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**Open-ended Working Group of the Parties to  
the Montreal Protocol on Substances that  
Deplete the Ozone Layer**  
Twenty-ninth meeting  
Geneva, 15–18 July 2009  
Items 3 (b)–9 of the provisional agenda\*

**Issues for discussion by and information for the attention of the  
Open-ended Working Group of the Parties to the Montreal  
Protocol at its twenty-ninth meeting**

**Note by the Secretariat**

**Introduction**

1. The present note provides, in chapter I below, a summary of substantive issues on the agenda for discussion by the Open-ended Working Group at its twenty-ninth meeting. Several of the issues on the agenda for the current meeting will be discussed in the 2009 progress report of the Technology and Economic Assessment Panel, which has not yet been completed. When the progress report has been completed the Secretariat will prepare an addendum to the present note that will summarize the Panel's findings on those issues.
2. The present note also provides, in chapter II, information on matters that the Secretariat would like to bring to the attention of the Parties.

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\* UNEP/OzL.Pro.WG.1/29/1.

## I. Summary of issues for discussion by the Open-ended Working Group at its twenty-ninth meeting

### Agenda item 3: Matters relating to issues covered in the 2009 progress report of the Technology and Economic Assessment Panel

#### Item 3 (b): Review of nominations for essential-use exemptions for 2010 and 2011

3. In accordance with decision IV/25 of the Meeting of the Parties to the Montreal Protocol 11 Parties – Argentina, Bangladesh, China, Egypt, India, Iran (Islamic Republic of), Iraq, Pakistan, Russian Federation, Syrian Arab Republic and United States of America – submitted requests for essential-use exemptions for chlorofluorocarbons (CFCs) for metered-dose inhalers applicable to 2010 and in some cases 2011 and 2012. The Russian Federation also requested an exemption for the use of 120 tonnes of CFC-113 for 2010 for certain aerospace applications.

4. The Medical Technical Options Committee met in Montreal, Canada, from 22 to 25 March 2009 to review the exemption requests for metered-dose inhalers and to prepare its recommendations on those requests. The Chemicals Technical Options Committee met in Sydney, Australia, from 11 to 13 March for the same purpose in respect of the exemption request for aerospace uses. The Secretariat's addendum to the present report will include a summary of the panels' recommendations on the requests. In the meantime, the sums nominated by each Party are presented for the information of the Parties in table 1.

**Table 1**  
**Essential-use nominations in metric tonnes submitted in 2009 for 2010, 2011 and 2012**

Party	Nominated for 2010	Nominated for 2011	Nominated for 2012	Recommendation of the Technology and Economic Assessment Panel
Non-Article 5 Parties				
Russian Federation (metered-dose inhalers)	212	-	-	Pending
Russian Federation (aerospace)	120	-	-	Pending
United States of America (metered-dose inhalers)	67	-	-	Pending
Subtotal	399	-	-	-
Article 5 Parties				
Argentina (metered-dose inhalers)	178	-	-	Pending
Bangladesh (metered-dose inhalers)	156.69	-	-	Pending
China (metered-dose inhalers)	977.2	-	-	Pending
Egypt (metered-dose inhalers)	264	-	-	Pending
India (metered-dose inhalers)	350.6	-	-	Pending
Iran (metered-dose inhalers)	105	-	-	Pending
Iraq (foams, domestic refrigerators/freezers and servicing needs)	690	690		Pending
Pakistan (metered-dose inhalers)	124.2	133.1	117.6	Pending
Syrian Arab Republic (metered-dose inhalers)	44.68	49.22	-	Pending
Subtotal Article 5 Parties	2 200.37	182.32	117.6	-
Grand total all nominations	2 599.37	182.32	117.6	-

**Item 3 (c): Report of the Secretariat of the Multilateral Fund on the status of agreements to convert metered-dose inhaler manufacturing facilities in Parties operating under paragraph 1 of Article 5 (decision XX/4)**

5. In its decision XX/4 the Meeting of the Parties requested the Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol to prepare a report on the status of agreements financed by the Executive Committee to convert metered-dose inhaler production facilities in Parties operating under paragraph 1 of Article 5 of the Protocol. A provisional report by the Fund Secretariat was presented at the fifty-seventh meeting of the Executive Committee and the final version of the report, which responds to comments raised at the Executive Committee meeting, will be available as document UNEP/OzL.Pro.WG.1/29/3. In short, the report notes that between December 2003 and November 2008 the Executive Committee approved funding for projects to convert CFC-based metered-dose inhaler manufacturing plants to non-CFC alternatives in 12 Parties operating under paragraph 1 of Article 5 and that implementation of those projects is expected to result in the phase-out of over 1,800 ODP-tonnes of CFCs. Three of the twelve projects are expected to be concluded in 2009, three in 2010, three in 2011, one in 2012 and two in 2013. The report then discusses the metered-dose inhaler production situation in the twelve countries, including projected CFC demand pending completion of the conversion projects. The report notes that seven of the twelve Parties have requested essential-use exemptions for 2010.

