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**Nineteenth Meeting of the Parties  
to the Montreal Protocol on  
Substances that Deplete the Ozone Layer**  
Montreal, 17–21 September 2007

**Report of the Nineteenth Meeting of the Parties to the Montreal  
Protocol on Substances that Deplete the Ozone Layer****Introduction**

1. The Nineteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer was held at the Palais des Congrès de Montréal in Montreal, Canada, from 17 to 21 September 2007. It consisted of a high-level segment, held on 17, 18 and 21 September, and a preparatory segment, held from 18 to 21 September.

**Part one: high-level segment****I. Opening of the high-level segment of the meeting**

2. The high-level segment of the meeting was opened by Mr. Omar Rodríguez Tejada, Vice-President of the Bureau of the Eighteenth Meeting of the Parties. On behalf of the Bureau, he welcomed the meeting participants to Montreal.

**A. Welcome and statements by host Government officials**

3. In his opening statement, Mr. John Baird, Minister for the Environment of Canada, welcomed the meeting participants on behalf of the Prime Minister and the Government of Canada. He said that the recovery of the ozone layer, which had occurred as a result of implementation of the Montreal Protocol, would avert millions of cases of skin cancer and eye cataracts. The fight to eliminate ozone-depleting substances was not over, however. While the use of hydrochlorofluorocarbons (HCFCs) provided short-term relief, they were not intended to be a permanent solution. HCFCs not only harmed the ozone layer but also contributed to global warming; their phase-out remained a priority. Canada had been one of the first signatories of the Montreal Protocol and was committed to working with the United Nations Environment Programme (UNEP) and other organizations on the critical issues of ozone depletion and global warming. During the 20 years of the Montreal Protocol, much had been learned about atmospheric science and the fragility of the ozone layer and about what could be achieved through global cooperation. If the global community addressed climate change over the coming years and decades with the same resolve that led to the adoption of the Montreal Protocol then it would be equally successful.

## **B. Welcome and statements by United Nations officials and others**

4. In his opening statement, Mr. Achim Steiner, Executive Director of UNEP, said that the twentieth anniversary of the Montreal Protocol was an inspiration to those who believed in the power of science to influence decision-making and in the ability of States to respond to that science through cooperative action. He said that the Protocol's success had been extraordinary and demonstrated that international agreements should not be static but rather should adapt to changing scientific and political circumstances. The public perception, he said, was often of a divided rather than a United Nations but local and national success in dealing with environmental challenges could only be achieved through collaboration with the rest of the world. The effectiveness of the Montreal Protocol offered proof that there were still grounds for optimism about the future of the planet and there was an opportunity to take the Protocol to the next level by harmonizing work on ozone-depleting substances and greenhouse gases and exploring further linkages with the United Nations Framework Convention on Climate Change. He urged the meeting participants to seize every opportunity to find solutions that could positively affect the quality of life of the current and future generations, stressing that the United Nations was truly the forum where such issues could be resolved and where equitable, fair and meaningful agreements could be reached.

## **II. Recognition of dignitaries and presentation of awards for outstanding contributions**

5. During the high-level segment, the Parties recognized the presence of Mr. Mario Molina and Mr. Frank Sherwood Rowland, the 1995 Nobel laureates for chemistry whose work had helped form the basis for the Montreal Protocol. In addition, to mark the occasion of the twentieth anniversary of the Montreal Protocol, Twentieth Anniversary Ozone Protection Awards were presented in the following 10 categories:

- (a) Visionaries Awards, in recognition of extraordinary contributions to the creation of the infrastructure of the Protocol or its Multilateral Fund;
- (b) Outstanding Contributors Awards, in recognition of the extraordinary contributions of those who had taken the vision of the founders and advanced it to address current issues;
- (c) Implementers Awards, in recognition of extraordinary contributions by national ozone units or individuals, whose hard work at the country level had helped to make the Protocol's phase-out goals a reality;
- (d) Innovators Awards, in recognition of the extraordinary contributions of those whose work had facilitated the widespread use of alternatives or alternative technologies that enabled the phase-out of ozone-depleting substances;
- (e) Public Awareness Awards, in honour of outstanding work in raising awareness about ozone depletion and the global effort to address it;
- (f) Partners Awards, in recognition of the work of civil society and international organizations that had played a critical role in the development or implementation of the Protocol;
- (g) Implementing Agency Awards, in recognition of extraordinary assistance to developing countries in the global effort to phase out ozone-depleting substances and protect the ozone layer;
- (h) Bilateral Implementing Agency Awards, in recognition of extraordinary assistance to developing countries in the global effort to phase out ozone-depleting substances and protect the ozone layer;
- (i) Outstanding Service Awards, in recognition of outstanding service to the Parties to the Montreal Protocol and the global effort to protect the ozone layer;
- (j) Technology and Economic Assessment Panel Champion Awards, in recognition of extraordinary service to the Parties to the Montreal Protocol and the global effort to protect the ozone layer.

6. Award ceremonies were held on Sunday, 16 September 2007, at the seminar on the twentieth anniversary, “Celebrating 20 Years of Progress”, on Monday, 17 September, during the high-level segment of the Nineteenth Meeting of the Parties, and on the evening of Thursday, 20 September. The names of the recipients were presented in an awards book published by the Ozone Secretariat to mark the occasion and on its website.<sup>1</sup>

7. In addition, Mr. Steiner presented a special award to the Government of Canada for its outstanding partnership with the Montreal Protocol and exceptional service to the Parties to the Protocol. Mr. Baird presented awards to the Ozone Secretariat and to the secretariat of the Multilateral Fund for their extraordinary efforts to protect the ozone layer. The Vice-Minister of the State Environment Protection Administration of China, Mr. Zhang Lijun, presented Mr. Marco González, Executive Secretary of the Ozone Secretariat, and Ms. Maria Nolan, Chief Officer of the Multilateral Fund Secretariat, with tokens of appreciation for their services to the Parties.

### III. Organizational matters

#### A. Attendance

8. The Nineteenth Meeting of the Parties to the Montreal Protocol was attended by representatives of the following Parties to the Montreal Protocol: Afghanistan, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, European Community, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Serbia, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

9. Representatives of the Holy See attended as observers.

10. Representatives of the following United Nations bodies and specialized agencies also attended: Global Environment Facility, secretariat of the Convention on Biological Diversity, secretariat of the United Nations Framework Convention on Climate Change, United Nations Development Programme, United Nations Environment Programme, United Nations Industrial Development Organization, World Bank, World Customs Organization, World Health Organization, World Meteorological Organization.

11. The following intergovernmental, non-governmental and industry bodies were also represented: AGC Chemical Americas, Inc, Agramkow/RTI Technologies, Albemarle Corporation, Alliance for Responsible Atmospheric Policy, American Farm bureau, American Lung Association, Arysta Lifescience North America Corporation, AUSVEG, BENOC Argentina, Boehringer Ingelheim GmbH, California Cut Flowers, California Strawberry Commission, Chemtura Corporation, China Petroleum and Chemical Industry Association, Confederation Portugaise, Crop Protection Coalition, Desclean Belgium, Dow AgroSciences LLC, Dupont International, Dynatemp International, Inc., Environmental Investigation Agency, Equiterre, Florida Fruit and Vegetable Association/Crop Protection Coalition, Florida Tomato Exchange/Crop Protection Coalition, Fumigation Service and Supply, Gasco Group, M.V., Greenpeace International, Grupo Ecologista del Mayab (Ecological Group of Mayab), Gujarat Fluorochemicals Limited, Health and Clean Air, Industrial Technology Research Institute, Institute for

<sup>1</sup> [http://ozone.unep.org/20th\\_Anniversary/20th\\_anniv\\_Awardees.pdf](http://ozone.unep.org/20th_Anniversary/20th_anniv_Awardees.pdf).

Governance and Sustainable Development, International Council of Environmental Law, International Institute of Refrigeration, International Network for Environmental Compliance and Enforcement, International Pharmaceutical Aerosol Consortium, Japan Fluorocarbon Manufacturers Association, Japan Industrial Conference for Ozone Layer and Climate Protection, Japan Industrial Conference on Cleaning, Liasons Franco Nigeraïnes, Manitoba Ozone Protection Industry Association Natural Resources Defense Council, Navin Florine, North American Insulation Manufacturers Association, Organization for the Prohibition of Chemical Weapons, Sierra Club of Canada, Skadden, Arps, Slate, Meager and Flom, LLP, Trical, Unisféra, World Business Organization.

## **B. Officers**

12. At the opening session of the high-level segment, in accordance with paragraph 1 of rule 21 of the rules of procedure, the following officers were elected, by acclamation, to the Bureau of the Nineteenth Meeting of the Parties to the Montreal Protocol:

President:	Mr. Khalid G. Al-Ali (Qatar) (Asian and Pacific group)
Vice-Presidents:	Mr. Miroslav Spasojevic (Serbia) (Eastern European group)
	Mr. Nicolas Kiddle (New Zealand) (Western European and others group)
	Ms. Mayra Mejia (Honduras) (Latin American and Caribbean group)
Rapporteur:	Ms. Jesca Eriyo (Uganda) (African group)

## **C. Adoption of the agenda of the Nineteenth Meeting of the Parties to the Montreal Protocol**

13. The President introduced the provisional agenda of the high-level segment contained in document UNEP/OzL.Pro.19/1. The Parties then adopted the following agenda of the high-level segment, on the basis of the provisional agenda contained in document UNEP/OzL.Pro.19/1, as orally amended:

1. Opening of the high-level segment:
  - (a) Welcome and statements by host Government officials;
  - (b) Welcome and statements by United Nations officials and others.
2. Recognition of dignitaries and presentation of awards for outstanding contributions.
3. Organizational matters:
  - (a) Election of officers for the Nineteenth Meeting of the Parties to the Montreal Protocol;
  - (b) Adoption of the agenda of the Nineteenth Meeting of the Parties to the Montreal Protocol;
  - (c) Organization of work.
4. Status of ratification of the Vienna Convention, the Montreal Protocol and the amendments to the Montreal Protocol.
5. Presentation of the 2006 synthesis report by the assessment panels.
6. Presentation by the Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol on the work of the Executive Committee, the Multilateral Fund secretariat and the Fund's implementing agencies.
7. Statements by heads of delegations.
8. Credentials of representatives.
9. Report from the co-chairs of the preparatory segment on the result of discussions.

10. Dates and venue for the Twentieth Meeting of the Parties to the Montreal Protocol and the eighth meeting of the Conference of the Parties to the Vienna Convention.
  11. Other matters, including consideration of a Montreal declaration.
  12. Adoption of decisions by the Nineteenth Meeting of the Parties to the Montreal Protocol.
  13. Adoption of the report of the Nineteenth Meeting of the Parties to the Montreal Protocol.
  14. Closure of the meeting.
14. The Parties agreed to consider under item 16 of the agenda for the preparatory segment, "Other matters", the endorsement by the Parties of new co-chairs of the Scientific Assessment Panel.

#### **D. Organization of work**

15. The Meeting of the Parties agreed to follow its customary procedures. It also requested three contact groups that had been set up at the twenty-seventh meeting of the Open-ended Working Group of the Parties to the Montreal Protocol to continue their deliberations at the current meeting under the same chairs. Specifically, those groups were:
- (a) Contact group on terms of reference for the replenishment of the Multilateral Fund (co-chaired by Mr. Jozef Buys (Belgium) and Mr. David Omotosho (Nigeria));
  - (b) Contact group on proposed adjustments to the Montreal Protocol (co-chaired by Mr. Maas Goote (Netherlands) and Mr. Mikheil Tushishvili (Georgia));
  - (c) Contact group on monitoring transboundary movements of ozone-depleting substances and illegal trade (co-chaired by Mr. Nicolas Kiddle (New Zealand) and Mr. Paul Krajnik (Austria)).

#### **IV. Status of ratification of the Vienna Convention, the Montreal Protocol and the amendments to the Montreal Protocol**

16. The Executive Secretary provided an update on the status of ratification of the Vienna Convention, the Montreal Protocol and the amendments to the Montreal Protocol as of 21 September 2007. He said that there were 191 Parties to the Vienna Convention; 191 Parties to the Montreal Protocol; 186 Parties to the London Amendment; 178 Parties to the Copenhagen Amendment; 157 Parties to the Montreal Amendment; and 132 Parties to the Beijing Amendment.

17. The Meeting of the Parties agreed to adopt a decision noting the information that had been provided by the Executive Secretary and urging countries to ratify all instruments to which they were not yet party. The decision as adopted is set out below in chapter XII in part three of the present report.

#### **V. Presentation of the 2006 synthesis report by the assessment panels**

18. The co-chairs of the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel presented the synthesis report of the panels' 2006 assessments.

19. Speaking on behalf of the Scientific Assessment Panel, Mr. A. R. Ravishankara said that the Montreal Protocol was working as intended. Its success was shown by the decrease in the sum of ozone-depleting substances, as measured by effective equivalent stratospheric chlorine, in the lower atmosphere and the stratosphere, as well as early indications of global ozone recovery. The major contributors to the observed trends in ozone-depleting substances were the decreases in methyl chloroform and methyl bromide, the near constancy of halons and increases in HCFCs. The date for the recovery of the Antarctic ozone hole was predicted to be between 2060 and 2075, and those for Arctic ozone and global losses to be around 2050. Both climate change and ozone-depleting substance decreases had contributed to changes in the ozone layer; the dominant factor for the recovery of the ozone layer to pre-1980 values, however, was the decrease in ozone-depleting substances brought about by the Montreal Protocol. Various options for further decreasing ozone-depleting substances had been evaluated.

20. Speaking on behalf of the Environmental Effects Assessment Panel, Ms. Janet Bornman said that the key findings identified for the environmental effects of increased type B ultraviolet (UV-B) radiation included, with respect to human health, damage to the eyes, skin cancers and suppression of the immune system, the last of which was linked to the increasing incidence of skin cancers. It was noted that for fair-skinned populations, skin cancer had been projected to double during the period 2000–2015 and that the incidence of melanoma was still rising in children, likely due to early UV-B exposure. UV-B radiation also had many effects on plant and aquatic ecosystems and could increase biological availability and toxicity of metals and alter carbon and nutrient cycling. Some of those effects were compounded by the interaction of climate change factors. This interaction of UV-B radiation and climate change factors such as high temperature were also evident for some skin cancers and eye damage, which were further exacerbated, and also caused faster degradation of wood and plastics.

21. Speaking on behalf of the Technology and Economic Assessment Panel, Mr. Stephen O. Andersen said that it was technically and economically feasible to accelerate the HCFC phase-out, to tighten methyl bromide controls and to collect and destroy ozone-depleting substances. Other policy-relevant findings were that some carbon tetrachloride and CFC feedstock and process agent uses could be replaced by HCFCs or by not-in-kind manufacturing processes; that HCFC use was increasing rapidly; that the civil aviation sector had not made progress in adopting alternative technologies in new airframe designs; that global phase-out of CFCs in metered-dose inhalers was achievable by 2010; that alternatives existed for almost all controlled uses of methyl bromide but that it would be necessary to undertake registration of several key chemical alternatives and provide incentives for the use of non-chemical alternatives and integrated pest management; that full implementation of barrier films in methyl bromide soil fumigation could significantly reduce dosage rates and emissions; that several low-global warming potential refrigerants provided comparable energy efficiency to HFC-134a in vehicle air conditioning and likely would do so in other sectors and applications; and that a considerable portion of the 3.5 million ODP-tonnes of ozone-depleting substances contained in banks was available for collection and destruction at costs justified by benefits in reducing ozone-depleting substance and greenhouse gas emissions.

## **VI. Presentation by the Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol on the work of the Executive Committee, the Multilateral Fund secretariat and the Fund's implementing agencies**

### **A. Presentation by the Chair of the Executive Committee**

22. Mr. Philippe Chemouny, Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol, delivered a presentation on the activities of the Executive Committee since the Eighteenth Meeting of the Parties in November 2006, summarizing the report contained in document UNEP/OzL.Pro.19/4, which covered the Committee's fiftieth meeting, which took place in New Delhi in November 2006, and its fifty-first and fifty-second meetings, which took place in Montreal in May and July 2007. During that period, he reported, the Executive Committee had approved a total of 228 projects with a funding commitment of \$140.6 million, which, when implemented, would result in the phase-out of an estimated 25,000 ODP-tonnes of consumption and production of ozone-depleting substances.

23. He highlighted three major accomplishments. First, pursuant to decision XVIII/9, the Executive Committee had approved the terms of reference for a study on the treatment of unwanted ozone-depleting substances, including consideration of their destruction. Second, the Executive Committee had made an important policy decision on the phase-out of CFC consumption used for metered-dose inhalers. Following complex and contentious discussions, the Executive Committee had agreed on a framework for providing assistance to countries requiring CFCs for metered-dose inhaler manufacture and had subsequently approved projects for two countries and project preparation for several others. Third, the Executive Committee had considered surveys on HCFC consumption in thirteen countries. The data collected provided the Parties a sense of the magnitude of the issue and had already been used as a reference in the current consultations on a possible accelerated phase-out of HCFC use. The main challenge of determining how to address HCFCs still remained, however. Given the relatively longer phase-out schedule for HCFCs, the Multilateral Fund currently did not have guidelines for defining eligible incremental costs. In view of the positive discussions at the last meeting

of the Open-ended Working Group, however, the Executive Committee had requested the Multilateral Fund secretariat to prepare a discussion document on options for defining those costs.

24. He said that he was proud to be able to announce that by July 2007, China, with the assistance of the Multilateral Fund, had completely phased out its consumption and production of CFCs, apart from a limited amount for the manufacture of metered-dose inhalers, two and a half years ahead of schedule. Other countries had also phased out production significantly ahead of the Protocol's deadlines. Partnership, cooperation and collaboration had been the cornerstones of the success of the Multilateral Fund and there were grounds for pride in what had been achieved. Nevertheless, the remaining steps might well prove to be the most difficult.

## **B. Presentation by the United Nations Development Programme**

25. Speaking for the United Nations Development Programme (UNDP), Mr. Ad Melkert, Associate Administrator, UNDP, said that UNDP was proud to have played a part in the success of the Montreal Protocol. Thanks to the efforts of the Protocol's 191 signatories, it was now expected that the ozone layer would recover in the second half of the century. While that was good news, it was also a frightening reminder of how long it would take to undo the damage that mankind had done to its own environment.

26. He said that in the early days of the Protocol there had been genuine uncertainty as to whether people could be persuaded to forsake useful household utilities for the benefit of something invisible and intangible far above them and whether Governments and communities could make the necessary adaptations. From the celebratory tone of the current week's meeting, it was clear that the answer to those questions had been resoundingly positive. UNDP was proud to be associated with that success and was committed to reconciling the major measures needed to meet global environmental challenges with national priorities and to making meaningful changes in people's lives.

27. He said that it had been particularly challenging for developing countries to commit to assisting with the recovery of the ozone layer when their people had pressing and immediate needs for work, energy and water. Ultimately, however, recovery of the global environment was inseparable from sustainable development. Indeed, one of the most notable aspects of the Protocol's success had been the engagement of both the developed and the developing worlds, with the creation of synergies in support of sustainable development.

28. He noted that twenty years after the signing of the Montreal Protocol and at the mid-point of the period set for achieving the Millennium Development Goals, the Protocol served as a heartening demonstration that multilateral cooperation could improve the environment and the lives of the people who depended on it. The international community needed to recognize that the poor were the most vulnerable to environmental threats, however, and that protection of the environment could not be allowed to compromise their economic growth. He concluded by affirming that the Montreal Protocol's cooperative spirit, ambitious intent and inclusive approach could serve as an example to those seeking to chart the way forward in the post-Kyoto Protocol era.

## **C. Presentation by the United Nations Environment Programme**

29. Speaking on behalf of UNEP, Ms. Sylvie Lemmet, Director, Division of Technology, Industry and Economics, UNEP, said that the success of the Montreal Protocol could be attributed to a number of factors, one of the most important of which was the committed work of national ozone units in Parties operating under paragraph 1 of Article 5 of the Montreal Protocol (Article 5 Parties) and countries with economies in transition. Despite widely recognized difficulties, in the preceding 15 years Governments had succeeded in passing and enforcing legislation at the national level and commercial industries had changed technology in midstream. The UNEP OzonAction programme was proud to be associated with nearly 145 developing countries where such transformations were taking place and gratified to be supported in its efforts by the Multilateral Fund, the Global Environment Facility and bilateral aid agencies, notably those of Sweden and Finland.

30. The role of UNEP as an implementing agency, she said, was to provide capacity-building and technology support, and it had employed innovative mechanisms to enhance the effectiveness of those activities. Such mechanisms included regional networking of national ozone units, encouraging South-South as well as North-South cooperation; targeted special direct compliance assistance to small island developing States and countries in transition; a "training the trainers" approach; and the use of regional trade councils and customs institutes. The result of such action was better-informed and more effective national ozone units.

31. She noted that a recent independent evaluation of Compliance Assistance Programme activities had shown that the Programme had significantly contributed to the compliance of Article 5 Parties, in particular low-volume consuming countries, 100 of which UNEP was currently assisting. OzonAction had completed country programmes in 107 countries and was implementing institutional strengthening projects in a similar number, assisting with the creation of legislation and licensing systems. As a direct result, non-compliance with the Protocol was decreasing. Furthermore, all low-volume consuming countries had reached and passed the 50 per cent reduction target more than a year ahead of schedule. Along with the successes, however, there were still challenges to be faced, notably illegal trade in ozone-depleting substances; phase-out of remaining ozone-depleting substances; provision of information on emerging technologies relating to exempted ozone-depleting substances; and initiation of a "quick start" programme for the elimination of HCFCs.

#### **D. Presentation by the United Nations Industrial Development Organization**

32. Mr. Dimitri Piskounov, Managing Director, United Nations Industrial Development Organization (UNIDO), recalled that UNIDO had joined the ozone regime as an implementing agency relatively late, in 1992. It had implemented its first projects in the plastic foams sector and had then moved into the refrigeration sector, promoting the use of hydrocarbons as a replacement for CFCs. Having subsequently moved on to the halons, solvents and fumigants sectors, UNIDO had to date promoted almost 1,000 projects in 61 countries, helping thereby to phase out 50,000 ODP-tonnes of ozone-depleting substances, or around 30 per cent of the total amount phased out in Article 5 Parties. UNIDO was also supporting national ozone units in 11 countries.

33. He said that in the context of the Parties' current discussions on the possibility of an accelerated phase-out of HCFCs, UNIDO looked forward to contributing to the understanding of the scientifically and technically complicated issues involved. UNIDO was currently undertaking an initiative to draw together expertise on the matter with a view to assisting Article 5 Parties.

#### **E. Presentation by the World Bank**

34. Ms. Katherine Sierra, Vice-President for Sustainable Development, World Bank, said that the Bank applauded its Article 5 Party partners, which had been working steadfastly to institute ozone protection policies and programmes that would enable the sustainable phase-out of ozone-depleting substances. She recalled that the entry into operation of article 10 had enabled developing countries to phase out nearly 375,000 ODP-tonnes of ozone-depleting substances by the end of 2006 through technology transfer, technical and policy assistance and grant funding. At the time that it entered into force, there had been many uncertainties about appropriate technologies, costs and approaches but the Multilateral Fund had evolved into an effective means of delivering targeted assistance for clearly-defined objectives. In 2004, the World Bank's Independent Evaluation Group had substantiated the accomplishments under the Protocol's financial mechanism, including the additional sustainable development benefits that had accrued.

35. She said that the World Bank was proud to have been in the forefront of innovative projects and approaches that had addressed emerging country needs while respecting the Fund's demand for accountability, cost-effectiveness and sustainability. The Bank's operations had centred on national execution and measurable results and it had created a technical advisory group to flag emerging technology and review the technical soundness of proposals. As the eligibility and cost-effectiveness criteria had matured with the approach of the Protocol deadlines, the Bank had pioneered alternative financing modalities under the Fund, introducing performance-based approaches which gave countries the flexibility to direct funding to priority areas while developing complementary policies for national level ozone-depleting substance reductions. That had in turn contributed to the Fund's new strategic direction in 2000, focused on compliance and permanent aggregate reductions. By the end of 2006, the World Bank had implemented some 600 projects in 25 countries, disbursing a total of \$687 million and thereby eliminating nearly 260,000 tonnes of ozone-depleting substances.

36. She affirmed that although the successes of the Montreal Protocol and the Multilateral Fund were to be applauded, there was still challenging work ahead. There was a need to consider ways to help countries ensure sustainable CFC and halon consumption. Implementation of national and sectoral phase-out plans had shown what was needed to build commitment among stakeholders, to facilitate market transition and to promote sustainability. The question was what could be done next to ensure that the ozone issue was not forgotten after 2010 and that the capacity and infrastructure built over the years was not lost.

37. She said that in order for Article 5 Parties to develop long-term policies on HCFC phase-out, there was a need for better understanding of the global supply and demand for HCFC for feedstock and non-feedstock applications, future requirements for HCFC-based equipment, availability and cost of non-ozone-depleting substances and current global environmental policy. There was also a need for prioritization at the country level, taking into account sectoral cost-benefit analyses and industry's capacity for technology absorption. Stand-alone investment and technical assistance activities were not sufficient to achieve sustainable phase-out. Rather, results came through ownership and commitment by all stakeholders to create the needed policy and institutional environment.

