

## COP11/MOP29 HIGHLIGHTS: WEDNESDAY, 22 NOVEMBER 2017

The preparatory segment of the Vienna Convention COP 11 and Montreal Protocol MOP 29 convened for its third day on Wednesday, 22 November 2017, in Montreal, Canada. In the morning, plenary heard reports from contact groups and informal consultations, and updates on outstanding agenda items. Plenary was then suspended.

Plenary reconvened in the late afternoon to hear progress on outstanding agenda items and, where possible, forward decisions to the HLS.

The contact groups on budget, data reporting, energy efficiency and MLF Replenishment, as well as the informal discussions on safety standards and HFCs not listed in Annex F, met during the course of the day.

### COP11/MOP29 PLENARY

**MONTREAL PROTOCOL ISSUES: MLF Replenishment:** In the morning, contact group Co-Chair Davinder Lail (UK) reported that delegates agreed to break into smaller group consisting of 12 Article 5 country representatives and 12 non-Article 5 country representatives to continue negotiations. As agreed, the Article 5 country representatives are India, China, Malaysia, Kuwait, Bahrain, Saudi Arabia, South Africa, Nigeria, Brazil, Mexico, Grenada, Argentina, and Burkina Faso (as Co-Chair). The non-Article 5 country representatives are Estonia, Sweden, Belgium, France, Italy, Germany, the US, Japan, Australia, Switzerland, New Zealand, Canada, and the UK (as Co-Chair).

OEWG 39 Co-Chair Sylla announced that the group would convene for the duration of the meeting.

**Kigali Amendment: Status of Ratification of the Kigali Amendment:** Co-Chair Sylla requested an update from the US, Saudi Arabia, Australia and Canada who had been asked to meet on the margins to reach consensus on a CRP to place the Amendment's ratification status on record. The US reported that these consultations had not yet occurred. The EU expressed interest in joining this group.

OEWG 39 Co-Chair Newberg requested an update as soon as possible.

**Data Reporting:** In the afternoon, contact group Co-Chair Martin Sirois (Canada) reported on progress made in the contact group; announced a revised CRP on destruction technologies has been posted; and requested additional time for discussion, saying the group has yet to consider reporting timelines of baseline data for HFCs by Article 5 parties.

**Issues Related to Exemptions from Article 2 of the Montreal Protocol: EUEs:** In the morning, CHINA reported on informal discussions with the US and the EU on a revised draft decision on CTC, noting time was needed.

In the afternoon, CHINA noted that the revised draft will soon be available, saying the decision states that China will cease applying for exemptions related to CTC use for oil detection in water from 2019.

**CUEs:** In the morning, AUSTRALIA reported work with Canada on a CRP. In the afternoon, AUSTRALIA reported on progress, announcing the CRP will be forwarded to the Secretariat on Thursday.

**Key Messages FROM TEAP 2017 Report:** In the morning, the EU reported they had reached out to parties and the HTOC on the issue of recovered, recycled or reclaimed halons, and would submit the relevant information to the Secretariat.

In the afternoon, the EU introduced a draft decision on the future availability of halons and their alternatives (UNEP/OzL.Pro.29/CRP.5), recognizing the US as the co-proponent. He noted that the CRP: requests the TEAP continue liaising with ICAO on developing and implementing alternatives to halons; and invites parties to reassess national import and export restrictions with a view to facilitating the import and export of recovered, recycled or reclaimed halons. He noted discussions are ongoing. Co-Chair Newberg requested a report as soon as possible.

CAMEROON asked that the CRP consider additional halons, such as halon 1211. Co-Chair Newberg asked the proponents to address this request and provide an update at a later stage.

**Use of Controlled Substances as Process Agents:** In the morning, the EU reported on consultations with the US, Mexico and China, stating that these discussions are in the final stages.

In the afternoon, the EU introduced UNEP/OzL.Pro.29/CRP.7, noting it is the product of intersessional work as well as bilateral discussions at this meeting. He highlighted that the proposal, *inter alia*: seeks to update Table A of decision X/14 (the list of uses of controlled substances as process agents); and requests the TEAP report to OEWG 41 on the industrial application of any alternative technologies employed by parties in the processes listed in Table A.

Delegates agreed to forward the CRP to the HLS.

**HCFC Phase-Out:** In the morning, the US reported on ongoing consultations on the margins of the meeting, expressing hope that a revised CRP will be submitted as soon as possible. In the afternoon, Co-Chair Newberg noted the revised CRP (UNEP/OzL.Pro.29/CRP.8) had been submitted.

The CRP was forwarded to the HLS.

**Energy Efficiency:** In the morning, contact group Co-Chair Patrick McInerney (Australia) provided a progress report from the group's first meeting, noting that the two CRPs (one from Saudi Arabia and others, and one from FSM and Morocco) had been considered separately, and called for additional time to continue discussions.

In the afternoon, contact group Co-Chair Leslie Smith (Grenada) reported the group had considered both CRPs, but required more time.

**Safety Standards Relevant to Low-GWP Alternatives:** The EU reported on positive discussions in the morning, and called for more time to finalize the text.

**HFCs Not Listed in Annex F:** In the morning, Co-Chair Newberg noted that informal consultations would commence during the day. In the afternoon, SWITZERLAND reported on progress, requesting more time.

