

MOP 35 Highlights: Tuesday, 24 October 2023

Delegates returned to the preparatory segment of the thirty-fifth Meeting of the Parties (MOP 35) to the Montreal Protocol on Tuesday, opening discussions on the long-standing issue of the shared responsibility to stop dumping of inefficient equipment containing obsolete refrigerants, and on energy-efficient and low- or zero-global warming potential (GWP) technologies. They also discussed, among others: abating emissions of carbon tetrachloride (CTC), exempted uses of methyl bromide, including critical-use exemptions (CUEs), feedstock uses, and quarantine and pre-shipment (QPS) uses for which alternatives exist. In the afternoon, they completed a first reading of all agenda items, including addressing the availability of halons and their alternatives, and lifecycle refrigerant management (LRM). They also met in contact and informal groups during the day.

Shared Responsibility to Stop Dumping of Inefficient Equipment Containing Obsolete Refrigerants

CAMEROON recalled that the new EU F-gas regulation impacts a large volume of equipment, mentioned associated gaps on phase-out and phase-down schedules in Article 5 countries, and called for the application of Extended Producer Responsibility (EPR) schemes. Stressing the importance of stopping the export of obsolete equipment from countries of origin, KENYA called for solutions to ensure countries do not become recipients of inefficient and obsolete equipment. SENEGAL highlighted the compliance implications for recipient countries. GRENADA and SWITZERLAND pointed to the fact that dumping of obsolete and inefficient equipment also affects other regions besides Africa. Co-Chair Ralph Brieskorn (the Netherlands) established a contact group, co-chaired by Tumu Neru (Samoa) and Andrew Clark (US).

Energy-efficient and Low- or Zero-GWP Technologies

Outcomes of the workshop on energy efficiency: Co-Chair Vidémé Amèh Djossou (Togo) introduced the item ([UNEP/OzL.Pro.35/2](#), [Workshop.12/1](#), [35/10](#), [35/INF/9](#)), including the draft workshop report ([UNEP/OzL.Pro.35/11](#)). LESOTHO advocated for more time for such workshops.

INDIA suggested that the workshop would have benefitted from greater industry participation. MALAYSIA recommended better inter-sectoral coordination and enhancing information sharing at the regional level. CANADA proposed that the 2024 Technology and Economic Assessment Panel (TEAP) report elaborate on the incentives-based approach and the model for estimating global benefits.

GRENADA, CHINA, and ECUADOR discussed challenges around affordability and accessibility of energy-efficient appliances. KUWAIT called to prioritize energy efficiency with clear recommendations for the path forward. The US, with the UK, suggested considering opportunities for increasing energy efficiency, including *via* the Multilateral Fund (MLF). SENEGAL and SOUTH AFRICA called for an expansion of MLF contributions beyond pilot projects. FEDERATED STATES OF MICRONESIA called for a clear path towards reliable, equitable and adequate financing. Delegates agreed to engage in informal discussions on the way forward on this issue.

Abating CTC Emissions

Co-Chair Djossou drew attention to the draft decision based on Switzerland's document introduced at OEWG 45 ([UNEP/OzL.Pro.35/3](#)). SWITZERLAND highlighted that the decision, among others, calls on the TEAP to compile best practices in abating CTC by process and geographical region. The EU supported compilation of a best practice report. CANADA said the TEAP should also indicate minimum emissions rates.

INDIA and CHINA opposed discussions on this issue saying there is inadequate information available from parties for compiling best practices. INDIA said the TEAP report should provide updates on national regulations that support the minimization of CTC. NORWAY said there is a need to close the gap between the expected and observed concentrations of CTC, and with others, observed that CTC is linked to the item on feedstocks. Delegates agreed to meet in an informal group.

"Exempted" Uses under the Protocol

2024 nominations for CUEs for methyl bromide: Co-Chair Djossou introduced the item ([UNEP/OzL.Pro.35/2](#), and [35/2/Add.1](#), [WG.1/45/8](#)). Ian Porter, Methyl Bromide Technical Options Committee (MBTOC), noted the Committee's favourable evaluation of the only critical-use nomination for methyl bromide submitted by Canada for the fumigation of strawberry runners on Prince Edward Island. CANADA reiterated their commitment to eliminate this use by the end of 2025. The EU supported the requested exemption. CRP.3 was forwarded to the high-level segment for adoption.

