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MOP-19 HIGHLIGHTS:

WEDNESDAY, 19 SEPTEMBER 2007

The nineteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (MOP-19) continued on Wednesday morning with a preparatory segment in plenary, covering agenda items on halons, carbon tetrachloride, laboratory and analytical uses of ozone-depleting substances (ODS), and compliance and data reporting. Contact groups on hydrochlorofluorocarbons (HCFCs), budget, illegal trade, terms of reference (ToR) for a study on the Multilateral Fund replenishment, critical-use nominations (CUNs) for methyl bromide, and a possible Montreal Declaration also met in the morning and afternoon.

The evening plenary session opened with a short message from the astronauts at the International Space Station, expressing their pride in the role of space observation in identifying the issue of ozone layer depletion, and congratulating delegates on 20 years of successes under the Montreal Protocol. Plenary then reconvened in the preparatory segment to hear progress reports from contact groups.

PLENARY

HALONS: AUSTRALIA reintroduced its proposal (UNEP/OzL.Pro.19/CRP.1) with minor amendments. The EU, CANADA and the US supported the proposal and, at CANADA's suggestion, Co-Chair Levaggi forwarded the amended proposal to the high-level segment.

CARBON TETRACHLORIDE: Co-Chair Levaggi noted that four parties not in compliance had reported use reductions to zero. CHILE, on behalf of GRULAC, noted the difficulties faced by Article 5 countries in finding viable alternatives to analytical methods that comply with international standards, and tabled a proposal requesting that the exemption of carbon tetrachloride for laboratory and analytical uses be extended to Article 5 countries (UNEP/OzL.Pro.19/CRP.11). The EU requested more time to consider the issue, and Co-Chair Sorenson agreed to revisit the issue in Thursday's plenary.

LABORATORY AND ANALYTICAL USES OF ODS: Co-Chair Sorenson introduced draft decisions to extend exemptions to 2009 and 2015 respectively (UNEP/OzL.Pro.19/3, Decisions XIX/L and XIX/M). The US, with the EU and CANADA, supported the extensions but proposed language on incentives

for the scientific community to develop procedures that do not use ODS. A small drafting group was formed to prepare a revised decision.

COMPLIANCE AND DATA REPORTING: Robyn Washbourne (New Zealand), President of the Implementation Committee (ImpCom), presented draft decisions on, *inter alia*: non-compliance; data reporting; establishment of licensing systems; and reporting of CFC production (UNEP/OzL.Pro.19/CRP.4). Noting ImpCom's increasing workload, she requested parties to approve funding for extending the next ImpCom meeting from two to three days.

The US stressed that prior decisions "urging" parties to report do not entail obligations. ARGENTINA suggested including information on countries with multiple exemptions. The EC said reporting promotes implementation. AUSTRALIA welcomed administrative changes designed to improve transparency. The meeting agreed to forward the draft decision to the high-level segment.

ASSESSMENT PANELS' 2010 QUADRENNIAL

REPORTS: Delegates considered the proposed ToR for the 2010 quadrennial reports of the Scientific Assessment Panel (SAP), the Environmental Effects Assessment Panel (EEAP) and the Technology and Economic Assessment Panel (TEAP) (UNEP/OzL.Pro.19/CRP.2/Rev.1) and a contact group was formed to review and amend the draft decision.

ASSESSMENT PANEL MEMBERSHIP: Delegates addressed the election of the Co-Chairs of the SAP and approved the nominations of three atmospheric scientists, to be detailed in the revised ToR for the assessment panels (UNEP/OzL.Pro.19/CRP.2/Rev.1).

REPORTS FROM CONTACT GROUPS: Illegal trade: Contact group Chair Paul Krajnik (Austria) reported that the group had made progress, but had not yet considered illegal trade in methyl bromide.

Montreal Declaration: Contact group Chair Pierre Pinault (Canada) said many square brackets remain in the text but "without strong underlying disagreements." The group will reconvene on Thursday to discuss a possible additional paragraph on HCFCs.

Budget: Chair Jiří Hlaváček (Czech Republic) noted agreement on: zero nominal budget growth; keeping the level of contributions constant for 2007, 2008 and 2009; and increasing the operating cash reserve by 15 percent by 2009. He announced

that the group will meet again on Friday morning to consider the outcomes of the discussions on the ToR for the Study on Multilateral Fund Replenishment.

ToR for the Study on Multilateral Fund Replenishment:

Contact group Chair Jozef Buys (Belgium) reported that agreement is yet to be reached on: lengths of replenishment periods to be covered by the study; a reference to synergies with other MEAs; and linkages to an Executive Committee on destruction. He announced that the group plans to finish its work on Thursday.

CUNs: Chair Pierre Pinault (Canada) said that the EU and the US had merged their draft decision texts and arranged bilateral discussions. He noted specific discussion of the treatment of methyl bromide inventories, and stated that the group will meet throughout most of Thursday, noting that a decision on this item is a “must-do” for MOP-19.

HCFCs: Co-Chair Goote (Netherlands) reported that the group is approaching consensus on funding and making progress on step-down sequences for phase-out, but still has differences to resolve on baseline and freeze dates. The group will meet throughout Thursday.

