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EXECUTIVE COMMITTEE OF
THE MULTILATERAL FUND FOR THE
IMPLEMENTATION OF THE MONTREAL PROTOCOL
Ninety-sixth Meeting
Montreal, 26-30 May 2025
Item 6(b) of the provisional agenda¹

**TERMS OF REFERENCE FOR THE DESK STUDY FOR THE EVALUATION OF THE
CONTRIBUTION OF HCFC PHASE-OUT MANAGEMENT PLANS TO THE
DEVELOPMENT OF POLICIES, REGULATIONS AND NATIONAL STRATEGIES TO
ENSURE COMPLIANCE WITH THE MONTREAL PROTOCOL AND THE
SUSTAINABILITY OF ACHIEVEMENTS**

Introduction

1. At its 95th meeting, the Executive Committee approved the updated monitoring and evaluation work programme for the year 2025² which included the preparation of the terms of reference (TORs) for a desk study for the evaluation of the contribution of HCFC phase-out management plans (HPMPs) to the development of policies, regulations and national strategies to ensure compliance with the Montreal Protocol and the sustainability of achievements.³
2. Subsequently, the Senior Evaluation Officer (SEO) has prepared the present document for the consideration of the Executive Committee, following consultations with the Secretariat and the implementing and bilateral agencies.

Rationale for the desk study

3. The proposed desk study aims at assessing the effectiveness of HPMPs in assisting Article 5 countries to meet their compliance targets under the Montreal Protocol. It will review the projects' contribution to the development of policies and regulations that ensure countries' readiness to reach their goals. The desk study will present a typology of HPMPs, in terms of the types of policies, regulations and national strategies adopted under HPMPs to ensure compliance with the Montreal Protocol and the sustainability of achievements, including levels of funding allocated for such activities. The desk study will provide findings and lessons learned and will make recommendations aimed at assisting Article 5 countries to effectively develop and implement their Kigali HFC implementation plans (KIPs).

¹ UNEP/OzL.Pro/ExCom/96/1

² Decision 95/11 and annex IV to document UNEP/OzL.Pro/ExCom/95/94.

³ UNEP/OzL.Pro/ExCom/93/13/Rev.1

Objective

4. Lessons learned from the implementation of HPMPs are expected to be an instrumental source of information to enrich the design, development and implementation of the KIPs. The desk study analysis will identify key factors which facilitated the implementation of HPMPs, such as policy frameworks, regulations, national strategies, conditions under the licensing and quota systems, and market surveillance mechanisms. It will also compile information on the introduction of bans to support phase-out and the procedures and timelines for their implementation. Other components of policy and regulatory frameworks would also be explored, including the mechanisms and capacity for enforcement and sanctions, the procedures applied to deal with suspicious shipments, the harmonization of custom codes, and other relevant factors.

5. The findings will help replicate good practices which could be applied into project design and implementation to develop an enabling institutional context for successful KIPs. The study could compile information by country and type of project, identifying policies and regulations on the adoption of bans to support phase-out, as well as on challenges and lessons learned.⁴ This output could serve as a recommendation for countries on the adoption of legislative and policy measures supportive to KIPs implementation.

Scope and methodology

6. The HPMP projects for 145 countries were approved between 2010 and 2024. A significant number of them have been completed, while others are ongoing at different stages of implementation. Under the supervision of the SEO, a consultant will conduct an exhaustive review of existing documentation to identify the different regulations, policies and national strategies developed with the support of projects funded by the Multilateral Fund. The study will combine qualitative and quantitative methods to analyze their effectiveness in achieving and sustaining compliance with Montreal Protocol goals.

7. The project documentation will include project proposals, progress reports, verification and project completion reports, reports on projects with specific requirements and evaluation reports. The evaluation unit, the Secretariat, and the implementing and bilateral agencies, upon request, will give access to the necessary documentation for the consultant to complete the research for the desk study.⁵ The exercise may be complemented with *ad hoc* concise questionnaires or online surveys sent to targeted stakeholders, including consultations with the Multilateral Fund Secretariat and the implementing and bilateral agencies, if needed.

