



**United Nations  
Environment  
Programme**

Distr.  
GENERAL

UNEP/OzL.Pro.12/Bur.1/3  
25 July 2001

ORIGINAL: ENGLISH

BUREAU OF THE TWELFTH MEETING OF THE  
PARTIES TO THE MONTREAL PROTOCOL  
ON SUBSTANCES THAT DEplete THE  
OZONE LAYER

First meeting  
Montreal, 23 July 2001

REPORT OF THE FIRST MEETING OF THE BUREAU OF THE TWELFTH MEETING  
OF THE PARTIES TO THE MONTREAL PROTOCOL ON SUBSTANCES  
THAT DEplete THE OZONE LAYER

Introduction

1. The first meeting of the Bureau of the Twelfth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer was held at the headquarters of the International Civil Aviation Organization (ICAO), Montreal, on 23 July 2001.

I. OPENING OF THE MEETING

2. The meeting was opened at 10 a.m. on Monday, 23 July 2001, by Mr. Milton Catelin (Australia), President of the Twelfth Meeting of the Parties.

3. It was attended by the following members of the Bureau, who had been elected to their respective posts by the Twelfth Meeting of the Parties, or nominated by their governments in accordance with rule 24 of the rules of procedure:

<u>President:</u>	Mr. Milton Catelin (Australia)
<u>Vice-Presidents:</u>	Mr. Fidèle Hien (Burkina Faso) Mr. Gregorio Cabantac (Philippines) Mr. Jiří Hlavaček (Czech Republic)
<u>Rapporteur:</u>	Mr. Roberto Stadthagen-Vogl (Nicaragua)

4. A list of participants is annexed.

## II. ADOPTION OF THE AGENDA

5. The Bureau adopted the following agenda, as contained in document UNEP/OzL.Pro.12/Bur.1/1.

1. Opening of the meeting.
2. Adoption of the agenda.
3. Action taken on the decisions of the Twelfth Meeting of the Parties to the Montreal Protocol held in Ouagadougou, Burkina Faso, from 11 to 14 December 2000.
4. Overview of the working documents prepared for the Twenty-first Meeting of the Open-ended Working Group of the Parties to the Montreal Protocol, to be held in Montreal from 24 to 26 July 2001.
5. Review of the progress in the arrangements for the Thirteenth Meeting of the Parties to the Montreal Protocol, to be held in Colombo, Sri Lanka, from 15 to 19 October 2001.
6. Other matters.
7. Adoption of the report.
8. Closure of the meeting.

## III. ACTION TAKEN ON THE DECISIONS OF THE TWELFTH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL HELD IN OUAGADOUGOU, BURKINA FASO, FROM 11 TO 14 DECEMBER 2000

6. Mr. Nelson Sabogal (Senior Scientific Affairs Officer) of the Ozone Secretariat introduced the note contained in document UNEP/OzL.Pro.12/Bur.1/2, which gave a brief

summary of the actions taken to implement the decisions adopted by the Twelfth Meeting of the Parties.

7. With regard to Decision XII/1, the representative of the Secretariat informed that a progress report of the Methyl Bromide Technical Options Committee (MBTOC) was contained in the April 2001 report of the Technology and Economic Assessment Panel. Although it was acknowledged that there had been a decrease in production and consumption, several problems remained. Regulatory processes regarding methyl bromide registration continued to be major constraints on the adoption of some methyl bromide alternatives, both in terms of time and cost and particularly where treatment of foodstuffs was involved. Because of the small market for alternative chemicals, there was often insufficient profit to be made to justify the expense of developing the required registration data. Despite that, some important chemical-based alternatives were in the process of registration, at least for the larger markets, and Article 5 and non-Article 5 countries were continuing to develop alternatives.

8. With regard to Decision XII/2, the representative of the Secretariat reported that the Secretariat had received no notification from a Party with respect to any active ingredient or category of products for CFC-metered dose inhalers (MDIs) that the Party had determined to be non-essential and therefore not authorized for domestic use. He informed that national or regional transition strategies had been submitted by Australia, Canada, Czech Republic, European Commission, Hungary, New Zealand, Poland, United Kingdom of Great Britain and Northern Ireland, and United States of America. The Secretariat would continue to follow up on the issue and remind non-Article 5 Parties of the need to develop a regional or national transition strategy, which should be submitted to the Secretariat by 31 January 2002.

