



SUMMARY OF THE ELEVENTH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL AND THE FIFTH CONFERENCE OF THE PARTIES TO THE VIENNA CONVENTION: 29 NOVEMBER – 3 DECEMBER 1999

The Eleventh Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer and the Fifth Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer (MOP-11/COP-5) met jointly in Beijing, China, from 29 November - 3 December 1999. Over 700 participants attended the meeting, which focused on further funding and additional steps to help reduce the consumption and production of ozone-depleting substances (ODS).

Participants met in a Preparatory Segment from 29 November - 1 December to consider proposed draft decisions as well as organizational and other matters. This was followed on 2-3 December by a High-level Segment for ministers and heads of delegations to present policy statements and adopt the draft decisions discussed during the Preparatory Segment. Delegates also met throughout the week in a number of closed working groups and informal consultations aimed at securing agreement on key issues. By the conclusion of MOP-11/COP-5, delegates had adopted 34 decisions on, *inter alia*: the replenishment of the Multilateral Fund for the triennium 2000-2002; new adjustments and a "Beijing Amendment" to the Montreal Protocol that tighten existing phase-out schedules and add new controls; and a "Beijing Declaration" reaffirming Parties' ongoing commitment to combatting ozone depletion.

MOP-11/COP-5 concluded with most delegates feeling that the meeting had been largely successful. This contrasted with statements of disappointment and despair from a number of environmental NGOs. The adoption of the Beijing Amendment and the Beijing Declaration were the substantive outcomes of the meeting, although some would argue that the substance behind these outcomes is rather limited. The replenishment of the Multilateral Fund was also an important outcome of MOP-11/COP-5, although some delegates expressed disappointment that it was lower than funding allocated for the previous period.

A BRIEF HISTORY OF THE OZONE REGIME

Concerns that the Earth's stratospheric ozone layer could be at risk from chlorofluorocarbons (CFCs) and other anthropogenic substances were first raised during the early- to mid-1970s. At that time, scientists warned that the release of CFCs and other substances into the atmosphere could deplete the ozone layer, thus hindering its ability to prevent harmful ultraviolet rays from reaching the Earth. This would adversely affect ocean ecosystems, agricultural productivity and animal populations, as well as harm humans by causing higher rates of skin cancer and weakened immune systems.

In response to this growing concern, the United Nations Environment Programme (UNEP) convened a conference of experts from 32 countries in March 1977. This conference adopted a World Plan of Action on the Ozone Layer and established a Coordinating Committee to determine the extent of the problem as a guide for future international action. In May 1981, the UNEP Governing Council decided to authorize negotiations toward achieving an international agreement on protecting the ozone layer. The *Ad Hoc* Working Group of Legal and Technical Experts for the Elaboration of a Global Framework Convention for the Protection of the Ozone Layer, which included representatives from 24 nations, began meeting in 1982 and resulted in the March 1985 adoption of the Vienna Convention for the Protection of the Ozone Layer. The Convention established the need to cooperate on relevant monitoring, research and data exchanges. However, it did not impose specific obligations on the signatories to reduce production or

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consumption of ozone-depleting substances (ODS) or specify what substances caused ozone depletion. To date, the Convention has 173 Parties.

MONTREAL PROTOCOL: Efforts to negotiate binding country obligations and achieve agreement on identifying ODS resumed in 1986, leading to the adoption of the Montreal Protocol on Substances that Deplete the Ozone Layer on 16 September 1987. Under the Protocol, governments recognized the need to reduce CFC production and consumption. Developed countries (Non-Article 5 Parties) pledged to reduce CFC production and consumption by 50% of 1986 levels by 1999, while developing countries (Article 5 Parties) were granted a grace period allowing them to increase CFC use before taking on commitments. However, while the Protocol was seen as an important step forward, it did not provide a comprehensive set of obligations covering all ODS, or set in place targets that would stabilize the level of ozone depletion. In addition, it did not include a regime for international monitoring of production and consumption of ODS. Provisions for a fund to defray the costs of substitutes for CFCs in the developing countries were also lacking. To date, the Protocol has 172 Parties.

MEETINGS OF THE PARTIES: Following agreement on the Protocol in 1987, further scientific evidence – including increasing information about the ozone hole over Antarctica and evidence of reductions in the ozone layer over the Northern Hemisphere – gave fresh impetus to negotiations and the regime-building process. At the First Meeting of the Parties (MOP-1), convened in Helsinki, Finland, in May 1989, delegates agreed to the Helsinki Declaration, which called on Parties to: phase-out the production and consumption of CFCs controlled by the Protocol as soon as possible, but not later than the year 2000; tighten the timetable agreed to in the Protocol; phase-out halons and control and reduce other ODS as soon as possible; accelerate the development of environmentally-acceptable alternatives to ODS; and develop an appropriate funding mechanism to facilitate the transfer of technology and replacement of equipment at minimum cost to developing countries. MOP-1 also took a number of other decisions aimed at regime building in order to ensure that agreements were effectively implemented and monitored by the international community.

London Amendment: The Second Meeting of the Parties to the Montreal Protocol (MOP-2) took place in London in June 1990. Delegates to MOP-2 agreed to amend the Protocol to: accelerate the original timetables for phasing out ODS, including phasing out CFCs by 2000, and introduce new control measures. The London Amendment to the Protocol added 10 more CFCs to the list of ODS, as well as carbon tetrachloride, which was to be phased out by 2000, and methyl chloroform, which was to be eliminated by 2005.

MOP-2 also established the Multilateral Fund for the Implementation of the Montreal Protocol, the first of its kind to be established under an environmental agreement. The Fund meets the incremental costs of developing countries to implement the control measures of the Protocol and finances all clearing-house functions, including technical assistance, information, training and costs of the Fund Secretariat. The Fund is administered by an Executive Committee made up of seven donor and seven recipient countries. Its finances are replenished every three years. The annual budget for 1997–99 was US\$466 million. To date, 136 Parties have ratified the London Amendment.

Copenhagen Amendment: As further scientific evidence on ozone-layer depletion became available during 1991–92, delegates to the Fourth Meeting of the Parties (MOP-4) in Copenhagen in 1992 agreed to accelerate the ban on all CFCs by four years and to shorten timetables on other ODS. They also added methyl bromide, hydrobromofluorocarbons and hydrochlorofluorocarbons (HCFCs) to the

chemicals to be phased out. The Copenhagen Amendment also agreed for stronger import and export controls and non-compliance procedures. To date, 101 Parties have ratified the Copenhagen Amendment.

Governance: Subsequent Meetings of the Parties have focused primarily on: governance-related issues aimed at improving implementation of the Protocol and its amendments; and the introduction of additional adjustments to the Protocol to take account of the latest scientific knowledge and technical advances. Further accelerations of phase-out schedules have been agreed to, including those for methyl bromide and HCFCs. Other steps taken since MOP-4 have included: encouraging further ratification of the Protocol and subsequent amendments; addressing Parties' concerns relating to the accuracy of data reporting; responding to illegal trade in ODS; and ensuring that developing countries are in a position to meet their treaty obligations.

Montreal Amendment: The Ninth Meeting of the Parties (MOP-9), held in Montreal in September 1997, continued the process of adjusting the Protocol and amending it, this time through the Montreal Amendment. Developed countries agreed to move forward the phase-out of methyl bromide to 2005 from 2010, while developing countries agreed to a 20% reduction by 2005 and a phase-out by 2015. Delegates also agreed to a new licensing system for controlling trade based on licenses issued by Parties for each import and export, and on regular information exchanges between Parties. The aim of this licensing system was to enable customs officials and police to track trade in CFCs and detect illegal trade. The new system will begin operating in 2000. However, proposals to further accelerate the phase-out of HCFC consumption and introduce production controls were not accepted. To date, 29 Parties have ratified the Montreal Amendment.

MOP-10: The Tenth Meeting of the Parties (MOP-10) was held in November 1998 in Cairo. Parties considered the challenge of how to develop policies to protect the ozone layer consistent with ongoing efforts to reduce emissions of the greenhouse gases that cause climate change. Several gases with lower ozone-depleting potential (ODP) that are used as replacements for CFCs – notably hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs) – contribute to global warming. MOP-10 agreed on a process for coordinating the work of the Scientific Assessment Panel (SAP) and the Technology and Economic Assessment Panel (TEAP) on ozone with similar bodies linked to the UN Framework Convention on Climate Change (UNFCCC). MOP-10 also recommended that: measures to close CFC production facilities be strengthened; the Global Environment Facility (GEF) continue to assist Parties with economies in transition to adhere to their phase-out benchmarks; national management strategies for reducing halon emissions be adopted; and new measures be taken to limit the export of new and used products and equipment that require CFCs or other ODS.

INTERSESSIONAL MEETINGS: 19th Open-ended Working Group of Parties to the Montreal Protocol: The 19th Open-ended Working Group of Parties to the Montreal Protocol met from 15-18 June 1999 in Geneva. Parties worked on finalizing a series of recommendations to MOP-11. Representatives from 110 governments and 35 NGOs attended. A key item on the agenda was the fourth replenishment of the Multilateral Fund. The Working Group reviewed an analysis conducted by a special Task Force set up earlier under the auspices of the TEAP. The Task Force report found that growth rates of CFCs in developing countries in the baseline period of 1995-1997 were significantly lower than expected, implying that, in order to comply with the minimal requirements of the Protocol for a freeze on CFC and halon production and consumption, replenishment of the Fund could be set at US\$306 million, significantly less than the US\$466 million required for 1997-1999. However, the Task Force suggested that a replenishment level of US\$500 million would be more appropriate if governments want to accelerate the phase-out momentum for the period

2003-2005. The Working Group continued its consideration of the matter at a meeting held in Washington DC from 30 September - 1 October, and referred the matter to MOP-11 for a final decision.

The Working Group also discussed proposals by the EU to advance the phase-out schedule for HCFCs, introduce trade controls on methyl bromide, and control new ODS emerging from research laboratories. In addition, the Working Group considered the 1998 assessment of the ozone layer as well as the environmental impacts and technological and economic aspects presented by the Assessment Panels.

