



Distr.: General
22 September 2011

Original: English



**United Nations
Environment
Programme**

**Ninth meeting of the Conference of
the Parties to the Vienna Convention
for the Protection of the Ozone Layer**

**Twenty-Third Meeting of the Parties to
the Montreal Protocol on Substances
that Deplete the Ozone Layer**

Bali, Indonesia, 21–25 November 2011

Annotations to the provisional agenda

I. Preparatory segment (21–23 November 2011)

A. Opening of the preparatory segment (item 1 of the provisional agenda for the preparatory segment)

1. Meetings of the Conference of the Parties to the Vienna Convention take place once every three years, while meetings of the parties to the Montreal Protocol are held every year. In those years in which both bodies meet the practice for the past 10 years or more has been to conduct their meetings jointly, with joint agendas. It has also been the practice to divide the work of these joint meetings into two segments – a three-day preparatory segment covering both Vienna Convention and Montreal Protocol issues and a two-day high-level segment that also covers both sets of issues.

2. The preparatory segment of the joint meeting is scheduled to be opened on Monday, 21 November 2011, at 10 a.m. at the Bali Nusa Dua Conference Centre in Bali, Indonesia.

1. Statement by representative(s) of the Government of Indonesia

2. Statement by representative(s) of the United Nations Environment Programme

3. Upon the opening of the preparatory segment welcoming statements will be made by representatives of the Government of Indonesia and the United Nations Environment Programme.

B. Organizational matters (item 2 of the provisional agenda for the preparatory segment)

1. Adoption of the agenda of the preparatory segment

4. The provisional agenda for the preparatory segment is set forth in chapter I of document UNEP/OzL.Conv.9/1-UNEP/OzL.Pro.23/1 and will be before the parties for adoption. The parties may wish to adopt the agenda, including any items that they may agree to include under item 6, “Other matters”.

2. Organization of work

5. As is the custom, the preparatory segment will be co-chaired by the co-chairs of the Open-ended Working Group (currently Ms. Gudi Alkemade (Netherlands) and Mr. Ndiaye Cheikh Sylla (Senegal)). Under this sub-item, the co-chairs are expected to present a proposal to the parties on how they wish to proceed with the items on the agenda.

C. Combined Vienna Convention and Montreal Protocol issues (item 3 of the provisional agenda for the preparatory segment)

1. Financial reports and budgets of the trust funds for the Vienna Convention and the Montreal Protocol

6. Under this item, the parties are expected to establish a budget committee to deliberate and recommend action on the Secretariat's budgets for formal adoption, as appropriate, during the high-level segment.

2. Status of ratification of the Vienna Convention, the Montreal Protocol and the amendments to the Montreal Protocol

7. The parties have traditionally adopted a decision at each meeting memorializing the status of ratifications of the ozone treaties. Draft decisions on this matter may be found as draft decisions IX/[AA] and XXIII/[AA] in chapter II of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

D. Montreal Protocol issues (item 4 of the provisional agenda for the preparatory segment)

1. Replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol

(a) Supplemental report of the Technology and Economic Assessment Panel replenishment task force

8. Under this item, the parties are expected to hear a presentation on the supplemental report of the task force on the replenishment of the Multilateral Fund, and to discuss the forthcoming replenishment of the Fund.

(b) Extension of the fixed-exchange-rate mechanism

9. For the last several replenishments of the Multilateral Fund, the parties have adopted decisions on the use of a fixed-exchange-rate mechanism to ease administrative difficulties faced by some parties in making Multilateral Fund contributions.. A draft decision prepared by a contact group established by the Open-ended Working Group at its thirty-first meeting can be found as draft decision XXIII/[B] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3. During the preparatory segment the parties are expected to consider the application of the mechanism to the forthcoming replenishment and make recommendations for adoption, as appropriate, during the high-level segment.

2. Issues related to exemptions from Article 2 of the Montreal Protocol

(a) Nominations for 2012 and 2013 for essential-use exemptions

10. Under this sub-item the parties are expected to consider the recommendations of the Technology and Economic Assessment Panel on nominations for essential-use exemptions for 2012 and 2013 and to prepare a related draft decision for adoption, as appropriate, during the high-level segment.

(b) Essential-use exemption for chlorofluorocarbon-113 for aerospace applications in the Russian Federation

11. During the thirty-first meeting of the Open-ended Working Group, the Russian Federation submitted a draft decision that would grant the party an essential-use exemption for CFC-113 for aerospace applications. The parties are expected to discuss and recommend appropriate action on that draft decision, which can be found as draft decision XXIII/[E] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

(c) Nominations for 2012 and 2013 critical-use exemptions

12. Under this sub-item the parties are expected to consider the recommendations of the Technology and Economic Assessment Panel on nominations for essential-use exemptions and to prepare a related decision for adoption, as appropriate, during the high-level segment.

