Draft decisions for the consideration of the Twenty-Fifth Meeting of the Parties to the Montreal Protocol

Note by the secretariat

I. Introduction

1. Chapter II of the present note sets out draft decisions developed by parties and contact groups comprising parties established during the thirty-third meeting of the Open-ended Working Group of the Parties to the Montreal Protocol. The square brackets placed around the full set of decisions are intended to indicate that the Working Group did not reach consensus on any of the draft decisions. In addition, many of the draft decisions contain square brackets around text within the decisions, indicating that, during the initial discussions, some parties had raised concerns or had alternative proposals relating to that text. The Working Group agreed, however, that all the draft decisions should be forwarded to the Twenty-Fifth Meeting of the Parties in the state which they had reached by the conclusion of the Working Group meeting for further consideration. The Working Group also agreed that further work could be undertaken intersessionally on several of the draft decisions. Consequently, it is possible that additional iterations of some of the proposals will be prepared before the Twenty-Fifth Meeting of the Parties. To ensure that parties are able to consider the most up-to-date versions of the draft decisions, the Ozone Secretariat will post on its website any updated texts that it receives. If necessary it will also issue an addendum to the present note prior to the Twenty-Fifth Meeting of the Parties setting forth any such texts.

2. Chapter III of the present note sets out draft decisions prepared by the Secretariat pertaining to administrative matters related to the Montreal Protocol. The parties have historically adopted decisions on such matters at their annual meetings, filling in information as needed.

3. The proposed amendments to the Montreal Protocol that were submitted by the Federated States of Micronesia and by Canada, Mexico and the United States of America pursuant to Article 9 of the Vienna Convention and paragraph 2 of Article 10 of the Montreal Protocol can be found in documents UNEP/OzL.Pro.25/5 and UNEP/OzL.Pro.25/6, respectively.
II. Draft decisions submitted by parties and/or emanating from contact groups during the thirty-third meeting of the Open-ended Working Group for consideration by the Twenty-Fifth Meeting of the Parties

[A. Draft decision XXV/[A]: Essential-use exemption for chlorofluorocarbon-113 for aerospace applications in the Russian Federation

Submission by the Russian Federation

The Twenty-Fifth Meeting of the Parties decides:

Noting the evaluation and recommendation of the Technology and Economic Assessment Panel and its Chemicals Technical Options Committee on the essential use nomination for chlorofluorocarbon-113 for aerospace applications,

Noting also that the Russian Federation continues to explore the possibility of importing chlorofluorocarbon-113 for its aerospace industry needs from available global stocks,

Noting further that the Russian Federation has been successful in reducing use and emissions in line with the technical adaptation timetable developed in collaboration with the Chemicals Technical Options Committee,

1. To authorize the levels of production and consumption of chlorofluorocarbon-113 in the Russian Federation for essential-use exemptions for chlorofluorocarbons in its aerospace industry in the amount of 85 metric tonnes in 2014;

2. To request the Russian Federation to explore further the possibility of importing chlorofluorocarbon-113 for its aerospace industry needs from available global stocks;

3. To encourage the Russian Federation to continue its efforts to introduce alternative solvents and adopt newly designed equipment, with a view to completing the phase-out of chlorofluorocarbon-113 by 2016.

B. Draft decision XXV/[B]: Essential-use nominations for controlled substances for 2014

Submission by China and the Russian Federation

The Twenty-Fifth Meeting of the Parties decides:

Noting with appreciation the work done by the Technology and Economic Assessment Panel and its Medical Technical Options Committee,

Mindful that, according to decision IV/25, the use of chlorofluorocarbons for metered-dose inhalers does not qualify as an essential use if technically and economically feasible alternatives or substitutes are available that are acceptable from the standpoint of environment and health,

Noting the Panel’s conclusion that technically satisfactory alternatives to chlorofluorocarbon-based metered-dose inhalers are available for some therapeutic formulations for treating asthma and chronic obstructive pulmonary disease,

Taking into account the Panel’s analysis and recommendations for essential-use exemptions for controlled substances for the manufacture of metered-dose inhalers used for asthma and chronic obstructive pulmonary disease,

Welcoming the continued progress of several parties operating under paragraph 1 of Article 5 in reducing their reliance on chlorofluorocarbon-based metered-dose inhalers as alternatives are developed, receive regulatory approval and are marketed for sale,