## **F. Presentation by the Global Environment Facility**

38. Ms. Patricia Bliss-Guest, Deputy Chief Executive Officer, Global Environment Facility (GEF), said that GEF was proud to have contributed decisively to the achievements of the ozone regime, helping 18 countries with economies in transition to meet their obligations under the Montreal Protocol. In those countries, GEF had committed \$183 million in grant resources and leveraged an additional \$187 towards their efforts, which had achieved a reduction of more than 99 per cent in their consumption of ozone-depleting substances, with some 300,000 ODP-tonnes phased out.

39. There were still challenges ahead, however, to ensure full recovery of the ozone layer and to ensure that the ozone and climate regimes were complementary. GEF remained committed to assisting eligible recipient countries to implement measures to protect the ozone layer, particularly in conjunction with measures to reduce releases of greenhouse gases. On that basis, the GEF strategy for ozone depletion mandated support for activities to assist eligible countries with economies in transition to phase out HCFCs according to their schedules but encouraged synergies with climate interventions. In addition, the GEF strategy for climate change provided for support for replacing HCFC-containing equipment in the context of overall energy efficiency programmes where that would maximize climate benefits. The ozone strategy also recognized strong linkages with the implementation of the Stockholm Convention on Persistent Organic Pollutants.

40. She said that it was increasingly clear that global environmental issues were interrelated and that solutions could no longer be pursued in isolation. Increasingly, the global community would need to show its capacity to build synergies among the global environmental agreements in order to remediate and protect the ozone layer, the global climate, biodiversity and other global commons.

## **VII. Statements by heads of delegations**

41. At the high-level segment, statements were made by ministers and other heads of delegations of the following Parties, listed in the order in which they spoke: Fiji, Argentina, United States of America, Zimbabwe, China, Guinea, European Community, Portugal (on behalf of the European Union and its member States), Gabon, Sweden, Colombia, India, Italy, Mauritius, Cuba, United Republic of Tanzania, Samoa, Uganda, Mexico, Japan, Dominican Republic, Serbia, Senegal, Solomon Islands, Bhutan, France, Benin, Democratic Republic of the Congo, Croatia, Brazil, South Africa, Djibouti, Norway, Suriname, Venezuela (Bolivarian Republic of), Cambodia, Maldives, Algeria, Mongolia, Mauritania, Kenya, Thailand, Chile, Togo, Indonesia, Republic of Korea, Egypt, Switzerland, Russian Federation, Lebanon, Turkey, Rwanda, Kyrgyzstan, Myanmar, Micronesia, New Zealand, Ghana, the Philippines, Nigeria, Liberia, Lao People's Democratic Republic, Malaysia, Sri Lanka, Ecuador and Pakistan.

42. A representative of the Holy See made a statement as a non-Party observer.

43. Statements were also made by representatives of Greenpeace International and the International Institute of Refrigeration.

44. All speakers expressed their appreciation to the Government of Canada for hosting the current meeting and for its important contributions to the evolution and achievements of the Montreal Protocol. Many representatives congratulated the members of the Bureau on their election and thanked UNEP and the Ozone Secretariat, the Multilateral Fund secretariat and implementing agencies, the donor countries, the scientific assessment panels, committed scientists and other actors for their role in the Protocol's successful development and implementation.

45. Several representatives said that the Protocol was an exemplary multilateral environmental agreement that demonstrated that States and other actors could tackle international environmental problems effectively through the multilateral United Nations system. Some highlighted factors that had been instrumental in the Protocol's success, including the establishment of a multilateral fund to provide financial and technical assistance to Article 5 Parties, under the principle of common but differentiated

responsibilities; the active participation of all relevant stakeholders in the Protocol's development and implementation; and its strong scientific basis. Two speakers mentioned the precautionary principle and the principle of common but differentiated responsibilities as key principles underlying the Montreal Protocol that should be used to tackle other environmental problems, in particular climate change.

46. Many representatives said that although there were reasons to celebrate the Protocol's success, much work remained to be done and Parties needed to renew their commitments to fulfil the Protocol's objectives and ensure that the ozone layer would recover and stabilize at pre-1980 levels. Most speakers identified the continued use of HCFCs as a major challenge to be addressed at the current meeting. In that context, many representatives expressed their commitment to phasing out HCFCs ahead of schedule, stressing that that would not only benefit the ozone layer but also contribute to combating climate change. Several speakers also urged Parties to avoid complacency and to take the opportunity of the Protocol's twentieth anniversary to adopt stronger commitments on HCFCs. One suggested that if the Parties agreed on an accelerated phase-out schedule for HCFCs the Protocol would become the most effective multilateral environmental agreement agreed to date in combating climate change.

47. One representative said that viable alternatives to HCFCs were available and could be introduced in a cost-effective manner and that new market opportunities could be created for more environmentally-friendly alternatives. Several speakers emphasized the linkages between the ozone treaties and related environmental agreements such as the United Nations Framework Convention on Climate Change and its Kyoto Protocol, the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the Convention on Biological Diversity, stressing that it was vital to ensure that they were implemented in a coordinated fashion to ensure that they all contributed to sustainable development and environmental protection. Several representatives of Article 5 Parties said that small island developing States were particularly vulnerable to climate change and other environmental changes and urged Parties to take stronger action on HCFCs at the current meeting.

48. While agreeing on the adoption of an accelerated schedule to phase out HCFCs, most speakers from Article 5 Parties said that they would only be able to implement an accelerated phase-out schedule if they received adequate financial and technical assistance through the Protocol's Multilateral Fund. Several stressed the need to provide financial and technical support to those industries that had converted from CFCs to HCFCs for a second conversion from HCFCs to climate- and ozone-friendly technologies. Several representatives of non-Article Parties expressed their commitment to providing appropriate financial and technical support for developing countries for an early phase-out of HCFCs. One suggested that it might be necessary to maintain the level of financial and technical assistance provided by the Multilateral Fund at current levels during the next ten to fifteen years in order, among other things, to support the accelerated phase-out of HCFCs in Article 5 Parties and possible measures aimed at destroying CFC and halon stocks.

49. Other challenges facing the Protocol that were identified by speakers included the need to reduce the use of CFCs in metered-dose inhaler manufacture, taking into account possible implications for human health; to reduce critical-use exemptions for methyl bromide; and to ensure the environmentally sound destruction of ozone-depleting substance banks and stocks and wastes. Several representatives stressed the need to combat illegal trade in ozone depleting substances and in that context some highlighted the importance of providing continued assistance to Article 5 Parties for the establishment of effective import and export licensing systems and the training of customs officials in developing countries. One suggested that there was a need to implement an informal prior informed consent system between the national ozone units of trading countries and said that the standardized labels for ozone-depleting substances to be devised under the Globally Harmonized System of Classification and Labelling of Chemicals would become a very useful tool to help prevent illegal trade in such substances. One representative drew attention to the problem of CFC-contaminated refrigeration equipment imported illegally into countries that lacked the capacity to destroy them in an environmentally sound manner and called on Parties to adopt a decision on the establishment of regional centres for destroying such equipment.

50. Many speakers outlined the status of their countries' ratification of the ozone instruments and their efforts to fulfil their obligations under the Protocol. The latter included work to phase out controlled substances, sometimes ahead of schedule; to promote and move towards alternative technologies, including climate-friendly ones; to combat illegal trade in ozone-depleting substances through, among other things, the establishment of licensing systems on the export and import of such substances and the training of customs officials; and to ensure that critical-use exemptions for methyl bromide and essential-use exemptions for the use of CFCs in metered-dose inhalers were subjected to stringent controls and were not used more than was necessary.

51. Many representatives of Article 5 Parties thanked the Multilateral Fund and its implementing agencies and various non-Article 5 Parties for their support in the implementation of the Protocol in developing countries. Several urged non-Article 5 Parties to continue providing assistance to ensure the successful implementation by Article 5 Parties of their terminal phase-out management plans. Others emphasized the need to ensure the availability of efficient and affordable alternatives to ozone-depleting substances, which they said should not only protect the ozone layer but also the climate system. Many speakers emphasized the importance of awareness-raising activities and training programmes for refrigeration technicians, customs officers and other actors to ensure the successful implementation of the Montreal Protocol and urged the Multilateral Fund to continue supporting such activities.

52. The representative of one non-Article 5 Party outlined his country's successful efforts to phase out the use of methyl bromide and announced that it would soon achieve a complete transition towards alternatives and had therefore decided not to submit critical-use nominations for the following years. Noting that his country was the world's second largest consumer of methyl bromide, he said that his country's progress demonstrated that the complete phase-out of methyl bromide was possible and he urged other Parties to follow the same path. One speaker commended the progress and urged other Parties to show real commitment to the phase-out of methyl bromide. Another expressed concern that the proposal that Article 5 Parties should be required to report their expected imports of methyl bromide annually to the Ozone Secretariat would impose an additional burden that might be rejected by some Article 5 Parties. Another representative stressed the need to find viable alternatives to methyl bromide for quarantine and pre-shipment applications in Article 5 Parties and urged Parties to accept alternative technologies such as heat treatment in order to allow Article 5 Parties to reduce their use of methyl bromide.

53. Concerning the future of the Montreal Protocol, many speakers expressed support for a draft decision on the matter submitted by Canada (UNEP/OzL.Pro.19/3, section F). One representative said that it was appropriate to reflect on the future architecture of the Protocol and its possible contribution to other multilateral environmental agreements but that it would be premature to adopt a decision to remodel the Protocol's architecture at present. Several speakers wondered what would become of the Protocol after the deadline for the complete phase-out of CFCs had been reached. Many Article 5 Parties stressed their continued need for technical and financial support to avoid slipping back to the pre-Protocol era. They expressed the hope that the solidarity between Article 5 and non-Article 5 Parties that had characterized the Protocol's implementation would be maintained.

54. The representative of a non-Article 5 Party suggested that it might be useful to consider whether the Multilateral Fund could serve as the financial mechanism for other multilateral environmental agreements in the field of chemicals management and how the linkages between the Fund and the Global Environment Facility could be strengthened. That would ensure that the experience acquired by the Fund and its implementing agencies was not lost.

55. Another representative expressed concern about the future of the ozone layer and of humankind. He said that it was necessary to learn from past mistakes and avoid solutions that would create future problems, such as the promotion of HCFCs in efforts to phase out CFCs. It was time, he said, to admit that nature was much more complicated and sophisticated than was usually accepted and he called on the Technology and Economic Assessment Panel to look for alternatives derived purely from nature. That, he suggested, was necessary to avoid having to celebrate the 100th anniversary of implementation of the Montreal Protocol.

56. A representative of a non-Party, speaking as an observer, highlighted the need for greater international cooperation with a view to strengthening the alliance between mankind and the environment.

57. The representative of a non-governmental organization said that the Montreal Protocol provided four valuable lessons on how to tackle other environmental problems: that international cooperation was essential to respond effectively to environmental crises; that civil society could and should play a vigorous role in addressing such crises; that government policies should be grounded in science and the precautionary principle; and that mandatory targets for the phase-out of environmentally harmful substances were crucial for achieving real results. He said that the Protocol reflected the interests of industry, however, and that more could have been done to promote the development and marketing of safer technologies. The chemical industry, he said, had yet to take responsibility for the vast damage that its products had caused and should contribute financially to the environmentally sound destruction of banks of ozone-depleting substances.

58. The representative of an intergovernmental organization said that while refrigeration was vital to humanity and played a positive role in sustainable development due to its numerous applications, including in food preservation, health and energy, its contribution to the deterioration of the ozone layer and climate change presented two enormous challenges for the refrigeration sector. The replacement of HCFCs with less energy-intensive refrigeration systems and environmentally friendly refrigerants represented a solution to those challenges, but it was essential to provide information and financial and technical assistance to Article 5 Parties to support that process.

## **Part two: preparatory segment (commencing 18 September 2007)**

### **I. Organizational matters**

59. The preparatory segment of the meeting was opened by its Co-Chairs, Ms. Marcia Levaggi (Argentina) and Mr. Mikkel Sørensen (Denmark), at 10.10 a.m. on Tuesday, 18 September 2007. An opening statement was made by Mr. González.

60. Mr. González welcomed the meeting participants and thanked the Government of Canada for hosting the twentieth anniversary activities and meetings. He praised what he said were the remarkable efforts of Governments, individuals and organizations to phase out the majority of ozone-depleting substances. While that success merited celebration, however, it was necessary for the Parties to renew their commitment to the phase-out of the remaining ozone-depleting substances, particularly in Article 5 Parties. Turning to the agenda for the current meeting, he said that it would be necessary to consider the various proposals to accelerate the Protocol's HCFC phase-out schedule together with the level of funding to support the efforts of Article 5 Parties. Other key issues before the Parties included nominations for methyl bromide critical-use exemptions; the status of data reporting, licensing systems and action plans; compliance-related issues; illegal trade; and the future of the Multilateral Fund and other Protocol institutions. The Parties' deliberations, he said, should reflect the spirit of cooperation and good will that had characterized the original negotiations on the Protocol and its implementation over the years. Any successful environmental treaty, he concluded, required constant revision, and early consideration of future policy challenges would facilitate well-informed and thoughtful discussions on updating the Protocol and increasing its effectiveness.

#### **A. Adoption of the agenda of the preparatory segment**

61. The Co-Chair introduced the provisional agenda for the preparatory segment contained in document UNEP/OzL.Pro.19/1. The Parties then adopted the following agenda for the preparatory segment on the basis of the provisional agenda contained in that document:

1. Organizational matters:
  - (a) Adoption of the agenda of the preparatory segment;
  - (b) Organization of work.
2. Consideration of membership of Protocol bodies for 2008:
  - (a) Members of the Implementation Committee;
  - (b) Members of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol;
  - (c) Co-Chairs of the Open-ended Working Group.
3. Financial reports of the trust funds for the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer and budgets of the Montreal Protocol on Substances that Deplete the Ozone Layer.
4. Hydrochlorofluorocarbon (HCFC) issues:
  - (a) Technology and Economic Assessment Panel report on assessment of measures for addressing ozone depletion, with a focus on HCFCs (decision XVIII/12);
  - (b) Consideration of adjustments to the HCFC phase-out schedule of the Montreal Protocol;
  - (c) Consideration of additional work on HCFCs.

5. Consideration of methyl-bromide related issues:
  - (a) Review of nominations for critical-use exemptions for methyl bromide for 2008 and 2009;
  - (b) Report and proposal on preventing harmful trade in methyl bromide stocks to Article 5 Parties (report of the Eighteenth Meeting of the Parties to the Montreal Protocol (UNEP/OzL.Pro.18/10), para. 97).
6. Consideration of issues related to the Multilateral Fund for the Implementation of the Montreal Protocol:
  - (a) Need for a study on the 2009–2011 replenishment of the Multilateral Fund;
  - (b) Consideration of the request of the Executive Committee of the Multilateral Fund to change its terms of reference to modify if necessary the number of times that it meets.
7. Monitoring transboundary movements of, and preventing illegal trade in, ozone-depleting substances (decision XVIII/18).
8. Consideration of issues related to the future challenges to be faced by the Montreal Protocol (decision XVIII/36):
  - (a) Refining the institutional arrangements of the Montreal Protocol;
  - (b) Establishing a multi-year agenda for the Meeting of the Parties to the Montreal Protocol to address key policy issues identified by the Parties.
9. Consideration of issues arising out of the 2007 reports of the Technology and Economic Assessment Panel:
  - (a) Review of nominations for essential-use exemptions for 2008 and 2009;
  - (b) Process agent related proposals (decisions XVII/6 and XVII/8);
  - (c) Technology and Economic Assessment Panel final report on carbon tetrachloride emissions and opportunities for reductions (decision XVIII/10);
  - (d) Consideration of n-propyl bromide proposal (decision XVIII/11);
  - (e) Technology and Economic Assessment Panel report on campaign production of chlorofluorocarbons for production of metered-dose inhalers (decision XVIII/16);
  - (f) Any other issues arising out of the Technology and Economic Assessment Panel reports: funding for travel of Panel experts from non-Article 5 Parties.
10. Review of the deferral of consideration by the Implementation Committee and the Meeting of the Parties of the carbon tetrachloride compliance status of Parties operating under Article 5 which provide evidence that their deviations are due to the use of that chemical for analytical and laboratory processes (decision XVII/13).
11. Future of the laboratory and analytical use exemption (decision XV/8).
12. Assessment of new very short-lived ozone-depleting substances.
13. Status of Romania.
14. Proposed areas of focus for the assessment panels' 2010 quadrennial reports (Article 6 and decision XV/53).
15. Compliance and data reporting issues considered by the Implementation Committee.
16. Other matters.

62. During the adoption of the agenda of the preparatory segment, the Meeting of the Parties agreed to take up under item 9 (f) of the agenda, "Other issues arising out of the 2006 reports of the Technology and Economic Assessment Panel", a proposal from Australia relating to halons. The Meeting of the Parties also agreed to consider, under item 16 of the agenda, "Other matters", a proposal by one representative to discuss the nomination of individuals to serve on the Scientific Assessment Panel.

## **B. Organization of work**

63. The Meeting of the Parties agreed to follow its customary procedure and to establish contact groups as necessary. Also, as agreed by the Parties in discussing the organization of work of the current meeting during the opening session of the high-level segment, three of the contact groups established during the twenty-seventh meeting of the Open-ended Working Group continued their deliberations during the preparatory segment of the current meeting.

## **II. Consideration of membership of Protocol bodies for 2008**

### **A. Members of the Implementation Committee**

### **B. Members of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol**

### **C. Co-Chairs of the Open-ended Working Group**

64. Introducing the item, the Co-Chair recalled that it would be necessary at the current meeting to nominate candidates for several positions in Montreal Protocol bodies for 2008, according to the procedures set out in paragraphs 3–5 of document UNEP/OzL.Pro.19/2. He called on the regional groups to submit nominations to the Ozone Secretariat.

65. The Parties subsequently agreed on the membership of the Implementation Committee and the Executive Committee and on the co-chairs of the Open-ended Working Group and forwarded draft decisions reflecting that agreement to the high-level segment for consideration and possible approval.

## **III. Financial reports of the trust funds for the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer and budgets of the Montreal Protocol on Substances that Deplete the Ozone Layer**

66. Introducing the item, the Co-Chair noted that it had been the practice at past meetings to establish a budget committee to review budget-related documents and prepare one or more draft decisions on budgetary matters for consideration by the Meeting of the Parties. Accordingly, the Meeting of the Parties agreed to establish such a committee, to be chaired by Mr. Jiří Hlaváček (Czech Republic) and Mr. Alessandro Peru (Italy).

67. Mr. Peru subsequently reported that the budget committee had agreed on a draft decision on the budget for the Trust Fund for the Montreal Protocol. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

## **IV. Hydrochlorofluorocarbon (HCFC) issues**

### **A. Technology and Economic Assessment Panel report on assessment of measures for addressing ozone depletion, with a focus on HCFCs (decision XVIII/12)**

68. Introducing the item, the Co-Chair recalled that by decision XVIII/12 the Meeting of the Parties had requested the Technology and Economic Assessment Panel to undertake further work to assess the measures listed in the report of the Ozone Secretariat workshop on the special report on ozone depletion and climate change prepared by 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”.<sup>2</sup> By the same decision it had also requested the Secretariat to facilitate consultations by the Technology and Economic Assessment Panel with relevant organizations to enable the Panel to draw on the work already carried out under those organizations and to consider, in cooperation with the Scientific Assessment Panel, the implications of those findings for the recovery of the ozone layer. The Technology and Economic Assessment Panel had subsequently established a task force to address the matter, which had prepared a report for the consideration of the Nineteenth Meeting of the Parties.

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<sup>2</sup> For more information on the workshop on the special report, see chapter VII of part one of the report of the Eighteenth Meeting of the Parties (UNEP/OzL.Pro.18/10).

69. The co-chairs of the task force, Mr. Radhey S. Agarwal, Mr. Paul Ashford, and Mr. Lambert Kuijpers, gave a presentation on the work and findings of the task force. Highlighting the main baseline-related conclusions, Mr. Agarwal said that the study had demonstrated that there would be a year-on-year decrease in annual emissions in the period ahead of the freeze as HCFC emissions fell, with a plateau at 50,000 ODP-tonnes per annum; that during the freeze period there would be a similar plateau for emissions at 900 million tonnes of carbon dioxide equivalent (approximately 3.5 per cent of current annual global greenhouse gas emissions); that the refrigeration sector accounted for 45 per cent in ozone terms and 85 per cent in climate terms; and that unabated trichloromethane (HFC-23) emissions from continuing feedstock production could add 450 million tonnes of carbon dioxide equivalent annually.

70. Turning to issues relating to the Clean Development Mechanism, he said that 260,000 tonnes of HCFC production currently qualified for credits under the Mechanism (60–63 per cent of developing country production); that subsequent increases in production at already approved plants did not currently qualify for additional credits because it was considered to be the result of “new” capacity; that the duration of the Mechanism’s commitments was currently limited to not more than ten years; that the differing categorization of “new” and “existing” plants was leading to varying cost bases for HCFC-22 production; and that the value of Clean Development Mechanism credits was up to 10 times the cost of HFC-23 emissions abatement and was likely to exceed the sales revenue of HCFC-22; that revenues received by chemical suppliers from such credits might provide an additional competitive advantage; that a decrease in HCFC-22 price was unlikely to increase sales of refrigeration equipment, although in products with more elastic demand, such as aerosols or foams, the impact of lower prices would be greater; that lower prices might also influence feedstock use; that a levy at the national level was being used in one country to constrain financial benefits to manufacturers; and that there was a real risk of “new” plants or capacity being installed without HFC-23 emissions abatement.

71. Mr. Ashford continued the presentation by explaining that the task force had considered four HCFC phase-out scenarios: the “baseline” scenario (growth in consumption up to 2015, followed by a constant level of consumption and instantaneous phase-out in 2040); the “freeze 2012” scenario (growth in consumption up to 2012, followed by a constant level of consumption with instantaneous phase-out in 2040); the “linear 2021” scenario (growth in consumption up to 2015, followed by a constant level of consumption until 2021 and linear phase-out ending in 2030); and the “linear 2016” scenario (growth in consumption until 2015, followed by linear phase-out beginning in 2016 and ending in 2025). Such scenarios necessarily involved a degree of artificiality, he noted, but acted as usable illustrations.

72. He explained that accelerated HCFC phase-out had been demonstrated to be technically and economically feasible for almost all sectors in the countries of the European Union and for some sectors in many other countries, although there might need to be minor exceptions for very small quantities of HCFCs. Avoiding HCFC growth might be less costly than subsequent elimination of HCFC use. New control measures were likely to stimulate new low-global-warming-potential and not-in-kind alternatives that would reduce costs and decrease potential climate impacts.

73. Noting that the 2012 freeze by itself would reduce emissions by around 75,000 ODP tonnes, he said that the task force had concluded that a 15-year advance in linear phase-out of HCFCs would reduce emissions by 468,000 ODP-tonnes and by up to 18 billion tonnes of carbon dioxide equivalent by 2050. Other key conclusions with regard to HCFC phase-out had been that higher growth rates in the period to 2015 would increase the emission reductions associated with accelerated HCFC phase-out; that adoption of low global warming-potential alternatives and improved containment of higher global warming potential alternatives were essential to maximizing greenhouse gas emissions reductions identified for the refrigeration sector, with that sector accounting for 80 per cent of overall potential greenhouse gas emissions reduction; that a lag between technology transition and changes in refrigerant demand patterns would occur as long as existing stocks could be serviced; that early development of low global warming potential alternatives needed to be encouraged; that Parties might wish to consider an essential-use provision for limited uses that lacked alternatives; and that an accelerated phase-out could avoid the need for new HCFC-22 capacity in the period up to 2050.

74. Turning to the other practical measures to achieve reductions in emissions of ozone-depleting substances that the task force had considered, he said that the key conclusions were that the potential emission reductions from other practical measures were greater than those that could be achieved by an accelerated HCFC phase-out; that the option to accelerate the HCFC phase-out and implement all technically feasible practical measures would yield greater benefits than either action alone; that such a combination could provide a cumulative emissions reduction of nearly 1.25 million ODP-tonnes and potentially more than 30 billion tonnes of carbon dioxide equivalent; that the most significant contributions would come from leakage reductions in the commercial refrigeration sector (80,000–

90,000 ODP-tonnes) and the management of halon banks (about 90,000 ODP-tonnes); that end-of-life measures provided cumulative ozone and climate benefits of around 300,000 ODP-tonnes and about 6 billion tonnes of carbon dioxide equivalent, respectively; that early retirement of certain refrigeration equipment could provide an additional reduction of 130,000 ODP tonnes and 3.5–4 billion tonnes of carbon dioxide equivalent; and that the “linear 2021” (10-year advance) and the “linear 2016” (15-year advance) scenarios provided the greatest emissions reductions, particularly in developing countries.

