



**United Nations  
Environment  
Programme**

Distr.: General  
16 May 2005

Original: English



**Extraordinary Meeting of the Parties to  
the Montreal Protocol on Substances that  
Deplete the Ozone Layer**  
Second meeting  
Montreal, 1 July 2005

**Note by the Secretariat**

1. The Parties assembled at their Sixteenth Meeting took decision XVI/46, which called for an extraordinary Meeting of the Parties to be held in conjunction with the twenty-fifth meeting of the Open-ended Working Group of the Parties. Accordingly, the Second Extraordinary Meeting of the Parties has been scheduled for 1 July 2005, immediately following the twenty-fifth Meeting of the Open-Ended Working Group.
2. Through decision XVI/46, the Sixteenth Meeting of the Parties agreed the following agenda for the Second Extraordinary Meeting:

**Provisional agenda for the Second Extraordinary Meeting of the Parties**

1. Opening of the meeting.
2. Organizational matters:
  - (a) Adoption of the agenda;
  - (b) Organization of work.
3. Review of critical-use nominations for methyl bromide for 2006.
4. Adoption of the report of the Extraordinary Meeting of the Parties.
5. Closure of the Meeting.

3. As noted in the background information document for this meeting (UNEP/OzL.Pro.EXMOP/2/INF.1), there is only one substantive issue on the agenda for the Second Extraordinary Meeting of the Parties, namely, "Review of critical use nominations for methyl bromide for 2006" (item 3 of the provisional agenda). Directly related to this agenda item is decision XVI/2 of the sixteenth Meeting of the Parties, titled "Critical use exemptions for methyl bromide for 2005 and

K0581639 250505

2006". A copy of that decision is attached. In that decision, the Parties granted final approval to the supplementary critical-use levels for 2005 set forth in sections IA and IB of the annex to that decision, and to certain specific 2006 critical use nominations, set forth in sections IIA and IIB of the annex to that decision. However, the Sixteenth Meeting of the Parties only agreed to grant interim approval to certain specific nominations, listed in section III of decision XVI/2, until the convening of the Extraordinary Meeting. To enable the Parties to take final action on these nominations, as well as nominations that were designated as "unable to assess" in the Technology and Economic Assessment Panel's (TEAP) October 2004 report, decision XVI/2 requested the Methyl Bromide Technical Options Committee (MBTOC) to evaluate those nominations on the basis of the new procedures agreed by the Parties in annex I to the report of the Sixteenth Meeting of the Parties (UNEP/OzL.Pro.16/17). The decision then requested TEAP to report its findings in the form of an interim report by 30 April 2005 and a final report by 15 May 2005.

4. On 30 April, TEAP issued its interim report, which was immediately placed on the Ozone Secretariat's website. On May 15, TEAP issued the final report called for in decision XVI/2, and that report, which was also immediately placed on the Ozone Secretariat's web site, was dispatched to all Parties earlier. Parties are expected to take final decisions on the 2006 critical use nominations covered in the final TEAP report at the Second Extraordinary Meeting of the Parties.

### **Overview of the TEAP report and its recommendations**

5. The TEAP report clearly states the mandate given to it and MBTOC by the Parties and the process that was followed in evaluating the critical use nominations. It also clarifies the manner in which the provisions of the various decisions of the Parties were applied, and clearly states the standard assumptions used in the assessment.

6. With regard to the 36 critical use nominations granted interim approval by decision XVI/2, totalling 3045.028 metric tonnes, MBTOC reassessed the nominations on the basis of the original application and further information provided, taking into account the pertinent decisions. In that regard, MBTOC noted that no further submissions or further supporting data were submitted for 17 of the 36 nominations in this category, and that in several cases, the amounts originally requested by Parties were reduced by the nominating Parties. On the basis of MBTOC review of all of the related information, MBTOC is now recommending for final approval by the Second Extraordinary Meeting of the Parties a total of 1083.713 metric tonnes in respect of the nominations given interim approval at the last meeting of the Parties.

7. With regard to the four nominations totalling 429.981 metric tonnes that MBTOC had previously categorized as "unable to assess", MBTOC is now recommending approval of 191 tonnes in total.

