

**MONTREAL PROTOCOL
ON SUBSTANCES THAT DEplete
THE OZONE LAYER**



UNEP

**ADDENDUM TO VOLUME 3 OF THE MAY 2012 REPORT OF THE
TECHNOLOGY AND ECONOMIC ASSESSMENT PANEL**

OCTOBER 2012

DECISION XXIII/10 TASK FORCE REPORT

**UPDATING THE NOMINATION AND OPERATIONAL PROCESSES OF THE
TECHNOLOGY AND ECONOMIC ASSESSMENT PANEL AND ITS SUBSIDIARY
BODIES**

UNEP
OCTOBER 2012 ADDENDUM TO VOLUME 3 OF THE MAY 2012 REPORT OF THE
TECHNOLOGY AND ECONOMIC ASSESSMENT PANEL

DECISION XXIII/10 TASK FORCE REPORT
UPDATING THE NOMINATION AND OPERATIONAL PROCESSES OF THE TECHNOLOGY AND
ECONOMIC ASSESSMENT PANEL AND ITS SUBSIDIARY BODIES

**Montreal Protocol
On Substances that Deplete the Ozone Layer**

October 2012 Addendum to Volume 3 of the May 2012 Report of the
Technology and Economic Assessment Panel

DECISION XXIII/10 TASK FORCE REPORT:

**UPDATING THE NOMINATION AND OPERATIONAL PROCESSES OF THE TECHNOLOGY AND
ECONOMIC ASSESSMENT PANEL AND ITS SUBSIDIARY BODIES**

The text of this report is composed in Times New Roman.

Co-ordination: **TEAP and its XXIII/10 Task Force**

Date: October 2012

Under certain conditions, printed copies of this report are available from:

UNITED NATIONS ENVIRONMENT PROGRAMME
Ozone Secretariat, P.O. Box 30552, Nairobi, Kenya

This document is also available in portable document format from
<http://ozone.unep.org/>

No copyright involved. This publication may be freely copied, abstracted and cited, with
acknowledgement of the source of the material.

Nairobi, Kenya, 2012.

DISCLAIMER

The United Nations Environment Programme (UNEP), the Technology and Economic Assessment Panel (TEAP) co-chairs and members, the Technical and Economic Options Committee, chairs, co-chairs and members, the TEAP Task Forces co-chairs and members, and the companies and organisations that employ them do not endorse the performance, worker safety, or environmental acceptability of any of the technical options discussed. Every industrial operation requires consideration of worker safety and proper disposal of contaminants and waste products. Moreover, as work continues - including additional toxicity evaluation - more information on health, environmental and safety effects of alternatives and replacements will become available for use in selecting among the options discussed in this document.

UNEP, the TEAP co-chairs and members, the Technical and Economic Options Committee, chairs, co-chairs and members, and the Technology and Economic Assessment Panel Task Forces co-chairs and members, in furnishing or distributing the information that follows, do not make any warranty or representation, either express or implied, with respect to the accuracy, completeness, or utility; nor do they assume any liability of any kind whatsoever resulting from the use or reliance upon any information, material, or procedure contained herein.

ACKNOWLEDGEMENT

The UNEP Technology and Economic Assessment Panel and the XXIII/10 Task Force co-chairs and members wish to express thanks to all who contributed from governments, both Article 5 and non-Article 5, as well as to a large number of individuals involved in Protocol issues, without whose involvement the writing of this Task Force Report would not have been possible.

The opinions expressed are those of the Panel and its XXIII/10 Task Force and do not reflect the reviews of any sponsoring or supporting organisation.

TABLE OF CONTENTS

1	INTRODUCTION.....	1
2	REVISED ANNEX B – MATRICES OF CURRENT AND REQUIRED EXPERTISE.....	3
2.1	CHEMICALS TECHNICAL OPTIONS COMMITTEE.....	3
2.2	FOAMS TECHNICAL OPTIONS COMMITTEE.....	5
2.3	HALONS TECHNICAL OPTIONS COMMITTEE	7
2.4	METHYL BROMIDE TECHNICAL OPTIONS COMMITTEE.....	12
2.5	MEDICAL TECHNICAL OPTIONS COMMITTEE.....	16
2.6	REFRIGERATION, AIR CONDITIONING AND HEAT PUMPS TECHNICAL OPTIONS COMMITTEE	20
3	THE POSSIBLE CONFIGURATION AND FUNCTIONS OF A CONFLICT RESOLUTION BODY	24
3.1	INTRODUCTION.....	24
3.2	EXAMPLES OF OTHER WAYS OF RESOLVING OF CONFLICTS OF INTEREST	25
3.3	THE THINKING BEHIND TEAP’S TASK FORCE PROPOSAL	26
3.4	KEY ISSUES TO BE ADDRESSED IF THE PARTIES DECIDE TO ESTABLISH A BODY.....	28

1 Introduction

Decision XXIII/10 requested TEAP to update its nomination and operational procedures for consideration by the Parties during the 32nd OEWG. TEAP, through its delegated task force, prepared a report in response to this Decision, which was submitted as Volume 3 of the TEAP Progress Report of 2012 and can be accessed at <http://conf.montreal-protocol.org/meeting/oewg/oewg-32/presession/Background%20Documents/teap-decXXIII-10-TF-report-may2012.pdf>.

During the 32nd OEWG a contact group was formed to address Decision XXIII/10. In the course of its deliberations, the contact group requested TEAP to provide the following additional information to support discussions of these issues at the 24th MOP:

1. Harmonised matrices of present expertise. The TF already provided matrices of present and needed expertise, however a comment was made that it would be helpful to standardise or harmonise the information presented in these matrices.
2. Reorganisation proposal for each of the TOCs including their size, workload, geographical balance, expertise needed, and others. Operating procedures in place for each TOC if available.
3. Possible configuration and functions of the Conflict Resolution Body (referred to as the Ethics Advisory Body in our report).

The TF considered that some of this information, in particular item No. 2, is quite complex, and requires in-depth discussion and significant time from TEAP and its TOCs. However, and given that Decision XXIII/10 and related issues are of significant interest to the Parties, as is the effective functioning of TEAP, the TF is able to offer the following information to support further discussions of these issues at the MOP:

1. Revised matrices of current and needed TOC expertise, reflecting comments heard in the contact group and follow-on discussions;
2. Clarification and additional information behind the proposal for a conflict resolution body. A brief discussion paper providing the context and outlining considerations for Parties is provided.

