

## TWENTY-FIFTH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEPLETE THE OZONE LAYER: 21-25 OCTOBER 2013

The twenty-fifth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (MOP25) begins today in Bangkok, Thailand. The preparatory segment will take place from Monday to Wednesday. The high-level segment will take place on Thursday and Friday. Throughout the week, delegates will address issues including: the implementation of the Montreal Protocol with regard to small island developing states (SIDS); proposed amendments to the Protocol; the harmonization and validation of the Multilateral Fund (MLF) climate impact indicator; issues related to Article 2 of the Protocol, including nominations for essential-use and critical-use exemptions (CUEs) for 2014 and 2015, the handbook on critical-use nominations (CUNs) for methyl bromide and the uses of controlled substances as process agents; organizational issues related to the Technology and Economic Assessment Panel (TEAP); and the final report by the TEAP on additional information on alternatives to ozone-depleting substances (ODS).

### A BRIEF HISTORY OF THE OZONE REGIME

Concerns that the Earth's stratospheric ozone layer could be at risk from chlorofluorocarbons (CFCs) and other anthropogenic substances first arose in the early 1970s. At that time, scientists warned that the release of these substances into the atmosphere could deplete the ozone layer, hindering its ability to prevent harmful ultraviolet (UV) rays from reaching the Earth. This would adversely affect ocean ecosystems, agricultural productivity and animal populations and harm humans through higher rates of skin cancers, cataracts and weakened immune systems. In response to this growing concern, the United Nations Environment Programme (UNEP) convened a conference in March 1977 that adopted a World Plan of Action on the Ozone Layer and established a Coordinating Committee to guide future international action on ozone protection.

**VIENNA CONVENTION:** In May 1981, the UNEP Governing Council launched negotiations on an international agreement to protect the ozone layer and, in March 1985, the Vienna Convention for the Protection of the Ozone Layer was adopted. The Convention called for cooperation on monitoring, research and data exchange, but did not impose obligations to reduce the use of ODS. The Convention now has 197 parties, which represents universal ratification.

**MONTREAL PROTOCOL:** In September 1987, efforts to negotiate binding obligations to reduce the use of ODS led to the adoption of the Montreal Protocol on Substances that Deplete the Ozone Layer. The Protocol introduced control measures for some CFCs and halons for developed countries (non-Article 5 parties). Developing countries (Article 5 parties) were granted a grace period allowing them to increase their ODS use before taking on commitments. The Protocol currently has 197 parties.

Since 1987, several amendments and adjustments to the Protocol have been adopted, adding new obligations and additional ODS, and adjusting existing control schedules. Amendments require ratification by a defined number of parties before they enter into force, while adjustments enter into force automatically.

### LONDON AMENDMENT AND ADJUSTMENTS:

Delegates to MOP2, which took place in London, UK, in 1990, tightened control schedules and agreed to add ten more CFCs to the list of ODS, as well as carbon tetrachloride (CTC) and methyl chloroform. To date, 197 parties have ratified the London Amendment. MOP2 also established the MLF, which meets the incremental costs incurred by Article 5 parties in implementing the Protocol's control measures and finances clearinghouse functions, including technical assistance, information, training and the costs of the MLF Secretariat. The Fund is replenished every three years and has received pledges of over US\$3.11 billion since its inception.

### COPENHAGEN AMENDMENT AND ADJUSTMENTS:

At MOP4, held in Copenhagen, Denmark, in 1992, delegates tightened existing control schedules and added controls on methyl bromide, hydrobromofluorocarbons and hydrochlorofluorocarbons (HCFCs). MOP4 also agreed to enact non-compliance procedures and to establish an Implementation Committee (ImpCom). The ImpCom examines cases of possible non-compliance by parties, and makes recommendations to the MOP aimed at securing full compliance. To date, 197 parties have ratified the Copenhagen Amendment.

### MONTREAL AMENDMENT AND ADJUSTMENTS:

At MOP9, held in Montreal, Canada, in 1997, delegates agreed to a new licensing system for the import and export of ODS, in addition to tightening existing control schedules. They also agreed to ban trade in methyl bromide with non-parties to the Copenhagen Amendment. To date, 194 parties have ratified the Montreal Amendment.

### BEIJING AMENDMENT AND ADJUSTMENTS:

At MOP11, held in Beijing, China, in 1999, delegates agreed to controls on bromochloromethane, additional controls on HCFCs, and to reporting on methyl bromide for quarantine and pre-



shipment (QPS) applications. At present, 190 parties have ratified the Beijing Amendment.

**MOP15 AND FIRST EXTRAORDINARY MOP:** MOP15, held in Nairobi, Kenya, in 2003, resulted in decisions on issues including the implications of the entry into force of the Beijing Amendment. However, disagreements surfaced over exemptions allowing the use of methyl bromide beyond 2004 for critical uses where no technically or economically feasible alternatives were available. Delegates could not reach agreement and took the unprecedented step of calling for an “extraordinary” MOP. The first Extraordinary Meeting of the Parties to the Montreal Protocol (ExMOP1) took place in March 2004, in Montreal, Canada. Parties agreed to CUEs for methyl bromide for 2005, with the introduction of a “double-cap” concept distinguishing between old and new production of methyl bromide as central to this compromise. Parties agreed to a cap on new production of 30% of parties’ 1991 baseline levels, meaning that where the capped amount was insufficient for approved critical uses in 2005, parties were required to use existing stockpiles.

