

MOP 35 Highlights: Thursday, 26 October 2023

The high-level segment (HLS) of the 35th Meeting of the Parties (MOP 35) to the Montreal Protocol opened on Thursday morning. Delegates continued meeting in contact and informal groups throughout the day, in parallel to the HLS.

Opening of the HLS

Hassan Mubarak (Bahrain), MOP 34 President, opened the meeting, which began with a cultural performance from the Safari Cats dance troupe.

In her address, Inger Andersen, UN Environment Programme (UNEP) Executive Director, lauded the Montreal Protocol, highlighting its remarkable three-decade legacy in phasing out ozone depleting substances (ODS) and protecting ecosystems that store carbon, thereby mitigating climate change. She challenged the Protocol to achieve a decisive replenishment of the Multilateral Fund (MLF), called for the full ratification of the Kigali Amendment, and stressed the need for a push towards energy efficiency.

Roselinda Soipan Tuyu, Cabinet Secretary, Ministry of Environment, Climate Change and Forestry, Kenya, announced that the country recently ratified the Kigali Amendment, and outlined implementation efforts, including the training of refrigeration and air conditioning (RAC) technicians in the use of energy-efficient technologies. She also drew attention to the National Cooling Action Plan, designed to enhance access to sustainable cooling as part of Kenya's climate action endeavors.

MOP 34 President Mubarak commended the collective efforts and hard work of delegates throughout the week, particularly emphasizing discussions related to the next cycle of quadrennial reports and issues such as hydrofluorocarbon-23 (HFC-23) emissions and the proposed adjustments to the Protocol due to COVID-19 impacts. He highlighted the status of the Kigali Amendment, which 155 states have ratified, urging the 43 outstanding countries to do the same.

Organizational Matters

Election of MOP 35 officers: President Mubarak announced that delegations had reached consensus on the MOP 35 bureau, that includes: President: Azra Rogović-Grubić (Bosnia and Herzegovina); Vice-Presidents: Ndiaye Cheikh Sylla (Senegal); Adrian R. Forde (Barbados); Philippe Chemouny (Canada); and Rapporteur: Mohammad Al Dosari (Saudi Arabia). Delegates elected the new bureau by acclamation. MOP 35 President Rogović-Grubić thanked the parties for the confidence they had shown by electing her.

Adoption of the agenda of the HLS and organization of work: President Rogović-Grubić introduced the agenda (UNEP/OzL.Pro.35/1), which delegates adopted without comment. She introduced the organization of work (UNEP/OzL.Pro.35/2), which delegates adopted.

Synthesis Report on the 2022 Quadrennial Assessment

The Scientific Assessment Panel (SAP), Environmental Effects Assessment Panel (EEAP), and Technology and Economic Assessment Panel (TEAP) presented a synthesis of their latest assessment reports (UNEP/OzL.Pro.35/8).

The SAP updated delegations on emissions and projections for ODS and HFCs and explained the relationship between stratospheric ozone depletion and climate change. The EEAP described how the Protocol contributes to environmental sustainability and human health and wellbeing, and updated delegates on its findings relating to trifluoroacetic acid (TFA).

The TEAP summarized the state of ODS and HFC use in various economic sectors, stressing that the accessibility and implementation of HFC alternatives in Article 5 parties will be critical for further progress under the Montreal Protocol.

In the ensuing discussion, parties highlighted future challenges under the Protocol, including natural surface chlorine and bromine emissions, impacts from per- and polyfluorinated substances (PFAS) and TFA, the continued use of methyl bromide for quarantine and pre-shipment fumigation, and transitioning away from ODS in the pharmaceutical sector. Panel members encouraged parties to reflect their concerns in the terms of reference (TOR) for the next quadrennial assessment.