With regard to reorganization plans and operating procedures, the TF considered that the very limited time did not allow sufficient, thoughtful consideration within each of the TOCs to be able to provide fully considered proposals to the Parties at this time. Because of its importance to the Parties and to TEAP, the TF will continue working on reorganisation plans based on membership and anticipated work load as a priority focus for TEAP over the next year, and seeks the support of the Parties for TEAP to be able to present more complete plans in the near future.

2 Revised Annex B – Matrices of Current and Required Expertise

Current matrices (at September, 2012) are provided separately for each TOC in this section, using a harmonized template including members' affiliation, general and specific expertise, as well as country of origin. Required expertise at present is presented at the end of each table. A summary table describing present regional membership and A5/ non A5 balance for each TOC is also included.

2.1 Chemicals Technical Options Committee - CTOC

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Co-Chairs				
Ian D. Rae	University of Melbourne, Australia	Chemistry	Assessment of existing and proposed industry and laboratory uses.	Australia
Jiang Biao	Shanghai Institute of Organic Chemistry, China	Organic Chemistry	Assessment of existing and proposed industry and laboratory uses.	China
Keiichi Ohnishi	Asahi Glass, Japan	Chemical engineer	HFCs, HFES, HFOs	Japan
Members				
Fatemah Al-Shatti	Kuwait Petroleum Corporation, Kuwait	Environmental chemistry	Assessment of existing and proposed industry uses.	Kuwait
D.D. Arora	The Energy and Resources Institute, India	Chemistry	Assessment of existing and proposed industry uses.	India
Joan Bartelt	Du Pont, USA	Chemistry, Regulation	HFCs, HFES, HFOs	USA
Steve Bernhardt	Honeywell, USA	Chemical engineer	HFCs, HFES, HFOs	USA
Olga Blinova	Russian Scientific Center for Applied Chemistry, Russian Republic	Applied Chemistry	Assessment of existing and proposed industry uses.	Russia
Jianxin Hu	Peking University	Consultant on regulatory issues	Assessment of existing and proposed industry and laboratory uses.	China

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Koichi Mizuno	National Institute of Advanced Industrial Science and Technology, Japan	Destruction technology expert	Assessment of existing and proposed destruction technologies uses.	Japan
Claudia Paratori	Environmental Consultant, Chile	Consultant on chemicals and POPs management	Assessment of existing and proposed laboratory uses.	Chile
Hans Porre	Teijin Aramid, Netherlands	Analytical and industrial chemist	Assessment of existing and proposed industry uses.	Netherlands
John Stemniski	Consultant to industry, USA	Consultant on Chemistry	Assessment of existing and proposed solvent uses.	USA
Nee Sun Choong Kwet Yive (Robert)	University of Mauritius, Mauritius	Analytical and physical chemistry	Assessment of existing and proposed industry and laboratory uses.	Mauritius
Requested membership				
		<i>Destruction technologies</i>	Various	<i>A5 and Non A5</i>
		<i>Industrial chemistry / Chemical engineering</i>	Various	<i>A5 and Non A5</i>

CTOC Summary Table

A5	Non A5	Regional Distribution*							
		NAM	LAM	E	AF	MEA	EE	A	O
6	8 (one former CEIT)	3	1	1	1	1	1	5	1

* NAM: North America, LAM: Latin America, E: Europe, AF: Africa, MEA: Middle East Asia, EE: Eastern Europe, A: Asia, O: Oceania

2.2 Foams Technical Options Committee - FTOC

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives,	Country
Co-Chairs				
Paul Ashford	Caleb Management Services Ltd	Phenolic Foam, ODS Banks, Emissions Functions	Various	UK
Miguel Quintero	Independent Consultant	Polyurethane Foam	Various	Colombia
Members				
Terry Armitt	Hennecke	Polyurethane manufacturing machinery	Various	UK
Samir Arora	Industrial Foams	Polyurethane Foam, PU Systems House	Various	India
Chris Bloom	Dow Chemical	XPS Foam Manufacturer	Various	USA
Roy Chowdhury	Foam Supplies	PU Systems House	Methyl Formate	Australia
Mike Jeffs	Independent Consultant	Polyurethane Foams	Various	UK
Ilhan Karaağaç	Izocam	XPS Foam Manufacturer	Various	Turkey
Candido Lomba	Abripur	Polyurethane Trade Association	Various	Brazil
Yehia Lotfi	Technocom	PU Systems House	Various	Egypt
Joseph Lynch	Arkema	Blowing agent manufacturer, PU Technical Service	HFCs, HFOs	USA
Christoph Meurer	Solvay	Blowing agent manufacturer	HFCs	Germany
Ulrich Schmidt	Haltermann	Blowing agent manufacturer	Hydrocarbon	Germany
Enshan Sheng	Huntsman	Polyurethane raw material supplier & Systems House	Various	China
Koichi Wada	Sumika Bayer Urethane	Polyurethane raw material supplier	Various	Japan
Helen Walter-Terrinoni	DuPont	Blowing agent manufacturer	HFCs, HFOs	USA
David Williams	Honeywell	Blowing agent manufacturer	HFCs, HFOs	USA
Allen Zhang	Owens Corning	XPS Foam Manufacturer	Various	China

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives,	Country
Requested membership				
		<i>European XPS manufacturer</i>	<i>HFCs, HFOs</i>	<i>Non A5 - Spain</i>
		<i>Latin American PU Systems House</i>	<i>Various</i>	<i>A5 - Mexico</i>
		<i>PU Spray Foam manufacturer</i>	<i>HFCs, Other</i>	<i>Non A5 - USA/Spain</i>
		<i>Regulatory Expertise</i>	<i>Various</i>	<i>A5 or Non A5</i>

FTOC Summary Table

A5	Non A5	Regional Distribution*							
		NAM	LAM	E	AF	MEA	EE	A	O
7	11	4	2	5	1	1	1	2	2

* NAM: North America, LAM: Latin America, E: Europe, AF: Africa, MEA: Middle East Asia, EE: Eastern Europe, A: Asia, O: Oceania

