

Annual Project Report (UNDP conclusion)

[Name of project] Institutional Strengthening for the Phase-out of Ozone Depleting Substances under the Montreal Protocol, Phase X

[Date of report] January 10, 2015

Project annual report rating

<i>Item rated</i>	<i>Rating provided</i>
Overall quality of the report	5
Does the project still fit with the Country office Strategic direction	5
Is the project still Relevant within the country setting	5
Sustainability	5
Efficiency: Financial performance (overall)	4
Efficiency: Financial performance (reporting period)	3
Effectiveness: Activity implementation (overall)	4
Effectiveness: Activity implementation (reporting period)	4
Partnership Effectiveness (if applicable)	5
Total	40

Partnership Effectiveness (only for joint inter-UN agency initiatives)

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Overall assessment

Through 2014, the project strengthened the capacity of FECO for implementation of the project. The following main activities under the project were implemented successfully, i.e. financing official to participate the ExCom, issuing or updating the policies and regulations, financing the staff members in FECO for motional implementing the projects. Generally the project is implemented well except some delay of the disbursement.

Sustainability (either separate or as part of the overall assessment)

some policies and management instrument as outcomes of the project are very important for China in next few years , for example, Amendments to ODS import and export was issued in March 2014 are to effectively controlling ODS import and export, and is important for other countries except China to comply their commitment to the Montreal Protocol..

Management steps to be taken

2014 is the last year for the project. Measures should e taken to finish all the activities of the project, especially the disbursement of the remaining fund. UNDP will remind FECO of the procedures of closure of the project.

Signed by Alex

Date 30 Jan. 2015.

Annual Project Report

Institutional Strengthening for the Phase-out of Ozone Depleting Substances under the Montreal Protocol, Phase X

1/12/2015

Basic Project Information

Project Title:	IS X
UNDP Award ID	00074320
UNDP Project ID	00086776
Project Duration	2013-2014
Reporting Period	2014
Total Approved Project Budget	US\$390,000
Participating UN agencies	United Nations Development Programme (UNDP)
Implementing Partners/ National collaborating agencies	Ministry of Environmental Protection (MEP)/Foreign Economic Cooperation Office (FECO)
International collaborating agencies	
Cost-sharing third parties	
UNDP Contact officer	Yun Hong
Project website	

Executive Summary

The project document of IS X was signed in June, 2013. The expense in 2014 is in line with the Project Document and TYWP. The fund is mainly used to support the operation of the PMO. The PMO has organized several internal workshops to enhance the staff's knowledge and management skills. The project is a continued institutional strengthening support for China's compliance with the Montreal Protocol and comes into its phase 10 from 2013 to 2014.

1. Background

Development Context

Realizing the dangers of ozone layer depletion, Governments adopted the Vienna Convention (1985) and the Montreal Protocol on Substances that Deplete the Ozone Layer (1987), as well as amendments to the Protocol in London (1990), Copenhagen (1992), Montreal (1997) and Beijing

(1999). The Montreal Protocol and its amendments set out a schedule to reduce consumption and production of Ozone Depleting Substances (ODS) and have up to now been ratified by 197 countries. In September 2007, the Parties to the Montreal Protocol reached an agreement to accelerate the phase-out of HCFCs. According to the adjusted phase-out schedule, the 'Article 5' countries (known as the developing countries) agreed to establish a baseline at the average level of production and consumption of 2009 and 2010. It was determined that consumption and production would be frozen at this baseline level by 2013, reduced by 10% by 2015, 35% by 2020, and 67.5% by 2025. Meanwhile, 2.5% of the baseline would be allowed annually for servicing needs between 2030 and 2040.

To ensure effective management and implementation of the ODS phase-out activities of the many individual projects and sectoral phase-out plans approved by the MLF, MEP set up a Programme Management Office (PMO) to manage the ODS programme. The PMO consists of staff from the Foreign Economic Cooperation Office (FECO) and the Pollution Control Department of MEP.

The PMO helped draft a Regulation on Management of Ozone Depleting Substances which was issued in June 2010. The Regulation serves as the legal framework for China's ODS phase-out efforts.

In 2011, China starts her HCFC phase-out plans according to the requirements of the Copenhagen Amendment and the Adjustment for the Accelerated Phase-out of HCFCs. The PMO is expected to continue to work on these plans.

The project is a continued institutional strengthening support for China's compliance with the Montreal Protocol and comes into its phase 10 from 2013 to 2014.

