

Open-ended Working Group of the Parties to
the Montreal Protocol on Substances that
Deplete the Ozone Layer
Thirty-first meeting
Montreal, 1–5 August 2011
Item 6 of the provisional agenda
2011 progress report of the Technology and
Economic Assessment Panel₁

Proposal of the Contact Group on TEAP Procedures

**[Draft decision on updating the nomination processes and on
recusal guidelines for the Technology and Economic Assessment
Panel**

Submission by Australia and the United States of America

The Twenty-Third Meeting of the Parties decides:

Recognizing the need to encourage participation and the
representativeness of the geographic balance of the composition
of TEAP, TOCs, its TSBs and TFs while continuing to build
and maintain public trust,

Recognizing further that the Panel should make the
process and criteria for selecting the members more transparent,

Recalling decision VII/34 on organizational functioning of
TEAP and specifically on efforts to increase participation of A5
countries' experts and to improve geographical expertise
balance

Recalling the terms of reference for the Technology and Economic Assessment Panel set forth in decision VIII/19 and amended by decision XVIII/19,

Recalling section 2.1 of those terms of reference, on the size and balance of the Panel, and, in particular, as regards the need to promote a membership that balances geography and expertise,

Recalling also sections 2.2 and 2.3 of those terms of reference, on nominations to the Panel and appointment of members to the Panel, and, specifically, the provision that any nominations made by the Panel are to be communicated to the relevant party for consultation before recommendations for appointment are made,

Recognising the need for the Parties to receive from Panel advice of the highest quality and to ensure that the experts giving such advice are retained for a period commensurate with the needs of the Panel in order to avoid a [sudden] loss of collective knowledge,

Without prejudice to the Terms of Reference for the Panel for Scientific Assessment and the Panel for Environmental Assessment that are unaffected by this decision,

Taking note of the information provided by the Panel in its 2011 progress report in particular in response to decision XXII/22,

(a) To request the TEAP, TOCs and TSBs to strive for a composition that reflects balance of expertise and perspectives such that their products are comprehensive, objective and neutral with respect to policy;

(b) To request the Panel to update its matrix of needed capabilities calling for expertise on the Panel, its technical options committees and its temporary subsidiary bodies [which should reflect balanced geographical representation of A5 and non-A5 countries,] twice a year and to publish the matrix on the Ozone Secretariat website and in the Panel's annual progress reports;

(b)(c) Also to request the Panel- to ensure that the information in the matrix is clear and sufficient to allow a full understanding of needed expertise and that information on the nomination process, the selection process, the Panel's terms of reference and the operation of the Panel and its subsidiary bodies is published on the Ozone Secretariat website in an easily accessible format;

(e)(d) Further to request the Panel to standardize the information required from potential experts for all nominations to the Panel[, its technical options committees and its temporary subsidiary bodies] in line with section 9.5.4 of the 2011 progress report, and to prepare a draft nomination form for consideration by the Open-ended Working group at its thirty-second meeting;

(d)(e) To request the Panel to ensure that all nominations for appointments to the Panel, [its technical options committees and ~~and~~ its temporary subsidiary bodies,] including co-chairs, are received from the national focal points of the parties of the nominated experts and that nominees are cognizant of and [agree to abide by] [intend to follow] the "code of conduct by members of the Technology and Economic Assessment Panel" as contained in section 5 of the Terms of Reference of the Technology and Economic Assessment Panel so that potential conflicts of interest [and sources of funding for participation] ~~and sources of funding for participation~~ are identified in the nomination process;

(e)(f) That all appointments to the Panel, [and its technical options committees,] including of co-chairs, should be for a period of no more than four years;

(f)(g) That members of the Panel [or of the technical options committee] may be re-nominated for additional periods of up to four years each;

(g)(h) That the terms of all Panel [technical options committee] ~~[technical options committee]~~ members shall otherwise expire at the end of [2013] [2020] ~~13~~ in the absence of reappointment by the parties prior to that time, except for those experts already nominated for four-year periods;

(i) [That the terms of paragraph (h) are only applicable if Parties are satisfied that the future membership [for [2014][2021] and subsequent years] of the Panel reflect an adequate balance of geography and expertise for its proper functioning,] ~~adequate balance of geography and expertise for its proper functioning.~~

[(i) That if the Parties decide that they are not satisfied that the future membership of the Panel reflects adequate balance of geography and expertise for its proper functioning, terms of paragraph (h) would not apply.]

~~(h)~~(j) To invite parties with existing Panel and technical options committee co-chairs and members to submit re-nominations for those experts in line with paragraphs (f), (g) and (h) of the present decision for consideration by the ~~Twenty-Fourth~~ Meeting of the Parties or the ~~Twenty-Fifth~~ Meeting of the Parties;

~~(i)~~(k) That a decision of the parties is required to confirm any nomination to the Panel [and its technical options committees];

~~(j)~~(l) That a decision of the parties is required to confirm any temporary subsidiary body that exists for a period of more than one year;

~~(k)~~(m) That the parties should confirm, every four years, beginning in 2012, the list of technical options committees needed to meet the parties' requirements;

~~(l)~~(n) That the Executive Secretary of the Ozone Secretariat shall [henceforth be an ex-officio member] [provide appropriate support as necessary and when requested] to ~~henceforth be an ex-officio member of~~ the Panel;

~~(m)~~(o) To request the Panel to ensure that all new technical options committee members are properly informed of the Panel's terms of reference, relevant decisions of the parties, and Panel operational procedures, including those pertaining to consensus and [managing conflict of interest] [the "Code of conduct by members of the Technology and Economic Assessment Panel"] ~~managing conflicts of interest.~~

(p) To request the Panel to finalize its guidelines on
recusal in time for reporting about them to the 32OEWG;

(q) To request the Panel, its TOCs and TSBs [to apply]
[to immediately develop clear and comprehensive guidelines,
taking into account similar guidelines in other multilateral fora]
the recusal guidelines contained in page 226-228 of its 2011
Progress Report on a trial basis [until the final guidelines are
approved] [for 2012 only];]
