

Distr.  
GENERAL

UNEP/OzL.Pro.4/15  
25 November 1992

ORIGINAL: ENGLISH

FOURTH MEETING OF THE PARTIES TO THE  
MONTREAL PROTOCOL ON SUBSTANCES  
THAT DEplete THE OZONE LAYER  
Copenhagen, 23-25 November 1992  
Agenda item 9

REPORT OF THE FOURTH MEETING OF THE PARTIES TO THE  
MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete  
THE OZONE LAYER

INTRODUCTION

1. The Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer was held at the Bella Center, Copenhagen, from 23 to 25 November 1992, at the invitation of the Government of the Kingdom of Denmark.

I. OPENING OF THE MEETING

2. Following the entry into the hall of Her Majesty the Queen of Denmark, at 10.15 a.m. on Monday, 23 November 1992, Mr. P. Chin Fah Kui, Deputy Minister of Science, Technology and the Environment of Malaysia and Vice-President of the Third Meeting of the Parties to the Montreal Protocol, started the proceedings.

A. *Statement by the representative of the Government of Denmark*

3. His Excellency Mr. Stig Moller, Minister of the Environment of Denmark, welcomed participants on behalf of the people and Government of Denmark and stated that he was deeply honoured by the presence in the hall of Her Majesty the Queen of Denmark.

4. He said that the task of the Meeting was to phase out as quickly as possible ozone-depleting chemicals, while ensuring environmentally sound development for the developing countries. The Montreal Protocol also must be used to set the trend for international cooperation in other fields, such as climate change, biodiversity and hazardous waste. Now was the chance to show that the pledges to save the Earth made at the United Nations Conference on Environment and Development were meaningful.

5. Praising the great contribution to international environmental cooperation of the Executive Director of the United Nations Environment Programme (UNEP), Dr. Mostafa Tolba, he said that with the Executive Director's retirement from UNEP, the environment was saying good-bye to an outstanding driving force.

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B. *Statement by Dr. M.K. Tolba, Executive Director of  
the United Nations Environment Programme*

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6. Dr. Tolba, Executive Director of the United Nations Environment Programme (UNEP), having expressed his gratitude to the Government and people of Denmark for hosting the meeting, said that ozone-layer depletion was unique among global environmental problems in that its causes and cures were known, a timetable for, and the approximate cost of, implementing the solutions had been worked out, and the wealthy nations had agreed to meet the costs of, and to pass on their know-how to, the less fortunate. The Protocol had, by any standard, achieved wide success. The world would, however, continue to pay, for decades to come, for the 14-year delay between the identification of the problem in 1973 and the signing of the Protocol in 1987. The lesson from that experience was that the best approach was to err on the side of caution, heed early warnings and insist that the burden of proof lay with those who would experiment with the natural workings of the world.

7. Outlining the issues before the Meeting, he said that it had three days to decide how humanity would respond to the growing threat to the ozone layer. The phase-out of controlled substances had to be accelerated, the use of transitional substances held back and phase-out schedules initiated for hydrochlorofluorocarbons, as well as methyl bromide. In addition, an agreement was needed to link the application of the amendment and adjustments in developing countries to the 1995 review of financial resources and technology transfer, and it was also essential to establish the Multilateral Fund, to commit to its replenishment and to decide on the level of contributions to it, at least for 1994.

8. Finally, he expressed his confidence that the Parties would in their deliberations be guided by one criterion above all others: the protection of the ozone layer. The next generation deserved an ozone layer as good as nature could provide. It was the current generation that had done the damage and it was for that generation to undo it.

*C. Statement by the Acting President of the  
Third Meeting of the Parties*

9. Mr. P. Chin Fah Kui (Malaysia), Acting President of the Third Meeting of the Parties, conveyed the Meeting's gratitude to Mr. K'Ombudo (Kenya), who was unable to attend, for discharging so ably the functions of President since the Third Meeting. He also expressed his gratitude to the Executive Director of UNEP for his determined leadership and wisdom, to his colleagues in the Bureau, to the Ozone Secretariat and, in particular, to the Government and the people of Denmark and Her Majesty the Queen for hosting the meeting.

10. He said the Montreal Protocol had broken new ground in the international efforts and cooperation to protect the global environment. He was, however, somewhat concerned that the London Amendment had not entered into force according to schedule, owing to the late receipt of ratifications. Implementation of international agreements like the Protocol must take place swiftly and without delay. He therefore urged all countries to ratify the amended Protocol as soon as possible.

11. The period since the Third Meeting had been an exciting one. While he was reasonably happy with the success of the implementation of the Protocol and the Interim Multilateral Fund, he would point out that there had recently been certain rather unsatisfactory developments such as attempts by some countries to alter the structure of the Multilateral Fund and the failure of a great many countries to pay their contributions to the Fund. These matters coupled with moves to accelerate the phase-out of ozone-depleting substances were causing much concern to developing countries, and he hoped that they could be resolved amicably by the Parties.

*D. Departure of Her Majesty the Queen of Denmark*

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12. At the end of the opening ceremony, Her Majesty the Queen of Denmark left the hall.

## II. ORGANIZATIONAL MATTERS

### A. Attendance

13. The following 75 Parties to the Montreal Protocol were represented: Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Costa Rica, Cuba, Czech and Slovak Federal Republic, Denmark, Ecuador, Egypt, European Community, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kenya, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Malta, Mauritius, Mexico, Netherlands, New Zealand, Nigeria, Norway, Panama, Philippines, Poland, Portugal, Republic of Korea, Russian Federation, Singapore, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela and Yugoslavia.

14. The following 25 States not party to the Protocol were also represented: Bahamas, Chad, Colombia, Congo, Dominican Republic, Guyana, Iraq, Kuwait, Laos, Mauritania, Monaco, Morocco, Mozambique, Oman, Niger, Pakistan, Peru, Romania, Senegal, Solomon Islands, Sudan, Swaziland, United Republic of Tanzania, Yemen and Zimbabwe.

15. Observers from the following United Nations bodies and specialized agencies were also present: United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP), United Nations Industrial Development Organization (UNIDO), World Bank, World Health Organization (WHO) and the World Meteorological Organization (WMO).

16. The following intergovernmental organizations were represented: Customs Co-operation Council (CCC), International Institute of Refrigeration (IIF-IIR) and the Nordic Council.

17. The following other organizations were also represented: Air Conditioning and Refrigeration Institute, Alliance for Responsible CFC Policy, Allied Signal Inc., American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE), Association of Home Appliances Manufacturers (AHAM), Association of Methyl Bromide Industry Japan (AMBIJ), Australian Conservation Foundation, Chamber of Mines Research Organization, Confederation of Danish Industries, CSERGE/LSE, Dansk Naturfredning, DOWELANCO, Dupont Brazil (ABINEE), Dupont Canada Inc., Dupont International S.A. (Switzerland), Eurobrom, European Chlorinated Solvents (ECSA), European Council of Federations of the Chemical Industry (CEFIC), Friends of the Earth, Greenpeace, Halogenated Solvents Industry Alliance (HSIA), Halon Alternative Research Corporation, Halozone Recycling Inc., Halozone Technologies Inc. (Canada), Hankook Shinwha Co. Ltd., Industrial Technology Research Institute (ITRI), Institute for Energy and Environmental Research (IEER), International Chamber of Commerce (ICC), International Council of Environmental Law (ICEL), International Pharmaceutical Aerosol Consortium (IPAC), Japan Association for Hygiene of Chlorinated Solvents (JAHCS), Japan Automobile Manufacturers' Association (JAMA), Japan Electrical Manufacturers' Association (JEMA), Japan Flon Gas Association (JFGA), Japan Industrial Conference for Ozone Layer Protection (JICOP), Japan Refrigeration and Air Conditioning Industry Association (JRAIA), MC Solvents Co. Ltd., Methyl Bromide Global Coalition, Motor Vehicle Manufacturers' Association Inc. (MVMA/ICIA), MTI, Natural Resources Defense Council, Oxford University, Program for Alternative Fluorocarbon Toxicology Testing (PAFT), Refrigeration Industry Board (United Kingdom), Schering Plough Corporation, Shanti Consultants Ltd., Toshiba Corporation and the Worldwatch Institute.

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*B. Election of the President, three Vice-Presidents  
and the Rapporteur*

18. In accordance with rule 21, paragraph 1, of the rules of procedure, the following officers were elected, by acclamation, at the opening of the meeting:

- President: Mr. Kamal Nath, Minister of Environment and Forests, India
- Vice-Presidents: Mr. Ryszard Purski, Chief Specialist in the Ministry of Environmental Protection, Natural Resources and Forestry, Poland (Eastern European Group)
- Mr. Eduardo Mora, Under-Secretary for Multilateral Political Affairs, Ministry of Foreign Affairs, Ecuador (Latin American and Caribbean Group)
- Mr. J.A.M. Alders, Minister for Housing, Physical Planning and Environment, Netherlands (Western European and Others Group)
- Rapporteur: Mr. Magang, Minister of Works, Transport and Communications, Botswana

*C. Adoption of the agenda*

19. The following agenda, as contained in document UNEP/OzL.Pro/4/1, was adopted:

1. Opening of the Meeting:
  - (a) Statement by the representative of the Government of Denmark;
  - (b) Statement by the Executive Director of UNEP.
2. Organizational matters:
  - (a) Election of the President, three Vice-Presidents and the Rapporteur;
  - (b) Adoption of the agenda;
  - (c) Organization of work.
3. Consideration of the report of the Executive Director:
  - Implementation of the Montreal Protocol and its Amendment and adjustments;
  - Establishment of Financial Mechanism under Article 10 of the amended Protocol;
  - Reporting of data;
  - Report of the third meeting of the Ad Hoc Working Group of Legal Experts on Non-Compliance with the Montreal Protocol;
  - Assessment Panels and the terms of reference for 1993;
  - Proposals for further adjustments and amendment;

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- Other recommendations of the Open-ended Working Group.
- 4. Information provided by the Parties in accordance with Articles 4, 7 and 9 of the Montreal Protocol and report of the Implementation Committee.
- 5. Report of the Executive Committee of the Interim Multilateral Ozone Fund.
- 6. Revised budget for the Montreal Protocol Trust Fund for 1992 and the proposed budget for the biennium 1993-1994.
- 7. Date and venue for the Fifth Meeting of the Parties.
- 8. Other matters.
- 9. Adoption of the report.
- 10. Closure of the Meeting.

#### D. *Credentials*

20. In accordance with rule 19 of the rules of procedure, the officers of the Meeting examined the credentials of representatives and, having found them to be in good and due form, so reported to the Meeting.

21. A number of delegations objected to the credentials of the representative of the Federal Republic of Yugoslavia. Two delegations made statements on the subject, which are to be found in Annex XVI to this report.

### III. SUBSTANTIVE MATTERS

#### A. *Presentation of reports*

##### 1. *Synthesis report of the assessment panels*

22. Mr. Watson, Co-Chairman of the Ozone Scientific Assessment Panel and overall Chairman of the Assessment Panels, presented a report on the work of the scientific, environmental impacts, and technology and economic assessment panels based on the 1991 assessment reports and the interim scientific, technology and economic assessment of methyl bromide in 1992. He said that ozone depletion was significantly more serious than it had been in 1990 and that there was no doubt that it was caused primarily by the emission of anthropogenic chemicals containing chlorine and bromine. It was clear that the potential existed for large-scale ozone depletion over the Arctic and surrounding populated areas in both winter and spring.

For the first time, serious levels of UV-B radiation had been observed in conjunction with ozone depletion over Antarctica and Australia and in a mountainous region of Europe, and its effects had started to become noticeable in the real world, with damage to phytoplankton observed in Antarctica during the period of the ozone hole. Even if the London control measures were to be implemented globally, the atmospheric abundance of chlorine would increase from the current level of about 3.5 ppbv to over 4 ppbv around the year 2000. The scientific community now also recognized that atmospheric ozone was threatened by the anthropogenic emissions of methyl bromide, which could have accounted for between 5 and 10 per cent of the observed ozone loss during the previous 10 to 20 years. If production of methyl bromide continued to increase at its historical rate, it could account for 15 per cent of predicted ozone depletion by the year 2000.

23. From a scientific perspective, protection of the ozone layer could be achieved by taking all technically and economically feasible measures to minimize atmospheric concentrations of bromine and chlorine, including a phase-out of the substances currently controlled under the Protocol, as

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rapidly as technically and economically possible; the recovery and banking of CFCs and halons; the reduction to a minimum of emissions of methyl bromide; and the minimization of the initial substitution rates of HCFCs, followed by the most technically and economically feasible phase-out of those substances. In particular, he emphasized that controls on methyl chloroform and methyl bromide had the greatest effect on limiting ozone depletion during the next one to two decades because of their short atmospheric lifetimes. Adoption of measures similar to those presented by the Executive Director would halve the integrated amount of ozone depletion over the next several decades and the chronic effects of UV-B radiation.

24. He did have some good news to report: the phase-out of controlled substances was about three years ahead of the London schedule; elimination costs had become much lower than estimated in 1989; it was technically and economically feasible to phase out CFCs, methyl chloroform and carbon tetrachloride between 1995 and 1997; and halon production could be eliminated by 1995 or earlier, assuming that halon banks could be established and trading issues regulated. Methyl bromide emissions could also be significantly reduced by a variety of measures, including substitution, improved management practices and containment and recovery. It must, however, be noted that partnerships between developed and developing countries were needed and that access to technology and financing were essential. In that respect, the Multilateral Fund was vital for the early elimination of controlled substances in developing countries.

2. *Report of the Chairman of the Executive Committee  
of the Interim Multilateral Fund for the  
Implementation of the Montreal Protocol*

25. Mr. Mateos, Chairman of the Executive Committee of the Interim Multilateral Fund for the Implementation of the Montreal Protocol, said that, after four meetings of the Committee, the initial critics had been proved wrong, as representatives of the developed and developing countries worked side by side, adopting all decisions by consensus and taking into consideration the concerns of all members. To date, 60 projects had been approved for the phase-out of more than 30,000 tonnes of ozone-depleting substances, which represented 20 per cent of the total consumption of the developing countries party to the Protocol. Using a flexible approach, the Committee had approved all bilateral contributions, the work programmes and, sometimes with amendments, the project proposals submitted to it. As at October 1992, it had allocated funds for the preparation of 39 country programmes, 9 of which had already been approved. All doubts about policy had been resolved promptly and decisively, it being the implicit task of the Committee to ensure that there was no delay in allocating available funds. In that connection, the Fund Secretariat had a basic role in facilitating the approval of projects. Having drawn the attention of the Meeting to the subject matter of the decisions adopted by the Committee as set out in its report (UNEP/OzL.Pro.4/8, para. 6), he said that the mechanisms provided by the Parties enabled the Fund to function and guided the Committee in its decisions. He did not believe that any changes were necessary at the moment.

26. Turning to the Committee's plans for the preparation of country programmes, he said that the initial results had exceeded expectations, with all nine approved programmes aimed at the phase-out of controlled substances and most countries involved committing themselves to phasing out the substances according to the same schedule as that followed by non-Article 5 Parties. The Fund's cooperation and the belief that its financial resources were available in support of national efforts were integral to the assumption of those voluntary commitments. With the approval of the China country programme, strategies would have been developed to eliminate more than half of current consumption of controlled substances in developing countries party to the Protocol. The Committee was also dealing with institution-building, training and information exchange, and the improvement of the data-reporting capabilities of

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developing countries. He was, however, concerned that, without more financial resources, the Committee's work would be totally blocked. Parties that wished to avoid paying should state so openly so that the Committee's work could proceed more smoothly.

27. For the future, there was a need to speed up the conclusion of agreements between recipient countries and the implementing agencies, increase the number of requests for projects, and improve coordination and cooperation among the four implementing agencies, to which he was grateful for having introduced innovations in their internal procedures. Finally, he expressed his concern about the barriers to speedy project implementation, a matter which a subcommittee had recently been established to evaluate.

3. *Report of the Implementation Committee to the Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer*

28. Ms. Carola Bjorklund, President of the Implementation Committee, said that the Committee represented a new form for settling disputes outside the traditional judicial framework. It was important that it was given, by the Meeting of the Parties, effective rules of procedure and a mandate to enable it to fulfil its task. Such a regime would undoubtedly increase chances of reaching amicable resolutions which the draft non-compliance procedure set out as the main goal for the Committee. It was the intermediate role envisaged for the Committee that was essential and made it the main provider of vital information for the Parties with regard to their own control of States' compliance. The Implementation Committee had tested the draft non-compliance procedures (UNEP/OzL.Pro/WG.3/3/3) over a two-year period and had found the mandate to be both efficient and appropriate for supporting its work. The members of the Committee fully supported the work produced by the Ad Hoc Working Group of Legal Experts and had noted with satisfaction that the Preparatory Meeting for the Fourth Meeting of the Parties had responded positively to the proposed non-compliance procedure as contained in annex IV of the draft decisions before the Meeting (UNEP/OzL.Pro.4/L.1/Rev.1). With regard to annexes V and VI of the same document, she recalled that, at the Third Meeting of the Parties, the Implementation Committee had stressed that it

would be useful for it to be provided with an indicative list of advisory and conciliatory measures, indicating what appropriate measures the Committee might recommend to be taken by the Meeting of the Parties in respect of Parties in non-compliance with the Protocol.

29. Having drawn the attention of the Meeting to the reporting statistics contained in the Secretariat's report on the reporting of data by the Parties to the Montreal Protocol (UNEP/OzL.Pro.4/6 and Corr.1), she said that many Parties, which also accounted for a major portion of the production and consumption of controlled substances in the world, had reduced their consumption much beyond the extent called for by the Protocol. On the other hand, the Committee had noted with some concern that there was a trend of increased consumption of controlled substances, particularly halons, by some Parties operating under Article 5. Two other problems noted by the Committee were the pattern of late reporting by many Parties and the problem of getting accurate population data. Some developing countries still seemed to have serious problems in fulfilling the data-reporting requirements. In that connection, the Ad Hoc Group of Experts on the Reporting of Data had identified several technical and administrative problems and their possible solutions. It was suggested, *inter alia*, that import control by customs regulations, based on the Harmonized Commodity System, should be established. However, in view of the difficulties that had been raised, the Committee supported the proposal from the Preparatory Meeting that Parties should insert further subdivisions to the recommended Harmonized System subheadings.

