

MOP 34 Highlights: Tuesday, 1 November 2022

Delegates worked expeditiously on Tuesday, opening the remaining issues on the agenda for the preparatory session and working in both plenary and contact groups to prepare draft decisions for consideration during the high-level segment, which will be held on Thursday and Friday.

Implementation of the Kigali Amendment

Periodic Review on Alternatives to HFCs (Decision XXVII/2, para. 4): Open-Ended Working Group (OEWG) Co-Chair Martin Sirois (Canada) opened this item (UNEP/OzL.Pro.34/2; 34/2/Add.1), inviting members of the Technology and Economic Assessment Panel (TEAP) to present their report on information on alternatives to hydrofluorocarbons (HFCs). Bella Maranion (US), TEAP Co-Chair, summarized that the majority of HFC use is in the refrigeration, air conditioning, and heat pumps (RACHP) sectors, but that the substances are also used in foams, fire protection, medical applications, and chemicals.

Ray Gluckman (UK), TEAP Senior Expert, presented on alternatives to HFCs in RACHP sectors. He noted that, while alternatives exist for the highest global warming potential (GWP) substances, accessibility issues such as lack of awareness and training may make accessing them difficult, especially for Article 5 countries.

Helen Walter-Terrinoni (US), Co-Chair, Flexible and Rigid Foams Technical Options Committee, said there are alternatives to HFCs in nearly every foam sector, but challenges to the transition remain due to cost, availability, and safety considerations.

Helen Tope (Australia), Co-Chair, Medical and Chemicals Technical Options Committee, noted that alternatives to HFCs in propellants and solvents in aerosols are widely available, while HFCs in electronics manufacturing and magnesium production might be the preferred environmental choice as alternatives have higher GWP.

Adam Chattaway (UK), Co-Chair, Halons Technical Options Committee, presented on fire protection, stressing that just because an alternative to an HFC exists in a sub-sector does not mean that it is suitable for all applications within that sub-sector.

Responding to a question on refrigerants, Gluckman explained that the reporting structure allows countries to distinguish between both pure fluids and blends, enabling these data to be captured. Addressing retrofitting, he said equipment designed for non-flammable options cannot use flammable alternatives. On foams, Walter-Terrinoni noted that the report addresses energy efficiency and that TEAP's quadrennial assessment report will address lifecycle analyses.

Many parties raised questions about accessibility of alternatives. Walter-Terrinoni noted that accessibility has been a challenge for both Article 5 and non-Article 5 countries, including due to supply chain issues, and said accessibility issues will be addressed in TEAP's quadrennial assessment report. Tope also

addressed accessibility, explaining that, in the medical sector, it can be related to cost, presence of pharmaceutical companies within a country, and preferences of doctors and patients. On refrigerants, Gluckman indicated accessibility is not just about training technicians, but also training engineering design teams. He underscored the complexity of local circumstances and said regional technology maturity can limit accessibility.

Some parties sought additional detail on concerns TEAP flagged regarding alternatives to halons containing perfluoroalkyl and polyfluoroalkyl substances (PFAS), including: whether these concerns apply to other sectors, such as RACHP; and whether TEAP is looking to other fora, such as the Stockholm Convention on Persistent Organic Pollutants (POPs), for additional information on PFAS. Maranion explained that while the issue was especially pertinent for fire protection, it is of concern across all sectors. She clarified that, under the Montreal Protocol, the Environmental Effects Assessment Panel (EEAP) is following the PFAS issue most closely.

Several parties also sought clarifications from TEAP on specific details of their report. Following several rounds of TEAP responses, Co-Chair Sirois reminded delegates that TEAP members will be available during the week for bilateral conversations and further clarifications.

ARGENTINA noted the difficulty of finding HFC alternatives for small- and medium-sized enterprises.

On the issue of mainstreaming reports, CANADA noted similarities between TEAP's periodic reviews and quadrennial reports, but welcomed discussion on concrete proposals. AUSTRALIA agreed with the importance of standalone reports, but noted potential merit in moving the periodic review timing to a four-year cycle. Co-Chair Sirois closed the item.

Status of Ratification: Noting that 140 parties have ratified the Kigali Amendment, OEWG Co-Chair Osvaldo Álvarez-Pérez (Chile) presented a draft decision (UNEP/OzL.Pro.34/3) to be forwarded to the high-level segment for adoption with an updated number of ratifications.

BRAZIL noted its recent submission of its instrument of accession to the Amendment. The US celebrated its ratification of the Amendment, completed on 31 October. The draft decision was forwarded to the high-level segment.

Impact of the COVID-19 Pandemic on HFC Baselines for Parties Operating under Paragraph 1 of Article 5 (Proposal by Cuba): Co-Chair Álvarez-Pérez introduced the proposal by Cuba (UNEP/OzL.Pro.34/CRP.1). CUBA explained that the proposal sought to make the consumption baseline calculation more flexible for parties for whom impacts of the COVID-19 pandemic may lead to their unintentional non-compliance with the Kigali Amendment. Noting the provision to calculate consumption baselines is based on 2020-2022 data, he explained this flexibility is particularly relevant to Article 5 countries, especially low consumption countries that have been significantly affected by the pandemic.

BARBADOS, LEBANON, the DOMINICAN REPUBLIC, TUNISIA, KUWAIT, GRENADA, TRINIDAD AND TOBAGO, SANTA LUCIA, THE GAMBIA, FIJI, MALAYSIA, SAMOA, and ARGENTINA supported further discussion of Cuba's proposal. KUWAIT said that any decision made should not revisit the Amendment itself.