9. The Secretariat had informed the Multilateral Fund Secretariat of the request by Parties to consider providing technical, financial and other assistance to Article 5 countries to facilitate the development of MDI transition strategies and the implementation of approved strategies contained therein, and had informed the Global Environment Facility (GEF) Secretariat of the request by the Parties to consider providing the same assistance to those eligible countries with economies in transition.

10. He said that the Technology and Economic Assessment Panel, in close cooperation with the Aerosols Technical Options Committee, had prepared a new Handbook on Essential Use Nominations, which augmented and updated the previous edition and contained all relevant related decisions. The Aerosols TOC had considered the issues related to the campaign production of CFCs for CFC-based MDIs, and had concluded that the current approach, using just-in-time supply, was still the best and should continue for as long as possible.

11. With regard to Decisions XII/3 and XII/4, the representative of the Secretariat reported that the concerned Parties had been informed.

12. With regard to Decision XII/5, the Chair transmitted to the meeting the apologies of Mr. P. V. Jayakrishnan (India), who was unable to attend the current meeting, due to other government commitments.

13. With regard to Decision XII/6, the representative of the Secretariat informed that the report of the Secretariat on information provided by the Parties in accordance with Article 7 of the Protocol was contained in document UNEP/OzL.Pro.11/ImpCom26/3. He drew particular attention to the fact that 148 Parties had reported data for 1999 and that only 51 Parties had reported data for 2000 as at 23 July 2001. He stressed that the Secretariat continued to remind Parties of the need to report reliable and latest data.

14. With regard to Decision XII/7, the representative of the Secretariat informed that, as at the end of June 2001, 178 Parties had ratified the Vienna Convention, and 177 had ratified the Montreal Protocol, 148 Parties had ratified the London Amendment, and 125 had ratified the Montreal Amendment. To date, only eight Parties (Canada, Chile, Czech Republic, Gabon, Jordan, Luxembourg, New Zealand, and Palau) had ratified the Beijing Amendment. In light of the slow progress of ratification, the Secretariat would encourage participants at the meeting of the Open-ended Working Group to urge their governments to ratify the amendments in question.

15. The representative of Burkina Faso informed the meeting that his Government had initiated the process of ratifying the Montreal and Beijing Amendments, and it was hoped that the instruments of ratification would be deposited before the Thirteenth Meeting of the Parties.

16. With regard to Decision XII/8, the representative of the Secretariat said that the Technology and Economic Assessment Panel had established, respectively, the Task Force on Destruction Technologies and the Task Force on Technical and Economic Options for collecting, managing and disposing of ODS. While the Secretariat had invited governments to submit nominations for the Task Forces, only a few responses had been received to date. It was expected that organizational meetings of the Task Forces would be held on 23 July 2001.

17. Further, the Technology and Economic Assessment Panel welcomed cooperation with experts from the Basel Convention on Transboundary Movements of Hazardous Wastes and Their Disposal, and two experts from the Basel Convention had been nominated to work with the Panel, primarily by e-mail, supplemented by one or more coordination meetings.

18. With regard to Decision XII/9, the representative of the Secretariat informed that the reporting accounting framework for essential uses other than laboratory and analytical applications for the year 2000 had been submitted by the following Parties: Australia, Canada, European Commission (also for 1999), Hungary, Japan (also for 1999), Poland, Russian Federation (only for halons and also for 1999), United States of America (and revisions for 1997, 1998 and 1999). The Technology and Economic Assessment Panel would further examine the issue of essential use exemptions for MDIs in the Russian Federation.

19. With regard to Decision XII/10, the representative of the Ozone Secretariat informed the Bureau that the Ozone Secretariat had consulted relevant bodies on options for conducting the study on monitoring of international trade and prevention of illegal trade in ozone-depleting substances, mixtures and products containing ozone-depleting substances. In paragraph 45 of document UNEP/OzL.Pro/WG.1/21/2, it was presenting three options to allow the Parties to take a decision.

20. The representative of Burkina Faso pointed out that his country required that suppliers provide a certificate stating that imported material did not contain CFCs, and a number of the West African countries had introduced measures to prevent the import of such substances. However, countries in West Africa received products containing CFCs from the United Arab Emirates, in particular Dubai, and he proposed that action be taken to address that issue, perhaps in concert with the Government of Dubai. He believed that the West African countries should also be encouraged to convene a meeting of Ministers of Environment to consider a package of regulatory legislation in connection with ODS. In conclusion, he pointed to the importance of countries' commitment to the Ouagadougou Declaration.

