Draft decisions for the consideration of the Thirty-First Meeting of the Parties to the Montreal Protocol

Note by the Secretariat

I. Introduction

1. The purpose of the present note is to assist parties in the discussion of items on the agenda for the Thirty-First Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer by presenting in a single document a number of draft decisions that are expected to be discussed at the meeting. The presentation of the draft decisions, which are set out without formal editing in sections II and III below, does not preclude parties from proposing amendments to the draft decisions or proposing new draft decisions on any item on the agenda.

2. Section II sets out draft decisions that were considered by the Open-ended Working Group of the Parties to the Montreal Protocol at its forty-first meeting and forwarded by the Working Group for consideration by the Thirty-First Meeting of the Parties. The full set of draft decisions is enclosed in square brackets to indicate that they are expected to be considered, amended and adopted as deemed appropriate by the Thirty-First Meeting.

3. Section III sets out placeholder draft decisions prepared by the Secretariat pertaining to matters related to the Montreal Protocol on which parties have historically adopted decisions at their annual meetings.
II. Draft decisions submitted by parties during the forty-first meeting of the Open-ended Working Group for consideration by the Thirty-First Meeting of the Parties


Submission by the contact group

The Thirty-First 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 Thirty-Second Meeting of the Parties, and to submit it through the Open-ended Working Group at its forty-second meeting, to enable the Thirty-Second Meeting of the Parties to adopt a decision on the appropriate level of the 2021–2023 replenishment of the Multilateral Fund;

2. That, in preparing the report referred to in paragraph 1 of the present decision, 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 of the Multilateral Fund [, [including] [with particular attention to] decision XXVIII/2] [[, in particular those pertaining to the special needs of low-volume- and very-low-volume-consuming countries, as well as those of small and medium-sized enterprises,] and the decisions of the Thirty-First Meeting of the Parties and the Executive Committee at its meetings, up to and including its eighty-fifth meeting, insofar as those decisions will necessitate expenditure by the Multilateral Fund during the period 2021–2023;

(bis) [The potential costs pertaining to the special needs of low-volume- and very-low-volume-consuming countries;]

(b) The need to allocate resources to enable all parties operating under paragraph 1 of Article 5 of the Montreal Protocol (Article 5 parties) to achieve and/or maintain compliance with Articles 2A–2J of the Protocol, taking into account decision XIX/6 of the Meeting of the Parties and the extended commitments made by Article 5 parties under approved HCFC phase-out management plans [and decision XXVIII/2];

(c) [The need to allocate resources to ensure enhanced and improved vigilance through the strengthening of existing monitoring, verification and reporting systems, and ensure sustained compliance [and prevent a reversal of the ozone and climate benefits already achieved];]

(d) Decisions, rules and guidelines agreed by the Executive Committee at all its meetings, up to and including its eighty-fifth meeting for determining eligibility for the funding of investment projects and non-investment projects, [including, but not limited to, institutional strengthening] [and sectoral and national phase-out plans for HCFCs];

(e) [The need to allocate resources for the preparation of phase-down plans for HFCs;]

(f) [The need to allocate resources for maintaining and/or enhancing energy efficiency of low-global-warming-potential or zero-global-warming-potential technologies and equipment while phasing down HFCs;]

(g) [To allocate resources for the introduction of zero- or low-global-warming-potential alternatives to HFCs and maintaining energy efficiency in the servicing/end users sector;]

3. That the Technology and Economic Assessment Panel should provide indicative figures of the resources within the estimated funding required for phasing out HCFCs that could be associated with enabling Article 5 parties to encourage the use of low-global warming potential or zero-global warming potential alternatives [, taking into account global warming potential, energy use, [safety,] and other relevant factors;]"
4. [That the Technology and Economic Assessment Panel should provide figures for any resources that would be needed to phase down HFCs in accordance with the Kigali Amendment to the Montreal Protocol;]

5. [The need for additional resources to enable Article 5 parties to carry out initial activities related to the phase-down of HFCs listed under Annex F and controlled under Article 2J;]

6. That in preparing the report the Panel should consult widely, including all relevant persons and institutions and other relevant sources of information deemed useful;

7. That the Panel should strive to complete the report in good time to enable it to be distributed to all parties two months before the forty-second meeting of the Open-ended Working Group;

8. That the Panel should provide indicative figures for the periods 2024-2026 and 2027-2029 to support a stable and sufficient level of funding, on the understanding that those figures will be updated in subsequent replenishment studies.]