6. The Working Group may wish to take the above report into account in its consideration of requests for essential use exemptions and the work of the Technology and Economic Assessment Panel on campaign production of CFCs for metered-dose inhalers.

**Item 3 (d): Campaign production of CFCs for metered-dose inhalers (decision XX/4)**

7. In decision XX/4 the Meeting of the Parties requested the Technology and Economic Assessment Panel to present a preliminary report to the Working Group at its twenty-ninth meeting concerning the following five issues:

- (a) Potential timing for a final campaign of production of CFCs for use in metered-dose inhalers, taking into account, among other things, any nominations for 2010 essential-use exemptions submitted by Parties operating under paragraph 1 of Article 5;
- (b) Options for long-term storage, distribution and management of produced quantities of pharmaceutical-grade CFCs, including existing methods used by Parties not operating under paragraph 1 of Article 5;
- (c) Options for minimizing the potential for too much or too little CFC production as part of a final campaign;
- (d) Contractual arrangements that might be necessary to facilitate campaign production, considering the models currently used by Parties that submit essential-use nominations;
- (e) Options for reducing production of non-pharmaceutical-grade chlorofluorocarbons, together with options for final disposal.

8. The Panel is currently working to respond to the above-mentioned request for information in these areas. A summary of the Panel's responses will be included in the Secretariat's addendum to the present note.

**Item 3 (e): Nominations for critical-use exemptions for 2010 and 2011**

9. Pursuant to paragraph 2 of decision IX/6 and decision XIII/11, the Methyl Bromide Technical Options Committee's subcommittees met from 20 to 24 April 2009 in Rotterdam, Netherlands, (Structures and Commodities), and Agadir, Morocco (Soils), to evaluate new 2010 and 2011 nominations for critical-use exemptions for methyl bromide.

10. The first round recommendations of the Technology and Economic Assessment Panel, pending further consultations with nominating Parties, will be summarized in the Secretariat's addendum to the present note. In the meantime, the Parties and the quantities that they have nominated for critical-use exemptions are noted in table 2 for the information of the Parties.

**Table 2**  
**Critical-use nominations in metric tonnes submitted in 2009 for 2010 and 2011**

Party	Nominated for 2010	Nominated for 2011	MBTOC interim recommendation	
			2010	2011
Australia	-	35.45	-	Pending
Canada	4.74	19.368	Pending	Pending
Israel	382.14	-	Pending	-
Japan	-	249.42	-	Pending
Russian Federation	135	-	Pending	-
United States	-	2388.128	-	Pending
<i>Total</i>	<i>521.88</i>	<i>2692.366</i>		

**Item 3 (f): Presentation of and discussion on the interim report of the Technology and Economic Assessment Panel on quarantine and pre-shipment applications of methyl bromide (decision XX/6)**

11. By decision XX/6 the Technology and Economic Assessment Panel was requested to prepare an interim report for the twenty-ninth meeting of the Open Ended Working Group on quarantine and pre-shipment applications of methyl bromide. That report was to include an assessment of trends in major uses, available alternatives and other mitigation options and barriers to the adoption of alternatives. In addition, the report was to indicate “areas where the information [was] not sufficient, explaining, where appropriate, why the data were inadequate and presenting a practical proposal for how best to gather the information required for a satisfactory analysis”. The Parties also requested that the interim report include a list of categories of use that had been classified as quarantine and pre-shipment uses by some Parties but not by others.

12. The Panel decided to handle quarantine and pre-shipment matters, including those arising under decision XX/6, through a revitalized and streamlined quarantine and pre-shipment task force. This adjustment in the organization of the Panel will be described in the Panel’s 2009 progress report. An interim report by the task force will be available by the end of May 2009.

13. The Secretariat will include a summary of the findings and recommendations of the task force in the addendum to the present note.

