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United Nations Environment Programme

Open-ended Working Group of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer Forty-first meeting Bangkok, 1–5 July 2019

Issues that the Secretariat would like to bring to the attention of the parties

Note by the Secretariat

1. The present note summarizes issues of relevance to the Montreal Protocol on Substances that Deplete the Ozone Layer and the activities that have taken place since the previous such note (UNEP/OzL.Pro.30/INF/2), or that will take place in the coming months, that the Secretariat wishes to bring to the attention of the parties.

I. Updates from the United Nations Environment Programme

A. Outcomes of the fourth session of the United Nations Environment Assembly

- 2. Representatives of the Secretariat attended the fourth session of the United Nations Environment Assembly, held in Nairobi from 11 to 15 March 2019, under the theme "Innovative solutions for environmental challenges and sustainable consumption and production". They also attended the consultations of the Open-Ended Committee of Permanent Representatives, held from 4 to 8 March, on draft resolutions and decisions put forward by Member States, as well as other parallel events.
- 3. The draft resolutions and decisions were organized into the following five thematic clusters:
- (a) Innovative solutions for environmental challenges and sustainable consumption and production;
 - (b) Resource efficiency, chemicals and waste;
 - (c) Ecosystems and biodiversity management and protection;
 - (d) Environmental governance;
- (e) Programme of work of the United Nations Environment Programme (UNEP) and related issues.
- 4. The fourth session of the Environment Assembly concluded with the adoption of a ministerial declaration, 23 resolutions and three decisions.¹
- 5. The Environment Assembly called for action specifically involving multilateral environmental agreements in the following resolutions:
 - (a) Resolution 4/8 on the sound management of chemicals and waste;
 - (b) Resolution 4/14 on sustainable nitrogen management;

¹ Available at http://web.unep.org/environmentassembly/ministerial-declaration-resolutions-and-decisions-unea-4.

- (c) Resolution 4/17 on promoting gender equality and the human rights and empowerment of women and girls in environmental governance;
- (d) Resolution 4/23 on keeping the world environment under review: enhancing the UNEP science-policy interface and endorsement of the *Global Environment Outlook*.
- 6. A number of additional resolutions included provisions that may be of relevance to work under the Montreal Protocol, including:
- (a) Resolution 4/1 on innovative pathways to achieve sustainable consumption and production;
- (b) Resolution 4/2 on promoting sustainable practices and innovative solutions for curbing food loss and waste;
- (c) Resolution 4/4 on addressing environmental challenges through sustainable business practices;
 - (d) Resolution 4/18 on the poverty-environment nexus;
- (e) Resolution 4/20 on the fifth Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme V): delivering for people and the planet.
- 7. Member States also adopted the UNEP programme of work for the biennium 2020–2021 and launched the sixth *Global Environment Outlook* report.²

B. Big data initiative: World Environment Situation Room

8. Harnessing big data for sustainable development and humanitarian action has become a fundamental strategy of the United Nations, highlighting the need for transparent and open access to and use of data and indicators related to the Sustainable Development Goals and the environment at the country, regional and global levels. In that context, UNEP has launched a new online geospatial data platform, the World Environment Situation Room, with the goal of allowing users to monitor the status of the world environment. Information will be provided as satellite imagery, as geospatial, statistical and reported data and as observations, models, scenarios and story maps, with the latter including data accompanied by text, photos, graphs or films, and in the form of documentation and reports produced by UNEP. The initiative is coordinated by the Science Division of UNEP in close cooperation with all UNEP divisions and regional offices and the secretariats of multilateral environment agreements. In addition to participating in that initiative, during the first sessions of the coordinating group the Secretariat provided information related to the work of the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol. An initial version of the data platform has been integrated into the UNEP website and is undergoing further development.³

