

TWENTIETH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER: 16 – 20 NOVEMBER 2008

This twentieth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (MOP-20) begins Sunday in Doha, Qatar, and continues until Thursday, 20 November, in conjunction with the eighth Conference of the Parties to the Vienna Convention. A preparatory segment will take place from Sunday to Tuesday, and the high-level segment will convene on Wednesday and Thursday.

Delegates will consider decisions on a range of issues, *inter alia*: the status of the General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention; replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol; environmentally sound disposal of ozone-depleting substances (ODS); issues related to essential uses; methyl bromide-related issues; and the application of trade provisions for hydrochlorofluorocarbons (HCFCs).

During the meeting, delegates will also consider presentations by the assessment panels on the status of their work and a presentation by the Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol on the work of the Executive Committee.

A BRIEF HISTORY OF THE OZONE REGIME

Concerns that the Earth's stratospheric ozone layer could be at risk from CFCs and other anthropogenic substances were first raised in the early 1970s. At that time, scientists warned that the release of these substances into the atmosphere could deplete the ozone layer, hindering its ability to prevent harmful ultraviolet rays from reaching the Earth. This would adversely affect ocean ecosystems, agricultural productivity and animal populations, and harm humans through higher rates of skin cancers, cataracts and weakened immune systems. In response to this growing concern, the United Nations Environment Programme (UNEP) convened a conference in March 1977 that adopted a World Plan of Action on the Ozone Layer and established a Coordinating Committee to guide future international action on ozone protection.

VIENNA CONVENTION: In May 1981, the UNEP Governing Council launched negotiations on an international agreement to protect the ozone layer and, in March 1985, the Vienna Convention for the Protection of the Ozone Layer was

adopted. The Convention called for cooperation on monitoring, research and data exchange, but did not impose obligations to reduce the use of ODS. The Convention now has 193 parties.

MONTREAL PROTOCOL: In September 1987, efforts to negotiate binding obligations to reduce the use of ODS led to the adoption of the Montreal Protocol on Substances that Deplete the Ozone Layer. The Protocol introduced control measures for some CFCs and halons for developed countries (non-Article 5 parties). Developing countries (Article 5 parties) were granted a grace period allowing them to increase their use of these ODS before taking on commitments. The Protocol currently has 193 parties.

Since 1987, several amendments and adjustments to the Protocol have been adopted, adding new obligations and additional ODS, and adjusting existing control schedules. Amendments require ratification by a defined number of parties before they enter into force, while adjustments enter into force automatically.

LONDON AMENDMENT AND ADJUSTMENTS: Delegates to the second Meeting of the Parties (MOP-2), which took place in London, UK, in 1990, tightened control schedules and agreed to add ten more CFCs to the list of ODS, as well as carbon tetrachloride (CTC) and methyl chloroform. To date, 189 parties have ratified the London Amendment. MOP-2 also established the Multilateral Fund, which meets the incremental costs incurred by Article 5 parties in implementing the Protocol's control measures and finances clearinghouse functions, including technical assistance, information, training, and the costs of the Multilateral Fund Secretariat. The Fund is replenished every three years, and has received pledges of over US\$2 billion since its inception.

COPENHAGEN AMENDMENT AND ADJUSTMENTS: At MOP-4, held in Copenhagen, Denmark, in 1992, delegates tightened existing control schedules and added controls on methyl bromide, hydrobromofluorocarbons and HCFCs. MOP-4 also agreed to enact non-compliance procedures and to establish an Implementation Committee. The Implementation Committee examines cases of possible non-compliance by parties, and makes recommendations to the MOP aimed at securing full compliance. To date, 184 parties have ratified the Copenhagen Amendment.

MONTREAL AMENDMENT AND ADJUSTMENTS: At MOP-9, held in Montreal, Canada, in 1997, delegates agreed to a new licensing system for the import and export of ODS, in addition to tightening existing control schedules. They also agreed to a ban on trade in methyl bromide with non-parties to the Copenhagen Amendment. To date, 167 parties have ratified the Montreal Amendment.

BEIJING AMENDMENT AND ADJUSTMENTS: At MOP-11, held in Beijing, China, in 1999, delegates agreed to controls on bromochloromethane and additional controls on HCFCs, and to reporting on methyl bromide for quarantine and pre-shipment (QPS) applications. At present, 144 parties have ratified the Beijing Amendment.

MOPs 14-15: At MOP-14, held in Rome, Italy, in 2002, the MOP's decisions covered such matters as compliance, interaction with the World Trade Organization, and replenishment of the Multilateral Fund with US\$474 million for 2003-2005. MOP-15, held in Nairobi, Kenya, in 2003, resulted in decisions on issues including the implications of the entry into force of the Beijing Amendment. However, disagreements surfaced over exemptions allowing the use of methyl bromide beyond 2004 for "critical" uses where no technically or economically feasible alternatives are available. Delegates could not reach agreement and took the unprecedented step of calling for an "extraordinary" MOP.

FIRST EXTRAORDINARY MOP: The first Extraordinary Meeting of the Parties to the Montreal Protocol (ExMOP-1) took place in March 2004, in Montreal, Canada. Parties agreed to critical-use exemptions (CUEs) for methyl bromide for 2005 only. The introduction of a "double-cap" concept distinguishing between old and new production of methyl bromide was central to this compromise. Parties agreed to a cap for new production of 30% of parties' 1991 baseline levels, meaning that where the capped amount was insufficient for approved critical uses in 2005, parties were required to use existing stockpiles.

