

Summary of the Forty-second Meeting of the Open-ended Working Group of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer: 14-16 July 2020

Tina Birmpili, Executive Secretary, Ozone Secretariat, welcomed delegates to the online 42nd meeting of the Open-ended Working Group (OEWG 42) during this “strange and difficult time” as the COVID-19 pandemic continues to take its toll on countries across the globe. Reminding delegates that this online technical session addresses the Technology and Economic Assessment Panel (TEAP) Replenishment Task Force’s (RTF) report on the replenishment of the Multilateral Fund (MLF) for 2021-2023, she asked delegates to bear in mind the need to “build back better.” Due to the pandemic, OEWG 42 was unable to meet in Montreal, Canada, as originally planned.

The RTF Co-Chairs, Bella Maranion, Suely Carvalho and Shiqui Zhang, presented an overview of the report, stating that the MLF Replenishment needs to take into account not only the hydrochlorofluorocarbon (HCFC) phase-out but also the hydrofluorocarbon (HFC) phase-down. Estimated funding requirements put forward by the RTF ranged from USD 376,697,000 to USD 808,706,000.

Parties were able to pose questions to the RTF during the sessions and, prior to the technical sessions, to submit comments and questions online. Issues raised included:

- creating centers of excellence for those countries whose consumption of ozone-depleting substances classifies them as low-volume-consuming countries to aid in capacity building;
- considering the potential impact of COVID-19 on preserving the ozone infrastructure and implementation of future activities; and
- insufficient funding for institutional strengthening.

The online forum will reopen from 17-31 July 2020 to give parties another opportunity to submit comments and questions on the report that have not yet been addressed. The OEWG 42 Co-Chairs will then compile and share these submissions with all parties.

The TEAP RTF will not prepare its customary supplementary report in September as that report responds to a negotiated list of additional issues and requests from parties; instead, the RTF will respond to parties’ queries in the form of a note. The Co-Chairs’ compilation of comments and questions will serve as the basis for any negotiations that may take place.

The technical sessions were co-chaired by Alain Wilmart (Belgium) and Obed Baloyi (South Africa), and took place online

over three days—14, 15 and 16 July 2020—with each identical three-hour session addressing the sole issue of the TEAP RTF’s report on the 2021-2023 MLF replenishment. Over 200 participants took part in the OEWG 42 technical sessions, resulting in robust engagement despite some technical difficulties and internet connectivity issues.

A Brief History of the Montreal Protocol

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 releasing 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, a UN Environment Programme (UNEP) conference held in March 1977 adopted a World Plan of Action on the Ozone Layer and established a Coordinating Committee to guide future international action.

Key Turning Points

Vienna Convention: Negotiations on an international agreement to protect the ozone layer were launched in 1981 under the auspices of UNEP. In March 1985, the Vienna Convention for the Protection

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of the Ozone Layer was adopted. It called for cooperation on monitoring, research, and data exchange, but it did not impose obligations to reduce use of ozone depleting substances (ODS). The Convention now has 198 parties, which represents universal ratification.

Montreal Protocol: In September 1987, efforts to negotiate binding obligations to reduce ODS usage led to the adoption of the Montreal Protocol, which entered into force in January 1989. The Montreal 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 has been ratified by 198 parties.

Since 1987, several amendments and adjustments have been adopted, adding new obligations and additional ODS and adjusting existing control schedules. Amendments require ratification by a certain number of parties before they enter into force; adjustments enter into force automatically. All amendments except its newest, the Kigali Amendment, have been ratified by 197 parties.

London Amendment and Adjustments: At MOP 2, held in London, UK, in 1990, delegates tightened control schedules and added ten more CFCs to the list of ODS, as well as carbon tetrachloride and methyl chloroform. MOP 2 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. The Fund is replenished every three years.

Copenhagen Amendment and Adjustments: At MOP 4, held in Copenhagen, Denmark, in 1992, delegates tightened existing control schedules and added controls on methyl bromide, hydrobromofluorocarbons, and HCFCs. MOP 4 also agreed to enact non-compliance procedures. It established an Implementation Committee to examine possible non-compliance and make recommendations to the MOP aimed at securing full compliance.

Montreal Amendment and Adjustments: At MOP 9, held in Montreal, Canada, in 1997, delegates agreed to: a new licensing system for importing and exporting ODS, in addition to tightening existing control schedules; and banning trade in methyl bromide with non-parties to the Copenhagen Amendment.

