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

Second meeting
Colombo, 15 October 2001

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

Introduction

1. The second meeting of the Bureau of the Twelfth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer was held at the Bandaranaike Memorial International Conference Centre, Colombo, Sri Lanka, on 15 October 2001.

I. OPENING OF THE MEETING

2. The meeting was opened at 10.25 a.m. on Monday, 15 October 2001 by Mr. Milton Catelin (Australia), President of the Twelfth Meeting of the Parties.

3. It was attended by the following members of the Bureau, who had been elected to their respective posts by the Twelfth Meeting of the Parties, held in Ouagadougou from 11 to 14 December 2000, or nominated by their Governments in accordance with rule 24 of the rules of procedure:

<u>President:</u>	Mr. Milton Catelin (Australia)
<u>Vice-Presidents:</u>	Mr. Fidèle Hien (Burkina Faso) Mr. Jiří Hlavaček (Czech Republic)
<u>Rapporteur:</u>	Mrs. Hilda Espinoza Urbina (Nicaragua)

4. A list of participants is annexed.

II. ADOPTION OF THE AGENDA

5. The Bureau adopted the agenda on the basis of the following provisional agenda contained in document UNEP/OzL.Pro.12/Bur.2/1:

1. Opening of the meeting.
2. Adoption of the agenda.
3. Update on the actions taken on the decisions of the Twelfth Meeting of the Parties, held in Ouagadougou, Burkina Faso, from 11 to 14 December 2000.
4. Review of the working documents prepared for the Thirteenth Meeting of the Parties to the Montreal Protocol, to be held in Colombo, Sri Lanka, from 16 to 19 October 2001.
5. Other matters.
6. Adoption of the report
7. Closure of the meeting.

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

6. Mr. Nelson Sabogal (Senior Scientific Affairs Officer) of the Ozone Secretariat introduced the document UNEP/OzL.Pro.12/Bur.2/3. Pointing out that the action taken to implement the majority of the decisions had been reported on at the First Meeting of the Bureau held in Montreal on 23 July 2001, he said that he would report at the present meeting only on decisions on which there was new information. With regard to decision XII/2, he reported that, despite reminders, as at 15 August 2001 no Party had notified the Secretariat with respect to any chlorofluorocarbon metered-dose inhaler active ingredient or category of products that had been determined to be non-essential and therefore not authorized for domestic use. The following Parties had submitted their national or regional transition strategies: Australia, Canada, Czech Republic, European Commission, Hungary, Japan, New Zealand, Poland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Those Parties had agreed to the Secretariat's request to post their strategies on its website, where they were available for consultation by other Parties.

7. He noted that the Secretariat had reminded non-Article 5 Parties by September 2001 that they should develop a national or regional transition strategy based on economically and technically feasible alternatives or substitutes that they deemed acceptable from the standpoint of the environment and health and that included effective criteria and measures for determining when chlorofluorocarbon metered-dose inhaler product(s) was/were no longer essential and that they should submit the text of any such strategy to the Secretariat by 31 January 2002. A small number of Parties had requested extra time, as they were updating existing transition strategies.

8. The Secretariat had notified the Multilateral Fund Secretariat of the request of the Parties to consider providing technical, financial and other assistance to Article 5 Parties to facilitate the development of metered-dose inhaler transition strategies and the implementation of approved activities contained therein and had informed the Global Environment Facility (GEF) Secretariat of the request of the Parties to consider providing the same assistance to eligible countries with economies in transition.

9. Mr. Omar El Arini, Chief Officer of the Multilateral Fund Secretariat, said that no action had yet been taken on implementing decision XII/2. However, two submissions of national CFCs phase-out plans, each incorporating a MDI transition strategy, had been received from Malaysia and Thailand, and would be considered by the next meeting of the Executive Committee of the Multilateral Fund in December 2001.

10. Mr. Michael Graber, Acting Executive Secretary of the Ozone Secretariat pointed out that the GEF Secretariat had established that phasing out of metered-dose inhalers might need more funding, and that the amount to be made available would be decided by the GEF Council in December 2001.