1. To authorize the levels of production and consumption for 2014 necessary to satisfy essential uses of chlorofluorocarbons for metered-dose inhalers for asthma and chronic obstructive pulmonary disease, as specified in the annex to the present decision;

2. To request nominating parties to provide the Medical Technical Options Committee with information to enable the assessment of essential-use nominations, in accordance with the criteria
contained in decision IV/25 and subsequent relevant decisions, as set out in the handbook on essential-use nominations;

3. To encourage parties with essential-use exemptions in 2014 to consider initially sourcing required pharmaceutical-grade chlorofluorocarbons from stockpiles where they are available and accessible, provided that such stockpiles are used subject to the conditions established by the Meeting of the Parties in paragraph 2 of its decision VII/28;

4. To encourage parties with stockpiles of pharmaceutical-grade chlorofluorocarbons potentially available for export to parties with essential-use exemptions in 2014 to notify the Ozone Secretariat of those quantities and to provide it with the details of a contact point by 31 December 2013;

5. To request the Secretariat to post on its website details of the potentially available stocks referred to in paragraph 4 of the present decision;

6. That parties listed in the annex to the present decision shall have full flexibility in sourcing the quantity of pharmaceutical-grade chlorofluorocarbons to the extent required for manufacturing metered-dose inhalers, as authorized in paragraph 1 of the present decision, from imports, from domestic producers or from existing stockpiles;

7. To request that parties consider domestic regulations to ban the launch or sale of new chlorofluorocarbon-based metered-dose inhaler products, even if such products have been approved;

8. To encourage parties to fast-track their administration processes for the registration of metered-dose inhaler products in order to speed up the transition to chlorofluorocarbon-free alternatives.

Annex to decision XXV/[…]

Essential-use authorizations for 2014 of chlorofluorocarbons for metered-dose inhalers

(Metric tonnes)

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C. Draft decision XXV/[C]: Report by the Technology and Economic Assessment Panel on information on alternatives to ozone-depleting substances (decision XXIV/7, paragraph 1)

Submission by Canada, Mexico, Morocco, Switzerland and the United States of America

The Twenty-Fifth Meeting of the Parties decides:

Noting with appreciation volume 2 of the 2013 progress report of the Technology and Economic Assessment Panel, which responded to decision XXIV/7,

1. To request the Technology and Economic Assessment Panel to undertake, for the thirty-fourth meeting of the Open-ended Working Group, an assessment of the technical and economic considerations involved in:

   (a) Implementing a global phase-down of hydrofluorocarbons, taking into account options for baselines and reduction steps, and their relative environmental impacts and costs;

   (b) Implementing hydrofluorocarbon-23 by-product control measures related to the production of hydrochlorofluorocarbon-22 in production lines that are not covered under a Clean Development Mechanism project, including associated environmental impacts and costs;

2. To invite parties to provide to the Ozone Secretariat information on reporting systems, policies and initiatives that are related to promoting the transition of ozone-depleting substances towards alternatives that minimize other impacts on the environment and, in particular, the climate, by 1 March 2014, and to request the Ozone Secretariat to compile submissions received for consideration at the thirty-fourth meeting of the Open-ended Working Group;

3. To request the Executive Committee of the Multilateral Fund to consider the information provided in the report on additional information on alternatives to ozone-depleting
substances prepared by the Technology and Economic Assessment Panel pursuant to decision XXIV/7 and other related reports, with a view to considering:

(a) Whether additional demonstration projects to validate emerging low-global-warming-potential alternatives and technologies, and technologies to control by-product emissions, would be useful in assisting parties operating under paragraph 1 of Article 5 in further minimizing the climate impact of the hydrochlorofluorocarbon phase-out;

(b) The cost implications of avoiding, to the extent possible, transition to high-global-warming-potential alternatives and technologies in stage II hydrochlorofluorocarbon phase-out management plans.

D. Draft decision XXV/[D]: Operation and organization of the Technology and Economic Assessment Panel

Submission by Australia and the United States of America

The Twenty-Fifth Meeting of the Parties decides:

Taking note of decision XXIV/8, which updated the terms of reference for the Technology and Economic Assessment Panel,

Taking note also of the information provided by the Technology and Economic Assessment Panel in volume 3 of its 2013 progress report,

Recognizing that the Technology and Economic Assessment Panel has commenced implementation of its revised terms of reference as approved by the parties in decision XXIV/8,

Recognizing also the need to consider adjustments to the technical options committees so as to reflect evolving workloads, the need for relevant expertise, and the requirements of the parties,

1. To encourage the Technology and Economic Assessment Panel to continue its implementation of the revised terms of reference as approved by the parties in decision XXIV/8;

2. To request the Technology and Economic Assessment Panel to provide the following information in its 2014 progress report:

(a) An update on its processes for the nomination of members to its technical options committees, taking into account section 2.2.2 of its terms of reference;

(b) Its proposed configuration (for example, the combination or division of existing technical options committee, or maintaining the status quo) of the technical options committees from 1 January 2015;

(c) Options, if considered appropriate, to streamline the Panel’s annual technology updates to the parties.