Project Objectives and Strategy

The main objective of the project is to further enhance the overall programme management capability of the Programme Management Office (PMO) for ozone layer protection matters in the Ministry of Environmental Protection (MEP), especially to enforce ODS policy development and supervision and management of projects.

The extension of Phase X will provide the necessary inputs to assist China to maintain its momentum in phasing out the production and consumption level of ODS, to design its HCFCs management system, and to sustain the capacity of the PMO to effectively implement China's national Montreal Protocol Programme for ODS phase out, in order to reach the target of total phase-out of methyl chloroform and methyl bromide in 2015, freezing of HCFC consumption at the baseline level in 2013 and reduction 10% of HCFC consumption in 2015 and to sustain the achievement of phase-out.

The project intends to achieve the following outcomes:

1. To improve policy formulation and enforcement;
2. To strengthen international communication;
3. To strengthen coordination with related agencies;
4. To improve project management of PMO; and
5. To promote public awareness;

2. Key Results

Project Outcomes

Outcome 1:

MEP issued Notice on the management of the production, consumption and sales of HCFC in August 2013, ruling on quota distribution. HCFC production and consumption quota management goes well at both national and local level to ensure the fulfilment of compliance targets.

HCFC license system works well in the year 2014 to ensure the fulfilment of compliance targets in 2013 and 2015.

Amendments to ODS import and export was issued in March 2014 to effectively control ODS import and export. The Import & Export Management Office organized several workshops to coordinate multiple departments on ODS trade control.

ODS im/ex online system was established in 2014.

Outcome 2:

Delegations were sent to Meeting of the Parties to the Montreal Protocol (MOP), Meeting of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol (ExCom) and Meeting of the Open-ended Working Group of the Parties to the Montreal Protocol (OEWG) meetings using the fund of the project.

The PMO attended the 72nd-73rd ExCom in 2014, joined the International Cooperation Division of MEP in the negotiation of OEWG 34th and MOP 25th.

The PMO conducted research on the prospect of complying with the Montreal Protocol and the impact of HCFC phase out on China for the next Five-Year Plan. (ongoing)

Data from all relevant sectors are collected and reported on time in 2014.

Outcome 3:

Coordination with government departments and local EPBs was strengthened.

In 2014, PMO continues a strong coordination with government departments like Customs, Ministry of Agriculture, Ministry of Commerce, etc.

Local EPBs establish their own team in ozone protection and ODS phase-out and organized several workshops to enhance public awareness in 2014.

Outcome 4:

The programme management capacity of PMO was further strengthened to undertake effective coordination with international implementing agencies, domestic implementing entities, related line ministries, authorities, industrial associations like China Household Electrical Appliance Association and enterprises, and to achieve more efficient management of the implementation of the many sectoral phase-out plans approved.

Outcome 5:

Some necessary information and the latest ODS phase-out activities and policies are constantly updated in the website of China Ozone Action throughout 2014.

Activities and Outputs**Activity 1.1**

Staff within the PMO worked together on quota permit for the production, sale and consumption of HCFCs. Quota permit of the year 2014 was successfully issued to the enterprises.

Activity 1.2

Amendments to ODS import and export was issued in March 2014 to effectively control ODS import and export.

Activity 2.2

Supported by the project, Chinese delegation participated in the 72nd-73rd ExCom meetings, the 34thOEWG and MOP 25th held in 2013.

Sustainability

The PMO has paid special attention to make sure the long-term plans are designed and implemented in a sustainable way. The PMO makes sure that the contact with relevant

international agencies, industries and local EPBs are maintained. The activities are designed so they are integrated into the PMO's regulations and institutions and can be sustained into the future.

Partnership Effectiveness

The project also enables the PMO to maintain collaboration with the local EPBs and international implementing agencies.

Cross-cutting Issues

Industrial and governmental awareness on ODS phase-out was improved thanks to the constant update from the ozone action website and materials created using the fund from the project.

3. Project Management and Oversight

Implementation status

Most activities are conducted according to the annual work plan provided by the PMO in early 2014.

Human Resource Management

The project is managed by one officer in the PMO. The officer is well supported by colleagues and other divisions within FECO and can ensure the project achieving the objectives.

Monitoring and Evaluation

The PMO prepared AWP at the beginning of the project, and FACE forms reporting the financial status of the project.

Risk management

All the activities should be conducted according to the TYWP and annual work plan.

Communication and advocacy

The project is made known inside the PMO so that other project officers can know when and how the funding provided in the project can be utilized. The PMO also communicated with the financial division in FECO to track the progress and resources in the project.

