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on mercury**

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Item 3 of the provisional agenda*

**Preparation of a global legally binding instrument
on mercury**

**Compilation of reporting obligations and action plans envisaged
in the draft negotiating text and survey of reporting obligations
and action plans under other relevant multilateral environment
agreements**

Note by the secretariat

1. At its third session, held in Nairobi from 31 October to 4 November 2011, the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury agreed that the secretariat would prepare, for consideration by the committee at its fourth session, a compilation of reporting obligations and action plans envisaged in the draft negotiating text, accompanied by a survey of reporting obligations and action plans under other relevant multilateral environment agreements.¹
2. Accordingly, the secretariat has prepared for the committee's consideration the compilation and survey set out in annexes I and II to the present note.
3. The compilation contains a summary of the provisions on reporting obligations and action plans set out in the current revised draft negotiating text (see UNEP(DTIE)/Hg/INC.4/3). It is presented in two tables: the first addresses obligations relating to reporting and the second, obligations relating to action plans. Both tables list the draft provisions in their order of appearance in the draft text and indicate for each obligation whether it applies to all Parties or to specified Parties only. Each reporting obligation or action plan is summarized, together with the applicable time frame and follow-up action envisaged, if those are indicated in the draft text. Although many of the draft provisions are enclosed in square brackets (and contain square brackets), they are included, given that the entire draft text is still the subject of negotiation. For the sake of clarity, square brackets around individual draft provisions have been removed, but brackets within draft provisions have been retained.
4. The survey of reporting obligations and action plans under other relevant multilateral environmental agreements includes information on the Stockholm Convention on Persistent Organic Pollutants, the Montreal Protocol on Substances that Deplete the Ozone Layer and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

* UNEP(DTIE)/Hg/INC.4/1.

1 UNEP(DTIE)/Hg/INC.3/8, para. 211.

and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

5. The compilation covers only mandatory party reporting except where there are options for either mandatory or voluntary approaches. Voluntary reporting and reporting by the secretariat or other bodies are not covered. For the purposes of the present document, an action plan is any plan or strategy involving activities or decision-making processes at the national level.
6. It should be noted that the relevant provisions of the draft text and the multilateral environmental agreements featured in the compilation have been summarized rather than reproduced in full or quoted verbatim.
7. On the basis of the information contained in annex I, the following general observations can be made with regard to reporting obligations in the draft text:
 - (a) Article 22 requires reporting on a number of matters. Additional reporting requirements are distributed throughout the other articles in the draft text;
 - (b) Article 22 currently contains two options and further negotiation on the article is expected;
 - (c) With the exception of the articles on trade and allowable use exemption, all articles dealing with reporting require that information be reported pursuant to Article 22;
 - (d) Only a limited number of provisions specify the timing of reporting. In all other cases, the Conference of the Parties is to decide, mainly at its first meeting;
 - (e) Some reporting requirements apply to all Parties, while others are limited to specific groups of Parties;
 - (f) Although not explicitly stated in the draft text, the information to be reported is typically submitted to the Secretariat for compilation and onward transmission to the Conference of the Parties.
8. On the basis of the information contained in annex I, the following general observations can be made with regard to the action plans in the draft text:
 - (a) Provisions on action plans can be found in a number of articles of the draft text;
 - (b) Some action plan provisions are mandatory, while others are voluntary;
 - (c) Most provisions on action plans envisage the conduct of reviews. The results of such reviews must be included in the reports submitted, pursuant to Article 22.
9. With regard to reporting obligations under the other multilateral environmental agreements considered, the following general observations can be made:
 - (a) The requirements, formats, periodicity and procedures for national reporting, as well as the role of the secretariat, vary among the agreements;
 - (b) Under the Montreal Protocol and the Basel and Stockholm conventions, the reports are requested by the Meeting of the Parties or the Conference of the Parties and are channelled through the secretariats;
 - (c) National reports under the Montreal Protocol and the Basel and Stockholm conventions are mandatory and follow specific formats;
 - (d) While all the agreements contain one main article addressing the issue of reporting, other articles also refer to reporting. In some cases these articles impose additional reporting requirements, for which the timing and format vary, and in other cases they further specify the requirements laid down in the main article on reporting;
 - (e) The Meeting of the Parties and the conferences of the parties have amended reporting schedules and requirements;
 - (f) In each of the related decisions on enhancing synergies among the Basel, Rotterdam and Stockholm conventions adopted by the conferences of the parties to those conventions,² the secretariats of the Basel and Stockholm conventions were requested to prepare, for consideration by their respective conferences of the parties, proposals:

² Sect. II. A of decision IX/10 of the Conference of the Parties to the Basel Convention, decision RC-4/11 of the Conference of the Parties to the Rotterdam Convention and decision SC-4/34 of the Conference of the Parties to the Stockholm Convention.

- (i) To synchronize the submission of party reports under the two conventions in those years when the parties to both conventions are to submit such reports;
- (ii) To develop joint capacity-building activities to assist parties in coordinated data and information collection and management at the national level, including quality control, to enable them to fulfill their reporting obligations;
- (iii) To streamline their respective reporting formats and processes with a view to alleviating the burden of reporting, taking into account relevant activities by other bodies, including the United Nations Environment Programme.

Annex I

Compilation of reporting obligations and action plans

A. Reporting obligations contained in the draft text for a comprehensive and suitable approach to a global legally binding instrument on mercury³

Article provision	Party subject to reporting obligation	Summary description of information to be reported	Periodicity	Further action
C. Supply				
Article 3, option 1, paragraph 1	Each Party with primary mercury mining within its territory [at the date of entry into force of this Convention for it]	Information on any primary mercury mining within the Party's territory, including at a minimum: <ul style="list-style-type: none"> - its location - estimated quantities [,destinations and intended uses, where known, of mercury or mercury compounds produced annually by such mining] [sold, distributed, used, exported or stored pursuant to subparagraphs (a) bis or (a ter)] 	Information to be included in reports submitted pursuant to Article 22	See Article 22
Article 3, option 1, paragraph 3(e)	Each Party	Information on the quantities of mercury and mercury compounds: <ul style="list-style-type: none"> - produced from each [category of] supply source identified pursuant to subparagraph (a) - sold, distributed, used, exported or [stored] [disposed of] [managed] pursuant to subparagraphs (b)–(d) 	Information to be included in reports submitted pursuant to Article 22	See Article 22
Article 3, option 2, paragraph 3	Each Party	Inventory of the location and quantity of elemental mercury and specific compounds in relevant sectors, in addition to mercury wastes generated by various processes.	Not specified	
D. International trade in mercury [and mercury compounds]				
Article 4, paragraph 2 bis.	Each Party that imports or exports mercury [or mercury compounds] subject to this article	Reports on: <ul style="list-style-type: none"> - the number of licences issued under the domestic licensing system to regulate trade of mercury, mercury compounds and mercury-added products - the volume of mercury, mercury compounds and mercury added-products traded 	Report submitted each calendar year to the Secretariat	Report distributed to the Conference of the Parties
Article 5, paragraph 2 (b)	Each Party exporting to non-parties	Annual certification from the non-party importing State specifying the intended use of the mercury or mercury compounds, including a statement that, with regard to the mercury or mercury compounds, the importing State is committed to: <ul style="list-style-type: none"> - protecting human health and the environment by taking the necessary measures to minimize or prevent releases of mercury - complying with the provisions of paragraph 1 of Article 12 and paragraph 1 of Article 13 The certification must include any appropriate supporting documentation such as legislation, regulatory instruments or administrative or policy guidelines.	Certification transmitted to the Secretariat within 60 days of receipt	Not specified