E. Draft decision XXV/[E]: Membership changes on the Technology and Economic Assessment Panel

Submission by Australia, Brazil, Colombia, Morocco and the Russian Federation

The Twenty-Fifth Meeting of the Parties decides:

To endorse the reappointment of:

(a) Ms. Helen Tope of Australia to the Technology and Economic Assessment Panel as co-chair of the Medical Technical Options Committee for a term of four years in accordance with section 2.3 of the terms of reference of the Panel;

(b) Mr. Ian Porter of Australia to the Technology and Economic Assessment Panel as co-chair of the Methyl Bromide Technical Options Committee for a term of four years in accordance with section 2.3 of the terms of reference of the Panel;

(c) Mr. Roberto Peixoto of Brazil to the Technology and Economic Assessment Panel as co-chair of the Refrigeration, Air Conditioning and Heat Pumps Technical Options Committee for a term of four years in accordance with section 2.3 of the terms of reference of the Panel;
(d) Ms. Marta Pizano of Colombia to the Technology and Economic Assessment Panel as co-chair of the Methyl Bromide Technical Options Committee for a term of four years in accordance with section 2.3 of the terms of reference of the Panel;

(e) Mr. Miguel Wenceslao Quintero of Colombia to the Technology and Economic Assessment Panel as co-chair of the Flexible and Rigid Foams Technical Options Committee for a term of four years in accordance with section 2.3 of the terms of reference of the Panel;

(f) Mr. Mohamed Besri of Morocco to the Technology and Economic Assessment Panel as co-chair of the Methyl Bromide Technical Options Committee for a term of four years in accordance with section 2.3 of the terms of reference of the Panel;

(g) Mr. Sergey Kopylov of the Russian Federation to the Technology and Economic Assessment Panel as co-chair of the Halons Technical Options Committee for a term of four years in accordance with section 2.3 of the terms of reference of the Panel.

F. Draft decision XXV/[F]: Additional [voluntary] funding for the Multilateral Fund to maximize the climate benefit [of the accelerated phase-out of hydrochlorofluorocarbons]

Submission by the contact group

The Twenty-Fifth Meeting of the Parties decides:

Recalling that decision XIX/6 encourages parties to promote the selection of alternatives to hydrochlorofluorocarbons that minimize environmental impacts, in particular impacts on climate, as well as meeting other health, safety and economic considerations,

Recalling that decision XIX/6 requests that the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol, when developing and applying funding criteria for projects and programmes for the accelerated phase-out of hydrochlorofluorocarbons, gives priority to cost-effective projects and programmes that focus on, inter alia, substitutes and alternatives that minimize other impacts on the environment, including on the climate, taking into account global-warming potential, energy use and other relevant factors,

Recalling that, in the guidelines for the preparation of hydrochlorofluorocarbon phase-out management plans adopted by the Executive Committee at its fifty-fourth meeting, the Committee encouraged countries and agencies to explore potential financial incentives and opportunities for additional resources to maximize the environmental benefits of hydrochlorofluorocarbon phase-out management plans in accordance with subparagraph 11 (b) of decision XIX/6,

Noting that paragraph 2 of article 10 of the Montreal Protocol stipulates that the mechanism established under paragraph 1 shall include a Multilateral Fund and that it may also include other means of multilateral, regional and bilateral cooperation,

[Recalling that Article 10 of the Montreal Protocol enables…]

[Noting that donors do not impose any conditions for their contributions…..]

