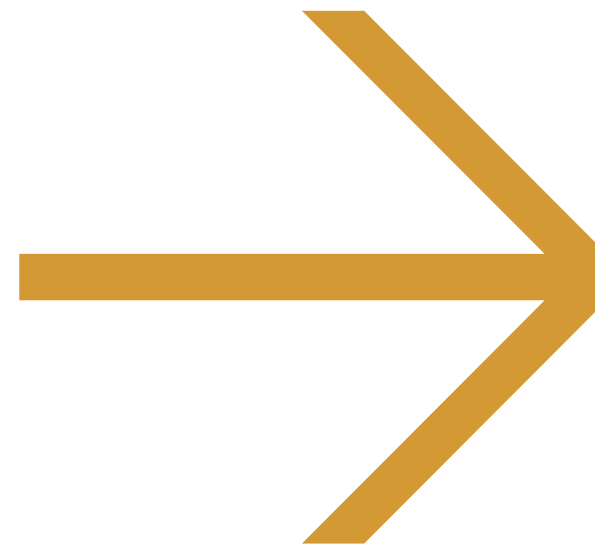


SUMMARY OF REPORTS OF THE MEETINGS OF THE PARTIES TO THE MONTREAL PROTOCOL ON EXEMPTIONS FOR THE CRITICAL USES OF METHYLBROMIDE FOR 2005 AND 2006





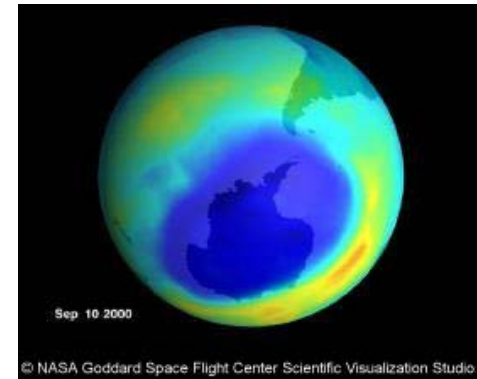
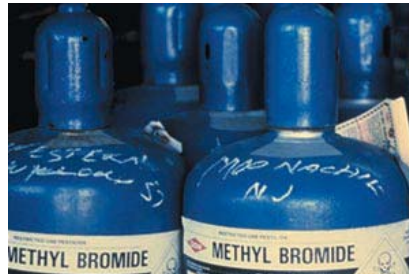
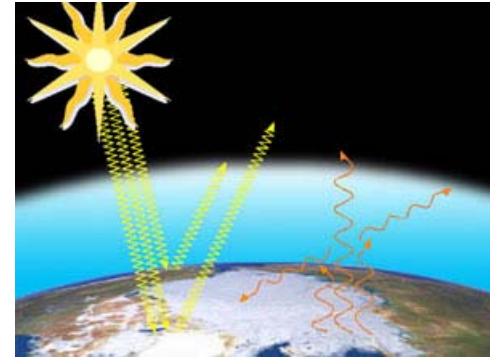
Contents

1. Short introduction on myself
2. What has happened in 2003 and 2004?
3. What will happen in the (near) future?





Short introduction on myself





Why did I become involved with methylbromide?

METHYL BROMIDE CRITICAL USE NOMINATION FOR Preplant Soil Use (OPEN FIELD OR PROTECTED ENVIRONMENT)

Nominating Party:

Brief descriptive Title of Nomination:

NOMINATING PARTY CONTACT DETAILS:

Contact Person: _____
Title: _____
Address (include
city/code numbers): _____

Telephone: _____
Fax: _____
E-mail: _____

Following the requirements of Decision IX/6 paragraph (a)(1) [*insert name of Party*] has determined that the specific use detailed in this Critical Use Nomination is critical because the lack of availability of methyl bromide for this use would result in a significant market disruption.

Yes No

Signature

Name

Date

Title: _____



Why did The Netherlands request a CUE?

Developed countries

1995: Freeze

1999: 25% reduction

2001: 50% reduction

2003: 70% reduction

2005: 100% reduction
(with possible CUE's)

Non-developed countries

2002: Freeze

2005: 20% reduction

2015: 100% reduction
(with possible CUE's)



