



HIGHLIGHTS FROM MOP-12 TUESDAY, 12 DECEMBER 2000

On the second day of the preparatory segment of MOP-12, delegates considered draft decisions on the prevention of illegal trade in ozone-depleting substances (ODS) and equipment containing ODS, and on process agents. They also heard the report of the Implementation Committee and considered the draft decisions it proposed. Parties also raised other matters. The contact groups on the phase-out schedule for HCFCs for developing countries, the transition from CFC-based MDIs and budgetary matters met and reported back to Plenary.

PLENARY

Co-Chair Milton Catelin (Australia) opened Plenary. NIGERIA, on behalf of the Africa Group, proposed that Ayite-Lo Ajauon (Benin) replace Pieter Aucamp (South Africa) as Co-Chair of the Scientific Assessment Panel for the African Region.

MONITORING OF INTERNATIONAL TRADE AND PREVENTION OF ILLEGAL TRADE IN ODS AND PRODUCTS CONTAINING ODS: POLAND introduced a revised draft decision on monitoring of international trade and the prevention of illegal trade in ODS and products containing ODS (UNEP/OzL.Pro.12/CRP.2/Rev.1). He noted that, instead of establishing a task force on this matter, the revised decision requests the Secretariat, in consultation with TEAP, UNEP and the ODS customs codes discussion group, to examine options for studying related issues and to report to the OEWG in 2001 (OEWG-21). He highlighted new language on developing guidelines on how to proceed with illegally traded ODS seized at borders, and on a universal labeling and/or classification system for identifying ODS.

CANADA, the CZECH REPUBLIC and FRANCE, on behalf of the EU, supported the decision. CANADA and the EU emphasized that all related work underway be taken into consideration by the Secretariat. CANADA requested information on the actions of individual nations to address this matter. The EU drew attention to the work of the Intergovernmental Forum on Chemical Safety (ICFS) in addressing illegal trafficking of chemicals, and noted that the EU is preparing a handbook for training customs officials.

On developing guidelines on how to proceed with ODS seized at borders, the US noted that this is a matter of national law and suggested instead "possible guidance." With regard to a provision encouraging customs training at the regional and national levels, the US requested that this be modified to regional "and/or" national level training. Delegates agreed to the decision as modified.

The BARBADOS, on behalf of the Caribbean Community, withdrew its draft decision on the control of the export of mislabeled products and equipment whose functioning relies on Annex A and Annex B substances (UNEP/OzL.Pro.12/CRP.1).

REPORT FROM THE PRESIDENT OF THE IMPLEMENTATION COMMITTEE: The President of the Implementation Committee, Mamadou Diallo Iam (Mali), remarked that important milestones had been achieved with respect to *inter alia*, reporting and phase out, but noted deviations from the phase-out schedule and efforts made by the Secretariat to seek clarifications from the concerned Parties. He said that Israel and the Russian Federation had appeared before the Committee. While Israel had recorded a 3% increase in methyl bromide in 1998, it had compensated for this deviation in 1999 by a 30% reduction in methyl bromide instead of the required 25%. He noted the Committee's concern about the large quantities of CFCs being stockpiled in the Russian Federation in anticipation of production closure at the end of 2000. The Committee took note of India's concern that the use of polyol premixed with CFCs should not be considered as consumption. The Committee recommended that: Parties request the GEF to clarify its future commitment to providing assistance to the phase out of ODS in countries with economies in transition (CEITs); and MOP-12 fix the term of office of the Committee and its officers from 1 January to 31 December each year.

DRAFT DECISIONS FROM THE IMPLEMENTATION COMMITTEE: Co-Chair Catelin presented, and Parties approved, draft decisions forwarded by the Implementation Committee on: the request by Kyrgyzstan for developing country status under the Montreal Protocol (UNEP/OzL.Pro.12/CRP.3); the request by Slovenia to be removed from the list of developing countries under the Montreal Protocol (UNEP/OzL.Pro.12/CRP.4); the term of office of the Implementation Committee and its officers (UNEP/OzL.Pro.12/CRP.5); and continued assistance from the GEF to CEITs (UNEP/OzL.Pro.12/CRP.8).

REPORT OF THE EXECUTIVE COMMITTEE OF THE MULTILATERAL FUND: The Report of the Executive Committee was approved (UNEP/OzL.Pro.12/7 and Corr.1 and 2).

PROPOSED CORRECTION TO THE BEIJING ADJUSTMENTS: Co-Chair Catelin deferred consideration of the proposed correction to the Beijing Adjustments to Wednesday, 13 December, following a request to do so by the EC, supported by the UK, on the grounds that Patrick Széll, Chair of the legal drafting group, was unable to be present until that time.

