

## MOP-18 HIGHLIGHTS: TUESDAY, 31 OCTOBER 2006

In morning and evening plenary sessions, delegates focused on methyl bromide-related matters and issues arising out of the TEAP's 2006 reports. During the afternoon and evening, contact and informal groups convened to address a wide range of issues, including: stockpiled ODS relative to compliance; disclosure of interest guidelines; Canada's proposal to adjust the Protocol to meet the basic domestic needs of Article 5 parties; CUNs and other methyl bromide-related matters; and cooperation on QPS with the International Plant Protection Convention.

### PLENARY

**METHYL BROMIDE-RELATED MATTERS:** MBTOC Co-Chair Mohammed Besri (Morocco) introduced the MBTOC report and emphasized the need for new Article 5 members, as well as the importance of funding Article 5 participation. He discussed CUNs and MBTOC recommendations for 2007 and 2008.

MBTOC Co-Chair Ian Porter (Australia) provided an overview of CUEs for pre-plant soil use, highlighting: that the standard presumptions used by MBTOC had not changed; that economic information to assess the economic feasibility of alternatives is scant; that large industries have reduced their CUNs at a consistent rate; the considerations MBTOC used in suggesting adjustments; the minority opinion contained in MBTOC's 2006 report; and that MBTOC has relied on parties to consider their own stocks.

MBTOC Co-Chair Michelle Marcotte (Canada) discussed post-harvest CUN applications. Marcotte noted the downward trend of CUEs and CUNs for post-harvest food processing, and said political challenges exist for certain applications of methyl bromide alternatives.

Marta Pizano, Co-Chair of MBTOC (Colombia), reported on MBTOC's work plan and timetable for consideration of CUNs for 2007, and noted the submission of seven national management strategies (NMSs) concerning future needs for CUEs. Jonathan Banks, Chair of the TEAP Task Force on QPS uses of methyl bromide (Australia), described MBTOC's interim report in response to Decision XVII/9 (evaluation of effectiveness of methyl bromide for fumigation for quarantine pests on living plant material), and its work on Decision XVII/11 (recycling and destruction technologies for methyl bromide), noting that MBTOC's findings are included in the TEAP's 2006 reports.

In the ensuing discussion, JORDAN noted that MBTOC's questionnaires on methyl bromide use need to be distributed in a manner that provides parties with time to respond. On the US's question regarding the minority opinion in the TEAP's

final report, MBTOC explained that the fact that the dissenters were from a single country was revealed for transparency purposes. On TUNISIA's request to address Decision XV/12 (methyl bromide use for fumigation of dates under high humidity conditions), MBTOC replied that it has not yet made a recommendation.

CUBA said the relevant parties' consumption of methyl bromide should be lower than the recommended CUEs. SPAIN responded that its consumption was lower than the amount approved, while CANADA noted that parties obtaining CUEs are also seeking alternatives. The EC and JAPAN highlighted their progress in phasing out methyl bromide.

**Review of CUNs:** The US emphasized the importance of a decision on stockpiles, said that MBTOC had not adequately responded to its request for information, and, with NEW ZEALAND, noted its concern with MBTOC's recommendations. The EC, with SWITZERLAND, the EIA and the NRDC, noted its unease over US stockpiles. SWITZERLAND said it was necessary for the parties to take a stance on the justified magnitude of stocks, and that the situation was different from that of CFCs for MDIs. AUSTRALIA noted it is illegal to use methyl bromide for non-critical uses in Australia and highlighted the need to share the information relied upon by MBTOC in making its recommendations. CHILE said MBTOC's recommendations should be adopted. NRDC questioned the sale of methyl bromide stocks to users that do not hold CUEs in the US.