³ Revised draft text for a comprehensive and suitable approach to a global legally binding instrument on mercury (UNEP(DTIE)/Hg/INC.4/3).

Article provision	Party subject to reporting obligation	Summary description of information to be reported	Periodicity	Further action
E. Products and processes				
Article 6, option 1, paragraph 5, alternative 1	Each Party	Statistical data on: <ul style="list-style-type: none"> - its production, import and export of mercury-added products listed in Annex C - its production of any new mercury-added products 	Information to be included in reports submitted pursuant to Article 22	See Article 22
Article 6, option 1, paragraph 5, alternative 2 and Article 6, option 2, paragraph 4	Each Party	Information required from its manufacturers of any mercury-added products and its manufacturers using any process in which mercury is used on: <ul style="list-style-type: none"> - quantities of mercury used each year - products and processes in which mercury was used - sources of supply from which the mercury was purchased - amount of mercury in any products sold - any plans to phase out the use of mercury in products or processes 	Information to be included in reports submitted pursuant to Article 22 Information to be required from manufacturers at least every three years	See Article 22
Annex D Manufacturing processes in which mercury or mercury compounds are used Part II: National action plans (e)	Each Party required to prepare a national action plan under Article 7 (Manufacturing processes in which mercury is used)	Review of the Party's strategies and their success in enabling it to meet its obligations under Article 7	Review to be undertaken every five years and results to be included in reports submitted pursuant to Article 22	See Article 22
F. Artisanal and small-scale gold mining				
Article 9, paragraph 3	Each Party	Report on whether artisanal and small-scale gold mining and processing is more than insignificant	Not specified	Develop and implement a national action plan in accordance with Annex E
Article 9, paragraph 3	Each Party with more than insignificant artisanal and small-scale gold mining and processing	Review of the progress made in meeting its obligations under this article	Reviews to be included in reports submitted pursuant to Article 22	See Article 22
G. Emissions and releases⁴				
Article 10, paragraph 5(a) bis and (b)	Each Party with significant aggregate mercury emissions from the source categories listed in Annex F	Inventory of sources and reliable emissions estimates for the source categories listed in Annex F and its [national] goal	Submitted to the Secretariat for dissemination to the Parties and consideration by the Conference of the Parties at its next meeting within the later of [two] years of entry into force of the Convention for it or [two] years of becoming a source of significant aggregate mercury emissions from such sources.	Updates no less frequently than every [X] years

4 At its third session, the intergovernmental negotiating committee requested the co-chairs of the contact group on emissions and releases, with the support of the secretariat, to develop an approach to possible elements of articles 10 and 11. This would include approaches that committed parties to taking particular measures to control and/or reduce emissions but allowed flexibility to reflect national circumstances, along with approaches that committed parties to developing nationally determined measures to control and/or reduce emissions (see UNEP(DTIE)/Hg/INC.4/5).

Article provision	Party subject to reporting obligation	Summary description of information to be reported	Periodicity	Further action
Article 10, paragraph 7	Each Party	Information sufficient to demonstrate compliance with provisions of this article	Information to be included in reports submitted pursuant to Article 22	Scope and format to be decided by the Conference of the Parties at its first meeting
Annex F [Unintentional] Atmospheric emissions Part II: Action plans	Each Party [with significant aggregate mercury emissions from the source categories listed in Part I] which [shall] [should on a voluntary basis] develop and implement an action plan for reducing[, and where feasible eliminating,] its atmospheric mercury emissions	Review of the Party's emissions reduction strategies and their success in enabling the Party to meet its obligations under Article 10	Review to be undertaken every five years and to be included in reports submitted pursuant to Article 22 [, or, if applicable, in reviews of the Party's implementation plan, pursuant to that article and paragraph 1 of Article 21]	See Article 22
Article 11 Releases to water and land, paragraph 4	Each Party	Information [required under the provisions of Articles 3, 6, 7, 9, 13 and 14] sufficient to demonstrate the Party's compliance with the provisions of this article	Information to be included in reports submitted pursuant to Article 22	Scope and format to be decided by the Conference of the Parties at its first meeting See Article 22
Article 11.alt Unintentional emissions and releases, paragraph 8	Each Party	Information sufficient to demonstrate compliance with the provisions of this article	Information to be included in reports submitted pursuant to Article 22	Scope and format to be decided by the Conference of the Parties at its first meeting See Article 22
Annex G.alt Unintentional emissions and releases Part III: Action plans	Each Party [with significant aggregate mercury emissions from the source categories listed in Part I] which [shall] [may] develop and implement an action plan for reducing, and where feasible eliminating, its atmospheric mercury emissions	Review of the Party's emissions reduction strategies and their success in enabling the Party to meet its obligations under Article 11.alt	Review to be undertaken every five years and to be included in reports submitted pursuant to Article 22	See Article 22
I. Financial resources and technical and implementation assistance⁵				
Article 15, option 1, paragraph 6	Each Party	Information demonstrating how the Party has implemented the provisions of this article	Information to be included in reports submitted pursuant to Article 22	See Article 22
Article 16, option 1, paragraph 1	Each Party	Information demonstrating how the Party has implemented the provisions of this article	Information to be included in reports submitted pursuant to Article 22	See Article 22

⁵ At its third session, the intergovernmental negotiating committee requested the co-chairs of the contact group on financial resources and technical and implementation assistance to prepare, with the support of the secretariat and the chair of the intergovernmental negotiating committee, a proposal for Articles 15 and 16 of the draft mercury instrument consisting of a conceptual approach followed by possible draft text (see UNEP(DTIE)/Hg/INC.4/4).