75. In the ensuing discussion many representatives welcomed the work that had gone into the very detailed report. Several speakers warned, however, that the proper forum at which to address the climate dimensions of a possible accelerated phase-out of HCFCs would be the forthcoming eleventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change. Others asked why the Panel had not considered the varying costs of alternative technologies under differing climatic conditions and in different regions of the world, saying that such an assessment was important.

76. Several speakers expressed concern that the credits provided under the Clean Development Mechanism for HFC-23 destruction might act as a perverse incentive to increased production of HCFC-22. One representative said that his Party did not agree with the notion expressed in the task force report that granting Clean Development Mechanism benefits for new capacity should be encouraged in order to “level the playing field” between new and existing plants. He also said that the issue should be discussed and decided under the aegis of the Kyoto Protocol rather than the Montreal Protocol.

77. There was some discussion of the feasibility and effects of introducing alternatives to HCFCs. Several representatives sought more information about the predicted growth in feedstock uses of HCFCs and on the minor HCFC applications for which there were no current alternatives. Several representatives suggested that for a number of reasons it would be difficult to achieve the climate benefits predicted in the report. In that regard, one suggested that other measures, such as prevention of leakage and recovery and destruction, could have as much benefit as accelerated phase-out of HCFCs.

78. The representative of a non-governmental organization said that it had been known for 20 years that accelerating the phase-out of HCFCs was one of the most effective ways to remediate the damage to the ozone layer and that Article 2F of the Protocol stated that their use should be limited to applications for which other more environmentally suitable alternatives or technologies were not available. He said that Parties had ignored that provision for 20 years and now needed to act urgently. In so doing, however, it was essential that they avoid switching to HFCs with a high global warming potential.

79. Responding to various comments from representatives, Mr. Ashford said that while the task force had recognized that cost effectiveness would be a key component of any decision on accelerated phase-out addressing issues of cost was beyond the task force’s remit. He said that the task force’s report should not be interpreted as making any specific recommendations, which had not been within its mandate. In order to assess the impact of the Clean Development Mechanism over the coming 20 years, however, it had been necessary for the task force to speculate on the direction that the Mechanism would take on issues such as the future treatment of new HCFC plants. Additionally, he noted that the report cited several examples of technologies for which no HCFC alternatives were available and that they were generally highly specialized applications in the solvents and medical sectors. Finally, he said that the situation regarding the use of HCFCs in extruded polystyrene foams in one Party needed further assessment.

80. Referring to the issue of growth in the use of feedstock, Mr. Kuijpers said that the information in the report represented an extrapolation based on a growth rate known from the literature. He said that the task force had no further information that would allow it to predict whether the figures would turn out to reflect reality and that they represented a conservative estimate of a possible production profile. Further study by the Technology and Economic Assessment Panel would be needed to substantiate the estimates on inadvertent losses from feedstock. With regard to HCFC-123 substitution, the view of the task force had been that use of that substance should not be considered essential. It was noted that the task force report did address the matter of alternatives in general, making clear that for certain applications alternatives did already exist while for others they were yet to be developed. Development of alternatives, particularly those with a low global warming potential, could be expected to continue.

## **B. Consideration of adjustments to the HCFC phase-out schedule of the Montreal Protocol**

81. Introducing the item, the Co-Chair noted that proposals to adjust the HCFC control provisions of the Protocol were set out in document UNEP/OzL.Pro.19/3. He added that a contact group had been established at the twenty-seventh meeting of the Open-ended Working Group to discuss the proposals and that a report prepared by the co-chairs of that group to facilitate further discussion could be found in document UNEP/OzL.Pro.19/INF/4. Submissions by Parties on the proposals discussed at the Working Group meeting had been posted on the Ozone Secretariat website.

82. Mr. Maas Goote, co-chair of the contact group, said that informal consultations on the matter had taken place subsequent to the twenty-seventh meeting of the Open-ended Working Group. The Parties involved had moved closer to agreement and the co-chairs were in the process of preparing a proposal for consideration by the contact group at the current meeting. As agreed by the Parties in discussing the organization of work of the current meeting during the opening session of the high-level segment, the contact group would meet again during the current meeting to consider the issue further and would take up the co-chairs' proposal.

83. During the ensuing discussion, one representative called on the global community to accelerate the phase-out of HCFCs in a way that supported energy efficiency and climate change objectives, noting that a suite of non-ozone-depleting alternatives was available to smooth the transition. He also expressed concern at the possibility of increased production of HCFC-22 in Article 5 Parties in order to produce HFC-23 as a byproduct, the destruction of which would earn certified emission reductions under the Clean Development Mechanism of the Kyoto Protocol, constituting a perverse incentive to continue or increase production of an ozone-depleting substance. Another representative, noting the financial constraints faced by Article 5 Parties, stressed the importance of providing levels of funding appropriate to facilitating an accelerated phase-out schedule.

84. The co-chair of the contact group subsequently announced that the group had met during the current meeting and agreed on the terms of an adjustment to the Protocol's HCFC phase-out schedule. The terms of that agreement were set out in a draft decision setting forth the details of the proposed adjustment and an annex thereto, set out in a separate conference room paper, containing the text of Article 2F and Article 5 of the Protocol, amended in accordance with the terms of the draft decision. He said that the historic agreement would move HCFC phase-out forward by a full decade, with significant interim reductions in consumption by comparison with the original phase-out provisions. He paid tribute to the spirit of cooperation shown by the members of the contact group, offering special thanks to his co-chair, and noted that the agreement represented a manifestation of the principle of common but differentiated responsibilities. Following the co-chair's report the Meeting of the Parties agreed to forward the draft decision and its annex to the high-level segment for consideration and possible approval.

## **C. Consideration of additional work on HCFCs**

### **1. Proposal on additional work on HCFCs**

85. Introducing the item, the Co-Chair recalled that at the twenty-seventh meeting of the Open-ended Working Group the representative of Kuwait had submitted a draft decision proposing additional work on HCFC issues. The draft decision had included requests to the Technology and Economic Assessment Panel to undertake certain studies; a request to the Executive Committee of the Multilateral Fund to consider funding certain projects and to organize a workshop on alternatives to HCFCs; and a request to the Parties to provide assistance in the context of considering adjustments to the Protocol's HCFC control schedule.

86. The representative of Kuwait, speaking on behalf of several countries in West Asia, outlined that draft decision, noting that it included a request to the Ozone Secretariat to organize an international workshop on available alternatives to HCFC-using technologies to be held back-to-back-with a meeting of either the Open-ended Working Group or the Meeting of the Parties in 2008. He said that the overall purpose of the draft decision was to facilitate acceptance by Article 5 Parties of proposed adjustments to the HCFC phase-out schedules.

87. The representative of the European Community announced that the Community was planning a workshop for early 2008 to cover the issues mentioned in the draft decision. The workshop would concentrate on the needs of Article 5 Parties. Another representative said that his Party would send experts to participate in the workshop.

88. The Meeting of the Parties agreed to establish a contact group, to be chaired by Mr. Khaled Klaly (Syrian Arab Republic), to consider the draft decision further. In the light of the overlap between the contact group's work and that of the contact groups that had been mandated to consider financial issues and HCFCs, it was agreed that the outcomes of the various contact groups would need to be looked at in close conjunction with one another.

89. Speaking on behalf of Mr. Klaly, the representative of Kuwait subsequently reported that the contact group had agreed on a revised draft decision on additional work on HCFCs. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

## **2. Eligibility of South Africa for Multilateral Fund assistance**

90. The representative of South Africa introduced a draft decision on the eligibility of South Africa for financial assistance from the Multilateral Fund, which had been circulated as a conference room paper. She explained that although the Ninth Meeting of the Parties had reclassified South Africa as an Article 5 Party (decision IX/27), her Government had not requested financial assistance from the Multilateral Fund for the purpose of fulfilling the commitments that it had undertaken prior to that meeting. She noted that because South Africa had ratified the Copenhagen Amendment in 2001, the draft decision acknowledged that, like any other Article 5 Party, South Africa was eligible for technical and financial assistance from the Multilateral Fund for fulfilling its obligations regarding HCFCs.

91. The Meeting of the Parties agreed to forward the draft decision, as orally amended, to the high-level segment for consideration and possible adoption.

## **V. Consideration of methyl-bromide-related issues**

### **A. Review of nominations for critical-use exemptions for methyl bromide for 2008 and 2009**

92. Introducing the item, the Co-Chair thanked the Methyl Bromide Technical Options Committee for its hard work in reviewing the critical-use nominations in a timely manner for consideration by the Parties. The Committee divided its presentation on critical-use nominations for methyl bromide into four sections presented by its four co-chairs: Mr. Mohamed Besri, Mr. Ian Porter, Ms. Michelle Marcotte and Ms. Marta Pizano.

93. Mr Besri, Co-Chair of the Subcommittee on Soils, introduced the 2008–2009 critical-use nominations for methyl bromide. He said that overall consumption of methyl bromide had declined considerably, adding that 95 per cent of the reduction of methyl bromide for controlled uses in non-Article 5 Parties was attributable to the phase-out of pre-plant soil uses. Large reductions had occurred in critical-use exemptions applied for by member States of the European Community. Several countries that had previously had critical-use exemptions had not applied for them in 2008, including Belgium, France, Greece, Italy, Malta, New Zealand, Switzerland and the United Kingdom of Great Britain and Northern Ireland. The United States of America had nominated approximately 5,000 tonnes for 2009 and Israel around 900 tonnes for 2008 and 2009; several other countries had nominated amounts less than 300 tonnes for either 2008 or 2009. Methyl bromide stocks reported by Parties totalled 8,740 tonnes at the end of 2006.

94. Mr. Porter, Co-Chair of the Subcommittee on Soils, presented an overview of the 43 critical-use nominations for pre-plant soil use, down from 70 in the last round. Fourteen nominations had been submitted by two Parties for 2008 and 29 from five Parties for 2009. Israel was the only Party applying for both years and there were no Parties submitting nominations that had not previously done so. Israel and the United States had applied for critical-use exemptions for a number of pre-plant uses. The Committee considered that impending registration of a key alternative (1,3-D/chloropicrin) would influence the assessment of methyl bromide required for Israel's critical-use exemptions in 2009. Standard criteria for dosage rates, use of low-permeability barrier films and consideration of methyl bromide/chloropicrin formulations remained unchanged from the 2006 round of nominations.

95. He indicated that amounts nominated for soil use had dropped from 6,494 tonnes in 2008 to 5,859 metric tonnes in 2009. The Committee had recommended less than the nominated amounts when the dosage rates were considered too high to conform with standard best practices, when suitable alternatives had been identified or when further reductions were made possible by the use of methyl bromide/chloropicrin formulations with lower amounts of methyl bromide. Significant progress had been made in the phase-out of methyl bromide for many sectors, especially the two major pre-plant uses of methyl bromide: strawberry fruit and tomato crops. Australia, France, Italy, New Zealand, Spain, and

the United Kingdom had phased out methyl bromide for strawberry fruit, while for Israel and the United States the transition had not yet been completed. For tomato crops, Australia, Belgium, Greece, Italy and Spain had phased out use of methyl bromide; in the United States the transition had not been completed.

96. Mr. Porter outlined several issues relating to the 2007 round of critical-use nominations. Regulations on alternatives in Israel and California were preventing further adoption of key alternatives, including 1,3-D/chloropicrin, in key sectors accounting for the use of approximately 2,600 tonnes of methyl bromide. Low-permeability barrier films to reduce emissions from the remaining uses of methyl bromide had proved very effective, with substantial adoption occurring in major methyl bromide user regions, though potential for increased use of barrier films existed in Australia, Canada, Japan and the United States. Also, economic justification, especially the provision of completed partial budgets, was still not being supplied with many critical use nominations. On the positive side, in 2007–2008 registration was pending in Australia and the United States for a key alternative, methyl iodide, considered to be a one-to-one replacement for methyl bromide and to be technically suitable for several of the remaining pre-plant soil uses.

97. An undefined quantity, possibly greater than 1,300 tonnes, of methyl bromide had been used by one Party for pre-plant soil fumigation in strawberry runners, nursery stock, forest nurseries and turf under the quarantine and pre-shipment exemption. Noting that other Parties had in some cases had their critical-use nominations for those uses rejected by the Parties, he said that the quarantine and pre-shipment exemption provided no incentive to reduce methyl bromide emissions, to lower dosage rates or to conduct trials to evaluate alternatives.

98. In her report Ms. Marcotte, Co-Chair of the Subcommittee on Quarantine, Structures and Commodities, highlighted a number of positive developments. The United States had withdrawn its 2009 cocoa bean nomination, representing a 51-tonne decrease in its critical-use nomination; the European Community had stopped methyl bromide use for post-harvest fumigation and Canada was undertaking research into mill fumigation using sulfur dioxide and heat; Israel was continuing to decrease use of methyl bromide for fumigation of high-moisture dates and in flour mills; Poland had almost completed its port commodity treatment phase-out; and Japan had identified an alternative treatment in its fresh chestnut research programme that was awaiting regulatory approval. Critical-use nominations for methyl bromide use in structures and commodities had decreased from a total of 44 for 2006 to 15 for the current year.

99. In the 2006 round of critical use nominations for 2008, a quantity of 593.737 tonnes had been recommended. An additional quantity of 11.53 tonnes had been nominated for 2008, of which 9.179 tonnes had been recommended. The quantity nominated for 2009 was 478.719 tonnes, of which 451.178 tonnes had been recommended. Ms. Marcotte said that the Methyl Bromide Technical Options Committee's Quarantine, Structures and Commodities Subcommittee continued to be firmer in not recommending the use of methyl bromide in certain instances, for example where good processing practices should result in adequate pest control without use of methyl bromide; where Parties had failed to document the lack of efficacy of alternatives; or where nominated uses were higher than standard dosage rates, unless justified with test results. In addition, the Committee had recommended reductions of methyl bromide use where adoption rates for alternatives continued to be too low even though alternatives were available and commercially adopted in the nominating Party's region. She noted too that methyl bromide had been completely phased out for many commodity uses. The Committee expected phase-out rates in the higher ranges, unless a Party documented and validated registration restrictions, economic infeasibility or other barriers specific to that Party. The focus during the current year would be on the flour mills sector, where the availability of alternatives was such that high adoption of alternatives should be achievable.

100. In her report Ms. Pizano outlined the workplan for the 2008 round of critical-use nominations. The Committee was requesting a budget of \$57,250 for the effective evaluation of critical-use nominations according to its mandate. Specific purposes for which funds were needed were as follows: to hire a specialist to update information on controls for nutsedge, a key target pest for over 50 per cent of remaining critical-use nominations; to undertake field studies to review methyl bromide use and the suitability of alternatives in industries that were submitting critical-use nominations; and to fund travel for non-Article 5 Party co-chairs and Committee members who had no funding to attend meetings. The handbook on critical-use nominations for methyl bromide was being revised and the new version would be on the website by October 2007. She also said that a change in standard presumptions was being proposed for the 2008 round, whereby maximum dosage rates would be revised for pathogens and for nutsedge control in the vegetable and strawberry sectors.

101. Responding to the issues raised, one co-chair of the Methyl Bromide Technical Options Committee said that the Committee was not aware of any alternatives to methyl bromide in the fumigation of high-moisture dates but it was hoped that at some stage funding would be made available for research into the matter. On the correlation between the registration of alternatives and the assessment of critical-use nominations, another co-chair said that the issue was not straightforward as it was difficult to predict how long the approval and registration of alternatives would take. The Committee could only assess nominations in the light of currently available information.

102. There was some discussion of the related issues of the rate of methyl bromide phase-out, the number of critical-use nominations and the use of alternatives. One representative expressed concern at the slow speed at which alternatives were being introduced and the large quantities of methyl bromide that were being nominated by some Parties, adding that available stocks should be exhausted before new production was approved by the Parties. The representative of the European Community said that nominations for critical use and production of methyl bromide by some Parties continued to be excessive, in view of the available alternatives and stocks, a situation not consistent with the Protocol's provisions and the decisions of the Parties. The Party had submitted a draft decision on the matter, which had been circulated as a conference room paper.

103. One representative said that his country had, since the listing of methyl bromide as a controlled substance in 1992, achieved significant reductions in methyl bromide consumption, although its agricultural production systems required the continued use of methyl bromide in limited geographic areas where severe pest infestation occurred. He said that projections indicated that pre-2005 stocks in his country would be fully depleted by 2009. He also expressed concern that the Methyl Bromide Technical Options Committee had taken a decision to operate as two independent subcommittees without notifying and consulting the Parties. In addition, he said that the Committee had not provided sufficient information on the meta-analysis that it used to analyse alternatives to methyl bromide and he requested the Committee to prepare, before the next meeting of the Open-ended Working Group, a detailed description of how the meta-analysis was being used in the consideration of critical-use exemptions. He said that further explanation should be given of the technical and economic justifications for proposed changes to the standard presumptions in some sectors. Finally, he said that his country had submitted a draft decision on those matters, which had been circulated as a conference room paper.

104. The representative of a non-governmental organization said that continued damage was being caused by the large exemptions being allowed for methyl bromide, arguing that one country in particular was responsible for a large percentage of critical use nominations and was making insufficient efforts to adopt alternatives already used in many other countries with similar climates, reduce stockpiles and ensure that all exemptions were for critical uses. He said that no new production should take place until those issues had been resolved.

105. The Meeting of the Parties agreed to establish a contact group on nominations for critical-use exemptions for methyl bromide for 2008 and 2009, to be chaired by Mr. Pierre Pinault (Canada), to consider the matter further.

106. The proponents of the proposals subsequently reported that the group had reached agreement on a draft decision on critical-use exemptions for methyl bromide for 2008 and 2009. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

## **B. Report and proposal on preventing harmful trade in methyl bromide stocks to Article 5 Parties (report of the Eighteenth Meeting of the Parties to the Montreal Protocol (UNEP/OzL.Pro.18/10), para. 97)**

107. The Co-Chair recalled that, pursuant to decision Ex.I/4, the Open-ended Working Group at its twenty-sixth meeting had considered a report by the Technology and Economic Assessment Panel on options that the Parties might wish to consider for preventing trade in methyl bromide stocks that was harmful to Article 5 Parties as consumption was reduced in non-Article 5 Parties. The Open-ended Working Group had discussed a draft decision on the matter at its twenty-seventh meeting but had not reached consensus. The proponents of that draft decision had taken into account the comments made at the twenty-seventh meeting and had circulated a revised draft decision to Parties for comment during the intersessional period. At its current meeting, the Meeting of the Parties had before it the latest version of the draft decision (UNEP/OzL.Pro.19/3, section B).

108. One of the proponents of the draft decision said that Article 5 Parties had made great progress in phasing out methyl bromide and that those efforts should not to be undermined by harmful imports of methyl bromide. He explained that the definition of the term “harmful trade” used in the draft decision matched that used in the Technology and Economic Assessment Panel report that had been produced pursuant to paragraph 9 (a) of decision Ex.I/4. The term thus meant trade that adversely affected the implementation of control measures by any Party, allowed back-sliding from the introduction of alternatives to methyl bromide already achieved or was contrary to the domestic policy of either an importing or an exporting Party.

109. He pointed out that the basic domestic needs allowance for methyl bromide production in non-Article 5 Parties was 36 per cent more than the amount that the Methyl Bromide Technical Options Committee had predicted would be consumed by Article 5 Parties in 2007 and he therefore advocated a reduction in production by non-Article 5 Parties. He noted, however, that the decision was not meant to address quarantine and pre-shipment uses of methyl bromide.

110. One representative said that more information was required before Parties could consider reducing the production allowance for methyl bromide for basic domestic needs in non-Article 5 Parties. He therefore proposed that the Technology and Economic Assessment Panel be requested to examine the issue in more detail and report to the Parties to assist them in any future deliberations.

111. It was generally agreed that harmful trade was an important issue for Article 5 Parties. Nevertheless, several representatives were concerned about the potential burden on Parties that would arise from the proposals to request non-Article 5 Parties to report to the Ozone Secretariat on stocks of methyl bromide and to request Article 5 Parties to submit to the Ozone Secretariat in September of each year a notification of the expected volume of their methyl bromide imports in the following year. Several representatives of Article 5 Parties expressed doubt as to their countries’ ability to give an accurate prediction of methyl bromide imports and one representative said that the proposal that the notifications be published on the Ozone Secretariat website raised issues of commercial confidentiality. Several representatives said that rather than eradicate harmful trade the proposed actions might simply impede normal trade; they suggested that a fully functioning licensing system would be most effective in dealing with the problem. One representative suggested that the actions requested by the decision might require an adjustment.

112. Given the complexity of the issue, the Meeting of the Parties decided to refer the matter for further consideration by the contact group on monitoring transboundary movements of, and preventing illegal trade in, ozone-depleting substances.

113. The co-chair of that contact group subsequently reported to the Meeting of the Parties on the group’s deliberations. He said that it had been unable to reach consensus on the measures contained in the draft decision. Some members had deemed the proposed additional reporting requirements for both Article 5 and non-Article 5 Parties to be too burdensome. Furthermore, he pointed out, there could be no consideration of whether to adjust the Protocol in order to reduce production of methyl bromide by non-Article 5 Parties to a level that corresponded to the basic domestic needs of Article 5 Parties until such an adjustment had been officially proposed by a Party. The group had also discussed but had not agreed on the creation of a system for the exchange of information between importing and exporting Parties similar to that set out in decision XVII/12 on minimizing production of CFCs by non-Article 5 Parties to meet the basic domestic needs of Article 5 Parties.

114. He said that, similarly, no consensus had been reached on whether the issue should be taken up by the Open-ended Working Group at its twenty-eighth meeting. To enable the matter to be considered further, the contact group therefore suggested that the proponents of the draft decision submit a proposal for an adjustment to the Protocol that provided for a reduction in production of methyl bromide by non-Article 5 Parties. One of the proponents of the draft decision agreed to do so. One representative recalled that such a proposal needed to be submitted at least six months before the meeting at which it was to be considered.

115. In the light of the report of the contact group, the Meeting of the Parties agreed that it would not forward the draft decision to the high-level segment.

## **VI. Consideration of issues related to the Multilateral Fund for the Implementation of the Montreal Protocol**

### **A. Need for a study on the 2009–2011 replenishment of the Multilateral Fund**

116. Introducing the item, the Co-Chair recalled that since 1990 the Multilateral Fund for the Implementation of the Montreal Protocol had worked on the basis of three-year funding cycles, with the last replenishment decision in 2005 covering the period 2006–2008. It had been the custom of the Parties, in the year prior to each replenishment decision, to develop terms of reference for a study on the upcoming replenishment. Accordingly, the matter was due for consideration in the current year in preparation for the 2008 replenishment decision, which would cover the period 2009–2011. The Open-ended Working Group at its twenty-seventh meeting had considered a draft decision on the matter and agreed to forward it to the Meeting of the Parties for consideration at the current meeting. Certain sections of the draft decision were enclosed in square brackets, to indicate a lack of consensus on the text therein.

117. As agreed by the Parties in discussing the organization of work of the current meeting during the opening session of the high-level segment, the Meeting of the Parties requested the contact group on terms of reference for a study on the replenishment of the Multilateral Fund (co-chaired by Mr. Jozef Buys (Belgium) and Mr. David Omotosho (Nigeria)) that had been established at the Working Group's twenty-seventh meeting to reconvene to consider the matter further.

118. The co-chair of the contact group subsequently presented a revised draft decision on the terms of reference for the study on the 2009–2011 replenishment of the Multilateral Fund, which had been circulated as a conference room paper. He noted that some text in the draft decision remained bracketed, as it was contingent upon the outcomes of the discussions of the contact group considering adjustments to the HCFC phase-out schedule of the Montreal Protocol.

119. On the understanding that the bracketed text would be amended to reflect the outcome of the discussion of the contact group considering adjustments to the HCFC phase-out schedule of the Montreal Protocol, the Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

### **B. Consideration of the request of the Executive Committee of the Multilateral Fund to change its terms of reference to modify if necessary the number of times that it meets**

120. The Co-Chair recalled that the Executive Committee had requested a change in its terms of reference to give it the flexibility to modify the number of meetings it held each year. The Open-ended Working Group had considered the matter at the twenty-seventh meeting and reached consensus. Accordingly, the Open-ended Working Group had forwarded a draft decision for consideration by the Meeting of the Parties at its current meeting (UNEP/OzL.Pro.19/3, section D) that would allow the Executive Committee to hold either two or three meetings each year.

121. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

## **VII. Monitoring transboundary movements of, and preventing illegal trade in, ozone-depleting substances (decision XVIII/18)**

122. The Co-Chair recalled that by its decision XVII/16 the Meeting of the Parties had requested that a study be carried out on the feasibility of developing a system for monitoring the transboundary movement of ozone-depleting substances. By its decision XVIII/18 the Meeting of the Parties had invited Parties to submit comments, focusing in particular on their priorities with respect to the medium and longer-term options listed in the study and/or all other possible options, with a view to identifying those cost-effective actions which could be given priority by the Parties both collectively through further action to be considered under the Protocol and at the regional and national levels.