8. A detailed nomination-by-nomination review of the MBTOC recommendations on these critical use nominations can be found in the final TEAP report titled "Former section III and unable to assess from annex I decision XVI/2", which was sent to all Parties and is posted on the Ozone Secretariat website under documents for the Second Extraordinary Meeting of the Parties.

### **Second Extraordinary Meeting of the Parties**

9. The Parties should note that the Second Extraordinary Meeting of the Parties, which will be overseen by the Bureau of the Sixteenth Meeting of the Parties, is scheduled for one day only – 1 July 2005.

10. The rules of procedure applicable to meetings of the Parties provide that credentials of representatives and the names of any alternative representatives and advisers should be submitted if possible not later than 24 hours after the opening of the meeting. As the Extraordinary Meeting will last for one day only, however, it is requested that credentials be submitted to the Ozone Secretariat, if possible, by not later than the close of the morning session.

11. Any later change in the composition of the delegation should also be submitted to the Executive Secretary. The credentials should be issued either by a head of State or Government or a minister for foreign affairs, or, in the case of a regional economic integration organization, by the competent authority of that organization.

## Attachment

### Decision XVI/2. Critical use exemptions for methyl bromide for 2005 and 2006

*Cognizant* of its duty to assess critical uses of methyl bromide under Article 2H, paragraph 5, of the Montreal Protocol,

*Taking* into account the criteria and procedures for the assessment of critical uses of methyl bromide articulated in decision IX/6,

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

*Recognizing* that the Technology and Economic Assessment Panel and its Methyl Bromide Technical Options Committee review nominations for critical-use exemptions pursuant to paragraph 2 of decision IX/6 and that the Parties assess a critical methyl bromide use for the purposes of control measures in Article 2H of the Protocol,

*Noting* that decision XVI/4 should provide a solid basis for review of critical-use nominations in the future, and that in the absence of technical and economic justification for a recommendation, particular consideration should be given to the Party's nomination,

*Bearing* in mind, in particular, paragraphs 3 and 4 of the working procedures of the Methyl Bromide Technical Options Committee relating to the evaluation of nominations for critical uses of methyl bromide, as set out in annex I to the report of the Sixteenth Meeting of the Parties,<sup>1</sup>

1. For the agreed supplemental critical-use categories for 2005, set forth in section IA to the annex to the present decision for each Party, to permit, subject to the conditions set forth in decision Ex.I/4, to the extent that those conditions are applicable, the supplementary levels of production and consumption for 2005 set forth in section IB to the annex to the present decision which are necessary to satisfy critical uses;

2. For the agreed critical-use categories for 2006, set forth in section IIA to the annex to the present decision for each Party, to permit, subject to the conditions set forth in decision Ex. I/4, to the extent that those conditions are applicable, the levels of production and consumption for 2006 set forth in section IIB to 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 to the Montreal Protocol in accordance with decision IX/6;

3. That Parties should endeavour to ensure that the quantities of methyl bromide recommended by the Technology and Economic Assessment Panel are allocated as listed in sections IA and IIA of the annex to the present decision;

4. That each Party which has an agreed critical use should ensure that the criteria in paragraph 1 of decision IX/6 are applied when licensing, permitting or authorizing critical use of methyl bromide and that such procedures take into account available stocks of banked or recycled methyl bromide. Each Party is requested to report on the implementation of the present paragraph to the Ozone Secretariat;

5. To approve in the interim, until the Extraordinary Meeting of the Parties referred to in paragraph 9 below is convened, subject to the conditions set forth in decision Ex. I/4, to the extent that those conditions are applicable, the portions of the 2006 critical-use nominations set forth in section III of the annex to the present decision;

6. To ask the Methyl Bromide Technical Options Committee to review:

(a) Those portions of the 2006 critical-use nominations set forth in section III of the annex to the present decision;

---

<sup>1</sup> UNEP/OzL.Pro.16/17.