21. The Chief Officer of the Multilateral Fund Secretariat said that no provision in the Montreal Protocol allowed the Secretariat to intervene on behalf of a group of countries for the purpose of limiting trade. He mentioned that, for example, it was lawful for non-Article 5 countries to produce such substances to meet the basic domestic needs of Article 5 countries. He therefore urged caution in dealing with the matter.

22. Concerning Decision XII/11 the representative of the Ozone Secretariat reported that the decision of the Parties to approve Article 5 status for Kyrgyzstan had been communicated to the Government of Kyrgyzstan.

23. With regard to Decision XII/12, the representative of the Ozone Secretariat reported that the decision of the Parties to remove Slovenia from the list of Article 5 Parties had been communicated to the Government of Slovenia.

24. With regard to Decision XII/13, the representative of the Ozone Secretariat said that the members of the Implementation Committee had been informed of the decision on the terms of office of members of the Committee and its officers.

25. Turning to Decision XII/14, the representative of the Ozone Secretariat said that, in response to the Secretariat's request to GEF for clarification of its future commitment to providing continued assistance to countries with economies in transition with respect to ozone-depleting substances, the GEF Secretariat had prepared a document on Financing of Activities to Address Ozone Layer Depletion (GEF/C.17/Inf.13). The document took into account the comments made by the Ozone Secretariat and had been presented at the GEF Council meeting held in Washington from 9 to 11 May 2001. The GEF Council had requested the preparation of a document on the potential costs and operational implications of a commitment to provide funding to countries with economies in transition for the replacement of HCFCs and methyl bromide and related substances, in accordance with the Montreal Protocol, for consideration at the Council meeting to be held in December 2001 and during discussion on the third replenishment of the GEF Trust Fund.

26. With regard to Decision XII/15, the Treasurer informed the Bureau that, as at 30 June 2001, contributions by the Parties amounted to US \$1,150,000. Outstanding contributions for previous years, however, exceeded US \$3.5 million and, as at 30 June 2001, only US \$176,000 of that amount had been received.

27. The Administrative Officer of the Ozone Secretariat said that the Secretariat had provided assistance for the participation of nine Article 5 experts in the Technology and Economic Assessment Panels, 52 experts in the latter's Technical Options Committee, as well as the participation of one scientist in the Scientific Assessment Panel, amounting to a total of 62 experts as per 23 July 2001.

28. With regard to Decision XII/16, the representative of the Ozone Secretariat said that the Secretariat had collaborated closely with the Multilateral Fund Secretariat in the organization of the Twenty-first Meeting of the Open-ended Working Group and had enjoyed the full support of the Fund Secretariat.

29. In connection with Decision XII/17, the representative of the Ozone Secretariat informed the Bureau that the report of the Twelfth Meeting of the Parties (document UNEP/OzL.Pro.12/9), which contained the Ouagadougou Declaration, had been distributed to all Parties, relevant United Nations and intergovernmental organizations, international, regional and national organizations, as well as non-governmental organizations. He hoped that the Parties would continue to respect the spirit of the Declaration and abide by the commitments made therein.

30. With regard to Decision XII/18, the representative of the Ozone Secretariat confirmed that the Thirteenth Meeting of the Parties to the Montreal Protocol would be held in Colombo, Sri Lanka, from 16 to 19 October 2001, together with the second meeting of the Bureau of the Twelfth Meeting of the Parties to the Montreal Protocol and the Twenty-seventh Implementation Committee Meeting under the non-compliance procedure for the Montreal Protocol.

#### IV. OVERVIEW OF THE WORKING DOCUMENTS PREPARED FOR THE TWENTY-FIRST MEETING OF THE OPEN-ENDED WORKING GROUP OF THE PARTIES TO THE MONTREAL PROTOCOL, TO BE HELD IN MONTREAL FROM 24 TO 26 JULY 2001

31. The representative of the Ozone Secretariat reviewed the documents that had been prepared for the Twenty-first Meeting of the Open-ended Working Group and drew attention to posters on the ozone layer circulated to delegates.

