MULTILATERAL FUND
FOR THE IMPLEMENTATION OF THE MONTREAL PROTOCOL

Post Meeting Summary of Decisions of the 59th Meeting of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol

Introduction

The 59th Meeting of the Executive Committee, which took place in Port Ghalib, Egypt from 10 to 14 November 2009, was attended by the representatives of the 14 Executive Committee member Parties and by participants co-opted from 28 other countries (see attached list). Dr. Husamuddin Ahmadzai of Sweden presided over the final meeting of his term as Chair of the Executive Committee. The meeting was also attended by representatives of the implementing agencies, the Treasurer, the President of the Bureau of the 21st Meeting of the Parties (MOP), the Vice President of the Implementation Committee, two representatives of the Ozone Secretariat, the Co-Chair of the Technology and Economic Assessment Panel (TEAP) and representatives from the Alliance for Responsible Atmospheric Policy, the Environmental Investigation Agency and Greenpeace International.

The 59th Meeting, the final meeting of 2009, took place only weeks before the Montreal Protocol deadline for the complete phase-out of CFCs, halons and CTC in Article 5 countries. The Committee considered some remaining TPMP tranches, the approval of which was critical for countries to achieve and maintain the 1 January 2010 control measure. In addition, a number of decisions of the 21st MOP, which had taken place immediately before the 59th Meeting, required the Committee’s attention in particular the extension of financial support for institutional strengthening (IS) beyond 2010, the finalization of guidelines for hydrochlorofluorocarbons (HCFCs) phase-out; a review of the CFC production phase-out agreements with China and India, and a methodology to verify the climate benefits and costs associated with ozone-depleting substances (ODS) disposal projects.

Besides the consideration of revised HCFC phase-out policy papers and matters arising from the 21st MOP, the Committee followed its established programme of work for the third meeting of the year which included consideration of the model rolling three-year business plan to guide the preparation of the agencies’ business plans in 2010, the review of the consolidated project completion report and a number of issues identified during project review relating to HCFC phase-out.

The Executive Committee approved investment projects and work programme activities with a value of US $32.96 million plus US $7.86 million in support costs for bilateral and implementing agencies, and took a total of 56 decisions. The most significant decisions and discussions are summarized below.

Status of contributions and disbursements (decision 59/1)

The Executive Committee reviewed information on the Fund’s balance, income and contributions, and aggregate information on the status for the triennium, including data on gains and losses from the fixed-exchange rate mechanism (FERM). The Executive Committee urged all Parties to pay their contributions to the Multilateral Fund in full and as early as possible and noted the list of 17 Parties
that confirmed they would use the FERM during the 2009-2011 replenishment period.

Availability of resources (decision 59/2)

During the first part of the meeting, the Executive Committee considered the total financial resources available for funding projects at the 59th Meeting, including the balances returned from completed and cancelled projects. A total of US $1,517,967 including support costs was returned by the bilateral and implementing agencies to the 59th Meeting from such projects.

2009 business plans and annual tranche submission delays (decisions 59/3)

Forty-four of the 70 annual tranches of MYAs due for consideration had been submitted on time to the 59th Meeting. The Executive Committee reviewed the status of implementation of the 2009 business plans noting that US $17.85 million in activities required for compliance had not been submitted. Funding for annual tranches approved at the 59th Meeting amounted to US $2,490,376 and, as a result, the total level of commitments for the period 2010-2014 would amount to US $109.9 million.

Letters regarding the tranches not submitted to the 59th Meeting would be sent to the relevant countries and agencies encouraging them to take actions to expedite the implementation of the approved tranches and so that they could be submitted to the 60th Meeting.

Status of implementation of delayed projects and prospects of Article 5 countries in achieving compliance with the next control measures of the Montreal Protocol (decision 59/4)

Of the 35 projects listed with implementation delays at the 59th Meeting, the Executive Committee noted that four had been completed. Letters would be sent to relevant countries regarding actions requested by the Executive Committee in relation to delayed projects and additional status reports were to be provided by the bilateral and implementing agencies regarding 28 other projects. Letters would also be sent to the two countries that had not received funding for HCFC phase-out management plan (HPMP) preparation, encouraging them to submit requests for HPMP preparation as soon as possible to facilitate their efforts to meet the initial HCFC control measures.