Article provision	Party subject to reporting obligation	Summary description of information to be reported	Periodicity	Further action
J. Awareness-raising, research and monitoring, and communication of information				
Article 21, option 1, paragraph 1	Each Party [in a position to do so] ⁶	Reviews and updates of the Party's implementation plan	Periodically and in a manner to be specified by a decision of the Conference of the Parties. Reviews to be included in reports submitted pursuant to Article 22	See Article 22
Article 22, option 1	Each Party	<p>Report to the Conference of the Parties on the measures it has taken to implement the provisions of the Convention and on the effectiveness of such measures in meeting the objectives of the Convention</p> <p>Information to be provided to the Secretariat, where applicable, on:</p> <ul style="list-style-type: none"> - mercury supply data as specified in Article 3 - Statistical data on its total quantities of mercury and mercury compounds imported or exported under Articles 5 and 6 (including importing and exporting States) - Statistical data on its manufacture, distribution in commerce and sale of mercury-added products listed in Annex C, in addition to its export of such products - [Such statistical data should be provided with the Customs codes assigned by the World Customs Organization under the Harmonized Commodity Description and Coding System, where they are available] - Information on its progress in reducing, and where feasible eliminating, atmospheric emissions and releases as required under [Articles 10 and 11] [Article 11.alt] - Information on its provision of financial and technical cooperation as required under Articles 15 and 16 - Reviews of the progress of its implementation plan under Article 21 - Any other information, data or reports required by the provisions of the Convention 	Periodicity and format to be decided at COP1, taking into account the desirability of coordinating reporting formats and processes with those of other relevant chemicals and wastes conventions	<p>Conference of the Parties to review regularly all information made available to it and to the Secretariat pursuant to Article 22 (pursuant to Article 23 paragraph 2 and Article 24, paragraph 5 (c)).</p> <p>Secretariat to prepare and make available to the Parties periodic reports based on information received pursuant to [Article 22] (pursuant to Article 25, paragraph 2 (e))</p>

⁶ The committee has not yet decided whether the provisions of the mercury instrument relating to the development of national implementation plans should be mandatory or voluntary.

Article provision	Party subject to reporting obligation	Summary description of information to be reported	Periodicity	Further action
Article 22, Reporting, option 2	Each Party	Report on the Party's progress in applying the provisions of the Convention, taking into account the contents of its implementation plan.	To be determined by the Conference of the Parties	Conference of the Parties to determine criteria for submission and review of implementation reports

B. Action plans contained in the draft text for a comprehensive and suitable approach to a global legally binding instrument on mercury

Article provision	Party subject	Purpose and summarized content of action plan	First transmission of action plan	Reviews / further actions
C. Supply				
Article 3, option 2, paragraph 3	Each Party	Inventory of the location and quantity of elemental mercury and specific compounds in relevant sectors, in addition to mercury wastes generated by various processes	Not specified	
E. Products and processes				
Article 6, option 1, paragraph 6, option 2, paragraph 5, option 3, paragraph 6, option 4, paragraph 4, alternative 2	Each Party	Implementation plan to achieve the phase-out of mercury-added products after economically affordable and technologically feasible alternative technologies become readily available		Closely tied to implementation plans to be developed under Article 21 and does not imply a separate requirement
Article 7, paragraph 3 Annex D Manufacturing processes in which mercury or mercury compounds are used Part II: National action plans	Each Party with one or more facilities that use mercury or mercury compounds in the manufacturing processes listed in Annex D	National action plan for reducing and eliminating the use of mercury or mercury compounds in such processes, including, at a minimum: <ul style="list-style-type: none"> - an inventory of the number and types of facilities that use mercury or mercury compounds in the manufacturing processes listed in Part I, including estimates of the amount of mercury that they consume annually - strategies for achieving a transition by these facilities to the use of non-mercury production processes or for replacing them with facilities that employ such processes - strategies for [promoting or requiring] [ensuring] the reduction of mercury releases [and the prevention of human exposure to mercury] from these facilities during the transition away from such processes - [strategies for the environmentally sound management of surplus mercury and mercury waste from the closure and decommissioning of facilities that use mercury in the manufacturing processes listed in Part I, including recycling, treatment or placement in environmentally sound storage facilities if applicable] 	Submitted to the Secretariat for distribution to the Parties no later than one year after the entry into force of the Convention for the Party	Every five years, the Party to review its strategies and their success and include the results of the review in its reports submitted pursuant to Article 22

Article provision	Party subject	Purpose and summarized content of action plan	First transmission of action plan	Reviews / further actions
		<ul style="list-style-type: none"> - targets and timetables for achieving these strategies - a review, every five years, of the Party's strategies and their success in enabling the Party to meet its obligations under Article 7 - a schedule for implementation of the action plan 		
F. Artisanal and small-scale gold mining				
<p>Article 9, paragraph 3</p> <p>Annex E</p> <p>Artisanal and small-scale gold mining, national action plans</p>	<p>Each Party if it determines at any time that the artisanal and small-scale gold mining and processing in its territory is more than insignificant</p>	<p>A national action plan that includes:</p> <ul style="list-style-type: none"> - national objectives and reduction targets - actions to eliminate whole ore amalgamation, open burning of amalgam or processed amalgam, burning of amalgam in residential areas and cyanide leaching in sediment, ore or tailings to which mercury has been added [or for processing mercury-contaminated tailings without first removing the mercury in the short term] - baseline estimates of the quantities of mercury used and the practices employed - strategies for promoting the reduction of emissions and releases of, and exposure to, mercury in artisanal and small-scale gold mining and processing, including mercury-free methods - strategies for managing or preventing the [import and] diversion of mercury and mercury compounds for use in artisanal and small-scale gold mining and processing - strategies for involving stakeholders in the implementation and continuing development of the action plan - [a public health strategy on how to tackle the long-term effects of chronic mercury exposure on artisanal miners, with particular focus on children's health, the strategy to include the gathering of health data, training for health-care workers and awareness-raising through health facilities] - strategies for providing information to small-scale gold miners and affected communities - a schedule for the implementation of the action plan <p>Additional strategies may be included such as:</p> <ul style="list-style-type: none"> - [steps to formalize or regulate the artisanal and small-scale gold mining sector] - use or introduction of standards for mercury-free gold mining and market-based mechanisms [such as, but not limited to, fair trade 	<p>Submitted to the Secretariat no later than [three] years after entry into force of the Convention for the Party[, among other things, as part of its implementation plan under Article 21]</p> <p>[Baseline estimates of the quantities of mercury used and the practices employed to be completed and provided to the Secretariat within [one][three] year[s]</p>	<p>Every three years, the Party to review progress made and include the review in its reports submitted pursuant to Article 22</p>

