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**Open-ended Working Group of the Parties to
the Montreal Protocol on Substances that
Deplete the Ozone Layer**
Twenty-fifth meeting
Montreal, 27–30 June 2005

Annotated provisional agenda

1. Opening of the meeting

1. The twenty-fifth meeting of the Open-ended Working Group (OEWG) is scheduled to be opened by the co-chairs at 10 a.m. on 27 June 2005 in the International Civil Aviation Organization (ICAO) Conference Centre in Montreal, Canada. Registration of participants will start at 8.30 a.m. the same day. Participants are encouraged to pre-register well in advance of the meeting through the internet.

2. Organizational matters

(a) Adoption of the agenda

2. The provisional agenda will be before the Parties for adoption. Mr. Tom Land (United States of America) and Mr. David Okioga (Kenya) will co-chair the meeting.

(b) Organization of work

3. The Parties may wish to conduct their work in plenary and draw up a specific timetable for the work on the agenda.

3. Consideration of issues arising out the 2005 progress report of the Technology and Economic Assessment Panel

4. The Technology and Economic Assessment Panel will deliver its presentations. The Panel is scheduled to meet from 24 to 29 May 2005 in Lindau, Germany, and its 2005 progress report is expected to be made available to the Parties soon thereafter.

(a) Essential-use nominations for non-Article 5 Parties

(i) Second review of the essential use nominations for 2006 taking into account decision XV/5 (decision XVI/12, paragraph 1)

5. At their Sixteenth Meeting, the Parties to the Protocol reviewed the requests of certain countries for exemptions for CFCs for metered-dose inhalers for 2006. At that time, specific exemptions were approved "subject to a second review of the 2006 levels consistent with decision XV/5". Decision XV/5 required, among other things, that no quantity of CFCs for essential uses should be authorized after the commencement of the Seventeenth Meeting of the Parties if the nominating Party has not submitted, by

the time of the twenty-fifth meeting of the Open-ended Working Group, a plan of action regarding the phase-out of the domestic use of CFC-based metered-dose inhalers whose sole active ingredient was salbutamol. The Open-ended Working Group will be expected to consider this issue and make recommendations as appropriate to the Seventeenth Meeting of the Parties.

(ii) Review of new nominations for essential use exemptions for 2006 and 2007 taking into account decision XV/5

6. To date, two Parties, the European Community and the United States of America, have submitted new requests for essential-use exemptions for CFCs for metered-dose inhalers, applicable to the years 2006 and 2007. The Technology and Economic Assessment Panel and its new Medical Applications Technical Options Committee are in the process of assessing these nominations. The Medical Applications Technical Options Committee and the Technology and Economic Assessment Panel will also review the 2006 nomination submitted by the Russian Federation in 2004. The Open-ended Working Group will be expected to consider the recommendations of the Technology and Economic Assessment Panel on these matters and make recommendations as appropriate to the Seventeenth Meeting of the Parties.

(b) Review of the status of destruction technologies identified by the Technology and Economic Assessment Panel in its 2002 report as emerging (decision XVI/15)

7. In their 2002 report, the Technology and Economic Assessment Panel's Task Force on Destruction Technologies identified a number of emerging technologies that, while theoretically efficacious, had not demonstrated evidence of technical capability. Decision XVI/15 requested the initial co-chairs of the Destruction Task Force to reconvene, solicit information on those emerging technologies, and, if new information was available, to evaluate the technologies in order to consider if they warranted consideration for addition to the Parties' list of approved destruction technologies. The Open-ended Working Group will be expected to consider the findings of the Task Force co-chairs and Technology and Economic Assessment Panel on this issue and consider making recommendations to the Seventeenth Meeting of the Parties as appropriate.

(c) Process agent issues

(i) Review of requests related to process agent uses and tables A and B of decisions X/14 and XV/6 (decision XV/7, paragraphs 3, 6 and 7)

8. Paragraph 3 of decision XV/7 requested the Technology and Economic Assessment Panel to review requests for consideration of specific uses submitted by Parties against the criteria included in decision X/14 for process agents, and to make recommendations annually on uses that could be added to or removed from table A of decision X/14. In 2004, the Technology and Economic Assessment Panel and its Process Agents Task Force reviewed the requests received up until that time and made recommendations in the October 2004 report of the Technology and Economic Assessment Panel Process Agents Task Force. The Technology and Economic Assessment Panel and its new Chemicals Technical Options Committee are reviewing the process agent applications received this year and the Open-ended Working Group will be expected to make recommendations to the Meeting of the Parties as appropriate on the process agent issue.

(ii) Reconsideration of the process agent uses listed in decision XV/7 that were given an exemption for 2004 and 2005 pending further consideration

9. Decision XV/7 exempted, for 2004 and 2005 only, certain process agent uses that had non-negligible emissions, or that had not formally been reviewed by the Technology and Economic Assessment Panel. Decision XV/7 called on the Technology and Economic Assessment Panel and the Parties to reconsider the status of those applications at the 2005 Meeting of the Parties. The Panel's review is under way and the Open-ended Working Group may wish to make recommendations to the Meeting of the Parties as appropriate on these process agent uses.