The Executive Committee decided to review the continued usefulness of two web-based systems at the its 62nd Meeting, one for the submission of country programme data and the other for the country profile system intended to provide all relevant information concerning a country's phase-out activities. Country profile information would only be available on the Multilateral Fund intranet and public access would be limited to Executive Committee members.

Model rolling three-year phase-out plan: 2010-2012 (decision 59/5)

The model rolling three-year phase-out plan estimated that 17,704 ODP tonnes of ODS consumption and 6,018 ODP tonnes of ODS production had yet to be phased out in approved multi-year sectoral and national phase-out plans during the remainder of 2009 and in the 2010-2012 triennium. In addition, some 19,780 ODP tonnes of ODS consumption still had to be phased out in approved individual or umbrella projects. The Executive Committee urged Article 5 countries with approved but not implemented projects to accelerate the pace of implementation of projects and activities during the 2010-2012 triennium. The Committee adopted the 2010-2012 model rolling three-year phase-out plan as a flexible guide for resource planning for the corresponding period. It noted however the
significant uncertainty regarding the amount of HCFC consumption to be addressed since this amount was based on very limited information and several assumptions.

**Programme Implementation**

**2009 consolidated project completion report (decision 59/6)**

The 2009 consolidated project completion report provided an analysis of project completion reports (PCRs) received by the Fund Secretariat since the 56th Meeting. It considered their quality and the timeliness of submission by the implementing agencies and included a section on lessons learned. The Executive Committee requested bilateral and implementing agencies to provide the information still missing in a number of PCRs, and to clear the backlog of PCRs for projects completed before the end of 2006, all by the end of January 2010 and the Senior Monitoring and Evaluation Officer, when recruited, to develop a completion report format for multi-year agreement projects. The Committee also invited all those involved in the preparation and implementation of projects to take into consideration the lessons learnt from PCRs when preparing and implementing future projects.

**Development of multi-year agreement tables (decision 59/7)**

New procedures for monitoring and tracking difficulties in the implementation of multi-year agreements (MYAs) had necessitated the development of MYA tables for reporting purposes and an web-based system for online data entry. The Executive Committee requested the Secretariat to provide for monitoring and tracking of HCFC phase-out management plans (HPMPs) through the system that had been used for submissions of CFC phase-out plans, with the aim of receiving online submissions of MYA tables for new HPMPs from April 2010 and subsequent tranches submissions for HPMPs from September 2010. The Secretariat would improve further the system and report back to the Executive Committee at its 63rd Meeting on progress made. A budget of US $60,000 was approved for the work (see “Budget of the Fund Secretariat” and associated decision 59/52).

**Report on implementation of approved projects with specific reporting requirements (decision 59/8)**

The Executive Committee considered nine progress reports on the implementation of approved projects with specific reporting requirements from the governments of China (3 projects), Colombia, India, the Libyan Arab Jamahiriya, Romania, the Bolivarian Republic of Venezuela and Yemen. The Committee took note of the report on the implementation of the projects and made a number of requests to follow up on specific issues. The Committee also adjusted the methyl bromide phase-out targets stipulated in the agreed conditions for the Libyan Arab Jamahiriya that had been approved at the 47th Meeting.

The Executive Committee also noted progress reports on chiller projects for Brazil, Colombia, Cuba, Syrian Arab Republic, the global chiller replacement project and for regional projects in Africa, Europe, and Latin America and the Caribbean. The relevant agencies were commended for their success in securing co-financing, for broadening the implementation activities beyond ozone protection and into climate change by addressing energy efficiency and for using significant external funds for achieving both objectives in one activity. A further report on progress achieved in chiller projects would be submitted to the Executive Committee at its 62nd Meeting.

**Project review issues**

The following policy issues were addressed by the Executive Committee at its 59th Meeting.
Confidentiality of HCFC data reported under Article 7

The Executive Committee noted that the Ozone Secretariat would share with the Fund Secretariat the disaggregated HCFC data that Parties had submitted to the Ozone Secretariat without confidentiality requirements for its unrestricted use as needed.