29th Meeting of the Executive Committee of the Multilateral Fund: The 29th Meeting of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol met from 24-26 November 1999. The meeting, chaired by Paul Horwitz (US), discussed issues associated with the Multilateral Fund contributions and disbursements. The Executive Committee took procedural decisions on, *inter alia*: monitoring and evaluation of the 1999 work programme; the status of the phase-out of ODS in Article 5 countries; project implementation delays; the Indian production sector agreement; the China Solvent Sector Plan; and guidelines for the methyl bromide sector.

MOP-11/COP-5 REPORT

PREPARATORY SEGMENT

K. Madhava Sarma, Executive Secretary of the Ozone Secretariat, opened the Preparatory Segment of MOP-11/COP-5 on Monday, 29 November. Representatives of the children of China delivered a message calling on all people to work hand-in-hand to protect the Earth. Ibrahim Abdel Gelil (Egypt), Co-Chair of the Open-ended Working Group, thanked China for its hospitality and wished delegates the best for the session. Xie Zhenhua, Minister of the State Environmental Protection Administration of China, attributed progress in addressing ozone depletion to international cooperation.

Shafqat Kakakhel, Deputy Executive Director of UNEP, welcomed delegates on behalf of UNEP Executive Director Klaus Töpfer. He identified China as a significant force in the global economy and in the protection of the environment and the ozone layer. He highlighted draft decisions for consideration at COP-5/MOP-11, including the EU's proposed adjustments and amendment to strengthen controls on HCFCs and cap methyl bromide for quarantine and pre-shipment (QPS) applications, ODS for basic domestic needs and new ODS. He emphasized the need to address low ratification of the Copenhagen and Montreal Amendments, noting that uncontrolled consumption of HCFCs and methyl bromide by some countries could negate all achievements. He also drew attention to draft decisions on: a fixed currency rate mechanism and the replenishment of the Multilateral Fund; compliance; the import and export of products relying on Annex A and B substances; the terms of reference for Assessment Panels; and budget proposals for the Vienna Convention and Montreal Protocol Trust Funds. He commended progress in capacity building and remarked that 100 countries now participate in UNEP's OzonAction Programme. He lauded the Protocol's achievements over the last decade, including ratification by 172 countries and an 85% reduction in production and consumption of ODS, and highlighted the Multilateral Fund's role in assisting developing countries to adopt ODS alternatives.

Ibrahim Abdel Gelil (Egypt) and Jukka Uosukainen (Finland), Co-Chairs of the Open-ended Working Group (OEWG), acted as Co-Chairs for the Preparatory Segment.

ADOPTION OF THE AGENDA: After the opening statements, Co-Chair Uosukainen introduced the provisional agenda (UNEP/OzL.Protocol.11/1-UNEP/OzL.Conv.5/1) and proposed additional items on: the supplementary report on replenishment of the Multilat-

eral Fund; the report on a fixed currency rate system for the Multilateral Fund; and the TEAP Report on HFCs/PFCs. CHINA introduced a draft Beijing Declaration and, with BRAZIL, INDIA and ANTIGUA AND BARBUDA, requested that the Declaration be included on the agenda. INDIA requested an item on process agents and POLAND one on customs codes. The agenda was adopted with these additions.

PRESENTATION OF REPORTS: Reports were delivered to assist delegates in their work that related to: replenishment of the Multilateral Fund; the fixed exchange rate system; and HFCs/PFCs.

Supplementary report on the assessment of the funding required for the replenishment of the Multilateral Fund: Lambert Kuijpers, Co-Chair of the Technology and Assessment Panel (TEAP), introduced the supplementary report on the assessment of the funding required for the replenishment of the Multilateral Fund for the period 2000-2002. He noted a number of aspects investigated by the TEAP Replenishment Task Forces, including: cost effectiveness for methyl bromide projects; sensitivity analysis on growth rates for consumption of ODS; benefits of non-investment activities; placing a monetary value on the benefits of advanced funding; sensitivity analysis for cost-effectiveness thresholds; analysis of the costs of refrigerant management plans; outcomes of the Executive Committee discussions on innovative financing; new sub-sectors, such as transport; costs of avoiding the use of HCFCs; and expenditures to favor hydrocarbons.

Report on the use of a fixed exchange rate mechanism for the replenishment of the Multilateral Fund: Theodore Kapiga, Fund Management Officer, UN Office at Nairobi, highlighted key findings of the supplementary report on the use of a fixed exchange rate mechanism for the replenishment of the Multilateral Fund, which applied a previous study on this issue to the actual replenishment period 1994-96. He noted, *inter alia*, the finding of the supplementary report that the net effects of a fixed exchange rate mechanism on the Fund could fluctuate negatively or positively, depending on prevailing exchange rates.

TEAP report on HFCs/PFCs: Stephen Andersen, Chair of the TEAP HFC/PFC Task Force, presented a report on the implications to the Montreal Protocol of the inclusion of HFCs and PFCs in the Kyoto Protocol. Among the 32 findings of the report, he highlighted, *inter alia*, that, while HFCs are critical to the phase-out of ODS, the implementation of the Montreal and Kyoto Protocols need not interfere with each other. He reported on possible alternatives to HFCs, noting that, with financial assistance, Parties with economies in transition and Article 5 Parties could leapfrog HFC use in some applications. He said that consolidated information and investment on ozone and climate was needed.

In the ensuing discussion, SWITZERLAND said the report went beyond its mandate by producing an analysis rather than just information. He expressed concern over the analysis of national HFC regulations, saying that the analysis was too general and did not reflect the complexity of the issue. GREENPEACE INTERNATIONAL called for agreement on a global cap on HFC production, and for a legally-binding contract between governments and industry stating that industry will pay the full cost of any damages resulting from HFC use. He said chemical manufacturers are over-represented in the TEAP and that Parties should ensure balanced representation.

TRIBUTE TO K. MADHAVA SARMA: On Wednesday afternoon, 1 December, Co-Chair Uosukainen presented K. Madhava Sarma, who will soon retire from his position as Executive Secretary of the Ozone Secretariat, with a Chinese work of art containing an inscription expressing Parties' appreciation and gratitude for his nine years of service. Shafqat Kakakhel characterized Sarma as one of the major architects of the ozone agreements and a shining example of international solidarity on behalf of the environment. ANTIGUA and BARBUDA, speaking on behalf of the Group of Latin American and

Caribbean countries, extended congratulations to Sarma and expressed sorrow at his departure. The US commended Sarma for his dignity under pressure and thanked him for his help in protecting the ozone layer. NIGERIA, on behalf of the African Parties to the Montreal Protocol, lauded Sarma's work and described him as a "gem" within the ozone process. The UK commended Sarma for his contributions, noting that much of the success of the Montreal Protocol could be attributed to his efforts. CHINA also extended gratitude to Sarma, wishing him a healthy and long life. Sarma said his tenure as Executive Secretary had been "a pleasure and an intellectual thrill."

CONCLUSION OF THE PREPARATORY SEGMENT: After three days of considering the decisions to be adopted during the High-level Segment, the Preparatory Segment of MOP-11/COP-5 concluded on Wednesday afternoon, 1 December. At the conclusion of the Plenary, the US, INDIA and CHINA expressed their thanks to the Co-Chairs for conducting the Preparatory Segment of MOP-11/COP-5 with clarity and discipline. Co-Chair Uosukainen said co-chairing the negotiations had been a joy and commended delegates for their professionalism and diplomatic skills. Co-Chair Gelil thanked delegates for their spirit of cooperation and mutual understanding.

HIGH-LEVEL SEGMENT

The High-level Segment opened on Thursday, 2 December. Jiang Zemin, President of China, welcomed delegates and stated that all governments face a common responsibility to address environmental problems. He noted that China has adopted a sustainable development strategy which, in addition to tackling domestic environmental problems, is contributing to global environmental protection. He said developed countries should recognize the impact of their development on the global environment and assist developing countries in strengthening environmental protection while pursuing economic development.

Shafqat Kakakhel, on behalf of UNEP Executive Director Klaus Töpfer, noted the unprecedented success of the ozone regime and stated that the year 2000 would be "a year of truth," as the results of the mandated CFC freeze in developing countries would then be available. He reported that without the Montreal Protocol, ozone depletion would have been 10 times greater and an additional 20 million cases of skin cancer would have occurred. He expressed concern over the impact of global warming on ozone depletion, the substitution of HFCs/PFCs for CFCs and the transfer of methyl bromide technologies to some countries. He noted that the Montreal Amendment had entered into force on 10 November 1999 and warned that failure to ratify the amendments could delay the phase-out of methyl bromide and HCFCs. He stated that for any great cause the last segment is the most challenging, and that fatigue and complacency should not negate the work that has been achieved.

Vassily Tselikov, MOP-10/COP-4 President, stressed the importance of gathering accurate and extensive measurements of ozone levels on an ongoing basis to determine whether measures taken are having the desired effect. He supported cooperation between the Assessment Panels and other relevant bodies, such as the Subsidiary Body for Scientific and Technological Advice of the UNFCCC.

TRIBUTE TO WINFRIED LANG: Executive Secretary Sarma expressed regret at the death in May 1999 of Winfried Lang, who had presided over the negotiations leading to the adoption of the Vienna Convention and the Montreal Protocol. He said the international environmental community had lost an outstanding figure. Participants observed a moment of silence in his memory.

ELECTION OF OFFICERS: Delegates elected by acclamation Fabio Fajardo-Moros (Cuba) as President of COP-5 and Roberto Stadthagen Vogl (Nicaragua) as President of MOP-11. Delegates also elected as COP-5 Vice Presidents: Toure Idiatou Camara (Guinea),

Choi Jai-Chul (Republic of Korea), and Blaise Horisberger (Switzerland). Marija Teriosina (Lithuania) was elected COP-5 Rapporteur. MOP-11 Vice Presidents elected were: Martin Joseph Kabore (Burkina Faso), Wang Zhijia (China) and Blaise Horisberger (Switzerland). Janusz Kozakiewicz (Poland) was elected MOP-11 Rapporteur.