Beijing Amendment and Adjustments: At MOP 11, held in Beijing, China, in 1999, delegates agreed to controls on bromochloromethane, additional controls on HCFCs, and reporting on methyl bromide for quarantine and pre-shipment applications.

Kigali Amendment: At MOP 28, held in Kigali, Rwanda, in 2016, delegates agreed to amend the Protocol to include HFCs as part of its ambit and to set phase-down schedules for HFCs. HFCs are produced as replacements for CFCs and thus a result of ODS phase-out. HFCs are not a threat to the ozone layer but have a high global warming potential. To date, 100 parties to the Montreal Protocol have ratified the Kigali Amendment, which entered into force on 1 January 2019.

Recent Meetings

COP 11/MOP 29: The eleventh meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer (COP 11) and MOP 29 met from 20-24 November 2017, in Montreal, Canada. COP 11/MOP 29 adopted decisions including: essential-use exemptions and critical-use exemptions; future availability of halons; and energy efficiency. They also adopted a decision agreeing on a USD 540 million replenishment of the MLF for the triennium 2018-2020.

MOP 30: Convened from 5-9 November 2018 in Quito, Ecuador, MOP 30 adopted decisions on, *inter alia*: issues important to the January 2019 entry into force of the Kigali Amendment; approved destruction technologies to be used for HFCs; the MLF Executive Committee's (ExCom) progress in developing guidelines for the financing the HFC phase-down; Article 5 parties' access to energy-efficient technologies in the refrigeration, air conditioning and heat pump sectors; a proposal to permit essential use exemptions for HCFCs for specific uses by certain parties; and unexpected increases in trichlorofluoromethane (CFC-11) emissions.

MOP 31: MOP 31 met from 4-8 November 2019 in Rome, Italy. The MOP adopted several decisions, the most significant of which were on the terms of reference for the study on the 2021-2023 MLF replenishment, the unexpected emissions of CFC-11, and the areas of focus for the 2022 quadrennial assessment reports. MOP 31 also addressed: ongoing reported emissions of carbon tetrachloride; critical use exemptions (CUEs); and issues of non-compliance. Parties were invited to sign the Rome Declaration on the Contribution of the Montreal Protocol to Food Loss Reduction through Sustainable Cold Chain Management.

OEWG 42 Report

OEWG 42 Co-Chair Alain Wilmart opened the meeting by explaining the need to hold the virtual meeting instead of a normal OEWG session in Montreal, Canada, as originally planned.

Executive Secretary Birmbili thanked delegates for connecting with the meeting during "a strange and difficult time for all of us" during the COVID-19 pandemic. She suggested that the Kigali Amendment should be regarded as a source of inspiration in such times, having reached the milestone of 100 parties with the recent ratification by Liberia. Birmbili asked for the support and understanding of delegates in efforts to find a reasonable way to proceed toward the joint 12th session of the Conference of the Parties to the Vienna Convention (COP 12) and 32nd session of the Meeting of the Parties to the Montreal Protocol (MOP 32), tentatively scheduled to take place in November 2020 in Tashkent, Uzbekistan. Birmbili assured them that the Secretariat is working very hard to ensure that the rules of procedure are adhered to and that the rights of parties are respected. She asked that as delegates consider the Multilateral Fund (MLF) replenishment needs, that they bear in mind the need to "build back better" after the pandemic. Noting the UN Secretary-General's call for investments in the post-pandemic world to emphasize green and inclusive development, she underscored that this includes protection of the ozone layer and phase-down of HFCs.

Co-Chair Wilmart introduced the provisional agenda and organization of work (UNEP/OzL.Pro.WG.1/42/1, UNEP/OzL.Pro.WG.1/42/1/Add.1, UNEP/OzL.Pro.WG.1/42/2 and UNEP/OzL.Pro.WG.1/42/2/Add.2). He then explained the process for work on the replenishment, stressing that OEWG 42 would be a technical, not a negotiating, session. He noted that on 17 July an online forum would open for additional comments and questions regarding the TEAP Task Force report until 31 July. He explained that after the online forum closed, the Co-Chairs would compile all questions and comments and share the consolidated document with parties. He emphasized that TEAP would not be preparing its usual supplementary report in September, since traditionally that report responds to a list of additional issues and requests negotiated by delegates. He said the Co-Chairs' compiled comments/questions

would be the basis for any negotiations once the Bureau decides on how to organize the COP/MOP. Both the provisional agenda and organization of work was approved without objection.

Replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol for the period 2021–2023

Co-Chair Obed Baloyi reviewed the MOP decision regarding the preparation of the TEAP report, and drew attention to the executive summary of the Task Force's report (UNEP/OzL.Pro.WG.1/42/2/Add.2).

Presentation of the report on the replenishment of the MLF by the TEAP Task Force: Bella Maranion, Task Force Co-Chair, opened the presentation, providing an overview of the decision on the MLF Replenishment, noting that MOP Decision XXXI/1 provided the terms of reference (ToR) for TEAP to prepare a report on the appropriate level of the replenishment of the MLF for the 2021-2023 triennium. She noted some of the complexities of the ToR, including that activities for both the HCFC phase-out and HFC phase-down are being undertaken concurrently.

She said COVID-19 had provided several hurdles as meetings could not take place as normal, noting that the MLF ExCom had not been able to meet as expected, so some cost guidelines were still under discussion. In these cases, Maranion stated, existing cost guidelines were used where available.

She provided an overview of the **funding requirements for HCFCs**, including funding for: HCFC Phase-out Management Plan (HPMPs) and HCFC Production Phase-out Management Plans; project preparation costs; planned HPMPs; verification; and technical assistance. Maranion said the RTF lower-end figures are for funding for additional HPMPs to reach a 54.5% reduction target by 2023. The higher end, she said, is based on a 67.5% reduction target by 2023, instead of 2025.

She said the HCFC Consumption Sector funding estimates range from USD 178,045,000 to USD 289,809,000. She highlighted that HCFC Production Sector funding estimates range from USD 71.2 million to USD 77.7 million.

RTF Co-Chair Suely Carvalho outlined how **HFC costs** were calculated. She summarized the five steps taken by the Task Force to calculate HFC indicative figures, including establishing country brackets, calculating the baseline using the 2016 TEAP HFC Working Group report, transition assumptions applied to the HCFC baseline to determine distribution by sector, and Task Force efforts to apply cost effectiveness factors in the absence of agreed cost effectiveness guidelines from the MLF ExCom, stating they based HFC cost effectiveness factors from informed HCFC cost effectiveness factors. She noted the resulting total cost for the HFC phaseout obligations up to 2023 were USD 174 million.

Carvalho outlined the three Kigali Amendment ratification scenarios requested by the MOP, and detailed Task Force considerations in calculating allocations for stand-alone projects, Kigali Amendment ratification assistance, and early activities to avoid growth in HFC consumption. She also explained the lessons learned from HPMP implementation for how the challenges of the servicing sector for low-volume consuming countries (LVCs) should be accounted for in the HFC estimates.

Co-Chair Shiqiu Zhang presented on the funding requirements for **HFC production sector and HFC-23 mitigation**. As Co-Chair Zhang as was having connection difficulties during the first technical session, Co-Chair Carvalho presented during this topic during

that session. She said six parties produce HCFC-22 and HFC-23 by-product, of which three have ratified the Kigali Amendment. Carvalho also pointed out that China and India have not yet ratified the Kigali Amendment, and have their own country commitments to control HFC-23 by-product emissions, so their costs for HFC-23 mitigation are not included in the report. She took note of the wide range of estimated funding requirements due to the lack of guidelines on the topic.

She outlined **institutional strengthening requirements**, noting only two scenarios had been considered in the funding estimates—business as usual based on approved levels of funding, and scenario A based on projections with a 28% increase from business as usual, and minimum values of USD 40.3 million. Institutional strengthening and standard activities funding estimates ranged from USD 111.35-120.158 million.

Carvalho closed stating that **total estimated funding** required for the MLF Replenishment for 2021-2023 ranges from USD 376.697-808.706 million. Future triennia MLF Replenishment estimates, she said, were calculated on two scenarios: all countries ratifying the Kigali Amendment by 2023; and all countries ratifying the Kigali Amendment by 2025. Based on this, Carvalho said the estimates for 2024-2026 are USD 942 million and USD 801 million. She said funding estimates for 2027-2029 are USD 861 million and USD 1,063 million.

Maranion then reviewed **comments and queries submitted online** by parties. She said that only those comments that requested clarifications were addressed, reminding that any requests for a change in analysis or beyond the ToR needs to be negotiated and agreed on by parties.