**Item 3 (g): Scoping study addressing alternatives to hydrochlorofluorocarbons in the refrigeration and air-conditioning sectors in Parties operating under paragraph 1 of Article 5 with special conditions (decision XIX/8)**

14. By decision XIX/8 the Technology and Economic Assessment Panel was requested to undertake a scoping study to assess alternatives to hydrochlorofluorocarbons (HCFCs) in the refrigeration and air-conditioning sectors in Parties operating under paragraph 1 of Article 5 of the Montreal Protocol with reference to specific climatic and unique operating conditions. The Panel was requested to identify in the process areas requiring more detailed study of applicable alternatives. The scoping study was discussed by the Twentieth Meeting of the Parties, which noted that it had not yet been completed, and it was agreed that the results of the study would be included in the Panel’s 2009 progress report. The Secretariat’s addendum to the present note will include a brief summary of the Panel’s findings and recommendations on this issue.

**Item 3 (h): Updated study on projected regional imbalances in the availability of halon 1211, halon 1301 and halon 2402 and potential mechanisms for the improved prediction and mitigation of such imbalances in the future (decision XIX/16)**

15. In its 2007 progress report the Technology and Economic Assessment Panel noted that there could be regional imbalances in the availability of halons, which could lead to some countries being unable to obtain these substances for important uses. Accordingly the Nineteenth Meeting of the Parties approved decision XIX/16, in which it requested the Panel to examine projected regional imbalances

and to discuss potential mechanisms that could be used to predict and mitigate such imbalances in the future.

16. At its twenty-eighth meeting the Working Group considered the Panel's initial report on the issue. That report concluded that currently available information revealed that a limited number of problems might arise (particularly a possible shortfall in supplies of halon 2402 for use by the Indian military) and that the level of information submitted by Parties on their stocks and continuing needs was insufficient to predict whether other problems might also come up. As no further information was submitted by Parties on this issue before the Twentieth Meeting of the Parties, it was agreed that the Panel's 2009 progress report would include an update of the Panel's initial report on the basis of any new information that might become available. The Secretariat's addendum to the present note will include a summary of any findings and recommendations that the Panel may make on this issue.

### **Item 3 (i): Laboratory and analytical-use exemptions (decisions XVII/10 and XIX/18)**

17. By decision XIX/18, the Parties to the Montreal Protocol decided to extend until 31 December 2011 the global laboratory and analytical-use exemption for all controlled substances except HCFCs and to request the Technology and Economic Assessment Panel and its Chemicals Technical Options Committee to provide, by the Twenty-First Meeting of the Parties, a list of laboratory and analytical uses of ozone-depleting substances, indicating those for which alternatives existed and were therefore no longer needed. The Panel is expected to report on this matter in its 2009 progress report. The Secretariat's addendum to the present note will include a summary of any findings presented by the Panel.

18. With regard to the application of the global exemption for laboratory and analytical uses for Parties operating under paragraph 1 of Article 5 of the Protocol, the Parties may wish to recall that paragraph 7 of decision IV/25 states that essential use controls will not be applicable to Parties operating under paragraph 1 of Article 5 until the phase-out dates applicable to those Parties. For such Parties the phase out date for CFCs, halons and carbon tetrachloride is 1 January 2010. The Parties may also wish to recall, however, decision VI/9, by which the Parties first established the global exemption for laboratory and analytical use; there the Parties state explicitly that the exemption applies to Parties not operating under paragraph 1 of Article 5. Since the adoption of decision VI/9 the global exemption has been extended several times, most recently in 2007 in decision XIX/18, which extended it until 31 December 2011. While the global exemption has as its fundamental legal basis the essential use provision of Article 2 of the Protocol, in extending it the Meeting of the Parties has sometimes referred to decision VI/9, but without indicating explicitly whether it applies to Parties operating under paragraph 1 of Article 5.

19. A second mandate that touches on certain laboratory uses in Parties operating under paragraph 1 of Article 5 can be found in paragraph 1 of decision XIX/17. In that decision, the Parties agreed that the Implementation Committee and the Meeting of the Parties should defer until 2010 consideration of the compliance status in relation to the control measures for carbon tetrachloride of those Parties operating under paragraph 1 of Article 5 that provide evidence that any deviation from their consumption obligations for the substance was due to laboratory and analytical uses of carbon tetrachloride. As the deferral effected by decision XIX/17 will expire shortly, the Parties may wish to consider if it is desirable or appropriate to provide any clarification on the forthcoming status of laboratory uses in parties operating under paragraph 1 of Article 5.

### **Item 3 (j): Review by the Technology and Economic Assessment Panel and the Executive Committee of the Multilateral Fund on the progress made in reducing emissions from process-agent uses and consideration of the Panel's recommendations on process-agent use exemptions (paragraph 100 of the report of the Twentieth Meeting of the Parties)**

20. By decision XVII/6 the Parties requested the Technology and Economic Assessment Panel and the Executive Committee of the Multilateral Fund to report in 2007 and every other year thereafter on progress made in reducing emissions of controlled substances from process agent uses. In accordance with that mandate the Panel and the Executive Committee are expected to report to the Working Group on progress made in reducing emissions of ozone-depleting substances from process agent uses.