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30. She also called for high priority to be given to support for developing countries to help them fulfil their reporting duties. Indeed, at the most recent meeting of the Implementation Committee, representatives from the Interim Multilateral Fund and the implementing agencies had been invited to inform the Committee about their programmes to assist Parties operating under Article 5. Since the Implementation Committee was very interested in close cooperation with the Fund and the implementing agencies and the work of those agencies was of crucial importance to the work of the Committee, it was essential for the Committee and the Fund to work closely together and exchange information on a regular basis.

4. *Report on the work of the Open-ended Working Group of the Parties to the Montreal Protocol*

31. Mr. Lee-Bapty (United Kingdom), Co-Chairman of the Open-ended Working Group of the Parties to the Montreal Protocol, said that the report of the Legal Drafting Group (UNEP/OzL.Pro.4/2/Rev.1), which was before the Meeting, reflected the outcome of the meetings of the Open-ended Working Group and their own drafting. It was no surprise that the chemicals already controlled were those on which the greatest degree of consensus had been achieved. For those that had become a subject of discussion more recently, there had been more to do. In particular, methyl bromide was one substance where there was a need to balance its undoubted damage to the ozone layer with the vital applications for which it was undoubtedly needed. The Group had not agreed whether to phase out or reduce all but quarantine and pre-shipment uses by the end of the century, or to be satisfied with a freeze until further research had been completed, or, indeed, to defer any controls until after that research. It had, at least, identified how any one of those options could be reflected in the Protocol itself. For hydrochlorofluorocarbons, the situation was still more complicated. The Group had largely adopted the framework developed by the Executive Director and the group of experts he had convened and had abandoned the various individual proposals on the way. It had agreed that there should be a consumption limit and had generally agreed on a reduction schedule. What remained was to set the initial level and the final phase-out date and to consider the extent to which, for the first time, the Protocol could be used to influence the applications for which the chemicals were employed.

32. One other important issue was the question of the application of new controls to Article 5 Parties. It was generally accepted that the question of controls on hydrochlorofluorocarbons, hydrobromofluorocarbons and methyl bromide in developing countries should be decided on in 1995. However, no conclusion had been reached as to whether the acceleration of controls on chlorofluorocarbons and halons should apply, after the 10-year grace period, to Article 5 Parties or whether that matter should be decided after the 1995 review.

5. *Report on the work of the Preparatory Meeting for the Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer*

33. Mr. López (Venezuela), Chairman of the Preparatory Meeting for the Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer said that the work of the Preparatory Meeting had been extremely positive and more than expected had been achieved. There were, however, still a number of outstanding issues. He hoped that there could be further progress in the Open-ended Working Group so that any agreements could go, through the Preparatory Committee, to the Meeting of the Parties with no dissenting views. In spite of the delay in completing its work, the Preparatory Meeting had been effective and productive in its endeavour to provide the Meeting of the Parties with proposals containing as few controversial issues as possible. He therefore urged the Fourth Meeting of the Parties to adopt the draft decisions that would be submitted to it.

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## B. *Statements*

34. Statements were then made by representatives of 54 States, including 3 non-Parties, by a regional economic grouping Party to the Protocol, and by 4 non-governmental organizations. Discussion focused on the proposed amendments and adjustments to the Protocol, and the proposals regarding the financial mechanism.

35. Nearly all the representatives who spoke expressed the view that the Montreal Protocol was an excellent example of international cooperation and provided a model for all subsequent international legal instruments relating to the environment. Several of them noted that the endeavours to protect the ozone layer also constituted a positive contribution to the work being done elsewhere on global warming and climate change. A number of representatives of Parties referred to the need for cooperation between the Governments - the prime movers in the matter of the Protocol - and not only industry but also non-governmental organizations and, indeed, individuals. Several of them mentioned the need for programmes to sensitize public opinion to the seriousness of the problem of ozone-layer depletion.

36. Many representatives of Parties gave accounts of the work already done in their countries to implement the Montreal Protocol and of the plans of action adopted and other future work programmes. One representative referred, in particular, to the need for more observation stations to fill the data gaps.

37. Virtually all the speakers stressed the serious need for additional data on the ozone layer, particularly in the light of the latest scientific information. The representatives of countries situated in high latitudes were particularly concerned about that issue. Depletion of the ozone layer was proceeding at an alarming rate, far faster than had been predicted, with possible hazardous consequences for human health and the environment. Increases in surface UV-B radiation had actually been measured in both hemispheres. And both hemispheres, "holes" in the ozone layer had been detected and were becoming larger every year.

38. A number of representatives referred to the need for sustainable development, one of them adding that that meant paying careful attention to natural cycles in different environments. Another representative stated that the United Nations Conference on Environment and Development had pointed the way to what might be described as a future environmental foreign policy, conducted by States through the United Nations. Sustainable development, several representatives argued, meant changes in the behaviour of producers and, in particular, of consumers. An example was given, in the context of the Montreal Protocol, that air-conditioning might be an essential use for controlled substances in one context and a mere luxury in another. Luxury, and indeed comfort, that entailed damage to the environment would have to be renounced.

39. Most of the representatives of developed countries were in favour of the proposed adjustments and Amendment, as a reasonable compromise between the different views expressed, though a number of them stated that they would have preferred earlier phase-out dates for the controlled substances than those proposed. Several of the representatives of developed countries stressed the importance of securing the cooperation of industry, both in terms of the development of more benign chemicals and technologies and in implementing control measures. One of them cautioned against making impossible demands on industry. Most of the representatives of developed countries favoured a rapid phase-out of the transitional substances and the inclusion of methyl bromide in the Protocol as a controlled substance, since it was a known ozone-depleting substance. Several representatives underlined the importance of recovery and recycling activities, with regard

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to both the replacement of new production and the reduction of emissions to the atmosphere.

40. While most of the representatives of Parties operating under Article 5, paragraph 1, favoured, in principle, the more rapid phasing out of the controlled substances by the Parties not operating under Article 5, paragraph 1, they were concerned that exports of those substances should be guaranteed, at affordable prices, during their own grace and phase-out periods. In that connection, many of them emphasized that there should be no automatic application of the new provisions to the countries operating under Article 5, paragraph 1, pending the 1995 review of the situation. Most of them added that the inclusion of methyl bromide as a controlled substance in the Protocol could have serious effects on their economies. One representative expressed the hope that the proposed new regulations, particularly with respect to methyl bromide, would not be used to establish non-tariff barriers to international trade. One representative cautioned against the taking of hasty decisions which would endanger the fragile economies of the developing countries. One representative of a Party stated that his delegation would have liked the Fourth Meeting to devote itself to revising the London Amendment rather than adopting new amendments.

41. The proposed establishment of the Multilateral Fund was generally welcomed, many representatives stating that the Interim Multilateral Fund had proved its worth. However, some representatives of countries not operating under Article 5, paragraph 1, stated that, given the importance of the financial mechanism, it was essential that the effectiveness of the Interim Multilateral Fund to date should be evaluated and reviewed before establishing the mechanism. One representative expressed the opinion that it would be more effective and efficient to merge the financial mechanism into the Global Environment Fund (GEF) by 1995 but, in a spirit of compromise, he withdrew his delegation's reservation on the establishment of the Fund. Many representatives expressed dismay at the fact that the payment of contributions to the Interim Multilateral Fund was seriously in arrears and urged that, if the payment of contributions to the financial mechanism was not already mandatory, it should become so. Several representatives of Parties not operating under Article 5, paragraph 1, informed the Meeting that their countries' contributions had just been paid.

42. Some representatives expressed deep concern that certain countries were questioning the commitment made in London to establish the Multilateral Fund on a permanent basis and were unwilling to reaffirm their financial commitment to the Fund beyond 1993. They emphasized that the Fund was an essential element without which implementation of the Protocol would be meaningless. One of them stated that his delegation viewed with great concern any attempt to alter the structure of the Fund. It had currently a democratic character due to the governance by both developed and developing countries, and a change in that structure would be short-sighted and counter-productive.

43. A number of representatives referred to the conditions for the transfer of technology, stating that the current situation was unsatisfactory. Several of them stated that such transfer should be carried out on concessionary terms, while one considered that it should be free of charge.

44. Another delegation drew the attention of the Parties to the lack of independent certification on the overall environmental acceptability of the growing list of alternatives that were alleged to be safe. It urged the establishment of a legal regime for certification, product safety and liability for the alternatives before they could be marketed.

45. Some representatives of Parties not operating under Article 5, paragraph 1, stated that their countries were encountering serious, but it

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was hoped transitory, economic difficulties. They did not wish to become recipients of assistance from the Fund but they did need temporary exemption from certain of their obligations under the Protocol. It was regrettable that the Parties appeared unwilling to recognize the existence of a third group of countries - those with economies in transition - as well as the two established groups of developed and developing countries.

46. One of them added that his country had accepted the position of successor State to a previous multinational State that had fissured into its component parts. Although that had meant a considerable reduction in its territory and population, there had been no recalculation of its assessed contribution. A further complication was that most of the other successors to the previous multinational State were not Parties to the Protocol, with the result that what had previously been domestic transactions in controlled substances had become trade with non-Parties and would henceforth be governed by Article 4. However, if a preferential regime were established to meet those concerns, his delegation would not object to new and tightened controls.

47. A number of representatives welcomed the proposed establishment of the non-compliance procedure, several of them noting that it could help to provide a solution to the problem of countries facing special difficulties, particularly transitory ones.

48. The representative of Kuwait described the severe environmental impact arising as a result of the invasion and occupation of his country by Iraq. Speaking in exercise of the right of reply, the representative of Iraq said that such extraneous political issues as those raised by the representative of Kuwait had no place in a technical meeting.

49. The observer for a non-governmental organization said that the Montreal Protocol had been a great success for international diplomacy, at the cost of a great deal of hard work by many dedicated people. Unfortunately, it had not been a success for the protection of the ozone layer. Every year since 1987 the scientists had informed the world that actual ozone destruction was worse than expected. The negotiation and renegotiation of the Protocol, held back by the dragging feet of industrial interests, had failed to match the urgency of the problem. If HCFCs were used as a transitional product, as advocated by industry, it would significantly delay the recovery of the ozone layer. Methyl bromide, a truly potent ozone destroyer, appeared likely to escape effective control. Her own and other non-governmental organizations were doing their best, as were independent scientists and others, but there was a limit to their possibilities. Only Governments could take effective action to remedy the situation at the eleventh hour, and she urged them to do so.

50. The observer for another non-governmental organization said that all the Parties represented at the Meeting had committed themselves to halting the depletion of the ozone layer, and the peoples of the world expected them to honour those commitments. In fact, however, a number of Governments had challenged the necessity of honouring their financial commitments made in London two years previously; a dangerous ozone destroyer - methyl bromide - seemed unlikely to face severe restrictions; production of HCFCs would continue for decades more, and the essential-uses loophole could permit production of CFCs, halons, methyl chloroform and carbon tetrachloride for the foreseeable future. That was not the result the peoples of the world expected, and he appealed to the Meeting to find the political will to rid the world of all the chemicals destroying its protective ozone layer.

51. The observer for a third non-governmental organization said it would be useful if the non-governmental organizations concerned with the environment were represented on the assessment panels. He felt sure that

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such representation would give the panels a valuable new dimension.

52. The observer for a fourth non-governmental organization reported a 30 per cent reduction in CFCs in one area of one country to meet the objectives of the Protocol, and requested that its data on controlled substances be recorded and made available to the Parties.

53. The representative of one country said that the observer should not have referred to the data from a province of that country. That province was, of course, like all other provinces of that country, bound by the Montreal Protocol, since the country was a Party thereto. However, he was unable to accept the establishment of direct relations between a province of one country and the Secretariat of the Montreal Protocol, UNEP or, indeed, any other organ dealing with the environment. The correct procedure was for the authorities to forward their data to the Government of that country for incorporation in the overall data of the country, which would then be forwarded to the Secretariat.

#### C. Action by the Meeting

54. Under agenda items 3, 4, 5, 6 and 7, the Meeting had before it the report of the Executive Director (UNEP/OzL.Pro.4/5 and Add.1), the report of the Secretariat on information provided by the Parties in accordance with Articles 4, 7 and 9 (UNEP/OzL.Pro.4/6 and Corr.1 and Add.1), the report of the Implementation Committee (UNEP/OzL.Pro/ImpCom/3/3), the report of the Executive Committee of the Interim Multilateral Fund for the Implementation of the Montreal Protocol (UNEP/OzL.Pro.4/8/Rev.1 and Add.1), a report by the Executive Committee on meeting the needs of Article 5 Parties for controlled substances during the grace and phase-out periods (UNEP/OzL.Pro/ExCom/8/25 and Add.1), the revised budget for 1992 and 1993, the proposed initial budget for 1994 (UNEP/OzL.Pro.4/7), financial reports on the Trust Fund for the Montreal Protocol and on the Interim Secretariat for the Vienna Convention and its Montreal Protocol (UNEP/OzL.Pro.4/9), and a note regarding the Harmonized System customs code numbers for the products listed in Annex D of the amended Montreal Protocol (UNEP/OzL.Pro.4/3 and Corr.1). It also had before it a note by the Executive Director on further adjustments and amendment to the Montreal Protocol (UNEP/OzL.Pro.4/10 and Corr.1 and Add.1), a note by the Executive Director on contributions to the Interim Multilateral Fund (UNEP/OzL.Pro.4/13 and Corr.1), draft decisions (UNEP/OzL.Pro.4/L.1/Rev.1), the report of the Legal Drafting Group prepared during the eighth meeting of the Open-ended Working Group (UNEP/OzL.Pro.4/2/Rev.1), the report of the eighth meeting of the Open-ended Working Group of the Parties (UNEP/OzL.Pro/WG.1/8/2) and the report of the Preparatory Meeting (UNEP/OzL.Pro.4/Prep/2), and the reports of the first and second meetings of the Bureau of the Third Meeting of the Parties to the Montreal Protocol (UNEP/OzL.Pro.3/Bur/1/3 and UNEP/OzL.Pro.3/Bur/2/3).

55. After extensive deliberations and informal consultations, the Meeting agreed on final versions of the draft adjustments to the Protocol, the draft Amendment to the Protocol and the draft decisions submitted to it by the Preparatory Meeting on the basis of a revision of the report of the Legal Drafting Group prepared during the Meeting (UNEP/OzL.Pro.4/2/Rev.2 and Corr.1) and a revised text of the draft decisions (UNEP/OzL.Pro.4/L.1/Rev.2 and Corr.1 and Add.1). These texts were adopted by the Meeting at its closing session, on 25 November 1992, by consensus, with the comments and amendments reflected in paragraphs 61-83 below. The adjustments and Amendment as adopted by the Meeting are contained in annexes I to III to the present report while the decisions may be found in paragraph 56 below.

#### IV. DECISIONS

56. The Fourth Meeting of the Parties to the Montreal Protocol on

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Substances that Deplete the Ozone Layer decided:

*Decision IV/1. Amendment adopted by the Second Meeting of the Parties (London Amendment)*

- To invite the attention of the Parties to the Montreal Protocol to the entry into force, on 10 August 1992, of the Amendment to the Protocol adopted by the Second Meeting of the Parties and to urge all Parties that have not yet ratified the said Amendment to do so;

*Decision IV/2. Further adjustments and reductions*

- To adopt, in accordance with the procedure laid down in paragraph 9 of Article 2 of the Montreal Protocol, the adjustments and reductions of production and consumption of the controlled substances listed in Annex A to the Protocol, as set out in Annex I to the report of the Fourth Meeting of the Parties;

*Decision IV/3. Further adjustments and reductions*

- To adopt, in accordance with the procedure laid down in paragraph 9 of Article 2 of the Montreal Protocol, the adjustments and reductions of production and consumption of the controlled substances listed in Annex B to the Protocol, as set out in Annex II to the report of the Fourth Meeting of the Parties;

*Decision IV/4. Further Amendment of the Protocol*

- To adopt, in accordance with the procedure laid down in paragraph 4 of Article 9 of the Vienna Convention for the Protection of the Ozone Layer, the Amendment to the Montreal Protocol as set out in Annex III to the report of the Fourth Meeting of the Parties;

*Decision IV/5. Non-compliance procedure*

1. To note with appreciation the work of the Ad Hoc Working Group of Legal Experts on Non-Compliance with the Montreal Protocol;
2. To adopt the non-compliance procedure, as set out in Annex IV to the report of the Fourth Meeting of the Parties;
3. To adopt the indicative list of measures that might be taken in respect of non-compliance, as set out in Annex V to the report of the Fourth Meeting of the Parties;
4. To accept the recommendation that there is no need to expedite the amendment procedure under Article 9 of the Vienna Convention for the Protection of the Ozone Layer;
5. To adopt the view that the responsibility for legal interpretation of the Protocol rests ultimately with the Parties themselves;

*Decision IV/6. Implementation Committee*

- To confirm the positions of Cameroon, Chile, Russian Federation, /...