4. Financial Management(Rate:6.225)

Expenditure Vs. Approved project budget by source of funding	Source of Fund	Budget	Expenditure
UNDP		390,000	338,157.17
Government Cost Sharing			
Third Party Cost-sharing			
Other (please specify)			
Total		390,000	338,157.17

Output	Activities	Source of Funding	Budget Description	Annual Budget (USD)	Annual Expenditure (USD)	Note
Output 1: Improve policy formulation and enforcement	1) To introduce ODS management regulation; 2) To promote HCFC management and make HCFC quota system put in force; 3) To make amendments to the ODS Import and Export Regulations;	MLF MLF	Local consultant Miscellaneous and communication	9000.00 500.00	12,807.71 0.00	
Output 2: Strengthening international communication	1) To take part in international negotiations; 2) To understand international trends on ODS phase-out; 3) To obtain support for projects and	MLF MLF MLF	Travel, etc. Contractual Service-Individual Miscellaneous and	44,000.00 3,000.00 500.00	47,410.88 0.00 0.00	

	sector plans; 4) To report ODS data.		communication		
Output 3: Strengthening coordination with related agencies	1) To strengthen coordination with government departments; 2) To enhance cooperation with local EPBs;	MLF	Travel, etc.	2,000.00	6,532.53
		MLF	Local consultant	3,000.00	5,582.49
		MLF	Miscellaneous and communication	500.00	0.00
Output 4: Improve project management of PMO	1) To strengthen the project management capabilities;	MLF	Local consultant	282,341.48	259,771.20
		MLF	Miscellaneous and communication	500.00	110.20
Output 5: Promote public awareness	1) To reach out to the public through media; 2) To conduct training for public awareness;	MLF	Service Contracts	1,000.00	0.00
		MLF	Local consultant	2,500.00	5,395.98
		MLF	Miscellaneous and communication	500.00	546.18
Total				349,348.48	338,157.17
					BALANCE: CNY54,330.69

5. Management recommendations

The PMO can track the expenses of the project more closely and make adjustments to the schedule of activities accordingly.

6. Annexe/s

1. Amendment to ODS import and export management (Chinese version)

环境保护部

商 务 部 令

海关总署

部令 第 26 号

消耗臭氧层物质进出口管理办法

根据《消耗臭氧层物质管理条例》和有关法律、行政法规，制定《消耗臭氧层物质进出口管理办法》。现予公布，自 2014 年 3 月 1 日起施行。原国家环境保护总局发布的《消耗臭氧层物质进出口管理办法》（环发〔1999〕278 号）和原国家环境保护总局、原对外经济贸易合作部、海关总署发布的《关于加强对消耗臭氧层物质进出口管理的规定》（环发〔2000〕85 号）同时废止。

环境保护部部长

商务部部长

海关总署署长

2014 年 1 月 21 日

附件

消耗臭氧层物质进出口管理办法

第一条 为履行《关于消耗臭氧层物质的蒙特利尔议定书》及其修正案，加强对我国消耗臭氧层物质进出口管理，根据《消耗臭氧层物质管理条例》，制定本办法。

第二条 本办法适用于以任何形式进出口列入《中国进出口受控消耗臭氧层物质名录》的消耗臭氧层物质的活动；通过捐赠、货样、广告物品、退运等方式将列入《中国进出口受控消耗臭氧层物质名录》的消耗臭氧层物质运入、运出中华人民共和国关境，其他法律法规另有规定的，从其规定。

《中国进出口受控消耗臭氧层物质名录》由国务院环境保护主管部门会同国务院商务主管部门、海关总署制定、调整和公布。

第三条 国家对列入《中国进出口受控消耗臭氧层物质名录》的消耗臭氧层物质实行进出口配额许可证管理。

第四条 国务院环境保护主管部门、国务院商务主管部门和海关总署联合设立国家消耗臭氧层物质进出口管理机构，对消耗臭氧层物质的进出口实行统一监督管理。

第五条 国务院环境保护主管部门根据消耗臭氧层物质淘汰进展情况，商国务院商务主管部门确定国家消耗臭氧层物质年度进出口配额总量，并在每年12月20日前公布下一年度进出口配额总量。

第六条 从事消耗臭氧层物质进出口的单位（以下简称“进出口单位”）应当具有法人资格，并依法办理对外贸易经营者备案登记手续。

第七条 进出口单位应当在每年10月31日前向国家消耗臭氧层物质进出口管理机构申请下一年度进出口配额，并提交下列材料：

- （一）法人营业执照和对外贸易经营者备案登记表；
- （二）消耗臭氧层物质进出口单位年度环保备案表；
- （三）下一年度消耗臭氧层物质进出口配额申请书和年度进出口计划表。