C. Cool Coalition

- 9. On 3 April 2019, the Cool Coalition was launched at the first Global Conference on Strengthening Synergies between the Paris Agreement and the 2030 Agenda for Sustainable Development, held in Copenhagen from 1 to 3 April. As economies grow in developing countries and global temperatures rise, the demand for energy associated with air-conditioning and refrigeration is expected to increase exponentially. The Cool Coalition is a new global effort to promote clean and efficient cooling, which can have a large positive impact on climate change, help to achieve sustainable development and save money. The coalition aims to inspire ambition and accelerate action on the transition to clean and efficient cooling. The Kigali Amendment serves as an important basis for inducing action to enhance energy efficiency while parties phase down hydrofluorocarbons.
- 10. The coalition includes leaders of Governments (including those of Chile, Denmark and Rwanda), industries, civil society, the research community, academia and intergovernmental institutions, and is led by UNEP, the Kigali Cooling Efficiency Programme and Sustainable Energy for All.

D. Appointment of the Executive Director of the United Nations Environment Programme

11. Following her nomination by the Secretary-General, on 20 February 2019, the General Assembly elected Inger Andersen (Denmark) to a four-year term as Executive Director of UNEP. Ms Andersen will assume her duties on 15 June 2019. Currently serving as Director-General of the

² Available at www.unenvironment.org/resources/global-environment-outlook-6.

 $^{^3}$ Available at https://environmentlive.unep.org/wesr/.

International Union for Conservation of Nature since 2015, Ms. Andersen has more than 30 years of experience in international development economics, environmental sustainability and policy-making. She previously held various leadership positions at the World Bank and the United Nations, most recently as Vice-President for the Middle East and North Africa region at the World Bank (2011–2015) and Vice-President for Sustainable Development and Head of the Consortium of International Agricultural Research Centres Fund Council (2010–2011).

II. Other secretariat activities

A. High-level political forum on sustainable development

- 12. The 2018 high-level political forum on sustainable development was held in July 2018 under the auspices of the Economic and Social Council on the theme "Transformation towards sustainable and resilient societies". The ministers and high-level representatives in attendance adopted a ministerial declaration in which they reaffirmed their commitment to effectively implementing the 2030 Agenda and stressed the need to urgently accelerate progress towards all targets, in particular those with a time frame of 2020.
- 13. The theme of the 2019 high-level political forum is "Empowering people and ensuring inclusiveness and equality". The Sustainable Development Goals to be examined from the perspective of that theme are Goals 4, 8, 10, 13, 16 and 17.⁴ The forum will be held from 9 to 18 July 2019 under the auspices of the Economic and Social Council, and include a three-day ministerial meeting to be held from 16 to 18 July.
- 14. In response to an invitation from the President of the Economic and Social Council, Inga Rhonda King, and in coordination with the presidents of the Conference of the Parties to the Vienna Convention and the Meeting of the Parties to the Montreal Protocol, the Executive Secretary submitted for consideration at the 2019 high-level political forum a document outlining the contributions of the Convention and the Protocol to achieving the Sustainable Development Goals to be reviewed in 2019 that are relevant to the work of the ozone treaties. The document is available on the website of the forum.⁵

B. Environment Management Group

- 15. The twenty-fourth meeting of senior officials of the Environment Management Group was held in September 2018. The Secretariat participated remotely in both the technical segment and the senior segment of the meeting, held on 17 and 24 September, respectively. At the technical segment, participants considered the progress reports of issue management groups working on e-waste, the environment and humanitarian action, environmental and social sustainability in the United Nations, nexus dialogues, the United Nations system-wide framework of strategies on the environment that had been adopted at the previous meeting, environmental sustainability management in the United Nations, the peer review of environmental management in United Nations entities, and promoting the progressive development of law for environmental sustainability. Participants in the senior segment focused on providing strategic direction for the future work of the Environment Management Group in the context of the implementation of the 2030 Agenda. They discussed key emerging environmental issues, including sand and dust storms, engaging the United Nations in the greening of the Belt and Road Initiative and building an e-waste coalition. They also heard updates on the post-2020 agendas for biodiversity and chemicals and on preparations for the fourth session of the United Nations Environment Assembly.
- 16. Since the previous note by the Secretariat, which provided information on the activities of the Environment Management Group (UNEP/OzL.Pro.30/INF/2), the Environment Management Group has held five additional nexus dialogues, namely, on law for environmental sustainability (Geneva, November 2018); environment, peace and security (Geneva, January 2019); sustainable infrastructure for the Sustainable Development Goals (Geneva, February 2019); sustainable food systems; and elevating electrics and electronics to the forefront of circular economy (the latter two were held in

⁴ Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all; Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all; Goal 10: Reduce inequality within and among countries; Goal 13: Take urgent action to combat climate change and its impacts; Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels; Goal 17: Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development.