(b) The 2006 critical-use nominations that were identified as “unable to assess” in the October 2004 report of the Technology and Economic Assessment Panel,

on the basis of all relevant information submitted by 24 January 2005, including any supplemental information submitted by the Parties, and information relating to what is suitable for the crops and circumstances of the nomination;

7. To request the Methyl Bromide Technical Options Committee to evaluate the nominations referred to in paragraph 6 of the present decision:

(a) In accordance with the procedures set out in annex I to the report of the Sixteenth Meeting of the Parties subject to modifications necessary to meet the timetable provided in paragraphs 6–9 of the present decision;

(b) To meet the nominating Party before it completes its deliberations, if so requested by the Party;

8. To request the Technology and Economic Assessment Panel to report its findings to the Parties in the form of an interim report by 30 April 2005, and in the form of a final report by 15 May 2005;

9. To review the report of the Technology and Economic Assessment Panel prepared pursuant to paragraphs 6–8 of the present decision at an extraordinary Meeting of the Parties held in conjunction with the twenty-fifth meeting of the Open-Ended Working Group, in order to adopt a decision at the Meeting with respect to the portions of the 2006 critical-use nominations referred to in paragraph 6 of the present decision, with the understanding that it shall not give rise to any further financial implications;

10. That the procedure provided for in paragraphs 6–9 of the present decision is exceptional and applies only in 2005, unless the Parties decide otherwise;

## Annex Critical use exemptions

### Section IA: 2005 – agreed supplemental critical-use categories (metric tonnes)

Australia	Almonds (1.9)
Belgium	Mills (0.2), electronic equipment (0.1), woodworking premises (0.3), food premises (0.3), food storage dry structure (0.12), old buildings (1.15), empty silo (0.05), food processing premises (0.03), flour mill (9.515), artefacts and structures (0.59), churches, monuments and ships quarters (0.15), antique structures and furniture (0.319)
Canada	Strawberry runners (6.84)
France	Cucurbits (60), melon (7.5), seeds post harvest (0.135)
Germany	Artefacts (0.25), mills and processors (45)
Greece	Cut flowers (14), dried fruit (4.28), mills and processors (23)
Israel	Artefacts (0.65), cut flowers, protected (303), cut flowers, open fields (77), dates post harvest (3.444), flour mills – machinery and storages (2.14), furniture imported (1.422), fruit tree nurseries (50), potato (239), strawberry runners (35), strawberry fruit (196), melon (125.65), seed production (56)
Italy	Mills and processors (160), artefacts (5.225)
Japan	Chestnut (2.5), cucumber (48.9), ginger field (119.4), ginger protected (22.9), melon (99.6), watermelon (57.6), peppers hot (23.2), peppers green (89.9)
Netherlands	Strawberry runners (0.12)
New Zealand	Strawberry fruit (42), strawberry runners (8)
Poland	Strawberry runners (40), dry commodities (4.1)
Switzerland	Mills and processors (8.7)
United Kingdom	Mills and processors biscuits (2.525), spices (building) (3.0), spices and pappadam (0.035), woven baskets (0.77)
United States of America	Dried fruit and nuts (2.413), eggplant field (3.161), peppers field (9.482), tomato field (10.746), dry commodities structures (cocoa) (61.519), dry commodities – processed foods, herbs, spices, dried milk (83.344), ornamentals (154), smokehouse ham (67), strawberry fruit (219)

**Section IB: 2005 – permitted supplemental levels of production and consumption (metric tonnes)**

Australia	1.9
Belgium*	12.824
Canada	6.84
France*	67.635
Germany*	45.25
Greece*	41.28
Israel	1074
Italy*	165.225
Japan	464
Netherlands*	0.12
New Zealand	40.5
Poland*	44.1
Switzerland	8.7
United Kingdom*	6.33

\* The supplementary production and consumption of the European Community shall not exceed 382.764 metric tonnes for the purposes of the agreed supplementary critical uses.