Article provision	Party subject	Purpose and summarized content of action plan	First transmission of action plan	Reviews / further actions
		<p>approaches]</p> <ul style="list-style-type: none"> - [prevention of exposure of vulnerable populations, including children and [pregnant] women [of childbearing age], to mercury used in artisanal and small-scale gold mining] 		
G. Emissions and releases⁷				
Article 10, paragraph 5(a) bis and (b)	Each Party with significant aggregate mercury emissions from the source categories listed in Annex F	An inventory of sources and reliable emissions estimates for the source categories listed in Annex F and its [national] goal	Submitted to the Secretariat for dissemination to the Parties and consideration by the Conference of the Parties at its next meeting within the later of [two] years of entry into force of the Convention for the Party or [two] years of becoming a source of significant aggregate mercury emissions from such sources	Updates no less frequently than every [X] years
Article 10, paragraph 5(c) Annex F [Unintentional] Atmospheric emissions Part II: Action plans	Each Party with significant aggregate mercury emissions from the source categories listed in Annex F	<p>An action plan for reducing[, and where feasible eliminating,] the Party's atmospheric mercury emissions from the source categories [listed in Part I of Annex F], [taking into consideration the Party's specific situation and] including [at a minimum] [as appropriate]:</p> <ul style="list-style-type: none"> - [an evaluation of current and projected atmospheric mercury emissions from the source categories listed in Part I, including the development and maintenance of source inventories and emissions estimates] - strategies [and timetables] for achieving the Party's national atmospheric mercury emissions reduction goal - [consideration of the use of] [E]missions limit values for new[,] and [where feasible] existing[,] emissions sources[, taking into account the emission benchmarks specified in paragraph 4 of Article 10] - application of best available techniques [and best environmental practices], as specified in paragraphs 2–5 of Article 10, including the consideration of substitute or 	Within the later of [two] years of entry into force of the Convention for it or [two] years of becoming a source of significant aggregate mercury emissions from such sources	The Party to review its emission reduction strategies and their successes every five years and include the reviews in reports submitted pursuant to Article 22 or in reviews of the Party's implementation plan pursuant to Article 21

⁷ At its third session, the intergovernmental negotiating committee requested the co-chairs of the contact group on emissions and releases, with the support of the secretariat, to develop an approach to possible elements of Articles 10 and 11. This would include approaches that committed parties to taking particular measures to control and/or reduce emissions but allowed flexibility to reflect national circumstances, along with approaches that committed parties to developing nationally determined measures to control and/or reduce emissions (see UNEP(DTIE)/Hg/INC.4/5).

Article provision	Party subject	Purpose and summarized content of action plan	First transmission of action plan	Reviews / further actions
		<p>modified fuels, materials and processes</p> <ul style="list-style-type: none"> - [provision for monitoring and quantifying emissions reductions achieved under the action plan] - a review every five years of the Party's emissions reduction strategies and their success in enabling the Party to meet its obligations under Article 10 - [a schedule for implementation of the action plan] 		
<p>Article 11.alt, paragraph 7</p> <p>Annex G.alt Unintentional emissions and releases Part III: Action plans</p>	<p>Each Party [with significant aggregate mercury emissions from the source categories listed in Part I of Annex G.alt]</p>	<p>A national action plan for reducing, and where feasible eliminating, the Party's atmospheric mercury emissions from the source categories listed in Part I of Annex G.alt, including, at a minimum:</p> <ul style="list-style-type: none"> - an evaluation of current and projected atmospheric mercury emissions from the source categories listed in Part I, including the development and maintenance of source inventories and emissions estimates - strategies and timetables for achieving the Party's national atmospheric mercury emissions reduction goal adopted pursuant to paragraph 7 of Article 11.alt - consideration of the use of emissions limit values for new, and where feasible existing, emissions sources - application of best available techniques and best environmental practices, as specified in paragraphs 3–6 of Article 11.alt, including the consideration of substitute or modified fuels, materials and processes - provision for monitoring and quantifying emissions reductions achieved under the action plan - [measures to promote education, training and awareness-raising with regard to the action plan] - a review, every five years, of the Party's emissions reduction strategies and their success in enabling the Party to meet its obligations under Article 11.alt - a schedule for implementation of the action plan 	<p>[Within the later of X years of entry into force of the Convention for the Party or X years of becoming a source of significant aggregate mercury emissions from such sources]</p>	<p>The Party to review its emission reduction strategies and their success every five years and include the results of the reviews in reports submitted pursuant to Article 22.</p>

Article provision	Party subject	Purpose and summarized content of action plan	First transmission of action plan	Reviews / further actions
H. Storage, waste and contaminated sites				
Article 14, paragraph 1	Each Party	Appropriate strategies for identifying and assessing sites contaminated by mercury and mercury compounds	Not required	Not specified
J. Awareness-raising, research and monitoring, and communication of information				
Article 20 bis., paragraph (a)	Parties	Promotion of health studies with risk management plans, focusing on the most vulnerable populations	Not applicable	Not applicable
Article 21, option 1	Each Party	<p>An implementation plan for meeting the Party's obligations under the Convention based on a template to be developed by the Conference of the Parties at its [first] meeting</p> <p>The plan might include any national action plan required under Annex D, E, F or G.alt.</p>	<p>Intentions in respect of the plan declared by submitting a notification to the Secretariat not later than [two years after] the date of entry into force of the Convention for it</p> <p>Implementation plan transmitted to the Conference of the Parties within [one] [three] year[s] of the date either on which the Convention enters into force for the Party or the date on which it submits its notification to the Secretariat]</p>	<p>The Party to review and update its implementation plan periodically and in a manner to be specified by a decision of the Conference of the Parties and to include the results of the reviews in its reports submitted pursuant to Article 22</p> <p>Conference of the Parties to review and evaluate implementation plans transmitted by developing-country Parties and to endorse the provision of financial resources</p>
Article 21, Implementation plans, option 2	Each Party	Implementation plans with a view to complying with the Party's obligations under the Convention.	No later than five years after the entry into force of the instrument	<p>Each Party to consider updating its plan, taking into account, among other things, the findings of studies and scientific and technical developments</p> <p>Criteria for drafting and updating implementation plans determined by the Conference of the Parties at its [X] meeting</p>

Annex II

Survey of reporting obligations and action plans under other relevant multilateral environment agreements

A. Survey of reporting obligations under other relevant multilateral environment agreements⁸

Reporting on a regular basis is a common requirement under multilateral environmental agreements. The reporting provisions of the Stockholm and Basel conventions and the Montreal Protocol are excerpted, and the import of those provisions summarized, in the table below. These three agreements have been amended on numerous occasions, in some cases affecting reporting obligations. Footnotes to the table provide information on the adoption of such amendments. Provisions of the Rotterdam Convention are not included in the table because, while it focuses on information exchange, the Convention does not impose reporting requirements on its parties. The general aims of reporting are the same under different multilateral environmental agreements. Those aims are to provide information relevant to, inter alia, assessing the measures taken by parties to implement their commitments, demonstrating their compliance and progress and identifying their needs. The nature of the information to be reported (qualitative vs. quantitative) and the format, periodicity and procedures for reporting may, however, vary significantly between agreements.