⁵ See https://sustainabledevelopment.un.org/index.php?page=view&type=30022&nr=1815&menu=3170.

Nairobi in March 2019 in the margins of the fourth session of the United Nations Environment Assembly). Outcome documents of the nexus dialogues are available on the website of the Environment Management Group.⁶

C. Towards a global pact for the environment

- 17. The first two substantive sessions of the ad hoc open-ended working group established pursuant to General Assembly resolution 72/277 of 10 May 2018 were held in Nairobi from 14 to 18 January and from 18 to 20 March 2019, respectively.
- 18. At its first substantive session, the ad hoc open-ended working group considered the report that had been prepared by the Secretary-General in response to the resolution, entitled "Gaps in international environmental law and environment-related instruments: towards a global pact for the environment" (A/73/419). The delegates held a robust and wide-ranging discussion on the report and expressed a variety of opinions on the meaning of "gaps" and "environment-related instruments" and on the desirability or otherwise of codifying international environmental law. Concern was expressed that the process should not undermine or duplicate existing regulatory processes.⁷
- 19. At its second substantive session, the ad hoc open-ended working group's discussion focused on possible options to address possible gaps in international environmental law and environment-related instruments, as appropriate, informed by questions prepared intersessionally by the co-chairs. There was support for efforts to guarantee that the ad hoc open-ended working group did not undermine existing instruments, to ensure that the process would be based on existing relevant political declarations (including the Declaration of the United Nations Conference on the Human Environment (Stockholm Declaration), the Rio Declaration on Environment and Development and the outcome document of the United Nations Conference on Sustainable Development ("Rio+20 Declaration")), and to ensure that the work supported the implementation of the 2030 Agenda.
- 20. The discussion on the meaning of the word "gap" was once again wide-ranging, with some delegates noting that some "gaps" were often the deliberate result arising from difficult negotiations. Delegates also continued to discuss whether there was a need to codify or compile international environmental law and identified a number of options in that regard, including the negotiation of a new instrument for that purpose.
- 21. Many delegations agreed that the ad hoc open-ended working group should support the strengthening of governance of international environmental law, noting that a lack of coherence and cooperation among the instruments contributed to challenges in their implementation and failed to address the natural interdependence among ecosystems. However, there was broad agreement that any recommendation regarding governance should respect the independence of each instrument or body. Options to strengthen cooperation and synergies included calls by the General Assembly for increased cooperation and coordination with respect to multilateral environment agreements; for Member States that had not done so to ratify and effectively implement those agreements; for the creation of working groups to identify possible synergies to be explored by the relevant bodies in relation to those instruments; and the creation of a specific forum where representatives of relevant instruments and bodies could meet and coordinate.
- 22. Some delegations identified gaps in implementation, which could in turn constitute a key gap in international environmental law. Those included a lack of capacity-building, financial and technical resources and environmentally-friendly technologies; a lack of prioritization of political decisions; weak compliance mechanisms; and weak monitoring. Many delegations reaffirmed that the secretariats of the multilateral environmental agreements needed to be provided with sufficient means to support developing countries in implementing their obligations. The importance of compliance was underlined, with some delegations indicating their preference that it be addressed within the sphere of each multilateral environmental agreement rather through than a global compliance mechanism. Options proposed included strengthening the role of UNEP in identifying measures to ensure that developing countries receive the support that they need; recommending that the General Assembly

⁶ See https://unemg.org/our-work/supporting-the-sdgs/nexus-dialogues/.

⁷ The co-chairs' summary of the discussions of the first substantive sessions is available on the UNEP website at http://wedocs.unep.org/bitstream/handle/20.500.11822/27261/Oral%20summary.FINAL.pdf?sequence=124&isAl lowed=y.