123. In accordance with decision VIII/18, the Open-ended Working Group at its twenty-seventh meeting had considered a draft decision and agreed to forward it for consideration by the Nineteenth Meeting of the Parties. Certain sections of the draft decision were enclosed in square brackets to indicate a lack of consensus on the text therein.

124. As agreed by the Parties in discussing the organization of work of the current meeting during the opening session of the high-level segment, the Meeting of the Parties requested the contact group on monitoring transboundary movements of, and preventing illegal trade in, ozone depleting substances, co-chaired by Mr. Nicolas Kiddle and Mr. Paul Krajnik, to consider the matter further.

125. Mr. Krajnik subsequently reported on the contact group's deliberations and presented a draft decision that it had prepared. He said that the group had restructured the original draft decision to make the presentation of ideas more logical. Many issues had been discussed by the contact group but only those on which consensus had been reached had been included in the draft decision. Among the issues that did not appear were destruction of ozone-depleting substances; extension of the labelling and documentation of alternatives to ozone-depleting substances, which was considered by some contact group members to be beyond the scope of the Montreal Protocol because it pertained mainly to non-ozone-depleting substances; means of storing ozone-depleting substances awaiting customs controls, given that a lack of storage facilities might encourage illegal trade; and the introduction of additional reporting requirements, which were deemed by some members to be too burdensome.

126. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

## **VIII. Consideration of issues related to the future challenges to be faced by the Montreal Protocol (decision XVIII/36)**

### **A. Refining the institutional arrangements of the Montreal Protocol**

127. The Co-Chair recalled that the Open-ended Working Group at its twenty-seventh meeting had considered a draft decision on refining the institutional arrangements of the Montreal Protocol. That draft decision, among other things, had proposed that the Ozone Secretariat be requested to collect information and to report to the Parties on meetings held by other multilateral environmental agreements and on opportunities to optimize data reporting; that the Ozone and Multilateral Fund secretariats be requested to prepare business plans; and that the Ozone Secretariat be requested to hire a contractor to analyse the ozone-related activities being carried out within UNEP, with a view to identifying opportunities for streamlining. The draft decision had been considered by a contact group set up by the Open-ended Working Group, which had concluded that further discussion was required on the draft decision.

128. One representative said that the issue of refining the institutional arrangements of the Montreal Protocol was inextricably linked with the possible adjustment of the Protocol to accelerate the phase-out of HCFCs, which was also under consideration at the current meeting. He said that if no adjustment was made then the consequent low levels of activity in the years following the 2010 CFC phase-out deadline would dictate the need for a change in the Protocol's institutional arrangements and a lower level of financing.

129. After extensive discussion of the timing of further discussion on the matter, the Meeting of the Parties agreed to refer the issue to the contact group on terms of reference for the replenishment of the Multilateral Fund that had been established at the Open-ended Working Group's twenty-seventh meeting and reconvened under sub-item 6 (a) of the agenda of the preparatory segment.

130. The co-chair of the contact group subsequently reported that, owing to lack of time, the group had been unable to take up the matter at the current meeting. The Meeting of the Parties accordingly decided to defer consideration of the matter to a later date.

### **B. Establishing a multi-year agenda for the Meeting of the Parties to the Montreal Protocol to address key policy issues identified by the Parties**

131. The Co-Chair recalled that at its twenty-seventh meeting, the Open-ended Working Group had discussed the possibility of establishing a multi-year agenda for the meetings of the Parties that would address such issues as the remaining production and consumption of ozone-depleting substances; banks and stockpiles of ozone-depleting substances; the extent and predictability of funding for a global programme of scientific monitoring of the ozone layer; the evolution of the work of the Multilateral Fund and its secretariat; the need for work by the subsidiary bodies of the Montreal Protocol in the future and its scope; future management and oversight of the Montreal Protocol and its key institutions; and ways to maintain compliance and combat illegal trade. Following that discussion, the Working Group had agreed to forward a draft decision for consideration by the Meeting of the Parties at its nineteenth meeting (UNEP/OzL.Pro.19/3, section G).

132. The representative of Canada, the proponent of the draft decision, explained that the intention was to establish a workplan on key tasks to be completed in the next four or five years. As those tasks were numerous, he suggested that it would be beneficial to prioritize them, giving precedence to those that had to be carried out in the near term, including notably any that might ensue from a decision to accelerate HCFC phase-out.

133. Some representatives suggested that the matter could be discussed in the contact group considering the terms of reference for the study on replenishment of the Multilateral Fund, since the level of replenishment was related to the level of work that the bodies of the Protocol would have to complete. Others, however, suggested that in view of the very heavy workload at the current meeting, the matter should be postponed to another meeting, possibly the Twentieth Meeting of the Parties. One representative suggested that even if debate on the issue were to be postponed the Parties should in the meantime provide for studies and the gathering of relevant information.

134. The Meeting of the Parties agreed that in view of its heavy workload at the current meeting, it would defer consideration of the issue to a later date.

## **IX. Consideration of issues arising out of the 2007 reports of the Technology and Economic Assessment Panel**

### **A. Review of nominations for essential-use exemptions for 2008 and 2009**

135. Introducing the report by the Technology and Economic Assessment Panel on the nominations for essential use exemption, the Co-Chair said that three Parties had submitted requests for essential-use exemptions for metered-dose inhalers, namely, the European Community, the Russian Federation and the United States of America. The Russian Federation had also requested an exemption for CFCs for its aerospace industry. The Technology and Economic Assessment Panel had recommended approval of all of the nominated amounts. A draft decision on the three nominations for metered-dose inhaler uses was contained in document UNEP/OzL.Pro.19/3 (section J), as was a draft decision on the Russian Federation's nomination for aerospace uses (section H). In addition, the European Community prepared another draft decision on the metered-dose inhaler nominations, which was circulated in a conference room paper.

136. The representative of the European Community presented the draft decision it had prepared, noting that as a result of the progress made by relevant industries, the Community was in a position to request an exemption for only 200 tonnes of CFCs rather than the approved 316 tonnes originally requested and recommended by the Technology and Economic Assessment Panel. The Party also announced its intent to refrain from making any nominations for the manufacture of metered-dose inhalers in 2010 and subsequent years and suggested that all non-Article 5 Parties make the same commitment. Toward that end, it noted that it had submitted a new proposed decision on the matter.

137. One representative expressed concern about certain elements of the European Community's draft decision, suggesting that it might be unrealistic to expect production of metered-dose inhalers to cease by the end of 2009 in her country and questioning whether technically and economically feasible alternatives existed for the CFCs used in all types of metered-dose inhalers. Another representative described progress his country had made, as well as the ongoing legal procedures it was employing to determine the most appropriate time to eliminate the production of CFC-based metered-dose inhalers. The representative of the Russian Federation, responding to a query about the scale of his Party's nomination for aerospace uses, voiced surprise that the issue was being raised again in the light of the fact that it had been thoroughly discussed and virtually settled at the last meeting of the Open-ended Working Group, following compromises by his Government.

138. At the suggestion of the Co-Chair, it was agreed that the three Parties, together with other interested Parties, would consult informally to reach agreement on the texts of the draft decisions.

139. The representative of the Russian Federation subsequently reported that there was full agreement on the draft decision on the essential-use exemption for the Russian aerospace industry. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

140. The representative of the European Community subsequently reported that the Parties had reached agreement on a revised draft decision on the essential-use exemption for CFCs for metered-dose inhalers in the European Union, the Russian Federation and the United States of America. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

**B. Process-agent-related proposals (decisions XVII/6 and XVII/8)**

141. Introducing the sub-item, the Co-Chair recalled that pursuant to decision XVII/6, the Open-ended Working Group at its twenty-seventh meeting had heard reports from the Executive Committee of the Multilateral Fund and from the Technology and Economic Assessment Panel on various process-agent-related matters. As a result of those reports and related discussions, the Open-ended Working Group had forwarded a draft decision (UNEP/OzL.Pro.19/3, section I), proposing the replacement of the current list of process agent applications found in table A of decision X/14 and table A-bis of decision XVII/8 with an updated list, for consideration by the Meeting of the Parties at its current meeting.

142. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

**C. Technology and Economic Assessment Panel final report on carbon tetrachloride emissions and opportunities for reductions (decision XVIII/10)**

143. Introducing the sub-item, the Co-Chair recalled that by decision XVIII/10 the Meeting of the Parties had requested the Technology and Economic Assessment Panel to prepare a final report on carbon tetrachloride emissions and opportunities for reductions, focusing on obtaining better data on industrial emissions, investigating further issues related to the production of carbon tetrachloride and estimating emissions from other sources such as landfills. He said that the Panel had been unable to complete that task due to difficulties in obtaining relevant data.

144. The representative of the Panel said that a group had been set up to look at the issue further and would report on its findings in its 2008 progress report. The Meeting of the Parties agreed that the Panel should be allowed more time to complete its work on the matter.

**D. Consideration of n-propyl bromide proposal (decision XVIII/11)**

145. The Meeting of the Parties agreed to consider sub-item 9 (d) and item 12 of the agenda of the preparatory segment together.

146. Introducing sub-item 9 (d), the Co-Chair recalled that by decision XVIII/11 the Parties had requested the Scientific Assessment Panel to update existing information on the ozone-depleting potential of n-propyl bromide and had requested the Technology and Economic Assessment Panel to continue its assessment of global emissions. At its twenty-seventh meeting the Open-ended Working Group had considered the matter and had prepared a draft decision (UNEP/OzL.Pro.19/3, section K) for consideration by the Nineteenth Meeting of the Parties.

147. Introducing item 12, the Co-Chair recalled that at its twenty-seventh meeting the Open-ended Working Group had considered the matter of very short-lived ozone-depleting substances and had prepared and forwarded a draft decision (UNEP/OzL.Pro.19/3, section N) for consideration by the Nineteenth Meeting of the Parties. The draft decision urged Parties, in accordance with decision X/8, to report to the Secretariat on their production and consumption of trifluoroiodomethane, 1,2-dibromoethane, bromoethane and other artificially produced very short-lived substances and requested the Secretariat, in accordance with decision XIII/5, to update the list of new ozone-depleting substances accordingly.

148. The representative of the European Community noted that both draft decisions had been further amended as the result of informal consultations following the twenty-seventh meeting of the Open-ended Working Group and that they were before the Parties in conference room papers.

149. One representative said that it was too early to add n-propyl bromide to the list of ozone-depleting substances because consumption of the substance was not very high, its ozone-depleting potential was low and further research was needed. Another representative noted that n-propyl bromide and other short-lived substances had been discussed in Scientific Assessment Panel reports going back to 1998 and that the Parties had not seen fit to take action on them. Another said that if short-lived and very short-lived substances were to be considered for action by the Meeting of the Parties they should be dealt with in broad groups rather than as discrete substances.

150. In the light of the lack of consensus on the matter, the Meeting of the Parties decided to defer further discussion to a future meeting.

**E. Technology and Economic Assessment Panel report on campaign production of chlorofluorocarbons for production of metered-dose inhalers (decision XVIII/16)**

151. The Co-Chair explained that in accordance with decision XVIII/16 the Technology and Economic Assessment Panel had reported to the Open-ended Working Group at its twenty-seventh meeting on its progress in assessing the need for and the feasibility, optimal timing and recommended quantities of a limited campaign production of chlorofluorocarbons (CFCs) for metered-dose inhalers in both Article 5 and non-Article 5 Parties. She said that the Open-ended Working Group had discussed the possibility of maintaining the current system of “just-in-time production”. The Working Group did not achieve consensus, however, and accordingly agreed that following that meeting interested Parties would consult informally on the text of a draft decision on the matter for consideration by the Nineteenth Meeting of the Parties.

152. In the ensuing discussion, one representative said that her Government was currently engaged in consultations with pharmaceutical companies that manufactured CFCs for metered-dose inhalers and was accordingly not yet in a position to make a decision on the item.

153. The Meeting of the Parties therefore agreed to defer further consideration of the matter until a later meeting.

**F. Any other issues arising out of the Technology and Economic Assessment Panel reports: funding for travel of Panel experts from non-Article 5 Parties**

**1. Funding for travel of Panel experts from non-Article 5 Parties**

154. The Co-Chair recalled that in its 2007 progress report, the Technology and Economic Assessment Panel had requested the Parties to consider covering the cost of up to twenty-six travels for non-Article 5 members of the Panel and its technical options committees in 2007 and 2008. She noted that the Open-ended Working Group had discussed the Panel’s request at its twenty-seventh meeting but had not reached agreement on the matter.

155. In the ensuing discussion, one representative questioned whether the issue should have been included in the agenda of the current meeting in view of the fact that no Party had raised it for discussion or submitted a draft decision on the matter. Some representatives voiced doubts about the desirability of funding individual Panel experts, whose expenses, they said, should be covered by their respective countries. One representative, however, expressed concern that certain Parties would cease to support the Panel financially, stressing the fundamental importance of maintaining the quality of the Panel’s work and supporting its members. He therefore urged serious consideration of the Panel’s request, arguing that it would have only a minor impact on the Protocol’s budget.

156. Subsequently, the representative of Switzerland presented a draft decision on the financial requirements of the Methyl Bromide Technical Options Committee for 2008, which had been circulated as a conference room paper. He explained that the decision acknowledged that financial support was needed to cover the travel expenses of experts from non-Article 5 Parties and provided for the adoption of a budget based on the workplan and financial requirements of the Methyl Bromide Technical Options Committee set out in table 9 of the August 2007 final report of the Technology and Economic Assessment Panel on the evaluation of the 2007 critical use nominations for methyl bromide and related matters.

157. Later in the meeting, the representative of Switzerland announced that Switzerland was withdrawing the draft decision but hoped that the Parties would find alternative means of supporting experts from non-Article 5 Parties.

**2. Follow-up to the 2006 assessment report of the Halons Technical Options Committee**

158. As agreed by the Parties in discussing the organization of work of the current meeting during the opening session of the high-level segment, the Meeting of the Parties took up under the present agenda item consideration of a draft decision on halon stocks.

159. Introducing the sub-item, the representative of Australia recalled that the Parties had requested the Technology and Economic Assessment Panel’s Halons Technical Options Committee to consider the issue of halon stocks. She presented a draft decision on the matter, which was circulated as a conference room paper and which, as amended, reflected the Committee’s recommendations on the matter set out in its 2006 assessment report and suggestions proposed by several Parties during informal consultations before and at the current meeting.

160. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

## **X. Review of the deferral of consideration by the Implementation Committee and the Meeting of the Parties of the carbon-tetrachloride compliance status of Parties operating under Article 5 which provide evidence that their deviations are due to the use of that chemical for analytical and laboratory processes (decision XVII/13)**

161. Introducing the item, the Co-Chair explained that by decision XVII/13, the Meeting of the Parties had decided to defer consideration of the compliance status in relation to the control measures for carbon tetrachloride of Parties operating under paragraph 1 of Article 5 who provided evidence to the Ozone Secretariat that any deviation from their consumption targets was due to the use of carbon tetrachloride for analytical and laboratory processes. She noted that to date four Article 5 Parties had taken advantage of the provisions of decision XVII/13 and that the deferral granted by the decision was due to expire at the end of 2007.

162. The representative of Chile introduced a draft decision on behalf of the group of Latin America and Caribbean countries. She said that in recognition of the difficulties that Article 5 Parties were facing in finding viable alternatives to carbon tetrachloride for analytical and laboratory processes that complied with relevant international standards the draft decision would further defer consideration by the Implementation Committee and the Meeting of the Parties of the compliance status of Article 5 Parties regarding control measures on carbon tetrachloride until 2010.

163. In the ensuing discussion, a number of representatives from Article 5 Parties expressed support for the draft decision and reiterated their commitment to refrain from using carbon tetrachloride whenever possible.

164. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

## **XI. Future of the laboratory and analytical use exemption (decision XV/8)**

165. The Co-Chair recalled that by decision XV/8, the Meeting of the Parties had extended the exemption for laboratory and analytical uses of some ozone-depleting substances until 31 December 2007. Following consideration of the matter at its twenty-seventh meeting, the Open-ended Working Group had forwarded two draft decisions (UNEP/OzL.Pro.19/3, sections L and M), to the Meeting of the Parties. One draft decision provided for the extension of the exemption until 2009 and the other until 2015.

166. In the ensuing discussion, one representative suggested that the Technology and Economic Assessment Panel and the Chemical Technical Options Committee should compile a list of laboratory and analytical uses of ozone-depleting substances, with an indication of the uses for which alternatives were available and a description of those alternatives. Another representative said that that would be an enormous task, given the thousands of laboratory and analytical procedures using high purity ozone-depleting substances in small quantities; instead, he suggested, greater incentives were needed for those involved in laboratory and analytical work to develop procedures that did not use ozone-depleting substances.

167. The Meeting of the Parties agreed that interested Parties would meet informally during the current meeting in an attempt to reach agreement on a draft decision.

168. The representative of the United States of America subsequently reported that interested Parties had met to discuss the two draft decisions on laboratory and analytical use exemptions and had merged them into a single draft decision, which had been circulated as a conference room paper. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

## **XII. Assessment of new very short-lived ozone-depleting substances**

169. The Meeting of the Parties agreed to consider sub-item 9 (d) and item 12 of the agenda of the preparatory segment together. The report of the discussions on the two items is set out above in chapter IX, section D.

### **XIII. Status of Romania**

170. Introducing the item, the Co-Chair recalled that at its twenty-seventh meeting the Open-ended Working Group had considered a proposal by Romania to be removed from the list of Parties operating under paragraph 1 of Article 5 of the Montreal Protocol. The Working Group had produced a draft decision on the issue for consideration by the Nineteenth Meeting of the Parties (UNEP/OzL.Pro.19/3, section O).

171. The Meeting of the Parties agreed to forward the draft decision to the high-level segment for consideration and possible adoption.

### **XIV. Proposed areas of focus for the assessment panels' 2010 quadrennial reports (Article 6 and decision XV/53)**

172. The Co-Chair recalled that the Open-ended Working Group at its twenty-seventh meeting had agreed to request the Ozone Secretariat to engage in discussions with the assessment panels and had put forward a proposal on possible areas of focus for the panels' 2010 assessment. The Nineteenth Meeting of the Parties had before it proposed terms of reference for the Scientific Assessment Panel, the Environmental Effects Panel and the Technology and Economic Assessment Panel prepared by the Secretariat on the basis of those discussions, which were circulated in a conference room paper.

173. Several representatives said that the proposed terms of reference were a good start but required further consideration. The Meeting of the Parties therefore agreed that interested Parties should consult to review the proposed terms of reference and report to the Meeting of the Parties on the outcome of those discussions.

174. One representative subsequently presented a draft decision that had been agreed during the informal consultations. Several representatives proposed amendments to the text. One representative said that, according to his understanding of the draft decision, the mention of production and use in various applications of ozone-depleting substances covered feedstock production and use. The Parties agreed that that understanding would be reflected in the present report.

175. The Meeting of the Parties agreed to forward the draft decision, as orally amended, to the high-level segment for consideration and possible adoption.

### **XV. Compliance and data reporting issues considered by the Implementation Committee**

176. The Co-Chair invited Ms. Robyn Washbourne (New Zealand), President of the Implementation Committee, to present a summary of the report of the thirty-ninth meeting of the Committee, which had taken place from 12 to 14 September 2007, and the draft decisions prepared by the Committee, which had been circulated in a conference room paper.

177. She said that, due to the increasing workload of the Committee, it was recommending that its mid-year meeting be extended from two to three days and that provision be made for that adjustment in the Protocol's budget.

178. She observed that the draft decisions before the Meeting of the Parties, together with the recommendations of the Committee in the full report of its thirty-ninth meeting, illustrated every stage of the compliance system of the Montreal Protocol, including data reporting and clarification, requests for and approval of plans of action, monitoring of plan implementation and welcoming of Parties back into compliance. The Parties' data reporting performance in 2007 had been less impressive than in recent years. Only about 130 of the 190 Parties required to report their production and consumption data for 2006 (68 per cent) had so far done so. Those that had not yet done so were encouraged to report their data before the 30 September deadline. All Parties had, however, reported their data for all years prior to 2006 and all had also reported their base-year and baseline data.

179. She noted that several Parties had requested changes in their baseline data for various substances. In most cases the Committee had needed to request further information from the Parties so that it could assess the requests properly. The request that had been received from Turkmenistan for a revision of its baseline data for methyl bromide, on the other hand, was well-supported, could serve as a model to other Parties with similar national circumstances and was recommended for approval.

180. It was a matter of concern, she said, that 12 Parties to the Montreal Amendment had still not notified the Secretariat that they had established licensing systems, which were vital to tackling illegal trade and monitoring compliance. The Committee's experience had shown too that it was important that Parties' licensing systems incorporate all the elements listed in Article 4B of the Protocol and that they were operated and monitored effectively.

181. Turning to the issue of compliance, she said that the Implementation Committee had prepared a draft decision that would request Saudi Arabia to produce a plan of action for methyl bromide, which would be considered in conjunction with that Party's methyl bromide baseline data revision request. Plans of action had been submitted by Paraguay for CFCs and carbon tetrachloride and by the Islamic Republic of Iran for carbon tetrachloride and were also the subject of draft decisions.

182. With regard to the monitoring of adherence to the plans of action approved for those Parties that had been in non-compliance, she said that the full report of the Committee listed many Parties that had met or were in advance of their time-specific phase-out benchmarks. Further information had been requested from the small number of Parties that had not provided the information required to confirm that they had fulfilled the commitments for 2006 contained in their plans of action. Regarding a matter of non-compliance by Greece, she noted that the Party had ceased all production of CFCs and had no plans to resume. In the light of data subsequently received, it had become unnecessary to forward to the current meeting draft decisions on Azerbaijan, El Salvador and Serbia contained in the report of the Committee's June 2007 meeting.

183. She recalled that by decision XVII/12 the Meeting of the Parties had urged non-Article 5 Parties exporting CFCs to Article 5 Parties to request (and submit to the Secretariat) written affirmations from the Article 5 Parties that the CFCs to be exported were genuinely needed for domestic consumption and would not place the Article 5 Parties in non-compliance. The Committee had prepared a draft decision for the Meeting of the Parties that would request the Committee to review the Parties' implementation of the reporting requests contained in decision XVII/12. That reporting was not yet fully operational and was being monitored by the Committee. To assist in combating illegal trade, the Secretariat had been requested to identify those Parties that had not reported in accordance with decision XVII/16, which urged Parties to use the new reporting format to identify the destinations of exports of all ozone depleting substances.

184. She recalled too that by decision XVIII/17 the Meeting of the Parties had requested the Secretariat to maintain a consolidated record of cases in which Parties had explained that their deviations from the Protocol's control measures were the consequence of stockpiling for particular uses in future years. In reviewing that record, the Committee had noted that the identity of the Parties concerned was not included. In the interest of transparency, the Committee had requested the Secretariat to include such information in all future versions of the record.

185. Recalling that at its thirty-eighth meeting the Committee had considered a paper on the challenges associated with future implementation of the non-compliance procedure, she highlighted the Committee's conclusions on two of the issues. The first issue concerned the requirement in paragraph 9 of the non-compliance procedure that the Committee make its meeting reports available to the Parties not later than six weeks before meetings of the Parties. As the Committee's second meeting each year was held immediately prior to the annual meeting of the Parties that requirement was not complied with. The Committee had concluded, however, that that arrangement had several advantages and recommended its continuation. Second, the Committee had directed the Secretariat to precede the text of the draft decisions presented in the conference room paper circulated at the meeting of the Parties for adoption with a tabular summary of the draft decisions.

186. In closing, she thanked the representatives of the Multilateral Fund secretariat and the implementing agencies and the Chair of the Executive Committee for their assistance. She also thanked the Ozone Secretariat for its support and the members of the Committee for their hard work. In particular she expressed the great appreciation of the Implementation Committee for the work and support of Ms. Tamara Curll, who would soon be resigning from her post as Monitoring and Compliance Officer of the Ozone Secretariat. The international ozone community, she concluded, had helped build a compliance system that was regarded with respect and as a model to be emulated.

187. In the ensuing discussion, those representatives who spoke praised the work and reporting of the Implementation Committee and welcomed its proposals. One representative expressed support for the Committee's current approach to the implementation of paragraph 9 of the Non-compliance Procedure. With respect to the Committee's proposal to review implementation of decision XVII/12, however, he noted that many decisions "urged" Parties to take certain actions related to reporting. He said that his delegation did not consider such reporting to be obligatory and that if the Committee were to review all

such reporting requests its workload would increase significantly. Another representative expressed support for the Committee's request that the report prepared in accordance with decision XVIII/17 should identify the Parties concerned.

188. The Meeting of the Parties agreed to forward the draft decisions recommended by the Implementation Committee to the high-level segment for consideration and possible adoption.

## **XVI. Other matters**

### **A. Draft Montreal Declaration**

189. The Co-Chair recalled that Canada had presented a proposal for a "Montreal Declaration" at the twenty-seventh meeting of the Open-ended Working Group. The Parties had discussed the matter at that meeting and agreed that intersessional work on the proposal would continue through an electronic dialogue.