(d) Consideration of the Technology and Economic Assessment Panel/Intergovernmental Panel on Climate Change assessment report as it relates to actions to address ozone depletion (decision XIV/10)

10. Decision XIV/10 requested the Technology and Economic Assessment Panel to work with the Intergovernmental Panel on Climate Change (IPCC) in preparing a fully integrated report on the relationship between efforts to protect the stratospheric ozone layer and efforts to safeguard the global climate system, and to forward that report for consideration by the Open-ended Working Group in so far as it related to actions to address ozone depletion. That report is now in the process of being finalized.

The Open-ended Working Group is expected to consider the findings of the Technology and Economic Assessment Panel/Intergovernmental Panel on Climate Change report as it relates to actions to address ozone depletion and make recommendations to the Meeting of the Parties as appropriate.

(e) Technology and Economic Assessment Panel administrative issues

11. In their 2004 progress report and during its presentation at the Sixteenth Meeting of the Parties, the Technology and Economic Assessment Panel proposed making several structural changes to enable the Panel to carry out its heavy workload more efficiently. Included among those proposed changes were recommendations that needed the formal approval of the Parties, namely, proposals for the addition of new or replacement co-chairs for a variety of its technical options committees. Unfortunately, the Parties did not have sufficient time at the meeting to prepare or even consider a decision on this matter. A specific item has been added to the agenda in order to enable the Parties at the Open-ended Working Group to consider and make recommendations as appropriate to the Meeting of the Parties regarding the administrative issues raised by the Technology and Economic Assessment Panel that may necessitate action by the Parties.

(f) Any other issues arising out of the Technology and Economic Assessment Panel reports

12. In its progress report, the Technology and Economic Assessment Panel may raise other issues of importance that warrant consideration by the Parties. Such issues will be highlighted in the note by the Secretariat for the Open-ended Working Group.

4. Consideration of methyl bromide-related issues

(a) Review of new nominations for critical use exemptions for methyl bromide for 2006 and 2007

13. Pursuant to paragraph 2 of decision IX/6 and decision XIII/11, new 2006 and 2007 nominations for critical use exemptions for methyl bromide were submitted by 15 Parties. The Methyl Bromide Technical Options Committee is scheduled to meet from 11 to 15 April in Buenos Aires, Argentina, to evaluate those nominations. The Open-ended Working Group may wish to review the recommendations by the Methyl Bromide Technical Options Committee and make recommendations as appropriate to the Parties.

(b) Multi-year exemptions for methyl bromide use (decision XVI/3)

14. At their Fifteenth and Sixteenth Meetings, the Parties considered the issue of agreeing criteria for the approval of multiyear critical use exemptions for Methyl Bromide. At their last Meeting, the Parties decided that they would elaborate, as far as possible, at the Seventeenth Meeting of Parties, a framework for spreading a critical-use exemptions over more than one year. The Open-ended Working Group may wish to consider this issue and make recommendations, as warranted, to the Seventeenth Meeting of the Parties.

(c) Options which Parties may consider for preventing potential harmful trade of methyl bromide stocks to Article 5 Parties as consumption is reduced in non-Article 5 Parties (decision Ex.I/4, paragraph 9)¹

15. The Open-ended Working Group will be asked to consider the findings of the Technology and Economic Assessment Panel on this issue and make recommendations, as warranted, to the Seventeenth Meeting of the Parties.

(d) Modification of the Handbook on critical use nominations (paragraph 113 of the report of the Sixteenth Meeting of the Parties)²

16. At their Sixteenth Meeting, the Parties agreed that they needed more time to review the handbook on critical use nominations for methyl bromide and its appendices before they could consider adopting it. They therefore agreed that they would take up the approval of the revised handbook at their next Meeting. An electronic copy of the revised handbook is available at <http://www.unep.org/ozone/teap/Reports/MBTOC/MBTOC-CriticalUsesHandbook.pdf>. The Open-ended Working Group may wish to consider the handbook and make recommendations as warranted to the Meeting of the Parties.

¹ UNEP/OzL.Pro.ExMP/1/3.

² UNEP/OzL.Pro.16/17.

(e) **Standard presumptions that underlie the Methyl Bromide Technical Options Committee's recommendations of critical-use nominations (annex I, paragraph 2, of the report of the Sixteenth Meeting of the Parties²**

17. At their Sixteenth Meeting, the Parties agreed that standard presumptions which underlie the Methyl Bromide Technical Options Committee's recommendations needed to be transparent, technically and economically justified, clearly stated in its reports, and submitted to the Parties for approval at each Meeting of the Parties. In its report this year, the Methyl Bromide Technical Options Committee is expected to delineate the standard presumptions used in this year's review. The Open-ended Working Group may wish to consider the presumptions being used by the Methyl Bromide Technical Options Committee and make recommendations as warranted to the Meeting of the Parties.

5. Consideration of issues related to the Multilateral Fund for the Implementation of the Montreal Protocol

(a) **Technology and Economic Assessment Panel study on the 2006–2008 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol (decision XVI/35)**

18. At their Sixteenth Meeting, the Parties took a decision directing the Technology and Economic Assessment Panel to perform a study on the replenishment of the Multilateral Fund for the period 2006–2008 in accordance with specifically agreed terms of reference. The Technology and Economic Assessment Panel study is still under preparation. The Working Group may wish to discuss the study and make recommendations as appropriate to the Meeting of the Parties.