21. Decision XVII/6 also called upon the Technology and Economic Assessment Panel to report and make recommendations to the Parties in 2008, and every other year thereafter, on process-agent use exemptions, on insignificant emissions associated with such uses and on process-agent uses that could be added to or deleted from table A of decision X/14. Table A of that decision lists uses of controlled substances as process agents, while table B contains emissions limits for process-agent uses proposed by some Parties. The Technology and Economic Assessment Panel's 2008 report included a review of the uses listed in table A and of the requests for additions to the table that had been submitted to date. On the basis of that review the Panel concluded that only three of ten newly submitted process-agent nominations met the technical criteria for inclusion in table A, namely, carbon tetrachloride as a dispersant or diluting agent in the production of polyvinylidene fluoride; carbon tetrachloride as a solvent for etherification in the production of tetrafluorobenzoyl ethyl acetate; and carbon tetrachloride as a solvent for bromination and purification in the production of 4-bromophenol. The Panel and its Chemicals Technical Options Committee also confirmed that process-agent use in the production of dicofol (entry 6 in table A of decision XIX/15) had ceased in 2007 and recommended the deletion of that use from table A. As regards table B, the Panel noted that it lacked sufficient information to make any recommendations on possible reductions in make-up or emissions contained in that table since only three Parties had submitted relevant data.

22. The Twentieth Meeting of the Parties agreed that in keeping with the two-year review cycle called for under XVII/6 the consideration of amendments to the tables should not be undertaken until 2009. Accordingly, this issue is on the agenda for the consideration of the Working Group at the current meeting. The Secretariat's addendum to the present note will include summaries of the findings of the Executive Committee and the Technology and Economic Assessment Panel on the issue.

### **Item 3 (k): Other issues arising out of the Panel's reports**

23. The Working Group may consider and make recommendations to the Twenty-First Meeting of the Parties on other issues arising from the Technology and Economic Assessment Panel progress report that may necessitate a decision by the Parties.

### **Agenda item 4: Environmentally sound management of banks of ozone-depleting substances (decision XX/7)**

#### **Item 4 (a): Report of the co-chairs of the workshop**

24. By decision XX/7 the Parties called upon the Secretariat to organize a one-day workshop on the environmentally sound management of banks of ozone-depleting substances preceding the twenty-ninth meeting of the Working Group. By the same decision the Parties also called for the co-chairs of the workshop to present an overview report on the outcomes of the workshop to the Working Group. The co-chairs of the workshop will accordingly present a summary of the discussions held during the workshop to the Working Group at the current meeting.

#### **Item 4 (b): Consideration of possible actions.**

25. By decision XX/7 the Parties called upon the Working Group to consider possible actions on the management and destruction of banks of ozone-depleting substances. In taking up this issue the Working Group will have the benefit of, among other things, a cost/benefit analysis of ozone-depleting substance banks prepared by the Technology and Economic Assessment Panel and a report by the Secretariat on possible funding opportunities for the management and destruction of ozone-depleting substance banks. These papers, called for under decision XX/7, will be dispatched to the Parties in June and will be presented at the workshop discussed above under item 4 (a). The Working Group is expected to make recommendations on the management and destruction of ozone-depleting substance banks, as appropriate, to the Twenty-First Meeting of the Parties.

### **Agenda item 5: Presentation of and discussion on the summary report of the discussions that took place at the dialogue on high-global-warming-potential alternatives to ozone depleting substances (decision XX/8)**

26. By decision XX/8 the Parties called on the Secretariat to organize an open-ended dialogue on high-global-warming-potential alternatives to ozone-depleting substances just before the twenty-ninth

meeting of the Working Group. The Parties also requested the co-chairs of the dialogue to present an overview report on the outcomes of the dialogue to enable the Working Group to initiate discussions on related issues. The Working Group is expected to make recommendations, as appropriate, to the Twenty-First Meeting of the Parties.