190. One representative gave an update on the intersessional consultations and explained that the proposed declaration was intended to reaffirm the commitments that Parties had made when they adopted the Protocol and to give a sense of the direction of the work ahead in the coming decade. Eleven Parties had submitted comments on the initial draft of the declaration, which had been posted on the Ozone Secretariat website. The draft text had then been revised, taking into account those comments. He said that he looked forward to continuing discussions at the present meeting on the basis of the amended draft and suggested that an additional paragraph might be needed in the event that the Parties agreed to an adjustment of the Protocol with regard to accelerated HCFC phase-out.

191. A contact group was set up to consider the proposed Montreal declaration, to be chaired by Mr. Pierre Pinault (Canada).

192. Speaking on behalf of Mr. Pinault, one representative reported that the group had reached agreement on the text of the draft Montreal Declaration, noting that the inclusion of one introductory paragraph would be contingent upon the outcomes of the discussions of the contact group considering adjustments to the HCFC phase-out schedule of the Montreal Protocol. She thanked participants for their creativity and flexibility and the spirit of compromise that had enabled the group to reach consensus on a draft Montreal Declaration.

193. The Meeting of the Parties agreed to forward the draft Montreal Declaration to the high-level segment for consideration and possible adoption.

### **B. Endorsement of new co-chairs of the Scientific Assessment Panel**

194. In accordance with its decision at the time of the adoption of the agenda of the high-level segment, the Meeting of the Parties took up under the present agenda item the issue of endorsement by the Parties of new co-chairs of the Scientific Assessment Panel.

195. Introducing the item, the representative of the United States of America paid homage to the exceptional service that the Scientific Assessment Panel had provided to the Parties for more than two decades. He recalled that in May 2007 the Secretariat had received letters of resignation from two co-chairs of the Scientific Assessment Panel, Mr. Daniel Albritton and Mr. Robert Watson. He noted that as a result of their departure and the sad death of another co-chair, Mr. Gérard Mégie, there were three co-chair positions vacant on the Panel.

196. He said that three formal nominations for co-chairs had accordingly been made: two by the United States of America and one by the United Kingdom. He announced the nomination by the United States of America of Mr. A. R. Ravishankara of the National Oceanic and Atmospheric Administration and Mr. Paul Newman of the National Aeronautics and Space Administration. The representative of the United Kingdom announced the nomination of Mr. John A. Pyle of the University of Cambridge.

197. The Meeting of the Parties agreed that the representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America would prepare a proposal on the election of the co-chairs of the Scientific Assessment Panel for its consideration.

198. The representative of the United Kingdom subsequently presented a draft decision on the election of the co-chairs of the Scientific Assessment Panel. Following consideration of that draft decision, the Meeting of the Parties agreed to forward it to the high-level segment for consideration and possible adoption.

## Part three: Continuation of the high-level segment

### VIII. Credentials of representatives

199. The representative of the Secretariat reported that the Bureau of the Nineteenth Meeting of the Parties had approved the credentials of the representatives of 115 of the 157 Parties represented at the meeting. The Bureau had also approved the representation of one of the 157 Parties on the understanding that its credentials would be forwarded to the Secretariat as soon as possible. The Bureau urged all Parties attending future meetings of the Parties to make their best efforts to submit credentials to the Secretariat as required under rule 18 of the rules of procedure.

### IX. Report from the co-chairs of the preparatory segment on the result of discussions

200. Mr. Sørensen reported that the preparatory segment had been very successful and he thanked all representatives for their hard work in creating that success. He said that during its preparatory segment the Meeting of the Parties had dealt with a large number of issues and had reached agreement on more than 20 draft decisions, which it recommended for final adoption. The President of the Meeting of the Parties thanked the co-chairs for their work and praised the spirit of cooperation shown during the negotiations.

### X. Dates and venue for the Twentieth Meeting of the Parties to the Montreal Protocol and the eighth meeting of the Conference of the Parties to the Vienna Convention

201. Summarizing his Party's progress in implementing the Montreal Protocol and expressing his hope that the Parties would maintain their current momentum as they moved ahead in implementing the Protocol, the representative of Qatar conveyed an offer from his Government to host the Twentieth Meeting of the Parties in Doha in 2008.

202. Following a brief video presentation on Qatar, the Meeting of the Parties warmly welcomed the offer.

### XI. Other matters, including consideration of a Montreal declaration

203. No matters were raised for discussion under the present item. The Parties' consideration of the draft Montreal Declaration is discussed under item 16 ("Other matters") of the agenda of the preparatory segment. In the light of its discussions during the preparatory segment, the Meeting of the Parties adopted the Montreal Declaration as set out in chapter 12 below.

### XII. Adoption of decisions by the Nineteenth Meeting of the Parties to the Montreal Protocol

204. The Meeting of the Parties decides:

#### **Decision XIX/1: Ratification of the Vienna Convention, the Montreal Protocol and the London, Copenhagen, Montreal and Beijing amendments to the Protocol**

1. To note with satisfaction the large number of countries that have ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer;

2. To note that, as of 21 September 2007, 191 Parties had ratified the Vienna Convention on Protection of the Ozone Layer, 191 Parties had ratified the Montreal Protocol on Substances that Deplete the Ozone Layer, 186 Parties had ratified the London Amendment to the Montreal Protocol, 178 Parties had ratified the Copenhagen Amendment to the Montreal Protocol, 157 Parties had ratified the Montreal Amendment to the Montreal Protocol and 132 Parties had ratified the Beijing Amendment to the Montreal Protocol;

3. To urge all States that have not yet done so to ratify, approve or accede to the Vienna Convention and the Montreal Protocol and its amendments, taking into account that universal participation is necessary to ensure the protection of the ozone layer;

**Decision XIX/2: Membership of the Implementation Committee**

1. To note with appreciation the work done by the Implementation Committee under the Non-compliance Procedure of the Montreal Protocol in the year 2007;
2. To confirm the positions of Bolivia, Georgia, India, Tunisia and the Netherlands for one further year and to select Jordan, Mauritius, Mexico, New Zealand and the Russian Federation as members of the Committee for a two-year period commencing 1 January 2008;
3. To note the selection of Tunisia to serve as President and of the Russian Federation to serve as Vice-President and Rapporteur, respectively, of the Implementation Committee for one year with effect from 1 January 2008;

**Decision XIX/3: Membership of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol**

1. To note with appreciation the work done by the Executive Committee with the assistance of the Fund Secretariat in the year 2007;
2. To endorse the selection of Belgium, Australia, Romania, Germany, Japan, Sweden, and the United States of America as members of the Executive Committee representing Parties not operating under paragraph 1 of Article 5 of the Protocol and the selection of Gabon, Sudan, China, India, Lebanon, the Dominican Republic and Uruguay as members representing Parties operating under that paragraph, for one year effective from 1 January 2008;
3. To note the selection of Gabon to serve as Chair and Mr. Husamuddin Ahmadzai (Sweden) to serve as Vice-Chair of the Executive Committee for one year with effect from 1 January 2008;

**Decision XIX/4: Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol**

To endorse the selection of Mr. Mikkel Aaman Sorensen (Denmark) and Ms. Judy Francis Beaumont (South Africa) as Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol for 2008;

**Decision XIX/5: Financial matters: financial reports and budgets**

1. To approve the 2008 budget for the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer in the amount of \$4,618,880 and to take note of the proposed 2009 budget of \$4,887,129, as set out in annex I to the report of the Nineteenth Meeting of the Parties<sup>3</sup>;
2. To authorize the Ozone Secretariat to draw down \$341,947 in 2008;
3. To approve, as a consequence of the draw-down referred to in paragraph 2 above, total contributions to be paid by the Parties of \$4,276,933 for 2008;
4. That the contributions of individual Parties shall be listed in annex II to the report of the Nineteenth Meeting of the Parties;
5. To authorize the Ozone Secretariat to maintain a constant operating cash reserve of the estimated annual planned expenditures that will be used to meet the final expenditures under the trust fund. The Parties agree to increase the approved budget for the operating cash reserve for 2008 to 11.3 per cent and to contribute 3.7 per cent of the budget for the cash operating reserve in 2009, after which time the Parties will strive to maintain an operating cash reserve of 15 per cent;
6. To express its concern over delays in payment of agreed contributions by Parties, contrary to the provisions in paragraphs 3 and 4 of the terms of reference for the administration of the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer;
7. To urge all Parties to pay their contributions promptly and in full and also to urge Parties that have not done so to pay their contributions for prior years as soon as possible;

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3 UNEP/OzL.Pro/19/7.

8. To encourage Parties, non-Parties and other stakeholders to contribute financially and with other means to assist members of the three assessment panels and their subsidiary bodies with their continued participation in the assessment activities under the Protocol;

9. To invite Parties to notify the Ozone Secretariat of all contributions made to the Montreal Protocol Trust Fund at the time such payments are made;

10. To request the Executive Secretary, in accordance with rule 14 of the rules of procedure, to provide Parties with an indication of the financial implications of draft decisions whose implementation cannot be funded from existing resources within the budget of the Montreal Protocol Trust Fund;

11. To request the Ozone Secretariat to ensure its implementation of secretariat-related decisions adopted by the Meeting of the Parties as approved and within the budget and the availability of financial resources in the Trust Fund;

12. To request the Ozone Secretariat to inform the Open-ended Working Group on all sources of income received, including the reserve and fund balance and interest as well as actual and projected expenditures and commitments, and to request the Executive Secretary to provide an indicative report on all expenditures against budget lines;

13. To request the Open-ended Working Group to keep under review the financial information provided by the Ozone Secretariat, including the timeliness and transparency of that information.

**Decision XIX/6: Adjustments to the Montreal Protocol with regard to Annex C, Group I, substances (hydrochlorofluorocarbons)**

The Parties agree to accelerate the phase-out of production and consumption of hydrochlorofluorocarbons (HCFCs), by way of an adjustment in accordance with paragraph 9 of Article 2 of the Montreal Protocol and as contained in annex III to the report of the Nineteenth Meeting of the Parties,<sup>4</sup> on the basis of the following:

1. For Parties operating under paragraph 1 of Article 5 of the Protocol (Article 5 Parties), to choose as the baseline the average of the 2009 and 2010 levels of, respectively, consumption and production; and

2. To freeze, at that baseline level, consumption and production in 2013;

3. For Parties operating under Article 2 of the Protocol (Article 2 Parties) to have completed the accelerated phase-out of production and consumption in 2020, on the basis of the following reduction steps:

(a) By 2010 of 75 per cent;

(b) By 2015 of 90 per cent;

(c) While allowing 0.5 per cent for servicing the period 2020–2030;

4. For Article 5 Parties to have completed the accelerated phase-out of production and consumption in 2030, on the basis of the following reduction steps:

(a) By 2015 of 10 per cent;

(b) By 2020 of 35 per cent;

(c) By 2025 of 67.5 per cent;

(d) While allowing for servicing an annual average of 2.5 per cent during the period 2030–2040;

5. To agree that the funding available through the Multilateral Fund for the Implementation of the Montreal Protocol in the upcoming replenishments shall be stable and sufficient to meet all agreed incremental costs to enable Article 5 Parties to comply with the accelerated phase-out schedule both for production and consumption sectors as set out above, and based on that understanding, to also direct the Executive Committee of the Multilateral Fund to make the necessary changes to the eligibility criteria related to the post-1995 facilities and second conversions;

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4 UNEP/OzL.Pro.19/7.

6. To direct the Executive Committee, in providing technical and financial assistance, to pay particular attention to Article 5 Parties with low volume and very low volume consumption of HCFCs;
7. To direct the Executive Committee to assist Parties in preparing their phase-out management plans for an accelerated HCFC phase-out;
8. To direct the Executive Committee, as a matter of priority, to assist Article 5 Parties in conducting surveys to improve reliability in establishing their baseline data on HCFCs;
9. To encourage Parties to promote the selection of alternatives to HCFCs that minimize environmental impacts, in particular impacts on climate, as well as meeting other health, safety and economic considerations;
10. To request Parties to report regularly on their implementation of paragraph 7 of Article 2F of the Protocol;
11. To agree that the Executive Committee, when developing and applying funding criteria for projects and programmes, and taking into account paragraph 6, give priority to cost-effective projects and programmes which focus on, inter alia:
  - (a) Phasing-out first those HCFCs with higher ozone-depleting potential, taking into account national circumstances;
  - (b) Substitutes and alternatives that minimize other impacts on the environment, including on the climate, taking into account global-warming potential, energy use and other relevant factors;
  - (c) Small and medium-size enterprises;
12. To agree to address the possibilities or need for essential use exemptions, no later than 2015 where this relates to Article 2 Parties, and no later than 2020 where this relates to Article 5 Parties;
13. To agree to review in 2015 the need for the 0.5 per cent for servicing provided for in paragraph 3, and to review in 2025 the need for the annual average of 2.5 per cent for servicing provided for in paragraph 4 (d);
14. In order to satisfy basic domestic needs, to agree to allow for up to 10% of baseline levels until 2020, and, for the period after that, to consider no later than 2015 further reductions of production for basic domestic needs;
15. In accelerating the HCFC phase-out, to agree that Parties are to take every practicable step consistent with Multilateral Fund programmes, to ensure that the best available and environmentally-safe substitutes and related technologies are transferred from Article 2 Parties to Article 5 Parties under fair and most favourable conditions;

#### **Decision XIX/7: Eligibility of South Africa for financial assistance from the Multilateral Fund**

*Recalling* decision IX / 27, which, while accepting the classification of South Africa as a developing country for the purposes of the Montreal Protocol, noted that South Africa has undertaken not to request financial assistance from the Multilateral Fund for fulfilling commitments undertaken by developed countries prior to the Ninth Meeting of the Parties,

*Noting* that the adjustment for HCFC control measures of the Nineteenth Meeting of the Parties contains new obligations undertaken by all developing countries, including South Africa,

That South Africa, as a developing country operating under paragraph 1 of Article 5 of the Montreal Protocol, is eligible for technical and financial assistance from the Multilateral Fund for fulfilling its commitments to phase out both production and consumption of HCFCs, consistent with decision XIX/6 of the Nineteenth meeting of the Parties;

#### **Decision XIX/8: Additional work on hydrochlorofluorocarbons**

*Noting* that by decision XIX/6 the Meeting of the Parties adopted an adjustment to the Montreal Protocol to accelerate the phase-out of hydrochlorofluorocarbons (HCFCs) and noting the impact of those adjustments on efforts towards the recovery of the ozone layer,

*Expressing appreciation* for the work done by the Technology and Economic Assessment Panel and its technical options committees in analyzing the global status of HCFC consumption, banks, emissions and technologies and noting the need for further information on alternative technology acceptance and promotion among Parties operating under paragraph 1 of Article 5 of the Protocol (Article 5 Parties),

*Welcoming* the European Commission's intention to organize and hold a workshop in 2008 on alternatives to HCFCs and their availability in Article 5 Parties,

*Taking into consideration* the difficulties faced by some Article 5 Parties facing specific climatic conditions and other unique operating conditions, such as those as in mines that are not open pit mines, in the air-conditioning and refrigeration sectors,

1. To request the Technology and Economic Assessment Panel to conduct a scoping study addressing the prospects for the promotion and acceptance of alternatives to HCFCs in the refrigeration and air-conditioning sectors in Article 5 Parties, with specific reference to specific climatic conditions and unique operating conditions, such as those as in mines that are not open pit mines, in some Article 5 Parties;

2. To request the Technology and Economic Assessment Panel to provide a summary of the outcome of the study referred to in the preceding paragraph in its 2008 progress report with a view to identifying areas requiring more detailed study of the alternatives available and their applicability;

#### **Decision XIX/9: Critical-use exemptions for methyl bromide for 2008 and 2009**

*Noting with appreciation* the work done by the Technology and Economic Assessment Panel and its Methyl Bromide Technical Options Committee,

*Noting* that Parties submitting requests for methyl bromide have supported their requests with management strategies as requested under decision Ex.I/4,

1. To permit, for the agreed critical-use categories for 2008 set forth in table A of the annex to the present decision for each Party, subject to the conditions set forth in the present decision and decision Ex.I/4 to the extent that those conditions are applicable, the levels of production and consumption for 2008 set forth in table B of the annex to the present decision which are necessary to satisfy critical uses, in addition to the amounts permitted in decision XVIII/13;

2. To permit, for the agreed critical-use categories for 2009 set forth in table C of the annex to the present decision for each Party, subject to the conditions set forth in the present decision and in decision Ex.I/4 to the extent that those conditions are applicable, the levels of production and consumption for 2009 set forth in table D of the annex to the present decision which are necessary to satisfy critical uses, with the understanding that additional levels of production and consumption and categories of uses may be approved by the Meeting of the Parties in accordance with decision IX/6;

3. To request the Technology and Economic Assessment Panel to ensure that recent findings with regard to the adoption rate of alternatives are annually updated and reported to the Parties in its first report of each year and inform the work of the Panel;

4. That when assessing supplemental requests for critical use exemptions for 2009 for a specific nomination, the Technology and Economic Assessment Panel should take into account the most current information, including any information on domestic implementation of related 2008 and 2009 critical uses, in accordance with paragraph 2 of decision IX/6;

5. That a Party with a critical use exemption level in excess of permitted levels of production and consumption for critical uses is to make up any such differences between those levels by using quantities of methyl bromide from stocks that the Party has recognized to be available;

6. That Parties shall endeavour to license, permit, authorize or allocate quantities of critical-use methyl bromide as listed in tables A and C of the annex to the present decision;

7. That each Party which has an agreed critical use renews its commitment to ensure that the criteria in paragraph 1 of decision IX/6 are applied when licensing, permitting or authorizing critical use of methyl bromide and, in particular, the criterion laid down in paragraph 1 (b) (ii) of decision IX/6. Each Party is requested to report on the implementation of the present paragraph to the Ozone Secretariat by 1 February for the years to which this decision applies;

8. To request the Technology and Economic Assessment Panel to continue publishing annually in its progress report prior to each meeting of the Open-ended Working Group the stocks of methyl bromide held by each nominating Party as reported in that Party's accounting framework report;

9. To recognize the continued contribution of the Methyl Bromide Technical Options Committee's expertise and to agree that, in accordance with section 4.1 of the Technology and Economic Assessment Panel's terms of reference, the Committee should continue to develop its recommendations in a consensus process that includes full discussion among all available members of the Committee;

10. To note the importance of transparency in the critical-use exemption process and to request the Technology and Economic Assessment Panel to provide to the Open-ended Working Group at its next meeting a written explanation of its methodology for using its meta-analysis in its work and to disclose to the Parties in a written explanation any significant changes or deviations it intends to make to that methodology before it undertakes any such change or deviation;

11. That Parties licensing, permitting or authorizing methyl bromide for critical uses shall request the use of emission minimization techniques such as virtually impermeable films, barrier film technologies, deep shank injection and/or other techniques that promote environmental protection, whenever technically and economically feasible;

12. That each Party should continue to ensure that its national management strategy for the phase-out of critical uses of methyl bromide addresses the aims specified in paragraph 3 of decision Ex.I/4;

## Annex to decision XIX/9

### Critical-use exemptions for 2008 and 2009

**Table A. 2008 agreed critical-use categories (metric tonnes)**

Australia	Rice (1.80)*
Canada	Pasta (6.067)
Israel	Dates (1.800), Flour mills (0.312), Broomrape (250.000), Cucumber – protected (18.750), Cut flowers – bulbs – protected (114.450), Cut-flowers – open field (44.750), Melon – protected and field (87.500), Potato (93.750), Sweet potatoes (111.500), Strawberry runners (Sharon and Gaza) (31.900), Strawberry fruit – protected (Sharon and Gaza) (105.960),
Poland	Coffee and cocoa beans (0.500), Medicinal herbs and mushrooms (0.500), Strawberry runners (11.995)
Spain	Cut flowers (Andalucia and Catalonia) (17.000), Strawberry runners (215.000), Strawberry and pepper – research (0.151)

\* This amount was first approved in decision XVIII/13, conditional on the Technology and Economic Assessment Panel's 2007 progress report.

**Table B: 2008 permitted levels of production and consumption (metric tonnes)**

Australia	1.80**
Canada	6.067
Israel	860.672
Poland *	12.995
Spain *	232.151

\* The production and consumption of the European Community shall not exceed 245.146 metric tonnes for the purposes of the agreed critical uses.

\*\* This amount was first approved in decision XVIII/13, conditional on the Technology and Economic Assessment Panel's 2007 progress report.

**Table C: 2009 agreed critical-use categories (metric tonnes)**

Australia	Strawberry runners (29.790), Rice (7.820)
Canada	Mills (26.913), Strawberry runners (Prince Edward Island) (7.462)
Japan	Chestnuts (5.800), Cucumbers (34.300), Ginger – field (63.056), Ginger – protected (8.325), Melons (91.100), Peppers green and hot (81.149), Watermelon (21.650)
United States of America	Commodities (45.623), NPMA food processing structures (cocoa beans removed) (54.606), Mills and processors (291.418), Dried cured pork (18.998), Cucurbits (407.091), Eggplant – field (48.691), Forest nursery seedlings (122.060), Nursery stock – fruit, nut, flower (25.326), Orchard replant (292.756), Ornamentals (107.136), Peppers – field (548.984), Strawberries – field (1,269.321), Strawberry runners (7.944), Tomatoes – field (1,003.876), Sweet potato slips (18.144)

**Table D: 2009 permitted levels of production and consumption (metric tonnes)**

Australia	37.610
Canada	34.375
Japan	305.380
United States of America	3,961.974*

\* Minus available stocks

**Decision XIX/10: Terms of reference for the study on the 2009–2011 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol**

*Recalling* decisions VII/24, X/13, XIII/1 and XVI/35 on previous terms of reference for studies on the replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol,

*Recalling also* decisions VIII/4, XI/7, XIV/39, and XVII/40 on previous replenishments of the Multilateral Fund,

1. To request the Technology and Economic Assessment Panel to prepare a report for submission to the Twentieth Meeting of the Parties, and to present it through the Open-ended Working Group at its twenty-eighth meeting, to enable the Twentieth Meeting of the Parties to take a decision on the appropriate level of the 2009–2011 replenishment of the Multilateral Fund. In preparing its report, the Panel should take into account, among other things:

(a) All control measures and relevant decisions agreed by the Parties to the Montreal Protocol and the Executive Committee, including decisions agreed by the Nineteenth Meeting of the Parties and the Executive Committee at its fifty-third and fifty-fourth meetings insofar as those decisions will necessitate expenditure by the Multilateral Fund during the period 2009–2011, including scenarios which indicate eligible incremental costs and cost-efficiencies associated with implementation by Parties operating under paragraph 1 of Article 5 of the adjustments and decisions relating to HCFCs, and, in addition, the Panel should provide indicative figures for the periods 2012–2014 and 2015–2017 in order to provide information to support a stable level of funding that would be updated prior to figures for those periods being finalized;

(b) The need to allocate resources to enable all Parties operating under paragraph 1 of Article 5 to maintain compliance with Articles 2A–2I of the Montreal Protocol and possible new agreed compliance measures relevant to the period 2009–2011 under the Montreal Protocol;

(c) Rules and guidelines agreed by the Executive Committee, up to and including its fifty-fourth meeting, for determining eligibility for funding of investment projects (including those in the production sector), non-investment projects and sectoral or national phase-out plans;

(d) Approved country programmes;

(e) Financial commitments in 2009–2011 relating to national or sectoral phase-out plans agreed by the Executive Committee;

- (f) The provision of funds for accelerating phase-out and maintaining momentum, taking into account the time lag in project implementation;
- (g) Experience to date, including limitations and successes of the phase-out of ozone-depleting substances achieved with the resources already allocated, as well as the performance of the Multilateral Fund and its implementing agencies;
- (h) The impact that the international market, ozone-depleting substance control measures and country phase-out activities are likely to have on the supply of and demand for ozone-depleting substances, the corresponding effects on the price of ozone-depleting substances and the resulting incremental costs of investment projects during the period under review;
- (i) Administrative costs of the implementing agencies and the cost of financing the secretariat services of the Multilateral Fund, including the holding of meetings;
2. That, in undertaking this task, the Panel should consult widely with all relevant persons and institutions and other relevant sources of information deemed useful;
3. To request the Panel to provide additional information on the levels of funding required for replenishment in each of the years 2012, 2013 and 2014 and to study the financial and other implications of a possible longer replenishment period, in particular whether such a measure would provide for more stable levels of contributions;
4. That the Panel shall strive to complete its work in time to enable its report to be distributed to all Parties two months before the twenty-eighth Meeting of the Open-ended Working Group;
5. To request the Panel to take into account the conclusions resulting from the study conducted by the Executive Committee pursuant to paragraph 2 of decision XVIII/9 in the event that proposals for control measures related to the subject of that study are submitted to the Ozone Secretariat.

#### **Decision XIX/11: Revision of the terms of reference of the Executive Committee**

To amend paragraph 8 of the terms of reference of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol, as modified by the Ninth Meeting of the Parties in decision IX/16 and the Sixteenth Meeting of the Parties in decision XVI/38, to read:

“8. The Executive Committee shall have the flexibility to hold two or three meetings annually, if it so decides, and shall report at each Meeting of the Parties on any decision taken there. The Executive Committee should consider meeting, when appropriate, in conjunction with other Montreal Protocol meetings.”