32. He also drew the members' attention to the fact that, in line with the recommendation made by the Bureau of the Eleventh Meeting of the Parties at its second meeting, held in Ouagadougou on 9 December 2000, the Ozone Secretariat website now made available documentation in French and Spanish.

V. REVIEW OF THE PROGRESS IN THE ARRANGEMENTS FOR  
THE THIRTEENTH MEETING OF THE PARTIES TO THE  
MONTREAL PROTOCOL TO BE HELD IN  
COLOMBO, SRI LANKA, FROM 15 TO 19 OCTOBER 2001

33. The Administrative Officer of the Ozone Secretariat reported on her visit to Colombo in connection with arrangements for the Thirteenth Meeting of the Parties, to be held in Colombo from 16 to 19 October 2001. She had met with the UNDP Resident Representative in Colombo and was pleased to inform the Bureau that all the arrangements were satisfactory. A document would be circulated at the meeting of the Open-ended Working Group outlining the procedures for obtaining visas. Information on the meeting would also be available on the Ozone Secretariat's website home page.

VI. OTHER MATTERS

Appointment of the Executive Secretary

34. The Deputy Executive Secretary of the Ozone Secretariat informed the Bureau that approval of the appointment of the Executive Secretary of the Ozone Secretariat by the Secretary-General of the United Nations was still awaited, but it was hoped that it would finally be confirmed before the Thirteenth Meeting of the Parties.

International Environmental Governance

35. The Deputy Executive Secretary drew the Bureau's attention to the issue of international environmental governance, which had become a major topic within UNEP. The World Summit on Sustainable Development, to be held in Johannesburg in 2002, would review the progress made since the United Nations Conference on Environment and Development, held in Rio de Janeiro in 1992. UNEP had been entrusted with an important role in that review and, in accordance with Governing Council decision 21/21, had set up an open-ended working group of ministers to study the issues and policy options. At the request of the Governing Council, UNEP had prepared a report that covered many issues of relevance to international environmental governance for submission to the open-ended working group of ministers. Several meetings held in 2001, to which the Secretariats of the relevant Conventions had been invited, had addressed the question and the Ozone Secretariat had provided input and information, as requested by UNEP. It had been proposed that meetings of the Presidents of the Bureaus of Conventions dealing with similar disciplines should also be convened and that memorandums of understanding should be signed between the secretariats of relevant Conventions. In that connection, a draft memorandum of understanding had been negotiated among the Secretariats of the Basel Convention, CITES, and the Ozone Secretariat. The text, to be signed by the Ozone Secretariat, would be sent to members of the Bureau before their second meeting.

36. In response to a question, he explained that the memorandum of understanding was essentially an expression of willingness to cooperate. It covered training and contained a mutual agreement to invite representatives from the other Secretariats to attend meetings.

37. The representative of Burkina Faso welcomed such expressions of cooperation, which could serve as a model for the Kyoto Protocol. It was agreed that there was a need for close coordination in the organization of meetings of the United Nations Framework Convention on Climate Change and those related to the Vienna Convention and its Montreal Protocol.

38. The representative of the Czech Republic emphasized that, during the discussions on international environmental governance, the Montreal Protocol had often been cited as an example of a well-functioning implementation and compliance regime. He wondered whether a high-level declaration should be prepared as input to the upcoming conference.

#### Dates and place of the Fourteenth Meeting of the Parties

39. The representative of the Secretariat informed that, following discussions with the Government of Argentina and the Secretariat of the Multilateral Fund, it had been proposed that the 38<sup>th</sup> Meeting of the Executive Committee of the Multilateral Fund be held in Buenos Aires from 18 to 22 November 2002, followed by the Fourteenth Meeting of the Parties to the Montreal Protocol and the Sixth Meeting of the Parties to the Vienna Convention, held concurrently, from 25 November to 4 December 2002. It had been noted that, due to the possible need to decrease expenditures in Argentina as a result of the current economic recession in the country, a decision on the location of the meetings was not yet final. However, in light of the many environmental meetings scheduled for the latter half of 2002, it was considered that it was necessary to get agreement on the proposed dates of the meetings.

### VII. ADOPTION OF THE REPORT

40. The Bureau agreed to entrust the Rapporteur and the Secretariat with the finalization of its report.

### VIII. CLOSURE OF THE MEETING

41. The President declared the meeting closed at 11.20 a.m. on 23 July 2001.

**Annex**

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