1. To request the Executive Committee to consider the means for [receiving and] managing voluntary contributions that are made independently of [or] [and] in addition to pledged contributions to the Multilateral Fund on a trial basis for a period of [three] [four] [one] year[s];

2. To [invite] [urge] parties [not operating under paragraph 1 of Article 5] [which have paid their contributions to the Multilateral Fund in full and in time] [or other entities] [organizations and multilateral and/or financial institutions], to provide on a voluntary basis, [without specific conditions], [unconditional] new and additional financial resources to the Multilateral Fund:

(option 1) for the purposes of maximizing environment benefits [of the accelerated phase-out of hydrochlorofluorocarbons] other than ozone layer protection, in particular in respect of the climate, from Multilateral Fund activities beyond and outside current funding eligibility under the terms of reference and policies of the Multilateral Fund;

(option 2) for the purposes of maximizing climate benefits [of the accelerated phase-out of hydrochlorofluorocarbons] [from Multilateral Fund activities] beyond and outside current funding eligibility under the terms of reference and policies of the Multilateral Fund;

(option 3) for activities that maximize climate benefits [including but not limited to activities in hydrochlorofluorocarbon phase-out management plans that exceed funding eligible under
3. To further request the Executive Committee:

(a) To consider the respective reports of the implementation agencies that had to be submitted at its sixty-ninth meeting, including the elements and conditions relating to resource mobilization in respect of which the Executive Committee required clarification;

(b) To evaluate these reports on resource mobilization and consolidate its recommendations on the way forward for a cost-effective resource mobilization that benefits climate mitigation;

(c) To develop guidelines for the management of such additional voluntary funding, including an evaluation of its operation during the trial period.

[3. bis To request the Executive Committee to undertake the 2013 review of the principles related to eligible incremental costs of hydrochlorofluorocarbon phase-out projects with a view to increasing the availability of funding to projects for the introduction of low-global-warming-potential alternatives above the cost effectiveness threshold whenever needed.]

4. To request the Executive Committee to report to the Twenty-Sixth Meeting of the Parties on the progress made with regard to the present decision;

5. To confirm that any voluntary contributions received from parties not operating under paragraph 1 of Article 5 shall [be new [and additional]] and shall not affect any current [or future] [obligations] [pledges] of those parties to provide stable and sufficient funding for parties operating under paragraph 1 of Article 5 to comply with their [accelerated] hydrochlorofluorocarbon phase-out obligations under the Montreal Protocol according to decision XIX/6.

[5 (alt) To confirm that any such voluntary contributions by parties [not operating under paragraph 1 of Article 5] shall be new and additional to and shall not affect [any current or future obligations of those parties] [the regular contributions made by these parties] to the Multilateral Fund to provide stable and sufficient funding for parties operating under paragraph 1 of Article 5 to comply with their [accelerated] hydrochlorofluorocarbon phase-out obligations under the Montreal Protocol according to decision XIX/6.]

[5. bis To confirm that any such voluntary contributions [from parties not operating under paragraph 1 of Article 5] will be [new, additional] and independent of the regular contributions made to the Multilateral Fund as part of the regular replenishment process.]

G. Draft decision XXV/[G]: Funding of production facilities for hydrochlorofluorocarbons

Submission by Argentina and India

[The Twenty-Fifth Meeting of the parties decides:

Recalling decision XIX/6, which states that funding through the Multilateral Fund for the Implementation of the Montreal Protocol shall be stable and sufficient to meet all agreed incremental costs so as to enable parties operating under paragraph 1 of Article 5 of the Montreal Protocol to comply with the accelerated phase-out schedule for hydrochlorofluorocarbons for both the production and consumption sectors,

Noting that decision XIX/6 was agreed to by parties operating under paragraph 1 of Article 5 of the Montreal Protocol only after consensus had been reached that they would receive sufficient funding for both production and consumption sector phase-out without any specified exclusions,

Recognizing that the first control measures on hydrochlorofluorocarbons for parties operating under paragraph 1 of Article 5 of the Montreal Protocol have already come into force with a freeze at the baseline level in 2013 and a 10 per cent reduction from the baseline in 2015,

Recognizing also and appreciating that certain parties operating under paragraph 1 of Article 5, through their proactive regulatory measures in respect of hydrochlorofluorocarbon production, long before the control measures under decision XIX/6 became effective, have prevented an enormous amount of potential ozone-depleting substance production by regulating hydrochlorofluorocarbon capacity build-up,
Concerned that, although more than five years have passed since the adoption of decision XIX/6, the funding for the phase-out of hydrochlorofluorocarbon production for these parties has still not been finalized,

Noting that certain parties operating under paragraph 1 of Article 5 of the Montreal Protocol that have hydrochlorofluorocarbon production facilities might be at risk of being in non-compliance with the accelerated phase-out obligations if adequate assistance is not provided through the Multilateral Fund,