⁸ The following documents relating to the issue of reporting were used in the drafting of the present survey and may usefully complement it: UNEP/FAO/CHW/RC/POPS/JWG.2/6 (concerning reporting obligations under the Basel, Rotterdam and Stockholm conventions), DESA/DSD/2003/3 (concerning national reporting to the Commission on Sustainable Development), UNEP/POPS/INC.7/19 and UNEP/POPS/COP.1/20 (concerning the format and timing of party reporting under article 15) and UNEP/CHW.10/INF/48 (concerning activities carried out by the secretariats of the Basel and Stockholm conventions on improving cooperation and coordination in the area of national reporting).

	<p align="center">MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)</p>	<p align="center">BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL (ADOPTION IN 1989 / ENTRY INTO FORCE IN 1992)</p>	<p align="center">STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)</p>
<p>PRINCIPAL ARTICLE ON REPORTING – ORIGINAL TREATY TEXT</p>	<p><i>Article 7: Reporting of data</i></p> <p><i>1. Each Party shall provide to the Secretariat, within three months of becoming a Party, statistical data on its production, imports and exports of each of the controlled substances for the year 1986, or the best possible estimates of such data where actual data are not available.</i></p> <p><i>2. Each Party shall provide statistical data to the Secretariat on its annual production (with separate data on amounts destroyed by technologies to be approved by the Parties), imports, and exports to Parties and non-Parties, respectively, of such substances for the year during which it becomes a Party and for each year thereafter. It shall forward the data no later than nine months after the end of the year to which the data relate.</i></p>	<p><i>Article 13: Transmission of Information</i> (...)</p> <p><i>3. The Parties, consistent with national laws and regulations, shall transmit, through the Secretariat, to the Conference of the Parties established under Article 15, before the end of each calendar year, a report on the previous calendar year, containing the following information:</i></p> <p><i>(a) Competent authorities and focal points that have been designated by them pursuant to Article 5;</i></p> <p><i>(b) Information regarding transboundary movements of hazardous wastes or other wastes in which they have been involved, including:</i></p> <p><i>(i) The amount of hazardous wastes and other wastes exported, their category, characteristics, destination, any transit country and disposal method as stated on the response to notification;</i></p> <p><i>(ii) The amount of hazardous wastes and other wastes imported, their category, characteristics, origin, and disposal methods;</i></p> <p><i>(iii) Disposals which did not proceed as intended;</i></p> <p><i>(iv) Efforts to achieve a reduction of the amount of hazardous wastes or other wastes subject to transboundary movement;</i></p> <p><i>(c) Information on the measures adopted by them in implementation of this Convention;</i></p> <p><i>(d) Information on available qualified statistics which have been compiled by them on the effects on human health and the environment of the generation, transportation and disposal of hazardous wastes or other wastes;</i></p> <p><i>(e) Information concerning bilateral, multilateral and regional agreements and arrangements entered into pursuant to Article 11 of this Convention;</i></p> <p><i>(f) Information on accidents occurring during the transboundary movement and disposal of hazardous wastes and other wastes and on the measures undertaken to deal with them;</i></p> <p><i>(g) Information on disposal options operated within the area of their national jurisdiction;</i></p> <p><i>(h) Information on measures undertaken for development of technologies for the reduction and/or elimination of production of hazardous wastes and other wastes; and</i></p> <p><i>(i) Such other matters as the Conference of the Parties shall deem relevant.</i></p>	<p><i>Article 15 Reporting</i></p> <p><i>1. Each Party shall report to the Conference of the Parties on the measures it has taken to implement the provisions of this Convention and on the effectiveness of such measures in meeting the objectives of the Convention.</i></p> <p><i>2. Each Party shall provide to the Secretariat:</i></p> <p><i>(a) Statistical data on its total quantities of production, import and export of each of the chemicals listed in Annex A and Annex B or a reasonable estimate of such data; and</i></p> <p><i>(b) To the extent practicable, a list of the States from which it has imported each such substance and the States to which it has exported each such substance.</i></p> <p><i>3. Such reporting shall be at periodic intervals and in a format to be decided by the Conference of the Parties at its first meeting.</i></p>

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)	BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL (ADOPTION IN 1989 / ENTRY INTO FORCE IN 1992)	STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)
PRINCIPAL ARTICLE ON REPORTING - CURRENT TREATY TEXT	<p><i>ARTICLE 7: Reporting of data⁹</i></p> <p><i>1. Each Party shall provide to the Secretariat, within three months of becoming a Party, statistical data on its production, imports and exports of each of the controlled substances in Annex A for the year 1986, or the best possible estimates of such data where actual data are not available.</i></p> <p><i>2. Each Party shall provide to the Secretariat statistical data on its production, imports and exports of each of the controlled substances</i></p> <ul style="list-style-type: none"> - <i>in Annex B and Groups I and II of Annex C for the year 1989;</i> - <i>in Annex E, for the year 1991,</i> <p><i>or the best possible estimates of such data where actual data are not available, not later than three months after the date when the provisions set out in the Protocol with regard to the substances in Annexes B, C and E respectively enter into force for that Party.</i></p> <p><i>3. Each Party shall provide to the Secretariat statistical data on its annual production (as defined in paragraph 5 of Article 1) of each of the controlled substances listed in Annexes A, B, C and E and, separately, for each substance,</i></p> <ul style="list-style-type: none"> - <i>Amounts used for feedstocks,</i> - <i>Amounts destroyed by technologies approved by the Parties, and</i> - <i>Imports from and exports to Parties and non-Parties respectively,</i> <p><i>for the year during which provisions concerning the substances in Annexes A, B, C and E respectively entered into force for that Party and for each year thereafter. Each Party shall provide to the Secretariat statistical data on the annual amount of the controlled substance listed in Annex E used for quarantine and pre-shipment applications. Data shall be forwarded not later than nine months after the end of the year to which the data relate.</i></p> <p><i>3 bis. Each Party shall provide to the Secretariat separate statistical data of its annual imports and exports of each of the controlled substances listed in Group II of Annex A and</i></p>	<p><i>No amendment from the original treaty text.</i></p>	<p><i>No amendment from the original treaty text.</i></p>

⁹ Article 7 was modified by the London Amendment, agreed by the Second Meeting of the Parties (London, 27–29 June 1990), which entered into force on 10 August 1992, and the Beijing Amendment, agreed by the Eleventh Meeting of the Parties (Beijing, 29 November–3 December 1999), which entered into force on 25 February 2002.