27. In taking up this issue the Working Group will have before it two reports in addition to the report of the dialogue co-chairs, both prepared as requested by the Parties in decision XX/8. The first will update the data contained in the Panel's 2005 supplement to the special report of the Intergovernmental Panel on Climate Change and the Technology and Economic Assessment Panel entitled "Safeguarding the Ozone Layer and the Global Climate System: Issues Related to Hydrofluorocarbons and Perfluorocarbons", which described the ozone-depletion implications of the issues raised in the special report. It will also report on the status of alternatives to HCFCs and HFCs. The Panel is in the process of preparing this first report, which is expected to be available to the Parties by 15 May 2009. The second report will feature a compilation of current control measures, limits and information reporting requirements for compounds that are alternatives to ozone-depleting substances and that are addressed under international agreements relating to climate change. This second report is expected to be available to the Parties by the end of May.

### **Agenda item 6: Treatment of stockpiled ozone-depleting substances relative to compliance (decision XVIII/17)**

28. At the twenty-sixth meeting of the Working Group the Parties considered a report of the Secretariat on the Implementation Committee's treatment of cases in which Parties had stockpiled ozone-depleting substances for exempted use in future years. In its report, which had been discussed by the Implementation Committee, the Secretariat noted that in previous years a number of Parties that had exceeded the prescribed levels of production or consumption for particular controlled substances for a given year had explained that their excess production or consumption represented:

- (a) Ozone-depleting substance production in that year which had been stockpiled for domestic destruction or export for destruction in a future year;
- (b) Ozone-depleting substance production in that year which had been stockpiled for domestic feedstock use or export for that use in a future year;
- (c) Ozone-depleting substances production in that year which had been stockpiled for export to meet basic domestic needs of developing countries in a future year;
- (d) Ozone-depleting substances imported in that year which had been stockpiled for domestic feedstock use in a future year.

29. On the basis of its review, and acknowledging fully that only the Parties themselves could interpret the Protocol, the Secretariat observed that of the four types of deviation listed above, only the type described in subparagraph (d) appeared to be consistent with the Protocol. That type of deviation arose from the situation in which imports in excess of the level required for consumption in a given 12-month period were stockpiled in that period for domestic feedstock use in future years. The report noted that this situation appeared to be consistent with the Protocol on the basis of decision VII/30, which relates to the export and import of controlled substances for feedstock use. With regard to the other three types of consumption and production deviations listed in subparagraphs (a) to (c) above, the Secretariat stated that it was not able to identify any Protocol provisions or decisions of the Parties that would support the conclusion that those types of deviation were consistent with the Protocol.

30. The Working Group was told that the Committee had tentatively concluded that if situations (a)–(c) should occur again the Secretariat should report them to the Implementation Committee for case-by-case consideration as possible cases of non-compliance.

31. The Working Group established a contact group to consider the issue following which the chair of the contact group reported on the group's deliberations. He noted, as recorded in paragraphs 136 and 137 of the report of the Working Group's meeting (UNEP/OzL.Pro.1.26/7), that the contact group had agreed with the Implementation Committee's definition of the problem as illustrated by the four scenarios and with the Committee's conclusion that the fourth scenario appeared to be consistent with the Protocol. The contact group had therefore focused on the other three scenarios and had discussed three options for practical solutions. First, the Meeting of the Parties could clarify that, in calculating production, a Party could earmark quantities for destruction, export or use as feedstock in future years, provided that the Party concerned had in place a domestic system for ensuring that the earmarked quantities were put to their intended uses. Second, the Secretariat could continue to bring any

stockpiling deviations to the attention of the Implementation Committee, which would monitor them and report to the Meeting of the Parties. Third, quantities produced in excess of control limits in a given year could be registered through a reporting framework and, where they were exported for basic domestic needs, deducted in the following year. Any such reporting framework should take into account existing reporting obligations. The group recognized that the three options were not mutually exclusive.

32. In considering this issue fully, the Parties decided in decision XVIII/17 to note the four cases discussed above; to recall that the Implementation Committee had concluded that scenario (d) was, in any event, in conformity with the provisions of the Montreal Protocol and decisions of the Meetings of the Parties; to request the Secretariat to maintain a consolidated record of the cases in which the Parties had explained that their situations were the consequence of scenarios (a), (b) or (c) and incorporate that record in the documentation of the Implementation Committee, for information purposes only, and in the Secretariat's report on data submitted by the Parties in accordance with Article 7 of the Protocol; to recognize that new scenarios not covered by paragraph 1 would be addressed by the Implementation Committee in accordance with the non-compliance procedure of the Protocol and the established practice thereunder; and to agree that the Twenty-First Meeting of the Parties would revisit the issue in the light of information gathered in accordance with paragraph 3 of the decision.

