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OPEN-ENDED WORKING GROUP OF THE
PARTIES TO THE MONTREAL PROTOCOL

Ninth meeting
Geneva, 30 August - 1 September 1993

REPORT OF THE NINTH MEETING OF THE OPEN-ENDED WORKING GROUP
OF THE PARTIES TO THE MONTREAL PROTOCOL

INTRODUCTION

1. The ninth meeting of the Open-ended Working Group of the Parties to the Montreal Protocol was held at the headquarters of the International Labour Organisation (ILO), Geneva, from 30 August to 1 September 1993.

I. OPENING OF THE MEETING BY THE EXECUTIVE DIRECTOR

2. The meeting was opened at 10 a.m. on Monday, 30 August 1993.

3. In her opening statement, the Executive Director of the United Nations Environment Programme (UNEP) said that, while the results of the Fourth Meeting of the Parties to the Protocol gave good reason for optimism, there was no call for complacency. The facts about ozone depletion continued to be alarming with ozone levels 20 per cent below normal over North America and most of Europe in February 1993 and the latest report of the World Meteorological Organization (WMO) indicating that, if the closed circulation vortex over Antarctica was maintained intact through the current austral spring and very cold temperatures persisted, extremely low ozone values similar to those recorded in 1992 could be expected there in September-October 1993.

4. Turning to the issues before the Working Group, she said that, with regard to the question of essential uses of halons, the report of the Halons Technical Options Committee, endorsed by the Technology and Economic Assessment Panel, had concluded that there was no need to prolong the production or consumption of halons beyond the agreed phase-out date, since current world stocks were adequate to meet requirements and since alternative technologies were now available. She urged the Working Group to accept the recommendations of the Committee and the Panel and cautioned that any exemptions granted for the essential uses claimed by some Parties would send the wrong signal that the danger to the ozone layer was past.

5. She also called on the Working Group to endorse the recommendation of

* Reissued for technical reasons.

the Executive Committee that the maximum feasible financial resources should be provided immediately for early phase-outs. The rate of increase in consumption of ozone-depleting substances by developing countries indicated that any deferral of action would mean much higher costs in the long term. In addition, it was appropriate to demand results of the implementing agencies: money must not only be committed, it must be spent and lead to a real reduction in the production and use of ozone-depleting substances in the developing countries.

6. Another decision before the Working Group concerned the funding of projects related to methyl bromide. While the Multilateral Fund was not currently obligated to finance any project to study the production or consumption of that substance, she would urge the Group to support such studies immediately rather than later since previous studies on other substances had meant that results could be achieved much earlier than would otherwise have been the case.

7. She urged the Group to accept the conclusion of the Technology Panel that it was not feasible to compile a list of products made with, but not containing, substances controlled under Annex A of the Protocol.

8. Turning to data-reporting, she said that, in view of the crucial need for data and the poor response to date from many countries, there was a need to identify ways of facilitating reporting. Similarly, there was a need for prompt contribution to the trust funds and the Multilateral Fund.

9. Finally, the Executive Director urged all Parties that had not yet done so to ratify the Copenhagen Amendment with dispatch.

II. ORGANIZATIONAL MATTERS

A. Attendance

10. The meeting was attended by delegations from the following Contracting Parties: Argentina, Australia, Austria, Bahamas, Bangladesh, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Central African Republic, Cameroon, Canada, China, Chile, Côte d'Ivoire, Croatia, Denmark, Ecuador, Egypt, European Economic Community, Finland, France, Germany, Greece, Guinea, Hungary, Iceland, India, Indonesia, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Malaysia, Malta, Mauritius, Mexico, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United States of America, Uruguay, Venezuela, Western Samoa and Zimbabwe.

11. Delegations from the following States not parties also participated: Colombia, Congo and Iraq.

12. Representatives of the following United Nations bodies and specialized agencies also participated in the meeting: Secretariat of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change, General Agreement on Tariffs and Trade (GATT), International Civil Aviation Organization (ICAO), International Maritime Organization (IMO), United Nations Conference on Trade and Development (UNCTAD), United Nations Development Programme (UNDP), United Nations Industrial Development Organization (UNIDO), World Bank and World Meteorological Organization (WMO).

13. The following bodies and agencies were also represented by observers: Alliance for Responsible CFC Policy, Allied Signal Inc., ARI - USA, Carrier Corp, CEFIC, Chamber of Mines of South Africa, Dupont International, Friends of the Earth International, General Motors, Greenpeace International, Halogenated Solvents Industry Alliance (HSIA), Halon Alternatives Research Corporation, International Council of Environmental Law (ICEL), International Institute of Refrigeration (IIR), International Pharmaceutical Aerosol

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Consortium (IPAC), Japan Association for Hygiene of Chlorinated Solvents (JAHCS), Japan Flon Gas Association (JFGA), Japan Industrial Conference for Ozone Layer Protection (JICOP), Japan Refrigeration and Air Conditioning Industry Association (JRAIA), Lennox Industries Inc., Methyl Bromide Global Coalition (MGBC), OICA and Touche Ross.

B. Election of officers

14. Mr. J. Carstensen (Denmark) and Mr. J. Mateos (Mexico) served as co-chairmen, in accordance with the decision of the Fourth Meeting of the Parties to the Protocol.

15. On the proposal of the Co-Chairman from Mexico, Mr. D. Cooper (Bahamas) was elected Rapporteur by acclamation.

C. Adoption of the agenda

16. The meeting adopted the following agenda, as contained in document UNEP/OzL.Pro/WG.1/9/1:

1. Opening of the meeting by the Executive Director.
2. Organizational matters:
 - (a) Election of officers;
 - (b) Adoption of the agenda;
 - (c) Organization of work.
3. Substantive matters:
 - (a) Presentation of significant developments with regard to scientific assessment of the ozone layer;
 - (b) Presentation of significant developments with regard to assessment of the environmental effects of depletion of the ozone layer;
 - (c) Presentation, for consideration and recommendations, of the report of the Technology and Economic Assessment Panel on technical progress in reducing the use and emissions of controlled substances and on assessment of the use of alternatives, particularly of their direct and indirect global warming effects;
 - (d) Presentation of the recommendations of the Technology and Economic Assessment Panel on:
 - (i) Essential uses of halons; and
 - (ii) International recycled halon bank management;
 - (e) Presentation of the recommendations of the Technology and Economic Assessment Panel on the feasibility of banning or restricting from States not party to the Montreal Protocol the import of products produced with, but not containing, controlled substances in Annex A, in accordance with paragraph 4 of Article 4 of the Protocol;
 - (f) Presentation of the report of the Executive Committee of the Multilateral Fund on:
 - (i) The operation of the financial mechanism since 1 January 1991;

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- (ii) Its three-year plan and budget based on:
 - The needs of Parties operating under paragraph 1 of Article 5 of the Protocol;
 - The capacity and performance of the implementing agencies; and
 - The strategies and projects to be implemented by Parties operating under paragraph 1 of Article 5 of the Protocol;
- (iii) Funding of methyl bromide projects.

