

MOP-22 HIGHLIGHTS: WEDNESDAY, 10 NOVEMBER 2010

The preparatory segment of Montreal Protocol MOP-22 convened for its third day in Bangkok, Thailand, on Wednesday, 10 November 2010.

In the morning, delegates participated in contact groups on the ToR for the evaluation of the financial mechanism and the ToR for the MLF replenishment study, and on ODS destruction.

During the afternoon, the Budget Committee, the contact group on QPS uses of methyl bromide and an informal group on low-GWP alternatives to ODS convened.

Plenary reconvened in the evening, where delegates agreed to forward several decisions to the high-level segment.

CONTACT GROUPS

Financial mechanism: This contact group, co-chaired by Paul Krajnik (Austria) and David Bola Omotosho (Nigeria), began with an open session on deliberations on the draft decision on MLF replenishment (UNEP/OzL.Pro.22/3, XXII/[D]), and then continued work in a closed contact group on the draft decision on the financial mechanism evaluation (UNEP/OzL.Pro.22/3, XXII/[C]).

On the ToR for replenishment of the MLF, noting that the decision had been discussed in detail at OEWG-30 in Geneva, discussions focused on the text remaining in square brackets.

Clarifying wording was suggested for a paragraph asking the TEAP to provide updated figures needed to maintain stable and sufficient funding for the MLF. Participants considered the bracketed text on potential compliance scenarios for HFCs, with some preferring that any mention of additional compliance obligations be removed from the text completely.

While some delegates stressed that there are no obligations on HFCs under the Protocol, others noted that the word “potential” recognized the current situation but allowed flexibility to accommodate future obligations. Another delegate agreed that such text would not prejudice the outcome of discussions on whether to consider new obligations under the Montreal Protocol. One cautioned against including text that is too general, explaining that the TEAP, as a technical body, should not be asked to make political decisions about the scope of their work.

Disagreements remained on whether to retain two paragraphs, one asking the TEAP to provide information on resources that would be needed to meet potential compliance obligations

resulting from amendment proposals being considered by MOP-22, and another asking the TEAP to provide information on the additional resources that would be needed to promote low-GWP alternatives to HFCs. Delegates agreed to consider again the bracketed text following the discussions of the informal group on low-GWP alternatives.

In the closed session on the evaluation ToR, delegates continued line-by-line consideration of the text, focusing their discussions on sections on the scope and on conclusions and recommendations of the study. Under the scope, delegates deliberated on, *inter alia*, the issue of technology transfer, and on conclusions and recommendations, some parties agreed to work bilaterally on draft text for consideration by the contact group.

ODS destruction: The contact group, co-chaired by Annie Gabriel (Australia) and Javier Ernesto Camargo Cubillos (Colombia), met on Wednesday morning and finalized their consideration of a draft decision on destruction technologies with regards to ODS (UNEP/OzL.Pro.22/3 XXII/[I]), agreeing to reference “comprehensive verification criteria.”

The contact group also considered a draft decision on environmentally sound management of ODS banks (UNEP/OzL.Pro.22/3 XXII/[L]). Discussion focused on a request to the ExCom of the MLF to, *inter alia*, continue its efforts on further cost-effective projects for the destruction of ODS banks during the next replenishment and provide Article 5 parties with the funding necessary to manage ODS banks. Some parties called for the definition of the term “cost-effective,” with others noting that a definition like this would be difficult to formulate given the time constraints. Parties discussed the MLF guidelines, noting that the term “cost-effective” was dealt with in the guidelines, and agreed to delete this reference.

Delegates then discussed the MLF-funded demonstration projects in relation to the aforementioned request to the ExCom. Some developed country delegates were concerned that the request to the ExCom to further its efforts on ODS bank destruction projects at this point may be preemptive, as the “learn by doing” demonstration projects have not been executed. One developing country party stressed that as the projects were yet to be executed, and therefore no feedback had been received, there was a need to maintain the request to the MLF for assistance to Article 5 parties to fully manage ODS banks, through activities including national inventories of banks, the development of legislative frameworks and strategies for sound waste management.

One developed country delegate called for a reference to “further assistance” for Article 5 parties for the management of ODS banks, as opposed to “funding,” and delegates agreed.

QPS uses of methyl bromide: Co-chaired by Robyn Washbourne (New Zealand) and Tri Widayati (Indonesia), the contact group on QPS uses of methyl bromide met on Wednesday afternoon.

The EU presented part of the revised text of the annex to the draft decision (UNEP/OzL.Pro.22/CRP.3), requesting the TEAP to provide information related to QPS uses of methyl bromide, including: international trade and technology; trends and potential fluctuations in the use of methyl bromide for QPS; the main commercial, technical and regulatory drivers for such methyl bromide use; the most significant economical and environmental impacts of each use; and biosecurity risks.

One party requested a simple CRP indicating quarantine challenges that will impact methyl bromide use for QPS, and what a strategic analysis would look like and who would undertake this analysis. Several parties requested the full text of the revised draft decision, especially regarding the obligations of parties.

The EU announced that the pre-drafting group would resume work in order to produce a short CRP for discussion Thursday.