11. The representative of the Secretariat noted that the new Handbook for Essential Use Nominations had been published in June 2001 and distributed to all Parties. It was also available at the following web sites: <http://www.unep.org/ozone/Handbook2000.shtml> and <http://www.teap.org>.

12. The Technology and Economic Assessment Panel had considered the issues related to the campaign production of chlorofluorocarbons for chlorofluorocarbon metered-dose inhalers. The Panel and its Aerosols Technical Options Committee had concluded that the best approach would be to continue just-in-time supply for as long as possible. Any final campaign production should preferably be carried out as late as possible into the transition. The Twenty-first Meeting of the Open-ended Working Group had considered this matter and suggested that the Technology and Economic Assessment Panel continue its work on a limited number of specific points.

13. With regard to decision XII/6, the representative of the Secretariat pointed out that by 20 August 2001, 17 of the 175 Parties that should have reported data for 1998 had not done so. In total, 158 Parties (117 operating under Article 5 and 41 not operating under Article 5) had reported data. Twenty-one of the 175 parties that should have reported data for 1999 by 30 September 2001 had not done so. 154 Parties (111 Article 5 and 43 non-Article 5) had reported data. As of 30 September 2001, 99 (73 Article 5 and 26 non-Article 5) of the 175 Parties that should have reported data for 2000 had done so.

14. With regard to decision XII/7, the representative of the Secretariat reported that since the Twelfth Meeting of the Parties, five States (Cambodia, Cape Verde, Palau, Sierra Leone and Somalia) had become Parties to the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol. He noted that eleven Parties to the Montreal Protocol had ratified the London Amendment, 17 had ratified the Copenhagen Amendment and 20 had ratified the Montreal Amendment, bringing the total number of Parties to the Vienna Convention to 181, the total number of Parties to the Montreal Protocol to 180, the total number of Parties to the London Amendment to 153, the total number of Parties to the Copenhagen Amendment to 128 and the total number of Parties to the Montreal Amendment to 63.

15. The Beijing Adjustments had entered into force on 28 July 2000. The Beijing Amendment, adopted by the Eleventh Meeting of the Parties in 1999, should have entered into force on 1 January 2001, provided that at least 20 instruments of ratification, acceptance or approval had been deposited with the Depositary. Since that condition had not been satisfied by that date, the Amendment would enter into force on the ninetieth day following the date on which it was satisfied. As of 30 September 2001, only 11 Parties (Canada, Chile, Czech Republic, Gabon, Finland, Jordan, Luxembourg, New Zealand, Palau, Sierra Leone and Somalia) had ratified the Beijing Amendment. He emphasized that universal participation by ratification of the Amendments was necessary to ensure the protection of the ozone layer.

