



**MONTREAL PROTOCOL – NATIONAL EXPERTS’ MEETING
26 SEPTEMBER 2023 14:30 – 18:00 AND
27 SEPTEMBER 2023 10:00 – 18:00**

ANNOTATED AGENDA

26 SEPTEMBER 2023 14:30 – 18:00

Preparations for the Budget Committee on the Montreal Protocol Trust Fund

Preparations regarding the Replenishment of the Multilateral Fund

(tentative agenda)

- 1. Recall questions to TEAP from the EU and others*
- 2. Supplementary report of TEAP on replenishment*
- 3. MLF status level Excom 93 expected discussions*
- 4. The carry over*
- 5. Energy efficiency expectations*
- 6. The FERM and UN scale*
- 7. China reclassification US proposal impact*

27 SEPTEMBER 2023, 10:00 – 18:00

I. Welcome and adoption of the agenda

The Presidency and the Commission will welcome participants to the meeting.

Any other business for the NEM meeting to be proposed at this time.

The agenda will follow the Energy Efficiency Workshop and MOP agendas

Agenda points 8, 9, 13, 14(b), related to emissions from industrial processes, will be discussed together, starting point 8.

II. Practical arrangements for the Workshop on Energy Efficiency (22 October 2023) and MOP (23-27 October 2023)

The Spanish Presidency and Commission will introduce their team and will inform about practical arrangements in Nairobi.

III. Agenda of the workshop on Workshop on Energy Efficiency (22 October 2023)

Sharing of information regarding participants for the different sessions.

Discussion on key elements of intervention from the floor (based on a reflection paper foreseen by DE for thematic group 1, available on CIRCABC).

Discussion on draft letter to be sent to secretariat regarding EE measures in place in the EU, available on CIRCABC.

IV. Agenda of the preparatory segment (23-25 October 2023)

1. Opening of the preparatory segment:

Statement by a representative of the United Nations Environment Programme.

2. Organizational matters:

(a) Adoption of the agenda of the preparatory segment;

Reflection on possible EU position if China would object to agenda point 22.

(b) Organization of work.

3. Administrative matters:

(a) Budget of the Trust Fund for the Montreal Protocol and financial reports;

Presidency

(b) Consideration of the membership of Montreal Protocol bodies for 2024:

(i) Members of the Implementation Committee

NL completes only the first year of its 2-year term. PL concludes the 2nd year of its 2nd 2-year term and needs to be replaced.

The appointment of a new member from the Eastern Europe group could be challenging in view of the Russian aggression against Ukraine.

MS that are part of that group are invited to nominate a candidate and to reach out to other parties that could be proposed in the case Russia would oppose EU membership.

(ii) Members of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol;

Presidency

(iii) Co-chairs of the Open-ended Working Group.

4. Replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol for the triennium 2024–2026:

(a) Supplementary report of the Technology and Economic Assessment Panel replenishment task force;

(b) Extension of the fixed-exchange-rate mechanism for the triennium 2024–2026.

Presidency

5. **Potential areas of focus for the 2026 quadrennial reports, including the issue of synchronization with reports on alternatives to hydrofluorocarbons under decision XXVIII/2.**

CRP on CIRCABC, contact group will continue its work, any issues in CRP that are problematic for us?

Suggested LTT

- *More information on PFAS is needed; The Assessment Panels have clearly stated this;*
- *there is concern on chronic exposure due to accumulation in the aqueous environment (drinking water, surface waters); substances are persistent and cannot be removed once out there; parties should not object to be better informed*
- *Preference to keep detailed language on PFAS, but as a fall-back, we could go to language in previous mandate*
- *We should seek to synchronize reports in order to streamline the work of the APs*

6. **Stratospheric aerosol injection and protection of the ozone layer.**

Australian CRP seems not problematic. Finland has indicated it may want to add language on having the Ozone Secretariat being active in discussions in other fora regarding the governance of Solar Radiation Management.

Consideration to co-sponsor?

7. **Destruction technologies.**

We will continue discussing the paper (informally), some changes were made after discussions with like-minded in BKK (CRP forwarded and on O3Sec website)

It is unclear if A5 will raise issue of waste management facility again. Revisit LTT/defensives prepared by Presidency (available on CIRCABC) on possibilities foreseen under the MLF, see also point 16 of agenda.

MS may need to support on outreach of critical countries

LTT

- *the CRP merely seeks to facilitate implementing Kigali (and ODS phase-out) for ALL parties*
- *The issue raised by A5 on waste management is a different, unrelated matter and shld be addressed in the context of the MLF;*

8. **Very short-lived substances, including dichloromethane.**

The draft CRP submitted by CAN, AUS, CH and US is related to other initiatives addressing emissions from industrial processes (HFC 23 – CRP from US, AUS, CAN, NO; CTC – CRP from CH and feedstock uses – CRP from AUS).

