目所产生的作用）。因此，行动计划必须因具体国家而异。在制订行动计划时必须同有关国家的主管当局、工业界和培训机构进行密切合作。

确定如何正确地综合采取各种措施的的工作将在两个层面上进行。**第一个层面**包括确定总体战略。这将包括解决像以下这样的问题：

- 用于维修/安装的 CFC 耗量在各次级行业之间的分布情况如何？每个行业维修企业的当前体制、培训工作等等的情况如何？有什么样的趋势？（所提交的制冷剂管理计划通常相当全面地涉及了这些问题）
- 政府能够采取什么样的措施来减少上述 CFC 耗量？
- 通过培训维修技师可以减少多少耗量？应进行什么样的培训？为取得这样的成果最起码需要什么样的设备？
- 是否应该规定，只有具备适当培训和设备的经过批准的企业才有权维修和安装 ODS 设备？如果并非如此，应该如何解决经过培训的技师和没有经过培训的技师之间的价格竞争？
- 是否应该对 ODS 制冷剂实行管制？应该如何实行管制？

- 应该如何尽量减少非法进口的风险？
- 是否可以通过任何政府决定来影响 CFC 的价格？如何影响？
- 应该如何防止发生恢复使用 CFC 制冷剂的情况？是否应该对二手 CFC 设备的进口实行管制？
- 可以建立什么样的强制实施机制？
- 是否应该实施经济鼓励措施和/或惩罚措施？应该实施什么样的鼓励措施和/或惩罚措施？
- 可以采取何种方式来鼓励设备业主选用回收 CFC 制冷剂和实行良好做法的经过培训的维修企业？
- 为回收制冷剂和正确保养设备所必要的培训、设备和额外时间费用在原则上应该由消费者承担，还是由维修企业或政府承担（无论多边基金是否提供资助）？例如，是否应该为回收/再循环设备提供补贴？是否应该提供优惠贷款？培训是否应该免费？
- 按照以上方式确定的综合措施是否有可能如期和按照规定减少耗量（把非正式部门考虑在内）？

第二个层面包括从细节上解决上述问题，例如：

- 应该如何组织培训，以便使当前的所有企业都有可能得到培训？
- 应该如何对所有培训教师进行必要的培训，以便确保现有的所有技师以及所有新的技师都获得适当的培训？
- 应该对职业培训课程进行什么样的修改？
- 在企业一级需要什么样的设备？
- 是否应该对某些次级行业予以例外处理？这些例外对于达到预定指标有什么样的影响？
- 应该对供应厂商和设备业主实行什么样的具体规定？
- 应该由谁进行审批和颁发证书？审批应该以什么样的条件为依据？是否应该对所有型号的设备适用同样的规定？
- 是否应该规定对企业的销售情况和/或采取的措施予以记录？
- 应该实施何种水平的经济鼓励措施和惩罚措施？

- 谁应该有资格享受鼓励措施？
- 应该如何与工业协会进行合作？这些协会将发挥何种作用？
- 向设备业主提供的资料应该有什么样的内容，以便足以说服其选用经过培训的维修技师？
- 决定采取的行动的费用如何？应如何筹集这些费用？
- 各种法规和其他决定可以在什么时候生效？

以上所有问题都将最后决定政府法规和其他决定的确切内容。

以上关于第一层面的描述与制冷剂管理计划联系小组今年 7 月份关于“可能列入决定的内容”的文件中的描述大致相同，后者对第一层面的描述是：“对制冷行业进行充分和详细的评估，并制定一项编制和执行制冷剂管理计划的详细行动计划”。然而，本文的描述在一定程度上超出了“详细行动计划”的范围，因为其中像为制冷剂管理计划执行工作第一阶段所规定的那样，对一项“包括体制和法律措施在内的停用受管制物质的全面战略”作出了初步决定。第二层面包括了第一阶段的其余工作（实际制订法规等）。本文因此是对 7 月份文件的修改，并考虑到了美国和加拿大针对把制冷剂管理计划执行工作的第一阶段活动列入制冷剂管理计划编制工作的必要性所作的评论。

