Delegates to MOP-11/COP-5 met in an afternoon Plenary to take up outstanding items and consider draft decisions under the MOP-11/COP-5 agenda relating to, *inter alia*: the Trust Funds of the Vienna Convention and Montreal Protocol; process agents; and CFC management strategies in non-Article 5 Parties. Seven draft decisions were adopted. Delegates also presented a gift to Executive Secretary K. Madhava Sarma, who will soon retire from the Ozone Secretariat, and expressed their gratitude to him for his work. Informal consultations met to consider: proposed adjustments and an amendment to the Montreal Protocol; replenishment of the Multilateral Fund; the fixed currency rate mechanism; the Beijing Declaration; and the budget.

**PLENARY**

Co-Chair Uosukainen (Finland) presented K. Madhava Sarma, who will soon retire from his position as Executive Secretary of the Ozone Secretariat, with a Chinese work of art containing an inscription expressing Parties’ appreciation and gratitude for his nine years of service. Shafqat Kakakhel, Deputy Executive Director of UNEP, characterized Sarma as one of the major architects of the ozone agreements and a shining example of international solidarity on behalf of the environment. ANTIGUA and BARBUDA, speaking on behalf of GRULAC, extended congratulations to Sarma and expressed sorrow at his departure. The US commended Sarma for his dignity under pressure and thanked him for his help in protecting the ozone layer. NIGERIA, on behalf of the African Parties to the Montreal Protocol, lauded Sarma’s work and described him as a “gem” within the ozone process. The UK commended Sarma for his contributions, noting that much of the success of the Montreal Protocol could be attributed to his efforts. CHINA also extended gratitude to Sarma, wishing him a healthy and long life. Sarma said his tenure as Executive Secretary had been “a pleasure and an intellectual thrill.”

**DISCUSSION ON ISSUES AND DRAFT DECISIONS UNDER MOP-11: Fixed currency rate mechanism for the replenishment of the Multilateral Fund:** CANADA introduced a draft decision on a fixed currency rate mechanism for the Multilateral Fund, which was the outcome of a working group he had chaired. He noted, *inter alia*, that the decision provided for such a mechanism to be implemented on a trial basis and evaluated prior to the next replenishment. INDIA said he was satisfied that his concerns, which he said were shared by China, had been accommodated in the working group, and stated that he could therefore agree to the mechanism on a trial basis. Paul Horwitz, Chair of the Executive Committee of the Multilateral Fund, proposed the addition of text urging Parties to pay their contributions to the Multilateral Fund promptly and in full. The draft decision was adopted, with the proposed amendment.

**Data reporting:** Executive Secretary Sarma introduced an amendment on data reporting that replaces text noting that Parties not reporting data by 30 September of the following year are considered to be in non-compliance with text noting that Parties are to submit data by this date, in accordance with their obligations under Protocol Article 7 (data reporting). The decision was adopted with this amendment.

**Definition of pre-shipment applications of methyl bromide:** On pre-shipment applications of methyl bromide (MB), CHINA said it had consulted with the EU and a decision on this matter was contingent on a package of decisions under consideration on the EU’s proposed adjustments and amendment. The draft decision was set aside pending further discussions.

**Global exemption for laboratory and analytical uses:** On global exemptions for testing of oil, testing of tar and forensic finger-printing, the EUROPEAN COMMISSION proposed a phase-out date of 2002, but only in relation to tests for oil, grease and total petroleum hydrocarbons in water. POLAND, with SLOVAKIA, said the reference to testing of tar in road-paving materials and forensic finger-printing, as indicated in the original draft decision, should remain. The original draft decision was adopted.

**Imports and exports of products and equipment relying on Annex A and Annex B substances:** On the import of such products, INDIA said there were a number of technical issues to be considered, particularly in relation to compliance with the WTO. CANADA suggested that it was preferable to pursue domestic policy options. ARGENTINA said the World Customs Organization should consider this issue. The US expressed concern that a number of new draft decisions were being introduced and said it was not in a position to agree to these. INDIA suggested that a decision on imports and exports of products could be circulated at the next meeting of the Open-ended Working Group. The text was set aside for further consideration.

**CFC Management strategies in non-Article 5 Parties:** CANADA introduced a revised draft decision on CFC management strategies in non-Article 5 Parties. He noted that, in 1998, the Scientific Assessment Panel (SAP) had reported that 2 million tonnes of CFCs might still be in use in global exemption. He said the draft decision encouraged Parties to consider measures beyond recovery and recycling in order to prevent release. The EUROPEAN COMMISSION called for the draft decision to be further strengthened by introducing a reference to eliminating CFCs from existing equipment and setting target dates for bans on refilling. POLAND noted its concern that the language proposed by the
European Commission was too strong, and proposed text to moderate the language. The EUROPEAN COMMISSION stated that it could not accept the amendments proposed by Poland, and the draft decision was adopted without amendment.

Terms of reference for Assessment Panels: Executive Secretary Sarma noted that, in addition to an informal document by the EU proposing amendments to the draft decision, a written statement had been circulated by the UK. This statement requests the Co-Chairs of the SAP to find a way to reassure the Parties that the scientific assessment is conducted openly and effectively. Sarma said the statement would be included in the report of the meeting. With regard to the proposed amendments, the US reserved its position. Sarma urged Parties to reach agreement, as a decision was essential for the work of the Assessment Panels. He invited the EU and US to consult on this matter, with assistance from representatives of the Environmental Effects Panel.

New ozone-depleting substances: The EUROPEAN COMMISSION introduced a revised draft decision, which he said was based on consultations with the SAP. He noted, inter alia, that the revised draft requested the SAP and the TEAP to develop criteria and guidance to assess the ozone-depleting potential of new chemicals. The US requested more time to study the draft.

Process agents: INDIA introduced its proposed draft decision on process agents, noting that the text is intended to clarify a decision taken at the Tenth Meeting of the Parties. He interpreted the use of a process agent as being the use of a controlled substance from the inception of the Protocol. BRAZIL and CHINA supported this interpretation. The US said it did not agree with the intent of the text and, with the EU, requested further consideration of the matter. Chair Gelil said a contact group would be convened to consider the matter further.

Recommendations and clarifications of the World Customs Organization concerning customs codes: A draft decision proposed by Poland on recommendations and clarifications of the World Customs Organization concerning customs codes for ODS and products containing ODS was adopted without amendment.

Refrigerant Management Plans: TURKEY introduced its proposed draft decision to finalize the formulation of guidelines for refrigerant management plans for high ODS-consuming countries. Plenary adopted the decision with amendments by SWITZERLAND and the US, which modified a request for the Multilateral Fund Executive Committee to finalize the guidelines "as soon as possible," rather than "by the next meeting of the Executive Committee."

Quarantine and pre-shipment: The EU introduced its proposed draft decision, which requests the TEAP, in its 2002 report, to: evaluate the technical and economic feasibility of alternative treatments and procedures that can replace MB for quarantine and pre-shipment (QPS); and estimate the volume of MB that would be replaced by implementing feasible alternatives. He noted that the decision also urges Parties to implement procedures to monitor MB uses by commodity and quantity. The US said it would like to discuss the issue further, and the draft decision was set aside for further consideration.

Compliance with the Montreal Protocol by Bulgaria: BULGARIA requested that the draft decision on its compliance be modified to reflect that Bulgaria already came into compliance in 1998 instead of stating that it will come into compliance in January 2000.

Beijing Declaration: The PHILIPPINES, reporting on progress in negotiations on the Beijing Declaration, said the group is working on a draft text to be considered during the meeting’s High-level Segment.