



**United Nations
Environment
Programme**

Distr.: General
9 March 2006

Original: English



**Open-ended Working Group of the Parties to
the Montreal Protocol on Substances that
Deplete the Ozone Layer**
Twenty-sixth meeting
Montreal, 3–6 July 2006

Annotated provisional agenda

1. Opening of the meeting

1. The twenty-sixth meeting of the Open-ended Working Group is scheduled to be opened at 10 a.m. on 3 July 2006 in the International Civil Aviation Organization (ICAO) Conference Centre in Montreal, Canada. Registration of participants will run from 10 a.m. to 1 p.m. on 2 July and from 8 a.m. on 3 July. Participants are encouraged to pre-register through the internet as early as possible in advance of the meeting. Mr. Marco González, Executive Secretary of the Ozone Secretariat, will give an address at the opening of the meeting.

2. Organizational matters

(a) Adoption of the agenda

2. The provisional agenda¹ will be before the Parties for adoption. Mr. Tom Land (United States of America) and Mr. Nadzri Yahaya (Malaysia) will co-chair the meeting.

(b) Organization of work

3. The Parties may wish to conduct their work in plenary session and draw up a specific timetable for the work on the agenda.

3. Consideration of issues arising out of the 2006 progress report of the Technology and Economic Assessment Panel

4. The Technology and Economic Assessment Panel will present its 2006 progress report. The Panel is scheduled to meet from 24 to 28 April 2006 in Beijing and its 2006 progress report is expected to be made available to the Parties soon thereafter.

(a) Review of any new nominations for essential-use exemptions for 2007 and 2008

5. To date, two Parties, the European Community and the United States of America, have submitted new requests for essential-use exemptions for chlorofluorocarbons for metered-dose inhalers for 2007 and/or 2008. The Technology and Economic Assessment Panel and its Medical Technical Options Committee are in the process of assessing those nominations. The Open-ended Working Group will be expected to consider the nominations together with the recommendations of the Technology and

¹ UNEP/OzL.Pro.WG.1/26/1.

Economic Assessment Panel on those nominations and make recommendations as appropriate to the Eighteenth Meeting of the Parties.

(b) Review of draft terms of reference for case studies called for under decision XVII/17 on environmentally sound destruction of ozone-depleting substances

6. In decision XVII/17, the Seventeenth Meeting of the Parties called on the Technology and Economic Assessment Panel to prepare terms of reference for the conduct of case studies on the technology and costs associated with a process for replacement of chlorofluorocarbon-containing refrigeration and air-conditioning equipment, including the environmentally sound recovery, transport and final disposal of such equipment and of the associated chlorofluorocarbons, and to submit said terms of reference to the Parties at the twenty-sixth meeting of the Open-ended Working Group. The Working Group is expected to consider the terms of reference prepared by the Panel and recommend action as deemed appropriate.

(c) Sources of carbon tetrachloride emissions and opportunities for reductions (decision XVI/14)

7. In its decision XVI/14, the Sixteenth Meeting of the Parties called on the Technology and Economic Assessment Panel to assess global emissions of carbon tetrachloride from certain specific source categories and to report to the Eighteenth Meeting of the Parties with an assessment of potential solutions for the reduction of emissions. The Working Group is expected to consider the report of the Panel on this matter and make recommendations as appropriate to the Eighteenth Meeting of the Parties.

(d) Any other issues arising out of Technology and Economic Assessment Panel reports

8. In its 2006 progress report, the Technology and Economic Assessment Panel may raise other issues of importance that warrant consideration by the Parties. Such issues, which may include administrative matters, will be highlighted in the note by the Secretariat for the Open-ended Working Group.

4. Consideration of methyl bromide-related issues

(a) Review of nominations for critical-use exemptions for methyl bromide for 2007 and 2008

9. New 2007 and 2008 nominations for critical-use exemptions for methyl bromide were submitted in accordance with paragraph 2 of decision IX/6 and paragraph 2 of decision XIII/11 of the Meeting of the Parties by or on behalf of 14 Parties, Australia, Canada, France, Greece, Ireland, Israel, Italy, Japan, the Netherlands, New Zealand, Poland, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Methyl Bromide Technical Options Committee is scheduled to meet from 3 to 8 April in Dubrovnik, Croatia to evaluate those nominations. The Open-ended Working Group may wish to review the nominations and the recommendations of the Methyl Bromide Technical Options Committee and make recommendations as appropriate to the Eighteenth Meeting of the Parties.

