

## COP-8/MOP-20 HIGHLIGHTS: TUESDAY, 18 NOVEMBER 2008

COP-8 to the Vienna Convention and MOP-20 to the Montreal Protocol convened for its third day in Doha, Qatar, on Tuesday, 18 November, 2008.

In the morning, delegates convened briefly in plenary, and for the remainder of the morning, and the afternoon, work continued in contact groups on replenishment, methyl bromide, destruction, budget and MDI essential use and campaign production. Delegates reconvened in plenary for an evening session, and the conclusion of the preparatory segment.

### CONSIDERATION OF VIENNA CONVENTION AND COMBINED VIENNA CONVENTION AND MONTREAL PROTOCOL ISSUES

**REPORT OF THE SEVENTH MEETING OF THE OZONE RESEARCH MANAGERS (ORM) OF THE PARTIES TO THE VIENNA CONVENTION:** SENEGAL reported on the 7th meeting of the ORM, and urged space agencies and governments to coordinate work on long-term time-series satellite data, citing gaps in monitoring that are likely to occur. The EU expressed general support for research activities and requested time to review draft decisions to ensure all necessary additional details were included. The US expressed surprise at the existence of gaps in satellite data, and urged that attention be directed toward this problem. TEAP responded, saying that a statement has been issued calling attention to the problem, and invited additional discussion.

During the evening plenary, SENEGAL and the US proposed minor amendments to draft decisions on recommendations of the ORM (UNEP/OzL.Conv.8/CRP.1/Rev.1) and on the Trust Fund of the Vienna Convention (UNEP/OzL.Conv.8/CRP.2/Rev.1) respectively. Delegates agreed to forward both draft decisions to the high level segment.

### DISCUSSION OF MONTREAL PROTOCOL-RELATED ISSUES

**ISSUES RELATED TO ESSENTIAL USES: Essential uses and campaign production of CFCs for MDIs:** Co-Chair Sørensen suggested, and delegates agreed to forward the draft decision on essential use exemptions of CFCs for MDIs (UNEP/OzL.Pro.20/CRP.10) to the high level segment.

**UPDATE REPORTS BY TEAP: CTC emissions and opportunities for reduction:** Delegates briefly discussed the issue of CTC. TEAP stated that it had discussed the issues with SWEDEN and the US, and decided that further study was required on CTC. He said these issues would be taken up by TEAP in 2009, and include consultations with the Multilateral Fund and implementing agencies, on destroying CTC.

### OTHER MATTERS

Regarding the draft decision on the workshop for a dialog on high-GWP substitutes for ODS (UNEP/OzL.Conv.8/CRP.7), the US said it had received comments and that discussion on the issue would continue informally.

During the evening plenary, the US explained informal discussions had occurred and several minor issues had been resolved. He explained that the one outstanding issue was whether the Montreal Protocol would convene this workshop alone, or in collaboration with the UNFCCC.

On the draft decision on difficulties faced by Iraq as a new party (UNEP/OzL.Conv.8/CRP.1), IRAQ noted that comments had been received and would be incorporated into a revised CRP. In the evening plenary, IRAQ confirmed that after further consideration, it would not pursue the draft decision at COP-8/MOP-20.

Regarding the draft decision on Nepal's compliance with the Protocol (UNEP/OzL.Conv.8/CRP.2), NEPAL explained that it faced an ongoing challenge of addressing poverty, but said it was aiming to eliminate CFCs by 2010, with the exception of essential uses. In the evening plenary, NEPAL announced its withdrawal of the draft decision, but said it may reintroduce it at OEWG-29.

### CONTACT GROUPS

**DESTRUCTION:** The contact group on destruction responded to plenary in the morning and met in closed session during the afternoon. Co-Chair Agustín Sánchez (Mexico) informed plenary of the group's agenda, including addressing: the importance of short term actions; incentives towards destruction of ODS, and exceptions; illicit trade of ODS; amendments to the indicative list of incremental costs; development of workshops and working groups for future activities; work on national strategies for national legislation on banks and destruction; and the relationship between these

destruction activities and other conventions. He explained that the contact group had covered all of these issues and prepared a draft proposal, to be presented when the group reconvened. Shortly after the beginning of the afternoon session, the contact group was closed to observers, although an exception was made for a representative of the Basel Convention Secretariat.

#### **REPLENISHMENT OF THE MULTILATERAL FUND:**

This contact group met throughout the day in a closed-door session. Jozef Buys (Belgium), the Co-Chair of the contact group on replenishment provided an update to the evening plenary on the group's work. He noted progress in analyzing the different components of the replenishment, including the overall level of replenishment. Although the Article 5 and Article 2 countries had not yet agreed on the level of replenishment, Buys said the divergence in views was narrowing. In response to being asked how much more time the group needed, Buys said, "Can I borrow your crystal ball?"