PROCESS AGENTS: INDIA introduced a proposed draft decision on process agents (UNEP/OzL.Pro.12/CRP.9) and invited Parties to consider it in preparation for further discussion at the next OEWG. He noted that the aim of the draft decision was to confirm that the use of any ODS as a process agent is a controlled substance under the Montreal Protocol. The US stated that it disagreed with India's interpretation of the status of these ODS, as included in the draft decision. Co-Chair Catelin deferred further discussion to OEWG-21.

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Joanna Depledge <joanna@iisd.org>, Laura Ivers <laurai@iisd.org>, Hernan Lopez <hlopez@iisd.org>, Lavanya Rajamani <lavanya@iisd.org> and Lisa Schipper <lisa@iisd.org>. The Digital Editor is Jenny Mandel <jenny@iisd.org>. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org> and the Director of IISD Reporting Services is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the Netherlands Ministry of Foreign Affairs, the Government of Canada (through CIDA and DFAIT), the United States (through USAID), the Swiss Agency for Environment, Forests and Landscape (SAEFL), the United Kingdom Department for International Development (DFID), the European Commission (DG-ENV) and the Rockefeller Foundation. General Support for the *Bulletin* during 2000 is provided by the German Federal Ministry of Environment (BMU) and the German Federal Ministry of Development Cooperation (BMZ), the Danish Ministry of Foreign Affairs, the Ministry of Environment and the Ministry of Foreign Affairs of Austria, the Ministries of Foreign Affairs and Environment of Norway, the Ministries of Foreign Affairs and Environment of Finland, the Government of Australia, the Ministry of Environment and the Ministry of Foreign Affairs of Sweden and BP Amoco. Logistical assistance and travel support has been provided by the UNEP Ozone Secretariat for coverage of this meeting. The *Bulletin* can be contacted by e-mail at <enb@iisd.org> and at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted by e-mail at <info@iisd.ca> and at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada. The opinions expressed in the *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the *Earth Negotiations Bulletin* may be used in non-commercial publications only and only with appropriate academic citation. For permission to use this material in commercial publications, contact the Director of IISD Reporting Services. Electronic versions of the *Bulletin* are sent to e-mail distribution lists and can be found on the Linkages WWW server at <http://www.iisd.ca>. The satellite image was taken above Africa ©2000 The Living Earth, Inc. <http://livingearth.com>. For information on the *Earth Negotiations Bulletin*, send e-mail to <enb@iisd.org>.



COLLECTION, STORAGE, DISPOSAL AND DESTRUCTION OF ODS AND EQUIPMENT

CONTAINING ODS: SWITZERLAND said the draft decision on disposal of controlled substances did not reflect the previous day's discussion as reference to the POPs convention did not appear in the text (UNEP/OzL.Pro.12/CRP.7). Co-Chair Ashe said that agreement had been reached on the formulation "international treaties as appropriate" as the POPs convention has not been formally adopted. SWITZERLAND asked whether the report would note that some Parties had proposed a specific reference to the POPs convention. Co-Chair Ashe said the report would also reflect that several Parties opposed inclusion of this reference in the decision.

OTHER MATTERS: The US called for better coordination between the Ozone Secretariat and the Multilateral Fund Secretariat when making arrangements for back-to-back meetings. JAPAN requested confirmation that the guidance of the MOP on this issue would be implemented by both Secretariats. K. Madhava Sarma, former Executive Secretary of the Ozone Secretariat, clarified that, while the administrative set-up of the Ozone and the Multilateral Fund Secretariats differ, both Secretariats have a role in minimizing total expenditure to Parties arising from back-to-back meetings. Co-Chair Catelin said that a draft decision would be prepared reflecting the US proposal and the views expressed.

The EU questioned the statement in the TEAP report that it is no longer technically or economically viable to exempt the use of ODS in water quality testing. He said some countries have reported the use of ODS-based standards for testing water. He noted that the International Standards Organisation is developing new standards, but that until their approval ODS-based testing will need to continue. Recalling that at a previous session it had been decided that after 2002 ODS exemption for water testing would no longer be valid, the US asked whether the EU was suggesting a review of the decision, or whether he believed the use of ODS for this purpose would be phased out by 2002. In response, the EU stated that the time until 2002 will be needed to achieve the elimination of ODS from water testing.

GREENPEACE commented that CFC refrigerators are being imported into the US from China, and asked whether export from Article 5 Parties to non-Article 5 Parties violates the Protocol. He urged Parties to take immediate action to stop proliferation of such CFC equipment. Co-Chair Catelin stressed that it is inappropriate for NGOs to make allegations against specific Parties.