⁸ The co-chairs' summary of the discussions of the second substantive sessions is available on the UNEP website at https://wedocs.unep.org/bitstream/handle/20.500.11822/27870/PGA_Letter-March2019.pdf?sequence=1&isAllowed=y.

look to best practices in public—private partnerships and the private sector to develop and promote environmentally sound initiatives; and strengthening the linkages between various scientific bodies.

23. The third and final substantive session of the ad hoc open-ended working group, scheduled to be held in Nairobi from 20 to 22 May 2019, is expected to consider draft recommendations and the draft report of the working group, for submission to the General Assembly. Delegates to the working group will have an opportunity to hold informal pre-sessional consultations with the co-chairs of the working group on 19 May. All related documentation will be available on the UNEP website.⁹

D. Cooperation with the secretariat of the International Plant Protection Convention

- 24. The Secretariat continues its cooperation with the secretariat of the International Plant Protection Convention on the basis of the memorandum of understanding signed between the two secretariats in 2012. In recent years, cooperation has involved the submission of comments in relation to methyl bromide by members of the Methyl Bromide Technical Options Committee on draft documents prepared by the Technical Panel on Phytosanitary Treatments that addressed the International Standards for Phytosanitary Measures, including standard 15, and occasional participation of the members of the Methyl Bromide Technical Options Committee in meetings of the Technical Panel on Phytosanitary Treatments.
- 25. In January 2019, the secretariat of the International Plant Protection Convention invited the Ozone Secretariat to prepare a written report on cooperation in respect of the Montreal Protocol and the International Plant Protection Convention for consideration by the Commission on Phytosanitary Measures at its fourteenth session, held in Rome from 1 to 5 April. In response, and in consultation with the co-chairs of the Methyl Bromide Technical Options Committee, the Secretariat submitted the requested report, which is posted on the website of the Convention as a pre-session document.¹¹

E. Strategic Approach to International Chemicals Management

- 26. Upon invitation from the secretariat of the Strategic Approach to International Chemicals Management, the Secretariat reviewed and provided input to and comments on a draft of the *Global Chemicals Outlook II* report. ¹² The report, prepared by the Chemicals and Health Branch of UNEP pursuant to resolution 2/7 of the United Nations Environment Assembly, addresses progress achieved in minimizing the adverse effects of chemicals and waste by 2020, a commitment made by countries at the World Summit on Sustainable Development in 2002. The overall message conveyed by the report is that the global goal to minimize the adverse impacts of chemicals and waste will not be achieved by 2020. Although solutions do exist, more ambitious worldwide action by all stakeholders is urgently required. While the full *Global Chemicals Outlook II* report is undergoing a final review, a synthesis report outlining the key findings was launched on 11 March 2019 in Nairobi during the fourth session of the Environment Assembly. ¹³
- 27. The third meeting of the Open-ended Working Group of the Strategic Approach to International Chemicals Management was held from 2 to 4 April in Montevideo. The Open-ended Working Group, inter alia, took stock of accomplishments made towards the sound management of chemicals and waste and discussed how the goals related to chemicals and waste could be fulfilled beyond 2020.

F. International Maritime Organization

28. In decision XXX/7, concerning the potential lack of available halons for the civil aviation industry in the upcoming decades to service aircraft being manufactured today, the parties to the Montreal Protocol requested the Secretariat to liaise with the secretariat of the International Maritime Organization (IMO) in order to facilitate an exchange of information between relevant technical experts regarding halon availability. The Secretariat did so in correspondence dated 10 December 2018, in which it also conveyed decision XXX/7. In the same decision, the parties requested the Technology and Economic Assessment Panel, through its Halons Technical Options Committee, to continue to engage with IMO and identify ways to enhance the recovery of halons from the breaking

⁹ See www.unenvironment.org/events/conference/towards-global-pact-environment.

 $^{^{10}\,}See\ www.ippc.int/static/media/uploads/mou_btwn_ozone_\&_ippc_signed.pdf.$

¹¹ Available at www.ippc.int/en/core-activities/governance/cpm/ (see CPM 2019/INF/04).