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)	BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL (ADOPTION IN 1989 / ENTRY INTO FORCE IN 1992)	STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)
	<i>Group I of Annex C that have been recycled. 4. For Parties operating under the provisions of paragraph 8 (a) of Article 2, the requirements in paragraphs 1, 2, 3 and 3 bis of this Article in respect of statistical data on imports and exports shall be satisfied if the regional economic integration organization concerned provides data on imports and exports between the organization and States that are not members of that organization.</i>		
MAIN INFORMATION TO BE REPORTED	Each party is requested to provide data regarding: production, import and export of each of the controlled substances: - amounts of ozone-depleting substances destroyed, used for feedstock, imported from and exported to parties and non-parties, and imports and exports of recycled substances.	Each party is required to transmit a report on the previous calendar year, containing information on, among other things: - competent authorities and focal points - transboundary movements, generation, transportation and disposal of hazardous wastes or other wastes - measures adopted in implementing the Convention - such other matters as Conference of the Parties deems relevant	Each party is requested: - to report on measures taken to implement the provisions of the Convention and their effectiveness; - to provide data on production, import and export of controlled substances as well as a list of the States from/to which it has imported/exported each such substance
TYPE OF INFORMATION	Statistical data or the best possible estimates of such data where actual data are not available	Qualitative as well as quantitative data.	Qualitative as well as quantitative data
TIMING AND PERIODICITY	Annually, not later than nine months after the end of the year to which the data relate ¹⁰	Annually, a report on the previous calendar year before the end of each calendar year or when significant new developments occur that require reporting	Conference of the Parties at its first meeting decided reporting would be every four years. ¹¹

¹⁰ Annual reports must be transmitted to the Ozone secretariat by 30 September of the year following the year to which the data relate but may be submitted before, including concurrently with reporting to the Fund secretariat due by 1 May.

¹¹ The secretariat of the intergovernmental negotiating committee for an international legally binding instrument for implementing international action on certain persistent organic pollutants put forward several matters that might need to be taken into account when considering the timing and periodicity of reporting under article 15, including: the timing of other reporting obligations under the Convention and of the meetings of the Conference of the Parties; the timing of the effectiveness evaluation called for by article 16 of the Convention; national implementation plans under article 7, both for their timing and for the information they might provide; the quality of national reports as well as the volume of information which the Conference of the Parties could usefully review, which might be affected by timing; the fact that intervals between the submission of the reports need not be the same; and the importance of electronic formats, guidelines and instruction manuals, together with clear reporting formats (see UNEP/POPS/COP.1/20).

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)		BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL (ADOPTION IN 1989 / ENTRY INTO FORCE IN 1992)		STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)		
	Article	Periodicity/Further action	Article	Periodicity/Further action	Article	Periodicity/Further action	
ADDITIONAL REFERENCES TO REPORTING IN THE MEA TEXT	Article 4B: Licensing ¹²	Within three months of the date of introducing the party's licensing system	Article 3: National definitions of hazardous wastes	Within six months of becoming a party, then subsequent to any significant changes	Article 4: Register of specific exemptions (report justifying the continuing need for registration of an exemption)	Prior to a review of an entry in the register	
	Article 9: Research, development, public awareness and exchange of information	Within two years of the entry into force of the Protocol and every two years thereafter	Article 4: General obligations	Pursuant to article 13	Article 5: Measures to reduce or eliminate releases from unintentional production (reviews of strategies)	Every five years, included in reports submitted pursuant to article 15	
			Article 5: Designation of competent authorities and focal points	Within three months of entry into force, then within one month of any changes	Article 7: Implementation plans	Within two years of entry into force for the party	
			Article 6: Transboundary movement between parties	Pursuant to article 13	Article 16: Effectiveness evaluation (reports and monitoring information)	Arrangements to be decided at the first meeting of the Conference of the Parties	
			Article 11: Bilateral, multilateral and regional agreements	No periodicity specified but requirements referred to in article 13	Annex A, part II, subparagraph (g): PCBs	Every five years	
			Article 13: Transmission of information, Paragraph 1	Immediately whenever it comes to the party's knowledge	Annex B, part II, paragraph 4 : DDT	Every three years	
			Article 13: Transmission of information, Paragraph 2	When changes occur or as soon as possible			
	RECIPIENT OF REPORTS	Submission to the secretariat.		Submission to Conference of the Parties through the secretariat		Submission to the Conference of the Parties through the secretariat	

¹² Article 4B was introduced by the Montreal Amendment, agreed by the Ninth Meeting of the Parties (Montreal, 15–17 September 1997), which entered into force on 10 November 1999.

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)	BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL (ADOPTION IN 1989 / ENTRY INTO FORCE IN 1992)	STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)
ROLE OF THE SECRETARIAT	Pursuant to article 12, the secretariat must, among other things: <ul style="list-style-type: none"> - receive and make available, upon request by a party, data provided pursuant to article 7; - prepare and distribute regularly to the parties reports based on information received pursuant to articles 7 and 9. 	Pursuant to article 16, secretariat, among other things, to prepare and transmit reports based upon information received in accordance with articles 3, 4, 6, 11 and 13	Pursuant to article 20, secretariat, among other things, to prepare and make available to the parties periodic reports based on information received pursuant to article 15 and other available information
ROLE OF MOPs/COPs	Pursuant to article 11, the Meeting of the Parties must, among other things: <ul style="list-style-type: none"> - establish, where necessary, guidelines or procedures for reporting of information as provided for in article 7 and paragraph 3 of article 9; - review reports prepared by the secretariat pursuant to article 12. 	Pursuant to article 15, Conference of the Parties to keep under continuous review and evaluation the effective implementation of the Convention	Pursuant to article 19, the Conference of the Parties to review regularly all information made available to the parties pursuant to article 15, including consideration of the effectiveness of paragraph 2(b) (iii) of article 3
FOCAL POINTS	National ozone units, national focal points designated by parties	Focal points established in accordance with article 5	National focal points established in accordance with article 9
FURTHER DECISIONS ON ADDITIONAL REPORTING	Article 5 parties ¹³ whose country programmes have been approved by the Executive Committee of the Multilateral Fund must meet additional reporting requirements in order to obtain continuing support: by 1 May, they must submit data on the progress made in implementing their country programmes to the Fund secretariat. ¹⁴ Various decisions of the parties request further information and data to be provided to the Ozone secretariat. A comprehensive list is provided in instructions/guidelines on data reporting (updated in accordance with decision XX/6). ¹⁵	On a number of issues for which reporting is not explicitly required under the Convention the Conference of the Parties has adopted or revised standard formats for reporting, e.g., illegal traffic (decision IV/12), national definitions of hazardous wastes (decisions VII/33and BC-10/11), designation of competent authorities and focal points (decision IX/29) and information relating to import and export prohibitions and restrictions (decision BC-10/11).	