上文关于有待解决的问题的描述是为了指出为达到第 23/15 号决议所规定的制冷剂管理计划目标所必需审议的问题。迄今核准的各项制冷剂管理计划采取的是一种较为有限的方式，其产出一般限于以下项目：对培训教师和维修技师进行良好的制冷剂管理做法的培训、海关官员培训以及分发回收/再循环设备（在当前从事维修行业业务的维修企业中，仅向有限的一部分企业提供了回收/再循环设备）。这些已经核准的制冷剂管理计划并没有规定要达到所规定的目标，以便按照《议定书》中适用的规定削减耗量。这种较为有限的方式是根据《制冷剂管理计划编制准则》第 3.1 条采取的，该条规定，制冷剂管理计划“将根据所涉国家的具体需要包括以下全部或某些内容：1. 为制冷设备维修技师举办培训方法。2. 回收和再循环制度。3. 海关官员培训。4. 改进资料收集和监测制度，并对 ODS 制冷剂的耗用实行管制。”

为编制和执行制冷剂管理计划所提供的经费是为了实现《准则》第 3.1 条所规定的较为有限的目标，“自动的预算”为 30,000 美元。一个参与编制制冷剂管理计划的顾问告知我们，这种“自动的”预算包括支付为期一周的实地访问费用，以便向某个当地的顾问讲解如何收集数据和对当前情况进行评估，并包括支付编制上述标准提案的案头工作费用。如果与国家方案结合执行，利用这笔经费也许能够进行为期两周的实地访问。很显然，由于这种投入数额有限，因此甚至无法解决上述第一层面的问题。没有为实现第二层面所述成果提供任何经费，或仅为此提供了非常有限的经费。

执行委员会必须决定，制冷剂管理计划的目的到底是为了确定为达到第 23/15 号决议规定的目标（这意味着遵守《议定书》所规定的时限）而必须采取的措施，还是为了实现《准则》第 3.1 条规定的较为有限的目标。然后必须根据任务的艰巨程度的提供经

费。

制冷剂管理计划的编制和执行之间的关系

第一层面可以成为，也应该成为所有制冷剂管理计划的组成部分之一，对于第二层面，则可以将其视为制冷剂管理计划执行工作的一部分。

如果意识到需要把建立必要的法律和体制框架的工作分为不同的步骤来进行，可以解决当前在执行过去核准的制冷剂管理计划的组成部分方面遇到的拖延问题。可以根据政府在第一层面作出的决定开始这些活动，同时着手制订法规和决定的细节。这将符合执委会的以下决定：在有关法规已经到位“或已经在颁布这些法规方面取得重大进展”之前，不应着手执行制冷剂管理计划中的某些组成部分。在法规切实到位之前开始实际的执行工作会有一些不利之处，但也有一些可能比不利之处更为重要的有利之处。这样做将意味着在对培训教师、维修技师和海关官员进行培训的时候，可以向其指出需要颁布什么样的规定以及鼓励措施/惩罚措施，但并不确切指出将何时和如何实行这些措施。有利之处在于这种早期的警告将使企业、机构、主管当局和设备业主对即将颁布的规定做好准备。这样做还将使得政府能够在作出最后决定时把取得的经验和发表的评论考虑在内。对7月份的提案作出的这种修改考虑到了意大利（德国）和其他方面表示的以下担心：如果把执行工作分成两个阶段，将有可能造成拖延。上述修改还使得没有必要来决定某项具体类型的活动到底属于什么阶段。

如果采取各种方式，在提交制冷剂管理计划时将需要为建立体制框架的具体工作提供经费，并为进行实际活动提供经费。与7月份提案所建议的两个阶段的执行方式相比，这种办法的不利之处在于必须根据初步数据估计实际执行工作的费用，但有利之处在于政府在作出最后决定时能够确切地知道哪一部分经费将由多边基金提供，从而知道哪些经费需要通过其他方式筹资。

