

MOP-22 HIGHLIGHTS: TUESDAY, 9 NOVEMBER 2010

The preparatory segment of MOP-22 convened for its second day in Bangkok, Thailand, on Tuesday, 9 November 2010.

In the morning, delegates considered the special situation of Haiti and compliance and reporting issues. The co-chairs also led delegates through a review of the agenda and decisions to be forwarded to the high-level segment. Plenary was adjourned mid-morning to allow contact groups on QPS, ODS destruction, the ToR for the evaluation of the financial mechanism, as well as the Budget Committee, to convene throughout the day.

Plenary reconvened in the evening and heard updates from contact and informal groups.

SPECIAL SITUATION OF HAITI

Co-Chair Díaz recalled that at the OEWG-30, Grenada and Saint Lucia had proposed a draft decision calling all parties to assist Haiti in their control of ODS (UNEP/OzL.Pro.22/3, XXII[O]).

The US supported the intent of the proposal, but said it would consult with concerned parties on some issues.

During the evening plenary, the US and GRENADA reported progress in these discussions and said the revised decision would be circulated on Wednesday.

COMPLIANCE AND DATA-REPORTING ISSUES

Treatment of stockpiled ODS relative to compliance:

Co-Chair Sirois recalled that OEWG-30 decided to forward to MOP-22 a draft decision on the treatment of stockpile ODS relative to compliance (UNEP/OzL.Pro.22/3, XXII[P]).

The EU reported on consultations held with concerned parties on the draft decision and said it had produced a revised draft, which will be released as a CRP. The US said the revised draft was closer to something they could support. JORDAN said that the draft decision should include the provision of finance and technologies to Article 5 countries for addressing the issue of ODS stockpiles. Co-Chair Sirois suggested, and parties agreed, to consult informally on the draft decision.

Presentation on and consideration of the work and recommended decisions of the implementation committee:

Co-Chair Díaz deferred discussion of compliance and reporting

issues considered by the Implementation Committee (ImpCom), noting that the documents still needed to be translated before substantive discussions could be undertaken.

During the evening plenary, Elizabeth Munzert (Germany), on behalf of the ImpCom President Ezzat Lewis (Egypt), presented the decisions of the 45th meeting of the ImpCom under the Non-Compliance Procedure (UNEP/OzL.Pro.22/CRP.4), noting a full report of the meeting would be available later in the week. She highlighted the high rate of reporting, with 191 of 196 countries reporting production and consumption data for 2009.

Delegates agreed to forward the draft decision to the high-level segment for consideration.

MEMBERSHIP OF MONTREAL PROTOCOL BODIES FOR 2011

The US presented a consolidated proposal thanking outgoing co-chairs José Pons Pons and Jan van der Leun of the TEAP and EEAP and senior expert Thomas Morehouse of the TEAP, and proposing new appointees Nigel Paul, Marta Pizano and Bella Moranion for these positions (UNEP/OzL.Pro.22/CRP.5). The decision also requests the TEAP to consider the ToRs for the nomination of experts, including a reassessment of term limits. Delegates agreed to forward the decisions to the high-level segment.

During the evening plenary, noting many positions for the Protocol bodies are open and only one nomination had been received, Co-Chair Sirois invited parties to submit nominations promptly.

ISSUES RELATED TO EXEMPTIONS FROM ARTICLE 2 OF THE PROTOCOL

Nominations for essential use exemptions: On essential use nominations, the RUSSIAN FEDERATION presented a draft decision for an exemption for CFC-113 for aerospace applications (UNEP/OzL.Pro.22/CRP.6). During the evening plenary, CHINA said that they were close to an agreement on the proposal. The EU noted their consultations with the Russian Federation were fruitful, but that they would need more time to reach agreement.

Laboratory and analytical uses of ODS (decision XXI/6):

No decision was proposed on this issue and delegates agreed that nothing would be forwarded to the high-level segment.

PROPOSED AMENDMENTS TO THE MONTREAL PROTOCOL AND PHASE-OUT OF HFC-23 AS A BY-PRODUCT EMISSION OF THE PRODUCTION OF HCFC-22

After Monday's discussion, the Co-Chairs proposed a way forward for consideration of the proposed amendments to the Montreal Protocol (UNEP/OzL.Pro.22/6 and UNEP/OzL.Pro.22/5) and the phase-out of HFC-23 as a by-product of HCFC-22 (draft decision UNEP/OzL.Pro.22/3, XXII/[M]). Delegates agreed to convene an informal contact group to consider these issues, as well as the assessment of the ExCom's HCFC guidelines (draft decision UNEP/OzL.Pro.22/3, XXII/[E]).

OTHER MATTERS

The US presented a draft decision, also on behalf of Canada and Australia, on progress by ICAO in the transition out of halon use in civil aviation (UNEP/OzL.Pro.22/CRP.7). He explained the draft decision appreciated efforts by ICAO in transitioning away from halon use and for providing a forum for identifying and adopting alternatives to halons. He also noted the proposal, *inter alia*, asked parties to support mandatory dates for transitioning out of halons, and asked the TEAP and Halon Technical Options Committee to continue to engage with ICAO counterparts on this issue. The EU said it needed some time to compare the proposal with EU legislation on halon phase-outs, and agreed to consult with the US on this issue.

