

COP-8/MOP-20 HIGHLIGHTS: MONDAY, 17 NOVEMBER 2008

COP-8 to the Vienna Convention and MOP-20 to the Montreal Protocol convened for its second day in Doha, Qatar, on Monday 17 November, 2008.

In the morning plenary, delegates considered methyl bromide-related issues and essential uses. During the afternoon plenary delegates turned their attention to decisions on TEAP reports and compliance and reporting issues. Contact groups also convened throughout the day.

DISCUSSION OF MONTREAL PROTOCOL-RELATED ISSUES

REPLENISHMENT OF THE MULTILATERAL FUND FOR THE IMPLEMENTATION OF THE MONTREAL PROTOCOL: Proposal on extension of the fixed-exchange-rate mechanism: Co-Chair Beaumont opened the floor to comments on a proposed extension of the fixed-exchange-rate mechanism, the US said it only provisionally supported the mechanism, since it remains to be seen how it operates in a weak economy. This issue was referred to the replenishment contact group.

ISSUES RELATED TO ESSENTIAL USES: Essential uses and campaign production of CFCs for MDIs: The OEWG-28 campaign production and essential uses contact group provided an update on its work since OEWG-28, noting, *inter alia*, that the group is still considering final campaign production of CFCs to supply requirements for MDI manufacturing after 2009. Further work was referred to a contact group on the issue.

CONSIDERATION OF METHYL BROMIDE-RELATED ISSUES: Nominations for 2009 and 2010 for critical-use exemptions: Mohamed Besri, Co-Chair MBTOC, discussed global consumption of methyl bromide in Article 5 and non-Article 5 parties from 1991 to 2007, and provided an update on the meta-analysis of methyl bromide critical-use exemptions (CUEs) for the US.

Marta Pizano, Co-Chair MBTOC, provided an overview of the critical use nominations (CUNs) for methyl bromide, noting a general downward trend.

Ian Porter, Co-Chair MBTOC, discussed CUNs for methyl bromide's use for soil fumigation, saying that: Australia and Canada could reduce CUNs if they adopted regulatory changes that lower methyl bromide dose rates, or adopt barrier films for strawberry runners; Israel is considering registration of chloropicrin; and Israel, Japan and the US continue to increase the use of barrier films to reduce dose rates.

Michelle Marcotte, Co-Chair MBTOC, presented the MBTOC's Report on Quarantine, Structures and Commodities. She highlighted that the development of alternatives for high

moisture date crops is being conducted under the aegis of UNIDO. She also noted that applicants with CUNs continue to support research efforts on alternatives in commercial scale trials and adaptations, and make necessary contributions to register alternatives.

In the ensuing discussion, JAPAN, highlighted its decision to eliminate the use of methyl bromide by 2013. The EC proposed a draft decision on increasing the rate with which methyl bromide alternatives are used.

Adjustment to the Montreal Protocol on allowances for production of methyl bromide to meet basic domestic needs: Citing successes already achieved, KENYA, with MAURITIUS, proposed a draft decision reducing the maximum production allowance for methyl bromide by half, beginning January 1, 2010. JORDAN stated that date farmers in particular need to continue using methyl bromide, and opposed the proposal, supported by MOROCCO, citing the economic value of agriculture. MAURITIUS, opposed by TUNISIA, stressed that alternatives to methyl bromide may be available. The US described recent successes and expressed optimism about further reductions in its use of methyl bromide. The EU supported the proposal, saying that alternatives are available.

Quarantine and pre-shipment (QPS) uses of methyl bromide: The EU reiterated its optimism about the availability of alternatives to methyl bromide and the potential for consensus on this issue.

Co-Chair Sørensen concluded the discussion on methyl bromide, stating that due to divergent views, the Kenyan proposal would not be considered further at MOP-20. Delegates agreed to convene a contact group on methyl bromide to address CUNs and QPS.

APPLICATION OF TRADE PROVISIONS TO HCFCs: Delegates agreed to forward the draft decision, proposed by Australia, on application of trade provisions to HCFCs (UNEP/OzL.Conv.8/3-UNEP/OzL.Conv.8 20/3) to the high level segment.

PROCESS AGENTS: Delegates considered the TEAP's recommendation on process agents, including that, three of the ten submitted uses, could be added. CHINA suggested, and delegates agreed, that the issue would be revisited at MOP-21.

UPDATE REPORTS BY TEAP: CTC emissions and opportunities for reduction: The final TEAP report on CTC emissions and opportunities for reduction

Responding to a question by Sweden concerning the rapid growth of CTC emissions, TEAP said they would discuss the issue bilaterally. The US requested to participate, hoping that TEAP's work would be included in its ongoing progress reports.

Regional imbalances of halons: Delegates considered TEAP's assessment that there may be regional imbalances in the availability of halons and that TEAP may wish to revisit the issue in 2009.

Scoping study on alternatives to HCFCs for mines and very high temperature conditions: Co-Chair Beaumont requested TEAP to complete the study by OEWG-29 in 2009. KUWAIT, SAUDI ARABIA, JORDAN, BAHRAIN and OMAN reminded parties of the decision to support the study; highlighted the importance of finding alternatives to HCFCs especially in countries with very high temperatures; requested country-specific field visits to determine alternatives; and urged TEAP to complete the study as soon as possible.

The US stressed the importance of the study, in light of the accelerated HCFC phase-out schedule. SOUTH AFRICA supported TEAP field visits, saying it uses HCFCs in mines and is seeking alternatives.

TEAP confirmed that the study will be available for review by January, 2009, and will be discussed at the OEWG-29.