She outlined clarifications regarding HCFCs, including that HCFC consumption for 2021-2023 was not broken down by sector, as calculations were based on HPMP compliance targets. For HFCs, she clarified, *inter alia*, that assumptions were validated using the IHS Markit report; that funding for early activities to avoid HFC growth would be advanced funding from future replenishment periods; and that TEAP did not take into account the UN Security Council resolution on the Democratic People's Republic of Korea.

Questions and Answers: This section is a compilation of the questions asked at each session over the three days. Grenada, with Barbados, noted that the RTF did not reflect the need for greater help to national ozone units in their replenishment estimates and suggested this should be considered because of the challenges of co-managing the HCFC phaseout and HFC phasedown, and requested factoring the institutional strengthening scenarios mentioned by the Task Force into the high-end scenario for overall replenishment costs. He also urged the Task Force to attempt an estimate on disposal costs despite the lack of applicable ExCom guidelines. Grenada also questioned whether sufficient consultations had been held by the RTF before preparing the report, particularly regarding the needs of LVCs, and urged wider consultations before the MOP. Burkina Faso highlighted the importance of creating centers of excellence for LVC countries to aid in capacity building

Argentina questioned the inclusion in Task Force estimates of several projects not normally included under the Montreal Protocol remit, such as minimum energy performance standards, as well as references to sources of funding external to the MLF. She also raised doubt that the funding levels for HCFC phaseout during the 2021-2023 period would suffice to ensure all Article 5 countries reach the 67.5% reduction commitment by 2025.

Argentina, Egypt, Grenada, Trinidad and Tobago, and Malawi echoed Grenada's concern about insufficient funding for institutional strengthening.

Trinidad and Tobago stressed the importance of support for national obligations in LVCs and Very Low-Volume Consuming Countries (VLVCs), particularly in light of the economic burden caused by the pandemic.

TEAP responded that it agreed that further consideration of the disposal question was needed. They noted the need for broader consultation on support for LVCs, citing limited opportunities for doing so during the pandemic. They also explained the thinking and steps behind the calculations on needs to meet the 2025 target for HCFCs, and setting the baseline for HFC modeling.

Burkina Faso and Germany, for the European Union and its Member States, expressed concern for how the COVID-19 pandemic will affect Montreal Protocol implementation, with Germany expressing concern for the impact it could have on the effectiveness of the ozone infrastructure and asking TEAP to reflect further on this issue. He also asked if the RTF ensured in its calculation that there are no overlaps between activities proposed under the HPMPs, Kigali HFC Phase-Down Management Plans (KPMPs), LVC/VLVC and the Compliance Assistance Programme.

Norway asked for clarification on the procedure for questions and comments regarding the Task Force report going forward from OEWG 42.

Nigeria asked the Task Force to: explain why it did not provide a funding estimate for energy efficiency; consider specific provisions for strengthening the Montreal Protocol system to forestall future illegal CFC-11 emissions during the next triennium, to address monitoring and related issues; and estimate the replenishment needed if Article 5 parties are allowed to proceed to superior technologies at the same pace required by non-Article 5 parties.

Angola asked if it was normal that MLF implementing agencies can cost internal audits with project funds, and how countries that not yet ratified the Kigali Amendment can receive ratification-related assistance activities mentioned in the RTF report.

Kuwait asked how the RTF accounted for the significant gap between the low-end triennium estimate of USD 24 million for estimated HPMPs and the high-end estimate of USD 135 million. He also requested, with support from Bahrain, clarifications on the RTF assumptions regarding HFC-134a consumption and the HFC cost effectiveness calculations.

Bahrain called for scenarios for greater institutional support to be fully reflected in the RTF costs estimates.

Kenya asked if he understood correctly that the RTF is assuming that early activities for avoiding HFC growth focus first on the production side. South Africa queried if information could be shared regarding the production facilities able to convert HCFC to cyclopentane and potentially improve efficiency as more production facilities get involved in this conversion.

The TEAP RTF responded that:

- the RTF did not assume a focus on production for HFC early activities;
- all matters involving MLF implementing agencies, including how internal audits are charged, are controlled by the ExCom and the RTF cannot change how they account for it;
- countries that not yet ratified the Kigali Amendment can get ratification assistance if they submit a letter of intent to ratify, and the RTF must account for this;

- the RTF did not take into account the average submission delay time in its estimates for KPMPs;
- the gap between estimated HPMP costs are due solely to the difference between the 54.5% reduction target due for 2023 and the 67.5% target due in 2025;
- the “build and maintain” paradigm is not new in the Montreal Protocol context;
- the RTF will consider further the question of conversions in its supplementary report;
- the institutional strengthening projects run in a two-year cycle, so annual breakdowns can only approximate recent patterns;
- the 3% HFC growth rate chosen for RTF estimates was based on the 2009-2010 data because it was more detailed than the later IHS report, yet seemed to match what was reflected in the IHS report; and
- how the RTF can estimate Article 5 countries switching to superior technologies at the same pace as non-Article 5 countries would require more discussion with parties.