制冷剂管理计划编制经费和执行经费的筹集

很明显，主要的投入必须来自本国资源，尤其是来自国家臭氧机构。

但是，无论在总体上还是在细节上制订战略，都显然需要国际技术援助。实际上，政府战略的成败与否取决于细节。因此，应该从一开始就对细节加以深思熟虑（除其他外，各项法规何时可以生效的问题是一个关系到实际执行工作的关键问题，如何确保得到那些受决定影响的方面的支持也很重要）。在通过一项法规之前进行调整相对容易，如果在法规通过以后进行改动，就会很快地丧失信誉和成功的可能性。对错误的纠正会使停用战略的成功执行拖延多年。

在制订总体战略（第一层面的工作）的时候，提供的经费应该包括当地顾问费用以及国际政府专家和制冷行业专家的费用（正如开罗讲习班所指出的那样，同时具备足够的政府工作经验以及工业/技术经验的人士很少）。作为最起码的要求，需要派遣国际专家进行初步考察，其中包括开始对当前情况进行调查的实地访问，以及另外进行二次访问，以便对上述这一层面的所有问题的潜在对策和解决办法进行讨论和审议（并在这类考察之间进行筹备和咨询工作）。

在第二层面进行的细节上的工作需要同样的技术援助。原住的程度将以所涉国家的 CFC 制冷剂耗量、企业和技师数目、所涉问题/解决办法的复杂性和其他因素而定，但需要的经费很可能与第一层面需要的经费相当。

在就法规和鼓励措施作出详细决定的时候，政府必须了解在实际执行（包括对培训教师进行培训、向培训机构等提供设备、在企业进行培训、提供企业需要的设备、宣传、与工业协会进行合作以及其他活动）费用中有多少将由多边基金支付，到底是足额支付还是作为像补贴或优惠贷款这样对鼓励措施提供的资助来支付。因此，执行委员会亟需就这一问题作出一项政策性决定。

时间是一个重要因素。对于那些其制冷行业的耗量相当于基准耗量的三分之二或更多的国家来说，时间已经不多。尤其重要的是，按照规定在 2007 年 1 月 1 日之前实现把耗量削减 85% 的目标将是一项艰巨任务（从今天算起只有 6 年的时间）。法规和其他决定的到位将至少需要一年的时间。在那些有很多维修企业的国家，至少需要另外一年的时间来对所有有关的企业进行培训。这样，仅有 4 年的时间来使所通过的措施在削减耗量方面发挥作用。因此，第 5 条国家现在必须得到必要的体制援助和技术援助，才能执行这一任务。这种需要不仅适用于低耗量国家，而且在同样程度上适用于中等耗量和高耗量国家。我们如果不马上提供必要的援助，就很有可能在 2007 年和 2010 年发生广泛的不遵守《议定书》的规定的现象。在资金方面，体制援助和技术援助所需要的费用与当前基金为投资项目提供的费用相比是很少的。如果不适当解决维修部门的问题，花在投资项目上的资金会有很大一部分被浪费，制冷行业正在发生的倒退现象就有可能导致这一情况。

已经核准的制冷剂管理计划

那些其制冷剂管理计划已经得到核准的国家在制订一项在非正式部门和正式部门停用 CFC 制冷剂的战略时，一般没有得到任何技术援助。一些执行机构，尤其是双边机构，曾试图在其现有资源的范围内（有时是利用多边基金资金，有时则不是）提供某些帮助。这种缺乏技术援助的现象正在使制冷剂管理计划的执行工作受到拖延，从而危及各国能够按时控制 CFC 耗量的前景。各国在制订一项能够按规定削减 CFC 耗量的战略时应该能够得到额外援助。鉴于已经或者即将在一些国家采取某些措施，这种额外援助必须根据每个不同的情况来提供。