STATEMENTS BY MINISTERS AND HEADS OF DELEGATIONS: During the High-level Segment, 57 Parties delivered oral statements outlining national policies and experiences. Speakers included 12 Ministers and eight Deputy Ministers. In addition, five NGOs made presentations.

A number of Parties noted the importance of adequately replenishing the Multilateral Fund, although opinions varied on the desirability of concessional lending. Many delegates identified phasing-out ODS from small- and medium-sized enterprises as the next challenge. CHINA stated that, with support from the Multilateral Fund, it had frozen the production and consumption of CFCs and approved an updated country programme. He noted the challenges that Article 5 countries will face in meeting their next phase of commitments. CHILE said ozone layer depletion is of paramount importance to his country, as Chile would be one of the countries most affected. JAPAN highlighted the need for efficiency and cost-effectiveness in the use of funds from the Multilateral Fund. Regarding proposals for new commitments, he noted the need to assess the economic and technical feasibility of alternatives. INDIA outlined domestic policy measures to introduce ODS alternatives. The EU said production of HCFCs, trade in HCFCs with non-Parties and QPS use of methyl bromide should be controlled.

JORDAN said his country is relying on the Multilateral Fund to phase out ODS by 2008. PORTUGAL said Article 5 Parties should not replace CFCs with HCFCs where other options are available. IRAN remarked that harmonizing the Montreal and Kyoto Protocols represents a major challenge. The RUSSIAN FEDERATION noted that the GEF is assisting his country to meet year 2000 phase-out commitments. ROMANIA said his country is striving to accede to EU standards and would soon ratify the Copenhagen Amendment. BRAZIL highlighted progress in implementing the Montreal Protocol, including termination of CFC production and elimination of ODS use in air conditioners, solvents and aerosols.

GERMANY identified areas requiring increased efforts, including: enforcement of regulations to stop illegal trade in ODS; phase-out of HCFCs; support for Article 5 countries through the Multilateral Fund; and development of alternatives to CFC metered dose inhalers (MDIs). He said projects subsidized by the Multilateral Fund should protect both the ozone layer and the climate. SWITZERLAND underscored the importance of limiting CFC production for basic domestic needs in Article 5 countries and controlling QPS uses of methyl bromide. BANGLADESH highlighted national efforts to phase-out ODS.

The EUROPEAN COMMISSION noted that all HCFCs will be banned in the EU by 2004, with minor exceptions, and expressed concern at the growing trend of HCFC use in developing countries. BOTSWANA reported that it had reduced ODS use even without help from the Multilateral Fund and that demonstration projects were in place to develop alternatives to methyl bromide. POLAND noted that a licensing system similar to that required by the Montreal Amendment has been in place in Poland since 1994.

NEW ZEALAND noted that it is particularly vulnerable to ozone depletion. She recommended that TEAP include economic aspects in its assessments, and reported on a regional initiative for the implementation of the Montreal Protocol in the South Pacific. The FORMER YUGOSLAV REPUBLIC OF MACEDONIA noted that it was ahead of its mandated phase-out schedule and highlighted its implementation of a demonstration project for alternatives to methyl bromide in agriculture and a refrigeration management plan.

SWEDEN expressed concern at the unsustainable transition from CFCs to HCFCs, which he said is occurring in sectors and applications where HCFCs are not necessary. The REPUBLIC OF KOREA called for enhanced capacity building and technology transfer and reported on a national plan to allocate grants and transitional loans for the development of ODS alternatives. ZIMBABWE reported on two projects demonstrating alternatives to methyl bromide in agriculture, and underscored the importance of supporting investment projects with non-investment activities.

The US stated that it is moving more aggressively than required on the most damaging ODS, including through the use of market-based mechanisms. EGYPT outlined national measures including banning the use of CFCs in new aerosol industries and establishing a licensing system. URUGUAY noted that ozone depletion in its region is a particular concern and highlighted the importance of the Multilateral Fund in supporting Article 5 countries' obligations.

The SOLOMON ISLANDS cautioned against overlooking the needs of small island States and suggested that these States be represented as a group on the Protocol's Executive Committee. UGANDA stated that replenishment of the Multilateral Fund for 2000-2002 and beyond should provide more resources for non-investment activities, and said the Fund will still be needed from 2010 and beyond. SUDAN called for greater coordination between the agencies involved in ozone depletion and climate change. UKRAINE noted that the GEF has provided it with funds to help reduce ODS production and consumption. CROATIA said cooperation with the respective scientific bodies of the climate and ozone processes is critical to identifying and benefiting from synergies between the two areas. MONGOLIA said his country aims to cease ODS consumption by 2008 with limits that are stricter than the Protocol's requirement for Article 5 Parties. MYANMAR noted its very low consumption of ODS and stressed that it attaches great importance to these negotiations. ZAMBIA noted national and regional initiatives, such as the drafting of national regulations, capacity building and refrigeration management plans.

The CZECH REPUBLIC stated that it had radically reduced its consumption of ODS, and was already in line with the EU proposal on HCFCs. NICARAGUA noted that his country was starting to impose ODS import controls, and highlighted the importance of regional cooperation and public awareness raising. LIBYA called for the transfer of environmentally-friendly technology to developing countries, as well as curbs on illegal trade.

MALAYSIA reported on national action, including the prohibition of CFC and halon use in new industries, the promotion of recycling and reclamation projects, and bans on the registering of new MDIs using CFCs. THAILAND noted that it had already surpassed its mandated target under the Montreal Protocol and that most of its industries had ended their use of CFCs. BENIN outlined its strategic action plan for the environment including, *inter alia*, actions in the air conditioning sector. He noted the need for customs officer training, existing infrastructure conversion to new technologies and the elimination of residual methyl bromide stocks.

LATVIA stated that national legislation and institutional strengthening projects will allow it to be in full compliance with the Montreal Protocol by 2000, and expressed support for the Baltic State Network of ozone and climate change offices. NIGER highlighted the need for training, capacity building, public awareness initiatives and the development of licensing systems, including at the regional and sub-regional levels. NIGERIA hailed the Multilateral Fund as being a successful model that other negotiating processes could emulate. PERU noted steps taken domestically to raise public awareness about ozone depletion and the Protocol. ECUADOR noted domestic measures relevant to protecting the ozone layer, including: awareness-raising steps such as training seminars for the business sector and

academics, and the broadcast of television documentary and radio campaigns. TAJIKISTAN stressed inter-agency and inter-departmental cooperation in implementing national ODS reduction programmes. KENYA stated that her country intends to freeze methyl bromide levels by 2002, with a phase-out by 2015. She noted, however, that the efficacy and applicability of methyl bromide alternatives must be clearly demonstrated. She also noted the potential implications of a reduction of methyl bromide use in developing countries, given the importance of the agricultural sector to their economies. NORWAY expressed concern that HCFCs are the only ODS listed for which production remains entirely uncontrolled and for which trade with non-Parties is still permitted, and that the level of uncontrolled methyl bromide could delay the recovery of the ozone layer. The DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA noted that, in spite of success in reducing ODS consumption and production, further international action is required to protect the ozone layer. TURKEY reported that its ozone policy should lead to an early phase-out of CFCs and noted that one of the major challenges it faces is in the retrofitting sector.

MEXICO noted the need to avoid the oversupply of ODS and called for technical assistance, institutional strengthening and the development of a refrigeration management programme. MOLDOVA noted that ODS are not produced domestically, but that, because the country is dependent on agriculture, the refrigeration sector is of key importance.

GHANA reported that its three foam manufacturing companies now use ODS alternatives, and that the import of ODS and ODS equipment is being controlled. BURKINA FASO called for greater training and public awareness and the conversion of equipment to non-ODS. He said that he looks forward to welcoming delegates to MOP-12 in Burkina Faso. INDONESIA reported that it had phased-out methyl bromide from insecticides and pesticides, but not from QPS. He noted that a key problem for Indonesia was that of illegal imports, which were keeping the price of ODS low, and urged closer cooperation between importers and exporters. MADAGASCAR noted that it has implemented national ozone measures, including training programmes and raising public awareness. Pointing to the problem of illegal trade, CONGO called for the licensing of ODS exports and imports and a common training programme for all customs officers within the Central African region. CANADA expressed its congratulations to the Executive Secretary.

GREENPEACE INTERNATIONAL reported that the European Space Agency had recently detected abnormally low levels of ozone over northern Europe, and warned that the world faced an "apocalyptic" future. He said he was alarmed that an accelerated ODS phase-out schedule had not been agreed to at this meeting and that the chemical industry continued to promote the use of HFCs and HCFCs. FRIENDS OF THE EARTH noted that the ozone layer continues to thin and is not expected to recover until at least 2050. She said MOP-11 has been the least successful Meeting of the Parties to date and called on Parties to take immediate action to reduce uses of methyl bromide and adopt stronger policies for removing HCFCs. PESTICIDE ACTION NETWORK expressed disappointment at the lack of concrete measures taken at MOP-11/COP-5 to advance controls on ODS, with methyl bromide a particular concern. She noted that QPS accounts for 20-23% of worldwide methyl bromide use, yet is exempted by the Protocol. She called for, *inter alia*, a freeze of QPS use of methyl bromide, followed by a reduction. The ISRAEL ECONOMIC FORUM FOR THE ENVIRONMENT noted cooperation between Israeli and Chinese industries to increase methyl bromide production, highlighting the findings of a recent report issued by UNIDO that predicts a tenfold increase in methyl bromide consump-

tion in China from 1995-2002. He said it is clear that the MOP no longer has either the will or the power to repeat earlier successes in implementing freezes and phase-outs of new ODS.

ALLIANCE FOR RESPONSIBLE ATMOSPHERIC POLICY, an industry coalition, stated that both HFCs and HCFCs are viable solutions to addressing ozone depletion. He supported the current controls on HCFCs in the Protocol, and said any acceleration of the phase-out schedule could be detrimental.

PRESENTATIONS BY UN AGENCIES AND THE GEF:

Kerstin Leitner, Resident Representative of UNDP in China, highlighted UNDP's activities as an implementing agency of the Multilateral Fund. She expressed concern over the decline of programmes in low volume ODS-consuming countries and said replenishment of the Fund should allow for support to countries wishing to move faster than the 2005 target.