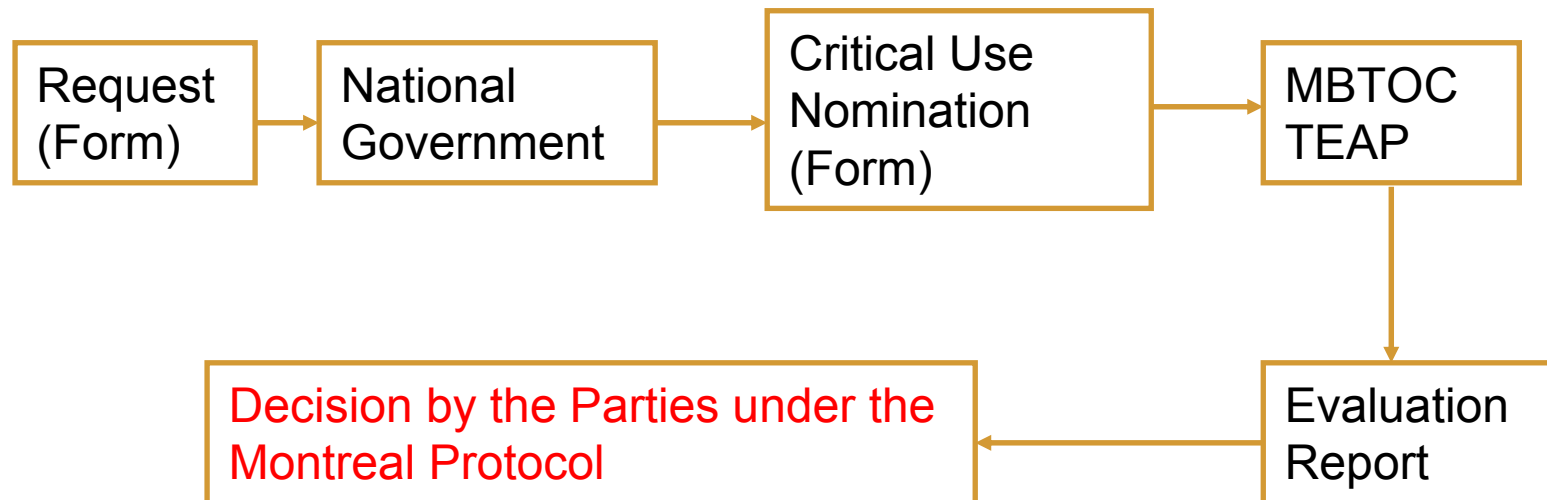
What are Critical Use Exemptions?

Decision IX/6

- The lack of availability of methylbromide for a use would result in a **significant market disruption**
- There are **no technically and economically feasible alternatives or substitutes available** to the user that are acceptable for the standpoint of environment and health and are suitable to the crops and circumstances of the situation



How do you receive a CUE?





How can MBTOC recommend my CUE?



NOT RECOMMENDED FOR APPROVAL



RECOMMENDED FOR APPROVAL (FULLY OR PARTIALLY)



UNABLE TO ASSESS



What kind of problems appeared in 2003 (1)?

May 2003 MBTOC/ TEAP Progress Report:

- Large nominated quantities, and many CUN's
- Some were exceeding 30 percent Party Baselevel
- Economic feasibility (threshold)
- Slow registration and market penetration of alternatives
- Proof of claims, difficult for MBTOC to verify (insufficient information, local circumstances, aggregation)
- Multiple year requests
- MBTOC sometimes unable to complete evaluation
- Unknown stockpiles
- Liberal interpretation of the criteria



What kind of problems appeared in 2003 (2)?

OEWG requested an updated report from TEAP/ MBTOC for consideration at MoP15

October 2003 TEAP/ MBTOC Supplementary Report:

- new categorie 'noted' (lack of data)
- limited explanations per nomination why it was recommended or not recommended



What kind of problems appeared in 2003 (3)?

Decision on Ozone Damaging Pesticide Deferred into 2004

Nairobi, 14 November 2003 - A decision on whether to grant so called Critical Use Exemptions for methyl bromide, the pesticide and ozone layer depleting chemical, was today deferred to next year.

Delegates attending meeting at the headquarters of the United Nations Environment Programme (UNEP) in Nairobi, Kenya, agreed that they needed more time to discuss the complex questions of how big such exemptions should be for developed world farmers.

The 'extraordinary meeting', to be hosted by UNEP in Montreal, Canada, in March 2004, continues the process towards a total phasing out of methyl bromide which began in 1996.

For More Information Please Contact Nick Nuttall, UNEP Head of Media, on Tel: 254 20 623084, Mobile: 254 (0) 733 632755, E-mail: nick.nuttall@unep.org or go to www.unep.org



What happened in 2004?

Februari 2004 TEAP/ MBTOC Supplementary Report:

- Liberal approach
- Benefit of the doubt granted to nominating Party

**First Extraordinary Meeting of the Parties
in the history of the Montreal Protocol!!**



What were the results of the ExMoP?

Methyl bromide approved for temporary uses

Montreal, 26 March 2004 – An intergovernmental meeting here on the Montreal Protocol on Substances that Deplete the Ozone Layer has granted limited “critical use exemptions” to 11 developed countries facing a year-end deadline for phasing out methyl bromide.

The exemptions are intended to give farmers, fumigators and other users of methyl bromide some additional time to adopt cost-effective substitutes for this ozone-destroying pesticide, which is used to eliminate pests in such crops as tomatoes, strawberries, melons, peppers, cucumbers and flowers.

