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

First meeting
Geneva, 6 July 1998

REPORT OF THE BUREAU OF THE NINTH MEETING OF THE PARTIES TO
THE MONTREAL PROTOCOL ON THE WORK OF ITS FIRST MEETING

INTRODUCTION

1. The first meeting of the Bureau of the Ninth Meeting of the Parties to the Montreal Protocol was held at the Geneva Centre International Conference Centre on 6 July 1998.

I. OPENING OF THE MEETING

2. The President of the Ninth Meeting of the Parties to the Montreal Protocol, Mr. Won-Hwa Park (Republic of Korea), opened the meeting at 10 a.m. on Monday, 6 July 1998.

3. The meeting was attended by the following members of the Bureau, who had been elected to their respective posts by the Ninth Meeting of the Parties or named by their Governments in accordance with rule 24 of the rules of procedure:

President: Mr. Won-Hwa Park (Republic of Korea)

Vice-Presidents: Mr. G. Steve Hart (Canada)
Mr. Alexandre Solovianov (Russian Federation)
Mr. Eduardo Lopez (Venezuela)

4. The meeting was also attended by Mr. K.M. Sarma (Executive Secretary), Mr. N. Sabogal

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(Programme Officer, Science) and Mr. P. Silfvenius (Administrative Officer) of the Ozone Secretariat and by Dr. Omar El-Arini, Chief Officer of the Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol. The list of participants is annexed to the present report.

II. ADOPTION OF THE AGENDA

5. The Bureau adopted the following agenda on the basis of the provisional agenda (UNEP/OzL.Pro.9/Bur.1/1):

1. Opening of the meeting.
2. Adoption of the agenda.
3. Action taken on the decisions of the Ninth Meeting of the Parties to the Montreal Protocol, held in Montreal from 15 to 17 September 1997.
4. Review of the working documents prepared for the seventeenth meeting of the Open-ended Working Group of the Parties to the Montreal Protocol, to be held in Geneva from 7 to 9 July 1998.
5. Review of the progress in the arrangements for the Tenth Meeting of the Parties to the Montreal Protocol, to be held in Cairo from 23 to 24 November 1998.
6. Other matters.
7. Closure of the meeting.

III. ACTION TAKEN ON THE DECISIONS OF THE NINTH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL, HELD IN MONTREAL FROM 15 TO 17 SEPTEMBER 1997

6. The Secretariat introduced its note (UNEP/OzL.Pro.9/Bur.1/2), giving a brief summary of the action taken by the Secretariat and developments since the Ninth Meeting of the Parties.

7. With regard to decisions IX/1-4, the Secretariat reported that only two countries had so far ratified the Montreal Amendment. The Montreal adjustments with regard to substances in Annexes A, B and E had entered into force on 5 June 1998. The Bureau decided to appeal to all the Parties that had not yet done so to ratify the London, Copenhagen and Montreal Amendments.

8. In connection with decisions IX/5-7 relating to methyl bromide, the Chief Officer of the Multilateral Fund added that Article 5 countries that ratified the Copenhagen Amendment would be eligible for funding for investment projects in the methyl bromide sector. The resources available to the Fund for projects in that sector currently amounted to \$55 million.

9. The Secretariat stated that 53 countries had sent in details of their focal points for their licensing system, as required by decision IX/8, while ten countries had reported on the adoption of legislative and administrative measures pursuant to decision IX/9. The Secretariat had been advised, however, that some other countries had import controls or were considering imposing them. Only one other country had export controls, although several were considering their application. The Bureau called on all Parties to report on their focal points for their licensing system and the adoption of measures.
10. Action taken on decision IX/10 had been discussed in connection with decisions IX/1-4.
11. The Secretariat informed the Bureau that, despite the reminder contained in decision IX/11, to date only 120 Parties had reported data for 1996. One Party, however, had not reported any data at all, even though its country programme had been prepared, and it thus risked losing its Article 5 status. All Parties were urged to report their data without delay.
12. The Bureau noted that no action was required on decisions IX/12-13.
13. With regard to decision IX/14, the Bureau noted that transfer of technology was a sensitive and complex issue and within the Informal Group on Technology Transfer (IGTT) there were differences of opinion as to what it involved. In response to a query, the Secretariat replied that no time limit had been fixed for completion of the Informal Group's work.
14. In connection with decision IX/15, the Chief Officer of the Multilateral Fund explained that technical audits were data collection exercises carried out in Article 5 countries to establish the capacity and lifespan of facilities producing ozone-depleting substances. The Secretariat of the Multilateral Fund had selected a consulting firm to undertake the technical audits. Authorization for contracts relating to technical audits in China and India had been requested from the United Nations Office in Nairobi. The results of the audits would be transmitted to the respective Governments to assist them in drafting their national phase-out strategies and to establish the level of compensation for the closure of facilities.
15. The Bureau noted that decisions IX/16 and IX/20 required no action and that the recommendations of the Technology and Economic Assessment Panel relating to decisions IX/17 and IX/18, together with its reports pursuant to decisions IX/19 and IX/21, would be taken up by the Open-ended Working Group.
16. With respect to decision IX/22, the Bureau noted that the World Customs Organization (WCO) had acceded to the Executive Director's request to assign more customs codes to HCFCs and mixtures and that further details would be given to the Open-ended Working Group.
17. The Bureau noted that no Party had yet reported to the Secretariat pursuant to decision IX/23 and urged non-Article 5 countries to do so without delay.
18. The Secretariat informed the Bureau that the situation regarding control of new substances with ozone-depleting potential was being monitored, in accordance with decision IX/24, and that the Open-ended Working Group would discuss the issue.
19. The Secretariat recalled the background to the adoption of decision IX/25, and the Bureau welcomed the efforts made jointly by the International Civil Aviation Organization (ICAO), the Intergovernmental Panel on Climate Change (IPCC) and the Ozone Secretariat to finalize the report.
20. The Bureau noted that decisions IX/26 and IX/27 required no action.