(b) **Need to ensure equitable geographical representation in the Executive Committee of the Multilateral Fund (decision XVI/38)**

19. In decision XVI/38, the Parties decided to include Eastern European and Central Asian countries within the rotation of the seventh seat for Article 5 Parties on the Executive Committee. In that same decision, they also agreed that the issue of seats for Parties operating under Article 5 of the Montreal Protocol and Parties not so operating should be added to the agenda of the twenty-fifth meeting of the Open-ended Working Group. The Parties may wish to consider this issue and make recommendations as appropriate to the Seventeenth Meeting of the Parties.

(c) **Executive Committee report on the evaluation of customs officers training and licensing system projects (decision XIV/7)**

20. The Fourteenth Meeting of the Parties requested the Executive Committee to consider making an evaluation of customs officers training and licensing systems projects a priority, and to report, if possible to the Sixteenth Meeting of the Parties. At the Sixteenth Meeting of the Parties, the Executive Committee reported that the requested evaluation would be reported to the Seventeenth Meeting of the Parties. The report of the Executive Committee on the issue is expected to be discussed under this agenda item.

6. Monitoring and preventing illegal trade in ozone-depleting substances (decision XVI/33)

21. Decision XVI/33 requested the Secretariat, among other things, to produce draft terms of reference for a study on the feasibility of developing a tracking system in the trade of ozone-depleting substances and its costs and, funds permitting, to convene a workshop of experts from Parties to develop specific areas and a conceptual framework of cooperation to address illegal trade. The Secretariat will dispatch to all Parties the draft terms of reference, and the workshop of experts called for in this decision is expected to take place in early April. The Open-ended Working Group may wish to discuss the draft terms of reference and the outcomes of the workshop of experts, and make recommendations as appropriate, to the Seventeenth Meeting of the Parties.

7. Discussion of any proposed adjustments of the Montreal Protocol

8. Discussion of any proposed amendments of the Montreal Protocol

22. In March 2005, the Executive Secretary of the Ozone Secretariat sent a letter to all Parties regarding the application of Article 2, paragraph 9, of the Montreal Protocol, which requires that any proposed adjustments and amendments be communicated to the Parties not less than six months before their Meeting. In that letter, the Secretariat urged all Parties to submit any proposed adjustments and amendments to the Secretariat at least seven months before the December Meeting of the Parties to enable the Secretariat to ensure that all Parties received appropriate notice of such amendments and

adjustments in the time-frame required under Article 2. At the time of writing, the Secretariat has not received any formal proposals from Parties of adjustments or amendments to the Protocol. If the Secretariat does receive any such proposals, the proposals will be communicated to the Parties as expeditiously as possible.

9. Obligations of Parties to the Beijing Amendment under Article 4 of the Montreal Protocol with respect to hydrochlorofluorocarbons (decision XV/3)

23. The Secretariat will update the Parties on submissions that have been made pursuant to decision XV/3, as well as other actions that have taken place under this decision. The Open-ended Working Group may then wish to make recommendations, as deemed appropriate, to the Seventeenth Meeting of the Parties.

10. Other matters

24. The Parties may wish to discuss other matters that have been identified and agreed for consideration.

11. Adoption of the report

25. The draft report of the twenty-fifth meeting of the Open-ended Working Group will be presented for adoption.

12. Closure of the meeting

26. It will be important for all Parties to note that the Open-ended Working Group must end on Thursday, 30 June 2005, to allow the Extraordinary Meeting of the Parties called for in decision XVI/46 both to start and be completed on Friday, 1 July 2005

27. While not included on the agenda, the Secretariat's note, which will be dispatched soon after receipt of the Technology and Economic Assessment Panel progress report, will report on the substantive details of the issues introduced in the present document as well as some additional items, including: the Technology and Economic Assessment Panel review of the status of n-propyl bromide pursuant to decision XIII/7; the Technology and Economic Assessment Panel review of the status of discussions with ICAO on the modification of the regulatory requirements on halon use in new airframes pursuant to decision XV/11; the Technology and Economic Assessment Panel report on the data submitted by the Parties pursuant to decision XVI/10; the Secretariat report on an indicative budget pursuant to decision XVI/44; the status report on the interaction between the Chair of the Executive Committee and the United Nations Secretariat related to the process for the nomination and appointment of the Chief Officer of the Multilateral Fund pursuant to decision XV/48; the status of global laboratory and analytical use exemptions pursuant to decision XV/8; the summary of actions taken by the Executive Committee on the recommendations of the study on the financial mechanism pursuant to decision XVI/36; the report of the Executive Committee and the Technology and Economic Assessment Panel on the progress made in reducing emissions from process agent uses and implementation and development of emission reduction techniques and non-ozone-depleting substance processes pursuant to paragraph 5 of decision XV/7; and a Secretariat report on issues relating to the organization of Meetings of the Parties and meetings of the Executive Committee.