COMPLIANCE AND REPORTING ISSUES CONSIDERED BY THE IMPLEMENTATION COMMITTEE (IMPCOM):

Implementation Committee President Hassan Hannachi (Tunisia) presented the report of the 41st Implementation Committee. He described a series of recommendations and seven decisions from the report, covering every stage of the compliance system of the Montreal Protocol. He indicated that the data reporting rate has improved significantly, with 188 parties reporting.

In the ensuing discussion, BANGLADESH described steps it has taken to phase out ODS and asked delegates to make an exception so it would not face potential non compliance from 2007 to 2009. PAKISTAN supported Bangladesh and proposed following the transition strategy approved by the Executive Committee. AUSTRALIA, supported by SWITZERLAND, the US and the EC, suggested that the Implementation Committee reconsider the case of Bangladesh, during its next meeting in 2009, noting concern about the lack of a work plan or monitoring. The President of the Implementation Committee said the matter had already been considered in detail, but did not oppose delaying the decision to allow further consideration.

EGYPT noted that developing countries generally face difficulties replacing CFCs since alternative technologies are often controlled by multinational corporations and hard to access for national companies.

OTHER MATTERS

Regarding the proposal to hold a workshop on high-GWP substitutes for ODS (UNEP/OzL.Pro.20/CRP.7), the US elaborated that the CRP contained, *inter alia*, a request for TEAP to update its 2005 Supplement to the Special Report on the Ozone Layer and Climate, and convene a half-day open-ended dialogue on high-GWP substitutes to ODS at OEWG-29. The EU, supported by AUSTRALIA, requested more time for discussion and delegates agreed to continue discussions informally.

Regarding Iraq's proposed draft decision on difficulties in implementing the Protocol (UNEP/OzL.Pro.20/CRP.1), IRAQ suggested that while it has acceded to the Vienna Convention and the Montreal Protocol, it requires technical and financial assistance to control the entry of ODS into Iraq and urged other countries to control exports. Many countries supported Iraq's request, while others wanted to consider it further informally.

CONTACT GROUPS

DESTRUCTION: The contact group, co-chaired by Martin Sirois (Canada) and Agustín Sánchez (Mexico), worked towards a draft decision. Several delegates stressed the need for rapid action. Proposals were made to move in two or three stages: beginning with the most accessible banks, followed by medium-

and high-effort banks. Much discussion covered potential use of the Multilateral Fund to assist Article 5 countries. Delegates also discussed the need for additional data about banks.

REPLENISHMENT OF THE MULTILATERAL FUND: The contact group on replenishment began its morning session by hearing general statements, and delegates commented on the two scenarios set out by the TEAP Replenishment Task Force. Many Article 2 countries preferred to start negotiations from the baseline scenario, while several Article 5 countries expressed their support for the 2012 funding scenario.

Delegates then considered the issues as set out in the executive summary of the supplemental report of the TEAP Replenishment Task Force (UNEP/OzL.Pro.20/6). Regarding taking into account inflation, Article 2 countries pointed to the financial crisis and prospects of deflation and said it was not the time to start accounting for inflation; while Article 5 countries pointed to the preponderance of inflation in their countries. On cut-off dates for HCFCs, many Article 5 countries preferred a later cut-off date while some Article 2 countries noted that an earlier cut-off date would mean that subsequent increases would not be eligible for funding and others suggested spreading eligible funding over more than one triennium. In the afternoon the contact group was closed to allow twelve negotiators each from Article 5 and Article 2 countries to negotiate replenishment details.

METHYL BROMIDE: Barry Reville (Australia) chaired the contact group which convened in the evening. Participants discussed the draft decision on actions by parties to reduce methyl bromide use for QPS purposes and related emissions, submitted by the EC, Mexico and Switzerland. Initial discussions stalled on the language around the updated definition of pre-shipment, the scope of the data being presented, and requesting the Implementation Committee to consider the reporting of methyl bromide used for QPS applications. As delegates moved through the document, larger concerns about the proposed text emerged, especially on how much of the data that the TEAP is being requested to analyze is actually available. These included: QPS applications for which no alternatives are available to date; regulations mandating or promoting the use of methyl bromide for QPS treatment; and regulations banning the use of methyl bromide. Participants agreed to meet bilaterally to discuss the availability of the information before convening tomorrow.

MDI ESSENTIAL USE/CAMPAIGN PRODUCTION: This contact group convened in the afternoon and was chaired by Paul Krajnik (Austria). Participants deliberated on deleting references to non-applicability of a number of decisions affecting Article 5 parties vis-à-vis essential-use nominations for the years 1997-2002, 2000 and 2001 and for 2006 and 2007 (Decisions VIII/9, XI/14, XVII/5 respectively), and agreeing on deadlines for promoting industry participation for a smooth and efficient transition away from CFC-based MDIs (Dec VIII/10). Several parties objected to the inclusion of deadlines, suggesting that they did not have appropriate technology, and debated the time required for transition and whether phase-out could be assisted by regulation.

IN THE CORRIDORS

Contact group negotiations began in earnest on Monday. On replenishment, positions were made plainly obvious as Article 5 and Article 2 countries literally aligned themselves along opposite sides of the negotiating table. In the initial exchange of views it was evident that the groups' starting points for negotiations were similarly opposed. Some delegates commented that this represented initial strategic positioning, necessary to allow enough room for reshuffling of positions and players throughout the week. On destruction, the initial contact group meeting was so well attended that delegates could not fit into the conference room. But with a larger room for its second and third gatherings, delegates physically had ample room and time to air their views, and appeared to be moving toward a draft decision.