1. To confirm the intent of decision XIX/6 to provide stable and sufficient funding through the Multilateral Fund to meet all agreed incremental costs for accelerated hydrochlorofluorocarbon production phase-out for all parties operating under paragraph 1 of Article 5 of the Montreal Protocol, including parties that have swing plants;

2. To urge the Executive Committee of the Multilateral Fund to finalize and approve, as a priority, the funding of hydrochlorofluorocarbon production facilities and initiate the technical audit for production facilities for parties that have swing plants;

3. To request the Executive Committee of the Multilateral Fund, while finalizing the production sector funding for these parties, to also take into consideration any proactive regulatory actions taken by parties operating under paragraph 1 of Article 5 of the Montreal Protocol to restrict production of hydrochlorofluorocarbons in their countries ahead of the relevant phase-out schedule, leading to a significant reduction in ozone-depleting substances and to other environmental benefits.


Submission by the contact group

The Twenty-Fifth Meeting of the Parties decides:

Recalling the parties’ decisions on previous terms of reference for studies on the replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol,

Recalling also the parties’ decisions on previous replenishments of the Multilateral Fund,

1. To request the Technology and Economic Assessment Panel to prepare a report for submission to the Twenty-Sixth Meeting of the Parties, and to present it through the Open-ended Working Group at its thirty-fourth meeting, to enable the Twenty-Sixth Meeting of the Parties to take a decision on the appropriate level of the 2015–2017 replenishment of the Multilateral Fund;

2. That, in preparing the report referred to in the preceding paragraph, the Panel should take into account, among other things:

   (a) All control measures and relevant decisions agreed upon by the parties to the Montreal Protocol and the Executive Committee, in particular those related to the special needs of low-volume and very-low-volume-consuming countries, and decisions agreed upon by the Twenty-Fifth Meeting of the Parties and the Executive Committee at its seventieth and seventy-first meetings insofar as those decisions will necessitate expenditure by the Multilateral Fund during the period 2015–2017;

   (b) The need to allocate resources to enable all parties operating under paragraph 1 of Article 5 of the Montreal Protocol to maintain compliance with Articles 2A–2E, 2G and 2I of the Protocol;

   (c) The need to allocate resources to enable all parties operating under paragraph 1 of Article 5 to maintain or meet 2013, 2015 and 2020 compliance obligations in respect of Articles 2F and 2H of the Protocol, taking into account the extended commitment provided by parties operating under paragraph 1 of Article 5 under approved hydrochlorofluorocarbon phase-out management plans;

   [(d) [The assessment of the necessity of progressively increasing [or decreasing] the funding needed to achieve the 2020 target applicable to hydrochlorofluorocarbon consumption and production and] The possibility of dividing the funding related to the 2020 target applicable to hydrochlorofluorocarbon consumption [and production] [equally] [in an appropriate manner] between the 2015–2017 and 2018–2020 replenishments, and to address funding related to the 2020 target applicable to hydrochlorofluorocarbon production after 2017];

   (e) Rules and guidelines agreed upon by the Executive Committee at all meetings, up to and including its seventy-first meeting, for determining eligibility for the funding of investment
projects and non-investment projects, [including institutional strengthening], measures to combat illegal trade and sectoral phase-out plans], measures to manage banks of ozone-depleting substances and ozone-depleting-substance destruction projects;

[(f) The impact that the international market, ozone-depleting substance control measures and country phase-out activities are likely to have on the supply of and demand for ozone-depleting substances, the corresponding effects on the price of ozone-depleting substances and the resulting incremental costs of investment projects during the period under review;]

[(g) The lessons learned by] [difficulties] [challenges to be faced by] [large], medium-sized and small enterprises in the parties operating under paragraph 1 of Article 5 beyond 2015, and the resulting incremental costs of conversion activities for those enterprises [, while at the same time taking into account economies of scale and lessons learned;]

[[(h) To develop a dynamic model for the adjustment] [The necessary] [increase] [decrease] [stability] of the cost-effectiveness thresholds for the phase-out of hydrochlorofluorocarbons with a view to maximizing [climate benefits in the context of sustainable development] [social, economic and environmental benefits, including in respect of climate] [, taking into consideration necessary safety measures] in order to [prevent the phase-in of high-global-warming-potential hydrofluorocarbons] [promote the use of climate-friendly alternatives] while meeting compliance obligations in relation to hydrochlorofluorocarbons]. [As a separate element to the funding requirement estimated in paragraph 2 of the present decision, the Panel should provide indicative figures for additional resources that would be needed to enable parties operating under paragraph 1 of Article 5 to address potential compliance obligations regarding hydrofluorocarbon phase-down, in particular as stipulated in the amendment proposal submitted in 2013 by Canada and the United States of America for consideration by the Twenty-Fifth Meeting of the Parties];]