CONTACT GROUPS

BUDGET: Chair Jiří Hlaváček (Czech Republic) opened the meeting with the introduction of a draft decision on financial reports and budgets. Discussion centered on maintaining contributions at zero nominal growth. The group accepted the proposal to extend the next ImpCom meeting from two to three days, resulting in a budget increase of USD 21,000, to be covered by drawing down either the surplus or the operating cash reserve. The group will reconvene on Friday to review any additional requests from other contact groups.

ILLEGAL TRADE: Chair Paul Krajnik (Austria) presented a draft Chair’s text on illegal trade that included three operative paragraphs on: obligations to establish an import licensing system; fully and effectively enforcing licensing systems; and domestic and voluntary options for combating illegal trade. Discussion focused on the list of options for combating illegal trade. While some participants suggested adding political impetus through language that “encouraged” and “urged” application of the options, many delegates were concerned that the options listed should be voluntary and used at parties’ domestic discretion. Parties agreed to delete an option stipulating that seized ODS should be destroyed, as some parties felt that this measure would not serve to reduce illegal trade. Some delegates suggested language requesting that parties inform the Ozone Secretariat of the options they undertake, but many delegates opposed additional reporting requirements. The group will reconvene on Thursday to consider the preambular text and the illegal trade of methyl bromide.

TOR FOR THE STUDY ON MULTILATERAL FUND

REPLENISHMENT: The group debated at length a regional group proposal to identify possible synergies with other agreements. Many opposed the proposal, asserting that this is a policy matter unrelated to the ToR, and adding that the term “synergy” lacks consensual definition. Supporters of the proposal stated that the notion is valid, citing various prior decisions referencing synergies. The text remained bracketed.

The group also debated inclusion of reference to possible destruction measures, with some preferring “compliance measures” and others “adjustment and amendments.” On exploring the implications of extended replenishment periods, one regional group preferred up to nine years, another participant suggested “2012, 2013 and 2014,” while some opposed any extension. The group will reconvene on Thursday.

MONTREAL DECLARATION: Chair Pierre Pinault (Canada) invited comments on the draft declaration, highlighting proposed additions submitted by parties, including: supporting stringent controls, effective compliance and proper financing to support the objectives of the Protocol; recognizing that the Protocol is a positive driver in the development of technological innovations for the protection of the environment and human health; recognizing that the ozone layer remains vulnerable; recognizing the role of near-universal participation; and acknowledging the need for a sustained level of scientific research, monitoring and vigilance. Preferring more general language, parties deleted a reference to CUEs, and specific references to other MEAs. Text referring to common but differentiated responsibilities was not agreed. The group will reconvene on Thursday.

HCFCs: The contact group continued discussion of a revised Co-Chairs’ draft text in closed sessions throughout the day. Co-Chairs Goote and Tushishvili will revise the draft text for further discussion on Thursday.

ADDITIONAL PROPOSAL ON HCFCs: Contact group Chair Saud Aziz Al-Rashied (Kuwait) outlined the proposal, which seeks, *inter alia*: a TEAP study on the promotion and acceptance of HCFC alternatives in Article 5 parties, considering different sectors and associated costs under the accelerated phase-out scenarios; and consideration of Multilateral Fund support for projects to study HCFC uses in Article 5 countries. Most participants voiced broad support for the proposal, although some suggested that work should adjourn until the HCFC contact group had reached agreement on proposed adjustments to the HCFC phase-out. One participant suggested examining the scope of the technical challenges before a study is designed. A small group will revise the text for discussion on Thursday.

CUNs: The group, chaired by Pierre Pinault (Canada) met in a closed session to discuss proposals for CUNs for methyl bromide, including consideration of Methyl Bromide Technical Options Committee (MBTOC) evaluations for 2007 CUNs and proposed draft decisions from the US and EU. The group discussed a consolidated text and agreed on a number of preambular paragraphs. Discussions will continue on Thursday.

IN THE CORRIDORS

The atmosphere outside the HCFC group was infused with the energy of vigorous work on Wednesday. This energy may be needed on Thursday, as some countries are insisting on a “total package” including commitments on alternatives and funding. Other delegates feared a “spanner in the works,” as one major party, not previously vocal in the HCFC debate, reportedly indicated opposition to the developing consensus. However, one key delegate described HCFCs as the “only” issue on the MOP-19 table, and said all are keen to reach a significant deal on the twentieth anniversary of the Protocol.

Meanwhile, methyl bromide negotiations got underway in a tightly-closed contact group. According to some delegates, large-scale requests for CUEs were the main topic, with one NGO describing the issue of “leakage” – or non-critical uses – as a big question facing high-use countries. Other delegates weary recalled that methyl bromide is perennially contentious, and that while some decision will likely be reached, uncertainty remains whether there will be any real progress on reducing methyl bromide use. Some seasoned campaigners suggested that one tough battle per MOP is plenty, and that most delegates will focus their energy on HCFCs. One joked that this could result in MOP-19 having greater benefits for climate than ozone.