(g) Contributions to the Multilateral Fund from developing countries classified as not operating under paragraph 1 of Article 5 but subsequently reclassified as operating under paragraph 1 of Article 5 on the basis of data reported to the Secretariat.

4. Other matters.
5. Adoption of the report.
6. Closure of the meeting.

D. *Organization of work*

17. The Working Group decided that it would begin its work by considering agenda items 3(f) and 3(g), and would take up the remaining items in the order in which they appeared on the agenda.

III. SUBSTANTIVE MATTERS

A. *Presentation of significant developments with regard to scientific assessment of the ozone layer*

18. In accordance with decision IV/13, paragraph 4, of the Fourth Meeting of the Parties, Dr. Robert Watson, Co-Chair of the Scientific Assessment Panel, presented a report on significant, ongoing developments regarding the 1994 scientific assessment of the ozone layer.

19. Dr. Watson presented the outline and timetable for the scientific assessment, and discussed the key issues that would be carefully examined during the assessment process. The assessment would examine: (i) the observed changes in the vertical distribution and total column content of ozone and sources gas; (ii) the current understanding of processes responsible for the observed changes in tropospheric and stratospheric ozone; (iii) model simulations of tropospheric and stratospheric ozone; (iv) the consequences of ozone changes from the Earth's radiative balance and surface ultraviolet radiation; (v) scientific information need for future decisions (methyl bromide, subsonic and supersonic aircraft, degradation products of CFC-substitutes, and ozone-depleting potentials, global-warming potentials and future chlorine and bromine. The assessment would be about 250 pages in length with a 5-page executive summary, and a 20-page summary for policy makers that would examine common misconceptions.

20. Dr. Watson highlighted some of the recent scientific findings, noting that: (i) the Antarctic ozone hole in 1992 was deep and extensive; (ii) an ozone hole has already started to form over Antarctica in the current year; (iii) ozone levels over northern mid-latitudes in the winter of 1992/1993 were up to 20 per cent lower than normal; (iv) global ozone levels in 1992 and 1993 were significantly lower than any recorded since satellite observations started in 1978; (v) the rate of growth in the atmospheric concentrations of CFCs 11 and 12 had in recent years significantly slowed in response to reduced emissions rates as a result of international control measures; (vi) increases in upper tropospheric ozone might significantly

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enhance the magnitude of anthropogenic global warming; (vii) Mt. Pinatubo might have played a role in changing the chemical and radiative processes that control stratospheric ozone; (viii) there had been many new studies on methyl bromide (atmospheric observations, atmospheric trend analyses, role of the oceans, kinetics studies, quantification of biomass sources, soil emissions); and (ix) the United States National Aeronautics and Space Administration (NASA) had recently produced a detailed assessment of the impact of supersonic aircraft emissions on ozone, which was currently being reviewed by the United States National Academy of Sciences.

21. Many delegations who took the floor under this item thanked Dr. Watson for his presentation, recalled the important role past scientific assessments had played in their deliberations and expressed support for the direction of the current assessment. One delegation stated that the scientific assessment reinforced the need to guard against complacency and urged other Parties to ratify the Copenhagen Amendment.

22. A number of delegations supported Dr. Watson's concern about the impact of the many misconceptions spread by some concerning ozone depletion. Noting that such false but often repeated misperceptions often had an adverse impact on public opinion, the delegations welcomed the Panel's efforts in that area. One delegation stated that it would welcome a list of scientific arguments that were fully supported by existing evidence and which could be used to challenge those misperceptions directly. Another delegation requested clarification of the Panel's position on responding to those unsubstantiated rumours or intentional misrepresentations.

23. A number of delegations enquired why there were no funds to extend monitoring of ozone in developing countries. Expanding such monitoring had been supported by WMO and scientific cooperation was called for in the Vienna Convention. The monitoring network could be improved at relatively little cost. The representative of WMO supported the expansion of the monitoring network and informed the Group about his organization's efforts in the area.

24. A number of delegations asked why the Assessment Panel had not focused more on ozone depletion in the tropics. One delegation asked why the Mt. Pinatubo volcanic eruption was regarded as having produced more ozone depletion in the northern hemisphere than in the southern hemisphere. One delegation suggested that the assessment report should include calculations of the chlorine and bromine levels in the stratosphere that would result from additional controls on HCFCs and methyl bromide.

25. In response to the statements of delegations, Dr. Watson stated that from a scientific perspective, particularly with respect to chlorine loading, it was very important for the Copenhagen Amendment to be ratified. The Scientific Assessment Panel had examined carefully and with great concern the prevalence and spread of misconceptions concerning ozone depletion. It noted that none of those claims had been published in respected, peer-reviewed journals and concluded that the most effective response was to avoid giving publicity to those publicizing the misconceptions while providing, through the Summary for Policy Makers, a clear, peer-reviewed, delineation of existing knowledge to refute their claims.

26. Dr. Watson stated that there was a great need to expand funding for ground-based monitoring, especially in developing countries, as well as for other research efforts. He stated that the Vienna Convention was clear on the obligation for scientific cooperation and that he would welcome such discussion. The Co-Chairman of the Working Group suggested that while that was an important topic, it should be addressed during budget discussions among Parties to the Vienna Convention.

27. In conclusion, Dr. Watson explained the science of ozone creation and depletion in the tropics. He also stated that the Assessment Panel would be paying close attention to ozone depletion above the tropics, to the impact of the Mt. Pinatubo eruption and to the impact of additional controls on HCFCs and methyl bromide on future chlorine and bromine levels in the stratosphere.

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B. Presentation of significant developments with regard to assessment of the environmental effects of depletion of the ozone layer

28. In accordance with paragraph 4 of decision IV/13 of the Fourth Meeting of the Parties, Mr. Van der Leun, Co-Chair of the Environmental Effects Assessment Panel, presented a report on significant, ongoing developments with regard to the 1994 assessment of the environmental effects of stratospheric ozone depletion.