[[[2 bis] As a separate element to the funding requirement estimated in paragraph 2 of the present decision, the Panel should provide indicative figures for additional resources that would be needed to enable parties operating under paragraph 1 of Article 5 to [promote the use of climate-friendly alternatives while meeting compliance obligations in relation to hydrochlorofluorocarbons] [maximize environmental benefits including in respect of climate, taking into consideration necessary safety measures for the phase-out of hydrochlorofluorocarbons] [address potential compliance obligations regarding hydrofluorocarbon phase-down, in particular as stipulated in the amendment proposal submitted in 2013 by Canada and the United States of America for consideration by the Twenty-Fifth Meeting of the Parties];]]

[[[2 bis alt] To develop a dynamic model for the adjustment] [The necessary] [increase] [decrease] [stability] of the cost-effectiveness thresholds for the phase-out of hydrochlorofluorocarbons with a view to maximizing [climate benefits in the context of sustainable development] [social, economic and environmental benefits, including with in respect of climate] [, taking into consideration necessary safety measures] [] in order to prevent the phase-in of high-global-warming-potential hydrofluorocarbons while meeting compliance obligations in relation to hydrochlorofluorocarbons]. [As a separate element to the funding requirement estimated in paragraph 2 of the present decision, the Panel should provide indicative figures for additional resources that would be needed to enable parties operating under paragraph 1 of Article 5 to address potential compliance obligations regarding hydrofluorocarbon phase-down, in particular as stipulated in the amendment proposal submitted in 2013 by Canada and the United States of America for consideration by the Twenty-Fifth Meeting of the Parties];]]

3. That, in preparing the report referred to above, the Panel should consult widely all relevant persons and institutions and other relevant sources of information deemed useful;

4. That the Panel shall strive to complete the report referred to above in time to enable it to be distributed to all parties two months before the thirty-fourth meeting of the Open-ended Working Group;

5. That the Panel should provide indicative figures for the periods 2018-2020 and 2021-2023 to support a stable and sufficient level of funding, on the understanding that those figures will be updated in subsequent replenishment studies.
I. Draft decision XXV/[I]: Implementation of the Montreal Protocol with regard to the small island developing States*

Submission by Grenada, Mauritius, Saint Lucia and Trinidad and Tobago

The Twenty-Fifth Meeting of the Parties decides:

Recalling that, of the 197 parties to the Montreal Protocol, 39 are recognized by the United Nations as small-island developing States,

Noting that the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, recognized in its outcome document, “The future we want”, that the phase-out of ozone-depleting substances was resulting in a rapid increase in the use and release of high-global-warming-potential hydrofluorocarbons to the environment,

Recognizing decision XIX/6, in which the parties agreed to accelerate the phase-out of hydrochlorofluorocarbons and encouraged parties to promote the selection of alternatives to them that minimized environmental impacts, in particular impacts on climate, as well as meeting other health, safety and economic considerations,

Noting that the outcome document of the United Nations Conference on Sustainable Development reaffirmed that small island developing States remained a special case for sustainable development in view of their unique and particular vulnerabilities, including their small size, remoteness, narrow resource and export base, and exposure to global environmental challenges and external economic shocks,

To request the Ozone Secretariat to liaise with the organizers of the Third International Conference on Small Island Developing States, to be held in Apia from 1 to 4 September 2014, with a view to suggesting the inclusion on its agenda of an item related to challenges associated with the implementation of the Montreal Protocol by small island developing States, and to report to the parties on the outcome of that liaison at the thirty-fourth meeting of the Open-ended Working Group.

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* Title adjusted from the original “Third International Conference on Small Island Developing States and implementation of the Montreal Protocol” to make it consistent with the scope, purpose and content of the draft decision.