**Nomination and Appointment of Co-Chairs and Members of the TEAP and its TOCs:** ALGERIA, for the AFRICAN GROUP, nominated Sidi Menad Si Ahmed for the TEAP. Co-Chair Sylla urged parties to submit their nominations to the Secretariat as soon as possible.

**VIENNA CONVENTION ISSUES: Tenth ORM Meeting Report:** In the morning, Co-Chair Sylla introduced the agenda item. AUSTRALIA reflected parties' minor changes to the report. Referring to text concerning capacity-building programmes, she noted textual changes from "Article 5 countries" to "developing countries" as this is consistent with the Vienna Convention. The EU requested reference to "meteorological agencies and other relevant organizations" to reflect broader engagement of relevant organizations.

The CRP was forwarded to the HLS with these changes.

**Status of the General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention:** In the afternoon, AUSTRALIA presented a revised draft (UNEP/OzL.Conv.11/CRP.2/Rev.1), highlighting the addition of a paragraph on mobilizing financial resources and in-kind contributions. NORWAY announced a NOK130,000 contribution to the Fund.

The CRP was forwarded to the HLS.

**OTHER MATTERS: Issue raised by Grenada on the Impact of Hurricanes:** In the afternoon, GRENADA introduced the proposal (UNEP/OzL.Pro.29/CRP.6) on special considerations for Caribbean islands affected by hurricanes, including damage to monitoring infrastructure. He said key elements include: calling on parties to control ODS exports to affected countries; requesting the ExCom, when considering the countries' project proposals over the coming year, to take into account the special difficulties their situations may pose when implementing activities to meet compliance obligations; and a request to the ImpCom to consider the difficulties faced by those countries in the event of non-compliance.

GUYANA and HAITI endorsed the proposal. The US, the EU, and CANADA expressed interest in working on this CRP, with the EU and CANADA noting precedents from similar cases. NIGERIA proposed a fact-finding mission to assess the situation in the affected countries and determine the level of support required.

Co-Chair Newberg proposed further informal consultations on this CRP.

**FINANCIAL REPORTS AND BUDGETS OF THE TRUST FUNDS:** In the morning, Co-Chair Newberg introduced the agenda item. Parties agreed to come back to the issue, as Budget Committee discussions are ongoing.

## CONTACT GROUPS AND INFORMAL DISCUSSIONS

**DATA REPORTING AND DESTRUCTION:** Parties began by considering baseline calculations, the procedure for data correction, and who should be informed in the process. They moved on to consider the draft decision prepared by Australia, Canada, the EU and the US on destruction technologies. While parties welcomed the idea of a TEAP study on destruction technologies for HFCs, there was disagreement over whether the MOP would provisionally approve destruction technologies for HFCs not tested for this purpose. Parties were invited to continue informal consultations until the group's next meeting.

**ENERGY EFFICIENCY:** The group continued its discussions on two draft decisions regarding energy efficiency. On the first CRP, delegates discussed, *inter alia*: discrepancies on how detailed the TEAP study should be; whether to include an overview of other organizations involved in energy efficiency; and that energy efficiency discussions should be limited to the Kigali Amendment. Parties agreed to hold an energy efficiency workshop at OEWG 40.

The second draft decision addressed establishing a TEAP task force on energy efficiency. Parties suggested recognizing that the two CRPs are separate, but linked, saying that the first CRP address "what" the TEAP should do, and the second CRP says "how" to do it. Several parties underscored the two draft decisions should not be merged.

**INFORMAL DISCUSSIONS ON SAFETY STANDARDS:** In informal discussions on safety standards, delegates considered revised text of UNEP/OzL.Pro.29/CRP.3, based on the first round of discussion. The new text requests, *inter alia*, "the Secretariat, in conjunction with the TEAP," to provide a tabular overview of the safety standards relevant to the safe use of low-GWP alternative in RACHP equipment. Many delegates welcomed this request, with one calling for a detailed list of the content required to be included for clarity. One other stressed the need to align this text with Decision XXVIII/4, which referenced "low-GWP flammable refrigerants," not RACHP equipment. He further called for the TEAP to work on issues of liability, which are of greater concern to consumer countries.

## IN THE CORRIDORS

On Wednesday, the ICAO building was abuzz, filled with small huddles in the corridors debating what some called "low hanging fruit" topics. Others could be found in meeting rooms thrashing out the stickier, lingering issues. Scurrying from one contact and informal group to another, delegates began to feel the time pressure as the packed HLS loomed.

The hope that moving from plenary discussions into smaller groups would foster agreement was quickly dashed. Testy discussions were witnessed in several rooms, which some delegates hoped was down to a lack of food from such a packed agenda. Others, however, suggested that these were probably due to differing positions and, perhaps in some cases, a lingering mistrust from some of the heated debates during the early part of the Kigali Amendment negotiations.

To wit, rumors circulated among the delegates suggested that the small group on MLF replenishment was "going nowhere fast" after an initial meeting only brushed the surface of the mammoth task ahead for the replenishment discussions. Some delegates suggested that it was perhaps time for parties to "put their cards on the table, so we know what we are dealing with and can work within the boundaries of reality."

One seasoned observer, walking into yet another evening contact group, opined "The Montreal Protocol family works well under pressure, so there is hope yet."