

## MOP-21 HIGHLIGHTS

### THURSDAY, 5 NOVEMBER 2009

The preparatory segment of MOP-21 convened for its second day in Port Ghalib, Egypt, on Thursday 5 November 2009.

In the morning, delegates discussed essential uses exemptions, methyl bromide related issues and other issues arising from the TEAP report. During the afternoon, delegates convened in contact groups on destruction, the MLF, and high global warming potential (GWP) alternatives. Delegates reconvened in plenary in the evening to consider compliance and data related issues and other matters.

#### **ENVIRONMENTALLY SOUND MANAGEMENT OF BANKS OF ODS**

**FURTHER CONSIDERATION OF WORK INITIATED BY OEWG-29:** COLOMBIA presented a draft decision on destruction (CRP.6), and explained that the proposal was developed as a result of discussions in the contact group on destruction. He provided an overview of the proposal, which requests the ExComm to: establish criteria to define the cost effectiveness of the recovery and destruction of ODS taking into account their impacts on ozone and climate; and use related documents to elaborate a proposal on a general strategy of the Protocol for destruction and the amounts of resources the MLF should provide to support national and regional strategies for Article 5 countries. The proposal was forwarded to the contact group on destruction for further consideration.

#### **ISSUES RELATED TO ESSENTIAL-USE EXEMPTIONS**

**PROPOSAL ON NOMINATIONS FOR ESSENTIAL-USE EXEMPTIONS FOR 2010 AND 2011:** Co-Chair Akhtar introduced this item, the report of the TEAP and the draft decision (UNEP/OzL.Pro.21/3, XXI/[H]). The US outlined its revised essential use nomination. PAKISTAN pointed at problems of sourcing CFCs for manufacturers of metered-dose inhalers (MDIs). MEXICO announced that it would not request essential use exemptions for 2010. IRAQ explained its government's plans for after January 2010. Delegates established a contact group to consider the issue.

#### **CAMPAIGN PRODUCTION OF CFCs FOR MDIs:**

Co-Chair Sirois introduced the item and Medical Technical Options Committee (MTOC). Co-Chair Helen Tope summarized the TEAP/MTOC report. She explained that, following the EC ban of bulk CFC exports from 1 January 2010, there was uncertainty of supply for some Article 5 countries and that the highest priority for continued MDI supply was to complete transition to CFC-free alternatives.

PAKISTAN stressed the need for more than one source of pharmaceutical grade CFC production in order to provide affordable and accessible treatment. The US noted the need for an adequate supply of CFCs for MDIs in Article 5 and non-Article 5 parties. The EU underscored its willingness to work

with Article 5 countries in a contact group. He clarified that the EU will not "suddenly" stop exporting CFCs in 2010, since this discussion was proposed in 2008. INDIA highlighted its desire to produce pharmaceutical grade CFCs to meet its own basic domestic needs, as well as those of other Article 5 parties. ARGENTINA noted interest in convening a contact group due to the importance of accessing sufficient quantities of CFCs for medical purposes. BANGLADESH highlighted the need to identify the grade of stockpiled CFCs and the amount of stockpiled pharmaceutical grade CFCs.

#### **CONSIDERATION OF AMENDMENTS TO THE HANDBOOK ON ESSENTIAL-USE NOMINATIONS (DECISION XX/3):**

Co-Chair Sirois introduced the agenda item. A number of countries requested the creation of a contact group, with CHINA noting the need to specifically discuss the supply of CFCs beyond 2010; the export of CFCs for MDIs; and how to further amend the handbook on essential-use nominations. A contact group co-chaired by Robyn Washbourne (New Zealand) and W.L. Sumathipala (Sri Lanka) was established to further consider the issue.

#### **ISSUES RELATED TO METHYL BROMIDE**

**PRESENTATION BY THE TEAP:** Mohamed Besri, MBTOC, reported on the final recommendations for critical use nominations for methyl bromide, saying that since 2005 there has been a decreasing the number of requests. He also said that while methyl bromide stocks for all parties have decreased, one party's stock is twice its critical use exemption (CUE). He then presented the MBTOC 2010 workplan. Ian Porter, MBTOC, provided an overview of the critical use nominations (CUNs) for soil uses, noting that in its final assessment seven of the CUNs were reassessed and 20 remain unchanged. He highlighted issues raised by 2009 CUN's, including that more restrictive regulations on the use of fumigant alternatives, especially chloropicrin and dichloropropene, are affecting methyl bromide reductions for several remaining CUN uses. Michelle Marcotte, MBTOC, provided an overview of CUNs for food processing structures and commodities, and highlighted the higher cost of alternatives as reason for stalled progress in achieving zero CUNs for methyl bromide in this sector.