Rajendra M. Shende, Chief of UNEP's Energy and OzonAction Unit, detailed UNEP's work in assisting some 80 countries to develop national implementation plans and in networking and training more than 100 countries through its OzonAction Programme. He supported increasing non-investment projects in more countries.

Seniz Yalcindag, Director of UNIDO's Montreal Protocol Branch, said her organization is assisting 59 countries to phase out ODS, primarily through capacity building and demonstration projects. She noted that UNIDO's activities include training skills in cleaner production, retrofitting equipment and introducing hydrocarbons as an alternative to ODS.

Steve Gorman, Unit Chief, Montreal Protocol Operations, World Bank, highlighted the Bank's ozone-related projects, including a small- and medium-sized enterprise commercial refrigeration project in Thailand and a national CFC phase-out activity in Malaysia.

Frank Rittner, Environmental Specialist for the GEF, highlighted the GEF's technical investments in countries with economies in transition, noting their innovative approach to ODS phase-out using economic instruments and tax incentives. He underscored the GEF's role in both the Montreal Protocol and the UNFCCC, but noted that the GEF is not the financial mechanism for the Protocol.

Paul Horwitz, Chair of the Executive Committee of the Multilateral Fund, outlined key experiences during the 1997-99 replenishment period. He highlighted the "outstanding commitment" of Article 5 Parties to reducing ODS, and of non-Article 5 Parties for providing over US\$1 billion for the Multilateral Fund.

MOP-11/COP-5 DECISIONS

On Friday, 3 December, delegates to the High-level Segment adopted 29 decisions on the MOP-11 agenda (UNEP/OzL.Pro.11/L.2 and UNEP/OzL.Pro.11/3/Rev.1) and 5 decisions on the COP-5 agenda (UNEP/OzL.Conv.5/L.3). The decisions were adopted following consideration by delegates at the MOP-11/COP-5 Preparatory Segment and, for the most contentious issues, discussion in informal consultations held throughout the week.

BELJING AMENDMENT AND ADJUSTMENTS TO THE MONTREAL PROTOCOL: Delegates held an initial discussion on proposals put forward by the EU for adjustments and an amendment to the Protocol on Monday, 29 November. The EUROPEAN COMMISSION, on behalf of the EU, outlined its package of proposals, relating to, *inter alia*, HCFCs, quarantine and pre-shipment (QPS), uses of methyl bromide, ODS production for basic domestic needs, and new ODS.

On HCFCs, the EU said current controls need to be strengthened to maximize ozone layer protection and take account of recent progress in developing non-ozone-depleting alternatives. He proposed a freeze on HCFC production for non-Article 5 Parties from a specific base year with phase-out by 2025. For Article 5 Parties, he said HCFC

production controls should apply with levels and dates identical to the existing consumption controls. He called for a ban on trade in HCFCs with non-Parties.

Many Parties opposed these proposals. CANADA pointed to the possible need to make HCFC production permits transferable and ensure an adequate supply of HCFCs for legitimate needs. CHINA, COLOMBIA and others said alternatives to HCFCs still need to be developed.

The EU proposed a freeze in methyl bromide consumption for QPS, noting that there could be flexibility on the date of applying the freeze. Numerous Parties, including MEXICO, CANADA, the US, CHINA, TUNISIA, COLOMBIA, MALAYSIA, and NEW ZEALAND, on behalf of the Valdivia Group, opposed the proposed freeze. Several Parties said it was not the appropriate time to take a decision on this matter. The PESTICIDE ACTION NETWORK said clear guidelines and accurate reporting methods should be established for QPS uses.

On new ODS, the EU said it was preferable that a full amendment and ratification procedure not be required to extend existing controls to new ODS. He added that bromochloromethane production and consumption should be banned. JAPAN and INDIA opposed the proposed expedited procedure for adding new ODS, while SWITZERLAND and GREENPEACE INTERNATIONAL supported the proposals.

The EU also proposed adjustments to tighten the Protocol in relation to ODS production to meet basic domestic needs, including the insertion of a paragraph stating that 1995-97 shall be the base period for 50% reductions in ODS production by 2005. CHINA opposed steps to tighten production specifications for basic domestic needs.

Co-Chair Uosukainen established a working group to consider the proposals. The working group met in closed session throughout the week. On Friday, 3 December, the working group reached agreement on a "Beijing Amendment and adjustments package" and accompanying decisions and referred its work to the legal drafting group. In the final evening Plenary, Patrick Szell (UK), Chair of the legal drafting group, introduced document UNEP/OzL.Pro.11/3/Rev.1, which contained the text of the agreed amendment and adjustments. The amendment and adjustments were adopted, with the addition of interpretative language relating to allowances for basic domestic needs as part of HCFC production controls for Article 5 countries. The President announced that this package would be known as the "Beijing Amendment and adjustments."

The package consists of one decision for the Amendment, three decisions for the adjustments, and two accompanying decisions on new substances and supply of HCFCs to Article 5 countries.

Beijing Amendment: The decision on the Beijing Amendment covers: HCFC production controls, the listing of bromochloromethane as a controlled substance, reporting of QPS uses of methyl bromide, and final clauses.

HCFC production controls: The Amendment provides for a freeze in the level of production of HCFCs from 2004. The level of production is calculated as the average of: the sum, in 1989, of HCFC consumption and 2.8% of CFC consumption; and the sum, also in 1989, of HCFC production and 2.8% of CFC production (the same formula is already used in the Protocol to calculate HCFC consumption levels). The Amendment permits non-Article 5 Parties to produce 15% more than this allowance to meet the basic domestic needs of Article 5 Parties. It subjects Article 5 Parties to a freeze on HCFC production starting in 2016, based on the average production and consumption in 2015. At the request of the EUROPEAN COMMISSION, supported by INDIA and BRAZIL, interpretative language was agreed for inclusion in the report of the meeting clarifying that the

provision allocating non-Article 5 Parties an extra production allowance of 15% to meet the basic domestic needs of Article 5 Parties are also applicable to Article 5 Parties.

Bromochloromethane: The Amendment lists bromochloromethane as a controlled substance in a new Group III of Annex C and adds an extra Article 2I to the Protocol with provisions on bromochloromethane. It calls for production and consumption of bromochloromethane to be phased out by 2002, although Parties may decide on essential use exemptions.

Trade with non-Parties: The Amendment adds new paragraphs to Protocol Article 4 (control of trade with non-Parties) that ban trade with non-Parties in HCFCs from 2004, and in bromochloromethane from one year after entry into force of the Beijing Amendment.

Reporting on quarantine and pre-shipment use of methyl bromide: A new sentence is added to Protocol Article 7 (reporting of data) stating that Parties shall provide to the Secretariat statistical data on the annual amount of methyl bromide used for QPS applications.

Final clauses: The Amendment states that it may only be ratified by Parties that have ratified all previous amendments. It further states that it will enter into force on 1 January 2001, provided that at least 20 instruments of ratification have been deposited and that, if this condition is not fulfilled, it will enter into force 90 days following the date on which the 20 instruments have been received.

Adjustments: The three decisions on adjustments provide for the phase-out of production allowances of CFCs, halons, other fully halogenated CFCs and methyl bromide for meeting the basic domestic needs of Article 5 countries.

The decision on CFCs establishes the baseline as the annual average of production for basic domestic needs in the period 1995-1997; requires CFC production for basic domestic needs to be phased out by 2010, with intermediate cuts in 2003, 2005 and 2007; and requires the calculation of annual average production to take into account any production entitlements transferred or acquired for the purposes of industrial rationalization.

This decision also sets a phase-out date for halons of 2010, with intermediate cuts in 2002 and 2005, and establishes the baseline as 1995-1997, but with 1986 production levels as the baseline up to 2002.

The decision on other fully halogenated CFCs establishes the period 1998-2000 as the baseline, although production levels in 1989 are used as the baseline up to 2003, and requires production for basic domestic needs to be phased out by 2010, with intermediate steps in 2003 and 2007.

The decision on methyl bromide establishes the baseline as the period 1995-1998, with production levels in 1991 used as the baseline up to 2002, and requires phase-out by 2015, with intermediate steps in 2002 and 2005.

New substances: A draft decision on new substances (UNEP/OzL.Pro.11/CRP.18) was introduced in the final Plenary on Friday, 3 December, and adopted without amendment. The decision states that Parties will continue to give full consideration to ways to expedite the procedure for adding and removing substances and control measures to the Protocol.

Supply of HCFCs to Parties operating under Article 5: This draft decision, proposed by Argentina, Brazil, Canada, China, the EU, Finland, the US and Venezuela, was circulated as an unreferenced document in the final Plenary on 3 December and adopted without amendment. It requests the TEAP to report, by 30 April 2003, on the problems and options of Article 5 Parties in obtaining HCFCs, in the light of the HCFC production freeze in non-Article 5 Parties in 2004. The decision specifies that Parties shall consider this report at MOP-15 in 2003 and address any problems it identifies.

REPLENISHMENT OF THE MULTILATERAL FUND: On Monday, 29 November, Co-Chair Uosukainen summarized discussions at the meeting of the *Ad hoc* Group on Replenishment held in Washington, DC, in May 1999, highlighting, *inter alia*: a base case funding recommendation of US\$300 million; Copenhagen amendment ratifications; non-investment activities; advanced funding; concessional lending; costs of avoiding HCFCs; and hydrocarbon use.

The EU underscored, *inter alia*: the cost of methyl bromide phase-out; non-investment activities such as capacity building; and support for concessional lending. The G-77/CHINA, supported by a number of Article 5 Parties, called for replenishment funding of not less than US\$500 million and insisted that concessional lending not be considered. The CZECH REPUBLIC suggested alternative sources for funding, such as the private sector. The PHILIPPINES said non-payment of contributions must be addressed. TURKEY expressed concern that the proposed funds would not be adequate to support refrigerant management plans. Co-Chair Uosukainen suggested that the *Ad Hoc* Group on Replenishment reconvene, with the addition of representatives from Italy and Brazil, to continue discussions. This group met in closed session.