NEM should discuss

- *whether the EU should co-sponsor these 4 CRPs, which address issues that the EU pursued over years*

- Any changes or additions to the CRPs that would be conditional or useful ;
- Timing of communicating any decision to the proponents;
- Procedural aspects of discussing the CRPs: Merging of some? Running separate CRPs, but potentially in a common Contact Group.

More detailed line to take to be developed between NEM and MOP

9. Hydrofluorocarbon-23 (HFC-23) issues:

- (a) Strengthening institutional processes with respect to information on HFC-23 by-product emissions: report by the Technology and Economic Assessment Panel (decision XXXIV/7);

MS are invited to provide questions to TEAP report

- (b) Emissions of HFC-23.

See under agenda Point 8.

10. Potential impacts of the coronavirus disease (COVID-19) pandemic on hydrofluorocarbon consumption for Group 1 parties operating under paragraph 1 of Article 5: proposed adjustments to the Montreal Protocol (UNEP/OzL.Pro.35/7).

NEM to re-discuss EU position. EU position at the OEWG was to recognise that some countries were affected, but that it needed case by case assessment. Solution has to be limited to a specific set of countries but open ended to the type of solution. This included the route of the Implementation Committee.

11. Energy-efficient and low- or zero-global-warming-potential technologies: outcomes of the workshop on energy efficiency (decision XXXIV/3, para. 4 (a)).

NEM invited to discuss possible EU reaction in follow up of the workshop.

Should the EU be willing to signal which areas it sees a role for the Montreal Protocol to work on energy efficiency. See also reflection paper foreseen by DE for thematic group 1 available on CIRCABC. Examples of possible areas could be:

- *Role of MLF for recognising “Efficiency Improvement-Linked Incentives” that take into account different levels of capacity at manufacturers and/or leapfrogging toward very low/no GWP refrigerants?*
- *Role of MP to work on MEPS? Guidelines, best practice?*
- *Role of MP/MLF on addressing EE and servicing of equipment (operation and maintenance)? Guidelines, best practice?*
- *Role of MP in public procurement guidelines?*

12. Shared responsibility to stop dumping of inefficient equipment containing obsolete refrigerants (decision XXXIV/4).

The new CRP provides a reasonable basis for discussion.

NEM should discuss how to

- *avoid language that is contentious in the UNFCCC context (‘shared responsibility’;*

- *adapt the CRP that it would match with the export ban in the coming F-Gas Regulation (focussing on GWP levels of equipment not accepted in the EU, not on energy efficiency rules).*

13. Abating emissions of carbon tetrachloride (decision XXXIV/6).

See under agenda Point 8.

14. Issues related to “exempted” uses under the Montreal Protocol:

- (a) Nomination for critical-use exemptions for methyl bromide for 2024;

Report by the TEAP “Evaluation of 2023 critical-use nominations for methyl bromide – final report (volume 5) – Advance”:

One nomination for critical use from Canada for 2024 (3,857 t) recommended already for nomination by MBTOC at OEWG 45 in Bangkok. MBTOC reports that no further information or issues have arisen since then.

Israel notified in May 23’ emergency use of 2 kg (0,002 tonnes) of MB under Decision IX/7 to control an infestation in publicly exhibited collection of furniture and artefacts. MBTOC agreed that alternatives were difficult to use (corrosive for the artefacts, not registered in Israel or planned to be available in the future only).

Australia – no nomination – state of play to be clarified with the Party

MS to give any further feedback on nominations and report

LTT:

- *Continue to agree with recommendation of MBTOC for Canada, albeit with clear declaration towards phase-out to be made in the decision.*

- (b) Feedstock uses;

See under agenda Point 8.

- (c) Quarantine and pre-shipment uses of methyl bromide for which alternatives are available (decision XXXIV/10, para. 4).

Draft CRP on MB QPS uses, available on CIRCABC (including track changes proposed by Norway)

NEM should discuss:

- *Any further changes or additions to the CRP that would be useful or helpful;
In addition to the usual bilaterals with like-minded countries prior to MOP, a meeting with additional Parties that were interested to co-sponsor the EU QPS CRP decision at the MOP meeting back on Rome to be organised between NEM and MOP to seek support prior to MOP35*
- *Submission of an EU response to the “decision XXXIV/10, para. 2: “To invite parties to submit, on a voluntary basis, accessible data on the volumes of pre-phase-out methyl bromide stocks at the country level to the Ozone Secretariat by 1 June 2023”*

- *MS invited to give feedback related to information contained in the CUN report, p. 13 on EU reported quantity of MB at the end of 2005 (121 023 tonnes))*

15. Future availability of halons and their alternatives.

The future REACH restriction for PFAS will only apply where alternatives are available.

The revised ODS regulation will prohibit destruction of halons.