可以根据当前的规则开始执行已经核准的项目，并同时考虑到，那些按规定在开始执行之前有关法规必须已经到位或在颁布这些法规方面已经取得重大进展的项目应该能够在就全面战略作出初步决定时立即开始执行。

订正准则

已经核准的《制冷剂管理计划编制准则》除了第 3.1 条的关键案文以及没有强调非正式部门的重要性之外，对编制制冷剂管理计划所需要进行的工作进行了相当好的说明，尽管其中不少说明很泛泛。可以成立一个小型的工作组，以便根据现有的经验对《准则》进行审查。然而，执行委员会首先需要解决第 23/15 号决定与第 3.1 条规定的产出之间的矛盾之处。此外，解决哪些组成部分应被视为符合分别供资条件的问题也许是有必要的，并很可能更为恰当。

HCFC

环境规划署提议，应该把 HCFC 制冷剂包括在内。我们支持这一提议。

概述

新的制冷剂管理计划的编制

在核准编制新的制冷剂管理计划之前，执行委员会必须决定是应该按照《准则》第 3.1 条来规定预计的产出，还是按照第 23/15 号决定来规定产出。在这方面，可以考虑对第 23/15 号决定进行修改，从而也把 HCFC 制冷剂包括在内。我们认为，制冷剂管理计划应该以按照规定削减 ODS 制冷剂耗量为目标，以便遵守《议定书》所规定的适用期限，*但条件是*，多边基金应该为这一相当困难的任务提供适当的技术援助。这样，便可以按照经过有关决定进行了适当修改的核定准则来编制制冷剂管理计划。

以下的评论所依据的假设是，我们的任务是达到第 23/15 号决定规定的各项目标。这些评论考虑到从美国、加拿大、意大利（德国）和环境规划署收到的评论，对七月份提案进行了修改。

制冷剂管理计划应该对制冷行业进行充分和详细的评估，并就一项全面战略作出初步决定，该项战略应该确定为了在适用的《议定书》期限之内停止 ODS 制冷剂所需要采取的体制措施和立法措施。该战略还应包括申请为建立法规和体制框架进行具体工作提供经费，并申请为停用活动的实际进行提供经费。

制冷剂管理计划的执行

因此，制冷剂管理计划的执行工作将包括颁布法规和体制措施方面的具体工作以及所决定的措施的实际执行工作（7 月份的文件在“制冷剂管理计划的执行”第一阶段和第二阶段中提供了这方面的例子，上文关于“第二层面”的说明也提供了这样的例子）。

已经核准的制冷剂管理计划

应该以逐案决定的方式向那些尚未制订出一项全面战略的国家提供技术援助，以便达到第 23/15 号决定所规定的各项目标。以经核准的制冷剂管理计划可以根据现行规则开始执行，同时考虑到，那些正在等待颁布法规的项目应该在就全面战略作出了初步决定的时候立即开始执行。

经费问题

正如上文进一步阐述的那样，多边基金应该在编制制冷剂管理计划以及在执行阶段提供适当的技术援助，以便为达到第 23/15 号决定所规定的各项目标制订和设计法律和体制框架。

执行委员会还应该决定需要向实际执行工作（对培训教师进行培训、对当前从事维

修工作的技师进行培训、建立行业协会、宣传、向培训机构提供设备、提供鼓励措施/向企业的设备提供补贴和其他工作）提供何种程度的资助。应该根据制冷行业的 ODS 耗量以及成本效益阈值以一种全球的方式对这样的活动提供资助，同时规定最起码的固定费用，以便将此作为一种可能取代逐项确定费用方式的办法。

订正准则

在就制冷剂管理计划的预计产出作出决定的基础上，可以成立一个小组来根据现有的经验对准则进行订正（除其他外，考虑到开罗讲习班所发表的评论）。

第三部分： 组长就可能列入决定的内容提出的 供第二十九次会议进一步讨论的建议

编制新的制冷剂管理计划

应该根据核准的准则来执行制冷剂管理计划编制项目。如果具备以下条件，将认为制冷剂管理计划已经编制完成，可供审批和随后执行：对所涉国家的制冷行业进行了全面和详细的评估，并提出了一项全面战略，其中包括详细说明为在制冷行业停用受管制物质所必需的体制措施和法律措施（包括设备在内）。

