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**Sixteenth Meeting of the Parties
to the Montreal Protocol on
Substances that Deplete the
Ozone Layer**
Prague, 22–26 November 2004

Annotated provisional agenda

I. Preparatory segment (22–24 November 2004)

1. Opening of the preparatory segment:
 - (a) Statement by a representative of the Government of the Czech Republic;
 - (b) Statement by the Executive Director of the United Nations Environment Programme.
2. Organizational matters:
 - (a) Adoption of the agenda of the preparatory segment;
 - (b) Organization of work.
3. Consideration of issues arising out of the reports of the Technology and Economic Assessment Panel:
 - (a) Recommendations of the Open-ended Working Group at its twenty-fourth meeting:
 - (i) Essential-use nominations for non-Article 5 Parties;
 - (ii) Assessment of the portion of the refrigeration service sector made up by chillers and identification of incentives and the impediments to the transition to non-CFC equipment;
 - (iii) Sources of carbon tetrachloride emissions and means of reducing such emissions;
 - (iv) Review of approved destruction technologies;
 - (b) Assessment by the Technology and Economic Assessment Panel of the availability of supply of CFCs and carbon tetrachloride required for basic domestic needs for Article 5 Parties for the period 2004–2010 (decision XV/2);
 - (c) Development of a plan of action for modification of the regulatory requirements on halon use in new airframes (decision XV/11);

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- (d) Review of requests for consideration of specific process-agent uses against criteria in decision X/14 and decision XV/7, paragraph 3.
4. Consideration of methyl bromide-related issues:
- (a) Recommendations of the Open-ended Working Group at its twenty-fourth meeting:
 - (i) Multi-year exemptions for methyl bromide use;
 - (ii) Trade in products and commodities treated with methyl bromide;
 - (iii) Request for technical and financial support relating to methyl bromide alternatives;
 - (iv) Assessment of the normative authorization of the use of methyl bromide for quarantine and pre-shipment, feedstock and wooden pallet fumigation;
 - (v) Flexibility in the use of alternatives for the phasing out of methyl bromide;
 - (vi) Assessment of the volume of methyl bromide to be replaced by the implementation of technically and economically feasible alternatives to its quarantine and pre-shipment uses (decision XI/13, subparagraph 4 (b));
 - (b) Recommendations of the ad hoc working group on the review of the working procedures and terms of reference of the Methyl Bromide Technical Options Committee as they relate to the evaluation of critical use nominations;
 - (c) Recommendations of the Methyl Bromide Technical Options Committee of the Technology and Economic Assessment Panel on nominations for critical-use exemptions for methyl bromide (decisions IX/6, para. 2, and XIII/11);
 - (d) Recommendations of the Methyl Bromide Technical Options Committee of the Technology and Economic Assessment Panel on the handbook, reporting forms and accounting framework for critical uses of methyl bromide.
5. Consideration of issues related to the Multilateral Fund for the Implementation of the Montreal Protocol:
- (a) Evaluation and review of the financial mechanism of the Montreal Protocol (decision XV/47);
 - (b) Terms of reference for the study on the 2006–2008 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol;
 - (c) Consideration of an amendment of paragraph 10 (k) of the terms of reference of the Executive Committee of the Multilateral Fund relating to the nomination and appointment of the Chief Officer of the Multilateral Fund Secretariat (decision XV/48),
 - (d) Need to ensure equitable geographical representation in the Executive Committee of the Multilateral Fund.¹
6. Consideration of issues related to ratification, data reporting, compliance and international and illegal trade:
- (a) Data reporting under Article 7 of the Montreal Protocol;
 - (b) Status of ratification of the Convention, the Protocol and its amendments;
 - (c) Report by the President of the Implementation Committee on non-compliance issues;
 - (d) Issues arising from the Implementation Committee:
 - (i) Comments on the information on the implementation and operation of decision XV/3 received by the Secretariat pursuant to paragraph 3 of that decision;
 - (ii) Clarification of paragraph 7 of decision XIV/7;
 - (iii) Recommendations on non-compliance with Protocol obligations;

¹ A draft decision on this matter has been forwarded by the Open-ended Working Group for consideration by the Sixteenth Meeting of the Parties; see section M of annex I to the report of the Working Group's twenty-fourth session, contained in document UNEP/OzL.Pro.WG.1/24/9.

- (e) Monitoring of trade in ozone-depleting substances and preventing illegal trade in ozone-depleting substances (decision XIV/7);
 - (f) Feasibility study on the development of a system for tracking international trade in ozone-depleting substances²;
 - (g) Situation of very low-volume consuming countries.
7. Consideration of membership of various bodies in 2005:
 - (a) Implementation Committee;
 - (b) Executive Committee of the Multilateral Fund;
 - (c) Co-chairs of the Open-ended Working Group.
 8. Consideration of administrative issues:
 - (a) Financial report on the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer and budget;
 - (b) Proposal to decide on the dates of the Meetings of the Parties three years in advance.
 9. Proposed adjustments and amendment of the Montreal Protocol by the European Community.
 10. Other matters.
 11. Closure of the preparatory segment.