8. The evaluation questions included in annex I to the present document are an integral part of the TORs and should be addressed in the desk study. As a result of the desk study, the consultant will consolidate facts and figures to support the final findings, lessons learned and recommendations. The assumptions, if any, underlying the findings and results of the desk study will be described in the final report, which will be consolidated by the SEO prior to presentation to the Executive Committee. As part of the results, the desk study should produce a detailed typology of policies and regulations, based on the analysis of the project documentation.

⁴ See similar example prepared by Montreal Protocol Network for Europe and Central Asia (ECA network), “How ECA Network Countries Used Legislative & Policy Options / RAC Sector Action Tables to Support Kigali Amendment Implementation” 2024 <https://wedocs.unep.org/20.500.11822/46819>.

⁵ For example, relevant information and data collected from internal project-related documentation and the inventory of approved projects database, as well as relevant decisions of the Executive Committee including those resulting from past evaluations.

9. If the findings were to lead to a recommendation for a second phase of evaluation, the consultant should produce a draft inception paper to facilitate an informed decision by the Executive Committee regarding the pertinence of a second phase. The inception paper would serve as the potential terms of reference for a second phase, which should dig deeper into questions which cannot be addressed within the limited scope of a desk study. In particular, a potential second phase should shed light on how the lessons learned from the desk study could be replicated for the KIPs. The proposal should include a tentative budget to undertake the second phase.

10. The SEO will establish interim milestones, oversee the evaluation process and facilitate consultation with stakeholders to collect their comments on the advanced draft, prior to the consolidation of the final draft of the desk study.

Budget and timeframe

11. A budget of US \$25,000 was approved at the 93rd meeting for this desk study, included in the monitoring and evaluation work programme for 2024 and 2025.⁶ The consultant is expected to produce and deliver the final draft of the desk study within five months after the initial date of contract issuance, to be consolidated by the SEO for its further presentation to the Executive Committee, at a meeting yet to be determined.⁷

Recommendation

12. The Executive Committee may wish to approve the terms of reference for the desk study for the evaluation of the contribution of HCFC phase-out management plans to the development of policies, regulations and national strategies to ensure compliance with the Montreal Protocol and the sustainability of achievements, as contained in document UNEP/OzL.Pro/ExCom/96/7/Rev.1.

⁶ See UNEP/OzL.Pro/ExCom/93/13/Rev.1, table 3, proposal 2. This funding should be carried forward to the 2026-2027 work programme to facilitate the undertaking of the desk-study.

⁷ The timeline for delivery and presentation of the desk study depends on the entry date of duty of the new Senior Evaluation Officer (SEO) to replace the outgoing SMEO.

Annex I

EVALUATION QUESTIONS

- (a) ***Success factors and impact of individual projects:*** What has been the impact of the individual projects and what are the key parameters which affected the success of the phase-out?
 - (b) ***Typology of policies and regulations:*** Which types of regulations, strategies and policies developed under HPMPs have led to a successful phase-out?
 - (c) ***Controls and enforcement measures*** What enforcement procedures and monitoring tools (e.g. market surveillance, penalties for non-compliance, etc.) were developed to control HCFC use and to ensure the implementation of policy and regulations for HPMPs projects?
 - (d) ***Verification mechanisms and sustainability:*** What mechanisms have been put in place to ensure the sustainability of phase-out through sector-based policies, including verification?
 - (e) ***Role of National Ozone Units:*** What has been the role of the National Ozone Units in facilitating the development and implementation of national strategies and related regulations, contributing to the HPMPs implementation, including through synergies with the institutional strengthening projects?
 - (f) ***Role of agencies:*** What has been the role of the implementing and bilateral agencies in assisting the countries to develop policies and regulations to ensure successful implementation of HPMPs?
 - (g) ***Identification of relevant stakeholders and coordination mechanisms for coordination:*** Who have been the relevant stakeholders in developing and implementing policies to ensure smooth implementation of the HPMPs? What mechanisms have been put in place to ensure sustainable regular coordination?
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