初次申请进出口配额的进出口单位，还应当提交前三年消耗臭氧层物质进出口业绩。

申请进出口属于危险化学品的消耗臭氧层物质的单位，还应当提交该危险化学品的国内生产使用企业持有的危险化学品环境管理登记证，以及安全生产监督管理部门核发的危险化学品生产、使用或者经营许可证。

未按时提交上述材料或者提交材料不齐全的，国家消耗臭氧层物质进出口管理机构不予受理配额申请。

第八条 国家消耗臭氧层物质进出口管理机构在核定进出口单位的年度进出口配额申请时，应当综合考虑下列因素：

- (一) 遵守法律法规情况；
- (二) 前三年消耗臭氧层物质进出口业绩；
- (三) 上一年度消耗臭氧层物质进出口计划及配额完成情况；
- (四) 管理水平和环境保护措施落实情况；
- (五) 其他影响消耗臭氧层物质进出口的因素。

第九条 国家消耗臭氧层物质进出口管理机构应当在每年12月20日前对进出口单位的进出口配额做出发放与否的决定，并予以公告。

第十条 在年度进出口配额指标内，进出口单位需要进出口消耗臭氧层物质的，应当向国家消耗臭氧层物质进出口管理机构申请领取进出口受控消耗臭氧层物质审批单，并提交下列材料：

- (一) 消耗臭氧层物质进出口申请书；
- (二) 对外贸易合同或者订单等相关材料，非生产企业还应当提交合法生产企业的供货证明；
- (三) 国家消耗臭氧层物质进出口管理机构认为需要提供的其他材料。

出口回收的消耗臭氧层物质的单位应当持有回收单位所在省级环境保护主管部门签发的回收证明，依法申请领取进出口受控消耗臭氧层物质审批单后，方可办理其他手续。

特殊用途的消耗臭氧层物质的出口，进出口单位应当提交进口国政府部门出具的进口许可证或者其他官方批准文件等材料。

第十一条 国家消耗臭氧层物质进出口管理机构应当自受理进出口申请之日起二十个工作日内完成审查，作出是否签发消耗臭氧层物质进出口审批单的决定，并对获准签发消耗臭氧层物质进出口审批单的进出口单位名单进行公示；未予批准的，应当书面通知申请单位并说明理由。

第十二条 消耗臭氧层物质进出口审批单实行一单一批制。审批单有效期为九十日，不得超期或者跨年度使用。

第十三条 进出口单位应当持进出口审批单，向所在地省级商务主管部门所属的发证机构申请领取消耗臭氧层物质进出口许可证。在京中央企业向国务院商务主管部门授权的发证机构申请领取消耗臭氧层物质进出口许可证。

消耗臭氧层物质进出口许可证实行一批一证制。每份进出口许可证只能报关使用一次，当年有效，不得跨年度使用。

进出口许可证的申领和管理按照国务院商务主管部门有关规定执行。

第十四条 进出口单位凭商务主管部门签发的消耗臭氧层物质进出口许可证向海关办理通关手续。

第十五条 进出口单位在领取消耗臭氧层物质进出口许可证后，实际进出口的数量少于批准的数量，应当在完成通关手续之日起二十个工作日内向国家消耗臭氧层物质进出口管理机构报告实际进出口数量等信息。

进出口单位在领取消耗臭氧层物质进出口许可证后，实际未发生进出口的，应当在进出口许可证有效期届满之日起二十个工作日内向国家消耗臭氧层物质进出口管理机构报告。

第十六条 消耗臭氧层物质在中华人民共和国境内的海关特殊监管区域、保税监管场所与境外之间进出的，进出口单位应当依照本办法的规定申请领取进出口审批单、进出口许可证；消耗臭氧层物质在中华人民共和国境内的海关特殊监管区域、保税监管场所与境内其他区域之间进出的，或者在上述海关特殊监管区域、保税监管场所之间进出的，不需要申请领取进出口审批单、进出口许可证。

第十七条 进出口单位应当按照进出口审批单或者进出口许可证载明的内容从事消耗臭氧层物质的进出口活动。发生与进出口审批单或者进出口许可证载明的内容不符的情形的，进出口单位应当重新申请领取进出口审批单或者进出口许可证。