(d) Quarantine and pre-shipment uses of methyl bromide

13. At the thirty-first meeting of the Open-ended Working Group the parties discussed a draft decision on quarantine and pre-shipment uses of methyl bromide submitted by the European Union. The parties are expected to engage in further discussion of that draft decision, which can be found as draft decision XXIII/[F] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

(e) Global laboratory and analytical-use exemption

14. During the thirty-first meeting of the Open-ended Working Group, China, stressing the difficulty that many parties operating under paragraph 1 of Article 5 faced in employing alternatives to ozone-depleting substances for laboratory and analytical uses, introduced a draft decision that would allow such parties to deviate from the existing laboratory and analytical-use bans in individual cases until 31 December 2014 and would provide for the issue to be reviewed by the Twenty-Sixth Meeting of the Parties. The parties are expected to discuss and recommend appropriate action on that draft decision which can be found as draft decision XXIII/[G] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

(f) Sustained mitigation of ozone-depleting-substance emissions from feedstock and process-agent uses

15. At the thirty-first meeting of the Open-ended Working Group the parties discussed a draft decision on sustained mitigation of ozone-depleting-substance emissions from feedstock and process-agent uses submitted by the European Union. The parties are expected to engage in further discussion of that draft decision, which can be found as draft decision XXIII/[H] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

3. Environmentally sound disposal of ozone-depleting substances

16. The parties are expected to continue their consideration of the report of the Technology and Economic Assessment Panel evaluating options on several issues related to the destruction of ozone-depleting substances.

4. Updating the nomination processes and recusal guidelines for the Technology and Economic Assessment Panel

17. At its thirty-first meeting, the Open-ended Working Group heard a presentation by the Technology and Economic Assessment Panel on proposals related to the operation of the Panel. Following that presentation, the parties discussed a draft decision on related matters submitted by Australia and the United States of America. The parties are expected to continue their deliberations on that draft decision, which can be found as draft decision XXIII/[D] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

5. Treatment of ozone-depleting substances used to service ships

18. At the thirty-first meeting of the Open-ended Working Group the parties discussed a draft decision on the treatment of ozone-depleting substances used to service ships submitted by Belize, Saint Lucia, Marshall Islands, Trinidad and Tobago and Saint Vincent and the Grenadines. The parties are expected to continue their deliberations on that draft decision, which can be found as draft decision XXIII/[K] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

6. Additional information on alternatives to ozone-depleting substances

19. At the thirty-first meeting of the Open-ended Working Group the parties discussed a draft decision on developing additional information on alternatives to ozone-depleting substances submitted by Switzerland. The parties are expected to continue their deliberations on that draft decision, which can be found as draft decision XXIII/[J] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

7. Use of methyl bromide in Africa

20. At the thirty-first meeting of the Open-ended Working Group the parties discussed a draft decision on the key challenges facing African countries in the phase-out of methyl bromide submitted by Algeria, Cameroon, Kenya, Egypt, Malawi, Morocco, Sudan, Tunisia, Zambia and Zimbabwe. The parties are expected to continue their deliberations on that draft decision, which can be found as draft decision XXIII/[A] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

8. Proposed amendments to the Montreal Protocol**(a) Proposed amendment by Canada, Mexico and the United States of America****(b) Proposed amendment by the Federated States of Micronesia**

21. On 7 May 2011 the Ozone Secretariat received a proposal to amend the Protocol from the Government of the Federated States of Micronesia. On 9 May 2011 it also received a proposal to amend the Protocol from the Governments of Canada, Mexico and the United States. The proposals, which were submitted pursuant to Article 9 of the Vienna Convention and paragraph 10 of Article 2 of the Protocol, may be found in documents UNEP/OzL.Pro.23/5 and UNEP/OzL.Pro.23/6, respectively.

Both proposals, which were discussed by the Open-ended Working Group at its thirty-first meeting, seek to amend the Protocol to include within its provisions controls leading to a phase-down of hydrofluorocarbons. The parties are expected to discuss these proposed amendments further.

9. Potential areas of focus for the assessment panels' 2014 quadrennial reports

22. At the request of the Open-ended Working Group at its thirty-first meeting, the Secretariat has prepared a document consolidating the suggestions of the assessment panels on possible guidance that the parties might wish to give the panels regarding the preparation of their 2014 quadrennial assessment. The parties may wish to consider the matter further, including whether to submit any relevant draft decisions for possible adoption during the high-level segment.