HCFC demonstration projects that had been removed from business plans (decision 59/9)

At the 57th Meeting, the Executive Committee decided to remove from the implementing agencies’ 2009 business plans all HCFC demonstration projects with the exception of five such projects in the foam sector (decision 57/6). Following the submission of two demonstration projects to the 59th Meeting by Japan and UNDP, the Executive Committee decided to allow inclusion in the 2010 business plans of additional HCFC projects that demonstrated alternative or new technology and that could provide the information required by decision 55/43. This would also apply to demonstration projects to determine the effectiveness of low-global warming potential (GWP) alternatives to HCFCs in the air conditioning and refrigeration sector in Article 5 countries with high ambient temperatures, as requested in decision XXI/9 of the 21st MOP.

Project preparation requests for ODS disposal pilot projects (decision 59/10)

Since the interim guidelines for the funding of demonstration projects for the disposal of ODS approved at the 58th Meeting state that one of the criteria for including pilot ODS disposal projects is the regional distribution and representation, the Executive Committee decided to request UNIDO to submit two additional project preparation requests for ODS disposal pilot projects, one for Africa and one for West Asia, in line with decision 58/19, as part of UNIDO’s business plan for 2010.

Prioritization in the phase-out of HCFCs (decision 59/11)

Decision XIX/6 of the 19th MOP established funding priorities for HCFC phase-out projects to be approved by the Executive Committee, one of which was to phase-out HCFCs with higher ODP first, taking into account national circumstances. The Executive Committee requested bilateral and implementing agencies to submit, as a priority, HCFC-141b phase-out projects to enable compliance with the reductions in HCFC consumption for the years 2013 and 2015, and to consider HCFC consumption phase-out projects for HCFCs with a lower ODP than HCFC-141b, where national circumstances and priorities required their submission, in order to comply with the 2013 and 2015 control measures.

Issues related to HCFC phase-out funding eligibility (decisions 59/12-59/14)

The Executive Committee discussed a number of issues related to the eligibility of funding HCFC phase-out projects. The following would be considered at either the 60th or 61st meetings:

- The implications for Article 5 Parties and the Multilateral Fund associated with the import and export of HCFC-based pre-blended polyols to be considered at the 61st Meeting. Additional projects should not be submitted until their eligibility is decided (decision 59/12).

- The eligibility of component upgrades to improve the climate impact of the HCFC conversion projects to be considered at the 60th Meeting (decision 59/13).

- The appropriateness and feasibility of costs for conversion of component manufacturing vs. incremental operating costs to be considered at the 60th Meeting (decision 59/14).
**Basis for calculation of exports to non-Article 5 countries (decision 59/15)**

Regarding the level of exports of products to non-Article 5 countries from manufacturers in Article 5 countries to decide on their eligibility for support by the Multilateral Fund, the Executive Committee decided to determine the share of the production exported to non-Article 5 countries either by using the amount of ODS contained in units or the ODS charge for units shipped empty as per the decision adopted at the 15th Executive Committee Meeting, or alternatively by determining the share of exports on a sectoral basis, if the sector size was sufficient to warrant such an approach.

**Preliminary template for draft agreements for HPMPs (decision 59/16)**

The Fund Secretariat prepared a template of a draft HPMP agreement between a Government and the Executive Committee. Bilateral and implementing agencies were requested to use the preliminary template as a guideline when advising countries on preparing a draft agreement for HPMPs. Executive Committee Members and bilateral and implementing agencies were requested to comment on the preliminary template to enable a revised version to be submitted to the 60th Meeting.

**Funding of institutional strengthening projects as part of an HPMP (decision 59/17)**

The Executive Committee decided that Article 5 Parties had the flexibility to submit requests for institutional strengthening funding either as part of their HPMPs or separately, as they so chose. (See also decision 59/47).

**Availability of documentation for Executive Committee Meetings (decision 59/35)**

During project review the importance of adherence to Executive Committee guidelines regarding the timing for resolution of cost-related issues was raised. The Executive Committee decided that in the event that an Executive Committee Meeting was scheduled immediately following a session of the Open-ended Working Group or the MOP, the Secretariat would make all new documents available to members 15 days before the start of that meeting.

**Project approvals (decisions 59/18 – 59/40)**

The Executive Committee approved 105 projects and activities for 66 countries and one global project amounting to US $32,955,268 plus US $7,864,210 support costs. Projects approved at the 59th Meeting would phase out 2,382.3 ODP tonnes of ODS consumption and 690 ODP tonnes of ODS production.