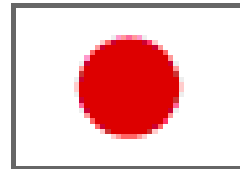
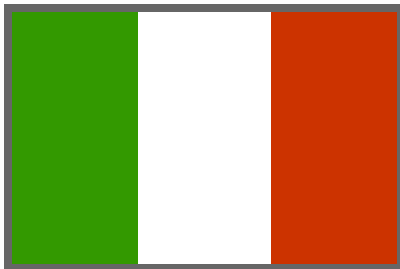
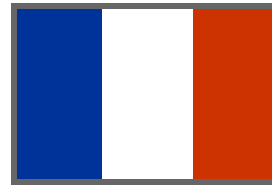
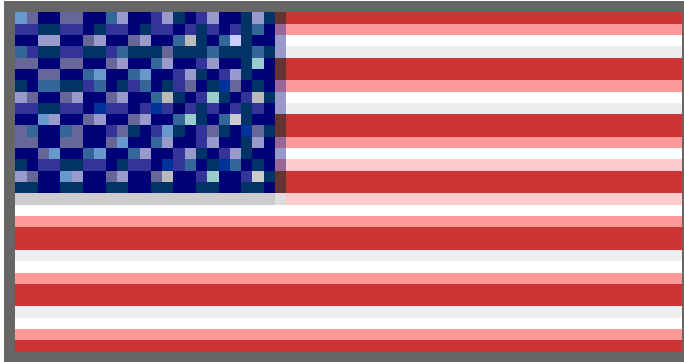
“The high demand for exemptions to the methyl bromide phase out shows that governments and the private sector will have to work much harder to speed up the development and spread of ozone-friendly replacements,” said **Executive Director Klaus Toepfer of the United Nations Environment Programme**.

“The best way for governments to protect the integrity of the Montreal Protocol – one of the most successful and important international treaties ever adopted – is to send a powerful signal to both producers and users that methyl bromide does not have a future,” he said.

For more information, please contact conference press officer Michael Williams +41-79-409-1528 or michael.williams@unep.ch; UNEP Spokesman Eric Falt at +254-2-62-3292, +254-733-682656 (cell) or eric.falt@unep.org; or Head of Media Nick Nuttall at +254-2-62-3084, +254-733-632755 (cell) or nick.nuttall@unep.org. See also www.unep.org/ozone/.



Which countries were granted CUE's?





What were deciding factors at ExMoP?

- CUE's in excess of permitted levels → Stocks!
- Multi year exemptions not agreed
- Maintain a science/ technical driven CUE process (no horse trading)
- Downward trend
- Conditions for granting and reporting CUE's
- Improvement of the CUE process



Which conditions will help reducing CUE's?

Development of Methyl Bromide Alternatives Database (2005)

Submission of National Management Strategies for phasing out MB (2006)

Summaries of nominations on website Ozon Secretariat
Actions for TEAP (2005)



How can the CUE process be improved further (1)?

Review of MBTOC working procedures:

- Improved schedule for assessment
- Improved exchange of information between nominating Party and MBTOC
- Representation of skills and expertise in MBTOC
- Increased assistance role of Ozone Secretariat
- Annual workplan



How can the CUE process be improved further (2)?

Further guidance on criteria for the evaluation of CUE's:

- Economic feasibility
- Individual circumstances
- Similar circumstances
- Market penetration of alternatives



What else is happening?

Protecting the ozone layer: Commission takes legal action against nine Member States

The European Commission has sent first written warnings to nine Member States that have not informed the Commission about what they have done to limit the use of the pesticide methyl bromide. (Rapid, 9 July)

Questions on methyl bromide talks to be raised at House hearing (E&E, 19 juli)

Update: (09/09/04) EPA receives request for hearing on methyl bromide critical use exemption proposed rule... hearing to be held 9/20.

Process for Exempting Critical Uses From the Phaseout of Methyl Bromide; Request for Information on Existing and Available Stocks of Methyl Bromide; Proposed Rule and Notice (Federal Register, August 25)

Stockpiling of Methyl Bromide challenged in Court (ENS, 6 August)



When will the Parties under the Montreal Protocol meet again?



**22-26 November 2004, 16th Meeting of the Parties,
Prague**



The future (and the end) of the CUE process?

- Improve CUE process (efficiency, fairness, transparency)
- Increase pressure on governments and companies/ farmers to speed up the process of phasing out methylbromide
- Follow the example of the developing countries in their efforts to phase out methyl bromide
- Look back in time and conclude that the Lisbon Conference was the last and **no more conferences on methyl bromide alternatives are needed!!**



Thank you for your attention!!

More information: martijn.hildebrand@minvrom.nl