2.3 Halons Technical Options Committee - HTOC

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Co-Chairs				
David V. Catchpole	PRA	General Fire Protection - Commercial Users, Standards	Application of low temperature alternatives	UK
Sergey Kopylov	All Russian Research Institute for Fire Protection	General Fire Protection - New Chemical Alternatives, Fire Science / R&D, Defense Space Users / R&D, Standards; Banking – Inventory; Regional Issues - CEIT / Halon 2402	Development and application of alternatives	Russian Federation
Daniel P. Verdonik	Hughes Associates, Inc.	General Fire Protection – Policy, Defense Space Users / R&D; Environmental – Emissions; Banking – Inventory, Carbon Credits; Aviation – Alternatives, Implementation	Application of alternatives for aviation	USA
Members				
Tareq K. Al-Awad	King Abdullah II Design & Development Bureau	Environmental - Regulatory / Policy; Banking – Trans-boundary / Basel, Collection, Storage, Transport, Leak Detection, Inventory, Regional Issues - Middle East	Not Applicable	Jordan
Jamal Alfuzai	Kuwait Fire Department	General Fire Protection - Commercial Users, Policy; Regional Issues - Middle East	General application of alternatives	Kuwait

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Seunghwan (Charles) Choi	Hanju Chemical Co., Ltd.	General Fire Protection - New Chemical Alternatives; Regional Issues - South East Asia	Production	South Korea
Adam Chattaway	Kidde-Graviner	General Fire Protection - New Chemicals, Fire Science / R&D, OEMs and Distributors; Aviation - Alternatives	Application of alternatives, particularly aviation.	UK
Michelle Collins	EECO, Inc.	General Fire Protection - Defense Space Users / R&D; Banking – Article Party 5 Issues	Application of alternatives in space applications	USA
Salomon Gomez	Tecnofuego	General Fire Protection - Commercial Users, Policy Standards; Banking - Collection, Storage, Transport, Inventory; Regional Issues - Latin America	General application of alternatives	Venezuela
Andrew Greig	Protection Projects, Inc.	General Fire Protection - Fire Science / R&D, Commercial Users, Standards; Banking - Collection, Storage, Transport, Inventory; Regional Issues - Southern Africa	General application of alternatives	South Africa
Zhou Kaixuan	CAAC-AAD	Aviation - Regulatory / Policy	Not Applicable	China
H.S. Kaprwan	Consultant - Retired	General Fire Protection - Defense Space Users / R&D, Standards; Banking - Collection, Storage, Transport, Inventory; Regional Issues - India	Application of alternatives in military uses	India

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Dr. Nikolai Kopylov (Retiring 2012)	All Russian Research Institute for Fire Protection	General Fire Protection - New Chemical Alternatives, Fire Science / R&D	Development and application of alternatives	Russian Federation
Bella Maranion	Environmental Protection Agency	Environmental - Regulatory / Policy; Aviation - Implementation	Not Applicable	USA
John O'Sullivan	Bureau Veritas	Aviation - Crash Fire Rescue, Fire Training; General Fire Protection - Standards	Application of alternatives in aviation	UK
Emma Palumbo	Safety Hi-tech, srl	General Fire Protection - New Chemical Alternatives, Fire Science / R&D, OEMs and Distributors	Development and application of alternatives	Italy
Erik Pedersen	Consultant - World Bank	Banking - Inventory; Regional Issues – India, China, South East Asia	Not Applicable	Denmark
Donald Thomson	Manitoba Hydro & MOPIA	General Fire Protection - Commercial Users, Policy, Standards; Banking - Inventory	General application of alternatives	Canada
Filippo Tomasello	European Aviation Safety Agency	Aviation - Regulatory / Policy	Not Applicable	Italy
Robert Wickham	Consultant- Wickham Associates	General Fire Protection - Commercial Users, OEMs and Distributors, Policy, Standards; Maritime – Policy, Standards, Alternatives	General application of alternatives with explicit maritime experience	USA
Mitsuru Yagi	Nohmi Bosai Ltd. & Fire and Environment Protection Network	General Fire Protection - OEMs and Distributors, Policy, Standards; Banking - Collection, Storage, Transport, Inventory, Carbon Credits	General application of alternatives	Japan

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Yong Meng Wah	Singapore Civil Defence Force	General Fire Protection - Policy, Standards	Not Applicable	Singapore
Consulting Experts*				
Tom Cortina	Halon Alternatives Research Corporation	Environmental – Emissions; Banking – Inventory, Carbon Credits; Aviation - Implementation	Not Applicable	USA
David Liddy	Ministry of Defence	General Fire Protection - Defense Space Users / R&D, Policy; Environmental - Regulatory / Policy	Not Applicable	UK
Matsuo Ishiyama	Nohmi Bosai Ltd. & Fire and Environment Protection Network	General Fire Protection - OEMs and Distributors, Policy, Standards; Banking - Collection, Storage, Transport, Inventory, Carbon Credits	General application of alternatives	Japan
Steve McCormick	Army, Tank Automotive Research Development and Engineering Center	General Fire Protection – New Chemical Alternatives, Defense Space Users / R&D	Application of alternatives in Ground Defence Vehicles	USA
John G. Owens	3M Company	General Fire Protection – New Chemical Alternatives	Production and marketing of Fluoroketones	USA
Mark L. Robin	DuPont, Inc.	General Fire Protection – New Chemical Alternatives	Production and marketing of HFCs	USA
Joseph Senecal	Kidde-Fenwal, Inc.	General Fire Protection - Fire Science / R&D, OEMs and Distributors, Standards	Application of alternatives with explicit experience with explosions	USA

* Consulting experts are not HTOC members so are not involved in HTOC decisions. HTOC co-chairs may look for outside experts, from their own contacts or through the recommendation of others, to provide ongoing historical and specialized expertise where that expertise does not reside within the current committee membership. Typically, consulting experts correspond with the HTOC via Email or telephone, and may be requested to attend HTOC meetings as needed.