第十八条 国家消耗臭氧层物质进出口管理机构建立消耗臭氧层物质进出口数据信息管理系统，收集、汇总消耗臭氧层物质的进出口数据信息。

国务院环境保护主管部门、商务主管部门、海关总署以及省级环境保护主管部门应当建立信息共享机制，及时通报消耗臭氧层物质进出口、进出口单位信息和违法情况等信息。

第十九条 县级以上环境保护主管部门、商务主管部门、海关等有关部门有权依法对进出口单位的消耗臭氧层物质进出口活动进行监督检查。被检查单位必须如实反映情况，提供必要资料，不得拒绝和阻碍。检查部门对监督检查中知悉的商业秘密负有保密义务。

第二十条 进出口单位当年不能足额使用的进出口配额，应当于当年10月31日前报告并交还国家消耗臭氧层物质进出口管理机构。国家消耗臭氧层物质进出口管理机构可以根据实际情况对年度配额进行调整分配。

进出口单位未按期交还进出口配额并且在当年年底前未足额使用的，国家消耗臭氧层物质进出口管理机构可以核减或者取消其下一年度的进出口配额。

第二十一条 进出口单位以欺骗、贿赂等不正当手段取得消耗臭氧层物质进出口年度配额、消耗臭氧层物质进出口审批单或者进出口许可证的，依照《中华人民共和国行政许可法》的规定，由国家消耗臭氧层物质进出口管理机构撤销其消耗臭氧层物质进出口审批单，或者由商务主管部门撤销其消耗臭氧层物质进出口许可证，并由国家消耗臭氧层物质进出口管理机构酌情核减或者取消进出口单位本年度或者下一年度的进出口配额；构成犯罪的，依法移送司法机关追究刑事责任。

进出口单位对本办法第七条、第十条要求申请人提交的数据、材料有谎报、瞒报情形的，国家消耗臭氧层物质进出口管理机构除给予前款规定处罚外，还应当将违法事实通报给进出口单位所在地县级以上地方环境保护主管部门，并由进出口单位所在地县级以上地方环境保护主管部门依照《消耗臭氧层物质管理条例》第三十八条的规定予以处罚。

第二十二条 进出口单位倒卖、出租、出借进出口审批单或者进出口许可证的，由国家消耗臭氧层物质进出口管理机构撤销其消耗臭氧层物质进出口审批单，或者由商务主管部门撤销其消耗臭氧层物质进出口许可证，并由国家消耗臭氧层物质进出口管理机构取消其当年配额，禁止其三年内再次申请消耗臭氧层物质进出口配额；构成犯罪的，依法移送司法机关追究刑事责任。

第二十三条 进出口单位使用虚假进出口审批单或者进出口许可证的,由国家消耗臭氧层物质进出口管理机构取消其当年进出口配额,禁止其再次申请消耗臭氧层物质进出口配额;构成犯罪的,依法移送司法机关追究刑事责任。

第二十四条 进出口单位无进出口许可证或者超出进出口许可证的规定进出口消耗臭氧层物质的,或者违反海关有关规定进出口消耗臭氧层物质的,或者走私消耗臭氧层物质的,由海关依法处罚;构成犯罪的,依法移送司法机关追究刑事责任。国家消耗臭氧层物质进出口管理机构可以根据进出口单位违法行为情节轻重,禁止其再次申请消耗臭氧层物质进出口配额。

第二十五条 负有消耗臭氧层物质进出口监督管理职责的部门及其工作人员有下列行为之一的,对直接负责的主管人员和其他直接责任人员,依法给予处分;构成犯罪的,依法移送司法机关追究刑事责任:

- (一) 违反本办法规定发放消耗臭氧层物质进出口配额的;
- (二) 违反本办法规定签发消耗臭氧层物质进出口审批单或者进出口许可证的;
- (三) 对发现的违反本办法的行为不依法查处的;
- (四) 在办理消耗臭氧层物质进出口以及实施监督检查的过程中,索取、收受他人财物或者谋取其他利益的;
- (五) 其他徇私舞弊、滥用职权、玩忽职守行为。

第二十六条 本办法规定的消耗臭氧层物质进出口配额申请书、年度进出口计划表、消耗臭氧层物质进出口申请书、进出口受控消耗臭氧层物质审批单、消耗臭氧层物质进出口单位年度环保备案表、回收证明等文件格式由国家消耗臭氧层物质进出口管理机构统一制定并公布。

第二十七条 本办法由国务院环境保护主管部门商国务院商务主管部门、海关总署解释。

第二十八条 本办法自2014年3月1日起施行。原国家环境保护总局发布的《消耗臭氧层物质进出口管理办法》(环发〔1999〕278号)和原国家环境保

护总局、原对外经济贸易合作部、海关总署发布的《关于加强对消耗臭氧层物质进出口管理的规定》（环发〔2000〕85号）同时废止。