33. In accordance with that decision, the Secretariat has included as an annex to the present note a consolidated record of cases in which Parties have explained that their reported excess levels of production is the result of substances produced and stockpiled for destruction in a future year, for use as a feedstock in a future year or for export for basic domestic needs in a future year. Given the decision's request that the Secretariat compile and present a list of related cases this year, the Secretariat wishes to bring Decision XVIII/17 and this issue to the attention of the Parties.

34. The Working Group is expected to consider this matter and to make recommendations, as appropriate, to the Twenty-First Meeting of the Parties to the Montreal Protocol.

### **Agenda item 7: Proposed adjustments to the Montreal Protocol**

35. The Working Group is expected to consider any proposals for adjustments to the Protocol submitted pursuant to Article 2 paragraph 9 of the Montreal Protocol. As at 30 April 2009, no proposals for adjustments had been received by the Secretariat.

### **Agenda item 8: Proposed amendments to the Montreal Protocol**

36. The Working Group is expected to consider any proposals for amendments to the Protocol submitted pursuant to Article 9 of the Vienna Convention for the Protection of the Ozone Layer and Article 2, paragraph 10, of the Montreal Protocol. As at 30 April 2009, no proposals for amendments had been received by the Secretariat.

## **II. Other issues that the Secretariat would like to bring to the attention of the Parties**

### **A. Cooperation with other multilateral environmental agreements and institutions**

37. Over the time period since the Twentieth Meeting of the Parties the Secretariat has taken a number of steps to reach out to other institutions that might have an impact on the work of the Montreal Protocol. Specifically, in early February, the Secretariat held meetings in Bonn, Germany, with the Secretariat of the United Nations Framework Convention on Climate Change. Those meetings, which were originally requested by the Convention secretariat, enabled the Ozone Secretariat to understand more fully the issues and challenges facing the Parties to the Kyoto Protocol in this critical year and facilitated an initial discussion on issues related to requests by Parties to the Montreal Protocol relating to high global warming potential alternatives to ozone-depleting substances and ozone-depleting substance bank destruction. The meetings were notable for their atmosphere of cordiality and openness and resulted in plans for the Convention secretariat to participate in the workshops to be organized by the Ozone Secretariat in July, prior to the twenty-ninth meeting of the Working Group.

38. In addition, pursuant to its mandate under decision XX/7, in addition to its desire to improve lines of communications, the Secretariat has held meetings with the secretariats of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Stockholm



Convention on Persistent Organic Pollutants, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Strategic Approach to International Chemicals Management and the Global Environment Facility. These institutions displayed generosity with their valuable time and input and the Ozone Secretariat expects to work further with them on issues of mutual interest in the future.

## **B. Missions**

39. In addition to the missions noted above the Ozone Secretariat has been extremely active in promoting the Montreal Protocol and the measures that will be necessary to ensure full compliance with the forthcoming 2010 phase-out. Toward that end, over the past three months the Secretariat has attended and made presentations at Ozone Network meetings for the English-speaking Caribbean, a joint meeting for South Asia and West Asia, meetings for English-speaking Africa, French-speaking Africa, East and Central Europe and a joint meeting for the West Asian and South Asian ozone networks. In addition, the Executive Secretary and other senior Secretariat staff participated in the extremely successful twenty-fifth session of the United Nations Environment Programme (UNEP) Governing Council, while the Executive Secretary also participated in the meeting of the UNEP senior management group that preceded that session. Secretariat staff participated in the annual meeting of partners under the Green Customs initiative, consultations with Angola and Lesotho on ratification of all amendments to the Montreal Protocol, a meeting of the group responsible for reporting on progress towards attaining the Millennium Development Goals and the annual meeting of the Technology and Economic Assessment Panel. The Secretariat believes that its participation in these meetings supported the Parties' compliance efforts, along with their efforts to share with the world the factors that have led to the Protocol's successes.

## **C. Report for the Secretariat of the International Plant Protection Convention on methyl bromide**

40. The addendum to the present note will provide information on the outcome of the fourth session of the Commission on Phytosanitary Measures.

## **D. Global Environment Facility**

41. As observed in the addendum to Secretariat's note to the Twentieth Meeting of the Parties to the Montreal Protocol (UNEP/OzL.Conv.8/2/Add.1-UNEP/OzL.Pro.20/2/Add.1), over the years, the Global Environment Facility (GEF) has been of invaluable service to the Parties to the Montreal Protocol since it began providing support to countries with economies in transition. Furthermore, its support for other activities that are ineligible under the Fund, including activities related to methyl bromide in South Africa, and its support for monitoring activities in the Southern Cone has bolstered the Protocol's efforts significantly. Currently, GEF is preparing for its next (fifth) replenishment, which will provide funds for the four-year period from 1 July 2010 to 30 June 2014. The Secretariat seeks the Parties' guidance on whether and how it should engage with GEF regarding the upcoming replenishment.