29. Noting that stratospheric ozone was the dominant limiting factor on UV-B radiation reaching the earth, Mr. Van der Leun stated that measurements had shown explicit correlations between short-term decreases in stratospheric ozone and increases in levels of UV-B radiation reaching the lower atmosphere. An upward trend in UV-B radiation reaching the surface had been recorded in both Antarctica and a high-alpine peak, areas where the so-called "pollution shield" did not limit the ultraviolet radiation. In addition, the Antarctic "ozone hole" in 1992 had, for the first time, extended to an inhabited area - the southern tip of Chile.

30. Researchers travelling to Chile had not found firm evidence of any acute harmful effects during that period. Depending on funding, investigations of the long-term impact would be conducted. Research on aquatic organisms in Antarctic waters had confirmed laboratory data. During periods of exposure to increased UV-B due to the seasonal ozone hole, researchers had measured 6-12 per cent reductions in the primary productivity of phytoplankton when compared to periods when not exposed.

31. Underscoring the harmful impact elevated UV-B exposure has on plants, aquatic ecosystems, air quality, materials and human health, Mr. Van der Leun noted that relatively few researchers were active in the area despite its obvious importance. He urged the Parties to support fully scientific research into the impact of stratospheric ozone depletion.

C. Presentation, for consideration and recommendations, of the report of the Technology and Economic Assessment Panel on technical progress in reducing the use and emissions of controlled substances and on assessment of the use of alternatives, particularly of their direct and indirect global warming effects

32. In accordance with decision IV/13, paragraph 2 of the Fourth Meeting of the Parties, Dr. Lambert Kuijpers, a Co-Chair of the Technology and Economic Assessment Panel, presented a report on the technical progress achieved in reducing the use and emissions of controlled substances and on assessment of the use of alternatives, particularly of their direct and indirect global warming effects.

33. Dr. Kuijpers reported significant progress in achieving ODS reductions. Most developed countries were well below the required 50 per cent reductions for CFCs. Many facilities would halt CFC production in 1993 and 1994 and those phase-outs demonstrated the technical feasibility of the control measures. Producers were rapidly commercializing substitutes which were available in increasing quantities. Corporate leadership remained vital for rapid phase-out. Examples included the elimination of CFCs in mobile air conditioning, the phase-out of ODS solvents in electronics and aerospace industries and the construction of the first HFC-134a plant in a developing country.

34. However, phase-outs and the need for industrial rationalization had created some concerns. Despite technical progress, alternatives had not been adopted in certain sectors as quickly as possible as many were waiting for the alternatives to reach complete maturity. Some CFC replacements might

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have an impact on global warming, which certain organizations considered prohibitive and certain other regulatory bodies less desirable for application, and that created considerable confusion, prolonged CFC use and substantial CFC banking by those that needed urgently to convert those to non-ODS solutions. The closing of CFC production facilities in developed and developing countries could reduce availability in the developing countries.

Phase-outs could lead to "dumping" in developing countries of obsolete equipment that use ODS. As a result, incremental costs could increase and ODS phase-out among Parties operating under Article 5, paragraph 1, could be delayed.

35. The Co-Chair further stated that phase-out success stories and case-studies in the developed countries should be conveyed to the developing countries through the UNEP Industry and Environment Programme Activity Centre's (IE/PAC) information clearing-house. He also indicated that the experience of IE/PAC in obtaining focused, up-to-date information from developed countries had not to date been very encouraging. He therefore invited developed countries to contribute all such success stories and case-studies to the UNEP IE/PAC so that they could be effectively disseminated to developing countries.

36. Many delegations who took the floor under this item thanked Dr. Kuijpers for his report and expressed their appreciation for the technical progress made in phasing out ODS. One delegation stated that Parties must not be satisfied with current progress and emphasized the need to apply current lessons to future ODS phase-outs.

37. A number of delegations expressed concern over the possibility and impact of dumping. One delegation enquired if the Parties needed to address the issue formally. Another delegation requested that the Executive Committee of the Multilateral Fund examine projects to ensure that they did not inadvertently lead to dumping. One delegation noted that it would be beneficial for the work of the Technology and Economic Assessment Panel to include an update on the assessment of the supply of CFCs to Article 5, paragraph 1 countries after 1995.

38. Some delegations requested the Secretariat to study the conditions to be fulfilled by Parties wishing to produce for the basic domestic needs of developing countries and the impact of that in the case of transfer of production rights under Article 2, paragraph 5, of the Protocol when such production was transferred to an Article 5, paragraph 1, Party, and place the information before the Fifth Meeting of the Parties.

39. One delegation sought a correction of a part of the report which might inadvertently question the right of a country operating under paragraph 1 of Article 5 to obtain resources from the Fund to convert the production or use of CFCs in some joint ventures to alternatives.

40. One delegation noted that retrofitting existing equipment was an important issue and enquired whether the topic would be examined in the forthcoming assessment.

41. One delegation expressed concern that efforts to protect the ozone layer should not lead to other environmental problems and urged the Technology and Economic Assessment Panel to consider the broader environmental impact of ODS alternatives and phase-out policies in a variety of settings.

42. One delegation from a Party not operating under paragraph 1 of Article 5 expressed concern that because his country belonged to a customs union with several developing countries, it would be impossible to prevent the import of a variety of products that used CFCs.

43. One delegation noted that the Party expressing concern about its inability to exclude imports using CFCs had a variety of clear options, as followed by other Parties.

44. In response to questions, Dr. Kuijpers stated that there were different types of dumping, some easier and some more difficult to control and agreed that that was an important issue. The Secretariat stated that no article in the Protocol regulated trade between Parties and that developing countries could prevent such dumping into their internal markets by regulating or banning such imports.

45. Dr. Kuijpers assured the Group that the Assessment Panel would more carefully consider any language which might inadvertently question a Party's legitimate access to resources administered by the Fund. Retrofitting was an important issue and would be examined in the Panel's report.

46. In response to one delegation's request for clarification, Dr. Kuijpers explained that cyclopentane is a post-CFC and post-HCFC substitute and that methylene chloride had toxic effects and health effects and that replacement chemicals were available.

D. Presentation of the recommendations of the Technology and Economic Assessment Panel on: (i) essential uses of halons; and (ii) international recycled halon bank management

47. Presenting the recommendations of the Technology and Economic Assessment Panel on nominations for essential use production/consumption exemptions and international bank management of halons, Dr. Stephen Andersen, a Co-Chair of the Assessment Panel, said that the Panel had seven options committees, all composed of a large number of the world's best technical experts. The 1993 decision on essential uses would not affect production of halon for use in developing countries, which had a later halon phase-out schedule under the Protocol, and that developed countries were permitted to continue to use halons from recycled and existing stocks and to trade in recycled substances. The Technology and Economic Assessment Panel had endorsed the unanimous recommendation of the Halons Technical Options Committee that there need not be essential use exemptions for 1994, because it was either technically and economically feasible to eliminate nominated uses with alternatives or because adequate supplies of banked halons were available for those uses. Discussing the importance of future cooperation on halon bank management and the expansion of information exchange, he drew attention to the increasing technology documentation available throughout the world, including listing of the sources of halon which could be obtained through the UNEP Industry and Environment Programme Activity Centre.