J. Draft decision XXV/[J]: Proposed amendments to the Montreal Protocol

Submission by Canada, Mexico and the United States of America

[The Twenty-Fifth Meeting of the Parties decides:

Recalling the outcome of the United Nations Conference on Sustainable Development, in which countries expressed their support for a gradual phase-down in the consumption and production of hydrofluorocarbons,

Recognizing the high global-warming potential of hydrofluorocarbons that have come into use as substitutes for substances being phased out under the Montreal Protocol,

Bearing in mind the commitments in Articles 4 and 12 of the United Nations Framework Convention on Climate Change and in Articles 2, 5, 7 and 10 of its Kyoto Protocol that apply to greenhouse gases not controlled by the Montreal Protocol, and not intending to exclude hydrofluorocarbons from the scope of those commitments,

To adopt, in accordance with the procedure laid down in paragraph 4 of Article 9 of the Vienna Convention, the amendment to the Montreal Protocol related to hydrofluorocarbons as set out in annex […] to the report of the Twenty-Fifth Meeting of the Parties, on the basis of the following considerations:

(a) For parties not operating under paragraph 1 of Article 5 of the Montreal Protocol, to select as the baselines for hydrofluorocarbon consumption and hydrofluorocarbon production, respectively, the average of 2008–2010 hydrofluorocarbon consumption plus 85 per cent of hydrochlorofluorocarbon consumption, and the average of 2008–2010 hydrofluorocarbon production plus 85 per cent of hydrochlorofluorocarbon production, calculated using the global-warming

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1 “The future we want”, para. 222.
2 Ibid., para. 178.
potentials of hydrofluorocarbons and hydrochlorofluorocarbons contained in the annex to the present decision;

(b) For parties operating under paragraph 1 of Article 5 of the Montreal Protocol, to select as the baselines for hydrofluorocarbon consumption and hydrofluorocarbon production, respectively, 90 per cent of the average of the 2008–2010 hydrochlorofluorocarbon consumption, and 90 per cent of the average of 2008–2010 hydrochlorofluorocarbon production, calculated using the global-warming potentials of hydrofluorocarbons and hydrochlorofluorocarbons contained in the annex to the present decision;

(c) For parties not operating under paragraph 1 of Article 5 of the Montreal Protocol, the consumption and production of hydrofluorocarbons listed in the annex to the present decision shall be reduced to a level that does not exceed:

(i) [90] per cent of their baseline levels by [2016];
(ii) [65] per cent of their baseline levels by [2022];
(iii) [30] per cent of their baseline levels by [2029];
(iv) [15] per cent of their baseline levels by [2033] and thereafter;

(d) For parties operating under paragraph 1 of Article 5 of the Montreal Protocol, the consumption and production of hydrofluorocarbons listed in the annex to the present decision shall be reduced to a level that does not exceed:

(i) [100] per cent of their baseline levels by [2018];
(ii) [75] per cent of their baseline levels by [2025];
(iii) [40] per cent of their baseline levels by [2030];
(iv) [15] per cent of their baseline levels by [2043] and thereafter;

(e) In order to satisfy the basic domestic needs of parties operating under paragraph 1 of Article 5 of the Montreal Protocol, parties are allowed to exceed their production limit under each of the reduction steps specified in paragraphs (c) and (d) of the present decision by up to 10 per cent of their baseline levels;

(f) Hydrofluorocarbon-23 by-product emissions from each production line that manufactures hydrochlorofluorocarbons or hydrofluorocarbons shall not exceed [0.1] per cent of the mass of the hydrochlorofluorocarbons or hydrofluorocarbons manufactured in that production line except for those production lines generating Clean Development Mechanism emissions reduction credits;

(g) The import and export of hydrofluorocarbons listed in the annex to the present decision shall be licensed, and the import and export of these substances to non-Parties shall be banned;

(h) The consumption and production of hydrofluorocarbons and emissions of hydrofluorocarbon-23 by-product shall be reported to the Secretariat annually;

(i) The phase-down of the consumption and production of the hydrofluorocarbons listed in the annex to the present decision and hydrofluorocarbon-23 by-product emissions control requirements shall be eligible for funding under the Multilateral Fund, unless they are being funded from other sources.
**Annex to decision XXV/[…]**

**Part A**

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**Part B**

**Group I**

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**Group II**

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K. Draft decision XXV/[K]: Harmonization and validation of Multilateral Fund climate change indicator

Submission by Uruguay

The Twenty-Fifth Meeting of the Parties decides:


Considering that a number of delegations have expressed appreciation for the work performed by the Secretariat of the Multilateral Fund in developing this indicator, but pointing out that climate change data have not yet been validated by the key bodies of the United Nations Framework Convention on Climate Change, such as the Intergovernmental Panel on Climate Change,

Bearing in mind that, following discussions between a number of delegations, it was proposed that the decisions adopted at that meeting should draw attention to the need for the agencies of the United Nations Framework Convention on Climate Change to perform that scientific and technical validation and, while recognizing that the previous steps may also be necessary, considering the recommendation by the Executive Committee3 as the first step in that direction,

Taking note that the representative of the Secretariat clarified that neither the Executive Committee nor the Secretariat possessed the authority to approach other bodies of the United Nations and that such a request would need to come from the Meeting of the Parties,

Recognizing that, to ensure the harmonization and validation of the said indicator, there should be joint efforts by the agencies of both conventions,

To invite the Ozone Secretariat to make the necessary arrangements to effect these discussions.