42. As noted above, GEF work in the ozone field has primarily focused on providing support to countries with economies in transition that are not eligible for funding from the Multilateral Fund. Over time, many countries with economies in transition have been reclassified under the Protocol as Parties not operating under paragraph 1 of Article 5. As a result of such reclassifications, the Multilateral Fund now covers every country previously categorized as a country with an economy in transition except for seven: Azerbaijan, Belarus, Kazakhstan, Russian Federation, Tajikistan, Ukraine and Uzbekistan. Accordingly, and assuming that GEF will continue to provide support according to the same criteria that it has employed in the past, only these seven Parties will henceforth be eligible for assistance from GEF.

43. Progress in these countries has been excellent. Azerbaijan, Belarus, Russian Federation and Uzbekistan have already phased out all non-exempted chemicals except HCFCs. Three of these Parties, Azerbaijan, Belarus and Uzbekistan, have already reduced their consumption of HCFCs below 10 per cent of their historic baseline levels, which means that they are well in advance of the 2015 deadline for achieving a 90 per cent reduction, while the Russian Federation had in 2007 reported a 93 per cent reduction in HCFC production and a 74 per cent reduction in HCFC consumption. It would thus appear that only the Russian Federation may need assistance to facilitate compliance with the 2015 90 per cent HCFC reduction milestone. The remaining three Parties with economies in transition have also phased out all ozone-depleting substances except HCFCs, of which Kazakhstan consumed 61 tonnes in 2007

and Tajikistan 3.9 tonnes in 2008. As neither of those Parties has yet the Copenhagen Amendment, however, past GEF guidelines would suggest that they are currently ineligible for support. As for Ukraine, consumption of HCFCs in 2007 was reported to be 93.5 tonnes. While it is currently in compliance with its HCFC control obligation, it may need assistance to meet its 2010 target of 41 tonnes.

44. The Ozone Secretariat has traditionally attended the meetings of the GEF Council, where it has endeavored to provide support and information related to proposed Montreal Protocol projects and to keep the Council abreast of activities under the Montreal Protocol that might be of interest to GEF. The Multilateral Fund Secretariat is also often in attendance at GEF meetings and its interaction with the GEF secretariat and evaluation team has proved useful to the latter in undertaking its reviews. Lastly, it is noteworthy that at the fifty-fifth meeting of the Executive Committee of the Multilateral Fund the Fund Secretariat was requested to investigate the scope for future cooperative efforts with GEF and other entities.

45. The Ozone Secretariat believes that both the continuing needs of countries with economies in transition and broad needs related to ozone-depleting substance destruction and synergistic collaboration between GEF and the Fund, along with other ozone-related issues, should be taken into account in the negotiations on the fifth GEF replenishment. The Secretariat therefore seeks guidance from the Meeting of the Parties as to whether it wishes to consider a decision on the issue and whether to engage with GEF to that end.

## **E. New papers on ozone issues**

46. The Secretariat would like to be in a position to provide regular information to the Parties about new scholarly work that touches on the Montreal Protocol and issues of interest to Parties. To that end the Secretariat would like to invite Parties to send it information on noteworthy papers so that they can be brought to the attention of all the Parties in a “New papers” section of versions of the present document prepared for future meetings.

47. The Secretariat would like to inaugurate this practice with the news of articles recently published by members of the Montreal Protocol assessment panels. Mr. Mohamed Besri, co-chair of the Technology and Economic Assessment Panel’s Methyl Bromide Technical Options Committee, published an article in French entitled “Impact du Protocole de Montréal sur la protection de la couche d’ozone et sur l’élimination du bromure de méthyle” (“Impact of the Montreal Protocol on the Protection of the Ozone Layer and the Elimination of Methyl Bromide”) in the December 2008 issue of the *Bulletin d’information de l’Académie Hassan II des Sciences et Techniques*. Mr. Ashley Woodcock, co-chair of the Panel’s Medical Technical Options Committee, wrote an article entitled “The Montreal Protocol: getting over the finishing line?”, which was published in *The Lancet* ([www.thelancet.com](http://www.thelancet.com)) on 28 February 2009. Lastly, Mr. Paul Newman, a scientist with the National Aeronautics and Space Administration (NASA) Goddard Space Flight Center and co-chair of the Montreal Protocol’s Scientific Assessment Panel, led a team on a simulation whose results were first published on 18 March 2009 on the NASA website and later picked up by various media outlets under the title “New Simulation Shows Consequences of a World Without Earth’s Natural Sunscreen”. The Secretariat has shared these articles with the Parties and other stakeholders via e-mail.