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Ronald Sheinson	Naval Research Laboratory - Retired	General Fire Protection –Defense Space Users / R&D	Application of alternatives in Naval applications	USA
Ronald Sibley	Consultant - Defence Supply Center	Banking – Trans-boundary / Basel, Collection, Storage, Transport, Leak Detection, Inventory	Not Applicable	USA
Requested membership				
		<i>New Chemical Alternatives</i>	<i>Development and Production of Alternatives</i>	<i>A5 (India / China)</i>
		<i>Defence User</i>		<i>Europe and A5</i>
		<i>Aviation User</i>		<i>A5 and Non A5</i>
		<i>Environmental Policy</i>		<i>A5</i>
		<i>Carbon Credits</i>		<i>A5</i>

HTOC Summary table

A5	Non A5	Regional Distribution*							
		NAM	LAM	E	AF	MEA	EE	A	O
8	14 (2 former CEITs)	5	1	6	1	3	2	4	0

* NAM: North America, LAM: Latin America, E: Europe, AF: Africa, MEA: Middle East Asia, EE: Eastern Europe, A: Asia, O: Oceania

2.4 Methyl Bromide Technical Options Committee - MBTOC

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Co-Chairs (4)				
Mohamed Besri (soils)	Professor, Institut Agronomique et Vétérinaire Hassan II Rabat	Plant Pathology	IPM, Chemical and non-chemical alternatives particularly for vegetables	Morocco
Michelle Marcotte (SC)	Consultant, Marcotte Consulting		Food processing, regulations, structural and commodity treatments and irradiation, particularly for quarantine	Canada
Marta Pizano (QPS)	Consultant, Hortitecnia Ltd	Plant pathology, horticulture, floriculture, ornamentals	IPM, substrates, compost, protected environments Issues specific to MB phase-out in A5 Parties. QPS	Colombia
Ian Porter (soils)	Associate Professor with LaTrobe University and Principal Research Scientist with the Victorian Department of Primary Industries (DPI)	Plant pathology horticulture, strawberries, ornamentals and vegetables	Chemical and non chemical alternatives, soilborne pathogens, nursery certification and fungal quarantine issues	Australia
Members (total 34)				
a. MBTOC- Soils (14 + 2 co-chairs)				
Antonio Bello	Centro de Ciencias Medioambientales, Madrid	Nematology	Biofumigation	Spain
Aocheng Cao	Professor, Institute for Plant Protection, Chinese Academy of Sciences	Pesticide Science	Chemical alternatives for strawberries, tomato, ginger	China
Peter Caulkins	Pesticide Reevaluation Division USEPA	Pesticides	Registration and evaluation of pesticides, regulatory issues	USA
Raquel Ghini	Researcher, EMBRAPA, Brazil	Plant pathology	Non-chemical alternatives	Brazil
George Lazarovits	A&L Biologicals Agroecology	Plant Pathology diagnostics,	Management of soilborne plant	Canada

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
	Research Center, London (Ontario)	ecological agriculture	pathogens using ecological principles	
Andrea Minuto	Centro Regionale di Sperimentazione ed Assistenza Agricola, Albenga	Plant Pathology	Chemical and non chemical alternatives	Italy
Sally Schneider	National Program leader – Horticulture, Pathogens & Germplasm, USDA	Nematology	Nurseries	USA
Stappies Staphorst	Consultant. Advisor to Plant protection Research Institute, Pretoria	Soil microbiology	Bio-control of plant pathogenic bacteria	South Africa
Akio Tateya	Technical Adviser, Syngenta Japan	Pesticides	Products development	Japan
Alejandro Valeiro	National Coordinator, National Institute for Agricultural Technology (INTA), Tucuman	Agronomy	Tobacco, horticulture Floating tray system	Argentina
Nick Vink	Chair, Department of Ag. Economics, University of Stellenbosch	Agricultural Economics		South Africa
Janny Vos	Senior IPM specialist, CABI	Alternatives to MB		Netherlands
Jim Wells	President, Environmental Solutions Group, Sacramento CA	Regulatory issues	Chemical alternatives to MB	USA
Suat Yilmaz	Director, West Mediterranean Agricultural Research Institute	Plant Pathology	Horticulture, citrus	Turkey
b. MBTOC – Quarantine and Preshipment (QPS) (6 + 1 co-chair)				
Jonathan Banks	Consultant, Pialligo	Chemistry, postharvest entomology	Grain storage technologies, improved use of fumigants. QPS	Australia
Ken Glassey	Senior adviser, Ministry for Primary Industries NZ	Phytosanitary treatments postharvest, QPS	Alternatives for forest produce. QPS alternatives	New Zealand
Takashi Misumi	Researcher, Yohohama Plant Protection Station		QPS alternatives	Japan
David Okioga	Adviser, Kenya Ozone Office		Postharvest and QPS alternatives	Kenya

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Ken Vick	Consultant, USDA	Entomology	Postharvest and QPS alternatives	USA
Eduardo Willink	Researcher, Estación Experimental Agroindustrial, Tucumán	Entomology	QPS treatments and alternatives, systems approach	Argentina
MBTOC – Structures and Commodities (SC) (10 + 1 co-chair)				
Chris Bell	Consultant, retired from Central Science Laboratory (Government research)York	Postharvest technologies structures and commodities, entomology	fumigants, phosphine; sulfuryl fluoride, controlled atmospheres and heat	United Kingdom
Fred Bergweff	Research and Development Director, ECO2	Postharvest technologies structures and commodities	Fumigator, specialist in non-MB systems, including CA and heat.	Netherlands
Ricardo Deang	Consultant, Management and Executive Network, Manila	Regulatory issues. Entomology	Regulatory and registration. Entomologist Biological control	Philippines
Alfredo (Didi) Gonzalez	President MEGA Manila Pest Management Specialists Inc.	Pre-plant and Postharvest technologies structures and commodities	Phosphine, QPS and non-QPS treatments.	Philippines
Darka Hamel	Croatian Centre for Agriculture, Food and Rural Affairs - Institute for Plant Protection (PPI)	Postharvest technologies structures and commodities, entomology	Commodity and structural treatments, including fumigation, regulations	Croatia
Christoph Reichmuth	Professor at Humboldt University Berlin and consultant	Postharvest technologies structures and commodities, entomology	Fumigants and alternatives for management of pests in stored products and materials, QPS, MB emissions/recapture.	Germany
Jordi Riudavets	Institute for Agrifood Research and Technology (IRTA)	Postharvest technologies structures and commodities, entomology	IPM for stored products and horticultural crops, Controlled atmospheres and fumigation	Spain
John Sansone	SCC Products Anaheim CA	Postharvest technologies structures and commodities	Fumigator, particular expertise in structures	USA