在编制制冷剂管理计划期间除了对制冷行业进行详细评估之外，还将进行一些可以立即进行的活动，例如制订法规、宣传活动、促使专业协会的参与、规划并组织关于良好做法的培训活动、海关管制、修改职业培训课程等等。

制冷剂管理计划应该包括申请为这些活动提供经费，并申请提供所提交的战略中列举的必要设备。

制冷剂管理计划的执行

一旦制订了体制和法律框架，应该开始进行可行的制冷剂管理计划活动，例如建立体制框架的详细工作、执行法规、执行回收和再循环方案、进行培训活动、举办宣传活动、对海关官员进行培训、设备改装。

已经核准的制冷剂管理计划

应该尽量根据执委会的现行规则开始/继续执行已经核准的制冷剂管理计划。

如果制冷剂管理计划的某些构成部分在核准编制项目时没有列入该项目，但是在开始执行编制项目时经确定，为了使制冷剂管理计划可以达到其最终目的，该构成部分是必要的，可以在补充项目提案中提交这些构成部分。执行委员会可以个案方式对这种补充提案进行审议。

财务问题

由于在编制制冷剂管理计划时加入了很多新的活动，所需要的资金数额必须增加 [x] %。

应该以现行准则的规定以及自这些准则通过以来所取得的实际经验为根据，对当前为制冷剂计划项目的编制和执行提供的经费是否充分的问题进行审查。在这样做时，国家主管当局的活动【此处的英文原文有误一翻译】。

还可以考虑采取一种全球方式，结合采用成本效益阈值和固定基本费率为制冷剂管理计划提供资金。

对准则的订正

可以考虑根据最新的经验，特别是根据在开罗制冷剂管理计划审查会议报告（UNEP/OzL.Pro/ExCom/27/inf.4 号文件）中提出的建议来考虑对现行准则进行具体的修改。尤其可以考虑是否把下列构成部分视为符合供资条件：为制订法规提供的协助、培训机构的设备、为改装活动提供的财务鼓励措施、销毁无法使用的制冷剂。

第四部分：执行委员会成员和各执行机构对制冷剂管理计划的评论

Part IV

Comments on refrigerant management plans from members of the Executive Committee and Implementing Agencies

COMMENTS FROM CANADA

Preparation of new RMPs

The government of Canada agrees that the preparation of new RMPs should follow the existing, approved guidelines, and supports the definition laid out in the Swedish proposal regarding what constitutes a RMP ready for implementation.

Canada would however, like to suggest that Phase 1 (inclusion of institutional and legislative measures) contained in the 'Implementation of RMPs' section of the Swedish proposal be included, from hereon, in the preparation of new RMPs. The rationale behind this suggestion stems from the fact that at present, RMPs are approved for implementation with the stipulation that certain of their project elements (R&R programmes and, more recently, customs training) not be implemented, nor related funding disbursed, until such a time as "...relevant legislation [is] already in place or until substantial progress has been made towards promulgating such legislation". Although we feel that fulfilment of this requirement is necessary, it has engendered project implementation and fund expenditure delays due to the often complex and timely process required to amend existing or put in place appropriate legislative measures.

Incorporation of Phase I into the preparation of new RMPs would allow NOUs to focus on institutional capacity-building (adoption of appropriate legislative and regulatory measures, establishment of professional associations, etc...) from the outset, while simultaneously engaging all relevant national stakeholders and securing their 'buy-in' while the RMP is under formulation. In our opinion, RMPs formulated in such a fashion would be ready not only for immediate but also more effective implementation upon approval.