Presentation by the Chair of the Executive Committee of the MLF on the work of the Executive Committee, the MLF Secretariat and the Fund's implementing agencies

Annie Gabriel, Chair, MLF Executive Committee, reported on the establishment of two funding windows, one in the amount of USD20 million for pilot projects to maintain and enhance energy efficiency in the context of HFC phase-down, and a second for an inventory of banks of used or unwanted controlled substances and a plan for the collection, transport, and disposal of such substances. She also noted, among others, mandatory requirements and performance indicators for gender in such projects. She further reported collaborations with UNEP, UN Development Programme (UNDP), UN Industrial Development Organization (UNIDO), and the World Bank on efforts related to the preparation of Kigali Implementation Plans (KIPs).

Statements

BARBADOS presented their advancements in implementing the Montreal Protocol, including: a 35% HFC reduction in 2020; establishing an electronic monitoring system; and creating a national cooling strategy. SPAIN, for the EU, highlighted the role of the MLF in Article 5 parties in implementing their commitments under the Protocol, and recalling that Article 5 parties will begin Kigali Amendment implementation in 2024.

MAURITIUS presented their advancements in implementing the Montreal Protocol, among others: undertaking a national HFC survey; creating a trade database of HFC and refrigerants; establishing training programs on the use of natural refrigerants; and carrying out regular sensitizing campaigns for importers.

KYRGYZSTAN noted her country's support of the proposal by Cuba on adjustments to the Montreal Protocol due to the COVID-19 pandemic, as well as support for the African Group's

proposal on shared responsibility to stop dumping inefficient equipment containing obsolete refrigerants. SOMALIA reported measures to ensure responsible management and use of ODS, amidst intensifying drought, floods, and extreme temperatures, and called for the transfer of environmentally sound technologies.

EGYPT drew attention to its National Ozone Unit established in 1993 with the objective of enhancing capacities and actions to phase out ODS, reporting his country's phase-out of 99.3% of ODS. JORDAN reported adoption of its first ODS phase-out project in 2011, which has enabled eliminating 75% of ODS through targeting air-conditioning and commercial refrigeration sectors.

Expressing their intention to host MOP 36, MOZAMBIQUE highlighted its struggle with climate-related coastal destruction, and called for technical, financial, and technological support.

CUBA pointed to its national law, "Tarea Vida," and called for collective action to reverse the harm caused to Mother Nature and people, pointing out the need to use science and innovation as catalysts for sustainable and inclusive conservation. COSTA RICA urged promotion of circular economy approaches and called for measures to break market barriers to ensure the affordability and accessibility of environmentally-friendly technologies.

PALESTINE reported impacts of the Israeli occupation, noting massive destruction of industries including RAC equipment "with no regard to ODS emissions." He called for cooperation and support to rebuild national capacities, including for the implementation of the Protocol. YEMEN said that despite obstacles, they are still working on compliance, and called for partnerships in support of the country's implementation.

MALAYSIA highlighted the country's KIP, calling for implementation funding as well as capacity building for Article 5 countries in the next triennium. VENEZUELA pointed to the country's eco-socialism model, and condemned trade sanctions against the country which impact the import of HFCs, negatively affecting the food, health, and mass transit sectors.

VIET NAM underlined that energy efficiency measures alongside the full implementation of the Kigali Amendment could have even greater climate benefits. BURUNDI highlighted the collaboration between relevant ministries and awareness raising activities for RAC technicians, customs officers, importers, traders, academia, and the media. TUNISIA pointed to its vulnerability to climate change and outlined key pillars of its legislative and implementation framework.

ECUADOR called for increased efforts in phasing down HFCs, including through enhanced international cooperation and exchange of information.

TÜRKIYE noted the country's important role in preventing illegal trade and reported on its reduction in the use of ODS and HFCs. MYANMAR looked ahead to its forthcoming ratification of the Kigali Amendment and reported on the respective collection of HFC baseline data.

ZAMBIA noted high refrigeration dependency in health, mining, and transport sectors, reporting ongoing initiatives to promote energy efficiency. MALAWI discussed challenges including in continued importation of obsolete and inefficient appliances, and limited capacity on safe handling of new refrigeration technologies.

Delegations will continue to deliver statements on Friday.