Feedstocks: Co-Chair Brieskorn introduced this item pointing to Australia's draft decision ([UNEP/OzL.Pro.35/3](#) as draft decision XXXV/[H]).

AUSTRALIA and the EU welcomed the linkages with CTC discussions, and the EU noted that it will improve information on the means of minimizing emissions from feedstock production. CANADA emphasized that the use of HFCs as feedstock is controlled under the Protocol and must be reported.

INDIA highlighted national regulations to manage emissions and noted that the focus should be on strengthening national capacities without overburdening countries. CHINA reported that CTC emissions from feedstock production are low, noting CTC emissions from other sources.

Responding to questions, the Medical and Chemical Technical Options Committee (MCTOC) cited Article 7 ozone-depleting substances (ODS) data reporting and expert knowledge used to calculate feedstock-use emissions. He stated that only information provided by parties can be used for summary reports, and that commenting on national regulatory regimes is not part of the Committee's mandate.

Delegates agreed to establish an informal group to discuss the draft decisions on CTC and feedstock.

QPS uses for which alternatives are available: Co-Chair Djossou introduced the item ([UNEP/OzL.Pro.35/2](#), [WG.1/45/8](#)), highlighting that only three parties have submitted relevant information. The EU emphasized the MBTOC's assessment that eliminating emissions from QPS uses would be the single largest short-term opportunity for reducing stratospheric chlorine. She presented CRP.2, submitted with Bosnia and Herzegovina, Montenegro, North Macedonia, Norway, and Switzerland.

MYANMAR called for flexibility in QPS uses of methyl bromide. NEW ZEALAND reported on its decreased QPS uses. BRAZIL raised concerns regarding high GWP and phytosanitary implications of methyl bromide alternatives, and, with the US, AUSTRALIA, and NEW ZEALAND, questioned whether a new decision was necessary. INDIA proposed that the Secretariat organise a workshop to discuss the MBTOC findings on this issue. Delegates agreed to further discuss this in the informal group on very short-lived substances (VSLs).

Availability of Halons and their Alternatives

Co-Chair Djossou drew attention to OEWG 45 consideration of the TEAP report prepared by the Fire Suppression Technical Options Committee (FSTOC) on future amounts of halons available to support civil aviation. He highlighted that the [updated report](#) contains information on halon recovery and recycling.

CANADA and the US expressed concern regarding possible halon shortages, particularly halon-1301, for civil aviation, as early as 2030. The EU noted that the issue has implications for aviation safety. The US urged all parties to support halon recycling and recovery. KENYA called for sharing information on the availability of halons. Delegates agreed to further discuss the issue at OEWG 46.

LRM

Co-Chair Brieskorn introduced the item ([UNEP/OzL.Pro.35/2, WG.1/45/8](#)), and the FEDERATED STATES OF MICRONESIA presented CRP.4. She stressed that effective LRM could avoid the emission of 90 billion metric tons of CO₂-equivalent. Many parties welcomed the proposal.

SAMOA, TUVALU, MALDIVES, and GRENADA drew attention to insufficient resources to recover refrigerants from ODS banks, with MEXICO noting the need for capacity building. BENIN, NIGERIA, and ZAMBIA drew attention to environmental and economic benefits of sustainable LRM. SWITZERLAND and NORWAY further emphasized the win-win nature of LRM.

CANADA, INDIA, and the EU suggested focusing on the aspects of recycling, reclamation, and destruction of refrigerants in dedicated facilities. JAPAN and AUSTRALIA pointed to existing funding and guidance to support LRM, and the US expressed satisfaction about the projects submitted for the newly created funding window under the MLF. Delegates agreed to establish a contact group.

Strengthening Protocol Institutions, Including for Combating Illegal Trade

Co-Chair Brieskorn presented a summary from the OEWG 45 informal discussion on this topic ([UNEP/OzL.Pro.WG.1/45/8](#)). The US offered to circulate a draft decision on preventing illegal trade in controlled substances.

TÜRKIYE referred to reports of undeclared disposable cylinders entering the EU from Türkiye, emphasizing the importance of inspection by recipient countries. The EU called for a roadmap to address items of concern, and requested the Secretariat to compile a report for consideration at OEWG 46.