In Plenary on Tuesday, 30 November, the UK, on behalf of the "Like-minded Group" (the EU, Australia, Canada, Japan, New Zealand, Norway, Poland, Switzerland and the US), stated that a base case of US\$300 million would constitute a "firm and fair" assessment to meet the legitimate needs of Article 5 Parties. She noted, however, that although the Parties on whose behalf she was speaking had different mandates, all were prepared to go above the base case figure needed for strict compliance. She highlighted the need to make progress on concessional lending and other forms of innovative funding, and said the use of these mechanisms would determine the funding to be agreed above the base case.

On Wednesday, 1 December, Co-Chair Uosukainen reported that the working group on the Multilateral Fund was now considering two options, one that included concessional arrangements and another that omitted these arrangements. On Friday, 3 December, the final Plenary approved the amount of funding for replenishment, with both BURKINA FASO and ALGERIA expressing concern at the amount set. BURKINA FASO said it was disappointed that a decision on concessional loans could not be reached. ALGERIA requested the Executive Committee to look closely at how funds are disbursed in order to ensure equitable distribution.

The decision on replenishment:

- adopts a budget for 2000-2002 of US\$477,700,000, with the understanding that US\$35,700,000 of that sum will be provided by funds unallocated in 1997-1999;
- notes that outstanding contributions from some Parties with economies in transition in the period 1997-1999 amount to US\$34,703,856;
- adopts a scale of contributions listed in an annex to the report;
- calls on the Executive Secretary to ensure that the entire budget is committed; and
- calls on non-Article 5 Parties to make timely payments according to the fixed exchange rate mechanism.

OTHER MOP-11 DECISIONS: Fixed exchange-rate mechanism for the replenishment of the Multilateral Fund: On Tuesday, 30 November, Plenary held preliminary discussions, based on a report presented by Theodore Kapiga, Fund Management Officer, UN Office at Nairobi, in Plenary the previous day. CANADA noted that the proposed mechanism is revenue neutral, would avoid arrears and is used for other funds. The EU said the proposed mechanism would ease administrative difficulties, promote timely payment and minimize the impact of currency fluctuations. A working group met to finalize a draft decision, which CANADA introduced in Plenary on Wednesday,

1 December. He noted, *inter alia*, that the decision provided for such a mechanism to be implemented on a trial basis. INDIA agreed to the mechanism on a trial basis. The Preparatory Segment recommended the draft decision for adoption and it was adopted in Plenary on Friday, 3 December.

The decision urges Parties to pay their contributions promptly and in full and states that the purpose and objective of the new mechanism is to ease Parties' administrative difficulties, promote timely payment of contributions and ensure there is no adverse impact on the level of resources available to the Multilateral Fund. It establishes the mechanism on a trial basis to be reviewed by the Meeting of the Parties at the end of 2001 to determine its impact on the Multilateral Fund. It states that only Parties with inflation rate fluctuations of less than 10% will be eligible for the mechanism and that Parties should pay contributions no later than 1 June of each year.

New ozone depleting substances: Delegates considered a draft decision on new ODS on Tuesday, 30 November. CANADA suggested language referring to tighter procedures for dealing with new chemicals based on Assessment Panel considerations. FRIENDS OF THE EARTH called for an automatic phase-out regime for new ODS. On Wednesday, 1 December, the EUROPEAN COMMISSION introduced a revised draft decision and explained that it was based on consultations with the Scientific Assessment Panel (SAP). The US requested time to consider the draft decision. On Friday, 3 December, CANADA, reporting on the working group on the proposed adjustments and amendment, said agreement had been reached in informal consultations on a further revised draft decision (UNEP/OzL.Pro.11/CRP.15/Rev.1). The decision was adopted, without amendment. The decision requests the SAP and the TEAP to develop criteria to assess the ozone-depleting potential (ODP) of new chemicals and to develop a guidance paper on mechanisms to facilitate public-private sector cooperation in the evaluation of ODP.

Membership of the Implementation Committee: This decision notes with appreciation the work done by the Implementation Committee in 1999. The decision also confirms the positions of Ecuador, Mali, Poland, Saudi Arabia and the United Kingdom for one more year and selects Argentina, Bangladesh, Czech Republic, Egypt and the US as members for 2000-2001.

Membership of the Executive Committee of the Multilateral Fund: This decision notes with appreciation the work done by the Executive Committee in 1999 and endorses the selection of Australia, Germany, Japan, the Netherlands, Slovakia, Sweden and the US as members of the Committee representing non-Article 5 countries, and Bahamas, Brazil, Dominican Republic, Tunisia, Uganda, Botswana and India as representatives from Article 5 countries. It also endorses the selection of Vishwanath Anand (India) and Heinrich Kraus (Germany) as Co-Chairs of the Executive Committee for one year, effective 1 January 2000.

Co-Chairs of the Open-ended Working Group of Parties to the Montreal Protocol: This decision endorses the selection of John Ashe (Antigua and Barbuda) and Milton Catelin (Australia) as the Co-Chairs of the OEWG for the year 2000.

Ratification of the Vienna Convention, the Montreal Protocol, and the London, Copenhagen and Montreal Amendments: This decision notes that, as of 15 November 1999, 136 Parties have ratified the London Amendment, 101 the Copenhagen Amendment and 29 the Montreal Amendment. It urges all States to ratify, approve or accede to the Vienna Convention and the Montreal Protocol and its Amendments.

Definition of pre-shipment applications of methyl bromide: On Tuesday, 30 November, delegates considered a draft decision that defined pre-shipment applications as those non-quarantine applications applied within 14 days of export. The CROP PROTECTION

COALITION noted that the proposed decision would limit the exemption for QPS uses of methyl bromide and encouraged delegates to oppose the decision. CHINA said the period of 14 days was problematic. Co-Chair Gelil invited China to consult with the EU and report back to Plenary. On Wednesday, 1 December, CHINA said a final decision was contingent on the outcome of negotiations on the proposals for adjustments and an amendment to the Protocol. On Friday, 3 December, MEXICO, reporting on progress in the working group on the proposed adjustments and amendment, reported that agreement had been reached to change the time period to 21 days, with the remainder of the decision unchanged.

The decision (UNEP/OzL.Pro.11/CRP.19) defines pre-shipment applications as those non-quarantine applications applied within 21 days prior to export to meet the official requirements of the importing or exporting country. Official requirements are defined as those performed or authorized by a particular national authority.

Quarantine and pre-shipment uses of methyl bromide: On Wednesday, 1 December, the EU introduced a proposed draft decision that requested, *inter alia*, the TEAP to conduct studies on the economic and technical feasibility of alternatives to methyl bromide for QPS applications. The US said it would like to discuss the issue further. On Friday, 3 December, MEXICO, reporting on the progress of the working group on the proposed adjustments and amendment, introduced a revised draft decision (UNEP/OzL.Pro.11/CRP.13/Rev.1). The decision was adopted, with minor editorial amendments.

The decision calls on the TEAP to include an evaluation of the technical and economic feasibility of alternatives to methyl bromide in QPS applications, including the volume of methyl bromide that could be replaced, in its 2003 report. It also requests Parties to review their regulations with a view to removing the requirement for methyl bromide use in QPS applications, and to monitor the uses of methyl bromide by commodity and quantity in order to, *inter alia*, encourage early identification of methyl bromide alternatives. Parties are also encouraged to use methyl bromide recovery and recycling technology, where possible, pending the availability of methyl bromide alternatives.

Essential-use nominations for non-Article 5 Parties for controlled substances for 2000 and 2001: This decision notes the excellent work undertaken by TEAP and its Technical Options Committees and authorizes the levels of production and consumption necessary to satisfy essential uses of CFC-11, CFC-12, CFC-113 and CFC-114 for metered dose inhalers, CFC-113 for torpedo maintenance and halon 2402 for fire protection, as set out in an annex to the report of MOP-11. It states that these quantities are for total CFC volumes, with flexibility between CFCs within each group.

Global exemption for laboratory and analytical uses: In Plenary on Tuesday, 30 November, POLAND requested the withdrawal of this draft decision and suggested it be resubmitted once new international standards for ODS-free laboratory tests have been developed. While recognizing the need for flexibility on regulated substances where alternatives do not exist, NORWAY said such uses should be restricted to a minimum and noted progress in developing ODS-free alternatives for testing oil, grease and total petroleum hydrocarbons in water. The US suggested eliminating the exemption by between 2001 and 2003.

In a discussion in Plenary on Wednesday, 1 December, the EUROPEAN COMMISSION proposed a phase-out date of 2002, but only in relation to tests for oil, grease and total petroleum hydrocarbons in water. POLAND, with SLOVAKIA, called for the reference to testing of tar in road-paving materials and forensic finger-printing to be retained. The draft decision, with the Polish formulation, was recommended to the High-level Segment for adoption and formally adopted in Plenary on Friday, 3 December. The decision eliminates the following uses from the global exemption for laboratory and analytical

uses from the year 2002: testing of oil, grease and total petroleum hydrocarbons in water; testing of tar in road-paving materials; and forensic finger-printing.

CFC management strategies in non-Article 5 Parties: On Tuesday, 30 November, delegates considered an initial draft decision titled "Limitation of emissions of CFCs from equipment in non-Article 5 Parties." The EUROPEAN COMMISSION said the decision should bind Parties to the fullest extent possible. On Wednesday, 1 December, CANADA introduced a revised version of the draft decision entitled "CFC management strategies in non-Article 5 Parties." He remarked that, in 1998, the SAP had reported that 2 million tonnes of CFCs might still be in use in equipment globally. He noted the intent of the draft decision to encourage Parties to consider measures beyond recovery and recycling in order to prevent release. The EUROPEAN COMMISSION called for stronger language and introduced a reference to eliminating CFCs from existing equipment and setting target dates for bans on refilling. POLAND expressed concern that the European Commission's proposed language was too strong and proposed text to moderate the language. The EUROPEAN COMMISSION opposed this proposal and delegates agreed to recommend the draft decision to the High-level Segment unchanged.