 $^{^{12}}$ Advance version available at www.unenvironment.org/explore-topics/chemicals-waste/what-we-do/policy-and-governance/global-chemicals-outlook.

¹³ Available at www.unenvironment.org/resources/report/global-chemicals-outlook-ii-legacies-innovative-solutions.

of ships. In connection with the meeting of the Halons Technical Options Committee on 28 February and 1 March 2019 at IMO headquarters, the co-chairs of the Committee held consultations with IMO representatives on the implementation of decision XXX/7 and subsequently informed the Secretariat that the decision had been included in the IMO documentation to be considered by the Marine Environment Protection Committee at its seventy-fourth session, to be held in London from 13 to17 May 2019.

G. Carbon offsetting for 2018

- 29. As part of its continuing efforts to maintain climate neutrality, the Secretariat has, for the fifth consecutive year, initiated the process to measure the greenhouse gas emissions created during the meetings held and operations conducted under the Montreal Protocol in the previous year (i.e., 2018).
- 30. The Secretariat will calculate the greenhouse gas emissions associated with travel to the meetings for all participants, including travel to assessment panel meetings and related operations in 2018.
- 31. Once the Secretariat determines its carbon footprint for 2018, it will offset that footprint through the United Nations online voluntary offsetting platform, ¹⁴ which is administered by the secretariat of the United Nations Framework Convention on Climate Change. The platform features projects certified by the secretariat of the Convention that reduce, avoid or remove greenhouse gas emissions from the atmosphere. The projects are implemented in developing countries.

H. World Ozone Day 2019

- 32. Pursuant to General Assembly resolution 49/114, the International Day for the Preservation of the Ozone Layer (World Ozone Day) is observed on 16 September of each year to commemorate the signing of the Montreal Protocol on 16 September 1987. The theme for World Ozone Day 2019 is "32 years and healing".
- 33. Given that 2019 marks the thirty-second year of the Montreal Protocol, the theme reflects that milestone but also our continuing efforts to heal the ozone layer. It highlights the Protocol's role in healing the ozone layer and its contribution to healing the planet through the mitigation of climate change, and signals that this contribution is increasing thanks to the Kigali Amendment.
- 34. The theme in the six official languages of the United Nations will be posted on the Secretariat website for wider dissemination, together with communication materials for parties to download and use in their commemorative activities. The message of the Secretary-General for World Ozone Day 2019 will be shared prior to the day for further dissemination.
- 35. The Secretariat will once again provide limited financial assistance to a few developing countries as a contribution towards the cost of organizing national activities to commemorate World Ozone Day.

III. Secretariat participation in relevant events from January to June 2019

36. Between January and July 2019, the Secretariat undertook or planned to undertake a number of missions, described below, to further the goals of the Montreal Protocol.¹⁵

A. Upcoming Montreal Protocol meetings

37. The Secretariat will organize the sixty-second meeting of the Implementation Committee under the Non-Compliance Procedure of the Montreal Protocol, to be held in Bangkok on 29 June 2019, along with the forty-first meeting of the Open-ended Working Group of the Parties to the Montreal Protocol, to be held at the same venue from 1 to 5 July.

B. Tenth meeting of the steering committee of the InforMEA knowledge management initiative

38. The Secretariat will participate in the tenth meeting of the steering committee of the InforMEA knowledge management initiative, to be held in Montreux, Switzerland, on 13 and 14 June 2019. The initiative, facilitated by UNEP, brings together entities involved in the implementation of multilateral

¹⁴ https://offset.climateneutralnow.org/.

¹⁵ The list includes events in which the Secretariat plans to participate and may be subject to change.

environmental agreements to develop harmonized information systems for the benefit of parties and the environmental community at large.

C. Fifty-sixth meeting of the Global Environment Facility Council

39. The Secretariat will participate in the fifty-sixth meeting of the Global Environment Facility Council, to be held in Washington DC from 10 to 13 June 2019.

D. Eighty-third meeting of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol

40. The Secretariat will participate in the eighty-third meeting of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol, to be held in Montreal, Canada, from 27 to 31 May 2019.