48. In conclusion, he said that the Technology and Economic Assessment Panel had been particularly encouraged by the low number of requests that had been received for exemptions for military applications, by the response of the military and civilian aircraft industry, and by the support received from the members of the North Atlantic Treaty Organization, which had recommended an acceleration of the phase-out during the Fourth Meeting of the Parties.

49. Mr. Gary Taylor, Co-Chair with Major Thomas Morehouse of the Halons Technical Options Committee, said that the Committee had reviewed all nominations for exemption on the basis of the criteria, and using the procedure, set out in decision IV/25 of the Fourth Meeting of the Parties. For almost all nominated uses, it had found that alternative technologies were available, particularly for new installations. Therefore, most nominations were rejected on the criteria set out in paragraph 1(a)(ii) of decision IV/25. In addition, as could be seen from section 1.2 of the executive summary of the Committee's report (UNEP/OzL.Pro/WG.1/9/6), existing halon stocks amply covered the total quantity of halons for which exemptions had been sought. It should also be noted that the economic feasibility of substitutes would increase as the major producers closed their manufacturing plants by the end of 1993, leaving all production to be carried out on a small scale, with the consequent increase in cost. The Committee did not know if the nominees had endeavoured to meet their needs from existing supplies, but it was concerned that the granting of exemptions for continued production would lead to continued reliance on halons and constitute an obstacle to the development of replacements and alternative strategies. For all the above reasons, it could not recommend approval of any exemption.

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50. In the light of the information received from the Halons Technical Options Committee and the Technology and Economic Assessment Panel, several delegations including Austria, Belgium, Finland, Germany, Italy, Japan, Malta, Poland and the United Kingdom either withdrew their nominations for exemption or explained that their correspondence with the Secretariat had been mistakenly construed by the Halons Technical Options Committee, some emphasizing that the situation regarding supply and access must be subject to continuous review and reserving their right to submit nominations for exemption in future years if the need arose. Some delegations said that they completely agreed with the report of the Panel, even though they were not formally withdrawing their nominations at that point, because of lack of authorization from their Governments.

51. Some delegations described measures taken in their respective countries in relation to halon bank management, recycling and the use of alternative technologies. One, however, said that expert estimates showed that many branches of industry in his country, as well as its armed forces, were not ready to give up halon production completely in such a short period of time and it would therefore be very difficult for his country to meet the requirements of the schedule provided for in Copenhagen, especially in respect of essential uses.

52. With reference to the aviation industry, several delegations stressed the importance of halons in civil and military aircraft, noting that no substitutes existed for fixed fire suppression applications, and referred to the need for international cooperation ensuring that aircraft were recharged.

53. Referring to technical aspects, one delegation stressed the need to study halon quantity and quality; a number of countries were destroying halon stocks which could lead to shortages in the medium term.

54. One delegation also mentioned that the study on the trade aspects of the halon banks should adequately cover the distributional and the prices issue. Another delegation noted the importance of the work on impediments to trade in halons being continued.

55. Mr. Taylor (Co-Chair of the Halons Technical Options Committee), replying to a question regarding the quality of recycled halons, said that both recycled and newly manufactured halons could comply with standards ISO 7201 and ASTM ES24-93 and could therefore be chemically indistinguishable.

56. Responding to a question from another delegation, he said that purification of halons before reuse was necessary only where their source was doubtful or contamination suspected. On questions from some delegations regarding information about and access to halon banks, he said that the Halons Technical Options Committee intended to update constantly the information which could be obtained by any interested party from the UNEP IE/PAC office in Paris.

57. On the question of the costs of alternative technologies and the necessary relevant information and training raised by one delegation, he replied that the cost comparison for alternatives would be available from UNEP IE/PAC.

Recommendations

58. At the end of its consideration of this item the Working Group adopted the following recommendations on the basis of an informal proposal submitted by the Co-Chairman:

Essential uses

1. The Open-ended Working Group notes with appreciation the work done by the Technology and Economic Assessment Panel and its Halons Technical Options Committee in accordance with decision IV/25 and recommends to the Fifth Meeting of the Parties to decide that:

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No level of production or consumption is necessary to satisfy essential uses of halon in developed countries for the year 1994 since there are technically and economically feasible alternatives and substitutes for most applications, and since halon is available in sufficient quantity and quality from existing stocks of banked and recycled halon.

The Open-ended Working Group requests the Secretariat to inform the international aviation organizations of this recommendation and the conclusions of the Halons Technical Options Committee and encourage them to review their relevant standards in the light thereof.

Halon bank management

2. The Open-ended Working Group notes with appreciation the efforts of UNEP IE/PAC to function as a clearing-house for information relevant to international halon bank management and recommends to the Fifth Meeting of the Parties:

To request UNEP IE/PAC to continue their work in this field in cooperation with the Halons Technical Options Committee, including holding details of all known halon banking schemes and a list of those "banks" with halon for sale, and to encourage all Parties to submit such information to UNEP IE/PAC.

Standards for recycled halon

3. The Open-ended Working Group further notes that today there are no appropriate methods to distinguish between newly manufactured and recycled material but recommends in accordance with decision IV/26 to the Fifth Meeting of the Parties that ISO 7201 and ASTM ES24-93 are appropriate technical standards for recycled halon that Parties may choose to apply nationally.

E. *Presentation of the recommendations of the Technology and Economic Assessment Panel on the feasibility of banning or restricting from States not Party to the Montreal Protocol the import of products produced with, but not containing, controlled substances in Annex A, in accordance with paragraph 4 of Article 4 of the Protocol*

59. Dr. Stephen Andersen, a Co-Chair of the Technology and Economic Assessment Panel, presented the recommendations of the Panel on the feasibility of banning or restricting from States not Party to the Montreal Protocol the import of products produced with, but not containing, controlled substances in Annex A, in accordance with paragraph 4 of Article 4 of the Protocol.

60. He explained that, for a wide variety of products produced with controlled substances, no trace of the controlled substance remained; for others, traces remained but could be detected only with great difficulty. Detection was best effected using gas chromatography but many administrative, technical and regulatory problems would arise in implementing such procedures. In addition, phase out might be completed before detection systems were operational and almost all countries with export potential had ratified the Protocol. It was, therefore, not practicable to impose such a ban under Article 4 of the Protocol.