B. Draft decision XXXI/[B]: Ongoing reported emissions of carbon tetrachloride

Submission by Switzerland

The Thirty-First Meeting of the Parties decides,

Recalling decisions XVI/14, XVIII/10, XXI/8, XXIII/8 and XXVII/7, in which the Meeting of the Parties requested the assessment panels to assess global emissions, specific emission sources and the atmospheric lifetime of carbon tetrachloride (CTC) and suggest solutions for emission reductions, and encouraged the parties to review their national data and to provide support for atmospheric research,

Acknowledging that the information provided by the assessment panels, the parties and the scientific community has advanced in closing knowledge gaps, in particular regarding the discrepancy between reported emissions and observed atmospheric concentrations, as well as regarding our understanding of specific emission sources,

Recognizing that there are ongoing efforts to establish additional monitoring systems for both emissions at individual industrial sites and atmospheric concentrations of CTC,

Noting, however, that further efforts are required to identify all relevant emission sources and implement mitigation measures for those sources in order to reduce emissions to levels that are in line with the provisions of the Montreal Protocol on Substances that Deplete the Ozone Layer and with the assumptions underlying the use of controlled substances as feedstock or process agents,

Mindful that CTC has an impact on both the ozone layer and global climate and that unrestrained emissions would delay the recovery of the ozone layer by several years,

1. To request the Technology and Economic Assessment Panel and the Scientific Assessment Panel to establish a joint task force on CTC emissions, which would:

   (a) Update the state of knowledge on potential emission sources and emission pathways of CTC and identify priorities for further research, including:

      (i) The characterization of all industrial processes that may be relevant to CTC emissions, considering CTC production, its uses as feedstock or process agent, its shipment and processes that lead to releases of CTC as by-product, such as in chloromethane plants;

      (ii) The quantification of emission factors and absolute amounts of emissions by geographic region for the processes identified in subparagraph (i) above;

      (iii) The linkages between emissions of CTC and trichlorofluoromethane (CFC-11);

      (iv) The exploration of still-unidentified emission sources;

      (v) The explanation for the remaining discrepancy between reported emissions and observed atmospheric concentrations;
(b) Recommend approaches and provide guidance for:

(i) Conducting emission monitoring at industrial sites, including the choice of monitoring systems and parameters to be monitored by the countries with such industrial sites;

(ii) Extending the existing network of atmospheric monitoring stations, in particular to regions where monitoring data are scarce;

(iii) Identifying feedstock uses when reporting consumption and production of CTC under Article 7 of the Montreal Protocol, as well as identifying process agent uses when reporting these as requested by the Meeting of the Parties in decision X/14, paragraph 4, and indicating where more detailed information on such uses could improve our understanding of the relevant emission sources;

(c) Suggest mitigation measures for reducing emissions, including but not limited to introducing specific best practices in the management of industrial processes and retrofitting facilities with state-of-the-art technologies;

(d) Report on its advances to the Open-ended Working Group of the parties to the Montreal Protocol on Substances that Deplete the Ozone Layer at its forty-second meeting;

2. To encourage parties to review their domestic industrial processes, to report, in addition to the information provided under Article 7 of the Montreal Protocol, their use of CTC as process agent as well as the existence of CTC stocks, and to provide that information to the Ozone Secretariat;

3. To encourage parties to share the available atmospheric monitoring data with the scientific community;

4. To invite the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer to consider the provision of financial resources from the Vienna Convention Trust Fund for Research and Systematic Observation to support the extension of the currently operating network of atmospheric monitoring stations to regions where such monitoring data are scarce, and to invite parties to provide additional voluntary contributions to the trust fund for that purpose;

5. To request the Ozone Secretariat to convene a workshop back to back with the forty-second meeting of the Open-ended Working Group with the participation of the task force referred to in paragraph 1 of the present decision and the Ozone Research Managers of the Vienna Convention for the discussion of technical, financial and policy issues related to the information and recommendations provided by the task force.