#### **Decision XIX/12: Preventing illegal trade in ozone-depleting substances**

*Acknowledging* the need for action to prevent and to minimize illegal trade in controlled ozone-depleting substances and the importance of this issue in continuing discussions on the future of the Protocol,

*Mindful* of decision XVIII/18, which requested the Parties to provide written comments on the report entitled “ODS Tracking Feasibility Study on developing a system for monitoring the transboundary movement of controlled ozone-depleting substances between Parties” and requested the Ozone Secretariat to provide a compilation of such comments to the Nineteenth Meeting of the Parties in 2007,

*Noting* with appreciation the comments of the Parties on the medium- and longer-term options put forward in the tracking feasibility study,

*Noting* that there are other initiatives that could be used in the monitoring of the transboundary movements of controlled ozone-depleting substances between Parties,

*Acknowledging* that an important first step toward effective monitoring of transboundary movements of ozone-depleting substances between Parties would be better implementation and enforcement of existing mechanisms,

*Acknowledging* the initiative to attempt to combat illegal trade through informal prior informed consent by countries in the South Asian and South East Asia and Pacific regions and implementation of Project Sky Hole Patching by the Regional Intelligence Liaison Office of the World Customs Organization,

*Recognizing* the benefits of transparency and information sharing on measures established by Parties to combat illegal trade,

*Noting* that action relevant to trade in ozone-depleting substances may occur in other forums such as the World Customs Organization,

1. To remind all Parties of their obligation under Article 4B of the Protocol to establish an import and export licensing system for all controlled ozone-depleting substances;

2. To urge all Parties to fully and effectively implement and actively enforce their systems for licensing the import and export of controlled ozone-depleting substances as well as recommendations contained in existing decisions of the Parties, notably decisions IX/8, XIV/7, XVII/12, XVII/16 and XVIII/18;

3. That Parties wishing to improve implementation and enforcement of their licensing systems in order to combat illegal trade more effectively may wish to consider implementing domestically on a voluntary basis the following measures:

(a) Sharing information with other Parties, such as by participating in an informal prior informed consent procedure or similar system;

(b) Establishing quantitative restrictions, for example import and/or export quotas;

(c) Establishing permits for each shipment and obliging importers and exporters to report domestically on the use of such permits;

(d) Monitoring transit movements (trans-shipments) of ozone-depleting substances, including those passing through duty-free zones, for instance by identifying each shipment with a unique consignment reference number;

(e) Banning or controlling the use of non-refillable containers;

(f) Establishing appropriate minimum requirements for labelling and documentation to assist in the monitoring of trade of ozone-depleting substances;

(g) Cross-checking trade information, including through private-public partnerships;

(h) Including any other relevant recommendations from the ozone-depleting substances tracking study;

4. To request the Ozone Secretariat to continue to collaborate with the World Customs Organization in relation to possible actions by Parties on any new amendments to the Harmonized Commodity Description and Coding System with respect to ozone-depleting substances and to report to the Meeting of the Parties on actions taken at the World Customs Organization.

**Decision XIX/13: Essential-use nominations for Parties not operating under paragraph 1 of Article 5 for controlled substances for 2008 and 2009**

*Noting with appreciation* the work done by the Technology and Economic Assessment Panel and its Medical Technical Options Committee,

*Mindful* that, according to decision IV/25, the use of chlorofluorocarbons (CFCs) for metered-dose inhalers does not qualify as an essential use if technically and economically feasible alternatives or substitutes are available that are acceptable from the standpoint of environment and health,

*Noting* the Technology and Economic Assessment Panel's conclusion that technically satisfactory alternatives to chlorofluorocarbon-based metered-dose inhalers are available for short-acting beta-agonists and other therapeutic categories for asthma and chronic obstructive pulmonary disease,

*Mindful* that paragraph 8 of decision XII/2 allows the transfer of CFCs between metered-dose inhaler companies,

*Welcoming* the continued progress in several Parties not operating under paragraph 1 of Article 5 in reducing their reliance on CFC-containing metered-dose inhalers as alternatives are developed, receive regulatory approval and are marketed for sale,

1. To authorize the levels of production and consumption for 2008 and 2009 necessary to satisfy essential uses of CFCs for metered-dose inhalers for asthma and chronic obstructive pulmonary disease specified in the annexes to the present decision;

2. That Parties not operating under paragraph 1 of Article 5 of the Montreal Protocol, when licensing, authorizing or allocating essential-use exemptions for a manufacturer of metered-dose inhalers, shall ensure, in accordance with paragraph 1 (b) of decision IV/25, that pre- and post-1996 stocks of controlled substances are taken into account such that no more than a one-year operational supply is maintained by the manufacturer;

3. That Parties not operating under paragraph 1 of Article 5 of the Montreal Protocol will request each company, consistent with paragraph 1 of decision VIII/10, to notify the relevant authority, for each metered-dose inhaler product for which the production of CFCs is requested, of:

(a) The company's commitment to the reformulation of the concerned products;

(b) The timetable in which each reformulation process may be completed;

(c) Evidence that the company is diligently seeking approval of any chlorofluorocarbon-free alternative(s) in its domestic and export markets and transitioning those markets away from its chlorofluorocarbon products;

4. The Parties listed in Annex A to the present decision shall not nominate for the production of essential use volumes of CFCs for the manufacture of metered-dose inhalers in 2010 or any year thereafter.

## **Annex A to decision XIX/13**

### **Essential-use authorizations for 2008 of CFCs for metered-dose inhalers approved by the Nineteenth Meeting of the Parties (in metric tonnes)**

<b>Party</b>	<b>2008 approved amount</b>
European Community	200
Russian Federation	212

## **Annex B to decision XIX/13**

### **Essential-use authorizations for 2009 of CFCs for metered-dose inhalers approved by the Nineteenth Meeting of the Parties (in metric tonnes)**

<b>Party</b>	<b>2009 approved amount</b>
United States of America	282

### **Decision XIX/14: Essential-use exemption for chlorofluorocarbon-113 for aerospace applications in the Russian Federation**

*Noting with appreciation* the work done by the Technology and Economic Assessment Panel and its Chemicals Technical Options Committee,

*Taking into consideration* that adequate identified alternatives for chlorofluorocarbon-113 (CFC-113) do not currently exist for use in the aerospace industry of the Russian Federation and that the search for its alternatives continues, as confirmed in the 2006 assessment report of the Technology and Economic Assessment Panel and its Chemicals Technical Options Committee,

*Noting* the readiness of the Russian Federation to explore the possibility of importing CFC-113 for its aerospace industry needs from available global stocks in accordance with the recommendations of the Technology and Economic Assessment Panel and its Chemicals Technical Options Committee,

*Also noting* that the Russian Federation is ready to receive prior to February 2008 a small group of experts in replacing ozone-depleting substance solvents in the aerospace industry nominated by the Technology and Economic Assessment Panel and its Chemicals Technical Options Committee with the aim of evaluating the applications and recommending proven alternatives where possible,

1. To authorize the levels of production and consumption of CFC-113 in the Russian Federation for essential-use exemptions for chlorofluorocarbons in its aerospace industry in the amount of 140 metric tonnes in 2008;

2. To authorize the volume of 130 metric tonnes of CFC-113 nominated for 2009 by the Russian Federation provided that no alternatives are identified by the Technology and Economic Assessment Panel that can be implemented by 2009;

3. To request the Russian Federation to explore further the possibility of importing CFC-113 for its aerospace industry needs from available global stocks in accordance with the recommendations of the Technology and Economic Assessment Panel and its Chemicals Technical Options Committee.

#### **Decision XIX/15: Replacement of table A and table A-bis in relevant process agent decisions**

1. To adopt the table in the annex to the present decision as a list of process agent applications to replace table A of decision X/14 as it was amended in decision XVII/7 and to replace table A-bis in decision XVII/8.

### **Annex to decision XIX/15**

**Table A. List of uses of controlled substances as process agents**

	<b>Process</b>	<b>ODS</b>
1	Elimination of $\text{NCl}_3$ in chlor-alkali production	CTC
2	Chlorine recovery by tail gas absorption in chlor-alkali production	CTC
3	Production of chlorinated rubber	CTC
4	Production of endosulfan	CTC
5	Production of ibuprofen	CTC
6	Production of dicofol	CTC
7	Production of chlorosulfonated polyolefin (CSM)	CTC
8	Production of aramid polymer (PPTA)	CTC
9	Production of synthetic fibre sheet	CFC-11
10	Production of chlorinated paraffin	CTC
11	Photochemical synthesis of perfluoropolyetherpolyperoxide precursors of Z-perfluoropolyethers and difunctional derivatives	CFC-12
12	Reduction of perfluoropolyetherpolyperoxide intermediate for production of perfluoropolyether diesters	CFC-113
13	Preparation of perfluoropolyether diols with high functionality	CFC-113
14	Production of cyclodime	CTC
15	Production of chlorinated polypropene	CTC
16	Production of chlorinated EVA	CTC
17	Production of methyl isocyanate derivatives	CTC
18	Production of 3-phenoxybenzaldehyde	CTC
19	Production of 2-chloro-5-methylpyridine	CTC
20	Production of imidacloprid	CTC
21	Production of bupropfenzin	CTC
22	Production of oxadiazon	CTC
23	Production of chloradized N-methylaniline	CTC

24	Production of 1,3-dichlorobenzothiazole	CTC
25	Bromination of a styrenic polymer	BCM
26	Synthesis of 2,4-D (2,4- dichlorophenoxyacetic acid)	CTC
27	Synthesis of DEHPC (di-(2-ethylhexyl) peroxydicarbonate)	CTC
28	Production of radio-labelled cyanocobalamin	CTC
29	Production of high modulus polyethylene fibre	CFC-113
30	Production of vinyl chloride monomer	CTC
31	Production of sultamicillin	BCM
32	Production of prallethrin (pesticide)	CTC
33	Production of o-nitrobenzaldehyde (for dyes)	CTC
34	Production of 3-methyl-2-thiophenecarboxaldehyde	CTC
35	Production of 2-thiophenecarboxaldehyde	CTC
36	Production of 2-thiophene ethanol	CTC
37	Production of 3,5-dinitrobenzoyl chloride (3,5-DNBC)	CTC
38	Production of 1,2-benzisothiazol-3-ketone	CTC
39	Production of <i>m</i> -nitrobenzaldehyde	CTC
40	Production of tichlopidine	CTC
41	Production of <i>p</i> -nitro benzyl alcohol	CTC
42	Production of tolclafos methyl	CTC

**Decision XIX/16: Follow-up to the 2006 assessment report by the Halons Technical Options Committee**

*Welcoming* the 2006 assessment report of the Halons Technical Options Committee of the Technology and Economic Assessment Panel,

*Welcoming also* the continuing reduction in global halon use,

*Noting* the concern expressed by the Halons Technical Options Committee about the availability of certain halons around the world,

1. To request the Technology and Economic Assessment Panel to undertake a further study on projected regional imbalances in the availability of halon 1211, halon 1301 and halon 2402 and to investigate and propose mechanisms to better predict and mitigate such imbalances in the future;

2. To request the Technology and Economic Assessment Panel, when undertaking the study, to consult with the Secretariat of the Multilateral Fund on the outcomes of its study on the operation of halon banks around the world and to use such information from that study as may be relevant to its own review;

3. To request the Ozone Secretariat to make available 2004, 2005 and 2006 halon consumption figures by type of halon to the Technology and Economic Assessment Panel for its study;

4. To request the Technology and Economic Assessment Panel to submit its study in time to allow the Twentieth Meeting of the Parties to consider its results;

5. To encourage Parties which have requirements for halon 1211, halon 1301 and halon 2402 to provide the following information to the Ozone Secretariat by 1 April 2008 to assist the Technology and Economic Assessment Panel with its study:

(a) Projected need for halon 1211, halon 1301 and halon 2402 to support critical or essential equipment through the end of its useful life;

(b) Any difficulties experienced to date, or foreseen, in accessing adequate halons to support critical or essential equipment;

6. To encourage Parties, on a regular basis, to inform their critical users of halons, including the maritime industries, the aviation sector and the military, of the need to prepare for reduced access to halons in the future and to take all actions necessary to reduce their reliance on halons;

7. To request the Ozone Secretariat to write to the International Maritime Organization secretariat and to the secretariat of the International Civil Aviation Organization to draw their attention to the decreasing availability of halons for marine and aviation uses and to the need to take all actions necessary to reduce reliance on halons in their respective sectors.

**Decision XIX/17: Use of carbon tetrachloride for laboratory and analytical uses in Parties operating under paragraph 1 of Article 5 of the Montreal Protocol**

*Recognizing* the difficulties faced by countries operating under paragraph 1 of Article 5 of the Montreal Protocol in their search for viable alternatives to analytical methods that comply with international standards,

*Considering* that carbon tetrachloride plays an important role in analytical and laboratory processes and that there are currently no alternatives to it for some of those processes in Parties operating under paragraph 1 of Article 5,

*Recalling* that in decision XVII/13 the Parties agreed that the Implementation Committee and the Meeting of the Parties should defer until 2007 consideration of the compliance status in relation to the Montreal Protocol control measures for carbon tetrachloride of Parties operating under paragraph 1 of Article 5,

*Recalling also* that in decision XVII/13 the Parties agreed that the Nineteenth Meeting of the Parties would review the deferral referred to above in order to address the period 2007–2009,

1. 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 Parties operating under paragraph 1 of Article 5 which provide evidence to the Ozone Secretariat with their data reports, submitted in accordance with Article 7, showing that any deviation from the respective consumption target is due to the use of carbon tetrachloride for analytical and laboratory processes;

2. To urge Parties operating under paragraph 1 of Article 5 to minimize the consumption of carbon tetrachloride in laboratory and analytical uses by applying the global exemption criteria and procedures for laboratory and analytical uses of carbon tetrachloride currently established for Parties not operating under paragraph 1 of Article 5;

**Decision XIX/18: Laboratory and analytical-use exemption**

1. To extend until 31 December 2011 the global laboratory and analytical-use exemption, under the conditions set out in annex II of the report of the Sixth Meeting of the Parties<sup>5</sup> and decisions XV/8, XVI/16, and XVIII/15, for the controlled substances in all annexes and groups of the Montreal Protocol except Annex C, group 1;

2. 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 exist and which are therefore no longer necessary and describing those alternatives;

3. To eliminate the testing of organic matter in coal from the global exemption for laboratory and analytical uses of controlled substances.

**Decision XIX/19: Request by Romania to be removed from the list of developing countries under the Montreal Protocol**

1. To note the request by Romania to be removed from the list of developing countries operating under paragraph 1 of Article 5;

2. To approve the request by Romania and note further that Romania shall assume the obligations of a Party not operating under paragraph 1 of Article 5 of the Montreal Protocol from 1 January 2008;

**Decision XIX/20: Terms of reference for the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel**

1. To note with appreciation the excellent and highly useful work conducted by the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel and their colleagues worldwide in preparing their 2006 assessment reports, including the 2007 synthesis report;
2. To request the three assessment panels to update their 2006 reports in 2010 and submit them to the Secretariat by 31 December 2010 for consideration by the Open-ended Working Group and by the Twenty-third Meeting of the Parties to the Montreal Protocol in 2011;
3. To request the assessment panels to keep the Parties to the Montreal Protocol informed of any important new developments;
4. That for the 2010 report the Scientific Assessment Panel should consider issues including:
  - (a) Assessment of the state of the ozone layer and its future evolution;
  - (b) Evaluation of the Antarctic ozone hole and Arctic ozone depletion and the predicted changes in these phenomena;
  - (c) Evaluation of the trends in the concentration of ozone-depleting substances in the atmosphere and their consistency with reported production and consumption of ozone-depleting substances and the likely implications for the state of the ozone layer;
  - (d) Assessment of the interaction between climate change and changes on the ozone-layer;
  - (e) Assessment of the interaction between tropospheric and stratospheric ozone,
  - (f) Description and interpretation of the observed changes in global and polar ozone and in ultraviolet radiation, as well as future projections and scenarios for those variables, taking into account among other things the expected impacts of climate change;
  - (g) Assessment of consistent approaches to evaluating the impact of very short-lived substances, including potential replacements, on the ozone layer;
  - (h) Identification and reporting, as appropriate, on any other threats to the ozone layer;
5. That the Environmental Effects Assessment Panel should consider the following issues for future updates and the 2010 report:
  - (a) Continued identification of the environmental impacts of ozone depletion and the environmental impacts of the interaction of ozone depletion and climate change for all areas that are assessed;
  - (b) Assessment of the effects on human health from stratospheric ozone depletion;
  - (c) Assessment of the impact of increased UV-B radiation on terrestrial and aquatic ecosystems and their interactions with each other and biogeochemical cycles;
  - (d) Impact of stratospheric ozone depletion on the troposphere and its implications for the environment;
  - (e) Assessment of the significance of UV-B radiation on materials;
6. That the Technology and Economic Assessment Panel should, among other matters, consider the following topics:
  - (a) The impact of the phase-out of ozone-depleting substances on sustainable development, particularly in Parties operating under paragraph 1 of Article 5 and countries with economies in transition;
  - (b) Technical progress in all sectors;
  - (c) Technically and economically feasible choices for the reduction and elimination of ozone-depleting substances through the use of alternatives, taking into account their impact on climate change and overall environmental performance;
  - (d) Technical progress on the recovery, reuse and destruction of ozone-depleting substances;

(e) Accounting for the production and use in various applications of ozone-depleting substances, ozone-depleting substances in inventories, ozone-depleting substances in products and the production and use in various applications of very short-lived substances;

(f) Accounting of emissions of all relevant ozone-depleting substances with a view to updating continuously use patterns and coordinating such data with the Scientific Assessment Panel in order periodically to reconcile estimated emissions and atmospheric concentrations;

**Decision XIX/21: Non-compliance in 2005 with the provisions of the Montreal Protocol governing production of the controlled substances in Annex A, group I, (chlorofluorocarbons) and the requirements of Article 2 of the Protocol with regard to the transfer of CFC production rights by Greece**

*Noting* that Greece ratified the Montreal Protocol on 29 December 1988, the London Amendment on 11 May 1993, the Copenhagen Amendment on 30 January 1995, the Montreal Amendment on 27 January 2006 and the Beijing Amendment on 27 January 2006 and is classified as a Party not operating under paragraph 1 of Article 5 of the Protocol,

*Noting also* that Greece has reported annual production for the Annex A, group I, controlled substances (CFCs) of 2,142.000 ODP-tonnes for 2005 to meet the basic domestic needs of Parties operating under Article 5 of the Protocol, which exceeds the Party's maximum allowable production level for those controlled substances of 730 ODP-tonnes,

*Noting with appreciation* the explanation submitted by the Party that 1,374 ODP-tonnes of its excess production of CFCs is attributable to a transfer of CFC production allowances from the United Kingdom of Great Britain and Northern Ireland to Greece in 2005, but noting with concern that Greece did not notify the Secretariat prior to the date of the transfer in accordance with the requirements of Article 2 of the Protocol,

*Noting also* the explanation submitted by Greece that the 38 ODP-tonnes of total reported CFC production in 2005 that was not accounted for by the transfer of production allowances reflected the Party's misunderstanding as to the calculation of its baseline for the production of CFCs to meet the basic domestic needs of Parties operating under Article 5 of the Protocol and data reporting errors by the Party for the baseline year 1995,

*Noting further* the information submitted by Greece in support of its request to revise the data for the year 1995 that is used to calculate the Party's baseline for the production of CFCs to meet the basic domestic needs of Parties operating under Article 5 of the Protocol,

*Recalling* recommendation 39/16 of the Implementation Committee under the Non-compliance Procedure of the Montreal Protocol, which concluded that the information submitted by Greece did not meet the requirements of decision XV/19 of the Fifteenth Meeting of the Parties for substantiating requests for the revision of baseline data, primarily because the Party could not verify the accuracy of the proposed new baseline data as required by paragraph 2 (a) (iii) of decision XV/19,

*Noting with appreciation*, however, that Greece ceased CFC production in January 2006, will not issue licenses to produce CFCs in the future and reported ozone-depleting substances data for 2006 that confirms its return to compliance with the Protocol's CFC production control measures in that year,

1. That Greece was in non-compliance in 2005 with the provisions of Article 2 of the Protocol that prescribe the procedure for the transfer of production rights, while acknowledging the Party's regret at its failure to comply with the notification requirement of Article 2 and its undertaking to ensure that any future transfers are conducted in accordance with that Article;

2. That Greece was also in non-compliance in 2005 with the production control measures under the Montreal Protocol for the controlled substances contained in Annex A, group I, (CFCs) of the Protocol;

3. To monitor whether the Party continues to refrain from producing CFCs. To the degree that the Party is working toward and meeting the specific Protocol control measures, it should continue to be treated in the same manner as a Party in good standing;

4. To caution Greece in accordance with item B of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance that, in the event that it fails to remain in compliance, the Parties will consider measures consistent with item C of the indicative list of measures. Those measures may include the possibility of action available under Article 4 of the Protocol;

#### **Decision XIX/22: Non-compliance with the Montreal Protocol by Paraguay**

*Noting* that Paraguay ratified the Montreal Protocol and its London Amendment on 3 December 1992, the Copenhagen and Montreal Amendments on 27 April 2001 and the Beijing Amendment on 18 July 2006, is classified as a Party operating under paragraph 1 of Article 5 of the Protocol and had its country programme approved by the Executive Committee in February 1997,

*Noting also* that the Executive Committee has approved \$1,787,030 from the Multilateral Fund for the Implementation of the Montreal Protocol in accordance with Article 10 of the Protocol to enable Paraguay's compliance,

1. That Paraguay has reported annual consumption for the controlled substances in Annex A, group I, (CFCs) for 2005 of 250.7 ODP-tonnes, which exceeds the Party's maximum allowable consumption of 105.3 ODP-tonnes for those controlled substances for that year, and was therefore in non-compliance with the consumption control measures under the Montreal Protocol for CFCs in 2005,

2. That Paraguay has reported annual consumption of the controlled substance in Annex B, group II, (carbon tetrachloride) for 2005 of 0.7 ODP-tonnes, which exceeds its maximum allowable consumption of 0.1 ODP-tonnes for that controlled substance for that year, and was therefore in non-compliance with the consumption control measures under the Montreal Protocol for carbon tetrachloride in 2005,

3. To record with appreciation the submission by Paraguay of a plan of action to ensure its prompt return to compliance with the Protocol's CFC and carbon tetrachloride control measures, under which, without prejudice to the operation of the financial mechanism of the Protocol, Paraguay specifically commits itself:

(a) To reducing CFC consumption to no greater than:

(i) 31.6 ODP-tonnes in 2007, 2008 and 2009;

(ii) Zero ODP-tonnes in 2010, save for essential uses that may be authorized by the Parties;

(b) To reducing carbon tetrachloride consumption to no greater than:

(i) 0.1 ODP-tonnes in 2007, 2008 and 2009;

(ii) Zero ODP-tonnes in 2010, save for essential uses that may be authorized by the Parties;

(c) To monitoring its import licensing and quota system for ozone-depleting substances and to extending that system to carbon tetrachloride;

(d) To monitoring the implementation of its ban on the export of all ozone-depleting substances and the import of refrigeration and air-conditioning equipment, whether new or used, which use CFC-11 or CFC-12;

4. To urge Paraguay to work with the relevant implementing agencies to implement its plan of action to phase out consumption of CFCs and carbon tetrachloride;

5. To monitor closely the progress of Paraguay with regard to the implementation of its plan of action and the phase-out of CFCs and carbon tetrachloride. To the degree that the Party is working toward and meeting the specific Protocol control measures, it should continue to be treated in the same manner as a Party in good standing. In that regard, Paraguay should continue to receive international assistance to enable it to meet those commitments in accordance with item A of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance;

6. To caution Paraguay in accordance with item B of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance that, in the event that it fails to remain in compliance, the Parties will consider measures consistent with item C of the indicative list of measures. Those measures may include the possibility of actions available under Article 4, such as ensuring that the supply of the CFCs and carbon tetrachloride that are the subject of non-compliance is ceased so that exporting Parties are not contributing to a continuing situation of non-compliance;

**Decision XIX/23: Potential non-compliance in 2005 with the provisions of the Montreal Protocol governing consumption of the controlled substance in Annex E (methyl bromide) by Saudi Arabia and request for a plan of action**

*Noting* that Saudi Arabia ratified the Montreal Protocol and its London and Copenhagen Amendments on 1 March 1993 and is classified as a Party operating under paragraph 1 of Article 5 of the Protocol,

*Noting also* that the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol has approved \$65,000 from the Fund in accordance with Article 10 of the Protocol to enable Saudi Arabia's compliance,

1. That Saudi Arabia reported annual consumption for the controlled substance in Annex E (methyl bromide) for 2005 of 27.6 ODP-tonnes, which exceeds its maximum allowable consumption level of 0.5 ODP-tonnes for that controlled substance for that year, and is therefore presumed in the absence of further clarification to be in non-compliance in 2005 with the control measures under the Montreal Protocol for methyl bromide;