Recommendation

61. On completion of its discussion of the topic, the Working Group adopted the following recommendation:

The Open-ended Working Group notes with appreciation the work by the Technology and Economic Assessment Panel regarding the feasibility of banning or restricting the import of products produced with but not

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containing, controlled substances and recommends to the Fifth Meeting of the Parties to decide that it is not feasible to impose a ban or restriction on the import of such products under the Protocol at this stage. The Technology- and Economic Assessment Panel is requested to review this issue at regular intervals.

F. Presentation of the report of the Executive Committee of the Multilateral Fund on the operation of the financial mechanism since 1 January 1991

62. Ms. Eileen Claussen, Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol, presented the Committee's report on the operation of the Financial Mechanism since 1 January 1991 (UNEP/OzL.Pro/WG.1/9/3). She said that 1991 had been a year of infrastructural development necessary for the Committee to begin its work of approving country programmes, workplans and projects to achieve actual reductions in the use of ozone-depleting substances. The real work of the Committee had begun in 1992, in the course of which nine country programmes and the first investment projects had been approved, new procedures had been adopted to ensure implementing agency coordination and avoidance of duplication of effort, UNIDO had been added as a fourth implementing agency, and the time required for disbursement of funds had been shortened from approximately one year to six months, meaning that most of the \$50 million in projects approved over the previous two Executive Committee meetings would be disbursed before the end of 1993. The current year, 1993, had seen a large increase in project and country programme approvals, with a total of 30 expected to have been approved by the end of the year, \$52 million in activities already approved, and over \$50 million more likely to be submitted for the Committee's final meeting of the year. In addition, several important processes had been initiated to improve the operations of the Fund, and a permanent subcommittee established to deal with financial matters.

63. Looking to the future, she said that, with the Fund clearly operational, the quality and pace of project proposals would improve over the coming few years as the implementing agencies continued to improve their operations as they gained experience. Early Executive Committee support for institutional strengthening in Article 5 countries, as well as the approval of increasing numbers of country programmes, would facilitate more expeditious project development. The number of Article 5 Parties had increased dramatically and many of the 50 or so developing countries not yet Parties would ratify in the next one or two years.

64. She said that outstanding contributions for 1991 and 1992 currently stood at 19 per cent. About 74 per cent of that shortfall could be attributed to six countries with economies in transition, 1 per cent to two non-Article 5 developing countries, and the remaining 25 per cent to several developed countries. A dialogue had been initiated with Bulgaria, Hungary and Poland, as well as other countries with economies in transition, to identify possible ways of facilitating useful contributions from those countries and the outcome of that dialogue was before the Working Group (UNEP/OzL.Pro/WG.1/9/5). Of the developed countries with contributions in arrears, two had submitted promissory notes which had facilitated access to a portion of their 1991 and 1992 pledges, two had paid their 1991 but not their 1992 contributions, and one had not made any contribution at all. To address the problem, the Executive Committee had decided that: the Treasurer would send out regular letters of notification of outstanding contributions; the President of the Meeting of the Parties, the Executive Director of UNEP and the Chair of the Executive Committee should use their good offices to press those with unpaid contributions; the status of contributions would be made publicly available; and, the Treasurer had been requested to prepare a study on the implications of using promissory notes for payment of contributions.

65. Finally, noting that the Committee currently was left with just \$7 million after its previous meeting and would have projects worth \$50 million or \$60 million before it at its next meeting, she stressed that without financial resources available to the Fund, projects could not be approved and the Committee would be unable to initiate the process leading to

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reductions in the use of ozone-depleting substances. She therefore called for the 1993 contributions to be made as soon as possible.

66. The delegations who took the floor under this item thanked the Chair of the Executive Committee of the Multilateral Fund for her report. Many expressed their agreement with the report, stating that it should be approved by the Working Group and forwarded to the Fifth Meeting of the Parties. Several delegations supported the statements by the Executive Director concerning the continuing seriousness of stratospheric ozone depletion and the need to honour previous commitments.

67. Some delegations suggested that the report could be improved by including specific references to the amount of ozone-depleting substances to be phased out as a result of the projects or the setting of specific objectives for projects. Many delegations expressed the view that the operation of the Fund had improved, as reflected in the report, but that a variety of additional improvements were necessary.

68. On the question of project implementation, many delegations criticized the time-lag between project approval and implementation by the respective implementing agencies. Many delegations noted that the procedures of the implementing agencies were cumbersome and lengthy and should be simplified. Some delegations urged that the varying conditions in different countries must be taken fully into account at all stages of project implementation.

69. Many delegations called for prompt and full contributions to the Fund in accordance with pledges. Arrears could threaten the operation of the Fund as the Executive Committee was prohibited from approving projects unless sufficient funds were in hand.

70. One delegation requested information from the Executive Committee, as directed in decision IV/21 by the Parties, on the procedure for countries with economies in transition to contribute to the Multilateral Fund. Another delegation requested clarification concerning the necessity for Parties that had not ratified the London Amendment to contribute to the Multilateral Fund.

71. Several delegations supported the Executive Director's suggestion that the Parties allow the Multilateral Fund to finance projects related to methyl bromide.

72. Several delegations noted that the importance of phasing out halons necessitated more funding for halon-related projects and, in particular, halon banks.

73. The Chair of the Executive Committee of the Multilateral Fund, responding to questions and comments from delegations, said that progress had been made in cutting disbursement time from one year to six months. Between approval and implementation two major steps had to be taken. The first was appraisal of all comments made by the Executive Committee. She considered that it might be possible to speed up that process but felt that it was an essential part of the procedure. Secondly, negotiation of agreements took place to ensure that the project was carried out in compliance with its presentation and approval. Several measures might be taken to attempt to shorten the six-month interval: first, the World Bank was working on a framework agreement which could apply to all projects implemented; secondly, UNDP was using field officers, who understood conditions in the country and should speed up activities; and, thirdly, UNIDO, now an implementing agency, could execute directly resulting in improved time-frames. She assured the representatives of the Working Group that the implementing agencies shared their views on the matter.

74. On the establishment of halon banks, she said that a global halon project had been funded through the Executive Committee.

75. In regard to methyl bromide project funding, the Executive Committee was not allowed to fund such a project, but she considered it useful that information should be collected through country projects so that progress

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could be made as soon as controls came into force.