Funding for HPMP preparation was approved for two countries and additional HPMP preparation funding for a further four countries. In addition the Committee approved the preparation of HCFC phase-out investment activities in the foam or refrigeration/air conditioning sectors for five countries, two demonstration projects in the foam sector and three foam investment projects.

Other approvals included:

- Institutional strengthening projects renewed or extended in 37 countries.
- Preparation for pilot demonstration projects on ODS waste management and disposal for four countries and a project to destroy confiscated ODS in one country.
- Tranches of TPMPs/CFC phase-out plans or sector plans for 18 countries.
• Tranches for the accelerated CFC production phase-out and gradual CFC production phase-out in India.
• Tranches of methyl bromide phase-out plans for four countries together with a revised phase-out schedule for Costa Rica.
• A technical assistance for the elimination of methyl bromide in post harvest sector for Turkmenistan.

Deferred approvals

The Executive Committee decided to defer some proposals to the 60th Meeting including the requests for resource mobilization for climate co-benefits submitted by UNDP, UNIDO and the World Bank, which would be discussed in the context of the agenda item on the special funding facility (decisions 59/21, 59/25 and 59/26), and the preparation of a regional HCFC phase-out management plan for the Pacific island countries submitted by UNEP (decision 59/22).

UNIDO had submitted the first HPMP to the Multilateral Fund on behalf of the Government of the former Yugoslav Republic of Macedonia. The HPMP closely followed the specifications in the HPMP guidelines (decision 54/39) but due to some unresolved policy issues the Executive Committee deferred the HPMP to a future meeting (decision 59/41).

UNEP Compliance Assistance Programme (CAP) (decision 59/27)

The Executive Committee approved the 2010 CAP budget at a level of US $8,745,000 plus support costs of US $699,600. UNEP was requested to continue to provide detailed information on the activities for which the global CAP funds would be used, to expand the prioritization of funding between CAP budget lines so as to accommodate changing priorities; and to provide details on the reallocations made for its budget. It was also asked to continue to report on the current staff post levels and to inform the Executive Committee of any changes therein, particularly in respect of any increased budgetary allocations.

2010 core unit costs for UNDP, UNIDO, and the World Bank (decision 59/28)

The Executive Committee approved core unit funding of US $1,913,365 for UNDP, US $1,913,365 for UNIDO and US $1,701,466 for the World Bank and would discuss, at the 60th Meeting, a methodology to assist UNIDO in identifying project related costs, if any, in its annual report on administrative costs.

Country programme (decision 59/43)

The Executive Committee approved the country programme of Somalia.

Production Sector (decision 59/44)

The Executive Committee reconvened the Sub-group on the Production Sector composed of Australia (facilitator), the Plurinational State of Bolivia, China, the Dominican Republic, Georgia, Germany, Japan, Namibia, Sweden and the United States of America to discuss outstanding issues relating to HCFC production phase-out and one issue regarding a request from the 21st MOP related to essential-use nominations. Following the report of the Sub-group the Executive Committee made a decision as follows.
Redirecting HCFC-22 production from controlled uses to feedstock uses (decision 59/44 (a) and (b))

The Sub-group on the Production Sector had considered the “Analysis of the technical feasibility of redirecting HCFC-22 production from controlled uses to feedstock uses” prepared by the Fund Secretariat. The Executive Committee noted that the impact on costs of downstream facilities as a result of possible conversion were not addressed in the analysis but could be addressed in the context of technical audits.

HCFC production phase-out (decision 59/44 (c), (g) and (h))

Eligible countries ready to phase out their production of HCFCs were requested to submit a draft sector phase-out strategy, including, if appropriate, an industrial rationalization strategy, and preliminary data on its HCFC plants, using the forms adopted at the 19th Meeting of the Executive Committee (decision 19/36), and to submit a request for technical auditing of their HCFC plants. The Secretariat would modify the terms of reference for the technical audit adopted at the 32nd Meeting, as appropriate, to meet the audit needs of HCFC production for consideration by the Executive Committee as soon as possible and no later than the 61st Meeting.