16. The President reported that he had visited some Pacific small island States and urged them to ratify the Convention and the Protocol and its Amendments. It appeared likely that those which had not yet done so would ratify in the near future, and it was noteworthy that the Pacific small island States in general were not only ratifying the Convention and the Protocol but all of its Amendments at the same time.
17. With regard to decision XII/8, the representative of the Secretariat said that the Technology and Economic Assessment Panel had established the Task Force on Destruction Technologies and the Task Force on Technical and Economic Options on collection, reclamation and storage of ozone-depleting substances (ODS) after the Secretariat, in consultation with the Panel, had posted a letter to the Parties on the web site of the Ozone Secretariat requesting nominations of qualified and experienced experts in destruction technologies for such task forces. The following Parties had submitted nominations: Australia, Brazil, Canada, Chile, Germany, India, Japan and United States of America.
18. The Secretariat had been cooperating with the Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal on the matter and the latter had prepared a note entitled "Disposal of controlled substances under the Montreal Protocol and its Amendments" for the eighteenth session of the Technical Working Group of the Basel Convention, held in Geneva on 18-20 June 2001.
19. The eighteenth session of the Technical Working Group of the Basel Convention had considered a document on the disposal of controlled substances under the Montreal Protocol and its Amendments, and had welcomed the opportunity for cooperation with the Technology and Economic Assessment Panel of the Montreal Protocol. In turn, the latter had welcomed the cooperation with experts from the Basel Convention and had recommended that cooperation be undertaken primarily by e-mail, supplemented with one or more coordinating meetings.
20. With regard to decision XII/10, the representative of the Secretariat reported that the Ozone Secretariat had presented a report to the Twenty-first Meeting of the Open-ended Working Group with three options, described in UNEP/OzL.Pro/WG.1/21/2, paragraph 45 and UNEP/OzL.Pro/WG.1/21/2/Corr.1. The same report had also included the comments made by experts, groups and organizations on elements of the study itself.
21. The Twenty-first Meeting of the Open-ended Working Group had agreed that option (a) was the preferred means of carrying out the study. Accordingly, the meeting had agreed to request the Ozone Secretariat, in consultation with the Technology and Economic Assessment Panel, the World Customs Organization, the Division of Trade, Industry and Economics of UNEP and the World Trade Organization, to undertake a study and report to the Open-ended Working Group at its Twenty-second Meeting, for consideration by the Parties in 2002.
22. With regard to decision XII/14, the representative of the Secretariat said that the Secretariat had informed the GEF Secretariat of the request to GEF to clarify its future commitment to providing continued assistance to countries with economies in transition with respect to all ozone-depleting substances.
23. The GEF Secretariat had prepared a paper entitled "Financing of activities to address ozone layer depletion" (Doc.: GEF/C.17/Inf.13) which had been presented at the GEF Council meeting held on 9-11 May 2001 in Washington. At that meeting the GEF Council had decided to request the GEF Secretariat to prepare a document on the potential costs and operational implications of a commitment to provide funding to countries with economies in transition for the replacement of HCFCs and methyl bromide and related substances in accordance with the stipulations of the Montreal Protocol, for consideration at the Council meeting in December 2001 as well as in the discussions on the third replenishment of the GEF Trust Fund. The Ozone Secretariat had provided the GEF Secretariat with data on the consumption and production of methyl bromide and HCFCs in countries with economies in transition and had met with a representative of the GEF Secretariat to discuss this matter, the possibility of receiving copies of the GEF Project Implementation Reports (PIRs) that might be useful in the context of the discussions of the Implementation Committee and the funding.

24. With regard to decision XII/15, Mr. Theodor Kapiga, the Treasurer, reported that pledges to the Montreal Protocol Trust Fund for the year 2001 totalled \$3.004 million, of which \$2.055 million had been paid by 30 September 2001. That represented a rate of 68.4 per cent, whereas the habitual percentage at the present time of the year, as an average over the ten years of the existence of the Trust Fund, was about 40 per cent. Unpaid pledges from prior years totalled \$3.692 million at the beginning of the year 2001. By 30 September 2001, only \$0.745 million had been paid, representing about 30 per cent as against the habitual rate of about 20 per cent at the present time of year. However, experience had shown that Parties did eventually pay their pledges, provided that they were reminded persistently enough.

25. The approved budget for the year 2000 had been \$3.680 million, and actual expenditures had totalled \$2.716 million.

26. He also reported that pledges to the Vienna Convention Trust Fund for the year 2001 totalled \$0.296 million, of which \$0.203 million had been paid by 30 September 2001. That represented a rate of 68.5 per cent, whereas the habitual percentage at the present time of the year was about 45 per cent. Unpaid pledges from prior years totalled about \$0.535 million at the beginning of the year 2001. By 30 September 2001, only \$0.069 million had been paid, representing about 13 per cent as against the habitual rate of about 27 per cent at the present time of year.

27. The approved budget for the year 2000 had been \$0.371 million, and actual expenditures had totalled \$0.201 million.