The US, supported by AUSTRALIA and the EU, argued that changing baseline years cannot be accomplished by a MOP decision, as it would require an adjustment or amendment to the Protocol, and this requires a proposal to be submitted six months prior to MOP. CANADA called for further analysis, arguing against taking a decision at the current MOP. Noting that no one expected the COVID-19 pandemic, CUBA called for flexibility.

Co-Chair Álvarez-Pérez convened an informal group on baselines, co-facilitated by Ralph Brieskorn (Netherlands) and Daniel López Vicuña (Mexico), to continue discussions on this matter.

Safety Standards (Decision XXIX/11)

Co-Chair Sirois introduced this item (UNEP/OzL.Pro.34/2; 34/2/Add.1), reflecting on the work completed by the Secretariat to date, including creating an interactive online tool to facilitate access to information on safety standards.

The EU, supported by CANADA, informed plenary she would be submitting a simple conference room paper (CRP) to renew the mandate to the Secretariat on this item.

TÜRKIYE emphasized the importance of cooperation and information-sharing to ensure substances enabling Kigali Amendment implementation are accessible to all regions.

Co-Chair Sirois indicated the plenary would return to this item for the introduction of the EU's CRP.

Ongoing Emissions of Carbon Tetrachloride

Co-Chair Sirois invited Switzerland to present its CRP (UNEP/OzL.Pro.34/CRP.10). SWITZERLAND explained that the CRP contains a draft decision inviting parties to provide general information on procedures related to carbon tetrachloride (CTC) emissions. It also requests that TEAP indicate the information that would be helpful to collect to improve understanding of CTC emission sources. He explained that this stepwise approach could improve parties' understanding of CTC sources and enable goal-oriented mitigation measures.

Parties agreed to discuss the CRP in the contact group on gaps in monitoring/CTC.

Issues Related to Exemptions under Articles 2A–2I of the Montreal Protocol

Nominations for Critical-Use Exemptions for Methyl Bromide for 2023 and 2024: Co-Chair Álvarez-Pérez invited Australia to present its CRP, submitted jointly with Canada and South Africa (UNEP/OzL.Pro.34/CRP.9).

AUSTRALIA explained that the draft decision in the CRP approves critical use exemptions of methyl bromide, in amounts set out in the draft decision, for the three submitting countries. Co-Chair Álvarez-Pérez requested that interested parties discuss the CRP with its three sponsors and return to plenary with consensus on the decision text.

Recognition of the Achievements of Paul Jozef Crutzen, Mario José Molina and Frank Sherwood Rowland, Winners of the Nobel Prize in Chemistry in 1995

Lauding the "very pleasant" nature of this agenda item (UNEP/OzL.Pro.34/2; 34/3), Co-Chair Sirois suggested parties reserve their comments and forward the draft decision to the high-level segment for adoption. Parties agreed.

Other Matters

Co-Chair Álvarez-Pérez opened discussion of this item, reminding parties that the agenda was adopted with the addition of a sub-item under Other Matters from Armenia.

Emphasizing Armenia's desire to have more regular Eastern European and Central Asian representation on the Executive Committee (ExCom) of the Multilateral Fund (MLF), ARMENIA introduced a draft decision (UNEP/OzL.Pro.34/CRP.8) that uses the co-option mechanism to allow two parties from her region to participate in the years during which the region does not hold a seat on the ExCom. Several countries asked for clarifications of the proposal. In response, ARMENIA explained that which seat would be co-opted is purposely vague in the proposal to allow flexibility, and that the region's definition aligns with decision XVI/38.

BURKINA FASO, the US, CANADA, AUSTRALIA, and KUWAIT expressed willingness to discuss the proposal in more detail.

Co-Chair Álvarez-Pérez proposed, and parties agreed, that Armenia would lead bilateral discussions with interested parties and report progress to the Co-Chairs, who would then advise on next steps.

Contact Groups

In the morning, Co-Chair Álvarez-Pérez invited reports from the budget committee and the contact groups on energy efficiency, terms of reference for the MLF replenishment study, and institutional processes. All groups noted good progress and requested more time for discussion. The budget committee reported agreement on the revised 2022 budget.

The contact group on institutional processes met in the morning. The contact group on the African proposal on dumping and the budget committee met during the lunch break.

Following the close of plenary, delegates convened in a series of contact group meetings, including on: gaps in monitoring/CTC; stocks and quarantine and pre-shipment uses of methyl bromide; and terms of reference for a study on replenishment of the MLF.

In the Corridors

The good cheer that characterized the start of the meeting endured on Tuesday, and many delegates reiterated the constructive nature of in-person exchanges. Discussions in contact groups yielded progress, including on longer-standing issues, by combining and building on the intersessional work various participants put into proposals.

Referring to Armenia's proposal regarding seat allocation on the MLF's ExCom, one delegate speculated that a party seeking better representation might not be met with such openness under other conventions. One veteran participant saw renewed opportunities for collaboration as confirmation of the importance of domestic politics for the Montreal Protocol's global policy work, explaining: "It's a testament to the constructive work of delegates, but it also reflects the change that becomes possible when administrations change."

Another delegate highlighted that while the Montreal Protocol is rightly celebrated for its historic achievements, it is essential to ensure that the agreement is evolving to meet new challenges. She emphasized the importance of work to strengthen the Protocol's institutions to ensure it can effectively deal with illegal production and trade of controlled substances. "It's not enough to say that the Montreal Protocol is the most successful of the MEAs," another long-time participant concurred. "We have to keep our institutions current and make sure they are fit for purpose."