76. Referring to achievements by the Fund, she pointed out that expenditure on large projects was only being initiated now and that further expenditure would be made in stages as progress was achieved. The 350 activities in some 45 countries would result in an annual reduction of consumption of 30,000 tonnes of ozone-depleting substances. That was far beyond the reduction envisaged in the Protocol.

77. On the matter of promissory notes, the Treasurer of the Fund had been asked to prepare a discussion paper for the Executive Committee which would take the matter up at its forthcoming meeting in November 1993.

78. The representative of Hungary reiterated his country's commitment, despite significant economic problems, to fulfilling its financial obligation to the Fund. He expressed his country's appreciation to the Fourth Meeting of the Parties, which in its decision IV/21, had recognized his country's current situation. Referring to document UNEP/OzL.Pro/WG.1/9/5, he confirmed that his Government stood ready to provide available technologies and expertise to explore all possibilities of in-kind contributions and cooperate with the Executive Committee, the Fund Secretariat and implementing agencies to that end.

Recommendation

79. Following its consideration of this item, the Working Group adopted the following recommendation as proposed by the Co-Chairman, on the basis of a consensus arrived at in an informal working group:

In accordance with decision IV/18 of the Fourth Meeting of the Parties, and in the spirit of reaffirming their commitment to reduce and eliminate the use of ozone-depleting substances, the Open-ended Working Group:

(a) *Has reviewed* the report on the operation of the financial mechanism since 1 January 1991 and *recommends* that it be transmitted to the Meeting of the Parties;

(b) *Notes with satisfaction* that the operation of the Fund has markedly improved since the commencement of its activities and *congratulates* the Executive Committee on its excellent work;

(c) *Recommends*, in the light of the report, that the Meeting of the Parties request the Executive Committee to continue to make its best efforts to ensure, in accordance with national priorities and procedures and in conformity with the Multilateral Fund's terms of reference, that:

(i) Continued improvements are made to the implementation processes for country programmes, workplans and projects with the aim of ensuring their speedy implementation, and in particular the disbursement of funds;

(ii) The Fund Secretariat, implementing agencies and Parties concerned develop implementation processes to avoid duplication of effort, working within their respective areas of expertise;

(d) *Also recommends* that the Fifth Meeting of the Parties request the Executive Committee to ensure that its annual reports cover the achievements of the operation of the Fund in accordance with its terms of reference, paying particular attention to priorities set, actions taken and progress made.

- G. *Presentation of the report of the Executive Committee of the Multilateral Fund on its three-year plan and budget based on: the needs of Parties operating under paragraph 1 of Article 5 of the Protocol; the capacity and performance of the implementing agencies; and the strategies and projects to be implemented by the Parties operating under paragraph 1 of Article 5 of the Protocol*

80. Presenting the report of the Executive Committee of the Multilateral Fund on its three-year plan and budget (UNEP/OzL.Pro/WG.1/9/4), prepared in accordance with section II, paragraph 1(b), of decision IV/18 of the Fourth Meeting of the Parties, the Chair of the Committee said that the document relied heavily on the country programmes that had been submitted and took into account the projects that had been approved to date and the projects currently under development by the implementing agencies and the Article 5 countries, as well as the three studies which had been presented to the Open-ended Working Group and the Fourth Meeting of the Parties in 1992 to assess the needs of Article 5 countries in the period 1994-1996. The resultant proposed budget amounted to \$510 million. That figure had been arrived at after careful consideration, whereby the implementing agencies had determined that it was a conservative estimate of what they and the counterparts could accomplish over the three-year period. It was also consistent with the previous three analytical studies, which all predicted that the needs of the developing countries over the 1994-1996 period would be in the range of \$416 million to \$616 million.

81. She said that there had been a great improvement in the performance of the implementing agencies but there was still scope for further progress. However, with an operational system in place and expectations now clearly defined, the implementing agencies were poised to take advantage of the significant learning and investment in institutional strengthening that had occurred over the previous two years and absorb an increasing amount of projects over the period 1994-1996.

82. Stressing that the risks of under-allocation far outweighed those of over-allocation, she said that the budget would, by allowing early implementation of ozone protection projects, serve to reduce peak chlorine loadings as well as future demands on the Fund. She urged the Group to support it.

83. Delegations who took the floor under this item thanked the Chair of the Executive Committee for her report.

84. Many delegations expressed full support for the proposed replenishment of \$510 million for 1994-1996 and for forwarding the report to the Fifth Meeting of the Parties. Several of those delegations stated that the proposal represented the minimum of what was needed. The increasing number of projects and faster disbursement rate expected of the Fund, the existence of four studies indicating the need for similar funding levels, the importance of reducing ODS consumption in Parties operating under Article 5, the increase in the number of such Parties since the Fourth Meeting of the Parties and the likely further increase in such Parties were cited in support of this increase.

85. Many other delegations expressed general support for the report and acknowledged that there were grounds for a substantial increase in the size of the Multilateral Fund but stated that they could not commit themselves to a specific figure at that time.

86. Some delegations doubted whether the Fund could absorb a large increase when there remained important administrative questions concerning the Fund's operation. The cost-effectiveness of the projects should be improved greatly. Another delegation emphasized that decisions concerning replenishment should not be related to administrative problems which the Fund was currently addressing but were political issues in which the key question

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was the willingness of the Parties to fulfil their commitments.

87. One delegation stated that his Government believed it was difficult to justify an increase in the size of the Fund above the range of \$340 to \$500 million agreed to by the Fourth Meeting of the Parties. As only a small amount of the funds provided to date was currently being used for projects, a 40 per cent increase in the size of the Fund from \$240 million in 1991-1993 to \$340 million in 1994-1996 was sufficient.

88. One delegation enquired whether the existence of significant arrears for the period 1991-1993 should negatively affect the level of replenishment needed for 1994-1996.

89. One delegation favouring an increase in the size of the Fund identified several issues which the Fund Secretariat might address in order to facilitate deliberations at the Fifth Meeting of the Parties in November: were possible future arrears built into the calculations of funding levels in the report; what were the implications for ozone depletion of different funding levels; were there steps which might be taken to maximize interest on Fund resources; would further prioritizing activities to be funded be appropriate in order to achieve maximum impact at least cost; and could partnerships be formed with other interested groups to supplement Government funding.

90. One delegation expressed the view that priority for investment money from the Fund should be given to Parties that had already finalized their country programmes.

91. Some delegations expressed the view that contributions to the Fund were less onerous than they would at first appear because a great deal of the money spent during individual projects returned to contributors in the form of payment for equipment and technology.

92. One delegation expressed the view that the terms "donor" and "recipient" obscured the true relationship among Parties, which was one of partnership.