10. Phase-out of HFC-23 by-product emissions

23. At the thirty-first meeting of the Open-ended Working Group the parties discussed a draft decision submitted by Canada, Mexico and the United States on limiting the emissions of HFC-23 as a by-product of the production of HCFC-22. The parties are expected to continue their deliberations on the draft decision, which can be found as draft decision XXIII/[C] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

11. Status of Nepal relative to the Copenhagen Amendment to the Montreal Protocol

24. At the thirty-first meeting of the Open-ended Working Group the parties discussed a request by Nepal to have the Working Group and the Meeting of the Parties consider its compliance status in the light of paragraphs 8 and 9 of Article 4 of the Protocol, which allow a country to avoid the application of trade sanctions under the Protocol and its amendments by demonstrating that it is in full compliance with their provisions. The parties are expected to continue their deliberations on this issue, which is also being discussed by the Implementation Committee.

12. Consideration of membership of Montreal Protocol bodies for 2012

(a) Members of the Implementation Committee

25. Each year the Meeting of the Parties considers the membership of the Implementation Committee. The Secretariat has prepared a draft decision on this item for the parties' consideration, which is set out as draft decision XXIII/[B] in chapter II of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

(b) Members of the Executive Committee of the Multilateral Fund

26. Each year, the parties to the Montreal Protocol are asked to adopt a decision that endorses the selections of the new Executive Committee members and notes the selection of the Committee's chair and vice-chair. The Secretariat has prepared for the parties' consideration a similar draft decision on the selection of members and the chair and vice-chair for 2012, which is set out as draft decision XXIII/[C] in chapter II of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

(c) Co-Chairs of the Open-ended Working Group

27. Each year the Meeting of the Parties selects one representative from among the parties operating under paragraph 1 of Article 5 and a second representative from among the parties not so operating to serve as co-chairs of the Open-ended Working Group in the subsequent year. The Secretariat has prepared a draft decision on this item for the parties' consideration, which is set out as draft decision XXIII/[D] in chapter II of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

(d) Endorsement of a new co-chair of the Chemicals Technical Options Committee and a senior expert of the Technology and Economic Assessment Panel

28. During the thirty-first meeting of the Open-ended Working Group, Japan submitted a draft decision on the endorsement of a new co-chair of the Chemicals Technical Options Committee and a senior expert of the Technology and Economic Assessment Panel. The parties are expected to consider that draft decision, which can be found as draft decision XXIII/[I] in chapter I of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

13. Compliance and reporting issues considered by the Implementation Committee

29. Under this item, the President of the Implementation Committee will report on party compliance issues considered during the Committee's forty-sixth and forty-seventh meetings. During the preparatory segment the parties may wish to discuss related matters further and consider whether any related draft decisions should be submitted for possible adoption during the high-level segment.

E. Vienna Convention issues (item 5 of the provisional agenda for the preparatory segment)**1. Report of the eighth meeting of the Ozone Research Managers of the Parties to the Vienna Convention**

30. In accordance with decisions I/6 and III/8 of the Conference of the Parties to the Vienna Convention, every three years the Secretariat, in cooperation with the World Meteorological Organization, convenes a meeting of the Ozone Research Managers of the Parties to the Vienna Convention. During their eighth meeting (Geneva, 2–4 May 2011) the Ozone Research Managers drew up recommendations for the parties' consideration. The parties are expected to discuss those recommendations, which can be found in document UNEP/OzL.Conv.9/6.

2. Status of the General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention

31. By decision VI/2, the Conference of the Parties to the Vienna Convention called for the establishment of a special trust fund for receiving voluntary contributions for the purpose of financing certain activities on research and systematic observations relevant to the Vienna Convention in developing countries and countries with economies in transition. The parties are expected to hear a report on the status of that fund. A report on the status of the fund is set out in document UNEP/OzL.Conv.9/5.

F. Other matters (item 6 of the provisional agenda for the preparatory segment)

32. Under this item, the parties will consider other matters raised at the time of the adoption of the agenda.

II. High-level segment (24 and 25 November 2011)**A. Opening of the high-level segment (item 1 of the provisional agenda for the high-level segment)**

33. The high-level segment of the ninth meeting of the Conference of the Parties and the Twenty-Third Meeting of the Parties is scheduled to be opened at 10 a.m. on Thursday, 24 November 2011.

1. Statement by representative(s) of the Government of Indonesia**2. Statement by representative(s) of the United Nations Environment Programme****3. Statement by the President of the eighth meeting of the Conference of the Parties to the Vienna Convention****4. Statement by the President of the Twenty-Second Meeting of the Parties to the Montreal Protocol**

34. Opening statements will be made by representatives of the Government of Indonesia and the United Nations Environment Programme and by the presidents of the eighth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Second Meeting of the Parties to the Montreal Protocol.

B. Organizational matters (item 2 of the provisional agenda for the high-level segment)**1. Election of officers of the ninth meeting of the Conference of the Parties to the Vienna Convention**

35. In accordance with the rules of procedure, the Conference of the Parties must elect a president, three vice-presidents and a rapporteur. On the basis of regional rotation agreed upon by the parties, the parties may wish to elect a party from the group of Eastern European countries to preside over the ninth meeting of the Conference of the Parties and to elect a party from the group of Asian and Pacific countries to serve as rapporteur. The parties may also wish to elect three additional vice-presidents, one each from the group of African countries, the group of Western European and other countries and the group of Latin American and Caribbean countries.