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Robert (Bob) Taylor	Consultant	Postharvest technologies structures and commodities, entomology	Postharvest technology, specifically A5 uses	UK
Chris Watson	Consultant	Postharvest technologies structures and commodities, entomology	Practical use of MB and alternatives including the use of phosphine, Sulfuryl Fluoride, CO2 and Heat Treatments for commodities (inc timber) and structures	UK
Requested membership				
		<i>Soils</i>	<i>Issues related to the validation of alternatives to MB for certification of nursery plant materials related to movement across state and international boundaries and related risk assessment</i>	<i>A5 or non A5</i>
		<i>QPS</i>	<i>Alternatives for QPS</i>	<i>A5, particularly Asia</i>
		<i>Expert in economic assessment of alternatives to MB</i>		<i>A5 or non A5</i>
		<i>Postharvest entomologist</i>		<i>A5</i>

MBTOC Summary Table

A5	Non A5	Regional Distribution*							
		NAM	LAM	E	AF	MEA	EE	A	O
13	21	7	4	9	4	2	1	4	3

* NAM: North America, LAM: Latin America, E: Europe, AF: Africa, MEA: Middle East Asia, EE: Eastern Europe, A: Asia, O: Oceania

2.5 Medical Technical Options Committee - MTOC

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Co-Chairs				
Jose Pons Pons	Spray Quimica	Chemical Engineer, Aerosols manufacturing	HFC, HFO	Venezuela
Helen Tope	Energy International Australia	Chemist, Environmental regulatory and policy development		Australia
Ashley Woodcock	University Hospital of South Manchester	Physician, Respiratory medicine	DPI, HFC MDI, other treatment forms	UK
Members				
Emmanuel Addo-Yobo	Kwame Nkrumah University of Science and Technology	Physician, Respiratory medicine	DPI, HFC MDI, other treatment forms	Ghana
Paul Atkins	Oriel Therapeutics Inc.	Chemist, Pharmaceutical industry, product development and commercialization	DPI, HFC MDI, other treatment forms	USA
Sidney Braman	Mount Sinai School of Medicine	Physician, Respiratory medicine	DPI, HFC MDI, other treatment forms	USA
Nick Campbell	Arkema SA	Chemist, Regulatory affairs, chemicals manufacturing (ODS, HFC etc.)	HFC, HFO	France
Hisbello Campos	Instituto Fernandes Figueira, FIOCRUZ, Ministry of Health	Physician, Respiratory medicine	DPI, HFC MDI, other treatment forms	Brazil
Jorge Caneva	Favaloro Foundation	Physician, Respiratory medicine	DPI, HFC MDI, other treatment forms	Argentina
Christer Carling	Private Consultant	Pharmacist, Pharmaceutical industry, product development	DPI, HFC MDI, other treatment forms	Sweden
Guiliang Chen	Shanghai Institute for Food and Drug Control	Chemist, Regulatory drug quality control	DPI, HFC MDI, other treatment forms	China

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Davide Dalle Fusine	Chiesi Farmaceutici	Chemist, Pharmaceutical industry, development and management of international markets	DPI, HFC MDI, other treatment forms	Italy
Charles Hancock	Charles O. Hancock Associates	Engineer/Consultant, Medical device sterilisation	Alternatives to EO/ODS sterilants	USA
Eamonn Hoxey	Johnson & Johnson	Pharmacist, Medical device sterilization, regulatory compliance	Alternatives to EO/ODS sterilants	UK
Javaid Khan	The Aga Khan University	Physician, Respiratory medicine	DPI, HFC MDI, other treatment forms	Pakistan
Katharine Knobil	GlaxoSmithKline	Physician, Respiratory medicine, Pharmaceutical industry, pharmaceutical product development	DPI, HFC MDI, other treatment forms	USA
Suzanne Leung	3M	Biochemist, Pharmaceutical industry, regulatory affairs, sterilization product development, MDIs, medical aerosols	Alternatives to EO/ODS sterilants	USA
Nasser Mazhari	Sina Darou Laboratories Company	Pharmacist, Pharmaceutical industry, product development, quality assurance	DPI, HFC MDI, other treatment forms	Iran
Gerald McDonnell	STERIS	Microbiologist/Microbial Genetics, Medical device sterilization, product development	Alternatives to EO/ODS sterilants	USA
Hideo Mori	Private Consultant	Chemist, Pharmaceutical industry, product development	DPI, HFC MDI, other treatment forms	Japan

Members	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Tunde Otulana	Boehringer Ingelheim Pharmaceuticals Inc.	Physician, Pharmaceutical industry, regulatory affairs, clinical development	DPI, HFC MDI, other treatment forms	USA
John Pritchard	Philips Home Healthcare Solutions	Physicist/Chemist/ Aerosol Scientist, Pharmaceutical and medical device industry, product development	DPI, HFC MDI, other treatment forms	UK
Rabbur Reza	Beximco Pharmaceuticals	Pharmacist, Pharmaceutical industry, product and business development	DPI, HFC MDI, other treatment forms	Bangladesh
Raj Singh	The Chest Centre	Physician, Respiratory medicine	DPI, HFC MDI, other treatment forms	India
Roland Stechert	Boehringer Ingelheim	Physician, Pharmaceutical industry, clinical and product development	DPI, HFC MDI, other treatment forms	Germany
Ping Wang	Chinese Pharmacopoeia Commission	Pharmacist, Pharmaceutical standards and regulatory development	DPI, HFC MDI, other treatment forms	China
Adam Wanner	University of Miami	Physician, Respiratory medicine	DPI, HFC MDI, other treatment forms	USA
Kristine Whorlow	National Asthma Council Australia	Administrator and Strategic Planner, Asthma care and management communications, standards development	DPI, HFC MDI, other treatment forms	Australia
You Yizhong	Journal of Aerosol Communication, First Peoples' Hospital of Changzhou	Pharmacist and Physician, Pharmaceutical product development, clinical promotion	DPI, HFC MDI, other treatment forms	China
Requested membership				
<i>None presently required</i>				

MTOC Summary Table

A5	Non A5	Regional Distribution*							
		NAM	LAM	E	AF	MEA	EE	A	O
11	18	8	3	7	1	1	0	7	2

* NAM: North America, LAM: Latin America, E: Europe, AF: Africa, MEA: Middle East Asia, EE: Eastern Europe, A: Asia, O: Oceania