C. Draft decision XXXI/[C]: Potential areas of focus for the 2022 quadrennial reports of the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel

Submission by the European Union

The Thirty-First Meeting of the Parties decides,

Noting with great appreciation the excellent and highly useful work of the members of the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel and their colleagues worldwide in preparing their 2018 assessment reports, in particular the efforts made to condense vast amounts of pertinent information in a concise and understandable form for better use by policymakers,

Expressing gratitude to the Scientific Assessment Panel for the considerable efforts that it made to provide comprehensive information, hitherto only partially available, on ozone depletion potential, global warming potential, atmospheric lifetimes and other parameters for a large number of relevant chemicals,

Recalling decisions XXIX/12, [other relevant decisions asking TEAP, SAP, EEAP for information],

1. To request the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel to update their 2018 reports in 2022 and submit them to the Secretariat by 31 December 2022 for consideration by the Open-ended Working Group and the Meeting of the Parties in 2023, and to present a synthesis report by 30 April 2023,
noting that the panels should continue to exchange information, including on all sectors, on alternatives during the process of developing their respective reports in order to provide comprehensive information to the parties to the Montreal Protocol;

2. To request the assessment panels to bring to the notice of the parties any significant developments which, in their opinion, deserve such notice, in accordance with decision IV/13;

3. That for its 2022 report the Environmental Effects Assessment Panel should include an assessment and evaluation of the most recent scientific information, together with future projections and scenarios, on changes in the ozone layer, including its interaction with climate, and ultraviolet radiation, as well as controlled substances and their breakdown products, regarding their:

   (a) Effects on the biosphere, biodiversity and ecosystem health, including on biogeochemical processes and global cycles;
   (b) Effects on human health;
   (c) Socioeconomic effects, such as on ecosystem services, agriculture and damage to materials, including for construction, transport, photovoltaic use and microplastics;

4. That the 2022 report of the Scientific Assessment Panel should include:

   (a) An assessment of the state of the ozone layer and its future evolution;
   (b) An evaluation of global and polar stratospheric ozone, including the Antarctic ozone hole and Arctic winter/spring ozone depletion and the predicted changes in those phenomena;
   (c) An evaluation of trends in the emissions, abundances and fate in the atmosphere of relevant trace gases of relevance to the Montreal Protocol on Substances that Deplete the Ozone Layer, in particular the controlled substances and their breakdown products, which should include a comparison of bottom-up and top-down estimations of such emissions;
   (d) An evaluation of consistency with reported production and consumption of those substances and the likely implications for the state of the ozone layer, the atmosphere and climate change;
   (e) An assessment of the interaction between stratospheric ozone changes and climate change, including possible future scenarios regarding ozone and climate impacts;
   (f) Identification and quantification, where possible, of any other issues, including new issues, of importance to the ozone layer and the objectives of the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol;
   (g) Relevant information on solar radiation management research, where this is relevant to the stratospheric ozone layer;

5. That in its 2022 report, the Technology and Economic Assessment Panel should include an assessment and evaluation of the following topics:

   (a) Technical progress in production and consumption sectors in the transition to technically and economically feasible, climate-friendly and sustainable alternatives and practices that eliminate or minimize emissions to the atmosphere of controlled substances;
   (b) Technically and economically feasible choices for the reduction and elimination of controlled substances in all relevant sectors, taking into account their overall performance, including energy efficiency;
   (c) The status of banks, including stocks of controlled substances, including those maintained for essential and critical uses, and the options available for eliminating them and avoiding emissions to the atmosphere;
   (d) Challenges facing parties operating under paragraph 1 of Article 5 of the Montreal Protocol in phasing out remaining controlled substances and maintaining the phase-outs already achieved, as well as challenges for all parties related to feedstock uses and by-production to prevent emissions;
   (e) The impact of the phase-out of controlled ozone-depleting substances and the phase-down of hydrofluorocarbons on sustainable development.
D. **Draft decision XXXI/[D]: [Terms of reference, code of conduct and disclosure and conflict of interest guidelines for the Technology and Economic Assessment Panel and its technical options committees and temporary subsidiary bodies] [– nomination process] [organization of the TEAP, TOCs and TSBs]**

**Submission by the informal group**

*The Thirty-First Meeting of the Parties decides,*

Acknowledging the important role of the Technology and Economic Assessment Panel and its technical options committees and temporary subsidiary bodies in the provision of independent technical and scientific assessments, which have assisted the parties in arriving at well-informed decisions,

Recalling decision XXVIII/1, by which the parties adopted the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer on the phase-down of hydrofluorocarbons, and recognizing upcoming challenges related to the implementation of the Kigali Amendment, such as energy efficiency, climate benefits and safety,

[Recalling also decision XXIV/8, in which the parties set out the terms of reference, code of conduct and disclosure and conflict of interest guidelines for the Technology and Economic Assessment Panel and its technical options committees and temporary subsidiary bodies,]

Taking note of decision XXX/15, in which the parties called for a review of the terms of reference, composition, balance, fields of expertise and workload of the Panel,

Also taking note of decision XXX/16, in which the parties were urged to follow the Panel’s terms of reference and consult the Panel co-chairs and refer to the matrix of needed expertise prior to making nominations for appointments to the Panel,

[1. To reiterate the importance of the Technology and Economic Assessment Panel’s terms of reference and, in particular, paragraph 2.9 of the annex to decision XXIV/8 relating to the guidelines for nominations;]

1 **bis.**[To request the Technology and Economic Assessment Panel to provide a summary of actions taken in adherence to decision XXIV/8, with specific reference to (i) the nomination [and (ii) the appointment of members and co-chairs of the Panel] and (iii) the appointment of members of its technical options committees and (iv) temporary subsidiary bodies, with full consultation with and agreement of the national focal point of the relevant party, as well as (v) termination of appointment; and (vi) replacement, including limitations and constraints noted in adherence, if any, in the annual progress report, for the consideration of the parties;]

2. To request the Technology and Economic Assessment Panel and its technical options committees and temporary subsidiary bodies to [ensure] [use] clear and transparent procedures for the selection of experts by, inter alia, preparing guidelines and objective criteria for the nomination of experts, as well as [providing] [publicizing] a detailed matrix of expertise needed and expertise available in the Panel and its technical options committees and temporary subsidiary bodies, including mention of expertise together with names and affiliations of members, so as to facilitate the submission of appropriate nominations by parties, taking into account geographical and gender balance, in addition to expertise needed to address new issues related to the Kigali Amendment, such as energy efficiency, safety standards and climate benefits.

3. [To request parties, when nominating experts to the Panel, technical options committees or temporary subsidiary bodies, to use the Panel nomination form and associated guidelines so as to facilitate the submission of [appropriate] [relevant] nominations by parties, taking into account geographical and gender balance, in addition to expertise needed to address new issues related to the Kigali Amendment, such as energy efficiency, safety standards and climate benefits;]

4. [To request the Ozone Secretariat to make Panel nomination forms available on its website and to make the forms submitted by nominating parties for members of the panel available on meeting portals so as to facilitate review and discussions by the parties on the proposed nominations;]