CONTACT GROUPS

Financial Mechanism: The contact group on the ToR for an evaluation of the financial mechanism and replenishment of the MLF, co-chaired by Paul Krajnik (Austria) and David Bola Omotosho (Nigeria), met on Tuesday afternoon. As agreed on Monday, the group began with work on the ToR for the evaluation, deliberating on the text of the draft decision (UNEP/OzL.Pro.22/3, XXII/[C]), to narrow the scope of the evaluation and clarify the tasks that would be required of the consultant.

The contact group addressed sub-sectors A and B of the Annex to the draft decision, on the preamble and purpose of the evaluation, along with policy issues and the analysis of results. In-depth discussions were held on how to conduct the evaluations for all stages of the ExCom and MLF processes, from the preparation and submission of projects, to review of projects and results by the Secretariat. Delegates considered issues that should be addressed in the evaluation, including, *inter alia*: diverse indicators for the evaluation; ODS phase-out; project timing; additional benefits; and climate effects.

With outstanding issues and text in square brackets remaining at the end of the contact group's allotted time, the group agreed to reconvene to continue their work.

ODS Destruction: The contact group on ODS destruction, co-chaired by Annie Gabriel (Australia) and Javier Ernesto Camargo Cubillos (Colombia), met to consider a draft decision on destruction technologies with regard to ODS (UNEP/OzL.Pro.22/3, XXII/[I]). The group discussed a verbal proposal from one party that calls on the TEAP to develop criteria for verification of the destruction of ODS, which was welcomed by TEAP. Delegates also debated including these criteria, when available, in the Montreal Protocol Handbook, eventually agreeing to request the TEAP to, *inter alia*, "develop criteria that should be used to verify the destruction of ODS in facilities that use appropriate ODS destruction technologies, taking into account the recommended destruction and removal efficiencies

for the relevant substance." The reference to the inclusion of the verification criteria in the Handbook was retained in the chapeau of the paragraph. On a preambular reference to the Handbook's code of housekeeping regarding ODS in destruction facilities, delegates agreed to note that the code does not provide a framework that can be used for verification.

QPS uses of methyl bromide: Co-chaired by Robyn Washbourne (New Zealand) and Tri Widayati (Indonesia), the contact group discussed a revised draft decision, proposed by the EU on methyl bromide use for QPS (UNEP/OzL.Pro.22/CRP.3). Several parties expressed their concern about a provision in the proposal that requests all parties to implement monitoring procedures to gather available data about the sectors that use methyl bromide for QPS purposes, and to provide those data to the Ozone Secretariat by 31 January 2011. Some questioned the purpose of such a request, as well as the precise data requested. Several parties also disagreed with the proposal for the TEAP to assess the data on methyl bromide use for QPS purposes on a party-by-party basis, noting that this is not the TEAP's mandate. The EU explained that it intended to establish a process in which the TEAP could enter into a dialogue with parties to acquire available data for the assessment. A pre-drafting group was established to conduct informal consultations.

Budget Committee: The budget committee, chaired by Ives Enrique Gómez Salas (Mexico), met on Tuesday, and discussed the Secretariat proposal to upgrade the post of the Executive Secretary to Assistant Secretary General (ASG) level. Delegates considered including this upgrade in a footnote in the revised version of the approved 2010 and proposed 2011-2012 budgets of the Trust Fund for the Protocol (UNEP/OzL.Pro.22/4). While discussing options for retaining the Executive Secretary, some delegates ruled out the possibility of taking him on under a consultant's contract, citing the need for the continuity of strong leadership of the Protocol. One party registered opposition to upgrading the post to the ASG level, but agreed to further negotiation on this matter, based on the Secretariat's text. The Committee will continue work on Wednesday.

IN THE CORRIDORS

As negotiations continued predominantly in contact groups on Tuesday, some MOP-22 participants were adversely impacted by heavy use of refrigerants. In one particularly cold meeting room, some delegates braced themselves against the cold, committing to "negotiate until our dying breaths" to come to consensus on issues related to the evaluation of the Multilateral Fund.

With UN rules on a mandatory retirement age poised to affect the leadership of the Montreal Protocol, parties discussed possible ways of keeping the current Executive Secretary at the helm. However, the option of upgrading the position to the ASG level was not supported by all parties, with rumors in the halls suggesting that opponents would prefer to avoid setting such a precedent. Several predicted the need to "get creative" with perhaps a time-limited upgrade to ASG, extendable by a decision of the parties.

On HFCs, many participants remarked on the informative nature of the US side event on its proposal to include HFCs in the Montreal Protocol, as well as some surprising attendees representing parties that have traditionally been opposed to the proposal. Others were hedging their bets on any progress, and looking forward to the initiation of a contact group on Low-GWP alternatives to HCFCs (HFCs – by another name) on Wednesday.