## **F. Universal ratification of the ozone treaties**

48. As Parties will know, the Secretariat shares their aspiration for universal ratification of the Vienna Convention and the Montreal Protocol by all States. It is currently working closely with San Marino and Timor-Leste, the last two remaining non-party States, to achieve ratification. San Marino has informed the Secretariat that it is likely to become a Party before the end of April 2009. The Secretariat is following up closely with Timor-Leste in the hope that it will follow suit in the next few months.

49. Universal ratification of the ozone protection treaties would be a remarkable global achievement for the protection of the ozone layer. The Secretariat believes that such an important achievement should be celebrated and would like to solicit Parties’ views on how to do so. The Secretariat would be grateful if Parties would provide any suggestions that they may wish to make by 20 July 2009.

## **G. Proposals to celebrate the 2010 milestone**

50. It is indisputable that 1 January 2010 will mark a key milestone in the history of the Montreal Protocol. On that date non-exempted production and consumption of CFCs, carbon tetrachloride and halons are to cease in all Parties to the Protocol. Data and related compliance information for the first year of the phase-out will not be available until the end of September 2011. At the time of writing, however, the Secretariat is extremely encouraged by the programme of work and additional efforts that all Parties are making to comply with this major milestone and in particular wishes to highlight the efforts of Parties operating under paragraph 1 of Article 5 of the Protocol. Given the significance of this milestone, but also keeping in mind the need to avoid suggesting that the ozone issue has been “solved”, the Secretariat would welcome ideas from Parties on how and when the 1 January 2010 milestone should be celebrated.

# Annex

## Consolidated record of cases of stockpiling in accordance with decision XVIII/17

<i>Year</i>	<i>Party</i>	<i>Annex group</i>	<i>Production ODP-tonnes</i>	<i>Deviation type</i>
2007	China	B/I	0.1	Stockpiled for export for basic domestic needs of Article 5 Parties
2007	Romania	B/II	34.6	Stockpiled for destruction
2007	United Kingdom of Great Britain and Northern Ireland	B/II	1901.9	Stockpiled for destruction
2007	United States of America	C/II	2.7	Stockpiled for destruction
		E/I	17.5	Stockpiled for export for basic domestic needs of Article 5 Parties
2006	Czech Republic	B/II	67.4	Stockpiled for destruction
2006	India	A/I	219.8	Stockpiled for export for basic domestic needs of Article 5 Parties
2006	Spain	B/II	136.4	Stockpiled for destruction
2006	United Kingdom of Great Britain and Northern Ireland	B/II	2214.3	Stockpiled for destruction
2006	Venezuela (Bolivarian Republic of)	A/I	985.1	Stockpiled for export for basic domestic needs of Article 5 Parties
2005	Venezuela (Bolivarian Republic of)	A/I	190.0	Stockpiled for feedstock uses or for export for feedstock
2004	Netherlands	B/I	2.0	Stockpiled for destruction
2004	United States of America	B/III	0.5	Stockpiled for export for basic domestic needs of Article 5 Parties
		E/I	1986.2	
2003	Czech Republic	B/II	94.6	Stockpiled for destruction
2003	Germany	A/I	118.8	Stockpiled for feedstock uses or for export for feedstock
2003	Russian Federation	B/II	40.4	Stockpiled for feedstock uses or for export for feedstock
2003	United States of America	B/III	1.6	Stockpiled for export for basic domestic needs of Article 5 Parties
2002	Czech Republic	B/II	132.0	Stockpiled for destruction
2002	Netherlands/European Community	B/I	3.0	Stockpiled for destruction / stocked for feedstock uses or for export for feedstock
2001	United States of America	B/II	812.9	Stockpiled for export for basic domestic needs of Article 5 Parties
		B/III	3.5	
2000	France	B/II	426.8	Stockpiled for export for basic domestic needs of Article 5 Parties
2000	United States of America	A/I	0.8	Stockpiled for export for basic domestic needs of Article 5 Parties
		B/III	287.8	
1999	Germany	A/I	99.8	Stockpiled for feedstock uses or for export for feedstock
1999	United States of America	A/I	0.8	Stockpiled for export for basic domestic needs of Article 5 Parties
		B/III	241.2	

NB:

- Some of these explanations were derived from the data reports submitted by the Parties concerned in accordance with Article 7 of the Protocol and recorded in the annual data report of the Ozone Secretariat to the Meeting of the Parties.
- The quantities are rounded to one decimal place.