2.6 Refrigeration, Air Conditioning and Heat Pumps Technical options Committee - RTOC

Member	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Co-chairs				
Lambert Kuijpers	Technical University Eindhoven	Refrigeration Air Conditioning	Energy efficiency analysis various refrigeration and AC systems, including application of natural refrigerants. Analysis of CFC, HCFC and HFC banks and emissions. Servicing issues in developing countries in relation to HPMPs.	Netherlands
Roberto Peixoto	Maua Institute of Technology	Refrigeration Air Conditioning	Energy (efficiency) analysis of refrigeration and air conditioning systems. Evaluation of the use of natural refrigerants. Analysis of CFC, HCFC and HFC emissions. HCFC phase out in developing countries (HPMP). Analysis of cogeneration systems with absorption chillers.	Brazil
Members				
Radhey Agarwal	IIT Delhi	Refrigeration	Domestic and large size units with emphasis on of all types of refrigerants, in particular low GWP.	India
Mohamed Alaa Olama	Consultant	Refrigeration Air Conditioning	Large size units with emphasis on not in kind units such as absorption.	Egypt
James M. Calm	Consultant	Refrigeration	Standards and regulations, refrigerant data. Refrigerant management. Evaluation of environmental and safety impacts.	USA
Radim Cermak	Ingersoll Rand	Refrigeration	Transport refrigeration units. Development of refrigeration systems with natural refrigerants.	Czech Republic
Guangming Chen	Huangzhou University	Refrigeration	Industrial refrigeration systems. Alternative refrigerant research.	China
Jiangpin Chen	Shanghai University	Mobile Air Conditioning	Evaluation of refrigerants for mobile air conditioning.	China
Denis Clodic	Ereie-sas consultancy, Palaiseau	Refrigeration Air Conditioning	Commercial refrigeration. Energy efficiency of refrigerating systems, air conditioning. Measurements of leak flow rates of refrigerating systems. Analysis of refrigerant banks and emissions.	France

Member	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Daniel Colbourne	Consultant	Air Conditioning	Standards and regulations. Hydrocarbon refrigerants. Refrigeration Safety standards. Conversion of unitary air conditioners manufacturing process.	UK
Sukumar Devotta	Consultant	Air Conditioning	Unitary Air Conditioning evaluation. Use of hydrocarbon refrigerants	India
Martin Dieryckx	Daikin	Air Conditioning Heat pumps	Research and design of refrigeration systems. Refrigeration standards, risk analyses.	Belgium
Dennis Dorman	Trane Company	Refrigeration Air Conditioning	Safety Standard for Refrigeration Systems Chiller design and Manufacturing.	USA
Bassam Elassaad	Consultant	Refrigeration Air Conditioning	Design of HPMPs, refrigeration standards, regulations, and sustainability of refrigeration systems.	Lebanon
Dave Godwin	US EPA	Refrigeration Air Conditioning	Regulations and policies. Evaluations of technologies to reduce GHG emissions, inventories of ODS and their replacements.	USA
Marino Grozdek	University Zagreb	Refrigeration	Heat Pump Technology. Refrigerating systems design. Thermoeology.	Croatia
Samir Hamed	Petra Engineering	Refrigeration Air Conditioning	Refrigeration equipment manufacturing. Testing of AC units. Heat Exchanger design	Jordan
Kenneth E. Hickman	Johnson Controls	Refrigeration Air Conditioning	Chiller design and manufacturing. Advanced technology in refrigeration engineering.	USA
Martien Janssen	RegenT b.v	Refrigeration	Research and development of domestic and commercial refrigeration equipment Performance testing of refrigeration units.	The Netherlands
Makoto Kaibara	Panasonic Corporation	Air Conditioning	Residential air conditioner research and technology.	Japan
Michael Kauffeld	Karlsruhe University of Applied Sciences	Refrigeration	Energy efficiency of supermarket refrigeration systems. Natural refrigerants. Ice slurry refrigeration applications.	Germany
Juergen Koehler	University of Braunschweig	Refrigeration Mobile Air Conditioning	Research and development of mobile air conditioning systems, including CO2 refrigeration systems.	Germany

Member	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Holger Koenig	Ref-tech, Kressbronn	Refrigeration	Energy consumption of refrigeration equipment. Sustainable refrigeration development.	Germany
Tingxun Li	Midea	Air Conditioning	Air conditioner conversion to hydrocarbons. CO2 refrigeration systems development.	China
Carloandrea Malvicino	Fiat	Air Conditioning	Vehicle Systems Efficiency Projects (thermal systems/ Air Conditioning Automotive).	Italy
Ed McInerney	Consultant	Refrigeration	Design and manufacturing of domestic refrigerators.	USA
Petter Neksa	SINTEF Energi AS	Refrigeration Mobile Air Conditioning	Research and development of CO2 refrigeration systems, and water heating heat pumps.	Norway
Horace Nelson	Consultant	Air Conditioning	Design and installation of air conditioning systems. Alternative refrigerants training.	Jamaica
Alex Pachai	Johnson Controls	Refrigeration Air Conditioning	Design, installation and commissioning of systems based on natural refrigerants. Ammonia, HC and CO2 chillers.	Denmark
Andy Pearson	Star Refrigeration Glasgow	Refrigeration Heat Pumps	Design and installation of large refrigeration and heat pump systems. District cooling and heating systems. Ammonia refrigeration systems.	UK
Per Henrik Pedersen	Danish Technological Institute	Refrigeration	Research and development of domestic and commercial refrigeration equipment Performance testing of refrigeration units.	Denmark
Giorgio Rusignuolo	Carrier Transicold	Refrigeration	Technology and product development in the area of container, trailer, truck and rail transport refrigeration. Bus air conditioning. High efficiency components and systems, alternative fuels, reduced diesel emissions.	USA
Alessandro Silva	Bitzer	Refrigeration	Project management and start-up of refrigeration systems in supermarkets CO2 systems. Customer technical support, energy efficiency.	Brazil
Paulo Vodianitskaia	Consultant	Refrigeration	Domestic refrigeration. Energy efficiency of small refrigeration systems. Sustainable refrigeration.	Brazil

Member	Affiliation	Sectorial expertise	Expertise on specific alternatives	Country
Asbjorn Vonsild	Danfoss	Refrigeration	Development of components for hydrocarbon applications, refrigerant data, flammable refrigerants standards.	Denmark
Requested membership				
<i>None presently required</i>				

RTOC Summary Table

A5	Non A5	Regional Distribution*							
		NAM	LAM	E	AF	MEA	EE	A	O
9	26	6	4	14	0	5	2	4	0

* NAM: North America, LAM: Latin America, E: Europe, AF: Africa, MEA: Middle East Asia, EE: Eastern Europe, A: Asia, O: Oceania

3 The possible configuration and functions of a conflict resolution body

3.1 Introduction

The Twenty-Third Meeting of the Parties, in decision XXIII/10, requested the Technology and Economic Assessment Panel to take a number of actions designed to improve the operation of the Panel and the procedures for the nomination of experts to the Panel and its subsidiary bodies.