Thailand and the United States as members of the Implementation Committee for one further year, and to select Argentina, Austria, Bulgaria, Republic of Korea and Uganda for a two-year period;

*Decision IV/7. Definition of developing countries*

- To note that the Open-ended Working Group recommended that no criteria for future classification as a developing country for the purpose of the Montreal Protocol be adopted by the Meeting of the Parties and that the Parties should consider individually applications by Parties for classification as developing countries as and when such applications are made;

*Decision IV/8. Participation of developing countries*

- To encourage further the participation of representatives of developing countries in all meetings organized under the Montreal Protocol and to provide financial assistance for such participation in the 1993 and 1994 budgets;

*Decision IV/9. Data and information reporting*

1. To note with satisfaction that all the Parties that reported data met or exceeded their obligations for control measures under Article 2 of the Protocol;
2. To urge all Parties that have not reported their data to the Secretariat to do so as soon as possible;
3. To encourage all Parties to adhere strictly to the reporting requirement under paragraph 3 of Article 7 of the amended Protocol which provides, *inter alia*, that data shall be provided not later than nine months after the end of the year to which the data relate;
4. To urge all Parties to insert further subdivisions to the recommended Harmonized System subheadings so that imports and exports of each of the substances listed in the annexes of the Protocol as well as each of the mixtures containing these substances can be accurately monitored in order to facilitate reporting of data under Article 7 of the Protocol;

*Decision IV/10. Trade names of controlled substances*

- To note the list of trade names of controlled substances compiled by the Technology and Economic Assessment Panel and distributed by the Secretariat to all Governments in March 1992;

*Decision IV/11. Destruction technologies*

1. To note the report of the Ad Hoc Technical Advisory Committee on Destruction Technologies and, in particular, the recommendations contained therein;
2. To approve, for the purposes of paragraph 5 of Article 1 of the Protocol, those destruction technologies that are listed in Annex VI to the report on the work of the Fourth Meeting of the Parties which are operated in accordance with the suggested minimum standards identified in Annex VII to the report of the Fourth Meeting of the Parties unless similar standards currently exist domestically;
3. To call on each Party that operates, or plans to operate, facilities for the destruction of ozone-depleting substances:

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(a) To ensure that its destruction facilities are operated in accordance with the Code of Good Housekeeping Procedures set out in section 5.5 of the report of the Ad Hoc Technical Advisory Committee on Destruction Technologies, unless similar procedures currently exist domestically; and

(b) For the purposes of paragraph 5 of Article 1 of the Protocol, to provide each year, in its report under Article 7 of the Protocol, statistical data on the actual quantities of ozone-depleting substances it has destroyed, calculated on the basis of the destruction efficiency of the facility employed;

4. To clarify that the definition of destruction efficiency relates to the input and output of the destruction process itself, not to the destruction facility as a whole;
5. To request the Technology and Economic Assessment Panel, drawing on expertise as necessary:

(a) To reassess ozone-depleting substances destruction capacities;

(b) To evaluate emerging technology submissions;

(c) To prepare recommendations for consideration by the Parties to the Montreal Protocol at their annual Meeting;

(d) To examine means to increase the number of such destruction facilities and making available the utilization to developing countries which do not own or are unable to operate such facilities;

6. To list in Annex VI to the report on the work of the Fourth Meeting of the Parties approved destruction technologies;
7. To facilitate access and transfer of approved destruction technologies in accordance with Article 10 of the Protocol, together with provision for financial support under Article 10 of the Protocol for Parties operating under paragraph 1 of Article 5;

*Decision IV/12. Clarification of the definition of controlled substances*

1. That insignificant quantities of controlled substances originating from inadvertent or coincidental production during a manufacturing process, from unreacted feedstock, or from their use as process agents which are present in chemical substances as trace impurities, or that are emitted during product manufacture or handling, shall be considered not to be covered by the definition of a controlled substance contained in paragraph 4 of Article 1 of the Montreal Protocol;
2. To urge Parties to take steps to minimize emissions of such substances, including such steps as avoidance of the creation of such emissions, reduction of emissions using practicable control technologies or process changes, containment or destruction;
3. To request the Technology and Economic Assessment Panel:
  - (a) To give an estimate of the total emissions resulting from trace impurities, emission during product manufacture and handling losses;

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(b) To submit its findings to the Open-ended Working Group of the Parties to the Montreal Protocol not later than 31 March 1994;

*Decision IV/13. Assessment panels*

1. To note with appreciation the work done by the Panels for Ozone Scientific Assessment, Environmental Effects Assessment, and Technology and Economic Assessment in their reports of November-December 1991;
2. To request the Technology and Economic Assessment Panel and its Technical and Economic Options Committees to report annually to the Open-ended Working Group of the Parties to the Montreal Protocol the technical progress in reducing the use and emissions of controlled substances and assess the use of alternatives, particularly their direct and indirect global-warming effects;
3. To request the three assessment panels to update their reports and submit them to the Secretariat by 30 November 1994 for consideration by the Open-ended Working Group and by the Seventh Meeting of the Parties to the Montreal Protocol. These assessments should cover all major facets discussed in the 1991 assessments with enhanced emphasis on methyl bromide. The scientific assessment should also include an evaluation of the impact of sub-sonic aircraft on ozone;
4. To encourage the panels to meet once a year to enable the co-chairpersons of the panels to bring to the notice of the meetings of the Parties to the Montreal Protocol, through the Secretariat, any significant developments which, in their opinion, deserve such notice;

*Decision IV/14. Transshipment of controlled substances*

- To clarify Article 7 of the amended Protocol so that it is understood to mean that, in cases of transshipment of controlled substances through a third country (as opposed to imports and subsequent re-exports), the country of origin of the controlled substances shall be regarded as the exporter and the country of final destination shall be regarded as the importer. In such cases, the responsibility for reporting data shall lie with the country of origin as the exporter and the country of final destination as the importer. Cases of import and re-export should be treated as two separate transactions; the country of origin would report shipment to the country of intermediate destination, which would subsequently report the import from the country of origin and export to the country of final destination, while the country of final destination would report the import;

*Decision IV/15. Situation whereby Parties operating under paragraph 1 of Article 5 exceed the consumption limit set in that Article*

- To clarify, as follows, the situation whereby a developing country operating under paragraph 1 of Article 5 of the Protocol exceeds the consumption limits set in that Article:

Where a developing country operating under paragraph 1 of  
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Article 5 of the Protocol exceeds the maximum level of consumption for controlled substances set in that Article, the Parties shall consider the situation on a case-by-case basis when requested to do so by the developing country. The procedure on non-compliance adopted by the Fourth Meeting of the Parties (Annex IV to the report of the Fourth Meeting of the Parties) would enable the Implementation Committee to address such a situation with a view to securing an amicable solution and to make appropriate recommendations to the Meeting of the Parties regarding, *inter alia*, such measures as reduction schedules and technical and financial assistance;

*Decision IV/16. Annex D to the Montreal Protocol*

1. To take note of the entry into force of Annex D to the Protocol on 27 May 1992;
2. To note that Singapore intends to remove its objection with respect to the products classified under items 1, 2 (with regard to domestic refrigerators and freezers), 4, 5 and 6 of Annex D;
3. To adopt the conclusions of the note regarding the Harmonized System customs code numbers for the products listed in Annex D of the amended Montreal Protocol, as contained in document UNEP/OzL.Pro.4/3;

*Decision IV/17 A. Trade issues*

1. To take note of the information provided by some Parties on the implementation of Article 4 of the Protocol and to encourage further those Parties that have not yet done so to provide the information to the Secretariat as soon as possible;
2. To clarify, as follows, the situation of Parties that have not ratified the London Amendment:
  - (a) Under paragraph 2 of Article 4 of the Protocol, the export ban on Annex A substances shall apply only to any State not party to the Montreal Protocol of 1987;
  - (b) Under paragraph 2 *bis* of Article 4 of the Protocol, the export ban on Annex B substances shall commence only on 10 August 1993;

*Decision IV/17 B. Application to Colombia of paragraph 8 of Article 4 of the amended Montreal Protocol*

- That the exceptions provided for in paragraph 8 of Article 4 of the 1990 London Amendment to the Montreal Protocol should apply to Colombia, a country not yet Party to the Protocol, from 1 January 1993 until the date on which the Protocol and its Amendment enter into force for Colombia, bearing in mind that Colombia is in full compliance with Article 2, Articles 2A to E, and Article 4 of the Protocol and the amended Protocol and has submitted data to that effect to this Meeting and, previously, to the Ozone Secretariat, as specified in Article 7 of the amended Protocol;

*Decision IV/17 C. Application of trade measures under Article 4 to non-Parties to the Protocol*

1. Recalling that paragraph 8 of Article 4 of the

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Protocol permits a Meeting of the Parties to determine that a State not party to the Protocol is in full compliance with Articles 2, 2A to 2E and Article 4 of the Protocol and therefore is not to be subject to the trade controls specified in that Article, to determine provisionally, pending a final decision at the Fifth Meeting of the Parties, that any State not party to the Protocol which:

(a) Has by 31 March 1993 notified the Secretariat that it is in full compliance with Articles 2, 2A to 2E and Article 4 of the Protocol;

(b) Has by 31 March 1993 submitted supporting data to that effect to the Secretariat as specified in Article 7 of the Protocol;

is in compliance with the relevant provisions of the Protocol and may be exempt, between that time and the Fifth Meeting of the Parties, from the trade controls in paragraphs 2 and 2 *bis* of Article 4 of the Protocol;

2. To request the Secretariat to transmit any such data received to the Implementation Committee and to the Parties;
3. That a final decision on the position of such States will be taken at the Fifth Meeting of the Parties, taking account of any comment on the data of these States that the Implementation Committee may make;

*Decision IV/18. Financial Mechanism*

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1. To establish the Financial Mechanism, including the Multilateral Fund provided for in Article 10 of the Montreal Protocol as amended at the Second Meeting of the Parties;
2. To make the Multilateral Fund operative from 1 January 1993 and to transfer to it any resources remaining in the Interim Multilateral Fund on that date;
3. To set the total contributions to the Fund for 1993 at \$US 113.34 million and to commit to a replenishment of the Fund in order to meet on grant or concessional terms the requirements of Parties operating under paragraph 1 of Article 5 of the Protocol, in respect of agreed incremental costs as indicated by the figures \$US 340-500 million for 1994-1996. The total contribution to the Fund for 1994 will not be less than the commitments for 1993;
4. To establish the Executive Committee;
5. To adopt the terms of reference for the Multilateral Fund and for the Executive Committee, as set out in Annex IX and Annex X, respectively, to the report of the Fourth Meeting of the Parties;
6. To endorse the recommendations of the Executive Committee contained in paragraph 108 of UNEP/OzL.Pro/ExCom/8/29 and to approve the indicative list of the categories of incremental

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costs, as set out in Annex VIII to the report of the Fourth Meeting of the Parties, in accordance with paragraph 1 of Article 10 of the amended Protocol;

7. To call on the Executive Committee to continue to operate under the agreements, procedures and guidelines applicable to the Interim Multilateral Fund;
8. To accept with appreciation the offer of Canada to host the Secretariat of the Multilateral Fund on the same terms as they hosted the Secretariat of the Interim Multilateral Fund and to locate the Secretariat at Montreal, Canada;

## II

1. To request the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol, in the light of its terms of reference, and drawing on the various reports and assessments it has at its disposal, and with the cooperation and assistance of the implementing agencies, and independent advice as appropriate or necessary, to submit to the Open-ended Working Group of the Parties at its next meeting a report comprising:
  - (a) A report on the operation of the Financial Mechanism since 1 January 1991;
  - (b) Its three-year plan and budget (as required by paragraph 10 (b) of its terms of reference) based on:
    - (i) The needs of Parties operating under paragraph 1 of Article 5 of the Protocol;
    - (ii) The capacity and performance of the implementing agencies; and
    - (iii) The strategies and projects to be implemented by Parties operating under paragraph 1 of Article 5 of the Protocol;
2. To request the Open-ended Working Group to assess the report of the Executive Committee and to make recommendations, as appropriate, to the Fifth Meeting of the Parties;
3. To request the Open-ended Working Group to make a recommendation to the Fifth Meeting of the Parties on the level of replenishment for the Multilateral Fund for the period 1994-1996, in the light of:
  - (a) Decisions made by the Fourth Meeting of the Parties on this issue;
  - (b) The report prepared by the Executive Committee;
  - (c) Other assessments on the level of resources needed for the period 1994-1996 available to the Open-Ended Working Group;
  - (d) The status of commitments and disbursements of the Financial Mechanism;
4. To evaluate and review, by 1995, the Financial Mechanism established by Article 10 of the Protocol and section I of the present decision, with a view to ensuring its continued effectiveness, taking into account chapters 9, 33 and 34, and all other relevant chapters, of Agenda 21 as adopted by the United Nations Conference on Environment and Development, held in Rio de Janeiro in June 1992;

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*Decision IV/19. Budgets and financial matters*

1. To note the financial reports on the Trust Fund for the Montreal Protocol for 1990 and 1991, and on the Secretariat for the Vienna Convention and the Montreal Protocol;
2. To urge all Parties to pay their outstanding contributions promptly and also to pay their future contributions promptly and in full, in accordance with the formula for contributions as set out in Annex XI to the report of the Fourth Meeting of the Parties;
3. To adopt the revised budgets for 1992 of \$US 2,862,855 and for 1993 of \$US 2,702,390, and the proposed budget for 1994 of \$US 3,369,090, as set out in Annex XII to the report of the Fourth Meeting of the Parties;
4. To extend the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer from 31 March 1993 to 31 March 1995;

*Decision IV/20. Executive Committee of the Multilateral Fund*

1. To adopt the revised budgets for 1992 and 1993, and the budget for 1994 for the Fund Secretariat, as set out in Annex XIII to the report of the Fourth Meeting of the Parties;
2. To urge all Parties to pay their outstanding contributions promptly and also to pay their future contributions promptly and in full, in accordance with the formula for contributions as set out in Annex XIV to the report of the Fourth Meeting of the Parties;
3. To adopt the scale of contributions for the Multilateral Fund as set out in Annex XIV to the report of the Fourth Meeting of the Parties;
4. To endorse the selection of Canada, France, Japan, Netherlands, Norway, Russian Federation and United States of America as members of the Executive Committee representing Parties not operating under paragraph 1 of Article 5 of the Protocol, and the selection of Brazil, Egypt, Ghana, Jordan, Malaysia, Mauritius and Venezuela as members representing Parties operating under paragraph 1 of Article 5, for one year;
5. To endorse the selection of the United States of America to act as Chairman and of Malaysia to act as Vice-Chairman of the Executive Committee for one year;

*Decision IV/21. Temporary difficulties encountered by Hungary, Bulgaria and Poland*

1. To note the formal request that Hungary, Bulgaria and Poland have made for guidance because of the temporary difficulties they may face in making 1991, 1992 and 1993 contributions in convertible currency to the Multilateral Fund;
2. To encourage such Parties, with the assistance of the Executive Committee and the Fund Secretariat, urgently to make every effort to explore and identify possible ways and means of making contributions in kind;
3. To encourage those Parties, and other Parties not operating under paragraph 1 of Article 5 of the Protocol to consider possibilities for addressing the situation in case it is not possible for such

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contributions to be made in kind;

4. To request the Executive Committee to report on this matter to the Fifth Meeting of the Parties;

*Decision IV/22. Bureau of the Montreal Protocol*

- To take note of the reports of the first and second meetings of the Bureau of the Third Meeting of the Parties to the Montreal Protocol, contained in documents UNEP/OzL.Pro.3/Bur/1/3 and UNEP/OzL.Pro.3/Bur/2/3;

*Decision IV/23. Methyl bromide*

1. To request the Scientific Assessment Panel and the Technology and Economic Assessment Panel to assess the following, in accordance with Article 6 of the Protocol, and to submit their combined report, through the Secretariat, by 30 November 1994 at the latest, to the Seventh Meeting of the Parties:

(a) Abundance of methyl bromide in the atmosphere and the proportion of anthropogenic emissions within this abundance of methyl bromide and the ozone-depleting potential of methyl bromide;

(b) Methodologies to control emissions into the atmosphere from the various current uses of methyl bromide and the technical and economic feasibility and the likely results of such controls;

(c) Availability of chemical and non-chemical substitutes for the various current uses of methyl bromide; their cost-effectiveness; the incremental costs of such substitutes, technological and economic feasibility of substitution for various uses and the benefits to the protection of the ozone layer by such substitution, taking into account the particular social, economic, geographic and agricultural conditions of different regions and, specifically, the developing countries;

2. To request the Open-ended Working Group of the Parties to the Montreal Protocol to consider this report and submit its recommendations to the Seventh Meeting of the Parties in 1995;

*Decision IV/24. Recovery, reclamation and recycling of controlled substances*

1. To annul decision I/12 H of the First Meeting of the Parties, which reads "Imports and exports of bulk used controlled substances should be treated and recorded in the same manner as virgin controlled substances and included in the calculation of the Party's consumption limits";
2. Not to take into account, for calculating consumption, the import and export of recycled and used controlled substances (except when calculating the base year consumption under paragraph 1 of Article 5 of the Protocol), provided that data on such imports and exports are subject to reporting under Article 7;
3. To agree to the following clarifications of the terms "recovery", "recycling" and "reclamation":

(a) *Recovery*: The collection and storage of controlled substances from machinery, equipment, containment vessels, etc.,

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during servicing or prior to disposal;

(b) *Recycling*: The re-use of a recovered controlled substance following a basic cleaning process such as filtering and drying. For refrigerants, recycling normally involves recharge back into equipment it often occurs "on-site";

(c) *Reclamation*: The re-processing and upgrading of a recovered controlled substance through such mechanisms as filtering, drying, distillation and chemical treatment in order to restore the substance to a specified standard of performance. It often involves processing "off-site" at a central facility;

4. To urge all the Parties to take all practicable measures to prevent releases of controlled substances into the atmosphere, including, *inter alia*:

(a) To recover controlled substances in Annex A, Annex B and Annex C of the Protocol, for purposes of recycling, reclamation or destruction, that are contained in the following equipment during servicing and maintenance as well as prior to equipment dismantling or disposal:

- (i) Stationary commercial and industrial refrigeration and air conditioning equipment;
- (ii) Mobile refrigeration and mobile air-conditioning equipment;
- (iii) Fire protection systems;
- (iv) Cleaning machinery containing solvents;

(b) To minimize refrigerant leakage from commercial and industrial air-conditioning and refrigeration systems during manufacture, installation, operation and servicing;

(c) To destroy unneeded ozone-depleting substances where economically feasible and environmentally appropriate to do so;

5. To urge the Parties to adopt appropriate policies for export of the recycled and used substances to Parties operating under paragraph 1 of Article 5 of the Protocol, so as to avoid any adverse impact on the industries of the importing Parties, either through an excessive supply at low prices which might introduce unnecessary new uses or harm the local industries, or through an inadequate supply which might harm the user industries;

6. To request the Scientific Assessment Panel to study and report, by 31 March 1994 at the latest, through the Secretariat, on the impact on the ozone layer of continued use of recycled controlled substances and of the utilization or non-utilization of available environmentally sound alternatives/substitutes and to request the Open-ended Working Group of the Parties to consider the report and to submit their recommendations to the Sixth Meeting of the Parties;

7. To request the Technology and Economic Assessment Panel to review and report, by 31 March 1994 at the latest, through the Secretariat, on:

(a) The technologies for recovery, reclamation, recycling and leakage control;

(b) The quantities available for economically feasible recycling and the demand for recycled substances by all Parties;

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(c) The scope for meeting the basic domestic needs of the Parties operating under paragraph 1 of Article 5 of the Protocol through recycled substances;

(d) The modalities to promote the widest possible use of alternatives/substitutes with a view to increasing their usage and release their reclaimed substances to Parties operating under paragraph 1 of Article 5 of the Protocol; and