KENYA reported cases of detaining illegal shipments, and returning to country of origin at the cost of the importers. Delegates agreed to consider a proposal on this item on Wednesday.

Global Coverage of Atmospheric Monitoring of Controlled Substances and Options for Enhancing Monitoring

Co-Chair Brieskorn presented a summary of OEWG 45 deliberations on this issue ([UNEP/OzL.Pro.WG.1/45/8](#)). The EU noted the need to discuss the pros and cons of the options proposed for enhancing monitoring. CANADA requested the Secretariat and the SAP to prepare a background document on the options, including possible funding mechanisms for expanding atmospheric monitoring. AUSTRALIA urged discussing fiscal resources, expertise, information sharing, and capacities to undertake long-term monitoring. The US also called for focus on financial mechanisms for such monitoring. Delegates agreed to reconsider this item based on a CRP from the EU.

Future Configuration and Function of the TEAP's Technical Options Committees (TOCs)

Co-Chair Brieskorn introduced the item (UNEP/OzL.Pro.35/2, WG.1/45/2/Add.2, WG.1/45/8), noting the TEAP's proposal to establish two sub-groups under the Refrigeration, Air Conditioning and Heat Pumps Technical Options Committee (RTOC). The US urged consistency of this proposal with the TEAP's terms of reference. NORWAY suggested further exploring the matter and considering the proposal at a later stage. The EU asked for clarification on whether the organization of work within RTOC needs the approval by parties. Delegates agreed to informal discussions.

Nominations of Experts to the SAP, TEAP, and EEAP

Co-Chair Brieskorn introduced the item (UNEP/OzL.Pro.35/2), enumerating existing nominations for the SAP, the TEAP, and the EEAP, and urged parties to submit any further nominations in time. Parties established an informal group, co-facilitated by Mariska Wouters (New Zealand) and Osvaldo-Patricio Alvarez-Perez (Chile), to agree on the nominations and develop a CRP.

Compliance and Data Reporting

Work and recommendations of the Implementation

Committee (ImpCom): Co-Chair Djossou introduced the item (UNEP/OzL.Pro.35/2). ImpCom President Gene Smilansky (US) presented CRP.1 containing three draft decisions forwarded by ImpCom on reporting, governing consumption and production, and establishing licensing systems. INDONESIA noted that her country's regulations for licensing system would soon be passed. Parties agreed to forward the CRP to the high-level segment.

Status of Kigali Amendment Ratification

Co-Chair Djossou reported that 155 parties have ratified the Kigali Amendment as at the beginning of MOP 35, and presented the draft decision on the issue (UNEP/OzL.Pro.35/3 as draft decision XXXV/[GG]).

Delegates agreed to forward this to the high-level segment for adoption.

Other Matters

MOZAMBIQUE raised the issue on the length of MOP meetings, noting that while the Protocol agenda has expanded, the time allocation has remained the same. With LESOTHO, he emphasized difficulties encountered by small delegations due to parallel sessions, urging either extension of the meeting duration or increasing funding for participation. ZAMBIA noted that extension would allow more in-depth discussions. Delegates took note of the matter.

In the Breezeways

On Tuesday, delegates engaged in robust conversations related to technology on two fronts. The first related to the dumping of obsolete equipment in the Global South. This issue has been on the agenda for a number of years, under diverse titles. A high volume of equipment which contains ODS or which has high GWP and which has been discontinued in the Global North, is effectively dumped in Africa and other regions. "Sometimes second-hand traders buy these goods, but in other cases they are presented as benevolent donations," shared one African observer, "but one way or the other they end up here, and we don't have the capacity to deal with them." "This may become a pandemic of its own kind," shared one delegate from the Caribbean, who noted that it behoves parties to "do something concrete about this growing problem."

The other tech discussion was on energy efficiency, which was the subject of a pre-meeting workshop, and is related to a number of other issues on the agenda. "The efficient technologies required are not cheap." Affordability and availability are urgent issues, especially for countries with high-ambient temperatures. "There can be no lag time in the transition to energy-efficient air-conditioning," stressed one delegate in the breezeways, "It is too hot for us to wait. We need to be addressing this now, because the longer we wait, the hotter it gets," said one delegate, as others noted the high cost of inaction, which will undermine progress in combatting climate change.