2. To request Saudi Arabia to submit to the Secretariat, as a matter of urgency and no later than 29 February 2008, for consideration by the Implementation Committee at its next meeting, an explanation for its excess consumption, together with a plan of action with time-specific benchmarks to ensure the Party's prompt return to compliance. Saudi Arabia may wish to consider including in its plan of action the establishment of import quotas to support the phase-out schedule and policy and regulatory instruments that will ensure progress in achieving the phase-out;

3. To monitor closely the progress of Saudi Arabia with regard to the phase-out of methyl bromide. To the degree that the Party is working toward and meeting the specific Protocol control measures, it should continue to be treated in the same manner as a Party in good standing. In that regard, Saudi Arabia should continue to receive international assistance to enable it to meet its commitments in accordance with item A of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance;

4. To caution Saudi Arabia in accordance with item B of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance that, in the event that it fails to return to compliance in a timely manner, the Meeting of the Parties will consider measures consistent with item C of the indicative list of measures. Those measures may include the possibility of actions available under Article 4, such as ensuring that the supply of the methyl bromide that is the subject of non-compliance is ceased so that exporting Parties are not contributing to a continuing situation of non-compliance;

**Decision XIX/24: Request for change in baseline data by Turkmenistan**

*Noting* that Turkmenistan has submitted a request to revise its consumption data for the Annex E controlled substance (methyl bromide) for the baseline year 1998 from zero to 14.3 ODP-tonnes,

*Noting also* that decision XV/19 of the Fifteenth Meeting of the Parties sets out the methodology for the submission and review of requests for the revision of baseline data,

*Noting with appreciation* the extensive efforts undertaken by Turkmenistan to fulfil the information requirements of decision XV/19, in particular its efforts to verify the accuracy of its proposed new baseline data through the inspection of methyl bromide use sites,

1. That Turkmenistan has presented sufficient information in accordance with decision XV/19 to justify its request to change its baseline data on the consumption of methyl bromide;

2. To change the baseline consumption data of Turkmenistan for methyl bromide for the year 1998 from zero to 14.3 ODP-tonnes;

### **Decision XIX/25: Data and information provided by the Parties in accordance with Article 7 of the Montreal Protocol**

*Noting with appreciation* that 130 Parties out of the 190 that should have reported data for 2006 have done so and that 72 of those Parties reported their data by 30 June 2007 in accordance with decision XV/15,

*Noting with concern*, however, that the number of Parties that have reported 2006 data is lower than the number of Parties that reported 2005 data by September of 2006,

*Noting* that a lack of timely data reporting by Parties impedes effective monitoring and assessment of Parties' compliance with their obligations under the Montreal Protocol,

*Noting also* that reporting by 30 June each year greatly facilitates the work of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol in assisting Parties operating under paragraph 1 of Article 5 of the Protocol to comply with the Protocol's control measures,

1. To urge the Parties that have yet to report their data for 2006 to report the required data to the Secretariat in accordance with the provisions of Article 7 of the Montreal Protocol, working closely with the implementing agencies where appropriate;
2. To request the Implementation Committee to review at its next meeting the situation of those Parties that have not submitted their 2006 data by that time;
3. To encourage Parties to continue to report consumption and production data as soon as figures are available, and preferably by 30 June each year, as agreed in decision XV/15;

### **Decision XIX/26: Report on the establishment of licensing systems under Article 4B of the Montreal Protocol**

*Noting* that paragraph 3 of Article 4B of the Montreal Protocol requires each Party, within three months of the date of introducing its system for licensing the import and export of new, used, recycled and reclaimed substances in Annexes A, B, C and E of the Protocol, to report to the Secretariat on the establishment and operation of that system,

*Noting with appreciation* that 143 Parties to the Montreal Amendment to the Protocol have established import and export licensing systems for ozone-depleting substances as required under the terms of the amendment,

*Noting also with appreciation* that 26 Parties to the Protocol that have not yet ratified the Montreal Amendment have also established import and export licensing systems for ozone-depleting substances,

*Recognizing* that licensing systems provide for the monitoring of imports and exports of ozone-depleting substances, prevent illegal trade and enable data collection,

1. To record that Barbados, Cook Islands, Eritrea, Haiti, Kiribati, Nauru, Niue, Sao Tome and Principe, Somalia, Tonga, United Republic of Tanzania and Uzbekistan are Parties to the Montreal Amendment to the Protocol, that they have not yet established import and export licensing systems for ozone-depleting substances and are therefore in non-compliance with Article 4B of the Protocol and that financial assistance has been approved for all of them;
2. To request each of the 12 Parties listed in paragraph 1 to submit to the Secretariat as a matter of urgency and no later than 29 February 2008, for consideration by the Implementation Committee under the Non-Compliance Procedure of the Montreal Protocol at its fortieth meeting, a plan of action to ensure the prompt establishment and operation of an import and export licensing system for ozone-depleting substances;
3. To encourage all remaining Parties to the Protocol that have not yet ratified the Montreal Amendment to ratify it and to establish import and export licensing systems for ozone-depleting substances if they have not yet done so;
4. To urge all Parties that already operate licensing systems for ozone-depleting substances to ensure that they are structured in accordance with Article 4B of the Protocol and that they are implemented and enforced effectively;

5. To review periodically the status of the establishment of import and export licensing systems for ozone-depleting substances by all Parties to the Protocol, as called for in Article 4B of the Protocol;

#### **Decision XIX/27: Compliance with the Montreal Protocol by the Islamic Republic of Iran**

*Noting* that the Islamic Republic of Iran ratified the Montreal Protocol on 3 October 1990, the London and Copenhagen Amendments to the Protocol on 4 August 1997 and the Montreal Amendment to the Protocol on 17 October 2001, is classified as a Party operating under paragraph 1 of Article 5 of the Protocol and had its country programme approved by the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol in June 1993,

*Noting also* that the Executive Committee has approved \$65,323,350 from the Multilateral Fund in accordance with Article 10 of the Protocol to enable the Islamic Republic of Iran's compliance,

*Noting further* that decision XVII/13 of the Seventeenth Meeting of the Parties provides that the Implementation Committee under the Non-compliance Procedure of the Montreal Protocol should defer until 2007 consideration of compliance with the Protocol's carbon tetrachloride control measures by any Article 5 Party that provides evidence to the Ozone Secretariat with its annual data report that its deviation from the Protocol's annual consumption limit was due to the use of carbon tetrachloride for analytical and laboratory processes,

*Congratulating* the Islamic Republic of Iran on its reported data for carbon tetrachloride consumption in 2006, which shows that it was in compliance with its obligations under the control measures of the Montreal Protocol for that substance in that year,

1. That the Islamic Republic of Iran reported annual consumption for the controlled substance in Annex B, group II, (carbon tetrachloride) for 2005 of 13.6 ODP-tonnes, which exceeds the Party's maximum allowable consumption of 11.6 ODP-tonnes for that controlled substance for that year, but that the Party's excess consumption was for laboratory and analytical uses;

2. To record with appreciation the submission by the Islamic Republic of Iran of a plan of action to ensure its prompt return to compliance with the Protocol's carbon tetrachloride control measures, under which, without prejudice to the operation of the financial mechanism of the Protocol, the Islamic Republic of Iran specifically commits itself:

(a) To reducing consumption to no greater than:

(i) 11.6 ODP-tonnes in 2007;

(ii) Zero ODP-tonnes in 2008, save for essential uses that may be authorized by the Parties;

(b) To monitoring its existing system for licensing imports and exports of ozone-depleting substances, including import quotas;

3. To urge the Islamic Republic of Iran to work with the relevant implementing agencies to implement its plan of action to phase out consumption of carbon tetrachloride;

4. To monitor closely the progress of the Islamic Republic of Iran with regard to the implementation of its plan of action and the phase-out of carbon tetrachloride. To the degree that the Party is working toward and meeting the specific Protocol control measures, it should continue to be treated in the same manner as a Party in good standing. In that regard, the Islamic Republic of Iran should continue to receive international assistance to enable it to meet those commitments in accordance with item A of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance;

5. To caution the Islamic Republic of Iran in accordance with item B of the indicative list of measures, that, in the event that it fails to remain in compliance, the Parties will consider measures consistent with item C of the indicative list of measures. Those measures may include the possibility of actions available under Article 4, such as ensuring that the supply of the carbon tetrachloride that is the subject of non-compliance is ceased so that exporting Parties are not contributing to a continuing situation of non-compliance;

**Decision XIX/28: Implementation of paragraph 1 of decision XVII/12 with respect to the reporting of production of chlorofluorocarbons by Parties not operating under paragraph 1 of Article 5 of the Montreal Protocol to meet the basic domestic needs of Parties operating under paragraph 1 of Article 5**

*Recalling* that decision XVII/12 of the Seventeenth Meeting of the Parties urges Parties not operating under paragraph 1 of Article 5 of the Protocol (non-Article 5 Parties), prior to exporting chlorofluorocarbons (CFCs) to Parties operating under paragraph 1 of Article 5 (Article 5 Parties), to request written affirmations from such Parties that the CFCs are required by them and that their importation will not result in those Parties' non-compliance,

*Recalling also* that paragraph 1 of decision XVII/12 urges all non-Article 5 Parties that produce CFCs to meet the basic domestic needs of Article 5 Parties to include in their annual data reports to the Secretariat copies of the written affirmations they receive from prospective importing Parties pursuant to that decision,

*Recalling further* that paragraph 2 of decision XVII/12 requests the Secretariat to report at each regular meeting of the Parties the level of production of CFCs in non-Article 5 Parties to meet the basic domestic needs of Article 5 Parties, as compared to their allowed production set out in Article 2A of the Protocol, and when doing so to include copies of the affirmations referred to above, together with available data on transfer of production rights,

To request the Implementation Committee under the Non-compliance Procedure of the Montreal Protocol to review, on the basis of the report prepared by the Secretariat in accordance with paragraph 2 of decision XVII/12, the implementation by the Parties of paragraph 1 of decision XVII/12, and to report its conclusions, including any appropriate recommendations, to the Meeting of the Parties;

**Decision XIX/29: Selection of new co-chairs of the Scientific Assessment Panel**

1. To thank the following co-chairs who served as co-chairs of the Scientific Assessment Panel since its inception for their long and outstanding efforts on behalf of the Montreal Protocol:

- (a) Mr. Daniel Albritton (United States of America);
- (b) Mr. Robert Watson (United States of America);

2. To express sadness at the passing of Dr. Gérard Mégie (France) and admiration for his work as Co-Chair of the Scientific Assessment Panel, in which capacity he guided the preparation of the Panel's 1998 and 2002 assessment reports;

3. To select the following new co-chairs of the Scientific Assessment Panel:

- (a) Mr. John Pyle (United Kingdom of Great Britain and Northern Ireland);
- (b) Mr. Paul Newman (United States of America);
- (c) Mr. A. R. Ravishankara (United States of America);

**Decision XIX/30: Twentieth Meeting of the Parties to the Montreal Protocol**

To convene the Twentieth Meeting of the Parties to the Montreal Protocol in Doha, Qatar, in 2008.

**Decision XIX/31: Montreal Declaration**

To adopt the Montreal Declaration set out in annex IV to the report of the Nineteenth Meeting of the Parties.<sup>6</sup>

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6 UNEP.OzL.Pro.19/7.

### **Comments made at the time of adoption of decisions**

205. Following the adoption of the decision on HCFCs the representative of the Russian Federation said that it had been very difficult for his country to take a positive stance on the proposal to adjust the Protocol to accelerate the phase-out of HCFCs. In a spirit of compromise, however, his country had not objected to the proposed adjustment. He said that the Russian Federation would examine the timeline set out in the decision and do its utmost to ensure the accelerated phase-out of HCFCs in spite of the difficulty of that task.

206. The representative of China said that the acceleration of the HCFC phase-out schedule represented a historic milestone. He affirmed, however, that it would mean that China, as the largest producer and consumer of HCFCs in the world, would have to show great responsibility and make great sacrifices to achieve the agreed reductions. He said that he was convinced, however, that if Parties made full use of the experience of the past 20 years and developed countries provided adequate funding and technologies, all targets of the phase-out would be reached.

207. The representatives of India, the United States of America and Sudan expressed their deep gratitude to the Government and people of Canada for their warm hospitality and to all those who had contributed to making the current meeting a success.

208. The representative of India observed that important decisions had been adopted to tackle the remaining challenges facing the world in the effort to save the ozone layer. The representative of the United States of America commended the Parties for their decision to accelerate the phase-out of HCFCs in both Article 5 and non-Article 5 Parties. His Government, he said, was aware of the difficulties that some Parties would face in accelerating the phase-out of HCFCs and was deeply gratified that they had nevertheless committed to it. The decision adopted by the Parties met his Government's highest expectations and represented a major accomplishment in the protection of the ozone layer. He also voiced his country's appreciation for the work of the Ozone Secretariat in facilitating consideration of the matter at the current meeting.

### **XIII. Adoption of the report of the Nineteenth Meeting of the Parties to the Montreal Protocol**

209. The present report was adopted on Friday, 21 September 2007, on the basis of the draft report submitted to the Meeting of the Parties.

### **XIV. Closure of the meeting**

210. The Parties expressed their sincere appreciation to the Government and people of Canada for their excellent assistance and hospitality during the meeting.

211. In his closing statement on behalf of the host Government Mr. Baird said that the adoption of the decisions by the Meeting of the Parties marked a historic day for the environment and for the ozone layer. The decision to accelerate the phase-out of production and consumption of HCFCs by a full decade was a great achievement for the planet and would contribute greatly to efforts to combat global warming. He congratulated all representatives for their understanding, open-mindedness and spirit of cooperation during the week. He thanked UNEP, the bodies of the Montreal Protocol and officials from the Ministry of Environment of Canada for their hard work in support of the current meeting. Twenty years ago, the world community had been inspired to tackle a global problem, and the current meeting celebrated the success of the Montreal Protocol and the efforts to build upon that success.

212. Following Mr. Baird's statement and the further exchange of courtesies, the President declared the meeting closed at 10.35 p.m. on Friday, 21 September 2007.

## Annex I

### Financial matters: financial reports and budgets

#### TRUST FUND FOR THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

##### Approved 2007 and 2008 budgets and indicative 2009 budget

		w/ m	2007 (US\$)	w/ m	2008 (US\$)	w/ m	2009 (US\$)
<b>10</b>	<b>PROJECT PERSONNEL COMPONENT</b>						
1100	Project personnel						
1101	Executive Secretary (D-2) (shared with the Vienna Convention, VC)	6	135,500	6	139,565	6	143,752
1102	Deputy Executive Secretary (D-1)	12	241,000	12	248,230	12	255,677
1103	Senior Legal Officer (P-5)	12	165,000	12	169,950	12	175,049
1104	Senior Scientific Affairs Officer (P-5) (shared with VC)	6	87,500	6	90,125	6	92,829
1105	Administrative Officer (P-4) (paid by UNEP)		0		0		0
1106	Database Manager (Information System & Technology - P3)	12	122,000	12	125,660	12	127,294
1107	Programme Officer (Communication & Information - P3) (paid from VC)	12	0	12	0	12	0
1108	Programme Officer (Monitoring and Compliance) - P3	12	120,000	12	123,600	12	127,308
1199	Sub-total		871,000		897,130		921,908
1200	Consultants						
1201	Assistance in data-reporting, analysis and promotion of the implementation of the Protocol		30,000		40,000		40,000
1299	Sub-total		30,000		40,000		40,000
1300	Administrative Support						
1301	Administrative Assistant (G-7) (shared with VC)	6	18,000	6	18,900	6	19,845
1302	Personal Assistant (G-6)	12	28,500	12	29,925	12	31,421
1303	Programme Assistant (G-6) (paid by VC)	12	0	12	0	12	0
1304	Information Assistant (G-6) (shared with VC)	6	14,500	6	15,225	6	15,986
1305	Programme Assistant (G-6) (shared with VC)	6	13,000	6	13,650	6	14,333
1306	Documents Clerk (G-4)	12	19,000	12	19,950	12	20,948
1307	Data Assistant (G-6)	12	31,000	12	32,550	12	34,178
1308	Programme Assistant - Fund (G-6) (paid by UNEP)	12	0	12	0	12	0
1309	Logistics Assistant (G-3) (paid by UNEP)	12	0	12	0	12	0
1310	Bilingual Senior Secretary (G-6) (paid from VC)	12	0	12	0	12	0
1320	Temporary Assistance		18,000		18,900		18,900
1321	Open-ended Working Group Meetings <sup>1</sup>		556,432		450,000		450,000
1322	Preparatory and Parties Meetings (shared with VC every three years, applies to the twentieth Meeting of the Parties to the Montreal Protocol and Eighth Conference of the Parties to the Vienna Convention in 2008)		500,000		350,000		500,000
1323	Assessment Panel Meetings		100,000		100,000		100,000
1324	Bureau Meeting		20,000		20,000		20,000
1325	Implementation Committee Meetings <sup>2</sup>		90,000		111,200		111,200
1326	MP informal consultation meetings		5,000		5,000		5,000
1399	Sub-total		1,413,432		1,185,300		1,341,810
1600	Travel on Official Business						
1601	Staff travel on official business		210,000		210,000		210,000
1602	Conference Services staff travel on official business		15,000		15,000		15,000
1699	Sub-total		225,000		225,000		225,000
<b>1999</b>	<b>COMPONENT TOTAL</b>		<b>2,539,432</b>		<b>2,347,430</b>		<b>2,528,718</b>
<b>30</b>	<b>MEETING/PARTICIPATION COMPONENT</b>						
3300	Support for Participation <sup>3</sup>						
3301	Assessment Panel Meetings		500,000		500,000		500,000
3302	Preparatory and Parties Meetings		350,000		400,000		350,000
3303	Open-ended Working Group Meetings		344,000		300,000		300,000

	3304	Bureau Meeting	20,000	20,000	20,000
	3305	Implementation Committee Meetings	125,000	125,000	125,000
	3306	Consultations in an informal meeting	20,000	10,000	10,000
	3399	Sub-total	1,359,000	1,355,000	1,305,000
<b>3999</b>	<b>COMPONENT TOTAL</b>		<b>1,359,000</b>	<b>1,355,000</b>	<b>1,305,000</b>
<b>40</b>	<b>EQUIPMENT AND PREMISES COMPONENT</b>				
	4100	Expendable Equipment (items under \$1,500)			
	4101	Miscellaneous expendables (shared with VC)	17,000	17,000	22,000
	4199	Sub-total	17,000	17,000	22,000
	4200	Non-Expendable Equipment			
	4201	Personal computers and accessories	5,000	5,000	10,000
	4202	Portable computers	2,273	0	5,000
	4203	Other office equipment (server, fax, scanner, furniture etc.)	8,000	5,000	10,000
	4204	Photocopiers	10,000	10,000	10,000
	4299	Sub-total	25,273	20,000	35,000
	4300	Premises			
	4301	Rental of office premises (shared with VC)	28,000	28,000	33,000
	4399	Sub-total	28,000	28,000	33,000
<b>4999</b>	<b>COMPONENT TOTAL</b>		<b>70,273</b>	<b>65,000</b>	<b>90,000</b>
<b>50</b>	<b>MISCELLANEOUS COMPONENT</b>				
	5100	Operation and Maintenance of Equipment			
	5101	Maintenance of equipment and others (shared with VC)	20,000	20,000	25,000
	5199	Sub-total	20,000	20,000	25,000
	5200	Reporting Costs			
	5201	Reporting <sup>3</sup>	50,000	50,000	55,000
	5202	Reporting (Assessment Panels)	15,000	15,000	15,000
	5203	Reporting (Protocol Awareness)	5,000	5,000	5,000
	5299	Sub-total	70,000	70,000	75,000
	5300	Sundry			
	5301	Communications	35,000	40,000	46,000
	5302	Freight charges	70,000	60,000	60,000
	5303	Training	6,500	6,500	10,500
	5304	Others (International Ozone Day & 20th anniversary of Montreal Protocol) <sup>3</sup>	10,000	10,000	10,000
	5399	Sub-total	121,500	116,500	126,500
	5400	Hospitality			
	5401	Hospitality <sup>3</sup>	15,000	15,000	20,000
	5499	Sub-total	15,000	15,000	20,000
<b>5999</b>	<b>COMPONENT TOTAL</b>		<b>226,500</b>	<b>221,500</b>	<b>246,500</b>
<b>99</b>	<b>TOTAL DIRECT PROJECT COST</b>		<b>4,195,205</b>	<b>3,988,930</b>	<b>4,170,218</b>
	<i>Programme support costs (13%)</i>		<i>545,376</i>	<i>518,560</i>	<i>542,127</i>
	<b>GRAND TOTAL (inclusive of programme support costs)</b>		<b>4,740,581</b>	<b>4,507,490</b>	<b>4,712,345</b>
	<b>Operating cash reserve exclusive of PSC</b>		<b>0</b>	<b>111,390</b>	<b>174,784</b>
	<b>TOTAL BUDGET</b>		<b>4,740,581</b>	<b>4,618,880</b>	<b>4,887,129</b>
	<b>Draw down<sup>4</sup></b>		<b>463,648</b>	<b>341,947</b>	<b>610,196</b>
	<b>Contribution from the Parties</b>		<b>4,276,933</b>	<b>4,276,933</b>	<b>4,276,933</b>

<sup>1</sup> The cost of the 2-day workshop on Future Challenges of the Montreal Protocol held back to back with the 27<sup>th</sup> Open-ended Working Group has been added to this line.

<sup>2</sup> The Parties have decided to allocate \$21,200 for one additional day's Implementation Committee meeting in the year, back to back with the meeting of the Open-ended Working Group.

<sup>3</sup> It is understood that in order to facilitate the celebration of the twentieth anniversary of the Montreal Protocol for 2007 only, lines 5200, 5304, 5401 and 5300 can be augmented with any unspent funds from any other budget line, and can also be augmented with participation funds that have accrued or may accrue due to travel cancellations by participants.

<sup>4</sup> The draw-down in 2007 has been adjusted to maintain the agreed level of contributions by the Parties. Draw down levels in 2008 and 2009 have been set with a view toward maintaining the level of contributions constant through 2009.

## Explanatory notes for the approved 2007 and 2008 budgets and indicative 2009 budget of the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer

Budget line	Comment
Personnel component 1101–1108	Indicative professional salary costs applicable to the Nairobi duty station for 2008–2009 have been used for the 2008 and 2009 budget proposals. Unspent commitments normally revert to the Montreal Protocol Trust Fund.
	An adjustment has been made in these budget lines to cover changes in the salaries and entitlements of staff in the professional and higher categories.
1105	The post of Administrative Officer continues to be paid from the 13 per cent programme support costs based on actual expenditures. The Secretariat requested the approval of the Parties for the reclassification of this post to P-5 level to reflect the increased responsibility and work levels since it was upgraded in 1998.
Consultants – 1201	Assistance in data reporting, updating of publications and translation of essential features of the Ozone Secretariat website, as well as in the development of a fully interlinked digital system at the Secretariat, will continue to be required. Funds under this line may be transferred to line 1100 to create or support short-term professional posts if necessary.
Administrative support/personnel 1301–1307	Standard general service salary costs applicable to the Nairobi duty station have been used for the 2008 and 2009 budget proposals. An adjustment has been made in these budget lines in 2007 to cover an increase in salaries, which took effect in November 2006.
1308 and 1309	The posts of Programme Assistant (Fund) and Logistics Assistant continue to be paid from the 13 per cent programme support costs.
1310	The post of bilingual secretary is funded from the Vienna Convention trust fund.
1320	The Secretariat still continues to require funding for general temporary assistance, particularly in the area of documents preparation for meetings, regular website development and maintenance, archiving and arrangements for participants' attendance at meetings.
Administrative support/conference services – 1321–1326	Necessary funds may be transferred from the conference servicing budget lines (1321–1326) should such services be required to be rendered either by individual consultancies or under corporate contracts.
	The current conference servicing costs have been based on the following reasons and assumptions:
	1321: The budget proposed is for one meeting of the Open-ended Working Group to be held each year in 2008 and 2009 in Nairobi or at another United Nations venue, in the six official United Nations languages.
	1322: The budget for 2008 is lower than in 2007 as the cost of the Twentieth Meeting of the Parties to the Montreal Protocol in 2008 is shared with the eighth meeting of the Conference of the Parties to the Vienna Convention.
	It is assumed that the Meeting of the Parties and its preparatory meeting will be held in Nairobi in 2008 and 2009, in the six official United Nations languages. When meetings are not held in Nairobi, the additional costs that that entails will be borne by the Government hosting the meetings.
	1323: The budget allocation in 2008 and 2009 will cover the costs of organizing annual meetings of the assessment panels and the Technology and Economic Assessment Panel's technical options committees, together with communication and other sundry costs related to the work of panel members from developing countries and countries with economies in transition.
	1324: One Bureau meeting is scheduled for each of the years 2008 and 2009, with provision for interpretation and document translation into the appropriate languages based on the membership of the Bureau.
	1325: At least two Implementation Committee meetings of three days' duration are scheduled for each of the years 2008 and 2009 with interpretation

Budget line	Comment
Travel on official business – 1601-1602 Meetings/Participation component – 3300	and document translation as required, to be held back-to-back with the Open-ended Working Group meetings and the meetings of the Parties in those years. The Parties have agreed to add one additional day's meeting in the year, back to back with the meeting of the Open-ended Working Group.  1326: At least one informal consultation meeting per year, expected to take place in Nairobi, is envisaged for 2008 and 2009 to facilitate the work of assisting the Parties and also in promoting ratification of and compliance with the Montreal Protocol and its amendments. Travel on official business for 2008 and 2009 is being maintained at the 2007 level.
3301	<b>Participation of representatives of developing countries</b>  The participation of representatives of Article 5 Parties in the various Protocol meetings is assumed at \$5,000 per meeting per representative, taking into account not more than one person's travel costs per country, using the most appropriate and advantageous economy-class fare and United Nations daily subsistence allowances.
3302	The budget provision requested in 2008 and 2009 for members and experts of the assessment panels and the technical options committees attending assessment panel meetings is being maintained at 2007 levels. In 2008, the total participation costs, based on some 80 participants attending the joint eighth meeting of the Conference of the Parties to the Vienna Convention and the Twentieth Meeting of the Parties to the Montreal Protocol, is borne fully by the Montreal Protocol Trust fund. In 2009, the budget allocation reverts back to 2007 levels.
3303	Participation costs are based on some 60 participants attending the Open-ended Working Group meetings in both 2008 and 2009.
3304	Participation costs are based on one Bureau meeting a year for four Bureau members from developing countries or countries with economies in transition at each meeting.
3305	The participation costs for the two Implementation Committee meetings per year are based on eight members from developing countries and countries with economies in transition at each meeting and one representative each from three or four countries invited by the Implementation Committee at each meeting. Provision has also been made for travel by the Implementation Committee President or Vice-President from an Article 5 Party to attend three Executive Committee meetings a year.
3306	Funds have been allocated to finance the participation of two participants from developing countries and countries with economies in transition as part of informal consultations in 2008 and 2009 on critical issues relating to the Montreal Protocol, which, it is expected, will be held in Nairobi.
Equipment and premises component	
Expendable equipment – 4101	The cost of miscellaneous expendables is being increased minimally in 2009 to take into account inflation. Resource utilization is being monitored constantly in order to maintain low expenditure levels.
Non-expendable equipment – 4200	A minimal provision in 2008 and 2009 has been made to provide for increased server capacity and to enable the Secretariat to replace equipment as and when required.
Premises (rent) – 4300	The allocation for rental of premises in 2009 has a minimal increase to reflect inflation.
Miscellaneous component	
Operation and maintenance of equipment – 5101	The provision for operation and maintenance of equipment is being increased minimally in 2009 to cover increased maintenance costs for constantly increasing server capacity and additional computing requirements for staff.
Reporting costs (including editing, translation, duplication, publication and printing) – 5201–5203	General reporting costs for the Secretariat are provided for under these lines. Line 5202 is reserved for reporting of assessment panels.