In Plenary on Friday, 3 December, IRAN asked for clarification as to whether "existing products and equipment" included only products and equipment in use or if items awaiting disposal were also included. CANADA noted its understanding that operational and non-operational products and equipment were covered by "existing." Executive Secretary Sarma proposed "existing or out of service" for clarity and the decision was adopted. The decision requests that each non-Article 5 Party develop and submit to the Secretariat a strategy for the management of CFCs, including options for recovery, recycling, disposal and eventual elimination of their use. It requests Parties to consider the following options in preparing such a strategy: recovering and eliminating CFCs from existing products and equipment; setting target dates for bans on the refilling and/or use of refrigeration and air-conditioning equipment operating on CFCs; ensuring that appropriate measures are taken for the environmentally safe and effective storage of recovered CFCs, as well as for management and final disposition; and encouraging the use of CFC substitutes and replacements acceptable from the standpoint of environment and health, taking into account their impact on the ozone layer and other environmental factors.

Terms of reference for Assessment Panels: In preliminary discussion of this draft decision in Plenary on Tuesday, 30 November, the EU proposed additional language requesting the SAP to include in its assessment, *inter alia*: a characterization of the implications of methyl bromide sources and sinks on the ozone layer; a characterization of the interrelationship between ozone depletion and climate change; and a description of changes in the ozone layer, taking into account the expected impacts of climate change. She also proposed, *inter alia*, language requesting the Environmental Effects Panel to continue identifying the impacts of ozone depletion and features of climate change, as well as the impacts of potential ultraviolet radiation changes that have feedback effects on climate. The US expressed concern about introducing climate change issues into the work of the Assessment Panels. The UK requested the Co-Chairs of the SAP to find a way of reassuring Parties that the assessment would be conducted openly and effectively.

On Wednesday, 1 December, Executive Secretary Sarma noted a statement by the UK requesting the Co-Chairs of the SAP to find a way to reassure the Parties that the scientific assessment is conducted openly and effectively would be included in the report of the meeting. Delegates also considered amendments to the draft decision proposed by the EU. The US reserved its position with regard to these amend-

ments and Sarma invited the EU and US to hold informal consultations on this matter, with assistance from representatives of the Environmental Effects Panel.

On Friday, 3 December, delegates considered and adopted a revised decision. The decision notes the "excellent and highly useful" work conducted by the Assessment Panels and their collaboration with the UNFCCC's SBSTA, the IPCC and the International Civil Aviation Organization (ICAO). It requests the Assessment Panels to update their 1998 reports in 2002 and submit them to the Secretariat by 1 January 2003 for consideration by the OEWG and MOP-15. It requests the SAP to include the following in the 2002 scientific assessment:

- an evaluation of the observed trends in controlled substances and their consistency with reported ODS production;
- a quantification of the ozone-depleting impacts of new halogen-containing substances;
- a characterization of methyl bromide sources and sinks and the likely quantitative implications of the results for the ozone layer;
- a characterization of the known interrelations between ozone depletion and climate change, including feedbacks between the two; and
- a description and interpretation of the observed changes in global and polar ozone and in ultraviolet radiation, as well as set future projections and scenarios for these variables, taking into account the expected impacts of climate change.

The decision also requests the Environmental Effects Panel to continue identifying ozone depletion, noting its association with aspects of climate change, including: an evaluation of how the combined influence of ultraviolet radiation changes and climate change factors can have an impact on the biosphere and human health; and a characterization of the range of possible impacts caused by potential ultraviolet radiation changes and the effects these may have on climate change.

Special report on aviation and the global atmosphere: On Thursday, 2 December, Pieter Aucamp, Co-Chair of the SAP, presented the IPCC special report on aviation and the global atmosphere noting, *inter alia*, that reducing the impact of aircraft on ozone depletion would require improved efficiency and management strategies, and that the development of supersonic aircraft would have an adverse effect on the ozone layer. On Friday, 3 December, Plenary adopted a decision noting the work of the SAP in preparing the special report, expressing appreciation to SAP for its collaboration with the IPCC and noting the willingness of the ICAO to collaborate with the Montreal Protocol. The decision recommends that SAP continue to collaborate with the IPCC and keep Parties to the Montreal Protocol informed on the potential impacts of aircraft emissions on ozone depletion and climate change.

Financial report and budget: On Monday, 29 November, Shafqat Kakakhel drew attention to the importance of replenishing the budgets for the Vienna Convention and Montreal Protocol Trust Funds. Co-Chair Uosukainen nominated John Ashe (Antigua and Barbuda) to chair a budget group. In Plenary on Wednesday, 1 December, Chair Ashe presented a draft decision and delegates agreed that it should be recommended for adoption by the High-level Segment. On Friday, 3 December, Plenary adopted the decision, which notes the exemplary financial management of the Secretariat and, *inter alia*: urges all Parties to pay their outstanding contributions; approves the budget of US\$3,679,679 each year for 2000 and 2001; draws down an amount of US\$675,000 from the unspent balance for the purpose of reducing it; and encourages non-Article 5 Parties to continue offering financial assistance to their members in the three Assessment Panels and their subsidiary bodies.

Global Environment Facility: On Tuesday, 30 November, a draft decision on the continued assistance of the GEF was introduced in Plenary. On Wednesday, 1 December, delegates recommended the decision for adoption by the High-level Segment and it was adopted on Friday, 3 December. The decision notes with appreciation the continued assistance given by the GEF Council to the countries with economies in transition.

Twelfth Meeting of the Parties to the Montreal Protocol (MOP-12): On Tuesday, 30 November, BURKINA FASO offered to host MOP-12. On Friday, 3 December, Plenary adopted a decision accepting this invitation to convene MOP-12 in Burkina Faso in November 2000.

Data Reporting: On Tuesday, 30 November, Tom Land (US), President of the Implementation Committee, introduced a draft decision on data reporting. He noted that the timeliness of reporting had improved considerably. INDIA, supported by CHINA and SENEGAL, suggested deleting the statement that Parties not reporting data by 30 September for the following year would be considered non-compliant.

On Wednesday, 1 December, Executive Secretary Sarma introduced a revised draft that replaced text noting that Parties not reporting data by 30 September of the following year are considered to be in non-compliance with text noting that Parties are to submit data by this date, in accordance with their obligations under Article 7 (data reporting). The Plenary recommended the draft decision for adoption by the High-level Segment and it was adopted on Friday, 3 December. The decision, *inter alia*: urges Parties to introduce licensing systems to facilitate accuracy in data submission; notes that Parties may wish to consider the burden of collecting sector data and other data at a future meeting; decides to request that the Implementation Committee begin a full review of data for the year immediately prior to the Meeting of the Parties beginning 2000; notes that many Parties with economies in transition have established a phase-out plan with specific interim benchmarks; and urges these Parties to submit these phase-out plans to the Secretariat.

Compliance with the Montreal Protocol by Turkmenistan: On Tuesday, 30 November, Tom Land introduced a draft decision on compliance with the Protocol by Turkmenistan. This draft decision was recommended for adoption by the High-level Segment and adopted in the final Plenary. The decision, *inter alia*: notes the cooperation between Turkmenistan and the GEF; outlines a series of benchmarks for ODS phase-out up to 2003; requests Turkmenistan to submit a complete copy of its country programme, when approved, to the Implementation Committee, through the Secretariat, for the consideration of the Committee at its next meeting; and cautions Turkmenistan that, in the event that the country fails to meet the commitments, the Parties shall consider measures consistent with item C of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance. These measures may include actions designed to ensure that the supply of CFCs and halons is ceased.

Compliance with the Montreal Protocol by Bulgaria: On Tuesday, 30 November, Tom Land introduced a draft decision on compliance with the Protocol by Bulgaria. On Wednesday, 1 December, BULGARIA requested that the draft decision be modified to reflect that it came into compliance with the Montreal Protocol in 1998, instead of stating that it will come into compliance in January 2000. With this change, the draft decision was recommended to the High-level Segment for adoption, and formally adopted in Plenary on Friday, 3 December. The decision notes the cooperation between Bulgaria and the GEF and Bulgaria's compliance with the Montreal Protocol by January 1998. It requests Bulgaria to submit a complete copy of its country programme, once approved, to the Implementation Committee through the Secretariat, for the consideration of the Committee at its next meeting, and cautions Bulgaria that if the

country fails to meet its commitments, the Parties shall consider measures consistent with item C of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance. These measures may include actions designed to ensure that the supply of CFCs and halons is ceased.

World Customs Organization: On Wednesday, 1 December, Plenary considered and recommended for adoption by the High-level Segment a draft decision proposed by Poland on recommendations and clarifications of the World Customs Organization (WCO) concerning customs codes for ODS and products containing ODS. On Friday, 3 December, Plenary adopted the decision which, *inter alia*: notes that the issue of customs codes is of great importance for the prevention of the illegal trafficking of ODS and for the purpose of data reporting; acknowledges the work of the WCO to extend the Harmonized System customs nomenclature of ODS and products containing ODS; and takes note of the WCO draft recommendation concerning insertion in national statistical nomenclatures of Harmonized System subheadings for ODS and products containing ODS.

Refrigerant management plans: On Wednesday, 1 December, TURKEY introduced its proposed draft decision to finalize the formulation of guidelines for refrigerant management plans for high volume ODS-consuming countries. SWITZERLAND and the US replaced text requesting the Multilateral Fund Executive Committee to finalize the guidelines "by the next meeting of the Executive Committee" with "as soon as possible." Plenary agreed to recommend the draft decision for adoption by the High-level Segment.

On Friday, 3 December, the US, supported by INDIA, called for the deletion of text requesting funding for such projects in the pipeline "at a level which allows timely and full compliance with commitments taken by individual countries under the Montreal Protocol." BURKINA FASO asked to delete the reference to high volume ODS countries. TURKEY opposed the deletion, stating that the decision was intended specifically for such countries and noting that guidelines for low volume ODS-consuming countries would be made available. The US said it understood that a process to revise the guidelines for low volume ODS-consuming countries would begin soon. The decision was approved, as modified by the US. The decision requests the Multilateral Fund Executive Committee to finalize the formulation of guidelines for refrigerant management plans for high volume ODS-consuming countries as soon as possible and to subsequently approve funding in accordance with the guidelines for such projects in the pipeline.