E. Consultations with senior officials of the Holy See

41. At the invitation of the Holy See, the Secretariat will hold consultations on the ratification of the Kigali Amendment with senior officials at the Vatican on 7 May 2019.

F. Meeting of the scientific advisory group on ozone and solar ultraviolet radiation

42. The Secretariat will participate in the meeting of the scientific advisory group on ozone and solar ultraviolet radiation, formed under the Global Atmosphere Watch programme of the World Meteorological Organization, to be held in Geneva from 6 to 9 May 2019.

G. Fourth meeting of the International Nitrogen Management System

43. The Secretariat will participate in the fourth meeting of the International Nitrogen Management System, to be held in Nairobi from 29 April to 2 May 2019.

H. Sixth annual meeting of international organizations

44. The Secretariat participated as a key speaker in a high-level panel discussion on the landscape and functioning of international rulemaking today, which took place at the sixth annual meeting on the contribution of international organizations to a rules-based international system, organized by the Organization for Economic Cooperation and Development and held in New York on 10 April 2019.

I. Meeting of the Technology and Economic Assessment Panel

45. The Secretariat participated in the annual meeting of the Technology and Economic Assessment Panel, held in Melbourne, Australia, from 8 to 12 April 2019.

J. International symposium on the unexpected increase in emissions of ozone-depleting CFC-11

46. The Secretariat helped to organize and participated in the international symposium on the unexpected increase in emissions of ozone-depleting trichlorofluoromethane (CFC-11), held in Vienna from 25 to 27 March 2019.

K. Workshop on capacity-building for the implementation of the Montreal Protocol

47. The Secretariat participated in a workshop on capacity-building for the implementation of the Montreal Protocol, held in Beijing on 18 and 19 March 2019.

L. Substantive sessions of the ad hoc open-ended working group established pursuant to General Assembly resolution 72/277

48. The Secretariat participated in the first and second substantive sessions of the ad hoc open-ended working group established pursuant to General Assembly resolution 72/277 (entitled "Towards a Global Pact for the Environment"), held in Nairobi from 14 to 18 January and from 18 to 20 March 2019, respectively. It will also participate in the third substantive session, to be held in Nairobi from 20 to 22 May.

M. Fourth session of the United Nations Environment Assembly

49. The Secretariat participated in the fourth session of the United Nations Environment Assembly, held in Nairobi from 11 to 15 March 2019.

N. Preparatory visit to Rome

50. On 4 and 5 March 2019, the Secretariat visited the headquarters of the Food and Agriculture Organization of the United Nations (FAO), where the Thirty-First Meeting of the Parties to the Montreal Protocol will be held from 4 to 8 November 2019, and held meetings with officials from FAO and the Government of Italy.

O. High-level event to celebrate the entry into force of the Kigali Amendment and the second annual strategy meeting of the Kigali Cooling Efficiency Programme

51. The Secretariat participated in a high-level event to celebrate the entry into force of the Kigali Amendment to the Montreal Protocol, held in Kigali on 28 January 2019 and organized by the Government of Rwanda in partnership with the Kigali Cooling Efficiency Programme and the Energy and Climate Branch of UNEP. The Secretariat also participated in the second annual strategy meeting of the Kigali Cooling Efficiency Programme, held at the same venue on 29 January.

P. Legislative consultation workshop for the Kigali Amendment

52. The Secretariat participated in a legislative consultation workshop for the Kigali Amendment, held in Ankara from 29 to 31 January 2019.

Q. Network meetings of national ozone officers

- 53. Representatives of the Secretariat participated in the second round of interregional thematic technical workshops and regional network meetings for national ozone officers, organized by UNEP under its OzonAction Compliance Assistance Programme and held in Paris from 17 to 20 February 2019.
- 54. At that meeting, the Secretariat presented updates on recent developments under the Montreal Protocol, focusing on the Kigali Amendment, the process and status of its ratification, the benefits of ratification and other key issues related to the Amendment. The Secretariat also addressed the status of compliance with the Montreal Protocol by parties in various regions and consulted bilaterally with parties, as part of which it offered advice on matters of interest.