(e) Other relevant issues and to recommend policies with respect to recovery, reclamation and recycling, keeping in mind the effective implementation of the Montreal Protocol;

8. To request the Open-Ended Working Group of the Parties to the Protocol to consider the reports of the Scientific Assessment Panel and the Technology and Economic Assessment Panel and any recommendations in this regard made by the Executive Committee and submit their recommendations to the Sixth Meeting of the Parties, in 1994;

*Decision IV/25. Essential uses*

1. To apply the following criteria and procedure in assessing an essential use for the purposes of control measures in Article 2 of the Protocol:
  - (a) That a use of a controlled substance should qualify as "essential" only if:
    - (i) It is necessary for the health, safety or is critical for the functioning of society (encompassing cultural and intellectual aspects); and
    - (ii) There are no available technically and economically feasible alternatives or substitutes that are acceptable from the standpoint of environment and health;
  - (b) That production and consumption, if any, of a controlled substance for essential uses should be permitted only if:
    - (i) All economically feasible steps have been taken to minimize the essential use and any associated emission of the controlled substance; and
    - (ii) The controlled substance is not available in sufficient quantity and quality from existing stocks of banked or recycled controlled substances, also bearing in mind the developing countries' need for controlled substances;
  - (c) That production, if any, for essential use, will be in addition to production to supply the basic domestic needs of the Parties operating under paragraph 1 of Article 5 of the Protocol prior to the phase-out of the controlled substances in those countries;
2. To request each of the Parties to nominate, in accordance with the criteria approved in paragraph 1 (a) of the present decision, any use it considers "essential", to the Secretariat at least six months for halons and nine months for other substances prior to each Meeting of the Parties that is to decide on this issue;
3. To request the Technology and Economic Assessment Panel and its Technical and Economic Options Committee to develop, in accordance with the criteria in paragraphs 1 (a) and 1 (b) of the present

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decision, recommendations on the nominations, after consultations with experts as necessary, regarding:

(a) The essential use (substance, quantity, quality, expected duration of essential use, duration of production or import necessary to meet such essential use);

(b) Economically feasible use and emission controls for the proposed essential use;

(c) Sources of already produced controlled substances for the proposed essential use (quantity, quality, timing); and

(d) Steps necessary to ensure that alternatives and substitutes are available as soon as possible for the proposed essential use;

4. To request the Technology and Economic Assessment Panel, while making its recommendations to take into account the environmental acceptability, health effects, economic feasibility, availability, and regulatory status of alternatives and substitutes;
5. To request the Technology and Economic Assessment Panel to submit its report, through the Secretariat, at least three months before the Meeting of the Parties in which a decision is to be taken. The subsequent reports will also consider which previously qualified essential uses should no longer qualify as essential;
6. To request the Open-ended Working Group of the Parties to consider the report of the Technology and Economic Assessment Panel and make its recommendations to the Fifth Meeting of the Parties for halons and at the Sixth Meeting for all other substances for which an essential use is proposed;
7. That essential use controls will not be applicable to Parties operating under paragraph 1 of Article 5 of the Protocol until the phase-out dates applicable to those Parties;

*Decision IV/26. International recycled halon bank management*

1. To urge Parties to encourage recovery, recycling and reclamation of halons in order to meet the needs of all Parties, particularly those operating under paragraph 1 of Article 5 of the Protocol;
2. To call upon Parties importing recovered or recycled substances in Group II of Annex A to apply, when deciding on the use of those substances, the essential-use criteria set out in the 1991 report of the Halons Technical Options Committee. The purpose of these criteria is to minimize the use of halons in non-essential applications;
3. To request the Technology and Economic Assessment Panel (Halon Technical Options Committee) to undertake the following activities, and to report to the Secretariat and to request the Open-ended Working Group of the Parties to consider the report and submit its recommendations to the Fifth Meeting of the Parties:
  - (a) Evaluation and comparison of existing and proposed recycled halon bank management programmes and identify possible means of further facilitating international recycled halon bank management;
  - (b) Identification of simple mechanisms to distinguish between virgin and recycled halons;
  - (c) Investigation of appropriate technical standards and means to certify halons as suitable for re-use;

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(d) Investigation of possible legal and institutional barriers to the international trade in recovered and recycled halons;

(e) Investigation of means to avoid the export of halons:

(i) That are unsuitable for reclamation or recycling; and

(ii) In quantities that would encourage excessive dependence by the recipient countries;

(f) Investigation of the practical application of technologies to reclaim severely contaminated halons;

4. To request the Industry and Environment Programme Activity Centre of the United Nations Environment Programme to function as a clearing-house for information relevant to international halon bank management and further request the Centre to liaise with and coordinate its activities with the implementing agencies designated under the Financial Mechanism to encourage Parties to provide pertinent information to the above-mentioned clearing-house;

*Decision IV/27. Implementation of paragraph 4  
of Article 4 of the Protocol*

- To request the Technology and Economic Assessment Panel to study the feasibility, in accordance with paragraph 4 of Article 4 of the Protocol, of banning or restricting, from States not party to this Protocol, the import of products produced with, but not containing, controlled substances in Annex A of the Protocol and to report its findings, by 31 March 1993, to the Secretariat with a view to their consideration at the Fifth Meeting of the Parties in 1993;

*Decision IV/28. Implementation of paragraph 3 bis  
of Article 4 of the Protocol*

- To request the Technology and Economic Assessment Panel to study and report, through the Secretariat, by 31 March 1994 at the latest, on a list of products containing controlled substances from Annex B to enable the Sixth Meeting of the Parties, in 1994, to consider the elaboration of such a list as an annex to the Protocol, in accordance with paragraph 3 bis of Article 4 of the Protocol;

*Decision IV/29. Meeting the needs of Parties operating  
under paragraph 1 of Article 5 of the Protocol*

1. To note with appreciation the report: "Meeting of the needs of Article 5 Parties for controlled substances during the grace and phase-out periods", prepared by the Executive Committee of the Interim Multilateral Fund for the Implementation of the Montreal Protocol;
2. To request the Executive Committee to update its report and submit it to the Seventh Meeting of the Parties to the Montreal Protocol, in 1995, through the Secretariat, before 31 December 1994;
3. To request Parties to take note of the Executive Committee's report and to take the necessary steps, consistent with the provisions of the Protocol, to promote an adequate supply of controlled substances in order to meet the needs of the Parties operating under paragraph 1 of Article 5 of the Protocol;

*Decision IV/30. Hydrochlorofluorocarbons (HCFCs)*

1. To request the Technology and Economic Assessment Panel:

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(a) To evaluate alternative substances and technologies to the application for HCFCs as refrigerant and as insulation gas in rigid foam;

(b) To identify other applications for HCFCs, if any, where other more environmentally suitable alternatives or technologies are not available; and

(c) To submit its findings to the Open-ended Working Group of the Parties to the Montreal Protocol no later than 31 March 1994;

2. To request the Open-ended Working Group to consider the report of the Technology and Economic Assessment Panel with respect to HCFCs; to consider the possible need for specific provisions for the implementation of the regulation on the applications for HCFCs, taking into account the special circumstances of Parties operating under paragraph 1 of Article 5 of the Protocol; and to make any appropriate recommendations for consideration by the Parties at their Meeting in 1994 and following subsequent reviews taking place under Article 6 of the Protocol;
3. To ensure that, notwithstanding the new status of HCFCs as controlled substances, the incremental costs to Parties operating under paragraph 1 of Article 5 of the Protocol of making the transition from CFCs to HCFCs consistent with the regulation on the applications for HCFCs will continue to be met by the Fund and to request the Executive Committee to function in the light of this decision;
4. To request the Executive Committee to estimate, on an ongoing basis, the amount of HCFCs required by Parties operating under paragraph 1 of Article 5 of the Protocol and to recommend the methods of meeting such needs in full, simultaneously with the exercise to estimate the amounts of controlled substances needed, as well as to estimate the production available to meet those needs, as requested by the Open-ended Working Group at its seventh meeting;

*Decision IV/31. Fifth Meeting of the Parties to the Montreal Protocol*

- To convene the Fifth Meeting of the Parties to the Montreal Protocol in October/November 1993.

57. The Meeting further decided to extend the mandate of the Open-ended Working Group of the Parties to consider the issues referred to it by the Fourth Meeting of the Parties.

58. It was proposed, and accepted by the Meeting, that Mr. John Carstensen, a representative of Denmark, should serve as Co-Chairman of the Open-ended Working Group in replacement of Mr. Steve Lee-Bapty of the United Kingdom. The Meeting endorsed the selection of Denmark and Mexico as Co-Chairmen of the Open-ended Working Group of the Parties.

59. The Meeting noted that, in future, each assessment panel was to have three Co-Chairmen, of which one should be from a developing country. Following the nominations of the regional groups concerned, the Meeting decided that Mr. Au Camp (South Africa) should serve as Co-Chairman of the Scientific Assessment Panel, Mr. A. Cvijac (Brazil) as Co-Chairman of the Technology and Economic Assessment Panel, and Mr. Tan Xiao Yan (China) as Co-Chairman of the Environmental Effects Panel. The Meeting also decided that Mr. L. Kuijpers (Netherlands) would replace Mr. S. Lee-Bapty as a Co-Chairman of the Technology and Economic Assessment Panel. The Meeting placed on record its appreciation of the services of Mr. Lee-Bapty as a Co-Chairman of the Open-ended Working Group as well as of the Technology and Economic Assessment

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Panel.

60. It was further agreed that Mr. Banks (Australia) would serve as Chairman of the Methyl Bromide Technical Options Committee and Mr. Y. Fujimoto (Japan) would act as Senior Adviser on the Solvents Technical Options Committee.

*Comments made at the time of adoption of the decisions*

*Decision IV/4 ("Further Amendment of the Protocol")*

61. The Meeting agreed that the figure in paragraph 1 (a) of the proposed Article 2F in the draft Amendment should be three point one and that the date in paragraph 2 of the same Article should be 2004.

62. The text of the proposed Article 2 in the draft Amendment was adopted with the addition of a sentence at the end to provide for exemption for quarantine and pre-shipment applications, as had already been agreed by the Parties. Some delegations reiterated their reservations on listing methyl bromide as a controlled substance in view of the scientific uncertainty regarding the substance, even though they did not wish to block consensus on the issue. Some other delegations felt that the amendment regarding that substance was not adequate even though they also supported the consensus. Regarding the ozone-depleting potential of methyl bromide, some delegations felt that it should not be mentioned as 0.7 in the proposed Annex E in view of the uncertainties on that issue even though they, too, did not wish to block the consensus view that it should be mentioned.

63. With regard to the proposed amendment to Article 5, paragraph 1, of the draft Amendment, the representative of Malaysia expressed the opinion that, any further Amendments to adjustments or Amendments adopted at London should only apply to Article 5, paragraph 1 Parties after the 1995 review. If at that time these Parties ratified the Copenhagen Amended Protocol, they would not be considered "state not Party" referred to in Article 4, as the Copenhagen Amendment allowed them not to be bound by the further control measures referred above for the controlled substances concerned.

64. The Chairman of the Legal Drafting Group, speaking in a personal capacity, gave the following informal view of the meaning of paragraph 9 of Article 4 of the Protocol.

65. That paragraph defined "a State not party to this Protocol" to include a State or regional economic integration organization that had not agreed to be bound by the control measures in effect for a specified substance. Thus, where a Party to the Protocol, as adopted in Montreal, did not agree to be bound by an Amendment that specified a control measure, it would appear to be a non-Party for the purposes of Article 4 where that control measure was concerned. The fact of a Party being an Article 5, paragraph 1, country and thus being entitled to delay its compliance with the control measures, would not mean that it was "a State not party to the Protocol". Such a country was in every sense a party to the Protocol provisions by which it was bound with all the rights and obligations of a Party within its category.

66. The Chairman of the Legal Drafting Group recalled that interpretation of the Protocol was primarily a matter for the Parties themselves and that no individual or group was in a position to provide authoritative legal opinions on the text.

67. No objections were raised to the statement made by the Chairman of the Legal Drafting Group. Some delegations stated that there were differing interpretations regarding the implications of the amendment to Article 5, paragraph 1. On the suggestion of two delegations, the Meeting agreed that the first letter of the word "Amendments" as it appeared in the first line of the draft amendment to Article 5, paragraph 1, should be in lower case.

68. The representative of Switzerland stated that the addition to Article 5, paragraph 1, was contrary to the principle of common but differentiated responsibility accepted by all the countries in the United Nations Conference

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on Environment and Development. The London Amendment already contained safeguards, such as a grace period and review procedure, to take account of the legitimate concerns of the countries operating under that paragraph.

*Decision IV/5 ("Non-compliance procedure")*

69. The Meeting agreed to delete paragraph 3 of draft decision IV/5, together with the annex referred to therein.

*Decision IV/6 ("Implementation Committee")*

70. The Meeting agreed to select Argentina, Austria, Bulgaria, Republic of Korea and Uganda as members of the Implementation Committee for a two-year period, in addition to confirming the positions of Chile, Cameroon, Thailand, Russian Federation and the United States of America for one more year.

*Decision IV/16 ("Annex D to the Montreal Protocol")*

71. Draft decision IV/15, as amended on the proposal of one delegation, was adopted by the Meeting as decision IV/16.

*Decision IV/17 B ("Application to Colombia of paragraph 8 of Article 4 of the amended Montreal Protocol")*

72. After the adoption of decision IV/17 B, the representative of Colombia expressed his gratitude to all those who had helped realize his country's aspirations. Colombia intended to expedite the ratification procedures and hoped to participate in the next Meeting as a Party to the Protocol.

*Decision IV/17 C ("Application of trade measures under Article 4 to non-Parties to the Protocol")*

73. One delegation expressed the view that it was problematic to deviate from the text of the Protocol by means of a simple decision. It hoped that decision would not create a precedent.

74. Another delegation expressed the view that the decision should not be considered to be an exception to the text of the Protocol but, rather, a provisional interpretation.

*Decision IV/18 ("Financial Mechanism"), section I*

75. The Meeting decided to remove the square brackets in paragraph 3 of draft decision IV/17, which became section I of decision IV/18.

*Decision IV/20 ("Executive Committee of the Multilateral Fund")*

76. Draft decision IV/19, as orally corrected by the Secretariat, was adopted as decision IV/20.

77. With regard to the scale of contributions adopted for the Multilateral Fund, the delegation of the Republic of Korea stated that it could not accept the classification of its country as not operating under Article 5, paragraph 1, on the basis of old and out-of-date data for the year 1989. The data for Korea for 1992 would be submitted officially to the Secretariat by the end of September 1993, as stipulated in Article 7. Pending submission of those data, the Republic of Korea should be classified as temporarily operating under Article 5, paragraph 1.

78. The Secretariat, in response to the statement made by the representative of the Republic of Korea, clarified that a developing country qualified as a Party operating under Article 5, paragraph 1, if its consumption in the year when the Protocol entered into force for it was less than the limits specified in Article 5, paragraph 1. Pending receipt of data from such a country for that particular year, according to decision II/10 adopted by the Second

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Meeting of the Parties, the Secretariat should include the country in the list of Parties operating under Article 5, paragraph 1, on the basis of estimated data. The Republic of Korea, prior to its ratification of the Protocol, had submitted data for 1989 to the Secretariat in connection with its claim that it should be treated as a Party operating under Article 2, paragraph 6, of the Protocol, and had resubmitted it in 1991 showing that its consumption was much above the limit specified in Article 5, paragraph 1. The Secretariat, therefore, had been unable to classify the Republic of Korea as a Party operating under Article 5, paragraph 1. If information received in the future showed that the Republic of Korea qualified for such a classification, the Secretariat would reclassify it accordingly.

*Decision IV/26 ("International recycled halon bank management")*

79. Draft decision IV/25 was adopted as decision IV/26 with corrections introduced orally by the representatives of India and Canada.

*Decision IV/30 ("Hydrochlorofluorocarbons (HCFCs)")*

80. Draft decision IV/28 *bis* was adopted as decision IV/30 with a correction introduced orally by the representative of Brazil.

*Annexes XI and XIV*

81. On the proposal of France, the Meeting agreed that a further column should be included in the scale of contributions contained in annexes XI and XIV to the report of the Meeting to show the existing United Nations scale of assessments for the sake of comparison with the scale already appearing in the draft annexes, which was the one being recommended to the General Assembly at its forty-seventh session by the Committee on Contributions.

*Statements made in explanation of position*

82. Following the adoption of the decisions, the representative of the Russian Federation said that his country supported the efforts of the world community to phase out ozone-deleting substances and was prepared to contribute to the achievement of that goal. It was, however, experiencing extraordinary political, economic and social difficulties and did not have the capacity to assume the additional obligations under the new amendments and adjustments to the Montreal Protocol. It would direct all available resources towards the replacement of ozone-depleting substances and technology in its industry and therefore could not undertake guaranteed obligations with respect to financial participation in the Multilateral Fund for the Montreal Protocol. The Russian Federation would not object to the new amendments and adjustments to the Montreal Protocol, if - and only if - it was granted a specific preferential regime in the Protocol's implementation.

83. The representative of Guyana said that the generosity shown to countries not in compliance with the Protocol was a good example of the global partnership that was required if the spirit of the United Nations Conference on Environment and Development was to be fulfilled.

V. RESOLUTIONS

84. At the closing session, on 25 November 1992, the Parties adopted a resolution on methyl bromide as proposed orally by the President and amended by Israel. The text of the resolution is attached as annex XV to the present report.

VI. OTHER MATTERS

85. There were no other matters.

VII. ADOPTION OF THE REPORT

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86. The Fourth Meeting of the Parties adopted the present report, on the basis of the draft report contained in document UNEP/OzL.Pro.4/L.2 and Add.1, on 25 November 1992.

#### VIII. CLOSURE OF THE MEETING

87. After the customary exchange of courtesies, the President declared the Meeting closed at 1.30 p.m. on 25 November 1992.

#### *Annex I*

#### ADJUSTMENTS TO ARTICLES 2A AND 2B OF THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

The Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decides, on the basis of the assessments made pursuant to Article 6 of the Protocol, to adopt adjustments and reductions of production and consumption of the controlled substances in Annex A to the Protocol as follows:

##### *A. Article 2A: CFCs*

Paragraphs 3 to 6 of Article 2A of the Protocol shall be replaced by the following paragraphs, which shall be numbered paragraphs 3 and 4 of Article 2A:

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed, annually, twenty-five per cent of its calculated level of consumption in 1986. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, twenty-five per cent of its calculated level of production in 1986. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1986.

4. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1986. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

##### *B. Article 2B: Halons*

Paragraphs 2 to 4 of Article 2B of the Protocol shall be replaced by the following paragraph, which shall be numbered paragraph 2 of Article 2B:

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex A does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of

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production in 1986. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

*Annex II*

ADJUSTMENTS TO ARTICLES 2C, 2D AND 2E OF THE MONTREAL PROTOCOL  
ON SUBSTANCES THAT DEplete THE OZONE LAYER

The Fourth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decides, on the basis of the assessments made pursuant to Article 6 of the Protocol, to adopt adjustments and reductions of production and consumption of the controlled substances in Annex B to the Protocol as follows:

*A. Article 2C: Other Fully Halogenated CFCs*

Article 2C of the Protocol shall be replaced by the following Article:

*Article 2C: Other Fully Halogenated CFCs*

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1993, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed, annually, eighty per cent of its calculated level of consumption in 1989. Each Party producing one or more of these substances shall, for the same period, ensure that its calculated level of production of the substances does not exceed, annually, eighty per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.
2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed, annually, twenty-five per cent of its calculated level of consumption in 1989. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, twenty-five per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.
3. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1989. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

*B. Article 2D: Carbon Tetrachloride*

Article 2D of the Protocol shall be replaced by the following Article:

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*Article 2D: Carbon Tetrachloride*

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, its calculated level of consumption of the controlled substances in Group II of Annex B does not exceed, annually, fifteen per cent of its calculated level of consumption in 1989. Each Party producing the substance shall, for the same period, ensure that its calculated level of production of the substance does not exceed, annually, fifteen per cent of its calculated level of production in 1989.

However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group II of Annex B does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1989. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

*C. Article 2E: 1, 1, 1- Trichloroethane (Methyl Chloroform)*

Article 2E of the Protocol shall be replaced by the following Article:

*Article 2E: 1, 1, 1- Trichloroethane (Methyl Chloroform)*

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1993, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed, annually, its calculated level of consumption in 1989. Each Party producing the substance shall, for the same period, ensure that its calculated level of production of the substance does not exceed, annually, its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed, annually, fifty per cent of its calculated level of consumption in 1989. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, fifty per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed

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that limit by up to fifteen per cent of its calculated level of production for 1989. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

*Annex III*

AMENDMENT TO THE MONTREAL PROTOCOL ON SUBSTANCES  
THAT DEplete THE OZONE LAYER

ARTICLE 1: AMENDMENT

A. *Article 1, paragraph 4*

In paragraph 4 of Article 1 of the Protocol, for the words:

or in Annex B

there shall be substituted:

, Annex B, Annex C or Annex E

B. *Article 1, paragraph 9*

Paragraph 9 of Article 1 of the Protocol shall be deleted.

C. *Article 2, paragraph 5*

In paragraph 5 of Article 2 of the Protocol, after the words:

Articles 2A to 2E

there shall be added:

and Article 2H

D. *Article 2, paragraph 5 bis*

The following paragraph shall be inserted after paragraph 5 of Article 2 of the Protocol:

*5 bis.* Any Party not operating under paragraph 1 of Article 5 may, for one or more control periods, transfer to another such Party any portion of its calculated level of consumption set out in Article 2F, provided that the calculated level of consumption of controlled substances in Group I of Annex A of the Party transferring the portion of its calculated level of consumption did not exceed 0.25 kilograms per capita in 1989 and that the total combined calculated levels of consumption of the Parties concerned do not exceed the consumption limits set out in Article 2F. Such transfer of consumption shall be notified to the Secretariat by each of the Parties concerned, stating the terms of such transfer and the period for which it is to apply.

E. *Article 2, paragraphs 8 (a) and 11*

In paragraphs 8 (a) and 11 of Article 2 of the Protocol, for the words:

Articles 2A to 2E

there shall be substituted each time they occur:

Articles 2A to 2H

F. *Article 2, paragraph 9(a)(i)*

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In paragraph 9(a)(i) of Article 2 of the Protocol, for the words:

and/or Annex B

there shall be substituted:

, Annex B, Annex C and/or Annex E

*G. Article 2F: Hydrochlorofluorocarbons*

The following Article shall be inserted after Article 2E of the Protocol:

*Article 2F: Hydrochlorofluorocarbons*

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, the sum of:

(a) Three point one per cent of its calculated level of consumption in 1989 of the controlled substances in Group I of Annex A; and

(b) Its calculated level of consumption in 1989 of the controlled substances in Group I of Annex C.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 2004, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, sixty-five per cent of the sum referred to in paragraph 1 of this Article.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2010, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, thirty-five per cent of the sum referred to in paragraph 1 of this Article.

4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2015, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, ten per cent of the sum referred to in paragraph 1 of this Article.

5. Each Party shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, zero point five per cent of the sum referred to in paragraph 1 of this Article.

6. Each Party shall ensure that for the twelve-month period commencing on 1 January 2030, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed zero.

7. As of 1 January 1996, each Party shall endeavour to ensure that:

(a) The use of controlled substances in Group I of Annex C is limited to those applications where other more environmentally suitable alternative substances or technologies are not available;

(b) The use of controlled substances in Group I of Annex C is not outside the areas of application currently met by controlled substances in Annexes A, B and C, except in rare cases for the protection of human life or human health; and

(c) Controlled substances in Group I of Annex C are selected for use in a manner that minimizes ozone depletion, in addition to meeting

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other environmental, safety and economic considerations.

H. *Article 2G: Hydrobromofluorocarbons*

The following Article shall be inserted after Article 2F of the Protocol:

*Article 2G: Hydrobromofluorocarbons*

Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex C does not exceed zero. Each Party producing the substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

I. *Article 2H: Methyl Bromide*

The following Article shall be inserted after Article 2G of the Protocol:

*Article 2H: Methyl Bromide*

Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed, annually, its calculated level of consumption in 1991. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, its calculated level of production in 1991. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1991. The calculated levels of consumption and production under this Article shall not include the amounts used by the Party for quarantine and pre-shipment applications.

J. *Article 3*

In Article 3 of the Protocol, for the words:

2A to 2E

there shall be substituted:

2A to 2H

and for the words

or Annex B

there shall be substituted each time they occur:

, Annex B, Annex C or Annex E

K. *Article 4, paragraph 1 ter*

The following paragraph shall be inserted after paragraph 1 *bis* of Article 4 of the Protocol:

*1 ter.* Within one year of the date of entry into force of this paragraph, each Party shall ban the import of any controlled substances in Group II of Annex C from any State not party to this Protocol.

L. *Article 4, paragraph 2 ter*

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The following paragraph shall be inserted after paragraph 2 *bis* of Article 4 of the Protocol:

*2 ter.* Commencing one year after the date of entry into force of this paragraph, each Party shall ban the export of any controlled substances in Group II of Annex C to any State not party to this Protocol.

M. *Article 4, paragraph 3 ter*

The following paragraph shall be inserted after paragraph 3 *bis* of Article 4 of the Protocol:

*3 ter.* Within three years of the date of entry into force of this paragraph, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of products containing controlled substances in Group II of Annex C. Parties that have not objected to the annex in accordance with those procedures shall ban, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.

N. *Article 4, paragraph 4 ter*

The following paragraph shall be inserted after paragraph 4 *bis* of Article 4 of the Protocol:

*4 ter.* Within five years of the date of entry into force of this paragraph, the Parties shall determine feasibility of banning or restricting, from States not party to this Protocol, the import of products produced with, but not containing, controlled substances in Group II of Annex C. If determined feasible, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of such products. Parties that have not objected to the annex in accordance with those procedures shall ban or restrict, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.

O. *Article 4, paragraphs 5, 6 and 7*

In paragraphs 5, 6 and 7 of Article 4 of the Protocol, for the words:

controlled substances

there shall be substituted:

controlled substances in Annexes A and B and Group II of Annex C

P. *Article 4, paragraph 8*

In paragraph 8 of Article 4 of the Protocol, for the words:

referred to in paragraphs 1, 1 *bis*, 3, 3 *bis*, 4 and 4 *bis* and exports referred to in paragraphs 2 and 2 *bis*

there shall be substituted:

and exports referred to in paragraphs 1 to 4 *ter* of this Article

and after the words:

Articles 2A to 2E

there shall be added:

, Article 2G

Q. *Article 4, paragraph 10*

The following paragraph shall be inserted after paragraph 9 of Article 4 of

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the Protocol:

10. By 1 January 1996, the Parties shall consider whether to amend this Protocol in order to extend the measures in this Article to trade in controlled substances in Group I of Annex C and in Annex E with States not party to the Protocol.

R. *Article 5, paragraph 1*

The following words shall be added at the end of paragraph 1 of Article 5 of the Protocol:

, provided that any further amendments to the adjustments or Amendments adopted at the Second Meeting of the Parties in London, 29 June 1990, shall apply to the Parties operating under this paragraph after the review provided for in paragraph 8 of this Article has taken place and shall be based on the conclusions of that review.

S. *Article 5, paragraph 1 bis*

The following paragraph shall be added after paragraph 1 of Article 5 of the Protocol:

1 *bis*. The Parties shall, taking into account the review referred to in paragraph 8 of this Article, the assessments made pursuant to Article 6 and any other relevant information, decide by 1 January 1996, through the procedure set forth in paragraph 9 of Article 2:

(a) With respect to paragraphs 1 to 6 of Article 2F, what base year, initial levels, control schedules and phase-out date for consumption of the controlled substances in Group I of Annex C will apply to Parties operating under paragraph 1 of this Article;

(b) With respect to Article 2G, what phase-out date for production and consumption of the controlled substances in Group II of Annex C will apply to Parties operating under paragraph 1 of this Article; and

(c) With respect to Article 2H, what base year, initial levels and control schedules for consumption and production of the controlled substance in Annex E will apply to Parties operating under paragraph 1 of this Article.

T. *Article 5, paragraph 4*

In paragraph 4 of Article 5 of the Protocol, for the words:

Articles 2A to 2E

there shall be substituted:

Articles 2A to 2H

U. *Article 5, paragraph 5*

In paragraph 5 of Article 5 of the Protocol, after the words:

set out in Articles 2A to 2E

there shall be added:

, and any control measures in Articles 2F to 2H that are decided pursuant to paragraph 1 *bis* of this Article,

V. *Article 5, paragraph 6*

In paragraph 6 of Article 5 of the Protocol, after the words:

/...

obligations laid down in Articles 2A to 2E

there shall be added:

, or any or all obligations in Articles 2F to 2H that are decided pursuant to paragraph 1 *bis* of this Article,

W. *Article 6*

The following words shall be deleted from Article 6 of the Protocol:

Articles 2A to 2E, and the situation regarding production, imports and exports of the transitional substances in Group I of Annex C

and replaced by

Articles 2A to 2H

X. *Article 7, paragraphs 2 and 3*

Paragraphs 2 and 3 of Article 7 of the Protocol shall be replaced by the following:

2. Each Party shall provide to the Secretariat statistical data on its production, imports and exports of each of the controlled substances

- in Annexes B and C, for the year 1989;
- in Annex E, for the year 1991,

or the best possible estimates of such data where actual data are not available, not later than three months after the date when the provisions set out in the Protocol with regard to the substances in Annexes B, C and E respectively enter into force for that Party.

3. Each Party shall provide to the Secretariat statistical data on its annual production (as defined in paragraph 5 of Article 1) of each of the controlled substances listed in Annexes A, B, C and E and, separately, for each substance,

- Amounts used for feedstocks,
- Amounts destroyed by technologies approved by the Parties, and
- Imports from and exports to Parties and non-Parties respectively,

for the year during which provisions concerning the substances in Annexes A, B, C and E respectively entered into force for that Party and for each year thereafter. Data shall be forwarded not later than nine months after the end of the year to which the data relate.

Y. *Article 7, paragraph 3 bis*

The following paragraph shall be inserted after paragraph 3 of Article 7 of the Protocol:

3 *bis*. Each Party shall provide to the Secretariat separate statistical data of its annual imports and exports of each of the controlled substances listed in Group II of Annex A and Group I of Annex C that have been recycled.

Z. *Article 7, paragraph 4*

In paragraph 4 of Article 7 of the Protocol, for the words:

in paragraphs 1, 2 and 3

there shall be substituted:

/...

in paragraphs 1, 2, 3 and 3 *bis*

AA. Article 9, paragraph 1 (a)

The following words shall be deleted from paragraph 1 (a) of Article 9 of the Protocol:

and transitional

BB. Article 10, paragraph 1

In paragraph 1 of Article 10 of the Protocol, after the words:

Articles 2A to 2E

there shall be added:

, and any control measures in Articles 2F to 2H that are decided pursuant to paragraph 1 *bis* of Article 5.

CC. Article 11, paragraph 4 (g)

The following words shall be deleted from paragraph 4 (g) of Article 11 of the Protocol:

and the situation regarding transitional substances

DD. Article 17

In Article 17 of the Protocol, for the words:

Articles 2A to 2E

there shall be substituted:

Articles 2A to 2H

EE. Annexes

1. Annex C

The following annex shall replace Annex C of the Protocol:

Annex C

Controlled substances

| Group          | Substance  | Number of Isomers | Ozone Depleting Potential* |              |
|----------------|--|-------------------|----------------------------|--------------|
| <i>Group I</i> |  |                   |                            |              |
|                | CHFC1 <sub>2</sub>   | (HCFC-21)**       | 1                          | 0.04         |
|                | CHF <sub>2</sub> Cl  | (HCFC-22)**       | 1                          | 0.055        |
|                | CH <sub>2</sub> FCl  | (HCFC-31)         | 1                          | 0.02         |
|                | C <sub>2</sub> HFCl <sub>4</sub>                             | (HCFC-121)        | 2                          | 0.01 - 0.04  |
|                | C <sub>2</sub> HF <sub>2</sub> Cl <sub>3</sub>               | (HCFC-122)        | 3                          | 0.02 - 0.08  |
|                | C <sub>2</sub> HF <sub>3</sub> Cl <sub>2</sub>               | (HCFC-123)        | 3                          | 0.02 - 0.06  |
|                | CHCl <sub>2</sub> CF <sub>3</sub>                            | (HCFC-123)**      | -                          | 0.02         |
|                | C <sub>2</sub> HF <sub>4</sub> Cl                            | (HCFC-124)        | 2                          | 0.02 - 0.04  |
|                | CHFClCF <sub>3</sub>   | (HCFC-124)**      | -                          | 0.022        |
|                | C <sub>2</sub> H <sub>2</sub> FCl <sub>3</sub>               | (HCFC-131)        | 3                          | 0.007 - 0.05 |
|                | C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Cl <sub>2</sub> | (HCFC-132)        | 4                          | 0.008 - 0.05 |

/...

|  |                |    |               |
|--|----------------|----|---------------|
| C <sub>2</sub> H <sub>3</sub> F <sub>3</sub> Cl              | (HCFC-133)     | 3  | 0.02 - 0.06   |
| C <sub>2</sub> H <sub>3</sub> FCl <sub>2</sub>               | (HCFC-141)     | 3  | 0.005 - 0.07  |
| CH <sub>3</sub> CFCl <sub>2</sub>                            | (HCFC-141b)**  | -  | 0.11          |
| C <sub>2</sub> H <sub>3</sub> F <sub>2</sub> Cl              | (HCFC-142)     | 3  | 0.008 - 0.07  |
| CH <sub>3</sub> CF <sub>2</sub> Cl                           | (HCFC-142b)**  | -  | 0.065         |
| C <sub>2</sub> H <sub>4</sub> FCl                            | (HCFC-151)     | 2  | 0.003 - 0.005 |
| C <sub>3</sub> HFCl <sub>6</sub>                             | (HCFC-221)     | 5  | 0.015 - 0.07  |
| C <sub>3</sub> HF <sub>2</sub> Cl <sub>5</sub>               | (HCFC-222)     | 9  | 0.01 - 0.09   |
| C <sub>3</sub> HF <sub>3</sub> Cl <sub>4</sub>               | (HCFC-223)     | 12 | 0.01 - 0.08   |
| C <sub>3</sub> HF <sub>4</sub> Cl <sub>3</sub>               | (HCFC-224)     | 12 | 0.01 - 0.09   |
| C <sub>3</sub> HF <sub>5</sub> Cl <sub>2</sub>               | (HCFC-225)     | 9  | 0.02 - 0.07   |
| CF <sub>3</sub> CF <sub>2</sub> CHCl <sub>2</sub>            | (HCFC-225ca)** | -  | 0.025         |
| CF <sub>2</sub> ClCF <sub>2</sub> CHClF                      | (HCFC-225cb)** | -  | 0.033         |
| C <sub>3</sub> HF <sub>6</sub> Cl                            | (HCFC-226)     | 5  | 0.02 - 0.10   |
| C <sub>3</sub> H <sub>2</sub> FCl <sub>5</sub>               | (HCFC-231)     | 9  | 0.05 - 0.09   |
| C <sub>3</sub> H <sub>2</sub> F <sub>2</sub> Cl <sub>4</sub> | (HCFC-232)     | 16 | 0.008 - 0.10  |
| C <sub>3</sub> H <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub> | (HCFC-233)     | 18 | 0.007 - 0.23  |
| C <sub>3</sub> H <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub> | (HCFC-234)     | 16 | 0.01 - 0.28   |
| C <sub>3</sub> H <sub>2</sub> F <sub>5</sub> Cl              | (HCFC-235)     | 9  | 0.03 - 0.52   |
| C <sub>3</sub> H <sub>3</sub> FCl <sub>4</sub>               | (HCFC-241)     | 12 | 0.004 - 0.09  |
| C <sub>3</sub> H <sub>3</sub> F <sub>2</sub> Cl <sub>3</sub> | (HCFC-242)     | 18 | 0.005 - 0.13  |

\* Where a range of ODPs is indicated, the highest value in that range shall be used for the purposes of the Protocol. The ODPs listed as a single value have been determined from calculations based on laboratory measurements. Those listed as a range are based on estimates and are less certain. The range pertains to an isomeric group. The upper value is the estimate of the ODP of the isomer with the highest ODP, and the lower value is the estimate of the ODP of the isomer with the lowest ODP.