21. In the course of reviewing the action taken on decision IX/28, the Bureau noted that only 80 Parties had reported in full. Despite simplification of the reporting format, some countries found it difficult to complete. The Secretariat responded that the Protocol required Parties to provide certain data so the format was necessarily somewhat complex. Nevertheless, the Secretariat would try to provide clearer explanations to assist countries in replying. The Bureau also requested the Secretariat to ensure that proper channels were used to inform Parties of any missing data and that Parties were given sufficient time to respond before they were noted as having failed to report data.

22. With regard to decisions IX/29-32, the Secretariat said that the matter was currently under consideration by the Implementation Committee.

23. The Bureau noted that no action was required on decisions IX/33, IX/34 and IX/36.

24. Under decision XI/35, the United Kingdom and St. Lucia had been elected co-chairs of the Ad Hoc Working Group of Legal and Technical Experts on Non-compliance and would report on the work of the Group's meeting to the Open-ended Working Group.

25. Reporting on decision IX/37 on financial matters: financial reports and budgets, the Secretariat said that, of the amount due to the Montreal Protocol Trust Fund for 1997 of \$3,544,519, \$2,451,035 had thus far been received, representing a level of collection slightly lower than the usual 80-85 per cent. Expenditure for 1997 had totalled \$2.8 million, the deficit being covered from reserves in the Trust Fund.

26. For the Vienna Convention Trust Fund, income in 1997 - \$361,846 - had been slightly in excess of the amount due - \$361,089 - while expenditure had been \$247,924.

27. For 1998, by 25 June 1998, of the \$3,679,702 due to the Montreal Protocol Trust Fund, \$2,248,184 had been received and of the \$382,341 due to the Vienna Convention Trust Fund, \$284,927 had been received.

28. Under decisions IX/38, on the status of contributions to the Multilateral Fund, the Chief Officer of the Multilateral Fund said that, as of 7 June 1998, a total of \$237,705,425 was outstanding, comprising \$141,116,140 for 1998, \$48.76 million for the period 1994-1996 and \$24.67 million for 1991-1993. Most outstanding contributions prior to 1996 were owed by countries with economies in transition.

IV. REVIEW OF THE WORKING DOCUMENTS PREPARED FOR THE SEVENTEENTH MEETING OF THE OPEN-ENDED WORKING GROUP OF THE PARTIES TO THE MONTREAL PROTOCOL, TO BE HELD IN GENEVA FROM 7 TO 9 JULY 1998

29. The Secretariat drew attention to the documentation prepared for the forthcoming meeting of the Open-ended Working Group, namely, the provisional agenda (UNEP/OzL.Pro/WG.1/17/1 and Add.1); the note by the Secretariat on the issues before the Open-ended Working Group (UNEP/OzL.Pro/WG.1/17/2); and the report of the Technical and Economic Assessment Panel which had already been circulated to all members, and also to a proposal by Malawi on metered-dose inhalers (MDIs), which was currently being circulated.

V. REVIEW OF THE PROGRESS IN THE ARRANGEMENTS FOR THE TENTH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL, TO BE HELD IN CAIRO FROM 23 TO 24 NOVEMBER 1998

30. The Secretariat drew attention to two documents prepared for the Tenth Meeting of the Parties: the report by the Secretariat on the Trust Fund for the Montreal Protocol (UNEP/OzL.Pro.10/4) and the financial report on the trust funds for the Vienna Convention and the Montreal Protocol (UNEP/OzL.Pro.10/5). In addition, invitations to the Tenth Meeting of the Parties would be sent out immediately following the current session of the Open-ended Working Group, and the host country agreement would be signed shortly.

31. The Secretariat said that, while four days had provisionally been set aside for the eighteenth meeting of the Open-ended Working Group, scheduled to precede the Tenth Meeting of the Parties, it was felt that perhaps three days would suffice. In addition, the Implementation Committee and the Bureau would also meet prior to the Tenth Meeting of the Parties.

VI. OTHER MATTERS

32. The Secretariat, drawing attention to the low level of ratification of both the London Amendment - 120 Parties, after eight years - and the Copenhagen Amendment - 79 Parties, after six years - suggested that the Bureau give some thought to ways in which further ratifications could be encouraged.

33. The President suggested that, in comparison with the level of ratifications of many other conventions in such areas as aviation, outer space, disarmament, etc., the ozone instruments enjoyed a high level of ratification and that the figures quoted for the London and Copenhagen Amendments were not, therefore, discouraging. He suggested, however, that he could, in his capacity as President of the Bureau and in consultation with the Secretariat, draft a letter to be sent to heads of Government of Parties that had still not ratified either or both the Amendments, reminding them of that fact and drawing attention to the seriousness of the issue.

34. One of the Vice-Presidents, drawing attention to the issue of replenishment of resources and the related studies to be prepared for review by the Parties in 1999, noted that the issue was not included in the agenda for the Open-ended Working Group and suggested that the appropriate steps be taken to amend the agenda accordingly.

35. Following a discussion of the correct procedure to be followed in such cases, it was agreed that a proposal for the inclusion of a new item on replenishment should be raised at the time of the adoption of the agenda of the seventeenth meeting of the Open-ended Working Group.

36. Finally, the Secretariat introduced the new 1997 Update of the Handbook for the International Treaties for the Protection of the Ozone Layer, which was available for distribution to all Parties.

VII. CLOSURE OF THE MEETING

37. The President declared the meeting closed at 11.20 a.m. on Monday, 6 July 1998.

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Annex

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