**METHYL BROMIDE:** The contact group on methyl bromide, co-chaired by Barry Reville (Australia) and Gabriel Hakizimana (Burundi), discussed the proposed draft decision on actions by parties to reduce methyl bromide use for QPS. The main contention within the draft was a request to TEAP to update its analysis of methyl bromide consumption for QPS use. While many parties agreed on the usefulness of more detailed information on the major uses of methyl bromide in QPS, one country opposed additional information collection from parties, when much of the information was already available. Another party questioned whether gathering further information was possible within the required time period. The decision's sponsor maintained that the survey on where, and how, methyl bromide is used for QPS is vital to identifying alternatives. One Article 5 country said it would be unable to undertake a survey unless it received support from the Multilateral Fund, while others insisted that the Multilateral Fund cannot fund such an effort since methyl bromide use for QPS is exempt and not covered by the Montreal Protocol. Although consensus was not reached on whether a survey would be included in the draft decision, no other aspects of the decision proved contentious.

In the late afternoon, delegates considered alternative proposals for a draft decision on the evaluation of methyl bromide critical use nominations (CUNs). The proposal submitted by the EC (UNEP/OzL.Pro.20/CRP.9) built on the original draft decision, and added, *inter alia*, evaluation of efforts to approve alternatives and substitutes. The US proposal contained a more streamlined decision, including a suggestion that MBTOC develop its recommendations as a single entity in a consensus process. Delegates did not agree on which proposal to work with. Some delegates raised concerns regarding transparency of MBTOC decision making in general, and the need for MBTOC to provide additional information regarding its decisions in a timely manner, while others stressed the need to ensure that parties provide appropriate guidance to MBTOC.

**MDI ESSENTIAL USE/CAMPAIGN PRODUCTION:** The contact group discussed inclusion of Article 5 parties under a number of past decisions on essential use to extend applicability to their essential use nominations. Decisions considered included those on: measures to facilitate a transition from CFC-based

MDIs; promoting the closure of essential-use nominations for MDIs; essential-use exemptions for controlled substances for 2007 and 2008; and essential-use nominations for controlled substances for 2008 and 2009. Following a lengthy debate, delegates agreed that any MDI approved after December 31, 2008, will not constitute an essential use. The group discussed the dates of the submission of essential-use nominations for CFCs for MDIs for the treatment of asthma and chronic obstructive pulmonary disease and agreed to a 2010 date. An Article 2 party noted that there are difficulties in reducing the exports of CFC-based MDIs from Article 5 parties, and that Article 5 parties should take steps to prevent exports. Parties debated the December, 2000 deadline for considering any CFC MDI products for treatment of asthma as an essential use; a transition strategy and plan of action for the CFC-metered dose inhalers; and Salbutomal phase-out, including the availability of alternative options in different countries. Delegates discussed revising the Handbook for Essential Use Nominations, including the role TEAP would play in the process and whether such a revision would pose an additional burden on Article 5 parties. The group then considered the US proposal for a potential draft decision on campaign financing, including a request that the TEAP: assess and report to the parties concerning the potential timing for final campaign production; consider options for long-term storage, distribution and management of produced quantities of pharmaceutical-grade CFCs before they are needed by parties; and options for minimizing the potential for too much or too little CFCs as part of final campaign production. Pointing to medical needs in its population, an Article 5 party expressed concerns about the availability of CFC-based MDIs after 2010. The contact group agreed that two separate CRPs would be prepared, one on campaign production and another on essential uses.

**BUDGET:** Alessandro Peru (Italy), Co-Chair of the budget contact group, noted that the group had approved the budget for the Montreal Protocol Trust Fund for 2009 and 2010, which is US\$4,276,933 per year. The budget for the Vienna Convention Trust Fund had also been approved and amounts to US\$603,000 for 2009-2011.

#### **IN THE CORRIDORS**

While the destruction contact group focused on eliminating banks of ODS stored in relatively accessible refrigerators and air conditioners, buzz in the corridors centered on the potential importance of including HCFCs in destruction activities and the resulting potential contribution to combating climate change. When observers and NGOs were asked to leave the afternoon session of the ODS contact group, those left in the corridors speculated on the nature of sensitive issues. One opinion was that delegates were concerned about perverse incentives for HCFCs, which could conceivably lead producers to produce more, and then receive funds to destroy the new chemicals. Others considered this unfounded, and speculated that key delegations were seeking to prevent a domino effect of cascading chemical regulation, as CFC regulation could give way to HCFC over-regulation, which could give way to HFC regulation, and so forth. Others contended that behind closed doors some parties would pursue agendas to micromanage the Multilateral Fund.