OMAN requested that its ODS consumption data and activity information be reflected in the report of the meeting.

REPORT OF THE CONTACT GROUP ON HCFC

PHASE-OUT FOR ARTICLE 5 PARTIES: Everton Vargas (Brazil) reported on the activities of the contact group, noting that the group had engaged in an extensive discussion on the EU draft decision. He noted progress on the understanding of the implications of the proposed phase out, but highlighted numerous reservations raised by Parties to the proposed TEAP monitoring and analysis activities. The EC noted it had produced a revised draft decision (UNEP/OzL.Pro.12/CRP.6/Rev.1) incorporating suggestions from the contact group participants. The contact group reconvened to discuss this new draft.

In the afternoon, Chair Vargas reported that the scope and implications of the proposed TEAP study remained unclear. The EC said that a new draft decision will be discussed at OEWG-21. JAPAN called for a revised version of the decision reflecting progress made in the contact group. The EC confirmed that the revised draft will reflect suggested amendments.

REPORT OF THE CONTACT GROUP ON CFC-BASED

MDIs: Contact group Chair Tom Batchelor (EC) presented a draft decision on MDIs. In a paragraph on the provision of Multilateral Fund assistance to Article 5 Parties to facilitate the development of MDI transition strategies, BRAZIL suggested deleting the phrase "to consider the need to." In response to an objection from the US that the Multilateral Fund has many demands on its funds,

BRAZIL, supported by the US, CUBA and the DOMINICAN REPUBLIC, suggested alternate language, "consider providing." The decision was agreed as amended.

FINANCIAL MATTERS: Co-Chair Ashe introduced a revised draft decision on financial matters. JAPAN objected to a provision in the draft decision, which would require countries hosting a MOP to pay only the additional costs to those budgeted by the Parties for the meeting. He stated that, in accordance with the financial rules of the UN, it is the responsibility of the host government to cover the full difference in cost between hosting a MOP at the Secretariat headquarters and elsewhere. Former Executive Secretary Sarma clarified that the intent of the provision is to reduce the incremental costs that the host country would incur. CANADA supported the draft decision, noting it would encourage Article 5 Parties to host meetings. JAPAN objected, stating that it would discriminate against countries where the costs of hosting meetings are higher than in Nairobi. After consulting bilaterally with Japan, Co-Chair Ashe deferred the draft decision to the high-level segment of MOP-12.

MEETING OF THE BUREAU TO THE VIENNA

CONVENTION: CUBA informed Parties that the Bureau to the Vienna Convention met during the day to analyze progress made in implementing Decision V/3, which was taken at COP-5 to the Vienna Convention in 1999 in Beijing. That decision called on the World Meteorological Organization (WMO) and UNEP to pursue ways of enhancing training, baseline monitoring of ozone and UV-B radiation, and related research in developing countries. He stated that, given lack of progress in implementing the decision, the Bureau recommended to the budgetary group of the Montreal Protocol that funding from the Vienna Convention Trust Fund should be used to finance 10% of a US\$ 2 million WMO programme to implement decision V/3. He further stated that funding for the remaining costs would be sought from the UN Foundation. Co-Chair Catelin said that the MOP would take note of the report of the Bureau meeting, but that the recommendation would need to be made to a COP of the Vienna Convention.

IN THE CORRIDORS

Many delegates were surprised to hear that the Bureau of the Vienna Convention held an extraordinary meeting to discuss problems in implementing COP Decision V/3 (aimed at strengthening capacity for ozone monitoring and research in developing countries). Some participants expressed concern that funding for projects to implement the decision had been refused by the GEF. Others maintained that the use of funds under the Vienna Convention should only be authorized by the Vienna Convention COP, and not by its Bureau. Others, however, noted that the COP will not meet until 2002, and highlighted the need to revive research and scientific cooperation under the Vienna Convention as soon as possible, given that the ozone layer has not yet begun to heal.

THINGS TO LOOK FOR TODAY

HIGH-LEVEL SEGMENT: The high-level segment will begin at 10:00 am. Blaise Campaoré, President of Burkina Faso, Klaus Töpfer, UNEP Executive Director, and Roberto Stadthagen-Vogl (Nicaragua), President of MOP-11, are expected to address delegates. Delegates will then elect the Bureau of MOP-12 and hear remarks from the President of MOP-12. After adoption of the agenda, delegates will hear presentations from the Assessment Panels, the Executive Committee of the Multilateral Fund and the implementing agencies. Heads of delegations will also deliver statements.

PLENARY: Plenary will reconvene at 3:00 pm to consider outstanding items on the agenda, including the proposed correction to the Beijing Adjustments, committee nominations and cooperation between the Ozone and Multilateral Fund Secretariats.