

## MOP-21 HIGHLIGHTS

### FRIDAY, 6 NOVEMBER 2009

The preparatory segment of MOP-21 convened for its third day in Port Ghalib, Egypt, on Friday, 6 November 2009.

In the morning and afternoon, delegates convened in contact groups to address outstanding substantive matters. Delegates reconvened in plenary in the evening to consider draft decisions for forwarding to the high level segment.

### OTHER ISSUES ARISING OUT OF THE REPORT OF THE TEAP

#### PROPOSAL ON LABORATORY AND ANALYTICAL USE EXEMPTIONS (DECISIONS XVII/10 AND XIX/18):

The draft decision on global laboratory and analytical use exemption submitted by Australia, the EU and the US (UNEP/OzL.Pro.21/CRP.9/Rev.1) was forwarded to the high level segment.

**FURTHER WORK ON CTC EMISSIONS:** The EU said that agreement had been reached. Co-Chair Sirois said that the draft decision would be made available to delegates for review before forwarding it to the high level segment.

#### PROJECTED REGIONAL IMBALANCES IN THE AVAILABILITY OF HALONS (DECISION XIX/16):

Regarding the draft decision submitted by Australia, Canada, and the US (UNEP/OzL.Pro.21/CRP.4), the US reported that it was still consulting with the EU.

### COMPLIANCE AND DATA REPORTING ISSUES

**TREATMENT OF STOCKPILED ODS RELATIVE TO COMPLIANCE:** The EU said little progress had been made on the issue but that they would continue to work on a proposal of how to move the issue forward.

### ISSUES RELATED TO ESSENTIAL USE EXEMPTIONS

#### CONSIDERATION OF AMENDMENTS TO THE HANDBOOK ON ESSENTIAL-USE NOMINATIONS

**(DECISION XX/3):** Co-Chair Sirois said that this issue was still being debated in the contact group.

**PROPOSAL ON NOMINATIONS FOR ESSENTIAL-USE EXEMPTIONS FOR 2010 AND 2011:** The RUSSIAN FEDERATION introduced a draft decision on essential-use exemptions for CFC-113 for aerospace applications (UNEP/OzL.Pro.21/CRP.10). Co-Chair Sirois suggested and delegates agreed that the draft decision be considered by the contact group on essential-use exemptions.

### CONTACT GROUPS

**HIGH GWP ALTERNATIVES:** The contact group, co-chaired by Laura Berón (Argentina) and Mikkel Sørensen (Denmark), met in the morning and afternoon to further discuss the draft decision on HCFCs (UNEP.OzL.Pro.21/3, XXI/[I]), and begin discussing the draft decision on HFCs (UNEP.OzL.Pro.21/3, XXI/[J]). Much of the group's discussion focused on the proposed HCFC decision, notably its sixth operative paragraph on projects and programmes regarding the phase-out of HCFCs. Delegates grappled with: making a feasible request to the ExComm considering that it would be meeting the week following MOP-21; constructing the text so that it takes into consideration paragraph 11 of decision XIX/6 on the priority for cost-effective projects and programmes; and simplifying the text.

During these discussions, many parties requested the entire text of paragraph six remain bracketed, although there seemed a general consensus emerging on the text. Parties wished to ensure that the wording matched that used in paragraph 11 of decision XIX/6; and to undertake a final examination of the text once the wording is changed. A few developing countries then suggested new sub-paragraphs on the need for the ExComm to: provide adequate funding for preparing and implementing demonstration projects on HCFCs alternatives particularly for air conditioning application in high ambient temperature areas considering other climate and environmental benefits; and consider and approve demonstration and pilot projects in air conditioning and refrigeration sectors that apply environmentally sound alternatives to HCFCs. A large developing country requested, and delegates agreed, to include a paragraph requesting parties to review and amend the policies and standards which prevent the use and application of products with low GWP alternatives to ODS. One country's proposed text on examining HFC consumption and the availability of low GWP alternatives as a central component of their HCFC Phase-Out Management Plan was moved to the draft decision on HFCs.

Parties then turned their attention to the HFC proposal. During the introduction of the text, the US, noting that it may not be possible to pass the proposed amendment to the Montreal Protocol on a HFC phase-down, withdrew the North American amendment from being considered further and, instead, proposed stronger language to be inserted into the decision on HFCs. The text includes language on, *inter alia*: spotlighting the Montreal Protocol as the appropriate instrument to address production and consumption phase-down of HFCs; convening an extraordinary MOP (ExMOP) in the margins of OEWG-30 to further consider

the proposed amendments; and carrying forward the amendment proposal from Mauritius and FSM and the modification from Canada, Mexico and the US for consideration by the parties during the 2010 meetings of the Montreal Protocol. A few developing countries preferred HFCs not be discussed at all. The contact group agreed to reconvene on Saturday.

**ODS BANK DESTRUCTION:** The contact group on destruction, co-chaired by Anne Gabriel (Australia) and Mazen Hussein (Lebanon), convened in the morning and continued work on a draft decision on destruction (CRP.2) submitted by the US. Delegates discussed a request to the TEAP to review destruction technologies and report to the OEWG on their commercial availability. Some delegates suggested that TEAP also focus on other issues, including the impact of these technologies on environment, health and energy efficiency. Others warned against duplicating work already undertaken in the 2002 TEAP report. Delegates agreed to request the TEAP to report to the OEWG on both the commercial and technical availability of technologies.