\*\* Identifies the most commercially viable substances with ODP values listed against them to be used for the purposes of the Protocol.

| <i>Group</i>   | <i>Substance</i> | <i>Number of Isomers</i> | <i>Ozone Depleting Potential*</i> |
|--|------------------|--------------------------|-----------------------------------|
| C <sub>3</sub> H <sub>3</sub> F <sub>3</sub> Cl <sub>2</sub> | (HCFC-243)       | 18                       | 0.007 - 0.12                      |
| C <sub>3</sub> H <sub>3</sub> F <sub>4</sub> Cl              | (HCFC-244)       | 12                       | 0.009 - 0.14                      |
| C <sub>3</sub> H <sub>4</sub> FCl <sub>3</sub>               | (HCFC-251)       | 12                       | 0.001 - 0.01                      |
| C <sub>3</sub> H <sub>4</sub> F <sub>2</sub> Cl <sub>2</sub> | (HCFC-252)       | 16                       | 0.005 - 0.04                      |
| C <sub>3</sub> H <sub>4</sub> F <sub>3</sub> Cl              | (HCFC-253)       | 12                       | 0.003 - 0.03                      |
| C <sub>3</sub> H <sub>5</sub> FCl <sub>2</sub>               | (HCFC-261)       | 9                        | 0.002 - 0.02                      |
| C <sub>3</sub> H <sub>5</sub> F <sub>2</sub> Cl              | (HCFC-262)       | 9                        | 0.002 - 0.02                      |
| C <sub>3</sub> H <sub>6</sub> FCl                            | (HCFC-271)       | 5                        | 0.001 - 0.03                      |

*Group II*

|  |             |   |           |
|--|-------------|---|-----------|
| CH <sub>2</sub> Br <sub>2</sub>                              |             | 1 | 1.00      |
| CHF <sub>2</sub> Br  | (HBFC-22B1) | 1 | 0.74      |
| CH <sub>2</sub> FBr  |             | 1 | 0.73      |
| C <sub>2</sub> HFBr <sub>4</sub>                             |             | 2 | 0.3 - 0.8 |
| C <sub>2</sub> HF <sub>2</sub> Br <sub>3</sub>               |             | 3 | 0.5 - 1.8 |
| C <sub>2</sub> HF <sub>3</sub> Br <sub>2</sub>               |             | 3 | 0.4 - 1.6 |
| C <sub>2</sub> HF <sub>4</sub> Br                            |             | 2 | 0.7 - 1.2 |
| C <sub>2</sub> H <sub>2</sub> FBr <sub>3</sub>               |             | 3 | 0.1 - 1.1 |
| C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Br <sub>2</sub> |             | 4 | 0.2 - 1.5 |
| C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> Br              |             | 3 | 0.7 - 1.6 |
| C <sub>2</sub> H <sub>3</sub> FBr <sub>2</sub>               |             | 3 | 0.1 - 1.7 |
| C <sub>2</sub> H <sub>3</sub> F <sub>2</sub> Br              |             | 3 | 0.2 - 1.1 |

/...

|  |    |           |
|--|----|-----------|
| C <sub>2</sub> H <sub>4</sub> FBr                            | 2  | 0.07- 0.1 |
| C <sub>3</sub> HFBr <sub>6</sub>                             | 5  | 0.3 - 1.5 |
| C <sub>3</sub> HF <sub>2</sub> Br <sub>5</sub>               | 9  | 0.2 - 1.9 |
| C <sub>3</sub> HF <sub>3</sub> Br <sub>4</sub>               | 12 | 0.3 - 1.8 |
| C <sub>3</sub> HF <sub>4</sub> Br <sub>3</sub>               | 12 | 0.5 - 2.2 |
| C <sub>3</sub> HF <sub>5</sub> Br <sub>2</sub>               | 9  | 0.9 - 2.0 |
| C <sub>3</sub> HF <sub>6</sub> Br                            | 5  | 0.7 - 3.3 |
| C <sub>3</sub> H <sub>2</sub> FBr <sub>5</sub>               | 9  | 0.1 - 1.9 |
| C <sub>3</sub> H <sub>2</sub> F <sub>2</sub> Br <sub>4</sub> | 16 | 0.2 - 2.1 |
| C <sub>3</sub> H <sub>2</sub> F <sub>3</sub> Br <sub>3</sub> | 18 | 0.2 - 5.6 |
| C <sub>3</sub> H <sub>2</sub> F <sub>4</sub> Br <sub>2</sub> | 16 | 0.3 - 7.5 |
| C <sub>3</sub> H <sub>2</sub> F <sub>5</sub> Br              | 8  | 0.9 - 14  |
| C <sub>3</sub> H <sub>3</sub> FBr <sub>4</sub>               | 12 | 0.08- 1.9 |
| C <sub>3</sub> H <sub>3</sub> F <sub>2</sub> Br <sub>3</sub> | 18 | 0.1 - 3.1 |
| C <sub>3</sub> H <sub>3</sub> F <sub>3</sub> Br <sub>2</sub> | 18 | 0.1 - 2.5 |
| C <sub>3</sub> H <sub>3</sub> F <sub>4</sub> Br              | 12 | 0.3 - 4.4 |
| C <sub>3</sub> H <sub>4</sub> FBr <sub>3</sub>               | 12 | 0.03- 0.3 |
| C <sub>3</sub> H <sub>4</sub> F <sub>2</sub> Br <sub>2</sub> | 16 | 0.1 - 1.0 |
| C <sub>3</sub> H <sub>4</sub> F <sub>3</sub> Br              | 12 | 0.07- 0.8 |
| C <sub>3</sub> H <sub>5</sub> FBr <sub>2</sub>               | 9  | 0.04- 0.4 |
| C <sub>3</sub> H <sub>5</sub> F <sub>2</sub> Br              | 9  | 0.07- 0.8 |
| C <sub>3</sub> H <sub>6</sub> FBr                            | 5  | 0.02- 0.7 |

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\* Where a range of ODPs is indicated, the highest value in that range shall be used for the purposes of the Protocol. The ODPs listed as a single value have been determined from calculations based on laboratory measurements. Those listed as a range are based on estimates and are less certain. The range pertains to an isomeric group. The upper value is the estimate of the ODP of the isomer with the highest ODP, and the lower value is the estimate of the ODP of the isomer with the lowest ODP.

2. *Annex E*

The following annex shall be added to the Protocol:

*Annex E*  
Controlled substances

| <i>Group</i><br><i>Ozone-Depleting</i>      | <i>Substance</i> |
|---|------------------|
|   | <i>Potential</i> |
| <i>Group I</i><br>CH <sub>3</sub> Br<br>0.7 | methyl bromide   |

ARTICLE 2: RELATIONSHIP TO THE 1990 AMENDMENT

No State or regional economic integration organization may deposit an instrument of ratification, acceptance, approval or accession to this Amendment unless it has previously, or simultaneously, deposited such an instrument to the Amendment adopted at the Second Meeting of the Parties in London, 29 June 1990.

ARTICLE 3: ENTRY INTO FORCE

1. This Amendment shall enter into force on 1 January 1994, provided that at least twenty instruments of ratification, acceptance or approval of the Amendment have been deposited by States or regional economic integration organizations that are Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.

In the event that this condition has not been fulfilled by that date, the Amendment shall enter into force on the ninetieth day following the date on which it has been fulfilled.

2. For the purposes of paragraph 1, any such instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

3. After the entry into force of this Amendment, as provided under paragraph 1, it shall enter into force for any other Party to the Protocol on the ninetieth day following the date of deposit of its instrument of ratification, acceptance or approval.

*Annex IV*

NON-COMPLIANCE PROCEDURE

The following procedure has been formulated pursuant to Article 8 of the Montreal Protocol. It shall apply without prejudice to the operation of the settlement of disputes procedure laid down in Article 11 of the Vienna Convention.

1. If one or more Parties have reservations regarding another Party's implementation of its obligations under the Protocol, those concerns may be addressed in writing to the Secretariat. Such a submission shall be supported by corroborating information.

2. The Secretariat shall, within two weeks of its receiving a submission, send a copy of that submission to the Party whose implementation of a particular provision of the Protocol is at issue. Any reply and information in support thereof are to be submitted to the Secretariat and to the Parties involved within three months of the date of the despatch or such longer period as the circumstances of any particular case may require. The Secretariat shall then transmit the submission, the reply and the information provided by the Parties to the Implementation Committee referred to in paragraph 5, which shall consider the matter as soon as practicable.

3. Where the Secretariat, during the course of preparing its report, becomes aware of possible non-compliance by any Party with its obligations under the Protocol, it may request the Party concerned to furnish necessary information about the matter. If there is no response from the Party concerned within three months or such longer period as the circumstances of the matter may require or the matter is not resolved through administrative action or through diplomatic contacts, the Secretariat shall include the matter in its report to the Meeting of the Parties pursuant to Article 12 (c) of the Protocol and inform the Implementation Committee accordingly.

4. Where a Party concludes that, despite having made its best, bona fide efforts, it is unable to comply fully with its obligations under the Protocol, it may address to the Secretariat a submission in writing, explaining, in particular, the specific circumstances that it considers to be the cause of its non-compliance. The Secretariat shall transmit such submission to the implementation Committee which shall consider it as soon as practicable.

5. An Implementation Committee is hereby established. It shall consist of 10 Parties elected by the meeting of the Parties for two years, based on equitable geographical distribution. Outgoing Parties may be re-elected for one immediate consecutive term. The Committee shall elect its own President and Vice-President. Each shall serve for one year at a time. The Vice-President shall, in addition, serve as the rapporteur of the Committee.

6. The Implementation Committee shall, unless it decides otherwise, meet twice a year. The Secretariat shall arrange for and service its meetings.

7. The functions of the Implementation Committee shall be:

(a) To receive, consider and report on any submission in accordance with paragraphs 1, 2 and 4;

(b) To receive, consider and report on any information or observations forwarded by the Secretariat in connection with the preparation of the reports referred to in Article 12 (c) of the Protocol and on any other information received and forwarded by the Secretariat concerning compliance with the provisions of the Protocol.

(c) To request, where it considers necessary, through the Secretariat, further information on matters under its consideration;

(d) To undertake, upon the invitation of the Party concerned, information-gathering in the territory of that Party for fulfilling the functions of the Committee;

/...

(e) To maintain, in particular for the purposes of drawing up its recommendations, an exchange of information with the Executive Committee of the Multilateral Fund related to the provision of financial and technical cooperation, including the transfer of technologies to Parties operating under Article 5, paragraph 1, of the Protocol.

8. The Implementation Committee shall consider the submissions, information and observations referred to in paragraph 7 with a view to securing an amicable solution of the matter on the basis of respect for the provisions of the Protocol.

9. The Implementation Committee shall report to the Meeting of the Parties, including any recommendations it considers appropriate. The report shall be made available to the Parties not later than six weeks before their meeting. After receiving a report by the Committee the Parties may, taking into consideration the circumstances of the matter, decide upon and call for steps to bring about full compliance with the Protocol, including measures to assist the Parties' compliance with the Protocol, and to further the Protocol's objectives.

10. Where a Party that is not a member of the Implementation Committee is identified in a submission under paragraph 1, or itself makes such a submission, it shall be entitled to participate in the consideration by the Committee of that submission.

11. No Party, whether or not a member of the Implementation Committee, involved in a matter under consideration by the Implementation Committee, shall take part in the elaboration and adoption of recommendations on that matter to be included in the report of the Committee.

12. The Parties involved in a matter referred to in paragraphs 1, 3 or 4 shall inform, through the Secretariat, the Meeting of the Parties of the results of proceedings taken under Article 11 of the Convention regarding possible non-compliance, about implementation of those results and about implementation of any decision of the Parties pursuant to paragraph 9.

13. The Meeting of the Parties may, pending completion of proceedings initiated under Article 11 of the Convention, issue an interim call and/or recommendations.

14. The Meeting of the Parties may request the Implementation Committee to make recommendations to assist the Meeting's consideration of matters of possible non-compliance.

15. The members of the Implementation Committee and any Party involved in its deliberations shall protect the confidentiality of information they receive in confidence.

16. The report, which shall not contain any information received in confidence, shall be made available to any person upon request. All information exchanged by or with the Committee that is related to any recommendation by the Committee to the Meeting of the Parties shall be made available by the Secretariat to any Party upon its request; that Party shall ensure the confidentiality of the information it has received in confidence.

*Annex V*

INDICATIVE LIST OF MEASURES THAT MIGHT BE TAKEN BY A MEETING OF  
THE PARTIES IN RESPECT OF NON-COMPLIANCE WITH THE PROTOCOL

- A. Appropriate assistance, including assistance for the collection and reporting of data, technical assistance, technology transfer and financial assistance, information transfer and training.
- B. Issuing cautions.
- C. Suspension, in accordance with the applicable rules of international law concerning the suspension of the operation of a treaty, of specific rights and privileges under the Protocol, whether or not subject to time limits, including those concerned with industrial rationalization, production, consumption, trade, transfer of technology, financial mechanism and institutional arrangements.

*Annex VI*

APPROVED DESTRUCTION PROCESSES

*Thermal oxidation category*

- Liquid injection incineration
- Reactor cracking
- Gaseous/fume oxidation
- Rotary kiln incinerators
- Cement kilns

*Note:* These technologies are described in the report of the Ad Hoc Advisory Committee on Destruction Technologies.

Annex VII

SUGGESTED REGULATORY STANDARDS FOR DESTRUCTION FACILITIES

| Pollutant   | Stack Concentration  | Comments   |
|---|--|--|
| PCDD/PDCF<br>-----HCl<br>-----<br>HF<br>-----<br>HBr/Br <sub>2</sub><br>-----<br>Particulates | <1.0*ng/m <sup>3</sup><br>-----<br><100 mg/m <sup>3</sup><br>-----<br>5 mg/m <sup>3</sup><br>-----<br><5 mg/m <sup>3</sup><br>-----<br><50 mg/m <sup>3</sup> | Frequency, method of sampling, and limit for the ODS that is being destroyed as recommended by national regulatory agencies  |
| CO  | <100 mg/m <sup>3</sup>   | Continuous emission monitoring with 1 hour rolling average   |
| ODS   |  | Atmospheric releases of ODS shall be monitored at all facilities with air emission discharges (where applicable) to ensure compliance with the recommendations of the report of the ad hoc Technical Advisory Committee on Destruction Technologies. |

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\* Toxic equivalence using international method. Emissions limits are expressed as mass per dry cubic metre of flue gas at 0°C and 101.3 kPa corrected to 11% O<sub>2</sub>.

*Annex VIII*

INDICATIVE LIST OF CATEGORIES OF INCREMENTAL COSTS

1. The evaluation of requests for financing incremental costs of a given project shall take into account the following general principles:

(a) The most cost-effective and efficient option should be chosen, taking into account the national industrial strategy of the recipient party. It should be considered carefully to what extent the infrastructure at present used for production of the controlled substances could be put to alternative uses, thus resulting in decreased capital abandonment, and how to avoid deindustrialization and loss of export revenues;

(b) Consideration of project proposals for funding should involve the careful scrutiny of cost items listed in an effort to ensure that there is no double-counting;

(c) Savings or benefits that will be gained at both the strategic and project levels during the transition process should be taken into account on a case-by-case basis, according to criteria decided by the Parties and as elaborated in the guidelines of the Executive Committee;

(d) The funding of incremental costs is intended as an incentive for early adoption of ozone protecting technologies. In this respect the Executive Committee shall agree which time scales for payment of incremental costs are appropriate in each sector.

2. Incremental costs that once agreed are to be met by the financial mechanism include those listed below. If incremental costs other than those mentioned below are identified and quantified, a decision as to whether they are to be met by the financial mechanism shall be taken by the Executive Committee consistent with any criteria decided by the Parties and elaborated in the guidelines of the Executive Committee. The incremental recurring costs apply only for a transition period to be defined. The following list is indicated:

(a) Supply of substitutes

(i) Cost of conversion of existing production facilities:

- cost of patents and designs and incremental cost of royalties;
- capital cost of conversion;
- cost of retraining of personnel, as well as the cost of research to adapt technology to local circumstances;

(ii) Costs arising from premature retirement or enforced idleness, taking into account any guidance of the Executive Committee on appropriate cut-off dates:

- of productive capacity previously used to produce substances controlled by existing and/or amended or adjusted Protocol provisions; and
- where such capacity is not replaced by converted or new capacity to produce alternatives;

(iii) Cost of establishing new production facilities for substitutes of capacity equivalent to capacity lost when plants are converted or scrapped, including:

- cost of patents and designs and incremental cost of royalties;
- capital cost;

/...

- cost of training, as well as the cost of research to adapt technology to local circumstances;
- (iv) Net operational cost, including the cost of raw materials;
- (v) Cost of import of substitutes;
- (b) *Use in manufacturing as an intermediate good*
  - (i) Cost of conversion of existing equipment and product manufacturing facilities;
  - (ii) Cost of patents and designs and incremental cost of royalties;
- (iii) Capital cost;
  - (iv) Cost of retraining;
  - (v) Cost of research and development;
  - (vi) Operational cost, including the cost of raw materials except where otherwise provided for;
- (c) End use
  - (i) Cost of premature modification or replacement of user equipment;
  - (ii) Cost of collection, management, recycling, and, if cost effective, destruction of ozone-depleting substances;
  - (iii) Cost of providing technical assistance to reduce consumption and unintended emission of ozone-depleting substances.

*Annex IX*

TERMS OF REFERENCE FOR THE MULTILATERAL FUND

*A. Establishment*

1. A Multilateral Fund is established.

*B. Roles of the implementing agencies*

2. Under the overall guidance and supervision of the Executive Committee in the discharge of its policy-making functions:

(a) Implementing agencies shall be requested by the Executive Committee, in the context of country programmes developed to facilitate compliance with the Protocol, to cooperate with and assist the Parties within their respective areas of expertise; and

(b) Implementing agencies shall be invited by the Executive Committee to develop an inter-agency agreement and specific agreements with the Executive Committee acting on behalf of the Parties.

3. Implementing agencies shall apply only those considerations relevant to effective and economically efficient programmes and projects which are consistent with any criteria adopted by the Parties.