At its thirty-second meeting the OEWG considered a task force report¹ (“the task force report”), which had been written pursuant to decision XXIII/10. The OEWG subsequently requested clarification regarding the possible configuration and functions of a conflict resolution body². This note has been written to provide that clarification.

The Parties may wish to draw upon this note during their continuing work on the draft decision on the terms of reference, code of conduct and disclosure of conflict of interest guidelines for the Technology and Economic Assessment Panel and its technical options committees and temporary subsidiary bodies (“the draft decision”). The draft decision is a work in progress; the latest version may be found in Annex F to the 32nd OEWG report, from which it is apparent that there is no consensus on whether there should be a conflict resolution body, or what it might be called³.

Throughout this note the term “body” is used to describe any conflict resolution body or ethics advisory body that the Parties may decide to establish.

This note will -

- briefly discuss the current provisions that relate to conflict of interest (“COI”) within the TEAP;
- describe provisions in other international regimes that assist technical bodies to resolve COI issues;
- discuss why the task force suggested, to the Parties, that there might be an ethics advisory body;
- highlight some issues that the Parties may wish to consider when deciding whether to establish a body; and
- describe some key policy issues that need to be addressed if the Parties decide to establish a body

Current provisions, relating to conflict of interest, in the TEAP Terms of Reference

The current terms TEAP Terms of Reference (TOR) may be found in Annex V of the report of the Eighth Meeting of the Parties, as amended by Decision XVIII/19. Paragraph 5 of the TOR provides as follows -

The Technology and Economic Assessment Panel, the technical options committee and the temporary subsidiary body members shall disclose activities, including business, government or financial interests in the production of ozone-depleting substances, their alternatives, and products containing ozone depleting substances or their alternatives, which might call into question their ability to discharge their duties and responsibilities objectively. The Technology and Economic Assessment Panel, technical options committee and temporary

¹ Volume 3 of the Panel’s 2012 progress report

² Paragraph 108 of the report of the thirty-second meeting of the Open-ended Working Group of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (UNEP/OzL.Pro.WG.1/32/7) (“the 32nd OEWG report”)

³ “Ethics advisory body” is currently an alternative to “conflict resolution body”.

subsidiary body members must annually disclose such activities. They must also disclose any financing from a company engaged in commercial activities for their participation in the Technology and Economic Assessment Panel, the technical options committees or any temporary subsidiary body. An illustrative list of interests is provided in the annex to the present code of conduct.

A conflict of interest would only arise when an interest of a Technology and Economic Assessment Panel, a technical options committee, or a temporary subsidiary body member, his or her personal partner or dependant would influence the expert's work as a member with respect to the subject matter being considered.

Should there be a likelihood of a conflict of interest, a member shall take appropriate action. Such action could include seeking the advice of the co-chair or not fully participating in the determination of an issue or not participating at all in the determination of an issue.

The co-chair(s) shall seek to avoid conflicts of interest. This could include requesting a member to take appropriate action, such as requesting a member to take no role or a restricted role in the determination of an item. In the case of a serious conflict of interest, where a member has been nominated by a Party, that Party shall be advised by the co-chair(s) of the conflict at the earliest opportunity. Cases of conflicts or likely conflicts of interest relating to the co-chairs should be raised with the President of the Meeting of the Parties.

Whilst the provision is generally opaque, it is plain in some respects.

First, it is clear that a conflict of interest (COI) can be a serious matter: if there is a likelihood of conflict of interest a member is required to take "appropriate action" which might include excluding themselves from a decision on and/or discussion of an issue.

Second, COI within TEAP is to be dealt with within the TEAP except in cases of conflicts or likely conflicts of interest of a co-chair. The Parties have not formally decided that any body or person, with the exception of the President of the MOP in limited circumstances, may intervene to assist the TEAP to form a view on COI.

3.2 Examples of other ways of resolving of conflicts of interest

In contrast, however, other international environmental regimes provide for third party intervention when COI issues arise in scientific and advisory bodies.

For example, the International Panel on Climate Change has decided on the establishment of Conflicts of Interest Committee ("the COI Committee") in the Decision in relation to Conflicts of Interest adopted by the IPCC Panel at the IPCC's 33rd session. Paragraph 18 of Annex A to that Decision describes the functions of the Committee

- 18. A Committee on Conflicts of Interest ("the COI Committee") will be established for the purpose of:-*
- a) determining whether members of the IPCC Bureau, and Task Force Bureau have conflicts of interest;*
 - b) determining conflict of interests cases referred to it by the Working Group or Task Force Bureaux;*
 - c) reviewing the Working Group or Task Force Bureaux decisions in respect of conflict of interest issues.*

Also, the Conference of the Parties of the Stockholm Convention on Persistent Organic Pollutants (COP) has considered related issues. In its Decision SC-1/8: Rules of procedure for preventing and dealing with conflicts of interest relating to activities of the Persistent Organic Pollutants Review Committee (“POPRC”), the Stockholm COP adopted a procedure for the implementation of Conflict of Interests. That Decision provided for an express role for the Secretariat, the Bureau, and the COP itself in the event of a COI. See paragraph 7 of the Decision

(e) All appointed experts shall be required to inform the Secretariat, through the Government that designated them, of any change in the information provided in a declaration of interests previously submitted;

(f) In the course of the mandate of an expert, should the Secretariat be of the opinion that a situation of conflict of interest could arise or has arisen, the Secretariat shall discuss the matter with that expert and, where deemed appropriate, with the designating Government. The Bureau of the Conference of the Parties may recommend to the Conference of the Parties the temporary suspension of the participation of the expert in some or in all of the activities of the Persistent Organic Pollutants Review Committee. A decision on the matter shall be taken by the Conference of the Parties at its next session;

Taking into account the IPCC and POPRC regimes, and developments in other international forums⁴, the task force report proposed a new mechanism for addressing COI issues.