The Sub-group on the Production Sector would consider giving priority to phasing out production of HCFCs with larger ODP values first, taking into account national circumstances, and the requirements for parallel reductions in the consumption sector, consistent with decision XIX/6 of the 19th MOP. The issue of a cut-off date was deferred until the Executive Committee had addressed the matter with respect to HCFC consumption.

Pharmaceutical-grade CFCs for metered dose inhalers (decision 59/44 (d), (e) and (f))

Noting the elements of decision XXI/4 of the 21st MOP, the Executive acknowledged the importance of assuring the supply of pharmaceutical-grade CFCs for Parties with essential use exemptions. It requested the Secretariat to report to the 60th Meeting on the terms and conditions under which the existing CFC production agreements with China and India and associated accelerated phase-out agreements might be modified and that the Sub-group would discuss decision XXI/4, paragraph 6 at its next meeting.

ODS substitutes and related technologies (decision 59/44 (j) and (k))

The Executive Committee encouraged Article 5 Parties to take every practicable step consistent with Multilateral Fund programmes to ensure that the best available and environmentally safe substitutes and related technologies were transferred from non-Article 5 Parties to Article 5 Parties under fair and most favourable conditions and decided to promote substitutes, alternatives and practices in Multilateral Fund programmes to minimize other impacts on the environment, including on the climate, taking into account global-warming potential, energy use and other relevant factors whenever possible.

Cost considerations surrounding the financing of HCFC phase-out

Prioritization of HCFC phase-out technologies to minimize other impacts on the environment (decision 59/45)

The Secretariat updated the Committee on the current status of the Multilateral Fund climate impact indicator (MCII), formerly known as the “functional unit approach”. The objective of the MCII, which would be applied only to the conversion of manufacturing capacity to replacements or to
closures relating to ODS consumption, was to forecast the approximate climate impact of activities, thus allowing calculation of the approximate climate impact for an entire sector or country. The Executive Committee decided to discuss the type of incentives to be associated with the MCII at the 60th Meeting and apply it to a subset of project submissions, from the 60th Meeting onwards, and requested the Secretariat to collect further data on the use of the MCII for its consideration. The Executive Committee would consider the experience gained on the use of the MCII no later than the 62nd Meeting of the Executive Committee. The Secretariat would finalize the development of the MCII and make the underlying data, the methodology used, and preliminary working models of the software available on the intranet to bilateral and implementing agencies and to Members of the Executive Committee. A budget of US $50,000 for the related work was approved (see decision 59/52).

Analysis of new approaches on second-stage conversions, determination of cut-off date and other outstanding HCFC policy issues (decisions 59/46)

A contact group, convened by the Chair at the 58th Meeting for the purpose of discussing and resolving outstanding issues, continued its deliberations immediately preceding the 59th Meeting in November 2009 and in the margins of the 59th Meeting. The group had been unable to make a recommendation to the Executive Committee and so it was decided to defer discussion of the outstanding HCFC issues related to the cut-off date, the level of incremental operating costs, funding provided to the servicing sector and incremental capital costs to the 60th Meeting.

Institutional strengthening (IS) beyond 2010 (decision 59/47)

Following the decision on IS funding made by the 21st MOP, the Executive Committee decided to extend financial support for IS funding for Article 5 Parties beyond 2010 up to December 2011. Article 5 Parties would be able to submit their IS projects either as stand-alone projects or within their HCFC phase-out management plans. (See also decision 59/17).

Special funding facility for additional income from loans and other sources (decision 59/48)

Presentations were made by the Fund Secretariat, the implementing agencies and Sweden with respect to the special funding facility as a potential source of funding to maximize environmental benefits and as a store for funds that might accrue to the Multilateral Fund from credits for energy efficiency and climate benefits. The Executive Committee requested the Secretariat to consolidate the material presented at the meeting, with any additional contributions submitted by Executive Committee Members by the end of 2009, into a single agenda item addressing both the Facility as well as any issues related to decision XIX/6 paragraph 11(b) of the 19th MOP for consideration by the Committee at its 60th Meeting.