#### **CONSIDERATION OF NOMINATIONS FOR CRITICAL-USE EXEMPTIONS FOR 2010 AND 2011:**

TEAP made a presentation on methyl bromide issues, including the Panel's final review of nominations for methyl bromide critical-use exemptions, and its final report on quarantine and pre-shipment (QPS) issues.

CANADA introduced a draft decision (CRP.5) on CUEs for methyl bromide for 2010 and 2011. CUBA, the EU and MEXICO urged the few countries still requesting nominations to reduce their use of methyl bromide. The US said it had reduced its nominations for methyl bromide stressing that the remaining nominations are critical. MALAYSIA advocated the

implementation of an integrated pest management approach. NATURAL RESOURCES DEFENSE COUNCIL called one party to use existing stocks of methyl bromide.

#### **QPS APPLICATIONS OF METHYL BROMIDE:**

Co-Chair Sirois introduced the item. Leslie Smith (Grenada), Co-Chair of the QPS workshop held on 3 November 2009, discussed, *inter alia*, information on the economic feasibility of alternatives in Article 5 countries. CHINA proposed that the MLF provide financial support and that developed countries provide technical assistance to developing countries. Co-Chair Sirois proposed that a contact group be established on CUEs and QPS and the US suggested starting negotiations on CUEs at the bilateral level.

The EU introduced the draft decision on QPS uses of methyl bromide (UNEP/OzL.Pro.21/CRP.7) and it was agreed to the CRP would be taken up by a contact group.

#### **OTHER ISSUES ARISING OUT OF THE REPORT OF THE TEAP**

##### **ALTERNATIVES TO HCFCs IN THE REFRIGERATION AND AIR-CONDITIONING SECTORS:**

Co-Chair Akhtar introduced this item relating to parties operating under paragraph 1 of Article 5 with special conditions (decision XIX/8). KUWAIT, supported by OMAN, JORDAN and IRAQ, raised concerns about the availability of HCFC alternatives in countries with high ambient air temperature and the report's treatment of this issue.

The EU noted that while alternatives exist, these are mostly HFCs. He outlined bilateral work on this issue and said further work on alternatives was necessary. The GAMBIA highlighted the necessity for accessibility and affordability.

Co-Chair Akhtar suggested and delegates agreed that MOP-21 would take note of the report, request the TEAP to consider the above discussion, and revisit the issue at MOP-22.

##### **PROJECTED REGIONAL IMBALANCES IN THE AVAILABILITY OF HALONS (DECISION XIX/16):**

Co-Chair Akhtar introduced the item and a draft decision submitted by Australia, Canada, and the US (CRP.4). The EU noted that it supports the proposal in principle, but said some details required clarification. Delegates agreed to consult bilaterally.

##### **PROPOSAL ON LABORATORY AND ANALYTICAL-USE EXEMPTIONS (DECISIONS XVII/10 AND XIX/18):**

The EU noted it was in the process of updating its draft decision on this matter, delegates agreed to consult bilaterally and to return to this item later in the week.

##### **PROPOSAL ON PROCESS AGENTS (DECISION XVII/6):**

Co-Chair Akhtar introduced a draft decision submitted by the EU, Australia and Canada (UNEP/OzL.Pro.21/3/Add.2, Annex 3). Delegates agreed to forward the decision to the high level segment.

##### **FURTHER WORK ON CARBON TETRACHLORIDE EMISSIONS:**

The EU introduced a revised proposal on carbon tetrachloride. ARGENTINA noted its observations had not been fully reflected and, with CHINA, agreed to consult directly with the EU, to revise the proposal.