(b) Report on the possible need for methyl bromide critical-use exemptions over the next few years based on a review of methyl bromide national management strategies (decision Ex.1/4, subparagraph 9 (d))

10. In subparagraph 9 (d) of its decision Ex.1/4, the First Extraordinary Meeting of the Parties requested the Technology and Economic Assessment Panel to submit a report to the Open-ended Working Group at its twenty-sixth meeting on the possible need for methyl bromide critical uses over the next few years, based on a review of the management strategies submitted by Parties pursuant to paragraph 3 of that decision. The Working Group may wish to consider the Panel's report on this matter.

(c) Reporting on quarantine and pre-shipment matters (decisions XI/13, paragraph 4, XVI/10, and XVII/9, paragraph 8)

11. In its decisions XI/13 and XVI/10, the Meeting of the Parties called on the Technology and Economic Assessment Panel to establish a task force to evaluate data submitted by the Parties on the use of methyl bromide for quarantine and pre-shipment purposes in an effort to establish global use patterns and delineate the quantity of commodity-specific methyl bromide use that could be replaced by technically and economically feasible alternative treatments and procedures, and to prepare the report thereon called for in paragraph 4 of decision XI/13. In paragraph 8 of decision XVII/9, the Panel's Quarantine and Pre-shipment Task Force was requested to evaluate and report in time for the twenty-sixth meeting of the Open-ended Working Group on the long-term effectiveness of soil

applications of methyl bromide to control quarantine pests on living plant material. The Working Group may wish to consider these matters and make recommendations as appropriate.

(d) Multi-year exemptions for methyl bromide use (decision XVI/3)

12. The Fifteenth and Sixteenth Meetings of the Parties considered the issue of agreeing criteria for the approval of multi-year critical-use exemptions for methyl bromide. The Sixteenth Meeting of the Parties decided that the Seventeenth Meeting of the Parties would elaborate, as far as possible, a framework for spreading critical-use exemptions over more than one year, but owing to time limitations at the Seventeenth Meeting, the United States of America agreed to withdraw its proposal on the understanding that it would be reconsidered in 2006. The Open-ended Working Group may wish to consider this issue and make recommendations, as appropriate, to the Eighteenth Meeting of the Parties.

(e) Options which Parties may consider for preventing potential harmful trade in methyl bromide stocks to Article 5 Parties as consumption is reduced in non-Article 5 Parties (decision Ex.I/4, subparagraph 9 (a))

13. Pursuant to subparagraph 9 (a) of decision Ex.I/4, the Seventeenth Meeting of the Parties was to consider a report by the Technology and Economic Assessment Panel on this issue. The Panel, however, was not able to complete its report in 2005 and suggested that the report would be ready for consideration in 2006. The Open-ended Working Group will be asked to consider the findings of the Technology and Economic Assessment Panel on this issue and make recommendations, as appropriate, to the Eighteenth Meeting of the Parties.

(f) Technology and Economic Assessment Panel report on laboratory and analytical uses of methyl bromide (decision XVII/10)

14. By its decision XVII/10, the Seventeenth Meeting of the Parties authorized a laboratory and analytical critical-use exemption for certain specific uses of methyl bromide until 31 December 2006 subject to the conditions currently applied to the essential-use exemption for laboratory and analytical uses. In that regard, the decision called on the TEAP to report to the Open-ended Working Group at its twenty-sixth meeting on these and other possible laboratory and analytical critical uses, and also on the relevance of the laboratory and analytical essential-use conditions to laboratory and analytical critical uses. The Open-ended Working Group may wish to consider these matters and make recommendations as appropriate to the Eighteenth Meeting of the Parties.