Accounts of the Multilateral Fund

2008 final accounts (decision 59/49)

The Executive Committee noted the Multilateral Fund’s audited financial statements as at 31 December 2008 and that the final audit report on the 2008 financial statement would be submitted to the Committee as soon as it became available. The Committee also requested the Treasurer to record in the 2009 accounts the differences between the agencies’ provisional and final 2008 accounts.
Reconciliation of the accounts (decision 59/50)

The Executive Committee noted the reconciliation of the 2006 and 2007 accounts. The 2006 accounts reconciliation exercise was completed following the update from the World Bank on the adjustment of its inventory of projects by US $303 that closed the sole outstanding item. Regarding the outstanding reconciling item from 2007, the Treasurer would return the amount of US $1,510,471 to the World Bank based on two cases of double reporting and deduction by the Treasurer and the amount of US $303 from 2006. The Executive Committee noted a number of outstanding reconciling items in the 2008 reconciliation of accounts exercise and requested the Treasurer to carry the 2008 adjustments forward to 2009.

Agreement between UNEP as Treasurer of the Multilateral Fund and the Executive Committee (decision 59/51)

The 2004 Agreement between UNEP as Treasurer of the Multilateral Fund and the Executive Committee (decision 42/42) stipulated that UNEP would receive US $500,000 annually for its services as Treasurer, and that that sum would remain unchanged for a period of five years. The Executive Committee had approved the sum of US $500,000 for 2009, as part of the Secretariat’s 2009 budget (decision 53/43) but there was no decision covering 2010 onwards. At its 59th Meeting the Executive Committee decided to maintain the fee level at US $500,000 per annum and review it again at the 62nd Meeting, at which time the Executive Committee would have had an opportunity to consider the results of the audit of the Secretariat on administrative and Fund management matters and take into account any relevant audit observations. UNEP was requested to provide indicative data on expenditures between 2004 and 2009, to the extent feasible, and to bring to the 62nd Meeting a plan for providing expenditure data as part of its future treasury services.

Budget of the Fund Secretariat (decision 59/52)

The Executive Committee approved the revised 2010 budget of the Fund Secretariat which included allocations for the Multilateral Fund climate impact indicator (see decision 59/45), the development of the online multi-year agreement tables (see decision 59/7)), and the 2012 salary component calculated on a basis of a 3 per cent inflation rate against the 2011 staff cost levels.

Transition of the chairmanship of the Executive Committee (decision 59/53)

The Executive Committee established a number of continuity measures to ensure a smooth transition of the chairmanship of the Executive Committee. The Secretariat would provide the incoming Chair and Vice Chair with information including possible relevant missions, and Vice-Chairs unfamiliar with the working of the Executive Committee would be encouraged to attend briefings of the Chair. The budget line in the Secretariat’s budget could support such missions if required to enable the Chair or Vice-Chair to represent the Executive Committee.

Contributions of the Russian Federation to the Multilateral Fund (decision 59/54)

The issue of non-payment of contributions by the Russian Federation would be placed on the agenda of the 60th Meeting.
Regional methyl bromide projects in Africa (decision 59/55)

The Executive Committee considered a document presented by UNEP in consultation with UNDP and UNIDO in response to decision 57/9(d) which removed the regional workshops on preventing new uses of methyl bromide (MB) from UNEP’s business plan and requested UNEP to work with other implementing agencies to identify gaps in regional MB projects in Africa for consideration in future business plan activities. Following a discussion on the technical difficulties, lack of technical capacity, and weakness of regulatory and licensing systems in terms of their interaction and combined impact on methyl bromide phase-out in Africa, the Committee requested UNEP to incorporate projects that responded to the identified gaps in its business plan to be submitted to the 60th Meeting.

60th and 61st Meetings of the Executive Committee (decision 59/56)

It was confirmed that the Executive Committee’s 60th Meeting would be held in Montreal from 12 to 16 April 2010 and the 61st Meeting in Montreal from 26 to 30 July 2010.

Report of the 59th Meeting

A complete record of all decisions made at the 59th Meeting, including those covered in this document, can be found in the ‘Report of the Fifty-ninth Meeting of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol’ (UNEP/OzL.Pro/ExCom/59/59) which is published on the Multilateral Fund’s website (www.multilateralfund.org). The report is available in Arabic, Chinese, English, French, and Spanish.
Annex I - Attendance at the 59th Meeting of the Executive Committee

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