**Report on possible need for CUEs over the next few years:** Co-Chair Yahaya introduced the issue of the TEAP's report on the possible need for CUEs over the next few years based on a review of the NMSs of six parties (Decision Ex.I/4). SWITZERLAND expressed doubt about the value of NMSs that offer practically no reductions over time. CANADA explained that the "flat trajectory" of its NMS forecasts are affected by uncertainty as to future methyl bromide alternatives. The US said its NMS identifies policies and specific sectors where methyl bromide reductions are anticipated. The EC emphasized that its NMS reflects current trends. BRAZIL shared its experience in alternative treatment of flowers and soil. Co-Chair Yahaya said the issue would be forwarded to the methyl bromide contact group.

**QPS:** The EC introduced its draft decision (UNEP OzL Pro.18/3/Add.1), which requests the TEAP to seek further cooperation with the International Plant Protection Convention (IPPC). The US, supported by AUSTRALIA, and NEW ZEALAND questioned the broad scope of the decision. SWITZERLAND and the EIA expressed hope that the decision would be adopted. Co-Chair of OEWG-26 and of MOP-18's preparatory segment, Tom Land (US), suggested a "subgroup" could meet to discuss the issue.

**Multi-year exemptions:** The US highlighted advantages to a multi-year approach to CUEs (UNEP/OzL.Pro.18/3, draft decision XVIII/G) and noted intersessional comments from Australia, concerning the possibility of an annual reporting framework within a multi-year approach. CUBA, the EC, MEXICO and SWITZERLAND suggested postponement of the issue, while Canada noted the US's proposal has some merit.

**Options for preventing potential harmful trade:** Co-Chair Land introduced the TEAP's report on this matter (Decision Ex.I/4) and, after a brief discussion, suggested that parties consider the issue in 2007.

**Laboratory and analytical uses:** Co-Chair Yahaya drew attention to the provisions in the TEAP's report relating to existing categories and criteria for laboratory and analytical uses of methyl bromide (Decision XVII/10) and to a related Norwegian proposal (Decision XVIII/3/Add.2). The ensuing discussion elicited some support for the proposal and Co-Chair Yahaya suggested that concerned parties should meet bilaterally.

**ISSUES ARISING OUT OF THE 2006 TEAP REPORTS: Report on activities related to the source of discrepancies between emissions determined from bottom-up methods and atmospheric measurement:** Lambert Kuijpers, TEAP Co-Chair (Netherlands), noted that the TEAP had completed its relevant assessments for CFCs and HCFCs (requested in Decision XVII/10), discussed the methodology used for assessing emissions, and noted that top-down emissions were susceptible to uncertainty regarding the accuracy of observations and the ability to assess global changes and removal rates. TEAP Co-Chair Paul Ashford (UK) discussed the TEAP's analysis of top-down information and atmospheric uncertainties, and comparisons between estimates derived from top-down versus bottom-up information.

**Sources of CTC emissions and opportunities for reductions:** The EC introduced a draft decision (UNEP/OzL.Pro.18/3, draft decision XVIII/E) with a request to the TEAP to provide more data on the issue and report to the OEWG. The US said it would suggest some changes to the EC's text bilaterally.

**OTHER MATTERS:** The EC introduced a draft decision on n-propyl bromide, explaining that it is not yet controlled under the Montreal Protocol, and more information is needed on its production and emissions. The US said it will discuss minor changes to the draft text with the EC.

The US briefly described its proposal to request the secretariat to ensure MBTOC cooperation with the International Civil Aviation Organization. Co-Chair Yahaya said that the Secretariat will take note of the proposal.

CHINA presented on the 2008 Beijing Olympic Games, which she said will incorporate a "green concept," by mainstreaming ozone protection as a major theme.

**CONTACT GROUPS AND INFORMAL DISCUSSIONS**  
**DRAFT TERMS OF REFERENCE FOR CASE STUDIES ON ENVIRONMENTALLY SOUND DESTRUCTION OF ODS:**

The contact group convened briefly to confirm that participants agreed with the revised text of the draft decision, to be presented in plenary later in the week.