5. Difficulties faced by some Article 5 Parties manufacturing metered dose inhalers which use chlorofluorocarbons (decision XVII/14)

15. In decision XVII/14, the Seventeenth Meeting of the Parties decided that the Eighteenth Meeting of the Parties should consider a possible decision to address the situation of certain Parties operating under paragraph 1 of Article 5 which are producing chlorofluorocarbon-based metered-dose inhalers. In the same decision, the Executive Committee of the Multilateral Fund was requested to examine options that might assist potential cases of non-compliance arising in this connection and to consider appropriate regional workshops to create awareness and educate stakeholders on alternatives to chlorofluorocarbon-based metered-dose inhalers. The Open-ended Working Group may wish to consider these matters and make recommendations as appropriate to the Eighteenth Meeting of the Parties.

6. Treatment of stockpiled ozone-depleting substances relative to compliance (UNEP/OzL.Conv.7/7-UNEP/OzL.Pro.17/11, paragraph 180)

16. In its report to the Seventeenth Meeting of the Parties, the Implementation Committee noted that it had reviewed the issue of stockpiling production or consumption for use in a future year as it related to the issue of non-compliance and had tentatively concluded that in some cases, such stockpiling may not be consistent with the provisions of the Montreal Protocol. During the ensuing discussion, representatives agreed that the issue of stockpiling relative to compliance was an important topic but also a complex one requiring further consideration, and it was therefore proposed that the issue should be taken up again at the twenty-sixth meeting of the Open-ended Working Group. The Open-ended Working Group may wish to consider this matter and make recommendations as appropriate.

7. Guidelines for disclosure of interest for groups such as the Technology and Economic Assessment Panel and its technical options committees

17. At the Seventeenth Meeting of the Parties, the delegation of Canada proposed specific guidelines for disclosure of interest of groups such as the Technology and Economic Assessment Panel and its technical options committees, and it was agreed that the Secretariat would post that proposal on its website and solicit comments so that a new version of the proposal might be ready for consideration by the Parties at the twenty-sixth meeting of the Open-ended Working Group. The Canadian proposal can be found on the Secretariat's website at <http://www.unep.ch/ozone/> or <http://ozone.unep.org/> under the February heading "New Highlights". Parties are requested to provide comments by 15 May 2006 to enable the development of a revised proposal if that should be found advisable.

8. Discussion of any proposed adjustments to the Montreal Protocol

9. Discussion of any proposed amendments to the Montreal Protocol

18. In February 2006, the Executive Secretary of the Ozone Secretariat sent a letter to all Parties regarding the application of Article 2, paragraph 9, of the Montreal Protocol, and Article 9, paragraph 2, of the Vienna Convention which require that any proposed adjustments and amendments be communicated to the Parties not less than six months before their Meeting. In that letter, the Secretariat urged all Parties to submit any proposed adjustments and amendments to the Secretariat at least seven months before the Eighteenth Meeting of the Parties, which is scheduled to open on 2 November, to enable the Secretariat to ensure that all Parties have received appropriate notice of any such adjustments and amendments within the time frame required under Article 2. Regarding possible adjustments and amendments, it may be remembered that during its preparatory segment, the Seventeenth Meeting of the Parties agreed to defer until 2006 consideration of the amendment on methyl bromide proposed by the European Community and in decision XVII/12 the Seventeenth Meeting of the Parties decided that the Eighteenth Meeting of the Parties should consider an adjustment that would accelerate the phase-out schedule set out in Article 2A of the Protocol for chlorofluorocarbon production to meet the basic domestic needs of Parties operating under paragraph 1 of Article 5. With regard to this latter matter, on 15 April the Secretariat received a proposed adjustment which was promptly put on the Secretariat website and is being dispatched with the present annotated agenda. If the Secretariat receives any further proposals for adjustment or amendment, they will be communicated to the Parties as expeditiously as possible.

10. Other matters

19. The Parties may wish to discuss other matters which have been identified and agreed for consideration.

11. Adoption of the report

20. The draft report of the twenty-sixth meeting of the Open-ended Working Group will be presented for adoption.

12. Closure of the meeting