2. Election of officers of the Twenty-Third Meeting of the Parties to the Montreal Protocol

36. In accordance with the rules of procedure, the Twenty-Third Meeting of the Parties must elect a president, three vice-presidents and a rapporteur. On the basis of regional rotation agreed by the parties, the parties may wish to elect a party from the group of African countries to preside over the Twenty-Third Meeting of the Parties and to elect a party from the group of Western European and other countries to serve as rapporteur. The parties may also wish to elect three additional vice-presidents, one each from the group of Asian and Pacific countries, the group of Eastern European countries and the group of Latin American and Caribbean countries.

3. Adoption of the agenda of the high-level segment of the ninth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Third Meeting of the Parties to the Montreal Protocol

37. The provisional agenda for the high-level segment is set forth in chapter II of document UNEP/OzL.Conv.9/1-UNEP/OzL.Pro.23/1 and will be before the parties for adoption. The parties may wish to adopt that agenda, including any items that they may agree to include under item 8, "Other matters".

4. Organization of work

38. The President of the Twenty-Third Meeting of the Parties is expected to outline a plan of work for discussing the items on the agenda.

5. Credentials of representatives

39. In accordance with rule 18 of the rules of procedure for meetings of the Conference of the Parties to the Vienna Convention and the Meeting of the Parties to the Montreal Protocol, the credentials of representatives of parties attending any such meeting must be submitted to the Executive Secretary of the meeting, if possible not later than 24 hours after the opening of the meeting. Under this item, and in accordance with rule 19 of the rules of procedure, the elected officers of the meeting will examine the credentials and submit a report thereon to the parties.

C. Presentations by the assessment panels on the status of their work, including latest developments (item 3 of the provisional agenda for the high-level segment)

40. Under this item, the assessment panels will present the outcomes of their quadrennial assessment prepared in accordance with Article 6 of the Montreal Protocol and decision XIX/20.

D. Presentation by the Chair of the Executive Committee of the Multilateral Fund on the work of the Executive Committee (item 4 of the provisional agenda for the high-level segment)

41. Under this item, the Chair of the Executive Committee of the Multilateral Fund will present a report by the Executive Committee to the parties. The report, which will be issued as document UNEP/OzL.Pro.23/8, is not expected to be available until the first day of the meeting.

E. Statements by heads of delegations (item 5 of the provisional agenda for the high-level segment)

42. Under this item, heads of delegations will be invited to make statements. Beginning on the first day of the preparatory segment the Secretariat will accept requests to speak and will compile a list of speakers based on those requests.

F. Report of the co-chairs of the preparatory segment and consideration of the decisions recommended for adoption at the ninth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Third Meeting of the Parties to the Montreal Protocol (item 6 of the provisional agenda for the high-level segment)

43. Under this item, the co-chairs of the preparatory segment will be invited to report to the parties on the progress made in reaching consensus on the substantive issues on the agenda.

G. Dates and venues for the tenth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Fourth Meeting of the Parties to the Montreal Protocol (item 7 of the provisional agenda for the high-level segment)

44. The parties will be informed of any information regarding the potential venue for the tenth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Fourth Meeting of the Parties and may then wish to take a decision on the date and venue of the those meetings. Draft decisions on this matter can be found as draft decisions XXIII/[FF] and IX/[BB] in chapter II of document UNEP/OzL.Conv.9/3-UNEP/OzL.Pro.23/3.

H. Other matters (item 8 of the provisional agenda for the high-level segment)

45. Any additional substantive issues agreed for inclusion on the agenda under item 2 (c), "Adoption of the agenda", will be taken up under this item.

I. Adoption of decisions by the Conference of the Parties to the Vienna Convention at its ninth meeting (item 9 of the provisional agenda for the high-level segment)

46. Under this item, the parties will adopt the decisions to be taken by the Conference of the Parties at its ninth meeting.

J. Adoption of decisions by the Twenty-Third Meeting of the Parties to the Montreal Protocol (item 10 of the provisional agenda for the high-level segment)

47. Under this item, the parties will adopt the decisions to be taken by the Twenty-Third Meeting of the Parties.

K. Adoption of the report of the ninth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Third Meeting of the Parties to the Montreal Protocol (item 11 of the provisional agenda for the high-level segment)

48. Under this item, the parties will adopt the report of the ninth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Third Meeting of the Parties to the Montreal Protocol.

L. Closure of the meeting (item 12 of the provisional agenda for the high-level segment)

49. The ninth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Third Meeting of the Parties to the Montreal Protocol are expected to close by 6 p.m. on Friday, 25 November 2011.