93. One delegation sought clarification on the significant differences in the proposed allocations to different sectors given the potential reduction in ozone-deleting substances that could be achieved quickly in some sectors.

94. Replying to points raised in the debate, the Chair of the Executive Committee said that a number of projects had been turned down by the Committee because they were not cost-effective. The Executive Committee concentrated continuously on cost-effectiveness. She explained that refrigeration projects were cost-effective in the long term and that the World Bank had been requested to supply a list of projects on the basis of cost-effectiveness by sector.

95. In answer to the question regarding the differences between allocation of funds to particular sectors, she replied that the difference was due to the fact that the cost of projects relating to some sectors was considerably lower than for others.

96. She agreed fully that the existence of arrears in contributions should not result in a lower replenishment for the future.

97. Regarding the consequences for the ozone layer of different levels of the Fund, she said that it was possible to estimate - though perhaps not precisely - what could be achieved with differing amounts but stressed that postponement would entail greater costs as the problem would become worse.

98. On the matter of maximizing interest on temporary surplus Fund resources, the Treasurer would study the issue in time for the Fifth Meeting of the Parties.

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99. Regarding the criticism of the use of the terms "donors" and "recipients", she agreed that the concept underlying the Montreal Protocol was one of partnership.

Recommendation

100. Following its consideration of this item, the Working Group adopted the following recommendation as proposed by the Co-Chairman on the basis of a consensus arrived at in an informal working group:

In accordance with decision IV/18 of the Fourth Meeting of the Parties and in the spirit of reaffirming their commitment to reduce and eliminate the use of ozone-depleting substances, the Open-ended Working Group of the Parties:

(a) *Has reviewed* the three-year plan and budget prepared by the Executive Committee;

(b) *Finds* that the proposed three-year plan and budget of US\$ 510 million represents a reasonable estimate of the needs of Article 5 Parties and the growing capabilities of the implementing agencies to address those needs, in conformity with the Multilateral Funds's terms of reference;

(c) On the understanding that some Parties cannot at this meeting of the Open-ended Working Group commit to a specific dollar amount, *recommends* that the Parties give due consideration to the level of funding proposed by the Executive Committee for 1994-1996;

(d) In order to support a decision to be taken by the Fifth Meeting of the Parties on replenishment for the Multilateral Fund, *requests* the Executive Committee to prepare a report for its consideration prior to the Fifth Meeting of the Parties covering:

- (i) The impact of the non-committed resources at the end of 1993 on the 1994-1996 assessments;
- (ii) Clarification of the eligible methods of payment in an effort to ensure that pledged funds are available when they are needed for implementation of approved projects.

101. After the adoption of the recommendation, the representative of the Russian Federation stated that the difficulties facing Bulgaria, Hungary, and Poland, were similar to those facing all countries with economies in transition, including the Russian Federation. The transition process was a lengthy one and could not be achieved without the political, economic and moral support of other countries. Nevertheless, the granting of a special regime with regard to contributions and the implementation schedule did not

mean that the Russian Federation was refusing to meet its obligations under the Multilateral Fund. It was actively engaged in the search for ways to participate practically in programmes and projects using Russian technologies and experts. More detailed information would be submitted to the Secretariat and implementing agencies.

H. *Presentation of the report of the Executive Committee of the Multilateral Fund on funding of methyl bromide projects*

102. Introducing this item, the Chair of the Executive Committee recalled that the Committee had rejected a request by UNDP to fund a project in China for the collection of methyl bromide information, for the reasons explained in the note by the Executive Director (UNEP/OzL.Pro/WG.1/9/2, paras. 16-17).

It was, however, considered very useful for countries to collect information on methyl bromide and the Committee had therefore suggested that the Working

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Group should consider the inclusion of a study of consumption of methyl bromide while preparing country programmes. The note of the Executive Director (para. 18) spelt out various options. The Committee would recommend the option contained in paragraph 18(b), i.e. funding the collection of information only on the consumption of methyl bromide by Parties operating under Article 5, paragraph 1, to the exclusion of projects which went beyond such data collection.

103. All the delegations that spoke on this issue recognized the need for greater information on methyl bromide in developing countries. Many, however, felt that a broader range of projects should be supported especially to enable developing countries to assess the alternatives in order to make an informed decision on control measures regarding methyl bromide. The assistance of the Technology and Economic Assessment Panel could be obtained for identifying these projects. Some delegations suggested that funding should be strictly limited to information gathering within the context of country programmes. One delegation said that projects should be initiated but not from the resources of the Multilateral Fund, while another said that funding was needed for studies on substitutes, through whatever channel it might be delivered.

104. One delegation asked about the situation of those countries that had already received approval for their country programmes without the inclusion of a methyl bromide component.

105. Another delegation asked how the legal difficulties involved in supporting projects relating to a substance not yet controlled could be overcome.

Recommendation

106. Following the discussion on this item the Working Group adopted the following recommendation on the basis of an informal proposal submitted by the Co-Chairman:

The Open-ended Working Group *recognizes* the current legal constraints for the Multilateral Fund to provide funds for projects regarding methyl bromide; likewise, it *recognizes* the need to understand the implications of the issue of methyl bromide for agriculture in developing countries.

The Open-ended Working Group *stresses* the need for the Parties to be able to make informed decisions regarding controls of methyl bromide and *requests* the assessment panels, in particular the Technology and Economic Assessment Panel, to continue their work regarding methyl bromide in accordance with decision IV/23 and *stresses* the need for sufficient information to be available to the Technology and Economic Assessment Panel to fulfil this decision, in particular paragraph (c) thereof.

The Open-ended Working Group *notes* that the Panel's valuable work is carried out at no cost to the Multilateral Fund.

The Open-ended Working Group *notes* that the Protocol as amended in Copenhagen requires a Party to report data on its production, import and export of methyl bromide.

[Therefore, the Open-ended Working Group *recommends* that the Fifth Meeting of the Parties should authorize the Executive Committee to provide funding for a limited number of methyl bromide projects for data collection, information exchange within the scope of country programmes, in line with paragraphs (b) and (c) of decision IV/23, as

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well as for a limited number of methyl bromide alternative demonstration projects, which should be selected with the assistance of the Technology and Economic Assessment Panel, and that it should request the implementing agencies to cooperate according to their specific expertise to assist in implementing the present recommendation.]

The Open-ended Working Group also encourages Parties to provide bilateral support for other methyl bromide studies and projects in developing countries [over and above contributions to the Fund].