Preparatory Segment

Reconvening in plenary in the afternoon, contact and informal groups reported back, with most requesting more time. Informal group Co-Facilitator Osvaldo Alvarez-Perez (Chile) reported that the group on Assessment Panel nominations had reached agreement on the nominations, pending the discussion on the reconfiguration of the Refrigeration Technical Options Committee (TOC).

On the future configurations of the TEAP and its TOCs, the US, also on behalf of the EU and Norway, introduced a new proposal. OEWG Co-Chair Ralph Brieskorn (the Netherlands) informed delegates that the proposal would be posted for review, with the view to adopt it on Friday.

Contact Groups

TOR for the 2026 quadrennial reports of the Assessment Panels: The contact group, co-chaired by Leslie Smith (Grenada) and Cindy Newberg (US), continued to review text of draft decision XXXV/[A] (contained in [UNEP/OzL.Pro.35/3](#)) on potential focus areas of the 2026 quadrennial assessment, submitted by the EU, as well as remaining areas to be considered for inclusion in the Panels' TOR. The latter includes: end-of-life refrigerant management; assessment of whether production of hydrofluoroolefins (HFOs) is resulting in fugitive high global-warming-potential HFCs; alignment of the reports on HFC alternatives; and the potential impact of the management of PFAS on the implementation of the Protocol and the selection of alternatives in relevant sectors.

Delegates managed to go through part of the text, discussing specific requests to each Assessment Panel. In plenary, Co-Chair Newberg requested more time.

HFC-23: In this contact group, co-chaired by Shontelle Wellington (Barbados) and Heidi Stockhaus (Germany), delegates made progress in streamlining the original proposal (draft decision XXXV/[E] in [UNEP/OzL.Pro.35/3](#)), which requests the SAP and TEAP to further explore the unexplained increases in HFC-23 emissions in recent years. In plenary, Co-Chair Stockhaus requested more time.

Proposed adjustments to the Protocol: The contact group, co-chaired by Patrick McInerney (Australia) and Juan Jose Galaeno (Argentina), convened and the Co-Chairs presented a proposal, with a list of countries based on three types of criteria: (a) demonstrated HFC use reductions on average 2018-2019 to 2020-2022 data (21 countries with nine having a positively affected baseline); (b) estimated 2024 consumption greater than the baseline (no countries included, since this would involve a judgment to determine the consumption in 2024); and (c) those that had expressed concern to the Secretariat about their affected baselines (21 countries).

Delegates agreed to work on two phases: beginning with the nine countries that had both a positively affected baseline under criterion A and had expressed concern under criterion C; and then, coming back to assess the rest of the countries. In plenary, Co-Chair Galaeno requested more time to finalize their work.

In the Breezeways

As the HLS opened, delegates were treated to a spirited performance by the Safari Cats, whose energy infused discussions at the MOP. After the reports from the Assessment Panels, interesting questions came up, including some related to the difficulties faced in transitioning from ODS and HFCs. One such discussion related to metered-dose inhalers and their impacts on the climate. "It's circular, isn't it," one seasoned observer said, shaking her head, "a deteriorating environment leads humans to need ODS-containing inhalers, and inhalers then impact the ozone layer which impacts the environment." One other pointed to the obvious connections between the Protocol and climate, ecosystems, and pollution, quipping, "it feels like we have been addressing the triple planetary crisis right from the start!"

In parallel, a steady stream of contact groups convened. Waiting expectantly for the start of the late afternoon contact group on the proposed adjustment to the Protocol due to COVID-19, one delegate shared that "this is very important for some of us." Noting the catch-22 of reporting reduced HFC consumption due to the economic slow-down during the pandemic period, he shared "a decrease in consumption is always a positive thing, unless it leads to a reduction in funding for Kigali Amendment implementation."

With a day to go, and this and many other issues still outstanding at the end of the day, delegates circled back to contact group and informal meetings, determined to solve outstanding issues "by or on" Friday.

The *Earth Negotiations Bulletin* summary and analysis of MOP 35 will be available on Monday, 30 October 2023 at enb.iisd.org/montreal-protocol-meeting-parties-ozone-mop35.