The group also discussed a paragraph proposing to include the issue of a special facility to promote climate benefits on the agenda of OEWG-30, saying it would help address policy issues. Several delegates underscored the need to continue deliberations in the ExComm to develop options that could then be discussed in the OEWG. Delegates agreed to discuss potential parallel track efforts in bilateral discussions.

The group then turned to CRP.6 submitted by Colombia. Delegates discussed a proposed request to the MLF to establish criteria to define the cost-effectiveness of ODS destruction that takes into account impacts on ozone and climate. Some participants pointed at the lack of data and experience on this issue. Delegates agreed to continue discussions on cost effectiveness and the Colombian proposal later in the week.

**MULTILATERAL FUND:** This contact group, co-chaired by David Omotosho (Nigeria) and Gudi Alkemade (Netherlands), continued consideration of the draft decision (UNEP/OzL.Pro.21/3, XXI/[F]) on institutional strengthening. Brazil introduced new text on behalf of GRULAC and the AFRICAN GROUP, and delegates agreed to discuss the issue on the basis of this text. The language proposed that the MOP “extend and increase” the level of financial support for institutional strengthening and recommended that the ExComm consider institutional strengthening requirements as a “stand alone project.” The proposal attracted a robust discussion with several developed countries suggesting that, as opposed to moving the process forward, the proposal backtracked to the discussion at OEWG-29. Many developed countries stressed the need for a political statement to the ExComm and were reluctant to dictate or micro-manage activities of the body. Developing countries highlighted that since agreement was not achieved at the ExComm’s last meeting, the MOP needs to instruct the ExComm on the issue. Regarding the MOP supporting the extension of institutional strengthening beyond 2010, developing countries advocated for reference to “at current levels.” In response, one developing country party suggested qualifying this with “for one year,” or removing reference to funding levels. No agreement was reached, and the group agreed to continue its discussion later in the meeting.

**METHYL BROMIDE:** Co-chaired by Federica Fricano (Italy) and Leslie Smith (Grenada), the contact group discussed the draft decision on QPS uses submitted by the EU (CRP.7). The EU outlined the draft decision, requesting consideration at MOP-22 of the establishment of a freeze and cap on methyl bromide production and consumption for QPS, and to further

consider the phase-out of specific uses of methyl bromide for QPS in areas where alternatives are technically and economically feasible. One developed country and several developing country parties opposed freezing and setting a cap on methyl bromide for QPS because applicable alternative technologies are not available. Several parties said they need time to consider the issue and to consult among different government agencies and stakeholders in their countries on this draft decision before taking a position. Several developing country parties said they could not accept this draft decision. A few developed country parties supported the draft in general, but said that amendments were necessary. Delegates then discussed a paragraph on an ODS licensing system and procedures for registering data on QPS uses of methyl bromide, deferring the paragraph on the freeze and cap to later in the week.

**BUDGET COMMITTEE:** Co-chaired by Ives Gomez (Mexico) and Alessandro Giuliano (Peru), the budget committee had a first round discussion on a draft decision. In the draft decision, MOP-21 approves the revised 2009 budget in the amount of US\$5,329,104, and the 2010 budget in the amount of US\$4,948,398 and takes note of the proposed budget of US\$4,935,639 for 2011. The parties are yet to agree on the exact level of the budgets for 2010 and 2011.

The group agreed on a paragraph urging all parties to pay their outstanding contributions as well as their future contributions promptly and in full.

### IN THE CORRIDORS

Discussions over morning coffee were focused on the “easy-going” discussion over institutional strengthening in the contact group on Thursday. Several wondered how this issue, so contentious at OEWG-29, could have silently slid from the table. However as the contact group reconvened on Friday afternoon, it was clear significant overnight coordination had occurred, as the contact group quickly returned to divergent positions over whether to provide direction to the ExComm to extend and increase institutional strengthening funding.

Mid-afternoon, the issue on delegates’ lips as they passed from one contact group to another was movement, or lack thereof, on HFCs. Many questioned some parties’ insistence on cost effectiveness for HCFC alternatives, when a cost effectiveness approach has been shown to lead to increased conversions to HFCs, and therefore does not support the proposed phase-down of HFCs. Some delegates contended this was perhaps a negotiating strategy to avoid financing for HFC phase-down by way of a huge replenishment of the MLF in the case that the amendment was approved.

As delegates were scratching their chins over this issue, jaws dropped as the HFC amendment proposal was abruptly removed from the negotiating table. Murmurs throughout the room indicated the removal came as a surprise to most, with some contending that bilateral discussions between proponents and major industrializing nations had been unsuccessful. As the amendment proposal was replaced with an addition to the proposed draft decision on HFCs proposing to convene an ExMOP in parallel with OEWG-30 to again consider the proposed amendments, the intractability of positions was palpable.

As participants packed up for the night and headed out to see a Beyoncé performance on the Island at Port Ghalib, many hoped that the excitement and rhythm of the music would bring delegates together, especially since the Montreal Protocol’s ability to heal the holes in the atmosphere is “Irreplaceable.”