In order to provide adequate support for such capacity-building activities, Canada would support increasing the level of funding allocated to RMP preparation projects in order allow such components to be developed (25-50% seems reasonable). Management of such capacity-building activities should fall under the responsibility of the NOU.

Implementation of RMPs

As aforementioned, we are of the opinion that Phase 1 proposed under this section should figure under the development of RMPs stage of the process. As a result, the implementation of RMPs would proceed as it does now, but with the appropriate legislative framework already in place or at least well underway.

The RMP is meant to be a comprehensive terminal sector strategy and as a result Canada feels that from hereon, requests for funding should be made only once upon submission of the RMP for the consideration of the Executive Committee.

Already approved RMPs

Canada supports the notion that RMPs already approved should continue to be implemented under the present set of guidelines.

Canada does not favour the idea of having to review secondary requests for funding for all RMPs presently under implementation in order to address existing lacunae. This said however, in recognition of the fact that a significant number of RMPs already under implementation may lack some of the funding necessary for effective implementation, we would be amenable to reviewing requests for secondary funding on a case-by-case basis, where it is clear that without additional funds the overall terminal nature of the RMP will not be met, including instances where the establishment of an appropriate legislative framework is still pending. Acceptable levels of funding for such secondary requests could be considered on a case-by-case basis.

Financial Issues

Although we do not disagree with the idea of reviewing the funding requirements against implementation requirements through a more global approach, the speed at which RMPs are being implemented is somewhat slower than was initially expected. As a result, to date we do not really have any practical experience regarding the FULL implementation of RMPs, only of certain RMP components.

Although in principle a review of certain RMP components that have been more widely implemented (e.g. train the trainers in good management practices) could be undertaken, we would prefer to undertake evaluation of fully completed RMPs, and this may still take some time. As a result, it would seem that we are forced to continue to assess RMP funding requests on a case-by-case basis.

Revision of Guidelines

As indicated under section I of the Swedish proposal and as aforementioned under the 'Preparation of new RMPs' section of this document, Canada supports the continued use of existing RMP guidelines. This said, we would not be opposed to the guidelines being modified should a comprehensive evaluation of a number of fully implemented RMPs demonstrate that certain adjustments were necessary. However, since this information is not yet available we feel that at this time such a course of action would be premature.

At this time, consideration of financial incentives for retrofitting activities and destruction of unusable refrigerant is also considered premature.

One critique levied against the manner in which RMPs are developed and implemented is in regard to the use of a 'cookie cutter', standardized approach. We feel that the evaluation criteria

used by the Secretariat and all implementing agencies should be harmonized but not standardized, in order to allow national circumstances to be taken into consideration.

COMMENTS FROM ITALY

The following comments were provided by Germany (GTZ) which is co-opted with Italy

We welcome the idea to divide the implementation of RMPs into different phases, however, for some reason we have a different view concerning the proposed funding of RMP activities.

GTZ is currently implementing RMPs for 14 countries in Southern and Eastern Africa. The implementation takes place in several phases. For each country a detailed operational plan has been developed and is used as a guideline to the implementation of the RMPs. All activities are linked together in a logical sequence over a defined period of time. This step by step approach shows on the one hand the need for regulations to be defined and implemented before customs officer may be trained. On the other hand trainers have to be trained prior to the setting up of inland evening courses for technicians. In addition, this model allows experiences from the practical level to be fed back into the planning process which is essential for a flexible project planning.

It is the responsibility of the implementing organization to decide when the implementation of one activity is completed and the implementation of the following activity can commence. For this decision, appropriate monitoring instruments are required. The operational plan provides the basis for such a system.

A division of activities into two implementation phases to be approved by the ExCom would hamper the continuity of the implementation. Moreover, we anticipate that the split of activities will cause severe problems due to delay in the provision of funds.

Secondly, we feel that this suggestion does not take into account that the situation in the countries varies widely with respect to legislation. What has been proposed can be considered as one approach for a country with no legislation in place. But this approach must not necessarily meet the requirements of another country and, therefore, we should be careful not to set a precedence.