4. Specifically:

(a) The United Nations Environment Programme shall be invited by the Executive Committee to cooperate and assist in political promotion of the objectives of the Protocol, as well as in research, data gathering and the clearing-house functions;

(b) The United Nations Development Programme and such other agencies which, within their areas of expertise, may be able to assist shall be invited by the Executive Committee to cooperate and assist in feasibility and pre-investment studies and in other technical assistance measures;

(c) The World Bank shall be invited by the Executive Committee to cooperate and assist in administering and managing the programme to finance the agreed incremental costs;

(d) Other agencies, in particular regional development banks, shall also be invited by the Executive Committee to cooperate with and assist it in carrying out its functions.

5. The Executive Committee shall draw up reporting criteria and shall invite the implementing agencies to report regularly to it in accordance with those criteria.

6. The Executive Committee shall invite the implementing agencies, in fulfilling their responsibilities in respect of the Multilateral Fund, to consult each other regularly. It shall also invite the heads of the agencies or their representatives to meet at least once a year to report on their activities and consult on cooperative arrangements.

7. The implementing agencies shall be entitled to receive support costs for the activities they undertake, having reached specific agreements with the Executive Committee.

*C. Budget and contributions*

8. The Multilateral Fund shall be financed in accordance with

/...

Paragraph 6 of Article 10 of the amended Protocol. In addition, contributions may be made by countries not Party to the Protocol, and by other governmental, intergovernmental, non-governmental and other sources.

9. The contributions referred to in paragraph 6 of Article 10 of the amended Protocol are to be based on the scale of contributions decided by the annual Meeting of the Parties. Bilateral and, in particular cases, regional cooperation by a country not operating under paragraph 1 of Article 5 may, according to criteria adopted by the Parties, be considered as a contribution to the Multilateral Fund up to a total of twenty per cent of the total contribution by that Party as decided by the annual Meetings of the Parties.

10. All contributions other than the value of bilateral and agreed regional cooperation referred to in paragraph 9 above shall be in convertible currency or, in certain circumstances, in kind and/or in national currency.

11. Contributions from States that become Parties not operating under paragraph 1 of Article 5 after the beginning of the financial period of the mechanism shall be calculated on a *pro rata* basis for the balance of the financial period.

12. Contributions not immediately required for the purposes of the Multilateral Fund shall be invested under the authority of the Executive Committee and any interest so earned shall be credited to the Multilateral Fund.

13. Budget estimates, setting out the income and expenditure of the Multilateral Fund prepared in United States dollars, shall be drawn up by the Executive Committee and submitted to the regular meetings of the Parties to the Protocol.

14. The proposed budget estimates shall be dispatched by the Fund Secretariat to all Parties to the Protocol at least sixty days before the date fixed for the opening of the regular meeting of the Parties to the Protocol at which they are to be considered.

15. Resources remaining in the Interim Multilateral Fund shall be transferred to the Multilateral Fund established under the financial mechanism.

#### D. Administration

16. The World Bank shall be invited by the Executive Committee to cooperate with and assist it in administering and managing the programme to finance the agreed incremental costs of Parties operating under paragraph 1 of Article 5. Should the World Bank accept this invitation, in the context of an agreement with the Executive Committee, the President of the World Bank shall be the Administrator of this programme, which shall operate under the authority of the Executive Committee.

17. The Executive Committee shall encourage the involvement of other agencies, in particular the regional development banks, in carrying out its functions effectively in relation to the programme to finance the agreed incremental costs.

18. The Fund Secretariat operating under the Chief Officer, co-located with the United Nations Environment Programme (UNEP) at Montreal, Canada, shall assist the Executive Committee in the discharge of its functions. The Multilateral Fund shall cover Secretariat costs, based on regular budgets to be submitted for decision by the Executive Committee.

19. In the event that the Chief Officer of the Fund Secretariat anticipates that there may be a shortfall in resources over the financial period as whole, he shall have discretion to adjust the budget approved by the Parties so that expenditures are at all times fully covered by contributions received.

20. No commitments shall be made in advance of the receipt of contributions, but income not spent in a budget year and unimplemented activities may be carried forward from one year to the next within the financial period.

21. At the end of each calendar year, the Chief Officer of the Fund Secretariat shall submit to the Parties accounts for the year. The Chief Officer shall also, as soon as practicable, submit the audited accounts for each period so as to coincide with the accounting procedures of the implementing agencies.

22. The Fund Secretariat and the implementing agencies shall cooperate with the Parties to provide information on funding available for relevant projects, to secure the necessary contacts and to coordinate, when requested by the interested Party, projects financed from other sources with activities financed under the Protocol.

23. The financing of activities or other costs, including resources channelled to third party beneficiaries, shall require the concurrence of the recipient Governments concerned. Recipient Governments shall, where appropriate, be associated with the planning of projects and programmes.

24. Nothing shall preclude a beneficiary Party operating under paragraph 1 of Article 5 from applying for its requirements for agreed incremental costs solely from the resources available to the Multilateral Fund.

*Annex X*

TERMS OF REFERENCE OF THE EXECUTIVE COMMITTEE

1. The Executive Committee of the Parties 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.
2. The Executive Committee shall consist of seven Parties from the group of Parties operating under paragraph 1 of Article 5 of the Protocol and seven Parties from the group of Parties not so operating. Each group shall select its Executive Committee members. The members of the Executive Committee shall be formally endorsed by the Meeting of the Parties.
3. The Chairman and Vice-Chairman shall be selected from the fourteen Executive Committee members. The office of Chairman is subject to rotation, on an annual basis, between the Parties operating under paragraph 1 of Article 5 and the Parties not so operating. The group of Parties entitled to the chairmanship shall select the Chairman from among their members of the Executive Committee. The Vice-Chairman shall be selected by the other group from within their number.
4. Decisions by the Executive Committee shall be taken by consensus whenever possible. If all efforts at consensus have been exhausted and no agreement reached, decisions shall be taken by a two-thirds majority of the Parties present and voting, representing a majority of the Parties operating under paragraph 1 of Article 5 and a majority of the Parties not so operating present and voting.
5. The meetings of the Executive Committee shall be conducted in those official languages of the United Nations required by members of the Executive Committee. Nevertheless, the Executive Committee may agree to conduct its business in one of the United Nations official languages.
6. Costs of Executive Committee meetings, including travel and subsistence of Committee participants from Parties operating under paragraph 1 of Article 5, shall be disbursed from the Multilateral Fund as necessary.
7. The Executive Committee shall ensure that the expertise required to perform its functions is available to it.
8. The Executive Committee shall meet at least twice a year.
9. The Executive Committee shall adopt other rules of procedure on a provisional basis and in accordance with paragraphs 1 to 8 of the present terms of reference. Such provisional rules of procedure shall be submitted to the next annual meeting of the Parties for endorsement. This procedure shall also be followed when such rules of procedure are amended.
10. The functions of the Executive Committee shall include:
  - (a) To develop and monitor the implementation of specific operational policies, guidelines and administrative arrangements, including the disbursement of resources;
  - (b) To develop the plan and budget for the Multilateral Fund, including allocation of Multilateral Fund resources among the agencies identified in Paragraph 5 of Article 10 of the Amended Protocol;
  - (c) To supervise and guide the administration of the Multilateral Fund;
  - (d) To develop the criteria for project eligibility and guidelines for the implementation of activities supported by the Multilateral Fund;
  - (e) To review regularly the performance reports on the

/...

implementation of activities supported by the Multilateral Fund;

(f) To monitor and evaluate expenditure incurred under the Multilateral Fund;

(g) To consider and, where appropriate, approve country programmes for compliance with the Protocol and, in the context of those country programmes, assess and where applicable approve all project proposals or groups of project proposals where the agreed incremental costs exceed \$500,000;

(h) To review any disagreement by a Party operating under paragraph 1 of Article 5 with any decision taken with regard to a request for financing by that Party of a project or projects where the agreed incremental costs are less than \$500,000;

(i) To assess annually whether the contributions through bilateral cooperation, including particular regional cases, comply with the criteria set out by the Parties for consideration as part of the contributions to the Multilateral Fund;

(j) To report annually to the meeting of the Parties on the activities exercised under the functions outlined above, and to make recommendations as appropriate;

(k) To nominate, for appointment by the Executive Director of UNEP, the Chief Officer of the Fund Secretariat, who shall work under the Executive Committee and report to it; and

(l) To perform such other functions as may be assigned to it by the Meeting of the Parties.

Annex XI

TRUST FUND FOR THE MONTREAL PROTOCOL ON THE SUBSTANCES THAT DEplete THE OZONE LAYER  
SCALE OF 1993 AND 1994 CONTRIBUTIONS BY THE PARTIES BASED ON THE UNITED NATIONS  
SCALE OF ASSESSMENTS WITH NO COUNTRY PAYING MORE THAN 25 PERCENT

| PARTY                     | UN SCALE OF | UN SCALE     | PERCENTAGES             | ADJUSTED            | 1993          | 1994          |
|---------------------------|-------------|--------------|-------------------------|---------------------|---------------|---------------|
|                           | ASSESSMENTS | OF           | ADJUSTED TO PERCENTAGES | CONTRIBUTIONS       | CONTRIBUTIONS | CONTRIBUTIONS |
|                           | IN FORCE    | ASSESSMENTS  | EXCLUDE                 | WITH 25% BY PARTIES | BY PARTIES    | BY PARTIES    |
|                           | AS AT       | FOR          | NON                     | CEILING             | (\$ US)       | (\$ US)       |
| 25 NOV 1992               | 1993-1994*  | CONTRIBUTORS | CONSIDERED              |                     |               |               |
| Algeria**                 | 0.16%       | 0.16%        | 0.16%                   | 0.16%               | 4 438         | 5 532         |
| Argentina                 | 0.57%       | 0.57%        | 0.57%                   | 0.59%               | 15 809        | 19 709        |
| Australia                 | 1.51%       | 1.51%        | 1.51%                   | 1.55%               | 41 881        | 52 213        |
| Austria                   | 0.75%       | 0.75%        | 0.75%                   | 0.77%               | 20 802        | 25 934        |
| Bahrain                   | 0.03%       | 0.03%        | 0.00%                   | 0.00%               | 0             | 0             |
| Bangladesh                | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Barbados**                | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Belarus                   | 0.48%       | 0.48%        | 0.48%                   | 0.49%               | 13 313        | 16 597        |
| Belgium                   | 0.31%       | 1.06%        | 1.06%                   | 1.09%               | 29 400        | 36 653        |
| Botswana**                | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Brazil                    | 1.59%       | 1.59%        | 1.59%                   | 1.63%               | 44 099        | 54 979        |
| Bulgaria                  | 0.13%       | 0.13%        | 0.13%                   | 0.13%               | 3 606         | 4 495         |
| Burkina Faso              | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Cameroon                  | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Canada                    | 3.11%       | 3.11%        | 3.11%                   | 3.19%               | 86 257        | 107 538       |
| Chile                     | 0.08%       | 0.08%        | 0.00%                   | 0.00%               | 0             | 0             |
| China                     | 0.77%       | 0.77%        | 0.77%                   | 0.79%               | 21 356        | 26 625        |
| Costa Rica                | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Croatia**                 | 0.00%       | 0.13%        | 0.13%                   | 0.13%               | 3 606         | 4 495         |
| Cuba**                    | 0.09%       | 0.09%        | 0.00%                   | 0.00%               | 0             | 0             |
| Cyprus**                  | 0.02%       | 0.02%        | 0.00%                   | 0.00%               | 0             | 0             |
| Czechoslovakia            | 0.55%       | 0.55%        | 0.55%                   | 0.56%               | 15 255        | 19 018        |
| Denmark                   | 0.65%       | 0.65%        | 0.65%                   | 0.67%               | 18 028        | 22 476        |
| Ecuador                   | 0.03%       | 0.03%        | 0.00%                   | 0.00%               | 0             | 0             |
| Egypt                     | 0.07%       | 0.07%        | 0.00%                   | 0.00%               | 0             | 0             |
| Fiji                      | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Finland                   | 0.57%       | 0.57%        | 0.57%                   | 0.59%               | 15 809        | 19 709        |
| France                    | 6.00%       | 6.00%        | 6.00%                   | 6.16%               | 166 413       | 207 468       |
| Gambia                    | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Germany                   | 8.93%       | 8.93%        | 8.93%                   | 9.17%               | 247 678       | 308 782       |
| Ghana                     | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Greece                    | 0.35%       | 0.35%        | 0.35%                   | 0.36%               | 9 707         | 12 102        |
| Guatemala                 | 0.02%       | 0.02%        | 0.00%                   | 0.00%               | 0             | 0             |
| Guinea**                  | 0.01%       | 0.01%        | 0.00%                   | 0.00%               | 0             | 0             |
| Hungary                   | 0.18%       | 0.18%        | 0.18%                   | 0.18%               | 4 992         | 6 224         |
| Iceland                   | 0.03%       | 0.03%        | 0.00%                   | 0.00%               | 0             | 0             |
| India**                   | 0.36%       | 0.36%        | 0.36%                   | 0.37%               | 9 985         | 12 448        |
| Indonesia**               | 0.16%       | 0.16%        | 0.16%                   | 0.16%               | 4 438         | 5 532         |
| Iran, Islamic Republic of | 0.77%       | 0.77%        | 0.77%                   | 0.79%               | 21 356        | 26 625        |

| PARTY                   | UN SCALE OF ASSESSMENTS IN FORCE AS AT 25 NOV 1992 |        | UN SCALE OF ASSESSMENTS FOR 1993-1994* |        | PERCENTAGES OF ADJUSTED TO EXCLUDE NON CEILING CONTRIBUTORS |         | ADJUSTED TO PERCENTAGES WITH 25% BY PARTIES (\$ US) |  | 1993 CONTRIBUTIONS (\$ US) |  | 1994 CONTRIBUTIONS (\$ US) |  |
|-------------------------|--|--------|--|--------|---|---------|---|--|----------------------------|--|----------------------------|--|
|                         | ASSESSMENTS  |        | ASSESSMENTS                            |        | PERCENTAGES   |         | ADJUSTED TO PERCENTAGES                             |  | CONTRIBUTIONS              |  | CONTRIBUTIONS              |  |
|                         | IN FORCE   |        | FOR                                    |        | NON CEILING   |         | WITH 25% BY PARTIES                                 |  | (\$ US)                    |  | (\$ US)                    |  |
|                         | AS AT 25 NOV 1992                                  |        | FOR 1993-1994*                         |        | PERCENTAGES OF ADJUSTED TO EXCLUDE NON CEILING CONTRIBUTORS |         | ADJUSTED TO PERCENTAGES WITH 25% BY PARTIES         |  | CONTRIBUTIONS (\$ US)      |  | CONTRIBUTIONS (\$ US)      |  |
| Ireland                 | 0.18%  | 0.18%  | 0.18%                                  | 0.18%  | 4 992   | 6 224   |   |  |                            |  |                            |  |
| Israel**                | 0.23%  | 0.23%  | 0.23%                                  | 0.24%  | 6 379   | 7 953   |   |  |                            |  |                            |  |
| Italy                   | 4.29%  | 4.29%  | 4.29%                                  | 4.40%  | 118 985   | 148 340 |   |  |                            |  |                            |  |
| Japan                   | 12.45%   | 12.45% | 12.45%                                 | 12.78% | 345 306   | 430 496 |   |  |                            |  |                            |  |
| Jordan                  | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Kenya                   | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Korea, Republic of**    | 0.69%  | 0.69%  | 0.69%                                  | 0.71%  | 19 137  | 23 859  |   |  |                            |  |                            |  |
| Libyan Arab Jamahiriya  | 0.24%  | 0.24%  | 0.24%                                  | 0.25%  | 6 657   | 8 299   |   |  |                            |  |                            |  |
| Liechtenstein           | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Luxembourg              | 0.06%  | 0.06%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Malawi                  | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Malaysia                | 0.12%  | 0.12%  | 0.12%                                  | 0.12%  | 3 328   | 4 149   |   |  |                            |  |                            |  |
| Maldives                | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Malta                   | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Mauritius**             | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Mexico                  | 0.88%  | 0.88%  | 0.88%                                  | 0.90%  | 24 407  | 30 429  |   |  |                            |  |                            |  |
| Netherlands             | 1.50%  | 1.50%  | 1.50%                                  | 1.54%  | 41 603  | 51 867  |   |  |                            |  |                            |  |
| New Zealand             | 0.24%  | 0.24%  | 0.24%                                  | 0.25%  | 6 657   | 8 299   |   |  |                            |  |                            |  |
| Niger**                 | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Nigeria                 | 0.20%  | 0.20%  | 0.20%                                  | 0.21%  | 5 547   | 6 916   |   |  |                            |  |                            |  |
| Norway                  | 0.55%  | 0.55%  | 0.55%                                  | 0.56%  | 15 255  | 19 018  |   |  |                            |  |                            |  |
| Panama                  | 0.02%  | 0.02%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Philippines             | 0.07%  | 0.07%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Poland                  | 0.47%  | 0.47%  | 0.47%                                  | 0.48%  | 13 036  | 16 252  |   |  |                            |  |                            |  |
| Portugal                | 0.20%  | 0.20%  | 0.20%                                  | 0.21%  | 5 547   | 6 916   |   |  |                            |  |                            |  |
| Russian Federation      | 9.41%  | 6.71%  | 6.71%                                  | 6.89%  | 186 105   | 232 018 |   |  |                            |  |                            |  |
| Saint Kitts and Nevis** | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Singapore               | 0.12%  | 0.12%  | 0.12%                                  | 0.12%  | 3 328   | 4 149   |   |  |                            |  |                            |  |
| Slovenia**              | 0.00%  | 0.09%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| South Africa            | 0.41%  | 0.41%  | 0.41%                                  | 0.42%  | 11 372  | 14 177  |   |  |                            |  |                            |  |
| Spain                   | 1.98%  | 1.98%  | 1.98%                                  | 2.03%  | 54 916  | 68 464  |   |  |                            |  |                            |  |
| Sri Lanka               | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Swaziland**             | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Sweden                  | 1.11%  | 1.11%  | 1.11%                                  | 1.14%  | 30 786  | 38 382  |   |  |                            |  |                            |  |
| Switzerland             | 1.16%  | 1.16%  | 1.16%                                  | 1.19%  | 32 173  | 40 110  |   |  |                            |  |                            |  |
| Syrian Arab Republic    | 0.04%  | 0.04%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Thailand                | 0.11%  | 0.11%  | 0.11%                                  | 0.11%  | 3 051   | 3 804   |   |  |                            |  |                            |  |
| Togo                    | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Trinidad and Tobago     | 0.05%  | 0.05%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Tunisia                 | 0.03%  | 0.03%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Turkey                  | 0.27%  | 0.27%  | 0.27%                                  | 0.28%  | 7 489   | 9 336   |   |  |                            |  |                            |  |
| Uganda                  | 0.01%  | 0.01%  | 0.00%                                  | 0.00%  | 0   | 0       |   |  |                            |  |                            |  |
| Ukraine                 | 1.18%  | 1.87%  | 1.87%                                  | 1.92%  | 51 865  | 64 661  |   |  |                            |  |                            |  |
| United Arab Emirates    | 0.21%  | 0.21%  | 0.21%                                  | 0.22%  | 5 824   | 7 261   |   |  |                            |  |                            |  |
| United Kingdom          | 5.02%  | 5.02%  | 5.02%                                  | 5.15%  | 139 232   | 173 582 |   |  |                            |  |                            |  |

| PARTY         | UN SCALE OF ASSESSMENTS IN FORCE AS AT 25 NOV 1992 |                | UN SCALE OF ASSESSMENTS FOR 1993-1994* |                 | PERCENTAGES ADJUSTED TO PERCENTAGES EXCLUDE WITH 25% (\$ US) (\$ US) BY PARTIES BY PARTIES |                          |
|---------------|--|----------------|--|-----------------|--|--------------------------|
|               | AS AT 25 NOV 1992                                  | FOR 1993-1994* | NON CEILING CONTRIBUTORS               | CEILING (\$ US) | ADJUSTED (\$ US)   | CONTRIBUTIONS BY PARTIES |
| United States | 25.00%   | 25.00%         | 25.00%                                 | 25.00%          | 675 598  | 842 273                  |
| Uruguay       | 0.04%  | 0.04%          | 0.00%                                  | 0.00%           | 0  | 0                        |
| Venezuela     | 0.49%  | 0.49%          | 0.49%                                  | 0.50%           | 13 590   | 16 943                   |
| Yugoslavia    | 0.42%  | 0.16%          | 0.16%                                  | 0.16%           | 4 438  | 5 532                    |
| Zambia        | 0.01%  | 0.01%          | 0.00%                                  | 0.00%           | 0  | 0                        |
| Zimbabwe**    | 0.01%  | 0.01%          | 0.00%                                  | 0.00%           | 0  | 0                        |
| EEC           | 2.50%  | 2.50%          | 2.50%                                  | 2.50%           | 67 560   | 84 227                   |
| TOTAL         | 100.46%  | 99.16%         | 98.14%                                 | 100.00%         | 2 702 390  | 3 369 090                |