Budget line	Comment
Sundry – Communications – 5301	Careful monitoring of telecommunications resources and the use of electronic mail instead of facsimile communications enable the Secretariat to maintain a relatively low budget provision under this line.
Freight and post – 5302	The additional dispatch of documentation in connection with the twentieth anniversary has been taken into consideration in the revision of the 2007 budget.
Training – 5303	The provision for training will be maintained to meet evolving training needs and to cater for training schemes introduced by the United Nations as a result of the ongoing human resources reform programme.
Others (International Ozone Day and twentieth anniversary of the Montreal Protocol) – 5304	In 2007, the amount requested was for celebration activities in connection with the twentieth anniversary celebration of the Montreal Protocol and the International Year of the Ozone Layer, as declared by the Parties in decision XVI/45.
Hospitality – 5401	<p>The Ozone Secretariat will continue to provide assistance to certain countries during 2008 and 2009 to assist in their preparations for the celebration of the International Day for the Preservation of the Ozone Layer.</p> <p>Hospitality arrangements follow the usual procurement procedures of the United Nations.</p> <p>In 2008, the cost of the official hospitality reception is being shared between the Montreal Protocol and the Vienna Convention because of the joint Twentieth Meeting of the Parties and the eighth meeting of the Conference of the Parties. An additional amount of \$5,000 for 2009 is being requested as the cost for that year will not be shared with the Vienna Convention.</p>

## Annex II

### Trust Fund for the Montreal Protocol on the Substances that Deplete the Ozone Layer Scale of Contributions by the Parties for 2008 and 2009 based on the United Nations scale of assessments

(General Assembly Resolution A/RES/61/237 of 13 February 2007 with a maximum assessment rate of 22 per cent)

(in United States dollars)

NAME OF PARTY	UN scale of assessment for years 2007-2009	Adjusted UN scale to exclude non-contributors	Adjusted UN scale with 22% maximum assessment rate considered	2008 CONTRIBUTIONS BY PARTIES	INDICATIVE 2009 CONTRIBUTIONS BY PARTIES
Afghanistan	0.001	0.000	0.000	0	0
Albania	0.006	0.000	0.000	0	0
Algeria	0.085	0.000	0.000	0	0
Angola	0.003	0.000	0.000	0	0
Antigua and Barbuda	0.002	0.000	0.000	0	0
Argentina	0.325	0.325	0.324	13,853	13,853
Armenia	0.002	0.000	0.000	0	0
Australia	1.787	1.787	1.781	76,171	76,171
Austria	0.887	0.887	0.884	37,808	37,808
Azerbaijan	0.005	0.000	0.000	0	0
Bahamas	0.016	0.000	0.000	0	0
Bahrain	0.033	0.000	0.000	0	0
Bangladesh	0.010	0.000	0.000	0	0
Barbados	0.009	0.000	0.000	0	0
Belarus	0.020	0.000	0.000	0	0
Belgium	1.102	1.102	1.098	46,973	46,973
Belize	0.001	0.000	0.000	0	0
Benin	0.001	0.000	0.000	0	0
Bhutan	0.001	0.000	0.000	0	0
Bolivia	0.006	0.000	0.000	0	0
Bosnia and Herzegovina	0.006	0.000	0.000	0	0
Botswana	0.014	0.000	0.000	0	0
Brazil	0.876	0.876	0.873	37,339	37,339
Brunei Darussalam	0.026	0.000	0.000	0	0
Bulgaria	0.020	0.000	0.000	0	0
Burkina Faso	0.002	0.000	0.000	0	0
Burundi	0.001	0.000	0.000	0	0
Cambodia	0.001	0.000	0.000	0	0
Cameroon	0.009	0.000	0.000	0	0
Canada	2.977	2.977	2.967	126,894	126,894

NAME OF PARTY	UN scale of assessment for years 2007-2009	Adjusted UN scale to exclude non-contributors	Adjusted UN scale with 22% maximum assessment rate considered	2008 CONTRIBUTIONS BY PARTIES	INDICATIVE 2009 CONTRIBUTIONS BY PARTIES
Cape Verde	0.001	0.000	0.000	0	0
Central African Republic	0.001	0.000	0.000	0	0
Chad	0.001	0.000	0.000	0	0
Chile	0.161	0.161	0.160	6,863	6,863
China	2.667	2.667	2.658	113,680	113,680
Colombia	0.105	0.105	0.105	4,476	4,476
Comoros	0.001	0.000	0.000	0	0
Congo	0.001	0.000	0.000	0	0
Cook Islands	-	0.000	0.000	0	0
Costa Rica	0.032	0.000	0.000	0	0
Cote d'Ivoire	0.009	0.000	0.000	0	0
Croatia	0.050	0.000	0.000	0	0
Cuba	0.054	0.000	0.000	0	0
Cyprus	0.044	0.000	0.000	0	0
Czech Republic	0.281	0.281	0.280	11,978	11,978
Democratic People's Republic of Korea	0.007	0.000	0.000	0	0
Democratic Republic of the Congo	0.003	0.000	0.000	0	0
Denmark	0.739	0.739	0.737	31,500	31,500
Djibouti	0.001	0.000	0.000	0	0
Dominica	0.001	0.000	0.000	0	0
Dominican Republic	0.024	0.000	0.000	0	0
Ecuador	0.021	0.000	0.000	0	0
Egypt	0.088	0.000	0.000	0	0
El Salvador	0.020	0.000	0.000	0	0
Equatorial Guinea	0.002	0.000	0.000	0	0
Eritrea	0.001	0.000	0.000	0	0
Estonia	0.016	0.000	0.000	0	0
Ethiopia	0.003	0.000	0.000	0	0
European Community	2.500	2.500	2.492	106,562	106,562
Fiji	0.003	0.000	0.000	0	0
Finland	0.564	0.564	0.562	24,040	24,040
France	6.301	6.301	6.280	268,579	268,579
Gabon	0.008	0.000	0.000	0	0
Gambia	0.001	0.000	0.000	0	0
Georgia	0.003	0.000	0.000	0	0
Germany	8.577	8.577	8.548	365,593	365,593
Ghana	0.004	0.000	0.000	0	0
Greece	0.596	0.596	0.594	25,404	25,404
Grenada	0.001	0.000	0.000	0	0
Guatemala	0.032	0.000	0.000	0	0

NAME OF PARTY	UN scale of assessment for years 2007-2009	Adjusted UN scale to exclude non-contributors	Adjusted UN scale with 22% maximum assessment rate considered	2008 CONTRIBUTIONS BY PARTIES	INDICATIVE 2009 CONTRIBUTIONS BY PARTIES
Guinea	0.001	0.000	0.000	0	0
Guinea-Bissau	0.001	0.000	0.000	0	0
Guyana	0.001	0.000	0.000	0	0
Haiti	0.002	0.000	0.000	0	0
Honduras	0.005	0.000	0.000	0	0
Hungary	0.244	0.244	0.243	10,400	10,400
Iceland	0.037	0.000	0.000	0	0
India	0.450	0.450	0.448	19,181	19,181
Indonesia	0.161	0.161	0.160	6,863	6,863
Iran (Islamic Republic of)	0.180	0.180	0.179	7,672	7,672
Ireland	0.445	0.445	0.443	18,968	18,968
Israel	0.419	0.419	0.418	17,860	17,860
Italy	5.079	5.079	5.062	216,492	216,492
Jamaica	0.010	0.000	0.000	0	0
Japan	16.624	16.624	16.568	708,595	708,595
Jordan	0.012	0.000	0.000	0	0
Kazakhstan	0.029	0.000	0.000	0	0
Kenya	0.010	0.000	0.000	0	0
Kiribati	0.001	0.000	0.000	0	0
Kuwait	0.182	0.182	0.181	7,758	7,758
Kyrgyzstan	0.001	0.000	0.000	0	0
Lao People's Democratic Republic	0.001	0.000	0.000	0	0
Latvia	0.018	0.000	0.000	0	0
Lebanon	0.034	0.000	0.000	0	0
Lesotho	0.001	0.000	0.000	0	0
Liberia	0.001	0.000	0.000	0	0
Libyan Arab Jamahiriya	0.062	0.000	0.000	0	0
Liechtenstein	0.010	0.000	0.000	0	0
Lithuania	0.031	0.000	0.000	0	0
Luxembourg	0.085	0.000	0.000	0	0
Madagascar	0.002	0.000	0.000	0	0
Malawi	0.001	0.000	0.000	0	0
Malaysia	0.190	0.190	0.189	8,099	8,099
Maldives	0.001	0.000	0.000	0	0
Mali	0.001	0.000	0.000	0	0
Malta	0.017	0.000	0.000	0	0
Marshall Islands	0.001	0.000	0.000	0	0
Mauritania	0.001	0.000	0.000	0	0
Mauritius	0.011	0.000	0.000	0	0
Mexico	2.257	2.257	2.249	96,204	96,204
Micronesia (Federated States of)	0.001	0.000	0.000	0	0

NAME OF PARTY	UN scale of assessment for years 2007-2009	Adjusted UN scale to exclude non-contributors	Adjusted UN scale with 22% maximum assessment rate considered	2008 CONTRIBUTIONS BY PARTIES	INDICATIVE 2009 CONTRIBUTIONS BY PARTIES
Monaco	0.003	0.000	0.000	0	0
Mongolia	0.001	0.000	0.000	0	0
Montenegro	0.001	0.000	0.000	0	0
Morocco	0.042	0.000	0.000	0	0
Mozambique	0.001	0.000	0.000	0	0
Myanmar	0.005	0.000	0.000	0	0
Namibia	0.006	0.000	0.000	0	0
Nauru	0.001	0.000	0.000	0	0
Nepal	0.003	0.000	0.000	0	0
Netherlands	1.873	1.873	1.867	79,836	79,836
New Zealand	0.256	0.256	0.255	10,912	10,912
Nicaragua	0.002	0.000	0.000	0	0
Niger	0.001	0.000	0.000	0	0
Nigeria	0.048	0.000	0.000	0	0
Niue	-	0.000	0.000	0	0
Norway	0.782	0.782	0.779	33,333	33,333
Oman	0.073	0.000	0.000	0	0
Pakistan	0.059	0.000	0.000	0	0
Palau	0.001	0.000	0.000	0	0
Panama	0.023	0.000	0.000	0	0
Papua New Guinea	0.002	0.000	0.000	0	0
Paraguay	0.005	0.000	0.000	0	0
Peru	0.078	0.000	0.000	0	0
Philippines	0.078	0.000	0.000	0	0
Poland	0.501	0.501	0.499	21,355	21,355
Portugal	0.527	0.527	0.525	22,463	22,463
Qatar	0.085	0.000	0.000	0	0
Republic of Korea	2.173	2.173	2.166	92,624	92,624
Republic of Moldova	0.001	0.000	0.000	0	0
Romania	0.070	0.000	0.000	0	0
Russian Federation	1.200	1.200	1.196	51,150	51,150
Rwanda	0.001	0.000	0.000	0	0
Saint Kitts and Nevis	0.001	0.000	0.000	0	0
Saint Lucia	0.001	0.000	0.000	0	0
Saint Vincent and the Grenadines	0.001	0.000	0.000	0	0
Samoa	0.001	0.000	0.000	0	0
Sao Tome and Principe	0.001	0.000	0.000	0	0
Saudi Arabia	0.748	0.748	0.745	31,883	31,883
Senegal	0.004	0.000	0.000	0	0
Serbia	0.021	0.000	0.000	0	0
Seychelles	0.002	0.000	0.000	0	0

NAME OF PARTY	UN scale of assessment for years 2007-2009	Adjusted UN scale to exclude non-contributors	Adjusted UN scale with 22% maximum assessment rate considered	2008 CONTRIBUTIONS BY PARTIES	INDICATIVE 2009 CONTRIBUTIONS BY PARTIES
Sierra Leone	0.001	0.000	0.000	0	0
Singapore	0.347	0.347	0.346	14,791	14,791
Slovakia	0.063	0.000	0.000	0	0
Slovenia	0.096	0.000	0.000	0	0
Solomon Islands	0.001	0.000	0.000	0	0
Somalia	0.001	0.000	0.000	0	0
South Africa	0.290	0.290	0.289	12,361	12,361
Spain	2.968	2.968	2.958	126,511	126,511
Sri Lanka	0.016	0.000	0.000	0	0
Sudan	0.010	0.000	0.000	0	0
Suriname	0.001	0.000	0.000	0	0
Swaziland	0.002	0.000	0.000	0	0
Sweden	1.071	1.071	1.067	45,651	45,651
Switzerland	1.216	1.216	1.212	51,832	51,832
Syrian Arab Republic	0.016	0.000	0.000	0	0
Tajikistan	0.001	0.000	0.000	0	0
Thailand	0.186	0.186	0.185	7,928	7,928
The former Yugoslav Republic of Macedonia	0.005	0.000	0.000	0	0
Togo	0.001	0.000	0.000	0	0
Tonga	0.001	0.000	0.000	0	0
Trinidad and Tobago	0.027	0.000	0.000	0	0
Tunisia	0.031	0.000	0.000	0	0
Turkey	0.381	0.381	0.380	16,240	16,240
Turkmenistan	0.006	0.000	0.000	0	0
Tuvalu	0.001	0.000	0.000	0	0
Uganda	0.003	0.000	0.000	0	0
Ukraine	0.045	0.000	0.000	0	0
United Arab Emirates	0.302	0.302	0.301	12,873	12,873
United Kingdom of Great Britain and Northern Ireland	6.642	6.642	6.620	283,114	283,114
United Republic of Tanzania	0.006	0.000	0.000	0	0
United States of America	22.000	22.000	21.926	937,746	937,746
Uruguay	0.027	0.000	0.000	0	0
Uzbekistan	0.008	0.000	0.000	0	0
Vanuatu	0.001	0.000	0.000	0	0
Venezuela (Bolivarian Republic of)	0.200	0.200	0.199	8,525	8,525
Viet Nam	0.024	0.000	0.000	0	0
Yemen	0.007	0.000	0.000	0	0
Zambia	0.001	0.000	0.000	0	0
Zimbabwe	0.008	0.000	0.000	0	0
<b>Total</b>	<b>102.473</b>	<b>100.339</b>	<b>100.000</b>	<b>4,276,933</b>	<b>4,276,933</b>

## Annex III

### **Adjustments agreed by the Nineteenth Meeting of the Parties relating to the controlled substances in group I of Annex C of the Montreal Protocol (hydrochlorofluorocarbons)**

The Nineteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decides to adopt, in accordance with the procedure laid down in paragraph 9 of Article 2 of the Montreal Protocol, and on the basis of assessments made pursuant to Article 6 of the Protocol, adjustments and reductions of production and consumption of the controlled substances in Group I of Annex C to the Protocol, as follows:

#### **Article 2F: Hydrochlorofluorocarbons**

1. The current paragraph 8 of Article 2F of the Protocol shall become paragraph 2, and the current paragraph 2 shall become paragraph 3.

2. The current paragraphs 3 to 6 shall be replaced by the following paragraphs, which shall be numbered paragraphs 4 to 6:

“4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2010, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, twenty-five per cent of the sum referred to in paragraph 1 of this Article. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the controlled substances in Group I of Annex C does not exceed, annually, twenty-five per cent of the calculated level referred to in paragraph 2 of this Article. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production of the controlled substances in Group I of Annex C as referred to in paragraph 2.

5. Each Party shall ensure that for the twelve-month period commencing on 1 January 2015, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, ten per cent of the sum referred to in paragraph 1 of this Article. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the controlled substances in Group I of Annex C does not exceed, annually, ten per cent of the calculated level referred to in paragraph 2 of this Article. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production of the controlled substances in Group I of Annex C as referred to in paragraph 2.

6. Each Party shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the controlled substances in Group I of Annex C does not exceed zero. However:

(a) Each Party may exceed that limit on consumption by up to zero point five per cent of the sum referred to in paragraph 1 of this Article in any such twelve-month period ending before 1 January 2030, provided that such consumption shall be restricted to the servicing of refrigeration and air-conditioning equipment existing on 1 January 2020;

(b) Each Party may exceed that limit on production by up to zero point five per cent of the average referred to in paragraph 2 of this Article in any such twelve-month period ending before 1 January 2030, provided that such production shall be restricted to the servicing of refrigeration and air-conditioning equipment existing on 1 January 2020.”

## Article 5: Special situation of developing countries

3. The current sub-paragraphs (a) and (b) of paragraph 8 *ter* of Article 5 shall be replaced by the following sub-paragraphs, which shall become sub-paragraphs (a) to (e):

“(a) Each Party operating under paragraph 1 of this Article shall ensure that for the twelve-month period commencing on 1 January 2013, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, the average of its calculated levels of consumption in 2009 and 2010. Each Party operating under paragraph 1 of this Article shall ensure that for the twelve-month period commencing on 1 January 2013 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex C does not exceed, annually, the average of its calculated levels of production in 2009 and 2010;

(b) Each Party operating under paragraph 1 of this Article shall ensure that for the twelve-month period commencing on 1 January 2015, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, ninety per cent of the average of its calculated levels of consumption in 2009 and 2010. Each such Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the controlled substances in Group I of Annex C does not exceed, annually, ninety per cent of the average of its calculated levels of production in 2009 and 2010;

(c) Each Party operating under paragraph 1 of this Article shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, sixty-five per cent of the average of its calculated levels of consumption in 2009 and 2010. Each such Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the controlled substances in Group I of Annex C does not exceed, annually, sixty-five per cent of the average of its calculated levels of production in 2009 and 2010;

(d) Each Party operating under paragraph 1 of this Article shall ensure that for the twelve-month period commencing on 1 January 2025, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, thirty-two point five per cent of the average of its calculated levels of consumption in 2009 and 2010. Each such Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the controlled substances in Group I of Annex C does not exceed, annually, thirty-two point five per cent of the average of its calculated levels of production in 2009 and 2010;

(e) Each Party operating under paragraph 1 of this Article shall ensure that for the twelve-month period commencing on 1 January 2030, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed zero. Each such Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the controlled substances in Group I of Annex C does not exceed zero. However:

(i) Each such Party may exceed that limit on consumption in any such twelve-month period so long as the sum of its calculated levels of consumption over the ten-year period from 1 January 2030 to 1 January 2040, divided by ten, does not exceed two point five per cent of the average of its calculated levels of consumption in 2009 and 2010, and provided that such consumption shall be restricted to the servicing of refrigeration and air-conditioning equipment existing on 1 January 2030;

(ii) Each such Party may exceed that limit on production in any such twelve-month period so long as the sum of its calculated levels of production over the ten-year period from 1 January 2030 to 1 January 2040, divided by ten, does not exceed two point five per cent of the average of its calculated levels of production in 2009 and 2010, and provided that such production shall be restricted to the servicing of refrigeration and air-conditioning equipment existing on 1 January 2030.”

4. The current sub-paragraphs (c) and (d) of paragraph 8 *ter* of Article 5 shall become sub-paragraphs (f) and (g).

## Annex IV

### Montreal Declaration

*The Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer,*

*Celebrating* with pride, on the occasion of the Montreal Protocol's twentieth anniversary, the successful conclusion of a landmark agreement on the accelerated phase-out of hydrochlorofluorocarbons thereby making great strides in the global effort to protect the ozone layer and at the same time providing opportunities for further beneficial impacts to the environment including for climate change,

*Acknowledging* with honour the historic global cooperation achieved over the past twenty years under the Montreal Protocol to restore and protect the Earth's ozone layer for this and future generations, and noting in particular:

That the Montreal Protocol has made substantial and verified progress toward the recovery of the ozone layer and is recognized as one of the most successful multilateral environmental agreements,

That the success of the Montreal Protocol reflects an unprecedented spirit of cooperation between developed and developing countries,

That the Montreal Protocol operates on the concept of shared but differentiated responsibilities of the Parties with a commitment by all Parties to participate and be fully engaged,

That the Montreal Protocol is underpinned by institutions providing scientific, economic, environmental and technical support informing policy making by Parties, as well as the Multilateral Fund for the Implementation of the Montreal Protocol, which has been instrumental in assisting Parties with compliance and associated capacity-building,

That the Ozone Secretariat has fully supported all Parties in the success of the Montreal Protocol,

That the Montreal Protocol has stimulated the development of technological innovations contributing significantly to the protection of the environment and human health,

That actions taken to protect the ozone layer have resulted in significant beneficial impacts on global atmospheric issues, including climate change,

That the Montreal Protocol, from its inception, has welcomed and benefited from broad participation across all parts of society,

*Recognizing* that even with the achievements of the Montreal Protocol the ozone layer remains vulnerable and will require many decades to recover and that its long-term protection is dependent on continued vigilance, dedication and action by the Parties,

*Recognizing* the importance of all Parties meeting their phase-out obligations and taking appropriate measures to prevent ozone-depleting substances from threatening the ozone layer,

*Recognizing* the continuing role that the Montreal Protocol plays in benefiting the most vulnerable parts of the planet and their populations,

1. Reaffirm their commitment to phase out the consumption and production of ozone-depleting substances consistent with their Montreal Protocol obligations;
2. Recognize the need for continued vigilance to safeguard progress made to date on achieving the objectives of the Montreal Protocol and to address emerging issues;
3. Strive for the earliest possible ratification of all amendments to the Protocol;
4. Recognize the historic and ongoing importance of near universal participation in a treaty with demonstrable, measurable and ambitious yet pragmatic goals and the role played by the mechanisms established, in particular the Multilateral Fund, to provide technical, policy and financial assistance;

5. Recognize the importance of assisting Parties operating under paragraph 1 of Article 5 of the Protocol, through various means including transfer of technology, information exchange and partnership for capacity-building, in fulfilling their obligations under the Protocol;

6. Acknowledge the vital contribution of science to our understanding of the ozone layer and threats to it and that protection of the ozone layer will require a continued global commitment and a sustained level of scientific research, monitoring and vigilance;

7. Recognize the extraordinary accomplishments and services provided to the Parties by the Montreal Protocol's supporting institutions and the importance of their continued role;

8. Recognize the importance of accelerating the recovery of the ozone layer in a way that also addresses other environmental issues, notably climate change;

9. Recognize the opportunity for cooperation between the Montreal Protocol and other relevant international bodies and agreements to enhance human and environmental protection.

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