For the revision of the guidelines we suggest that the findings of the RMP workshop, summarized in the document UNEP/OzL.Pro/26/Inf.4 will be reflected in the possible recommendations to the ExCom. Thus, we would like to see activities like support measures to ensure the sustainability of RMP objectives through training institutes, Refrigeration Associations, etc. and sector specific awareness activities also included into the recommendations to the ExCom.

COMMENTS FROM THE UNITED STATES

Sections 1 and 2 - Preparation for new RMPs, and Implementation of RMPs

The US supports what we understand to be the Canadian proposal that your para 1 should be combined with your “Phase 1” proposal.

Rationale: At the present time, countries/agencies are requesting funding for activities that they are not ready to implement. Further, all RMP approvals are taken with a proviso that says that certain components can not be implemented until certain legislation is in place. Experience has demonstrated that this causes long delays in expenditures while the related legislation is being put in place. What this means is that related money is being «parked», and not used where it can achieve more immediate reductions from projects ready to move forward with expeditious implementation. If we merged your para 1 proposal with your phase 1 proposal, what it would mean is that the projects would not come forward for Excom approval until the sector evaluation was completed and the required legislation was in place. Taking into consideration the fact that your «phase 1” proposal would take a little longer, and involve more complex activities, it would seem fair to suggest that the level of funding currently provided for project preparation for RMPs could be increased by 25-50%, to enable some assistance to be provided to national deliberations in the development of the Phase 1 requirements.

Moving forward on this basis, the RMP submitted would then have a detailed assessment of the refrigeration sector, and a strategy, which, among other things, outlines the legislative measures and/or economic measures that have been taken to ensure that the sector is effectively addressed. Finally, it would have what is noted as phase 2 in your proposal. Given this, it should be very possible to consider the RMP submitted to maintain the «terminal» character of projects approved to date.

Regarding some of your phase 2 activities, however, the assumption that retrofit activities will be funded is not, I believe assured. Any such requests should be consistent with Excom guidelines that in some cases, may remain to be developed. In any case, a plan should be developed with minimization of such retrofits in mind..

Section 3 - Already approved RMPs

RMPs approved to date have been approved with the understanding that they were terminal projects for the sector. At the time of approval, the US urged, given that these may be the only projects in these countries, that the Excom not to approve so many of them until we had an understanding of the issues we might face. Accordingly, we urged that only a hand full be approved as demonstration projects, and that we move on the basis of experience to develop these terminal projects for other countries. Unfortunately, one delegation strongly disagreed and insisted on moving forward immediately , and we reluctantly agreed.

Given that history, we agree that already approved projects must continue with implementation under the current guidelines, and we do not believe that we should entertain secondary project

proposals. We could, however, and on a case by case basis, agree to enhanced funding for project preparation (up to 25% of the original request) to allow a country to develop components it may not have been able to fully develop under the initial project. Countries must then focus their institutional strengthening funding to address any other issues they have discovered are not fully covered. This, of course assumes that we are, after all, talking about countries where the vast majority of the ODS in the country was in this sector, and the primary job of the ozone unit was and is addressing this sector.

Section 4 - Financial Issues

We are not certain what the last clause in para 1 means. However, we do believe it would be useful to evaluate the RMPs after 5-10 of them have been fully implemented. It may be useful following such an assessment, for the full ExCom to consider how to fund future RMPs. However, given the timing of activities, and the regrettable manner the Excom has chosen to move ahead with them, it may be that by the time 5-10 RMPs have been fully implemented, there will be no more RMPs to fund.