Data in the EU shows that pool of halons is relatively stable.

Nonetheless important to keep monitoring the situation at global level.

Should links with the waste management be mentioned –Agenda point 16- be mentioned (ship-breaking yards)?

If CRP: interested to work with parties

16. Refrigerant life cycle management.

No CRP available.

Discuss possible LTT.

Revisit LTT/defensives prepared by Presidency on possibilities foreseen under the MLF, see also point 7 of agenda. LTT/defensives available on CIRCABC.

17. Strengthening Montreal Protocol institutions, including for combating illegal trade (decision XXXIV/8).

NEM should:

- *agree on continuing the work of the informal group, co-chaired by Martin (DK) with the option to establish a formal contact group, should draft decision emerge from the discussions,*
- *consider the Elements for draft decisions, identified by the informal group and how these elements could be grouped in one or more decisions.*

The latest version of the exchanges within thematic group 3 will be posted on CIRCABC before the cob 22/09.

18. Identification of gaps in the global coverage of atmospheric monitoring of controlled substances and options for enhancing such monitoring (decisions XXXIII/4 and XXXIV/5).

The OEWG concluded that the EU funded pilot project should be continued after 2024. The focus of the discussion (informal group) is shifting to funding. Several options are on the table: the trust funds of the Vienna Convention, Montreal Protocol or the MLF.

19. Existing challenges and potential options for the future configuration and function of the Technology and Economic Assessment Panel's technical options committees (decision XXXIV/11, para. 1).

Most important element is the functioning of RTOC. EU expressed clear preference for suggestions made by RTOC to remain a single body but organised around its two main areas — Cold Chain and Space Heating and Cooling. US still opposed.

NEM needs to discuss if the EU should retain its position.

If so NEM should discuss if we have specific considerations regarding the additional co-chair of a non -A5 party.

20. Consideration of nominations by parties of experts to the Scientific Assessment Panel and the Technology and Economic Assessment Panel.

Matrix of needed expertise on TOCs indicated for the Methyl Bromide TOC Alternatives to QPS uses of MB adopted in Europe?

Inform if MS have nominated experts.

21. Compliance and data reporting issues: the work and recommendations of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol.

PL and NL invited to intervene

22. Reclassification of developing countries.

Discussion on EU position on the US CRP.

23. Status of ratification of the Kigali Amendment to the Montreal Protocol.

24. **Other matters.**

MDI

Draft CRP developed by the Commission and available on CIRCABC (+tracks from FI)

LTT:

- *Use of HFCs for MDI production counts against Kigali baseline*
- *New MDIs with climate-friendly alternatives (GWP<150) will be marketed in the EU from 2025*
- *Approval processes have started, guidelines have been provided by EMA*
- *Need for awareness raising with companies, medical agencies, patients*
- *Given the worldwide use of these products there is a need for cooperation between medical agencies and policy makers*

PFAS CRP by Finland

FI-drafted a CRP on PFAS issues (available on CIRCABC).

NEM to discuss.

Outreach to third parties

Presidency and Commission to inform on planned outreach (Like Minded, Accession Countries)

V. Agenda of the High-level segment (26 and 27 October 2023)

1. Opening of the high-level segment:
 - (a) Statement by the President of the Thirty-Fourth Meeting of the Parties to the Montreal Protocol;
 - (b) Statement by a representative of the United Nations Environment Programme;
 - (c) Statement by a representative of the Government of Kenya.
2. Organizational matters:
 - (a) Election of officers for the Thirty-Fifth Meeting of the Parties to the Montreal Protocol;

To be elected:

President from the Eastern European States

Rapporteur from the Asia-Pacific States

3 vice-presidents, from the African States, Latin American and Caribbean States, and Western European and other States.

- (b) Adoption of the agenda of the high-level segment;
 - (c) Organization of work;
 - (d) Credentials of representatives.
3. Presentations by the assessment panels on their synthesis report on the 2022 quadrennial assessment.

Very comprehensive useful information has led to many new CRPs

Looking forward to receiving similarly good information in the future

Any new topics that have come up recently, incl. underline need to study PFAS

Thank Paul Newman for his work

4. Presentation by the Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol on the work of the Executive Committee, the Multilateral Fund secretariat and the Fund's implementing agencies.
5. Statements by heads of delegation and discussion of key topics.

PRES to inform about representation

UA-Russia inclusion in the statement

6. Report by the co-chairs of the preparatory segment and consideration of the decisions recommended for adoption by the Thirty-Fifth Meeting of the Parties.

7. Dates and venue of the Thirty-Sixth Meeting of the Parties to the Montreal Protocol.
8. Other matters.
9. Adoption of decisions by the Thirty-Fifth Meeting of the Parties to the Montreal Protocol.
10. Adoption of the report of the meeting.
11. Closure of the meeting.