**MOP16 AND EXMOP2:** MOP16 took place in Prague, Czech Republic, in 2004. Work on methyl bromide exemptions for 2006 was not completed and parties decided to hold a second ExMOP. ExMOP2 was held in July 2005, in Montreal, Canada. Parties agreed to supplementary levels of CUEs for 2006. Under this decision, parties also agreed that: CUEs allocated domestically that exceed levels permitted by the MOP must be drawn from existing stocks; methyl bromide stocks must be reported; and parties must “endeavor” to allocate CUEs to the particular use categories specified in the decision.

**COP7/MOP17:** MOP17 was held jointly with the seventh Conference of the Parties to the Vienna Convention (COP7) in Dakar, Senegal, in December 2005. Parties approved essential-use exemptions for 2006 and 2007, supplemental CUEs for 2006 and CUEs for 2007, and production and consumption of methyl bromide in non-Article 5 parties for laboratory and analytical critical uses. Other decisions included a US\$470.4 million replenishment of the MLF for 2006-2008, and agreement on terms of reference for a feasibility study on developing a monitoring system for the transboundary movement of controlled ODS.

**MOP18:** MOP18 took place in New Delhi, India, from 30 October - 3 November 2006. Parties adopted decisions on, *inter alia*: future work following the Ozone Secretariat’s workshop on the Special Report of the Intergovernmental Panel on Climate Change (IPCC) and the TEAP; difficulties faced by some Article 5 parties manufacturing CFC-based metered dose inhalers (MDIs); treatment of stockpiled ODS relative to compliance; and a feasibility study on developing a system for monitoring the transboundary movement of ODS.

**MOP19:** MOP19 took place in Montreal, Canada, in September 2007. Delegates adopted decisions on: an accelerated phase-out of HCFCs; CUNs for methyl bromide; and monitoring transboundary movements of, and illegal trade in ODS. Parties also adopted an adjustment accelerating the phase out of HCFCs.

**COP8/MOP20:** MOP20 was held jointly with COP8 of the Vienna Convention in Doha, Qatar in November 2008. Parties agreed to replenish the MLF with US\$490 million for 2009-2011 and adopted other decisions concerning, *inter alia*: the environmentally sound disposal of ODS; approval of 2009 and 2010 CUEs for methyl bromide; and compliance and reporting issues.

**MOP21:** MOP21 took place in Port Ghalib, Egypt, in November 2009, and adopted decisions on: alternatives to HCFCs; institutional strengthening; essential uses; environmentally sound management of ODS banks; methyl bromide; and data and

compliance issues. This was the first meeting at which delegates considered, but did not agree to, a proposal to amend the Montreal Protocol to include hydrofluorocarbons (HFCs) submitted by the Federated States of Micronesia (FSM) and Mauritius.

**MOP22:** MOP22 took place in Bangkok, Thailand, in November 2010 and adopted decisions on, *inter alia*: the terms of reference for the TEAP study on the MLF replenishment and for the evaluation of the financial mechanism; and assessment of technologies for ODS destruction. Delegates considered, but did not agree to, two proposals to amend the Montreal Protocol to address HFCs, one submitted by the US, Mexico and Canada and another submitted by FSM.

**COP9/MOP23:** COP9/MOP23 took place in Bali, Indonesia, in November 2011 and adopted decisions on, *inter alia*: a US\$450 million replenishment of the MLF for the 2012-2014 period; issues related to exemptions; updating the nomination process and recusal guidelines for the TEAP; the treatment of ODS to service ships; and additional information on alternatives. Delegates considered, but did not agree to, two proposed amendments to address HFCs, one submitted by the US, Mexico and Canada and the other submitted by FSM.

**MOP24:** MOP24 took place in Geneva, Switzerland, in November 2012 and adopted decisions on, *inter alia*: the review by the Scientific Assessment Panel (SAP) of RC-316c; procedural issues related to the TEAP and its subsidiary bodies; budget; and data and compliance issues. MOP24 did not reach agreement on a draft decision on clean production of HCFC-22 through by-product emission control or on draft decisions to amend the Montreal Protocol to include HFCs.

## INTERSESSIONAL HIGHLIGHTS

**OEWG 33:** The thirty-third meeting of the Open-ended Working Group (OEWG 33) of the parties to the Montreal Protocol convened in Bangkok, Thailand, from 24-28 June 2013. Delegates considered, *inter alia*: the 2013 Progress Report of the TEAP; exemptions under Articles 2A-2I of the Montreal Protocol; nominations for CUEs for 2014-2015; the handbook on CUNs for methyl bromide; QPS uses of methyl bromide; uses of controlled substances as process agents; the TEAP report on additional information on ODS; organizational issues related to the TEAP; controlled substances used on ships; and the review by the SAP of RC-316c; issues related to funding; and two proposed amendments to the Montreal Protocol. Significant accomplishments included discussion on the organization of the TEAP, and initiation of formal discussions on the financial, legal and technical issues associated with HFC management.

**CURRENT ODS CONTROL SCHEDULES:** Under the amendments and adjustments to the Montreal Protocol, non-Article 5 parties were required to phase out production and consumption of: halons by 1994; CFCs, CTCs, hydrobromochlorofluorocarbons and methyl chloroform by 1996; bromochloromethane by 2002; and methyl bromide by 2005. Article 5 parties were required to phase out production and consumption of: hydrobromochlorofluorocarbons by 1996; bromochloromethane by 2002; and CFCs, halons and CTC by 2010. Article 5 parties must still phase out production and consumption of methyl chloroform and methyl bromide by 2015. Under the accelerated phase-out of HCFCs adopted at MOP19, HCFC production and consumption by non-Article 5 parties was frozen in 2004 and is to be phased out by 2020, while in Article 5 parties, HCFC production and consumption is to be frozen by 2013 and phased out by 2030 (with interim targets prior to those dates, starting in 2015 for Article 5 parties). There are exemptions to these phase-outs to allow for certain uses that lack feasible alternatives.