Budget Committee: Chaired by Ives Enrique Gómez Salas (Mexico), the Committee continued discussing the possibility of upgrading the post of Executive Secretary to ASG. Chair Salas introduced the Secretariat’s text, as well as a proposed amendment. The text requested the President of the Bureau of MOP-22 to work with UNEP’s Executive Director to request the Secretary General to raise the level of the Executive Secretary. The proposed amendment noted the “administrative impossibility of maintaining the Executive Secretary,” and requested a “temporary” upgrade of the post to ASG.

Most parties supported ensuring continued and consistent leadership in the period leading up to 2015, and some parties emphasized that the upgrade be time-bound.

One developed country party requested time to conduct additional research on the possibility of extending the current holder’s tenure. The Secretariat informed delegates that an extension of three years would be impossible, according to UN rules. Discussion will continue on Thursday.

Informal group on low-GWP alternatives to ODS:

Co-chaired by Blaise Horisberger (Switzerland) and Leslie Smith (Grenada), the informal group on low-GWP alternatives to ODS met on Wednesday afternoon. It was noted that Brazil and four other Latin American countries had proposed a draft decision, which among other things, requests the TEAP to assess the extent to which the ExCom funding guidelines on HCFCs allow for the selection and financing of low-GWP alternatives to HCFCs in Article 5 countries (UNEP/OzL.Pro.22/CRP.13).

Introducing the proposal, Brazil highlighted that it requests the TEAP to assess the quantities and types of high-GWP substances that are likely to be phased in as alternatives to HCFCs, as well as to identify the affected sectors and the extent to which the funding guidelines on HCFCs would allow for the selection and financing of low-GWP alternatives to HCFCs by Article 5 parties. He said that once the TEAP has fully assessed the situation regarding low-GWP alternatives, parties could consider how to address the problem by the rules of the Montreal Protocol.

In the ensuing discussion, some developing country parties noted their reservations about introducing discussions on HFCs into the Montreal Protocol, and stressed that if discussions proceeded, any assessment should be comprehensive and exhaustive, ensuring that technologies with low-GWP do not possess other hazardous properties. Another party preferred

referring to “environmentally friendly” or “environmentally benign” and avoiding reference to low-GWP or high-GWP alternatives.

Some parties lauded the Brazilian proposal as an “excellent” basis from which to initiate discussion, and highlighted the need to broaden the focus to also consider the issue of growing demand for HCFC alternatives, the cost implications of the path forward, and the environmental, health and safety aspects of alternatives.

Delegates then made specific suggestions to the draft decision and subsequently considered amendments to the text proposed by several parties. One developed country party explained that collecting data on the quantities and types of high-GWP alternatives that have been phased in under the Montreal Protocol would not pre-judge policy responses to address these substances, but emphasized that parties should acquire these data as they have a responsibility to be aware of the impacts of the Protocol on other environmental issues. Another elaborated that the information would be relevant for following through on commitments to support the introduction of low-GWP alternatives to HCFCs and CFCs.

Some developing countries questioned the need for such information under the Montreal Protocol, noting that data on greenhouse gases should already be available in parties’ national inventories under the UNFCCC and the Kyoto Protocol, and are relevant to work in the climate, not the ozone, regime.

No consensus was reached on the proposed text, and, citing the need to dedicate time and energy to other contact groups and agenda items of the meeting, BRAZIL suggested asking the MOP to “take note” of the work done in the informal contact group and to continue discussions at OEWG-31. Some other developing country parties supported this, noting the issue was “not a priority” for them; others disagreed, asking for the issue to be given further attention at this meeting.

The group will meet briefly on Thursday.

PLENARY

Delegates convened in plenary during the evening to hear reports from the various contact groups and to consider decisions to be forwarded to the high-level segment.

Parties agreed to forward decisions to the high-level segment on: essential uses of CFCs by the Russian Federation (UNEP/OzL.Pro.22/CRP.6/Rev.1), process agents (UNEP/OzL.Pro.22/CRP.2/Rev.2), the situation of Haiti (UNEP/OzL.Pro.22/CRP.12), stockpiles (UNEP/OzL.Pro.22/CRP.10), the report of the ImpCom (UNEP/OzL.Pro.22/3), and ICAO and halons (UNEP/OzL.Pro.22/CRP.7).

IN THE CORRIDORS

On a day packed with back-to-back contact groups, delegates filled the room for the informal group on low-GWP alternatives on Wednesday afternoon to discuss: the proposal on ExCom HCFC funding guidelines, the phase-out of HFC-23 as a by-product emission of the production of HCFC-22, and the Protocol amendment proposals.

Some participants speculated that the inclusion of the proposal on an assessment of the ExCom HCFC funding guidelines in this cluster of issues provided a mechanism through which progress could be made on addressing HFCs under the Protocol. Potential progress stalled when Brazil proposed deferring discussion on the assessment of the HCFC guidelines to the OEWG.

With one participant commenting that Brazil initiated the draft decision as a result of its frustration with the limited funding allocated by the guidelines on HCFC phase-outs, seasoned delegates suggested the party might alternatively address the issue in the contact group on the ToR for the TEAP study on MLF replenishment. HFC Amendment proposal proponents were left questioning – where to from here?