5. [To request the relevant party to ensure that consultations with the Panel Co-Chairs and interested parties have taken place before the submission of a nomination.]
E. Draft decision XXXI/[E]: Review of the terms of reference, composition and balance of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol and equitable representation of parties therein

Submission by Armenia and Bosnia and Herzegovina on behalf of the region of Eastern Europe and Central Asia

*The Thirty-First Meeting of the Parties decides,*

Noting that, according to paragraph 1 of the terms of reference of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol, as modified by the Meetings of the Parties in decisions IX/16, XVI/38 and XIX/11, the Executive Committee of the Multilateral Fund is established to develop and monitor the implementation of specific operational policies, guidelines and administrative arrangements, including the disbursement of resources, for the purpose of achieving the objectives of the Multilateral Fund under the Financial Mechanism,

Recognizing the equal right of all United Nations regional groups of Member States to participate in developing and monitoring the implementation of specific operational policies, guidelines and administrative arrangements, and in developing the criteria for project eligibility and guidelines for the implementation of activities supported by the Multilateral Fund,

Appreciating the opportunities created by the Sixteenth Meeting of the Parties, in decision XVI/38, to ensure equitable geographical representation on the Executive Committee for parties from the region of Eastern Europe and Central Asia, which allowed parties from that region to participate in the work of the Executive Committee once every four years on the basis of a rotating seat principle,

Acknowledging that the arrangement stipulated by decision XVI/38 nevertheless does not provide actual equitable representation for parties from the region of Eastern Europe and Central Asia,

To amend paragraph 2 of the terms of reference of the Executive Committee, as modified by the Ninth Meeting of the Parties in decision IX/16, to read:

“2. The Executive Committee shall consist of eight Parties from the group of Parties operating under paragraph 1 of Article 5 of the Protocol and eight Parties from the group of Parties not so operating. Each group shall select its Executive Committee members. Eight seats allocated to the group of Parties operating under paragraph 1 of Article 5 shall be allocated as follows: two seats to Parties of the African region, two seats to Parties of the region of Asia and the Pacific, two seats to Parties of the region of Latin America and the Caribbean, one seat rotating among the previously mentioned regions, and one seat to Parties of the region of Eastern Europe and Central Asia. The selection of members of the Executive Committee shall be endorsed by the Meeting of the Parties.”

F. Draft decision XXXI/[F]: Request by Azerbaijan to be included among the parties to which the phasedown schedule for hydrofluorocarbons, as set out in paragraphs 2 and 4 of Article 2J of the Montreal Protocol, applies

Submission by Azerbaijan

*The Thirty-First Meeting of the Parties decides,*

Noting that the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer entered into force on 1 January 2019,

Recalling paragraph 1 of decision XXVIII/2, which provides that paragraphs 2 and 4 of Article 2J in Article I of the Amendment are applicable to Belarus, Kazakhstan, the Russian Federation, Tajikistan and Uzbekistan,

To include Azerbaijan among the parties to which the phase-down schedule for hydrofluorocarbons, as set out in paragraphs 2 and 4 of Article 2J of the Montreal Protocol, applies.
III. Placeholder draft decisions

A. [Draft decision XXXI/[AA]: Status of ratification of the Kigali Amendment to the Montreal Protocol]

The Thirty-First Meeting of the Parties decides:

1. To note that, as at 8 November 2019, [--] parties had ratified, approved or accepted the Kigali Amendment to the Montreal Protocol;

2. To urge all parties that have not yet done so to consider ratifying, approving or accepting the Kigali Amendment in order to ensure broad participation and achieve the goals of the Amendment;

B. Draft decision XXXI/[BB]: Financial reports and budgets for the Montreal Protocol

Recalling decision XXX/20 on financial reports and budgets for the Montreal Protocol on Substances that Deplete the Ozone Layer,

Taking note of the financial report for the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer for the fiscal year 2018,\(^1\)

Recognizing the voluntary contributions of parties as an essential complement for the effective implementation of the Montreal Protocol,