3.3 The thinking behind TEAP’s task force proposal

The TEAP task force proposal suggested the establishment of an ethics advisory body. That body was to have an authoritative, but ultimately advisory, function: it could be consulted by anyone -

- a. considering whether to declare an interest⁵;
- b. seeking to avoid a conflict of interest⁶;
- c. considering whether to refer a recusal to a co-chair⁷;
- d. considering proposing that a co-chair or member should be recused⁸; or
- e. considering whether to recuse themselves⁹.

Under the task force proposal, the ethics advisory body was not to be empowered to make binding decisions in the event of differences of opinion within the TEAP about a particular alleged COI. Binding decisions were to be made by the co-chairs engaged by a particular issue, or the TEAP, or the President of the Meeting of the Parties, depending on the circumstances¹⁰.

This takes us to a key question to be addressed by the Parties in their finalisation of the draft decision; why have a body at all?

⁴ In paragraph 17 of Decision XXIII/10 the Parties requested the TEAP

...to revise its draft guidelines on recusal, taking into account similar guidelines in other multilateral forums, and provide them to the Open-ended Working Group at its thirty-second meeting for consideration by the Parties.

⁵ Draft paragraph 15(a)

⁶ Draft paragraph 15(b)

⁷ Draft paragraph 27(a)

⁸ Draft paragraph 27(b)

⁹ Draft paragraph 27(c)

¹⁰ See, for example, paragraphs 22 to 26 of the draft decision.

In deciding this issue, the Parties may wish to bear in mind that recently differences of opinion about COI within the TEAP have been difficult to resolve. There may be a number of reasons for this.

- The TOR are not entirely clear how such differences are to be resolved. (For this, and for many other reasons, the Parties' current exercise to clarify and revise the TOR is welcome.)
- COI depends, in large part, on how the interest of the member might be perceived¹¹; and there is plenty of scope for people of good faith to disagree on that.
- There is a limited pool of experts from which TEAP members may be drawn. Many current and potential members will have a past, and a present, which has involved business, governmental, technical and/or financial engagement with the production of ozone depleting substances or their alternatives; and members may, in the course of their working lives, have developed strong convictions which in turn fuel COI controversies¹².

In order to respond to these issues, the task force sought to propose to the Parties a solution that would clarify applicable norms and, in particular that would empower an ethics advisory body to assist the TEAP to resolve difficult COI issues. It was hoped that this might free time and resources, allowing TEAP members to address technical and economic issues more efficiently and effectively.

¹¹ See paragraph 5 of the current TOR

The Technology and Economic Assessment Panel, the technical options committee and the temporary subsidiary body members shall disclose activities, including business, government or financial interests in the production of ozone-depleting substances, their alternatives, and products containing ozone depleting substances or their alternatives, which might call into question their ability to discharge their duties and responsibilities objectively..... [emphasis added]

An important test here is whether a hypothetical third party might, in the light of a member's interests, call into question whether that member might discharge their duties objectively.

The issue is also highlighted by the definition in paragraph 1(a) of the draft decision -

*"conflict of interest" means any current [professional, political,] financial or other interest of a Member, or of that Member's personal partner or dependent, which, **in the opinion of a reasonable person** does or appears to—*

- Significantly impair that individual's objectivity in carrying out their duties and responsibilities for the TEAP, TOC, or TSB; or*
- Create an unfair advantage for any person or organization; [emphasis added]*

¹² The Parties are currently engaging with this issue. See paragraph 12 of the draft decision

A Member's strong opinion (sometimes referred to as bias), or particular perspective, regarding a particular issue or set of issues does not create a conflict of interest. The Member, or the Member's personal partner or dependent, must have an interest, ordinarily financial, that could be directly affected by the work of the relevant body. It is expected that issues of potential bias will be addressed in the TEAP, TOCs and TSBs by including Members with different perspectives and affiliations which should be balanced so far as possible. [Replace the paragraph with: "A member's strong opinion (sometimes referred to as bias), or particular perspective, regarding a particular issue or set of issues does not necessarily create a conflict of interest but it may do so. It is expected that the TEAP, TOCs and TSBs will include members with different perspectives and affiliations which should be balanced so far as possible.]

3.4 Key issues to be addressed if the Parties decide to establish a body

If the Parties decide to establish a body, they may wish to address the following policy questions.

What should be the status of the body's findings? The IPCC's COI committee may "determine" matters¹³. The Parties to the Stockholm Convention may make decisions with respect to POPRC COI issues¹⁴. So there are two international regimes that provide for outside bodies to make legally binding decisions with respect to COI issues arising within technical bodies. In contrast, the task force suggested the establishment of a body that was to be consulted, and whose outputs would have only advisory status.

Should the members of a body be drawn from within the TEAP or from outside the TEAP? Whilst it may prove easier in the short term to staff a body with TEAP members, it is arguable that outsiders will find it easier to be dispassionate. The difficulties of recruiting body members from outside the TEAP may be considerable; the Parties will need to prepare in advance to recruit candidates outside the TEAP should they chose to do so¹⁵

Is there a necessity to specify what qualifications the body's members have? The draft decision currently says little.

What is the relationship between the body and the other Protocol bodies? The current text of the draft decision provides that the body "may be *consulted* by Members, individuals who may become Members, the TEAP, and the TOCs" regarding a number of issues.

Mediation: To what extent will it be necessary to add to the draft decision express provision for mediation that supplements provision for the body itself? Currently the draft decision provides for the intervention of an outside mediator¹⁶.

In summary, should the Parties wish to establish a body, they may wish also to consider –

- the extent to which that body's findings may be binding;
- whether that body should recruit its members from inside or outside the TEAP;
- whether it is necessary to specify what qualifications members should have;
- how the body should engage with other Protocol bodies;
- whether it is necessary to specify what qualifications members should have;
- how the body should engage with other Protocol bodies; and
- whether there should be provision for mediation to supplement the body's role.

¹³ See above discussion on the IPCC COI Committee.

¹⁴ See above discussion on the Stockholm Convention POPRC.

¹⁵ In this context it may be worth considering the IPCC model. Their COI Committee is drawn from within the IPCC Executive Committee, UNEP and WMO. See paragraph 19 Annex A of the Decision in relation to Conflicts of Interest adopted by the IPCC Panel at the IPCC's 33rd session.

¹⁶ See paragraph 15 of the draft decision.