**ISSUES ARISING OUT OF TEAP REPORTS:** Co-Chair Akhtar introduced the item and announced the proposed appointment of Roberto de Aguiar Peixoto (Brazil) to the Refrigeration, Air Conditioning and Heat Pumps TOC. Delegates endorsed the proposal and requested the Secretariat prepare a draft decision reflecting this.

#### **COMPLIANCE AND DATA REPORTING ISSUES**

##### **TREATMENT OF STOCKPILED ODS RELATIVE TO COMPLIANCE:**

The EU introduced the draft decision on stockpiling relative to compliance. CANADA, AUSTRALIA, and CHINA supported the draft decision, with CHINA asking for clarification of some issues.

##### **RECOMMENDED DECISIONS OF THE IMPLEMENTATION COMMITTEE:**

Robyn Washbourne (New Zealand), Chair of the Implementation Committee, presented draft decisions (UNEP/OzL.Pro.21/CRP.1), which the

#### **OTHER MATTERS**

INDONESIA introduced the draft decision on difficulties faced by Timor-Leste in compliance (UNEP/OzL.Pro.21/CRP.3) and the plenary forwarded it with minor amendments to the high-level segment for consideration.

#### **CONTACT GROUPS**

**HIGH GWP ALTERNATIVES:** The contact group, co-chaired by Laura Berón (Argentina) and Mikkel Sørensen (Denmark), convened to discuss the North American amendment proposal and the text of the draft decision on HCFCs (UNEP/OzL.Pro.21/3, XXI/[I]).

The US discussed technical, financial, and political and legal issues of the proposal which had been raised during previous discussions. He emphasized that the proposal was put forward to provide significant climate protection benefits and noted that the legal rationale behind the amendment proposal stems from the Montreal Protocol's unique role in promoting HFCs as the main alternative to ODS. Parties then raised questions on, *inter alia*: the criteria for the list of substances; the timeline for HFC phase-down; whether the MLF would be the sole financial mechanism to facilitate the phase-down; the environmental benefits from this proposal compared to the benefits accrued under the Kyoto Protocol; a possible bias to certain parties due to baseline calculations; and how to address HFC-23. While most parties expressed interest in better understanding the proposal, a couple maintained that the amendment was beyond the purview of the Protocol and preferred ending the discussions. Delegates agreed to continue the discussion later in the meeting.

Delegates also discussed the bracketed text in the draft decision on HCFCs. Delegates reached consensus on the need for the Scientific Assessment Panel, TEAP and the Environmental Effects Assessment Panel, to comprehensively assess the impact of alternatives to HCFCs on the environment, particularly on the climate, as part of the 2010 assessment, and for the outcomes to be included in the synthesis report of the three assessment panels. Discussion on the decision will continue in the group's next meeting.

**ODS BANKS:** Delegates discussed two operative paragraphs of the US proposed CRP.2 concerning a seminar on how to mobilize funds and a request to the ExComm regarding the export and destruction of ODS in low volume consuming countries.

**MULTILATERAL FUND:** This contact group, co-chaired by David Omotosho (Nigeria) and Gudi Alkemade (Netherlands), considered the draft decision (UNEP/OzL.Pro.21/3, XXI/[E]) on the evaluation of the financial mechanism and agreed to remove reference to a proposal to hold a one-day workshop on the terms of the reference of the evaluation.

The group also discussed GRULAC's proposal on institutional strengthening (UNEP/OzL.Pro.21/3, XXI/[F]). Delegates discussed the proposed operative paragraph on institutional strengthening, with some expressing their wish for a political message from the MOP to the ExComm. Others suggested that ExComm decisions are of a technical, not a political nature. At the suggestion of Co-Chair Alkemade, delegates agreed to consider elements of a potential political message to the ExComm.

One developed country proposed language urging the ExComm to finalize its consideration of funding for institutional strengthening as expeditiously as possible. A developing country proposed reference to extending funding for institutional strengthening beyond 2010, and another country proposed increasing funding. Discussions will continue on Friday.

#### **IN THE CORRIDORS**

As the HFC contact group struggled to agree if HFC phase-down should be discussed, or not, delegates winced at the prospect of a slow and grueling week ahead. Others had their ears to their phones, discussing matters with colleagues at the Barcelona Climate Change Talks. Apparently the EU suggestion of tasking the Montreal Protocol to phase-down HFCs during informals, was received with reticence.