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3 Decision 69/23 of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol.
III. Draft decisions on administrative matters

[A. Draft decision XXV/[AA]: Status of ratification of the Montreal and Beijing amendments to the Montreal Protocol

The Twenty-Fifth Meeting of the Parties decides:

1. To note with satisfaction the large number of countries that have ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer;

2. To note that, as at 1 October 2013, [---] parties had ratified the Montreal Amendment to the Montreal Protocol and [---] parties had ratified the Beijing Amendment to the Montreal Protocol;

3. To urge all States that have not yet done so to ratify, approve or accede to the Amendments, taking into account that universal participation is necessary to ensure the protection of the ozone layer.

B. Draft decision XXV/[BB]: Membership of the Implementation Committee

The Twenty-Fifth Meeting of the Parties decides:

1. To note with appreciation the work done by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol in 2012;

2. To confirm the positions of Bangladesh, Bosnia and Herzegovina, Cuba, Italy and Morocco as members of the Committee for one further year and to select -----------, ------------, --------- ------, ----------------- and ----------- as members of the Committee for a two-year period beginning 1 January 2014;

3. To note the selection of ------------ to serve as President and of ---------- to serve as Vice-President and Rapporteur of the Committee for one year beginning 1 January 2014.

C. Draft decision XXV/[CC]: Membership of the Executive Committee of the Multilateral Fund

The Twenty-Fifth Meeting of the Parties decides:

1. To note with appreciation the work done by the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol with the assistance of the Fund secretariat in 2013;

2. To endorse the selection of ---------------, --------------, -------------, -----------, ------------, ----------------- and --------------- as members of the Executive Committee representing parties not operating under paragraph 1 of Article 5 of the Protocol and the selection of -----------------, ------------, -----------------, -----------------, --------------, ---------------- and -------------- as members representing parties operating under that paragraph, for one year beginning 1 January 2014;

3. To note the selection of ---------------- to serve as Chair and ----------------- to serve as Vice-Chair of the Executive Committee for one year beginning 1 January 2014.

D. Draft decision XXV/[DD]: Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol

The Twenty-Fifth Meeting of the Parties decides:

To endorse the selection of -------------- and ------------------ as Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol in 2014.

E. Draft decision XXV/[EE]: Data and information provided by the parties in accordance with Article 7 of the Montreal Protocol

The Twenty-Fifth Meeting of the Parties decides:

1. To note with appreciation that [---] parties of the [---] that should have reported data for 2012 have now done so and that [---] of those parties reported their data by 30 June 2013 in conformity with decision XV/15;
2. To note, however, that the following parties have to date not reported data for 2012: [--];

3. Also to note that their non-reporting of data places the parties named above in non-compliance with their data-reporting obligations under the Montreal Protocol until such time as the Secretariat receives their outstanding data;

4. To urge those parties, where appropriate, to work closely with the implementing agencies to report the required data to the Secretariat as a matter of urgency and to request the Implementation Committee to review the situation of those parties at its next meeting;

5. To note that a lack of timely data reporting by parties impedes effective monitoring and assessment of parties’ compliance with their obligations under the Montreal Protocol by the Implementation Committee and the Meeting of the Parties;

6. Also to note that reporting data by 30 June each year greatly facilitates the work of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol in assisting parties operating under paragraph 1 of Article 5 to comply with the control measures of the Montreal Protocol;

7. To encourage parties to continue to report consumption and production data as soon as figures are available, and preferably by 30 June each year, as agreed in decision XV/15.

F. Draft decision XXV/ [FF]: Twenty-Sixth Meeting of the Parties to the Montreal Protocol

The Twenty-Fifth Meeting of the Parties decides:

To convene the Twenty-Sixth Meeting of the Parties to the Montreal Protocol in [   ], and to announce a firm date and venue for the meeting as soon as possible.]

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