Section 5 - Revision of guidelines

This para seems to be fully inconsistent with the first element discussed - which we had agreed with. We do not believe there is a need for wholesale changes of the guidelines - just an adjustment of the strategic view. We could not support specific funding for establishment of regulations and legislation (believing that is the responsibility of the government, and should, most clearly in these countries that only have a refrigeration sector to be concerned with - be supported within the IS projects - which are already augmented by the RMP funding provided). We also believe, a decade before the phase out is required, it is premature to discuss financial incentives for retrofitting activities and destruction of unusable refrigerant. On this latter issue, we would be interested to understand how many developed countries currently destroy unusable refrigerant. One thing that is clear is that this is not required by the Montreal Protocol to enable compliance, making consideration of its funding, in the absence of easily available, very cost effective options, highly suspect. We believe discussion of these activities at this time is very premature.

COMMENTS FROM UNEP DTIE

Preparation Of New RMPs

- In paragraph one, we suggest to add to “as completed” the following “for consideration for approval and subsequent implementation”.
- Even if paragraph one is adopted, it does not guarantee meeting the overall objective of this exercise, i.e. “improvement in the preparation of RMPs”. In fact, the IAs are currently ensuring that the preparation of the RMPs is according to the approved guidelines. However, there is still a wide variation in quality in RMPs, as pointed out by the MFS. Such variation could be due to country specific situations or understanding of the guidelines by IAs, consultants and MFS. For this reason, the decisions on preparation of RMPs should be more focused in unifying the criteria of evaluation of completed RMPs as agreed between MFS and IAs.

The experience has demonstrated that the current guidelines provide an excellent framework to determine all the elements needed to prepare an “ideal” RMP. Now, after two years and more than 40 proposals of RMP submitted, the experience needs to be reflected in the decision. We therefore suggest adding after the first paragraph the following: “Criteria for evaluation of RMPs should also be formulated for the purpose of common understanding of MFS, IAs and NOUs”.

UNEP strongly suggests that coverage of HCFC 22 in RMPs needs to be strengthened. This is an important lesson learnt during last two years of realm Of RMPs.

Implementation Of RMPs

- As each specific activity identified within the RMP is not dependent on all legislative measures that will be undertaken during phase I, it is necessary to put more flexibility in the way funds will be requested for activities in phase II. In fact, the ideal situation would be that each activity in phase II could be presented for funding separately as soon as the corresponding regulatory measure is put in place.
- Awareness, information exchange and activities related to capacity building need to be undertaken in the process of enacting legislation. Thus information activities should also be part of phase I. Further, it will not be advisable to overlook country specific situation - specifically where legislation study is a tedious and long process. Judgement need to be used by the approval authorities to approve funds even if legislative making is in process. Certain activities (not included in the RMP early) may arise during implementation and it will be important to keep the probability of “addition” to the funding proposal.

Already Approved RMPs

- In the second paragraph we suggest to change “as part of the guidelines” for “as necessary and justifiable for the success of the RMP”.
- In the same paragraph we suggest to eliminate “beginning of”.

Financial Issues

- In the first paragraph we suggest to replace “*but not including the activities of national authorities*” with “*while taking into account any possible double counting*”.
- The revision of the eligibility for funding should also consider other activities which may require training or financial support:

creation of professional associations
establishment of codes of good practices
establishment of certification scheme for refrigeration technicians.

- Funding levels for preparation of RMPs should be established to be applied in a case by case basis. These levels should be determined by characteristics of the country like the level of consumption in the sector, structure of service sector, geographic distribution of the supply, etc.

Revision of the Guidelines

We agree with the proposal to revise the guidelines. In addition to the main areas mentioned for revision, we suggest to take into account the following remarks:

- A small note on compressor manufacturers should be part of the RMP, as the phaseout of compressor manufacturers will influence the phaseout of end user product manufacturers.
- Retrofitting activities need to be given emphasis in RMPs.
- Milestones should be included in order to determine clearly the transition from phase I to phase II of implementation and to help the involved agencies to co-ordinate their activities.
- The RMP should also include an explanation of how the country will ensure the compliance of the legislation once it is put in place (strategy of reinforcement).

We hope these comments are helpful to build a new basis for further discussions at the next meeting of the Contact Group.