28. Another representative of the Secretariat reported that it had provided financial assistance for the participation of Article 5 experts in the assessment panels and their subsidiary bodies as follows: nineteen experts for the Technology and Economic Assessment Panel; 90 experts for the technical options committees of the Technology and Economic Assessment Panel; the co-chair of the Scientific Assessment Panel and the co-chair of the Environmental Effects Assessment Panel.

29. In response to a question from a member of the Bureau, the Treasurer expressed the opinion that the relatively high rate of actual payments was probably due to persistence in the reminders to Parties to pay their pledges. He also clarified that a significant portion of the unpaid pledges was accounted for by countries that were very large contributors to the Multilateral Fund, and expressed confidence that they would in due course pay their relatively minor obligations to the Trust Funds also.

30. With regard to decision XII/16, the representative of the Secretariat reported that it had organized the Twenty-first Meeting of the Open-ended Working Group, held in Montreal from 24 to 26 July 2001, back to back with the thirty-fourth meeting of the Executive Committee, in close consultation with the Multilateral Fund Secretariat. He expressed warm appreciation to the Chief Officer of the Multilateral Fund Secretariat and to all of his staff, for their excellent assistance.

31. With regard to decision XII/18, the representative of the Secretariat reported that arrangements were well in hand for the Thirteenth Meeting of the Parties to the Montreal Protocol, to be held in Colombo from 16 to 19 October 2001. He expressed the Secretariat's appreciation of the efforts made by the Government of Sri Lanka to organize the Meeting, and in particular the work it was undertaking in upgrading the conference facilities.

32. Another representative of the Secretariat said that the Secretariat stood ready to deal with any difficulties that might arise.

IV. REVIEW OF THE WORKING DOCUMENTS PREPARED FOR THE THIRTEENTH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL

33. A representative of the Secretariat reviewed the documents that had been prepared for the Thirteenth Meeting of the Parties. He pointed out that all of the documents were available in all six official United Nations languages and at the Ozone Secretariat Web site.

34. Another representative of the Secretariat recalled that at the Twenty-first Meeting of the Open-ended Working Group, nine conference-room papers had been tabled and discussed. As it was likely that the topics contained in them would be discussed again at the forthcoming Meeting of the Parties, the nine papers had been made available in all six United Nations languages.

V. OTHER MATTERS

Executive Secretary of the Ozone Secretariat

35. The President informed the Bureau that he had written on its behalf to the Executive Director of the United Nations Environment Programme expressing concern that the position of Executive Secretary of the Ozone Secretariat remained unfilled 18 months after the departure of the previous Executive Secretary. He understood that the Deputy Executive Director of the United Nations Environment Programme would refer to the issue in his address to the Meeting of the Parties.

Working group on terms of reference for replenishment of the Multilateral Fund

36. The President recalled that at the Twenty-first Meeting of the Open-ended Working Group, an open-ended working group had been set up under the chairmanship of Brazil to discuss the terms of reference for replenishment of the Multilateral Fund. It was his intention now to convert it into a closed working group, still chaired by Brazil, comprising only seven Article 5 and seven non-Article 5 Parties. He suggested that the members of the Bureau might request their respective regional meetings to give consideration to their nominations to the working group.

International Day for the Preservation of the Ozone Layer

37. A representative of the Secretariat reported that the office of the Secretary-General of the United Nations had requested information from the Secretariat about the International Day for the Preservation of the Ozone Layer, information which the Secretary-General had incorporated in his message to Governments around the world, urging them to keep up their efforts to protect and repair the ozone layer. He reported on the various efforts made by the Secretariat in collaboration with Governments, the United Nations Environment Programme and other organizations in support of the International Day, and in particular on a ceremony held by the Secretariat at a large flower farm in Kenya which did not use methyl bromide.

VI. ADOPTION OF THE REPORT

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

VII. CLOSURE OF THE MEETING

39. The President declared the meeting closed at 11.10 a.m. on 15 October 2000.

Annex

LIST OF PARTICIPANTS
SECOND MEETING OF THE BUREAU OF THE TWELFTH MEETING
OF THE PARTIES TO THE MONTREAL PROTOCOL

Monday, 15 October 2001

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