13 "Article 5 parties" is a term used informally to refer to parties described thus in paragraph 1 of article 5: "Any party that is a developing country and whose annual calculated level of consumption of the controlled substances in annex A is less than 0.3 kilograms per capita on the date of the entry into force of the Protocol for it, or any time thereafter until 1 January 1999".

14 At its twenty-second meeting, the Executive Committee decided that, with effect from 1998, 1 May of each year would be the new deadline for the submission of data on progress in the implementation of country programmes for the preceding year (see UNEP/OzL.Pro/ExCom/22/79/Rev.1, decision 22/68, para. 92(d) and (e)).

15 http://ozone.unep.org/Data_Reporting/Data_Reporting_Tools/Data-Reporting-Instructions-English.2009-01-26.pdf.

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)	BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL (ADOPTION IN 1989 / ENTRY INTO FORCE IN 1992)	STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)
FORMAT AND INSTRUCTIONS ON REPORTING	<p>Reporting formats have been regularly revised and updated by decisions of the Meeting of the Parties. As the format currently stands, parties are requested to complete first a questionnaire, then the forms that are relevant to their specificities. Five separate forms are provided for imports, exports, production, destruction and trade with non-parties of ozone-depleting substances.</p> <p>Parties are provided with instructions for filling in the forms as well as guidelines on reporting.</p> <p>These documents, together with the questionnaire and forms, are available electronically on the Ozone Secretariat's website.</p> <p>A web-based data entry system based on the country programme format has been available since 2007 for use by national ozone units.¹⁶ The secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol has also developed a manual to assist article 5 parties in their reporting.</p>	<p>The Conference of the Parties at its sixth meeting adopted a revised questionnaire on "transmission of information" and a manual.</p> <p>The questionnaire has two parts. The first relates to the status of information that remains more or less the same year after year, while the second relates to annual reporting. Part II has two sections: Section A relates to export, import and generation of hazardous wastes and other wastes, and section B relates to accidents and disposal that does not proceed as intended.</p> <p>The manual, which is intended to assist parties in completing the questionnaire, is available on the Basel Convention website in all six official United Nations Languages. Pre-filled questionnaires are posted on a password-protected section of the website.</p>	<p>At its first meeting the Conference of the Parties adopted the format for reporting,¹⁷ which was updated and elaborated when new chemicals were added to the annexes of the Convention in 2011.¹⁸</p> <p>The current format for reporting adopted by the parties consists of four parts:</p> <ul style="list-style-type: none"> - part A on general information on the party submitting the report - part B on the measures taken by the party to implement the provisions of the Convention and on their effectiveness - part C on progress in eliminating PCBs - part D on additional information and comments <p>The format for reporting and an accompanying user manual are available electronically in the six official United Nations languages. An online reporting system is in place.</p>
PROCESSING OF INFORMATION REPORTED	<p>The Ozone Secretariat analyses the data received, and identifies parties that have not complied with the reporting requirements and whose reported data suggests possible non-compliance with the control measures of the Protocol and the decisions of the parties. While the secretariat checks the data for internal consistency and may request clarification from parties when necessary (including in cases of discrepancy</p>	<p>Upon receipt of the completed questionnaires, the secretariat carries out quality control of the data and information, to the extent possible, and sends queries asking for clarification when necessary.</p> <p>The data and information received are entered and stored by the secretariat in the reporting database. In addition, all the data and</p>	

¹⁶ The reporting form is divided into five sections, covering data on controlled substances (section A); regulatory, administrative and supportive actions (section B); a quantitative assessment of the phase-out programme (section C); a qualitative assessment of the implementation of the refrigerant management plan (section D); and comments of bilateral/implementing agencies (section E).

¹⁷ Decision SC-1/22. The intergovernmental negotiating committee, in its preparations for the first meeting of the Conference of the Parties, had developed, inter alia, guidance for the periodicity and format of reports by parties, pursuant to a request by the Conference of Plenipotentiaries on the Stockholm Convention, which met in Stockholm on 22 and 23 May 2001 (Final Act of the Conference of Plenipotentiaries on the Stockholm Convention on Persistent Organic Pollutants (UNEP/POPS/CONF/4), appendix I, resolution 1, para. 4).

¹⁸ A format for reporting on PCBs under the Convention was adopted at the second meeting of the Conference of the Parties by decision SC-2/18. At its fifth meeting, by decision SC-5/16, the Conference of the Parties requested the secretariat to update the reporting format to include the nine chemicals listed in annexes A, B and C by decisions SC-4/10–SC-4/18 of the Conference of the Parties, for consideration by the Conference of the Parties at its sixth meeting.

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)	BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL (ADOPTION IN 1989 / ENTRY INTO FORCE IN 1992)	STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)
	with the data in the country programme of the country concerned), it has no right to reject the data submitted (decision VII/20). The Multilateral Fund secretariat uses country programme data when analysing the status of compliance of article 5 parties with the Montreal Protocol.	information provided by parties are used in the preparation of the compilations and country fact sheets. ¹⁹	
PUBLICATION OF INFORMATION REPORTED	Only aggregate figures on groups of substances, expressed in terms of ozone-depletion potential, or ODP, are published and available online (http://ozone.unep.org). Information on production and consumption of individual substances remains confidential. ²⁰	The compilations and country fact sheets are made available on the Basel Convention website at www.basel.int .	All the reports submitted during the first and second round of reporting are available for consultation on the Convention's website at www.pops.int . ²¹

19 www.basel.int/Procedures/NationalReporting/tabid/1332/Default.aspx.

20 According to the Montreal Protocol website, while some chemical-specific data is treated confidentially the Protocol calls for country-specific information on the production and consumption of classes of ozone-depleting substances to be made generally available.

21 Parties were requested to submit to the secretariat for consideration by the Conference of the Parties their first national reports pursuant to article 15 by 31 July 2007 (following the extension of the initial 31 December 2006 deadline) and their second national reports by 31 July 2011 (following the extension of the initial 31 October 2010 deadline), while their third national reports are due by 31 October 2014.

B. Survey of action plans under other relevant multilateral environment agreements

Under the Stockholm Convention, all parties are required, pursuant to article 7, to develop national implementation plans that set out how they intend to meet their obligations under the Convention. Under the Montreal Protocol, the development of national implementation plans is not a legal obligation for all parties. Article 5 parties wishing to receive financial and technical assistance from the Multilateral Fund, however, must develop country programmes that contain, among other elements, action plans for eliminating the consumption and production of ozone-depleting substances.