The Co-Chairs closed the technical sessions, reiterating to parties that all questions posed to the Task Force, and the Task Force responses during OEWG 42 and the subsequent online forum, would be consolidated by the Co-Chairs into a single document that will be circulated among parties.

Nominations for Critical Use Exemptions for Methyl Bromide for 2021 and 2022

The process for addressing the methyl bromide critical use nominations (CUNs) for 2021 and 2022 was similar to that used for the TEAP RTF report. Interested parties were invited to review the report and submit comments and questions online through a dedicated forum by 6 July 2020. The Methyl Bromide Technical Options Committee (MBTOC) will provide written responses through the Secretariat. The comments and responses will be accessible by parties.

In its report, the MBTOC noted that methyl bromide CUNs have fallen from 18,700 metric tons in 2005 to 88.851 metric tons submitted for this 2021/2022 period. The total amount requested this year is a 20% reduction from those CUNs submitted in 2019.

The MBTOC received six CUNs from four parties for 59.871 metric tons of methyl bromide in 2021 and 28.980 metric tons for use in 2022. Of that, 60% is for pre-plant soil uses against soil-borne fungal pathogens, nematodes, and weeds, and 40% is for structure and commodity uses against insect pests.

The MBTOC's total interim recommendation is 69.607 metric tons of methyl bromide, noting that the accounting information in the report does not accurately reflect the total global methyl bromide stocks for controlled uses by Article 5 parties, as some parties have no formal mechanism to account accurately for stocks for quarantine and pre-shipment (QPS) and non-QPS uses and parties are not required to report pre-2015 stocks. The MBTOC considers that these latter stocks may be substantial.

In the online discussion, a number of parties submitted comments and queries. Issues raised included:

- the results of soilless research programmes and adoption of soilless production techniques;
- how stocks data in countries not requesting critical use exemptions affect the assessment of the adoption rates of methyl bromide alternatives in those countries that have put forward CUNs;

- readily available alternatives to methyl bromide for current QPS uses; and,
- broader socio-economic conditions prohibiting use of alternatives.

Based on the comments and questions received and following bilateral consultations with nominating parties to be held from 7-31 July 2020, the MBTOC will prepare its final evaluation by the end of September 2020. Information on further work will also be communicated to all parties by that date.

A Brief Analysis of OEWG 42

“When we least expect it, life sets us a challenge to test our courage and willingness to change; at such a moment, there is no point in pretending that nothing has happened or in saying that we are not yet ready. The challenge will not wait. Life does not look back.”

~ Paulo Coelho, *The Devil and Miss Prym*

2020 has plunged the globe into turmoil as the COVID-19 pandemic has taken its toll across the planet, and multilateral environmental agreements have not been left unscathed. Instead, many MEAs are having to resolve how to continue negotiations virtually, when parties are unable to meet face-to-face. In this, the Montreal Protocol is no different.

The 42nd meeting of the Open-ended Working Group (OEWG 42) was expected to meet to discuss, among others, replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol (MLF) for the period 2021–2023 and critical-use nominations (CUNs) for methyl bromide. Travel restrictions put in place due to the spread of COVID-19 meant that the meeting could not take place as scheduled. Instead three technical sessions took place online over three days—14, 15 and 16 July 2020—with each identical session addressing the sole issue of the Technical and Economic Advisory Panel (TEAP) Replenishment Task Force’s report on the MLF replenishment. Parties were also invited to comment on the methyl bromide CUNs in a dedicated online forum.

The work of OEWG 42 is crucial for negotiating the decisions that are to be adopted by the joint session of 12th meeting of the Conference of the Parties (COP 12) to the Vienna Convention and 23rd Meeting of the Parties (MOP 23) tentatively scheduled for November 2020. This is a crucial year for the Protocol, as it seeks to find agreement on funding to continue to support parties in phasing out ozone-depleting substances (ODS). This brief analysis looks at how the functioning of the Protocol’s decision-making bodies have adapted to the current global challenges and how it navigated multiple time zones and differing levels of technology so that it can continue successfully meeting its mandates and targets.