I. *Contributions to the Multilateral Fund from developing countries classified as not operating under paragraph 1 of Article 5 but subsequently reclassified as operating under paragraph 1 of Article 5 on the basis of data reported to the Secretariat*

107. A number of delegations who took the floor under this item expressed full support for the relevant sections of the report of the Secretariat, (UNEP/OzL.Pro/WG.1/9/2, paragraphs 19-22). Problems related to contributions to the Multilateral Fund from developing countries classified as not operating under paragraph 1 of Article 5 but subsequently reclassified were technical and procedural problems, not substantive matters relating to non-compliance. Decisions by the Parties, the Secretariat and the Executive Committee of the Multilateral Fund must reflect the fundamental division between Parties consuming more than 0.3 kilograms of the controlled substances in Annex A of the Protocol and those consuming less. A Party which is reclassified as operating under paragraph 1 of Article 5 should not be required to contribute to the Multilateral Fund for the years for which it has been reclassified nor should it be denied full eligibility for the grace period and for the resources of the Fund.

108. A number of delegations expressed the belief that the issues surrounding contributions to the Multilateral Fund from developing countries classified as not operating under paragraph 1 of Article 5 but subsequently reclassified were important and complex and that despite clarifying a number of points, the Secretariat's report raised more questions than it answered. Noting that these issues could have important financial, legal, political and environmental ramifications, those delegations requested the Ozone Secretariat with the assistance of the Fund Secretariat to prepare a report for consideration at the Fifth Meeting of the Parties which would examine in greater detail important issues relating to reclassification.

109. Among the questions that report should address were: (i) would a distinction be shown between Parties that provided data on time and those who did not; (ii) would a distinction be shown between Parties which paid their contributions and those which did not; (iii) would contributions already paid be refunded; (iv) could Parties correct their own data and benefit from such corrections; (v) if the contributions of countries reclassified as operating under Article 5, paragraph 1, were cancelled, would the amount involved be considered a simple loss to the Multilateral Fund or should it be divided among the other contributors in a *pro rata* basis; (vi) since the reclassified Parties agreed to the earlier decision of a Meeting of the Parties regarding their contribution, can they ask for a change in that decision; (vii) what would be the impact of reclassification on eligibility for support from the Multilateral Fund; (viii) what would be the impact on the Fund of such eligibility; and (ix) would reclassified Parties exercise their right to a ten-year grace period and, if so, what would be the implications for ozone depletion.

110. One delegation from a developing country currently not operating under paragraph 1 of Article 5 noted that it had taken a variety of measures to implement the Protocol but faced significant rebuilding costs due to a recent war and requested an extension in fulfilling provisions of the Protocol, including an extension in the time required to report data. The Co-Chairman of the Working Group stated that the issue was beyond the competence of the Working Group and that the delegation should address the matter to the Implementation Committee.

111. In response to this discussion, the Co-Chairman and the Working Group

requested the Ozone Secretariat with the assistance of the Fund Secretariat to prepare a comprehensive study of the issues raised during the debate for consideration at the Fifth Meeting of the Parties.

IV. OTHER MATTERS

112. The delegation of Austria stated that the ministers responsible for environmental matters in Germany, Liechtenstein, Switzerland and Austria, at their meeting in Graz on 22 and 23 August 1993, had discussed further means to protect the ozone layer from HCFCs, particularly accelerated phase-out, highlighting, first, that substitutes for fully halogenated CFCs could already be made in many areas without using HCFCs, secondly that the Copenhagen programme to abandon the use of HCFCs should start now, not in the year 2004 and, thirdly, that the abandonment programme should be completed much earlier than the year 2030. All efforts should therefore be made for complete phase-out as soon as possible. The relevant document would be made available to the meeting of the Parties in Bangkok.

113. One delegation, speaking on behalf of a regional economic integration organization and its member States, drew attention to the fact that the fifth session of the Technical Working Group of the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal was currently taking place in Geneva and that, at the request of the Ozone Secretariat for an opinion regarding applicability of the Basel Convention to transboundary movements of ozone-depleting substances intended for recovery operations, that Working Group had prepared a note for consideration by Parties to the Basel Convention dealing with the classification of ozone depleting substances as hazardous wastes in accordance with the Basel Convention definitions. She expressed surprise that the note had not been circulated to the Parties for consideration. She suggested, and the Working Group agreed, that Mr. Carstensen should act as a representative of the Parties to the Montreal Protocol and address the matter when it was discussed. Furthermore, it would be helpful if the Ozone Secretariat would prepare a note on the issue for consideration at the forthcoming meetings in Bangkok.

114. The Secretariat noted that Parties to the Montreal Protocol could not determine classifications of ozone-depleting chemical waste under the Basel Convention but that it would be helpful to all concerned for them to convey their thoughts on this matter to the Parties of the Basel Convention. The Secretariat had been working closely with the Secretariat of the Basel Convention and had requested from it further clarification regarding the implications of such classifications.

115. One delegation said that the Secretariat had received and circulated data from a number of non-Parties seeking exemption from the trade restrictions in Article 4 and, in many cases, referring to decision IV/17 C of the Fourth Meeting of the Parties. There had, however, been no official communication from the Secretariat concerning Colombia, the subject of the decision IV/17 B. He said that it was important for all countries to be informed that trade restrictions should not be imposed on that country.

116. The same representative also suggested the updating of the report regarding the needs of the developing countries for controlled substances during their grace period.

117. In response, the Secretariat said that all Parties had been notified of decision IV/17 B and there was therefore no need for further correspondence on the exemption granted to Colombia. All data submitted to the Secretariat in response to decision IV/17 C had been duly communicated to all Parties.

118. One delegation suggested that the Parties examine the location for future Working Group meetings with the view of holding more meetings in developing countries, particularly at UNEP headquarters in Nairobi.

119. Two delegations noted that in the most recent accounting of contributions to the Multilateral Fund, their levels of contributions had

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been recorded inaccurately.

120. The Secretariat noted that many contributors to the Montreal Protocol Trust Fund which provides for the operation of the Secretariat were in arrears and appealed to the delegations to remedy the situation.

121. The delegate of Thailand informed the Working Group of the arrangements for the forthcoming meeting of the Parties in Bangkok and invited all the Governments to participate in this meeting.

V. ADOPTION OF THE REPORT

122. The Working Group adopted the present report, on the basis of the draft report contained in documents UNEP/OzL.Pro/WG.1/9/L.1 and Add.1-3 at its closing session in the afternoon of Wednesday, 1 September 1993.

VI. CLOSURE OF THE MEETING

123. After the customary exchange of courtesies, the Co-Chairman declared the meeting closed at 6 p.m. on 1 September 1993.