Measures to facilitate the metered dose inhalers (MDI) transition: On Tuesday, 30 November, delegates held preliminary discussions on the draft decision proposed by Costa Rica that urged non-Article 5 Parties and encouraged Article 5 Parties to develop and implement expeditious national MDI transition strategies. INDIA acknowledged that the draft decision presented a step forward, but underscored concerns over cost implications. He proposed amending the decision to reflect the need to avoid increases in costs and provide technology transfer to facilitate the transition. The US drew attention to concerns set out in the TEAP report relating to low-income patients and the possible financial impact of placing restrictions on generic MDI products. He said the text should acknowledge that remaining technical, patient, safety and regulatory issues make it difficult to set precise phase-out dates. Delegates agreed to continue informal discussions. In Plenary on Friday, 3 December, COSTA RICA withdrew the draft decision, noting that delegates were unable to achieve consensus on the proposal as a whole. The US expressed disappointment at this failure.

Process agents: On Monday, 29 November, during the opening Plenary of the Preparatory Segment, INDIA requested the inclusion of an agenda item on process agents. On Tuesday, 30 November, INDIA

noted that it had submitted a draft decision on process agents intended to clarify interpretation of a relevant decision taken at MOP-10. The US and EU requested additional time to consider the draft decision. On Wednesday, 1 December, INDIA introduced the draft decision that interpreted the use of a process agent as the use of a controlled substance from the inception of the Protocol. BRAZIL and CHINA supported this interpretation. The US did not agree with the intent of the text and, with the EU, requested further consideration of the matter. Co-Chair Gelil suggested a contact group convene to continue discussions. On Friday, 3 December, INDIA reported that a lack of time had prevented the contact group from meeting. He said he hoped the decision could be considered by the next OEWG meeting. Executive Secretary Sarma explained that the issue must be part of the OEWG agenda if it is to be discussed. In light of this explanation, INDIA hoped for resolution before the end of MOP-11/COP-5, but the draft decision was not considered again in Plenary.

COP-5 DRAFT DECISIONS: Adjustments and amendment to the Montreal Protocol: On Friday, 3 December, delegates adopted a decision that takes note of: the adjustments and Amendment to the Montreal Protocol that were adopted at MOP-9. It further notes that the adjustments relating to control measures in Annex B and Annex E of the Montreal Protocol entered into force on 5 June 1998, and that the Amendment entered into force on 10 November 1999 for Parties that have ratified it.

Reports of the three Assessment Panels: On Thursday, 2 December, representatives of the Assessment Panels delivered reports on their findings. Gérard Magie, Co-Chair of the SAP, presented the findings of the 1998 scientific assessment. He noted, *inter alia*, that total abundance of ODS is now slowly decreasing, but that recovery from ozone loss will be slow. He also highlighted linkages between ozone depletion and climate change.

Suely Carvalho, Co-Chair of the TEAP, expressed the TEAP's support for significant technology transfer efforts to disseminate non-ODS alternatives as widely as possible, and opposed new MDIs using CFCs. She noted challenges for the future, including the need to promote substitutes for methyl bromide.

Jan van der Luen, Co-Chair of the Environmental Effects Assessment Panel, discussed the 1998 Assessment Report and the 1999 Interim Summary Report on the environmental effects of ozone depletion. He indicated that the Protocol and its Amendments had significantly decreased the projected levels of skin cancers and eye cataracts, while noting that, even with these interventions, increases in the rates of these conditions could be expected over the next few decades.

On Friday, 3 December, Plenary adopted a decision that takes note of the Assessment Panels' reports, and acknowledges and encourages the collaboration of the Assessment Panels with the IPCC, the FCCC's SBSTA and the ICAO. It also acknowledges the important role played by the SAP in coordinating its report and the contributions by the World Meteorological Organization (WMO), the national agencies and international organizations in preparing the report.

Recommendations of the fourth meeting of the Ozone Research Managers: On Tuesday, 30 November, Executive Secretary Sarma introduced a draft decision on recommendations of the fourth meeting of the Ozone Research Managers. He noted the need to improve maintenance of ozone-measuring facilities, and said only limited financial resources were available for this purpose. The EU and CANADA expressed support for the draft decision, which was recommended for adoption. On Friday, 3 December, CANADA requested that its statement, expressing support for the recommendations of the fourth meeting of the Ozone Research Managers and inviting submission of data on ozone and ultraviolet radiation to the WMO World Ozone and Ultraviolet Data Centre in Toronto within two months, be included in the report of the meeting. Delegates adopted a decision that

takes note of the report of the fourth meeting of the Ozone Research Managers and endorses the recommendations of the meeting. The decision also requests Parties to, *inter alia*:

- continue to maintain instruments and develop the monitoring, calibration and archiving of measurements of stratospheric and tropospheric ozone;
- pursue the development and implementation of new observational capabilities such as aircraft and satellite-based measurements, along with programmes for ground-based instrument calibration;
- expand the ground-based ozone stations, especially in the continental part of Asia, as well as in the Caribbean and Central American region;
- increase investigation and quantification of stratospheric and tropospheric processes through monitoring and experimental campaigns in order to better understand and further develop predictions of stratospheric change;
- give high priority to research on the interactions between ozone and climate and the impact of aircraft emissions on ozone;
- enhance research on the effects of ultraviolet radiation; and
- request the WMO and UNEP to enhance training and baseline monitoring of ozone, ultraviolet radiation and related research in developing countries.

Financial report and budget: On Monday, 29 November, Co-Chair Uosukainen nominated John Ashe (Antigua and Barbuda) to chair a Budget Group to consider the financial report on the Vienna Convention Trust Fund and to propose a budget for 2000 and 2001. On Wednesday, 1 December, Chair Ashe presented a draft decision on the financial report and proposed budget for the Vienna Convention. Delegates agreed that it should be recommended for adoption by the High-level Segment and the decision was adopted on Friday, 3 December. The decision takes note of the financial report on the Trust Fund for the Vienna Convention for expenditures of the first year of the biennium, and urges all Parties to pay their outstanding contributions promptly and in full for 2000 and 2001. The decision also: approves the budget of \$370,590 for 2000, \$370,590 for 2001, \$1,207,991 for 2002 (to support COP-6 preparations) and the proposed budget of \$370,590 for 2003; draws down an amount of \$75,000 from the unspent balance for the purpose of reducing it; and calls for a review of the status of reserves at COP-6.

Sixth meeting of the Conference of the Parties to the Vienna Convention: On Friday, 3 December, delegates adopted a decision stating that COP-6 will convene in 2002 in conjunction with the Fourteenth Meeting of the Parties to the Montreal Protocol.

BEIJING DECLARATION

During the opening Plenary of the Preparatory Segment on Monday, 29 November, CHINA introduced a draft Beijing Declaration and requested its inclusion on the agenda of MOP-11/COP-5. In Plenary on Tuesday, 30 November, many delegates endorsed China's proposal for a Beijing Declaration and a number of Parties remarked that a Beijing Declaration would be timely, given that it is the tenth anniversary of the First Meeting of the Parties to the Protocol. However, several Parties noted the need for drafting changes within the proposed text. SWITZERLAND requested an additional paragraph on further cooperation between the ozone and climate change regimes. The CZECH REPUBLIC, noting that the Beijing Declaration would be a useful means of raising public awareness, supported linking climate change and the Montreal Protocol in the lead-up to Rio+10. GREENPEACE INTERNATIONAL called for language reflecting the need for greater urgency to phase-out ODS, given the unforeseen impact of climate change on the ozone layer. A drafting group, chaired by Bernardita deCastro Muller (Philippines), was established to polish the text.

On Wednesday, 1 December, Chair deCastro Muller reported on the group's progress and said a draft text would be ready for consideration during the High-level Segment. Over the course of the High-level Segment, many ministers and heads of delegations expressed their support for the proposed Beijing Declaration. During the final Plenary on Friday, 3 December, Chair deCastro Muller introduced the Beijing Declaration, as revised by the drafting group (UNEP/OzL.Pro.11/CRP.16). She proposed additional language welcoming the further progress agreed upon at MOP-11. The Plenary adopted the Declaration with this amendment.

Recalling the achievements to date in the protection of the ozone layer and reaffirming commitment to this objective, the Beijing Declaration declares that the delegates to MOP-11/COP-5 are: pleased to note progress achieved in the last decade in reducing CFC production and consumption as well as in the reduction and phase-out of other ODS; grateful for efforts towards this progress made by governments, international organizations, experts and other relevant groups; aware that they cannot rest on their laurels, as the ozone hole has reached record proportions and recovery is a long way from being achieved; and aware that Parties face new challenges and that financial and technical assistance must therefore be continued and developed. The Beijing Declaration also welcomes the progress agreed upon at MOP-11/COP-5 and appeals to all Parties to demonstrate a stronger political will, to take more effective action to fulfill their obligations under the Vienna Convention and the Montreal Protocol, and to take appropriate measures to address illegal trade in ODS. It calls upon non-Article 5 Parties to continue to supply adequate funding and to promote the expeditious transfer of environmentally sound technologies to Article 5 Parties to help them fulfill their obligations. It appeals to the international community to demonstrate more concern for the protection of the ozone layer and the global atmosphere, taking into account the need to promote social and economic development in all countries.

CLOSING PLENARY

In the closing Plenary on Friday evening, 3 December, delegates adopted the draft reports of COP-5 (UNEP/OzL.Conv.5/L.3) and MOP-11 (UNEP/OzL.Pro.11/L.1, Add.1-3), following minor amendments proposed by SWITZERLAND and the CZECH REPUBLIC.

CHINA thanked delegates for their contributions and said the newly-adopted Beijing Declaration demonstrates the political will that exists to protect the ozone layer. NIGERIA, on behalf of the G-77/CHINA, hoped the Declaration would provide political impetus for the future. FINLAND, on behalf of the EU, thanked China, the Secretariat and delegates for contributing to the successful outcome of this meeting.

Delegates applauded Preparatory Segment Co-Chairs Gelil and Uosukainen for their hard work. MOP-11 President Vogl thanked Parties for their contribution to the outcomes at the meeting. COP-5 President Fajardo-Moros said delegates had concluded their work. On behalf of all those present, he thanked the Government of China for hosting this meeting and noted the generous hospitality of the Chinese people. He thanked participants and closed the conference at 10:15 pm.