The Challenge

The MLF replenishment is a “do or die” item for the Protocol as the current round of funding ends in December 2020. The replenishment is necessary if the MLF is to continue to function and help the first group of developing countries ratify the Kigali Amendment and prepare for their commitment to freeze their consumption and production of hydrofluorocarbons (HFCs) on January 1, 2024, in addition to fulfilling their hydrochlorofluorocarbon (HCFC) phaseout commitments in 2025.

According to Protocol rules of procedure and customary practice, the TEAP produces a report for the OEWG, which then

negotiates a list of follow-up issues and concerns, and any new analysis parties want conducted, which the TEAP must then address in a supplementary report. The supplementary report, issued in September, informs the replenishment negotiations held during the annual session of the MOP.

Rules of procedure are intended to facilitate and make processes predictable and transparent, but sometimes, such as during the current pandemic, they can feel like a straitjacket. The ozone regime has operated so successfully and efficiently in the same way for decades that the ozone community finds itself suddenly unable to adapt swiftly enough as current circumstances dictate that business-as-usual cannot happen. Delegates remain reluctant to waive rules of procedure and customary practice to allow virtual negotiations to take place.

The impact goes beyond the OEWG’s role in the replenishment preparatory work. The OEWG sessions also review nominations for exemptions from Protocol controls; currently these only involve nominations for CUNs for methyl bromide. Methyl bromide is critical to some industries, in particular for its applications in soils and fumigation. Decision IX/6 of the Protocol states that consumption and production of methyl bromide for critical uses should be permitted only if methyl bromide is not available in sufficient quantity from existing stocks. Nominations are submitted by parties in January for review by TEAP’s Methyl Bromide Technical Options Committee (MBTOC). These are usually reviewed and negotiated by the OEWG based on the nominations and the MBTOC’s recommendations before a decision is forwarded to the MOP.

At this juncture, and given the current global circumstances, the convening of the MOP itself, at least an in-person version, is still in question. Even if a host country with low COVID-19 numbers could be found, the numerous travel restrictions still in place would significantly impact attendance. The question is how the Protocol can move forward in the COVID era within the constraints set by parties, the rules of procedure, and technology.

Courage and Willingness

To prevent the replenishment process from being totally stymied, the Secretariat recast the OEWG as a “technical session” that, together with an online forum, focused on the MLF replenishment. The three identical sessions were held over three days at different times to accommodate all parties across all time zones.

Despite the technical issues that occurred—only to be expected when different countries have different levels of information and communication technology infrastructure available—it was evident that parties were willing to engage in a new setting. Over 350 people registered to take part in the technical sessions and online forum. Each of the three online technical sessions had at least 120 participants.

Parties had the opportunity to air their concerns and request clarification regarding the initial Task Force report both prior to and during the session. They also have another two weeks to submit additional comments for the Task Force’s consideration. These will be compiled by the OEWG Co-Chairs into a document to be circulated to parties and serve as the basis for any negotiation on the terms of reference for the TEAP Task Force’s supplementary report.

The hope is that such a thorough airing of views may facilitate quick virtual negotiations on the terms of reference should the circumstances require and, most importantly, if delegates allow them.

Work on the methyl bromide CUNs was also conducted online. In recent years, parties increasingly opted to negotiate these decisions on the sidelines of the OEWG between the CUN proponents and interested parties, with input from the members of the MBTOC. These, invariably, carried over to intersessional work and negotiations on the sidelines of the MOP. In fact, the current process allowing for submission of comments online over the next month will allow parties to engage with the MBTOC, before the MBTOC provides updated recommendations. This is not dissimilar from the intersessional work that has taken place in the past. Some went as far as to wonder if the MOP is unable to take place in a conventional setting, could parties conceivably “take it to the sidelines” virtually just as easily as in person if they choose to waive procedural rules and custom.

Tina Birmpili, Executive Secretary, Ozone Secretariat, stated during her remarks to the third online technical session on Thursday, 16 July, “We have worked hard to respect the rules of procedure, and respect parties’ rights, and their rights to participate. We do not take their willingness to participate in an online meeting for granted.” As a result, the online work for both the MLF replenishment and the methyl bromide CUNs only permitted discussion and clarification. Parties were afforded ample opportunity to participate, and submit comments and queries. In implementing such a process, the Secretariat has taken steps to ensure that parties do not feel that their rights have been impinged on.