II. High-level segment (25–26 November 2004)

1. Opening of the high-level segment:
 - (a) Welcome by the representative of the Government of the Czech Republic;
 - (b) Statement by the Executive Director of the United Nations Environment Programme;
 - (c) Statement by the President of the Fifteenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.
2. Organizational matters:
 - (a) Election of officers of the Sixteenth Meeting of the Parties to the Montreal Protocol;
 - (b) Adoption of the agenda of the high-level segment;
 - (c) Organization of work;
 - (d) Credentials of representatives.
3. Presentation by the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panels on their progress in 2004.
4. Presentation by the Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol.
5. Presentation by the representative of the Global Environment Facility.
6. Presentations by the representatives of the implementing agencies (the United Nations Development Programme, the United Nations Environment Programme, the United Nations Industrial Development Organization and the World Bank).
7. Statements by heads of delegations.
8. Report of the co-chairs of the preparatory segment and consideration of the decisions recommended for adoption by the Sixteenth Meeting of the Parties to the Montreal Protocol.
9. Dates and venue of the Seventeenth Meeting of the Parties to the Montreal Protocol.
10. Other matters.

²

Ibid., annex I, section E.

11. Adoption of the report of the Sixteenth Meeting of the Parties to the Montreal Protocol.
12. Closure of the meeting.

Annotations

I. Preparatory segment

Item 1

1. The meeting will be opened at 10 a.m. on Monday, 22 November 2004, at the Hilton Hotel in Prague, Czech Republic. Registration of participants will start at 9 a.m. the same day. Participants are encouraged to pre-register well in advance of the meeting through the internet.

Item 2 (a)

2. The provisional agenda set out above will be before the Parties for adoption. The co-chairs of the twenty-fourth meeting of the Open-ended Working Group, Mr Jorge Leiva (Chile) and Mr. Janusz Kozakiewicz (Poland), will co-chair the preparatory segment.

Item 2 (b)

3. The Parties may wish to conduct their work in plenary and draw up a specific timetable for the work on the agenda. Parties may also wish to raise other matters for the consideration of the Meeting.

Item 3

4. The Technology and Economic Assessment Panel will deliver its presentations.

Item 4 (b)

5. The co-chairs of the ad hoc working group on the review of the working procedures and terms of reference of the Methyl Bromide Technical Options Committee will deliver their presentation.

Items 4 (c) and (d)

6. The Methyl Bromide Technical Options Committee will deliver its presentation.

Item 5 (a)

7. The consultancy firm ICF Consulting will deliver its presentation.

Item 6 (a) and 6 (b)

8. The report of the Secretariat on the 2003 data on production and consumption of ozone-depleting substances submitted by the Parties will be circulated as document UNEP/OzL.Pro.16/4. It will be considered by the Implementation Committee and transmitted to the Meeting of the Parties.

Item 6 (c)

9. The report of the President of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol on Substances that Deplete the Ozone Layer will be delivered during the meeting.

Item 7 (a)

10. The Meeting will consider the issue of membership of the Implementation Committee. In accordance with the non-compliance procedure as adopted by the Fourth Meeting of the Parties and amended by the Tenth Meeting of the Parties, the Implementation Committee consists of ten Parties elected for two years on the basis of equitable geographical distribution. Outgoing Parties may be

re-elected for one consecutive term. In decision XV/13, the Parties confirmed the positions of Honduras, Italy, Lithuania, Maldives and Tunisia as members of the Committee for one further year and selected Australia, Belize, Ethiopia, Jordan and the Russian Federation as members of the Committee for a two-year period. The Parties at the Sixteenth Meeting may wish to select new members of the Implementation Committee to replace Honduras, Italy, Lithuania, Maldives and Tunisia and to confirm Australia, Belize, Ethiopia, Jordan and the Russian Federation for another year.

Item 7 (b)

11. The Meeting will consider the issue of membership of the Executive Committee. In accordance with the terms of reference of the Executive Committee approved by the Fourth Meeting of the Parties, the Executive Committee consists of 14 members: seven from the group of Parties operating under paragraph 1 of Article 5 of the Montreal Protocol, and seven from the group of Parties not so operating. Each group elects its Executive Committee members, who are then formally endorsed by the Meeting of the Parties. The Chair and the Vice-Chair are selected from the 14 Executive Committee members. The office of Chair is effective from 1 January of the year in which the term of office commences and is subject to rotation on an annual basis between the Parties operating under paragraph 1 of Article 5 and the Parties not so operating. In decision XV/46, the Parties endorsed the selection of Austria, Belgium, Canada, Hungary, Japan, the United Kingdom of Great Britain and Northern Ireland and the United States of America as members of the Executive Committee representing Parties not operating under Article 5 of the Montreal Protocol and the selection of Argentina, Bangladesh, China, Cuba, the Islamic Republic of Iran, Mauritius and the Niger as members representing Parties operating under Article 5, for one year with effect from 1 January 2003. It also took note of the selection of Argentina as Chair and Austria as Vice-Chair.