**STOCKPILED ODS RELATIVE TO COMPLIANCE:** On the text for a draft decision put forward by one participant, some participants voiced concerns about potential inconsistencies with data reporting requirements in Article 7 of the Montreal Protocol, while others noted concern over broadening the definition of "production" (Article 1, Montreal Protocol). One party suggested clarifying that the definition of "production" should account for earmarked quantities. Participants also noted that the scope of the problem is not yet known. Addressing the divergence of views, the Chair of the contact group, Maas Goote (Netherlands), said he would attempt to draft new text to capture participants' perspectives.

**DISCLOSURE OF INTEREST GUIDELINES FOR GROUPS SUCH AS THE TEAP AND ITS TOCS:** The contact group discussed how to resolve the differences aired on

Monday, with the Chair, Paul Krajnik (Austria), suggesting that participants consider Canada's proposal (UNEP/OzL.Pro.18/3/Add.3) as amending the existing code of conduct. He suggested that participants remove Appendix B, on mitigating actions for declared conflicts of interest, from Canada's draft decision. After an exchange of views on the vagueness of some terms in the proposal, and on whether a decision beyond the existing language in the TEAP's terms of reference was necessary, the Chair agreed to draft text for the contact group's next meeting.

**EXPERT MEETING ON THE REPORTS OF THE TEAP AND THE IPCC:** The contact group, chaired by Sophia Mylona (Norway), discussed two draft decisions. The first draft decision requests the TEAP to assess and prioritize practical measures listed in Annex 1 of the report of the experts' workshop on the IPCC and TEAP reports. The second draft decision addresses the prospect of higher global production of HCFC-22, which would significantly impact on the objectives of the Montreal Protocol. Delegates held preliminary discussions on both drafts.

**CUNs AND OTHER METHYL BROMIDE MATTERS:** In the contact group on methyl bromide, chaired by Pierre Pinault (Canada), participants questioned MBTOC on the basis of its CUN recommendations, including how transition rates and use rates were chosen, whether nominations were considered on a case-by-case basis, and how economic feasibility was considered. While one participant suggested that parties should defer to the technical experts, other participants expressed concerns with MBTOC's recommendations and procedures. The Chair suggested that one non-Article 5 party meet with MBTOC bilaterally to explore the specifics of its CUNs. Participants decided to defer discussion of two forthcoming draft decisions on CUNs, and of stockpiles, until the next meeting of the contact group.

**KEY CHALLENGES TO BE FACED BY THE PARTIES IN PROTECTING THE OZONE LAYER OVER THE NEXT DECADE:** This contact group, co-chaired by Philippe Chemouny (Canada) and Marcia Levaggi (Argentina), addressed the relevant Canadian proposal. Participants emphasized the timeliness of launching a review process on the future of the Montreal Protocol and its institutions. They registered broad agreement on several categories to be explored, including: the future of the Multilateral Fund; HCFCs; methyl bromide; compliance; and synergies with other MEAs. Support was expressed for holding a two-day workshop back-to-back with OEWG-27.

**COOPERATION WITH THE IPPC ON QPS:** A "non-group" met in the evening to discuss the draft decision on cooperation with the IPPC on QPS methyl bromide. After concerns raised by many parties over the decision's expansive scope, AUSTRALIA provided proposed text that other parties expressed interest in.

**BUDGET COMMITTEE:** Committee Chair, Jozef Buys (Belgium), presented the text of a draft decision on financial reports and budgets, along with two budget and contribution scenarios. A number of delegates expressed preference for the first budget scenario, which maintains 8.3% operating reserve for 2007 and 11.3% cash reserve for 2008, and suggested changes to the draft decision.

**IN THE CORRIDORS**

Over a cup of hot coffee and a sweet gulab jamun, one delegate noted some irony in the lack of Article 5 party representation in the contact group on basic domestic needs. Several observers voiced apprehension that what appeared to be technical criticisms of MBTOC revealed a deeper policy fissure that could threaten the future of the Protocol. Other participants dismissed the clash of views on methyl bromide as being overblown. Regardless, some delegates seemed anxious that TOC members may feel beleaguered, rather than thanked for their hard work.