The Secretariat ultimately afforded parties the transparency that is inherently required for them to move forward confidently and courageously with negotiations in new, unusual settings and paradigms—the technical sessions were a low-risk trial run, if you will. By holding these technical sessions in place of the OEWG, the Secretariat and the Bureau hoped that parties could gain confidence in the process and in the Secretariat’s managing such a process.

Life Moving Forward

As the world continues to adapt to pandemic life, it has become apparent that now, more than ever, that it is imperative for parties to “build back better” and ensure recovery in the aftermath of the pandemic leads to more robust, greener, sustainable societies. Birmpili reminded delegates that one way the Protocol can contribute is through building “robust and green cold chains in the food and medical sectors.”

The continued functioning of the Protocol is essential to completing the phase out of the global production, consumption and emissions of ozone-depleting substances, and the phase down of HFCs. A successful MLF replenishment is central to these tasks and to maintaining the Protocol’s reputation as one of the most effective multilateral environment agreements. It is not clear when the parties will next be able to meet again in person, or what alternate solutions will be. The Secretariat and the Bureau are waiting until September 2020 to make a decision, by which time the situation may be clearer and they can determine which negotiation arrangements may be feasible.

In the past, the Protocol has prided itself on being able to adapt to and act on new scientific information. This has often been seen as key to its enduring success. To move forward in these uncertain times, the Protocol may need to apply its historic flexibility to a new paradigm and adapt its rules of procedure and customary practice. This can help ensure that the well-oiled machine can tackle new challenges and continue to be successful in the long-term, while adapting to “the new normal.”

Upcoming Meetings

Sixteenth meeting of the Chemical Review Committee:

The Rotterdam Convention CRC will consider the draft decision guidance document for decabromodiphenyl ether and review notification of final regulatory action for Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds developed by the intersessional drafting group, in accordance to the criteria set out in Annex II to the Convention. **dates:** 8-11 September 2020 **location:** online **www:** <http://www.pic.int>

World Ozone Day 2020: The theme for the 2020 edition of World Ozone Day is “Ozone for life: 35 years of ozone layer protection,” celebrating 35 years of the Vienna Convention and 35 years of global ozone layer protection. **date:** 16 September 2020 **www:** <https://ozone.unep.org/>

Adaptation Futures 2020: The sixth International Climate Change Adaptation Conference – Adaptation Futures 2020 – will convene on the theme “Accelerating Adaptation Action and Knowledge to Support Action,” with a particular focus on Asia. **dates:** 29 September - 1 October 2020 **location:** New Delhi, India **www:** <http://adaptationfutures2020.in/>

86th MLF ExCom: The Multilateral Fund (MLF) Executive Committee (ExCom) will continue to look at reports with specific reporting requirements and status of contributions and disbursements. **dates:** 16-20 November 2020 (TBC) **location:** Montreal, Canada (TBC) **www:** <http://www.multilateralfund.org/>

65th ImpCom: The Implementation Committee of the Montreal Protocol meets regularly to assess parties’ status of compliance with their obligations under the Protocol. **date:** 21 November 2020 (TBC) **location:** Tashkent, Uzbekistan (TBC) **www:** <https://ozone.unep.org/>

COP 12/ MOP 32: The Joint 12th Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer (COP 12) and 32nd Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (MOP 32) is tentatively scheduled, depending on the COVID-19 pandemic. **dates:** 23-27 November 2020 (TBC) **location:** Tashkent, Uzbekistan (TBC) **www:** <https://ozone.unep.org>

For additional meetings, see <http://sdg.iisd.org>

Glossary

COP	Conference of the Parties
CUEs	Critical use exemptions
CUNs	Critical use nominations
ExCom	Executive Committee (MLF)
HCFCs	Hydrochlorofluorocarbons
HFCs	Hydrofluorocarbons
HPMPs	HCFC Phase-out Management Plans
KPMPs	Kigali HFC Phase-Down Management Plans
LVCs	Low-volume consuming countries
MBTOC	Methyl Bromide Technical Options Committee (TEAP)
MLF	Multilateral Fund
MOP	Meeting of the Parties
ODS	Ozone depleting substances
OEWG	Open-ended Working Group
RTF	Replenishment Task Force (TEAP)
TEAP	Technology and Economic Assessment Panel
ToR	Terms of reference