12. The group of Parties operating under Article 5 may wish to select the members to represent them in the Executive Committee for 2005 and also the Vice-Chair of the Committee for that year. The group of Parties not operating under Article 5 may wish to select their seven representatives for the Committee and the Chair for 2005. The Parties at the Sixteenth Meeting may wish to endorse the selections of the new representatives and note the selection of the Chair and Vice-Chair of the Committee for 2005.

Item 7 (c)

13. In accordance with decision XV/55 of the Fifteenth Meeting of the Parties, Mr. Jorge Leiva (Chile) and Mr. Janusz Kozakiewicz (Poland) have served as co-chairs of the Open-ended Working Group of the Parties to the Montreal Protocol for 2004. The Parties at the Sixteenth Meeting may wish to consider the chairmanship of the Open-ended Working Group in 2005.

Item 10

14. The Parties may discuss other matters as decided under item 2 (b).

II. High-level segment

Item 2 (a)

15. Paragraph 1 of rule 21 of the rules of procedure of the Meeting of the Parties to the Montreal Protocol states that:

“At the commencement of the first session of each ordinary meeting, a President, three Vice-Presidents and a Rapporteur are to be elected from among the representatives of the Parties present at the meeting. They will serve as the officers of the meeting. In electing its officers, the Meeting of the Parties shall have due regard to the principle of equitable geographical representation. The offices of the President and Rapporteur of the Meeting of the Parties shall normally be subject to rotation among the five groups of States referred to in section I, paragraph 1, of General Assembly resolution 2997 (XXVII) of 15 December 1972, by which the United Nations Environment Programme was established.”

A Party from the group of Eastern European States presided over the Fifteenth Meeting of the Parties to the Montreal Protocol, while a Party from the group of Asian States served as Rapporteur. On the basis of rotation according to English alphabetical order among the five groups of States referred to in General Assembly resolution 2997 (XXVII), a Party from the group of Latin American and Caribbean States may be elected to preside over the Sixteenth Meeting of the Parties and a Party from the group of Eastern European States may be elected as Rapporteur, unless the Meeting decides otherwise. Three vice-presidents may be elected from the groups of African, Asian and Western European and other States, respectively.

Item 2 (b)

16. The provisional agenda set out above for the high-level segment will be before the Parties for adoption.

Item 2 (c)

17. The Parties may wish to conduct their work in plenary session and draw up a specific timetable for the work on the agenda.

Item 2 (d)

18. In accordance with rule 18 of the rules of procedure for Meetings of the Parties to the Montreal Protocol, the credentials of representatives shall be submitted to the Executive Secretary of the Meeting, if possible not later than 24 hours after the opening of the Meeting. In accordance with rule 19, the officers of the Meeting shall examine the credentials and submit their report to the Meeting.

Items 3

19. The co-chairs of the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel will make summary presentations on any progress in 2004.

Item 4

20. The Chair of the Executive Committee of the Multilateral Fund will present her report, circulated as document UNEP/OzL.Pro.16/8.

Item 5

21. The representative of the Global Environment Facility will present a report to the Parties under this item.

Item 6

22. The representatives of the implementing agencies will present their reports to the Parties under this item.

Item 7

23. Under this item, the heads of delegations will deliver statements of about five minutes in duration. The order of speakers is to be decided on by the President of the Bureau of the Montreal Protocol.

Item 8

24. It is expected that, in their report to the high-level segment, the co-chairs of the preparatory segment will present draft decisions and recommendations on, among other matters: ratification of the

Convention and the Protocol and its amendments; reporting of data by the Parties; membership of the Implementation Committee; membership of the Executive Committee; selection of the co-chairs of the Open-ended Working Group; terms of reference for the replenishment study of the Multilateral Fund for the years 2006–2008; evaluation and review of the financial mechanism of the Montreal Protocol; critical use exemptions for methyl bromide (annual and multi-year); procedures and terms and reference of the Methyl Bromide Technical Options Committee; use of methyl bromide for quarantine and pre-shipment; other issues related to the use of methyl bromide; essential-use exemptions for ozone-depleting substances; non-CFC chillers; a system for tracking international trade in ozone-depleting substances; reduction of industrial carbon tetrachloride emissions; review of the destruction technologies for ozone-depleting substances approved by the Parties; equitable geographical representation of Parties in the Executive Committee of the Multilateral Fund; the situation of the very-low-volume-consuming countries; implementation and operation of decision XV/3; recommendations forwarded by the Implementation Committee on non-compliance issues; and any other issues as decided.

Item 9

25. The Parties will decide on the dates and venue of the Seventeenth Meeting of the Parties to the Montreal Protocol.

Item 10

26. The Parties may discuss other matters as decided under item 2 (c).

Item 11

27. The draft reports of the Sixteenth Meeting of the Parties to the Montreal Protocol will be presented for adoption at the conclusion of the Meeting.

Item 12

28. The Meeting is expected to close at 6 p.m. on 26 November 2004.