A BRIEF ANALYSIS OF MOP-11/COP-5

THE SHINY BICYCLE IS STARTING TO LOOK A LITTLE TARNISHED

The Eleventh Meeting of the Parties to the Montreal Protocol and the Fifth Conference of the Parties to the Vienna Convention concluded with most delegates feeling that the meeting had been largely successfully. This contrasted with statements of disappointment and despair from a number of environmental NGOs. The adoption of the Beijing Amendment and the Beijing Declaration were the substantive outcomes of the meeting, although some would argue that the substance behind these outcomes is rather limited. The replenishment of the Multilateral Fund was also an important outcome of MOP-11/COP-5, although some delegates expressed disappointment that it was lower than funding allocated for the previous period.

AN OVERFLOWING BASKET: Over its first decade the Montreal Protocol clocked up a substantial degree of success, with progressively faster phase-out schedules for a variety of ozone-depleting substances (ODS), and a subsequent 85% cut in the production and consumption of ODS worldwide. Yet, there appears to be a sense that despite its achievements, the Protocol is now starting to lose momentum. With the meeting being held in Beijing, a city of countless cyclists, it is not hard to envisage the Montreal Protocol at its inception as a brand new bicycle with a big basket to carry items picked up along the way. From this week's meeting, it is clear that the bicycle needs a new basket, as its current one is reaching capacity and Parties are finding it difficult to deal with the ever-increasing number of ODS.

The Beijing Amendment, based on the EU proposal for adjustments and an amendment, appears to have been the most significant issue at the meeting. The difference between the EU's original proposal and the final text, particularly in relation to methyl bromide used for quarantine and pre-shipment applications, indicates that there is still a gulf between Parties in their commitment to addressing ozone depletion. The final Amendment calling on Parties to provide statistical data on methyl bromide used for QPS applications falls well short of the EU proposal to freeze such consumption. Nevertheless, some suggest that this modest wording represents a toe in the door towards stronger controls over methyl bromide.

Apart from the logistical problems and economic implications of the EU "package," some perceived it to be poorly presented. As one delegate privately suggested, the EU had not done its homework in preparing other delegations for its package of adjustments and an amendment. For the delegate, the EU package resembled something drafted by committee. Nevertheless, a number of environmental NGOs believed the EU should be congratulated for its valiant attempt to take these issues forward.

STEEPER HILLS TO CLIMB: The EU proposal marks a key turning point for the Protocol for at least two reasons. First, it suggests that Parties are starting to suffer from "obligation overload," although some believe that this was reached in Copenhagen in 1992. Despite the final acceptance of a Beijing Amendment, which was based on the EU package, the resistance against new amendments appears to be growing. It signals that the bicycle is coming up against steeper hills to climb and the cyclists are running out of steam. Parties realize that new amendments mean considerable work back home to develop domestic legislation and administrative measures in preparation for ratification. This realized, the EU package also included a call for simpler ODS listing procedures. While a decision was taken to continue work on finding a less onerous procedure for listing new ODS, little progress was made on this topic.

The second reason relates to the EU's proposal to freeze HCFC production for non-Annex 5 Parties and the flow-on effect it will have for the Kyoto Protocol under the Framework Convention on Climate

Change. This proposal marks a significant cross-over with the Kyoto Protocol commitments, since the generally preferred replacement for HCFCs are HFCs, one of the six gases listed in the Kyoto Protocol. It was evident during MOP-11/COP-5 that some Parties want HFCs to be addressed only under the Kyoto Protocol, as that Protocol has yet to come into force and therefore action to control HFCs would be significantly delayed. Others believe that the Montreal Protocol is the preferred option because it is a more effective legal instrument. Despite its faults, some feel that the decade-old Montreal Protocol "bicycle" is still far superior to the yet-to-be-tried "mega-cycle," of the Kyoto Protocol.

While nearly all Parties were, in principle, supportive of a Beijing Declaration, its actual text proved problematic. Some Parties held the view that without agreement on key elements of the EU-proposed adjustments and amendment, there was little point in having a declaration. Others felt that a declaration would give a signal that the ozone regime had not run out of steam. Some suggested that the declaration would give the Protocol "momentum." The final text of the Beijing Declaration makes a very oblique reference to the EU package, by welcoming "further progress agreed to at MOP-11/COP-5." The EU was seeking a stronger recognition of its package, but lost out to diplomatic pressures for the Beijing Declaration to be as apolitical as possible.

The debate over the Multilateral Fund, as with all international funding debates, was the focus of intense discussions. Concessional funding clearly raised some hackles among Article 5 (developing countries) Parties and even pushed one non-Article 5 Party beyond the bounds of reasonable diplomatic discourse as discussions in closed sessions became somewhat acrimonious. Discussions continued in spite of this brief lapse in diplomacy. Parties traded figures up and down a gradient in correlation with their opinion on whether concessional lending would be included. In the end, the trade-off between concessional lending and a higher funding figure meant that concessional lending disappeared, while the final replenishment is less than that of the previous triennium. This means that Article 5 Parties will have to do more with less.

The meeting also raised questions about the impartiality of technical advice being given to the Parties. Both Switzerland and Greenpeace expressed their concern that the Technology and Economic Assessment Panel (TEAP) was not entirely impartial in its work, specifically with respect to HFCs/PFCs. Concerns were voiced both inside and outside the formal discussions that industry groups were over-represented on this Panel, leading to less than neutral statements in their reports.

SQUEAKY WHEELS: The overall structure and organization of the meeting presented a few surprises, suggesting that the organizational wheels were a little squeaky and in need of oil. The fact that a number of decisions were opened for debate and significant amendment in the final Plenary implies a communication breakdown. Some delegates suggested that a stronger and more effective Bureau might have helped ensure that the regional groups were fully appraised of the text being brought forward as final decisions. The fact that an amendment to the Protocol was presented and apparently gavelled through in Plenary without being written down in any language and before the report of the legal drafting group was presented, was more than surprising.

Despite all its faults (the chipped paint, the squeaky wheels, and the over-laden basket) for most Parties, the Montreal Protocol is still an effective vehicle. Nevertheless, some Parties suggest that, with a bit of fine-tuning to facilitate a more effective listing process, a change in some of the TEAP members and an extra boost in funding for Article 5 Parties, the aging velocipede could be restored to its original glory.

THINGS TO LOOK FOR BEFORE MOP-12

JOINING EU EFFORTS TO MINIMIZE EMISSIONS OF HFCs, PFCs AND SF6: This meeting, organized by the Netherlands Ministry of Housing, Spatial Planning and the Environment and the European Commission, will be held from 1-2 February 2000, in Luxembourg. For more information, contact: Leo Meijer, Netherlands Ministry of Housing, Spatial Planning and the Environment; tel: +31-70-339-4407; fax: +31-70-339-1292; e-mail: Leo.Meyer@DLE.DGM.minvrom.nl.

30TH MEETING OF THE EXECUTIVE COMMITTEE OF THE MULTILATERAL FUND UNDER THE MONTREAL PROTOCOL: This meeting will be held in Montreal from 29-31 March 2000, preceded by meetings of the Sub-Committee on Monitoring, Evaluation and Finance and the Sub-Committee on Project Review. For more information, contact: the Ozone Secretariat; tel: +254-2-62-1234; fax: +254-2-62-3601; e-mail: ozoneinfo@unep.org; Internet: <http://www.unep.org/ozone/>.

TECHNOLOGY AND ECONOMIC ASSESSMENT PANEL: The Technology and Economic Assessment Panel under the Montreal Protocol will meet on 3 April 2000 (date and venue to be confirmed). For more information, contact: Lambert Kuijpers, TEAP Co-Chair; tel: +31-40-250-3797; fax: +31-40-246-6627; e-mail: lambermp@wxs.nl.

HEALTHY AGRICULTURE FOR HEALTHY FOOD: This conference, organized by the Pesticide Action Network, will take place in Dakar, Senegal, from 18-21 May 2000. For more information, contact: Pesticide Action Network Africa, tel: +221-825-4914; fax: +21-825-1343; e-mail: panafrica@telecomplus.sn.

12TH SESSION OF THE UNFCCC SUBSIDIARY BODIES: SB-12 will be held in Bonn, Germany, from 12-16 June 2000, preceded by one week of informal meetings, including workshops. For more information, contact: UNFCCC Secretariat; tel: +49-228-815-1000; fax: +49-228-815-1999; e-mail: secretariat@unfccc.de; Internet: <http://www.unfccc.de>.

20TH SESSION OF THE OPEN-ENDED WORKING GROUP OF PARTIES TO THE MONTREAL PROTOCOL: OEWG-20 will be held in Geneva from 10-14 July 2000, preceded by a meeting of the Implementation Committee under the non-compliance procedure. For more information, contact the Ozone Secretariat (see above).

13TH SESSION OF THE UNFCCC SUBSIDIARY BODIES: SB-13 will be held in Bonn, Germany, from 11-15 September 2000, preceded by one week of informal meetings, including workshops. For more information, contact the UNFCCC Secretariat (see above).

EARTH TECHNOLOGIES FORUM: This meeting, organized by the Alliance for Responsible Atmospheric Policy, will be held in Washington, DC, from 25-28 September 2000. Both ozone and climate change issues will be discussed. For more information, contact: Alliance for Responsible Atmospheric Policy; tel: +1-703-243-0344; fax: +1-703-243-2874; e-mail: alliance98@aol.com; Internet: <http://www.arap.org>.

6TH CONFERENCE OF THE PARTIES TO THE FCCC: COP-6 will be held in the Hague, the Netherlands, from 13-24 November 2000. For more information, contact the FCCC Secretariat (see above).

12TH MEETING OF THE PARTIES OF THE MONTREAL PROTOCOL: MOP-12 will be held in Ougadougou, Burkina Faso, in October or November 2000 (date to be confirmed). MOP-12 will be preceded by a meeting of the Implementation Committee under the non-compliance procedure. For more information, contact the Ozone Secretariat (see above).