Welcoming the continued efficient management by the Secretariat of the finances of the Trust Fund for the Montreal Protocol,

1. To approve the budget of [$--] for 2020, and to take note of the indicative budget for 2021, as set out in annex [--] to the report of the Thirty-First Meeting of the Parties to the Montreal Protocol;\(^2\)

2. To approve the contributions to be paid by the parties of [$--] for 2020 and to take note of the contributions of [$--] for 2021, as set out in annex [--] to the report of the Thirty-First Meeting of the Parties;

3. That the contributions of individual parties for 2020 and indicative contributions for 2021 shall be as listed in annex [--] to the report of the Thirty-First Meeting of the Parties;

4. To reaffirm that a working capital reserve shall be maintained at a level of 15 per cent of the annual budget to be used to meet the final expenditures under the Trust Fund, noting that the working capital reserve shall be set aside from the existing cash balance;

5. To encourage parties and other stakeholders to contribute financially and by other means to assist the members of the three assessment panels and their subsidiary bodies with a view to ensuring their continued participation in assessment activities under the Montreal Protocol;

6. To express its appreciation that a number of parties have paid their contributions for 2019 and prior years, and to urge those parties that have not done so to pay both their outstanding contributions and their future contributions promptly and in full;

7. To request the Executive Secretary to enter into discussions with any party whose contributions are outstanding for two or more years with a view to finding a way forward, and also to report to the Thirty-Second Meeting of the Parties on the outcome of those discussions to enable further consideration by the parties of how to address the matter;

8. To request the Executive Secretary to continue to provide regular information on earmarked contributions and include that information, where relevant, in the budget proposals of the Trust Fund for the Montreal Protocol to enhance transparency with regard to the actual income and expenses of the Trust Fund;

9. To request the Secretariat to ensure the full utilization of programme support costs available to it in 2020 and later years and where possible to offset those costs against the administrative components of the approved budget;

---

\(^1\) UNEP/OzL.Pro.31/5.

\(^2\) UNEP/OzL.Pro.31/[--].
10. Also to request the Secretariat to indicate in future financial reports of the Trust Fund the amounts of cash on hand and the status of contributions to the Trust Fund;

11. To request the Executive Secretary to prepare budgets and work programmes for the years 2021 and 2022 based on the projected needs;

12. To stress the need to ensure that the budget proposals are realistic and represent the agreed priorities of all parties to help ensure a sustainable and stable fund and cash balance, including contributions;

C. Draft decision XXXI/[CC]: Membership of the Implementation Committee

The Thirty-First Meeting of the Parties decides:

1. To note with appreciation the work carried out by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol in 2019;

2. To confirm the positions of European Union, Guinea Bissau, Paraguay, Saudi Arabia and Turkey as members of the Committee for one further year and to select -------, -------, -------, ------- and ------- as members of the Committee for a two-year period beginning on 1 January 2020;

3. To note the selection of ------- (-------) to serve as President and ------- (-------) to serve as Vice-President and Rapporteur of the Committee for one year beginning on 1 January 2020;

D. Draft decision XXXI/[DD]: Membership of the Executive Committee of the Multilateral Fund

The Thirty-First Meeting of the Parties decides:

1. To note with appreciation the work carried out by the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol with the assistance of the Fund secretariat in 2019;

2. To endorse the selection of -------, -------, -------, -------, ------- and ------- as members of the Executive Committee representing parties operating under paragraph 1 of Article 5 of the Protocol and the selection of -------, -------, -------, -------, ------- and ------- as members representing parties not so operating, for one year beginning 1 January 2020;

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 2020;

E. Draft decision XXXI/[EE]: Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol

The Thirty-First 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 2020;

F. Draft decision XXXI/[FF]: Thirty-Second Meeting of the Parties to the Montreal Protocol

The Thirty-First Meeting of the Parties decides:

To convene the Thirty-Second Meeting of the Parties to the Montreal Protocol in ---- in November 2020.]