MOP-16: MOP-16 took place in Prague, Czech Republic, in November 2004. The parties adopted decisions on the Multilateral Fund, ratification, compliance, trade in ODS and other matters, but work on methyl bromide exemptions for 2006 was not completed. For the second time, parties decided to hold an extraordinary MOP.

SECOND EXTRAORDINARY MOP: ExMOP-2 was held in July 2005, in Montreal, Canada. Parties agreed to supplementary levels of CUEs for 2006 left unresolved at MOP-16. Under this decision, parties also agreed that: CUEs allocated domestically that exceed levels permitted by the MOP must be drawn from existing stocks; methyl bromide stocks must be reported; and parties must "endeavor" to allocate CUEs to the particular use categories specified in the decision.

COP-7/MOP-17: MOP-17 was held jointly with the seventh Conference of the Parties to the Vienna Convention in Dakar, Senegal, in December 2005. Parties approved essential-use exemptions for 2006 and 2007, supplemental CUEs for 2006 and CUEs for 2007, and production and consumption of methyl bromide in non-Article 5 parties for laboratory and analytical critical uses. Other decisions concerned, *inter alia*: submission of information on methyl bromide in space fumigation; replenishment of the Multilateral Fund with US\$470.4 million for 2006-2008; and the terms of reference for a feasibility study on developing a monitoring system for the transboundary movement of controlled ODS.

MOP-18: MOP-18 took place in New Delhi, India, from 30 October - 3 November 2006. Parties adopted decisions on: essential-use exemptions; future work following the Secretariat's workshop on the Special Report of the Intergovernmental Panel on Climate Change and the Technology and Economic Assessment Panel (TEAP); CUEs; difficulties faced by some Article 5 parties manufacturing CFC-based metered-dose inhalers (MDIs); treatment of stockpiled ODS relative to compliance; a feasibility study on developing a system for monitoring the transboundary movement of ODS; and key challenges to be faced by parties in protecting the ozone layer over the next

decade. Parties deferred consideration, until OEWG-27, of multi-year exemptions for CUEs and options for preventing harmful trade in methyl bromide stocks.

MOP-19: MOP-19 took place in Montreal, Canada, from 17-21 September 2007. Delegates adopted 29 decisions, including on: an accelerated phase-out of HCFCs; essential-use nominations and other issues arising out of the 2006 reports of the TEAP; critical-use nominations for methyl bromide; and monitoring transboundary movements and illegal trade in ODS. A Montreal Declaration was also adopted, which acknowledges the historic global cooperation achieved during the last 20 years under the Montreal Protocol, and reaffirms parties' commitment to phase out consumption and production of ODS through a range of actions.

CURRENT ODS CONTROL SCHEDULES: Under the amendments to the Montreal Protocol, non-Article 5 parties were required to phase out production and consumption of: halons by 1994; CFCs, CTC, hydrobromochlorofluorocarbons and methyl chloroform by 1996; bromochloromethane by 2002; and methyl bromide by 2005. The phase-out of HCFC production and consumption by Article 2 countries is set for 2020 and 2030 for Article 5 parties (with interim targets prior to those dates). Production was to be stabilized by 2004 and is to be frozen in 2013. Article 5 parties were required to phase out production and consumption of bromochloromethane by 2002. These parties must still phase out: production and consumption of CFCs, halons and CTC by 2010, and methyl chloroform and methyl bromide by 2015. There are exemptions to these phase-outs to allow for certain uses lacking feasible alternatives or in particular circumstances.

INTERSESSIONAL HIGHLIGHTS

IMPLEMENTATION COMMITTEE: The 40th meeting of the Implementation Committee under the Non-Compliance Procedure convened in Bangkok, Thailand, from 2-4 July 2008. The Implementation Committee considered, information provided by the Secretariat of the Multilateral Fund on relevant decisions of the Executive Committee of the Fund and on activities carried out by implementing agencies, non-compliance related issues, a plan of action for the establishment, and operation of licensing systems for ODS. Its recommendations will be considered at MOP-20.

OPEN-ENDED WORKING GROUP: The 28th meeting of the Montreal Protocol's Open-ended Working Group (OEWG-28) was held at the United Nations Conference Centre in Bangkok, Thailand, from 7-11 July 2008. Delegates agreed to forward eleven draft decisions to MOP-20, including on: HCFCs; reducing stocks and related emissions of ODS; actions to reduce methyl bromide for quarantine; extension of the fixed exchange rate mechanism of the Replenishment Fund; and administrative matters.

TEAP AND TOCs: The TEAP and several of the Technical Options Committees (TOCs) met between January and September 2008 to further their work in the lead-up to MOP-20. These included: the Halons TOC convened from 21-23 January 2008, in Manchester, United Kingdom; the Chemicals TOC convened from 19-21 February 2008, in Shanghai, China; the Medical TOC convened from 1-4 April 2008, in Tokushima, Japan; the Methyl Bromide TOC convened from 14-18 April 2008, in Rehovot, Israel; the TEAP convened from 21-25 April 2008, in Paris, France; and the Refrigeration TOC convened on 7 September 2008, in Copenhagen, Denmark. The work of the TOCs are included in the TEAP's 2008 reports, which will be considered at MOP-20.