**Section IIA: 2006 agreed critical-use categories (metric tonnes)**

Australia	Almonds (2.1), cut flowers (22.35), cut flowers bulbs protected (5.25), rice consumer packs (6.15), strawberry runners (30)
Belgium	Food premises (0.3)
Canada	Strawberry runners (8.666), flour mills (27.8), pasta manufacturing facilities (8.4)
France	Carrots (8), chestnut (2), cucurbits (60), forest nurseries (10), orchard and raspberry replant (25), orchard and raspberry nurseries (5), peppers (27.5), rice consumer packs (2), seeds post harvest (0.135), strawberry fruit (86), strawberry runners (40), cut flowers bulbs (52), eggplant (22), tomato (48.4), melon (6.0), mills and processors (35)
Israel	Artefacts and libraries (0.65), cut flower open field (67), flour mills machinery and storages (1.49), fruit tree nurseries (45), strawberry fruit (196), strawberry runners (35), dates post harvest (2.755), cut flowers protected (240), melon (99.4), potato (165), seed production (28)
Italy	Strawberry runners (120), strawberry fruit protected (320), tomato protected (697), eggplant protected (156), cut flowers bulbs protected (187), melon protected (131), pepper protected (130), artefacts (5.225)
Japan	Chestnuts (6.5), cucumber (87.6), ginger field (119.4), ginger protected (22.9), melon (171.6), watermelon (60.9), peppers green (98.4), peppers hot (13.9)
New Zealand	Strawberry fruit (34), strawberry runners (8)
Poland	Strawberry runners (40), dry commodities (3.56)
Spain	Peppers protected (155), strawberry fruit protected (499.29), strawberry runners (230), cut flowers protected (42), cut flowers protected and open field (15)
Switzerland	Mills and processors (7.0)
United Kingdom	Ornamental tree nurseries (6), raspberry nurseries (4.4), strawberry fruit (54.5)
United States of America	Cucurbits – field (747.839), dried fruit and nuts (80.649), forest nursery seedlings (157.694), nursery stock – fruit trees, raspberries, roses (64.528), strawberry runners (56.291), turfgrass (131.6), dry commodities cocoa beans (46.139), dry commodities/structures (56.253), eggplant field (81.253), mills and processors (394.843), peppers field (806.877), strawberry fruit field (1523.180), tomato field (2222.934), orchard replant (527.6)

**Section IIB: 2006 – permitted levels of production and consumption (metric tonnes)**

Australia	65.85
Belgium*	0.3
Canada	44.866
France*	429.035
Israel	880.295
Italy*	1746.225
Japan	581.2
New Zealand	40.5
Poland*	43.56
Spain*	941.29
Switzerland	7
United Kingdom *	64.9
United States of America	6897.68

\* The production and consumption of the European Community shall not exceed 3,225.310 metric tonnes for the purposes of the agreed critical uses.

**Section III – 2006 approved critical-use nominations under paragraph 5 (metric tonnes)**

<b>Party</b>	<b>2006 Approved critical-use nominations under paragraph 5 (metric tonnes)</b>
Australia	Cut flowers – bulbs – protected (1.75); rice – consumer packs (6.15); strawberry runners (7.5)
Canada	Flour mills (6.974); Pasta manufacturing facilities (2.057);
France	Cut flowers, bulbs – protected and open field (8.25); eggplant (5.5); melon (4.0); mills and processors (5); tomato (12.1);
Israel	Cut flowers – protected (63); dates - postharvest (0.689); melon protected – in field (42.6); seed production (22)
Italy	Artefacts (0.275); cut flowers – bulbs – protected (63); eggplant – protected (44); melon – protected (4); peppers – protected (30); strawberry fruit – protected (80); tomato – protected (333)
Japan	Peppers – green (65.6); peppers – hot (9.3)
New Zealand	Strawberry fruit (8); strawberry runners (2)
Spain	Cut flowers – Cadiz/Sevilla – protected (11); cut flowers (Cataluna – carnation, protected and open field (3.6);
United Kingdom	Strawberry fruit (9.1)
United States of America	Dry commodities/structures (cocoa beans) (15.38); dry commodities/structures (processed foods, herbs and spices, and cheese processing facilities) (27.091); eggplant – field (20.933); mills and processors (111.139); orchard replant (300.394); peppers – field (694.497); strawberry fruit – field (397.597); tomato – field (627.552)