The Stockholm Convention and Montreal Protocol illustrate two different approaches towards action plans: under the former, the preparation of an action plan is a legal requirement to be undertaken by all parties as part of their national implementation plans; under the latter, it is not a requirement in the text of the instrument itself but it is a condition of the funding mechanism, the Multilateral Fund, for developing countries to obtain funding. In both cases, support is provided to parties for the development of their plans. The Multilateral Fund provides financial and technical assistance to assist article 5 parties to establish, implement, monitor and update their country programmes and refrigerant management plans. Under the Stockholm Convention, developing country parties and parties with economies in transition can access funding through the Global Environment Facility to develop their implementation plans.

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)	STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)
PARTY SUBJECT TO PROVISION	Article 5 parties wishing to obtain further financial support from the Multilateral Fund. ²²	Each party
ACTION PLAN REQUIREMENTS	<p>Pursuant to paragraph 10 (g) of its terms of reference, the Executive Committee of the Multilateral Fund is required to invite each article 5 party wishing to receive support from the Fund to develop a country programme.</p> <p>The country programme defines the strategy and provides the framework for party compliance with the control measures of the Protocol. An action plan encompassing investment and technical assistance projects, pre-investment studies and any policy analysis required are among the key features of the country programme.²³ A schedule with an action plan should be prepared for each controlled substance consumed or produced in the country according to the Montreal Protocol schedule. An indication of the type of action plans that can be adopted is given in the standard format prepared by the Fund secretariat.</p> <p>In addition, a “refrigerant management plan (RMP)”, which is a comprehensive strategy to phase out the use of ozone-depleting substances in the refrigeration and air-conditioning sectors, if applicable, is to be attached to the country programme.²⁴</p>	<p>Pursuant to article 7, each party is required to develop and endeavour to implement a plan for complying with its obligations.</p> <p>The Stockholm Convention requires or encourages parties to develop and implement specific action plans or strategies as part of their national action plans:</p> <ul style="list-style-type: none"> - Article 5: action plans to identify, characterize and address releases of unintentionally produced persistent organic pollutants (as appropriate on a national, subregional or regional basis) - Part II of annex B: action plans for DDT. <p>In addition, action plans can be developed for PCBs.</p>

22 Terms of reference of the Executive Committee (see UNEP/OzL.Pro.2/3, annex IV, appendix II).

23 “Policies, procedures, guidelines and criteria (as at November 2011)”, annex VIII.1, “Procedures for presentation of country programmes and project proposals” (available online at <http://www.multilateralfund.org/Our%20Work/policy/Shared%20Documents/Policy65bookmarks.pdf>), presents a detailed standard format for an idealized country programme prepared by the Fund secretariat in order to standardize all country programmes.

24 Ibid., annex IX.21, “Guidelines for the preparation of refrigerant management plan”, approved by the Executive Committee at its twenty-third meeting.

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)	STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)
TIMING OF FIRST TRANSMISSION	No timing is specified in the provision itself; however, at its tenth meeting, the Executive Committee requested that parties give priority to early completion of country programmes, and to strive to submit completed country programme documents within nine months of the disbursement of the funds for their preparation.	Transmission to the Conference of the Parties within two years of entry into force of the Convention for that party.
CONDITIONS AND TIMING FOR REVIEWS	Each party must include in its country programme a timetable for review of its action plan. It should monitor the progress made in line with its action plan and periodically review the measures taken. It should submit to the Fund secretariat for further consideration by the Executive Committee an updated country programme if it becomes necessary to change the action plan to maintain progress.	<p>Pursuant to article 7, parties should review their plans on a periodic basis in a manner to be specified by a decision of the Conference of the Parties.</p> <p>The guidance for the review and updating of national implementation plans adopted at the first meeting of the Conference of the Parties²⁵ identifies a series of internal and external factors to determine whether parties need to review and update their national implementation plans.²⁶ Transmission to the Conference of the Parties of updated plans should occur:</p> <ul style="list-style-type: none"> - within two years of the entry into force of an amendment for the party, if a party must review and update its implementation plan because of changes in the obligations under the Convention (due to amendments to the Convention or its annexes);²⁷ - as soon as practicable if a party must review and update its implementation plan in response to any other external or internal factor.
ASSOCIATED REPORTING REQUIREMENT	Parties should report annually to the Executive Committee on progress being made in the implementation of their country programmes. Data reports must be provided to the Fund secretariat by 1 May of each year, reporting annual consumption for the previous year.	Parties in their reporting pursuant to article 15 must report on the measures taken to implement the provisions of the Convention and their effectiveness.

25 Decision SC-1/12.

26 The external factors include changes in obligations arising from amendments to the Convention or its annexes, including the addition of chemicals to annexes A, B or C; decisions of the Conference of the Parties that might affect how parties implement Convention obligations, including adoption of guidance or guidelines; changes in the availability of technical or financial assistance; and changes in access to infrastructure external to the party (e.g., disposal facilities). The internal factors include reporting under article 15 of the Convention indicating that the party's implementation plan is not adequate; a change in national priorities; a significant change in national circumstances (e.g., infrastructure or institutional arrangement); inventories of persistent organic pollutants, after improvement or updating, indicating a change in the scope of the problem to be addressed.

27 As a consequence, following the entry into force in August 2010 for some parties of the amendment to the Convention adopted at the fourth meeting of the Conference of the Parties, by which the Conference added nine new chemicals to the list of persistent organic pollutants covered by the Convention, those parties must transmit their reviewed and updated national implementation plans by August 2012. Each of the remaining parties must transmit its reviewed and updated national implementation plan within two years of the date on which the amendment enters into force for it.

	MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ADOPTION IN 1987 / ENTRY INTO FORCE IN 1989)	STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS (ADOPTION IN 2001 / ENTRY INTO FORCE IN 2004)
GUIDANCE ON FORMAT AND CONTENT	The Multilateral Fund secretariat developed a manual to give article 5 parties clearer advice and directions for completing their reporting forms.	<ul style="list-style-type: none"> - Guidance for assisting countries in the preparation, review and updating of national implementation plans adopted at the first meeting of the Conference of the Parties²⁸ - Draft secretariat guidance on socio-economic assessment for national implementation plan development and implementation under the Stockholm Convention - Draft secretariat guidance on calculation of action plan costs, including incremental costs and action plans for specific persistent organic pollutants²⁹

28 Decision SC-1/12.

29 Guidance is available at chm.pops.int/Implementation/NIPs/Guidance/tabid/587/Default.aspx.