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\* As recommended by the United Nations Committee on Contributions in its report to the General Assembly at its forty-seventh session (A/47/11). All calculations in the present table are based on these percentages.

\*\* New Parties who joined during 1992.

Annex XII

REVISED 1992 AND 1993 BUDGETS AND PROPOSED 1994 BUDGET  
FOR THE SECRETARIAT OF THE VIENNA CONVENTION  
AND ITS MONTREAL PROTOCOL

| 10 PROJECT PERSONNEL COMPONENT  |           | REVISED 1992 | REVISED 1993 | PROPOSED 1994 |
|---|-----------|--------------|--------------|---------------|
| 1100 Project personnel (Title & Grade)                                    | US \$     | US \$        | US \$        |               |
| 1101 Secretary (shared) (D-1)   | 54 000    | 56 000       | 58 000       |               |
| 1102 Deputy Secretary (Lawyer) (P-4/5)(a)                                 | 48 000    | 96 000       | 98 000       |               |
| 1103 Programme Officer (Lawyer) (P-3)                                     | 75 000    | 77 000       | 79 000       |               |
| 1104 Prog Officer (Chemist) (shared) (P-3/4)                              | 43 000    | 45 000       | 47 000       |               |
| 1105 Administrative Officer (shared) (P-2/3)                              | 30 000    | 32 000       | 34 000       |               |
| 1199 Sub-total  | 250 000   | 306 000      | 316 000      |               |
| 1200 Consultants (b)  |           |              |              |               |
| 1201 Assistance in data reporting, analysis and promotion of the Protocol | 90 000    | 100 000      | 110 000      |               |
| 1299 Sub-total  | 90 000    | 100 000      | 110 000      |               |
| 1300 Administrative support (Title & Grade)                               |           |              |              |               |
| Support staff costs   |           |              |              |               |
| 1301 Administrative Assistant (shared) (G-8)                              | 7 000     | 7 500        | 8 000        |               |
| 1302 Senior Secretary (G-6)   | 12 000    | 13 000       | 14 000       |               |
| 1304 Secretary (shared) (G-6)   | 6 000     | 6 500        | 7 000        |               |
| 1305 Secretary (shared) (G-6)   | 6 000     | 6 500        | 7 000        |               |
| 1306 Document Clerk (c) (G-5)   | 0         | 6 000        | 6 500        |               |
| 1320 Temporary Assistance (d)   | 5 000     | 5 000        | 5 000        |               |
| 1301 - 20 Support staff total   | 36 000    | 44 500       | 47 500       |               |
| Conference servicing costs (CSC) (e)                                      |           |              |              |               |
| 1321 CSC - Open Ended WG Meetings   | 800 000   | 377 000      | 750 000      |               |
| 1322 CSC - Prep Meeting for Parties                                       | 165 000   | 136 000      | 200 000      |               |
| 1323 CSC - Meeting of the Parties   | 165 000   | 136 000      | 200 000      |               |
| 1324 CSC - Meetings of the Assessment Panels                              | 0         | 5 000        | 15 000       |               |
| 1325 CSC - Meetings of the Bureau   | 68 000    | 74 000       | 75 000       |               |
| 1326 CSC - Meetings of the Committees                                     | 30 000    | 33 000       | 33 000       |               |
| 1327 CSC - Informal Consultation Meetings                                 | 15 000    | 20 000       | 20 000       |               |
| 1321 - 27 Conference Servicing total                                      | 1 243 000 | 781 000      | 1 293 000    |               |
| 1399 Sub-total  | 1 279 000 | 825 500      | 1 340 500    |               |
| 1600 Travel on official business (f)                                      |           |              |              |               |
| 1601 Travel & subsistence (Sec. Staff)                                    | 65 000    | 70 000       | 80 000       |               |
| 1602 Travel & subsistence (CS UNEP Staff)                                 | 25 000    | 30 000       | 35 000       |               |
| 1699 Sub-total  | 90 000    | 100 000      | 115 000      |               |
| 1999 Component Total  | 1 709 000 | 1 331 500    | 1 881 500    |               |

REVISED 1992 REVISED 1993 PROPOSED 1994

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US \$      US \$      US \$

30 MEETINGS COMPONENT

3300 Participation in meetings/conferences, etc. (g)

|  |         |         |         |
|--|---------|---------|---------|
| 3301 DC Participants in TAP Meetings       | 100 000 | 240 000 | 130 000 |
| 3302 DC Participants in Parties Meetings   | 100 000 | 120 000 | 130 000 |
| 3303 DC Participants in Prep Meetings      | 100 000 | 120 000 | 130 000 |
| 3304 DC Participants in OEWG Meetings      | 200 000 | 240 000 | 260 000 |
| 3305 DC Participants in Bureau Meetings    | 30 000  | 36 000  | 39 000  |
| 3306 DC Participants in Committee Meetings | 50 000  | 60 000  | 65 000  |
| 3399 Sub-total                             | 580 000 | 816 000 | 754 000 |

3999 Component Total                      580 000    816 000    754 000

40 EQUIPMENT AND PREMISES COMPONENT

4100 Expendable equipment (h)

|                                |       |        |        |
|--------------------------------|-------|--------|--------|
| 4101 Miscellaneous expendables | 7 500 | 10 000 | 12 500 |
| 4199 Sub-total                 | 7 500 | 10 000 | 12 500 |

4200 Non-expendable equipment (i)

|                                  |        |   |   |
|----------------------------------|--------|---|---|
| 4201 Personal computers (7)      | 16 000 | 0 | 0 |
| 4202 Photocopiers (2) (shared)   | 0      | 0 | 0 |
| 4203 Telefax and others (shared) | 7 000  | 0 | 0 |
| 4204 Portable computers (1)      | 3 000  | 0 | 0 |
| 4299 Sub-total                   | 26 000 | 0 | 0 |

4300 Rental of office premises (j)

|   |        |        |        |
|---|--------|--------|--------|
| 4301 Rental of office premises (shared) | 15 000 | 15 000 | 15 000 |
| 4399 Sub-total                          | 15 000 | 15 000 | 15 000 |

4999 Component Total                      48 500    25 000    27 500

50 MISCELLANEOUS COMPONENT

5100 Operation and maintenance of equipment (k)

|                               |        |       |        |
|-------------------------------|--------|-------|--------|
| 5101 Maintenance of equipment | 6 000  | 8 000 | 10 000 |
| 5102 Maintenance of premises  | 15 000 | 0     | 0      |
| 5199 Sub-total                | 21 000 | 8 000 | 10 000 |

5200 Reporting costs (l)

|   |        |        |         |
|---|--------|--------|---------|
| 5201 Reporting (general)                | 35 000 | 40 000 | 40 000  |
| 5202 Reporting (Tech. Assessmt. Panels) | 45 000 | 0      | 75 000  |
| 5299 Sub-total                          | 80 000 | 40 000 | 115 000 |

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|  | REVISED 1992 | REVISED 1993 | PROPOSED 1994 |
|--|--------------|--------------|---------------|
|  | -----        | -----        | -----         |
|  | US \$        | US \$        | US \$         |
| 5300 Sundry (m)                          |              |              |               |
| 5301 Communications                      | 15 000       | 30 000       | 30 000        |
| 5302 Freight charges (shipment of docs.) | 60 000       | 30 000       | 50 000        |
| 5303 Others                              | 5 000        | 5 000        | 5 000         |
| 5399 Sub-total                           | 80 000       | 65 000       | 85 000        |
| 5400 Hospitality (n)                     |              |              |               |
| 5401 Hospitality                         | 15 000       | 17 500       | 20 000        |
| 5499 Sub-total                           | 15 000       | 17 500       | 20 000        |
| 5999 Component Total                     | 196 000      | 130 500      | 230 000       |
| 99 TOTAL                                 | 2 533 500    | 2 303 000    | 2 893 000     |
| Contingency (o)                          | 0            | 100 000      | 100 000       |
| Programme support cost (13%)             | 329 355      | 299 390      | 376 090       |
| =====                                    |              |              |               |
| GRAND TOTAL                              | 2 862 855    | 2 702 390    | 3 369 090     |
| =====                                    |              |              |               |

*Explanation of footnotes as justification for 1992, 1993 and 1994 Budgets*

(a) The Deputy Secretary will join the Secretariat effective 2 July 1992. The budget has accordingly been adjusted to US\$48,000 from US\$96,000.

(b) There is a need for consultancy assistance to analyse the data received. Some non-Parties who are intending to ratify the Protocol have requested assistance to understand the Protocol and to collect their data regarding the ozone depleting substances in preparation for ratifying the Montreal Protocol. Provision is made for the consultancy months to cover these requirements. The amount is already provided for in the budgets for 1992 and 1993, approved by the Third Meeting of the Parties in June 1991.

(c) The Secretariat receives about 2,500 letters and sends out about 5,000 letters every year to Governments, universities, individuals, non-governmental organizations, and other UN offices. This is in addition to the correspondence handled by the Conference Services Unit of UNEP. This correspondence needs to be filed regularly in about 300 files. In addition, the Secretariat organizes and coordinates on average one meeting every month, i.e. 12 meetings a year. These require, preparation and dispatch of many documents in 6 UN languages to all concerned recipients. There have been continuous requests for documents by Governments, organizations and experts. This leads to a significant growth in the handling of documents, in volume and complexity. There is, therefore, a need for a documents clerk at level G-5 to maintain the files and records for reference and inventory purposes. He/She will also assist in the follow-up regarding reproduction and despatch of ozone documents. The clerk will be employed from 1 January 1993.

(d) \$US 5,000 provided in view of the many meetings in 1992 and 1993. No budget has been allocated for this by the Third Meeting.

(e) The conference servicing costs are calculated as follows:

- 1992: The costs are kept at the same level as approved by the Third Meeting of the Parties, except that the costs for the Working Group Meetings have gone up from US\$175,000 to US\$400,000 for each meeting. The reason for this increase is that the provision in the approved budget estimate was for a meeting of three days each, whereas the actual meetings were of 8 days duration each. The increase in the number of days was necessitated by the many issues referred to the Working Group.
- 1993: There is a new provision of \$5,000 (for servicing Assessment Panel meetings) not provided for in the budget estimates approved by the Third Meeting of the Parties for 1993. Such Panel meetings were not anticipated earlier.
- 1994: The Preparatory and Parties' Meetings will be convened back-to-back and will employ twenty-two non-local interpreters, twenty two non-local translators, twenty-four non-local typists, in addition to local support staff. The Meeting is assumed to be in Nairobi.
- The two Working Group Meetings in six languages and five days are assumed to be in Nairobi and will employ the same number of non-local personnel as for the Meeting of the Parties.
  - The two Bureau Meetings, each in three languages, will be held in Nairobi for two days.
  - The four Committee Meetings will be held in Nairobi in English.
  - The two Informal Consultations will be held in Nairobi in English.
  - The extent of documentation for meetings is assumed to be the same as in 1993.

(f) Provision is made for fifteen lots of travel by the Secretariat staff in 1993 and 1994. Five lots of travel per year of the UNEP Conference Services staff are provided to service various ozone meetings. The travel budget for 1993

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is the same as approved by the Third Meeting of the Parties.

(g) Participation cost of developing countries is worked out as follows:

- 1992: \$US 5,000 per participant has been used as the basis for travel and per diem allowances for participation in meetings lasting for one week. The only change from the budget approved by the Third Meeting of the Parties is the provision of \$US 100,000 for participation in the meetings regarding Methyl Bromide and Halons, as decided by the Sixth Meeting of the Open-Ended Working Group. Earlier, it was not anticipated that there would be any Assessment panel meetings in 1992.
- 1993: The cost of participation (travel and subsistence) of one delegate is estimated at \$US 6,000 per week. For the meeting of the Parties, the duration is assumed to be 1.5 weeks, including the duration of the Conference of the Parties to the Vienna Convention. The costs are shared between the Preparatory Meetings, the Conference of the Parties to Vienna Convention and the Meeting of the Parties to the Montreal Protocol. The only change from the budget approved by the Third Meeting of the Parties is the provision of \$US 240,000 for participation of about 40 experts from developing countries in assessment panel meetings on Methyl Bromide, Halons and essential uses, as called for by the proposed adjustments and Amendment.
- 1994: The cost of participation of one expert in one meeting for one week is estimated at \$US 6,500.

(h) An estimated cost of office expendables; the amounts are already provided for in the budget for 1992 and 1993, approved by the Third Meeting of the Parties.

(i) It is proposed to buy four more personal computers at a cost of \$US 6,000, a portable computer at a cost of \$US 3,000, and a laser printer at a cost of \$US 5,000 in 1992. This is to equip the Coordinator, Deputy Coordinator, the Administrative Officer and a Secretary with personal computers. This is already provided for in the approved budget for 1992 by the Third Meeting of the Parties.

(j) 4301 Rental of Premises:

- Due to the shortage of office space at UNEP Headquarters, the Secretariat was temporarily moved to rented accommodation, effective 4 November 1991. Hence, an additional budget line has been introduced.
- The Secretariat will move back to UNEP Headquarters as soon as the new blocks are completed, but rent will be charged as per UN norms. This has not been included in the budgets approved by the Third Meeting for 1992 and 1993.

(k) The estimates are based on existing UNEP maintenance contracts. This is already provided for in the budgets for 1992 and 1993, approved by the Third Meeting of the Parties.

(l) The reporting cost for 1992 includes printing and distribution of the Assessment Panel reports for which there is great demand. Hence an additional provision of \$US 45,000 is made. The provision for 1993 is the same as approved by the Third Meeting of the Parties. The costs for 1993 and 1994 for general reporting are for reporting on the Ozone meetings. In addition, in 1994 provision is made for printing and distribution of reports of Assessment Panels on Methyl Bromide, Halons, essential uses, etc.

(m) For 1992 and 1993 the freight charges have been increased by \$45,000 and \$10,000 respectively over the earlier estimate approved by the Third Meeting of the Parties, based on actual experience. An estimate has been made for 1994.

(n) The 1992 and 1993 provision approved by the Third Meetings of the Parties has been reduced.

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(o) The contingency allowance has been removed in 1992, and in 1993 and 1994 has been left at \$100,000 as had been estimated in the past.

Annex XIII

Interim Multilateral Fund Secretariat: Approved Budget  
and Revised Estimated Expenditure for 1992

| Number | Description  | W/M | Approved Budget | Revised Estimates |
|--------|--|-----|-----------------|-------------------|
| 1100   | Personnel  |     |                 |                   |
| 1101   | Chief, Fund Secretariat                            |     | 111 000         | 111 000           |
| 1102   | Deputy Chief                                       | 12  | 80 000          | 91 000            |
| 1103   | Programme Officer                                  |     | 80 000          | 84 000            |
| 1104   | Programme Officer                                  |     | 59 000          | 67 000            |
| 1105   | Programme Officer                                  |     | 59 000          | 67 000            |
| 1106   | Programme Officer                                  |     | 59 000          | 67 000            |
| 1107   | Programme Officer                                  |     | 59 000          | 67 000            |
| 1108   | Information Officer                                |     | 59 000          | 67 000            |
| 1109   | Administrative Officer                             |     | 70 000          | 60 000            |
| 1199   | TOTAL  |     | 636 000         | 681 000           |
| 1200   | Consultants  |     |                 |                   |
| 1201   | Consultancies and other related studies            |     | -               | -                 |
| 1202   | Evaluation studies                                 |     | 200 000         | 200 000           |
| 1299   | TOTAL  |     | 200 000         | 200 000           |
| 1300   | Administrative Support                             |     |                 |                   |
| 1301   | Administrative Assistant                           | 12  | 39 000          | 40 000            |
| 1302   | Library Assistant                                  | 12  | 39 000          | 36 000            |
| 1303   | Senior Secretary (Chief Officer)                   | 12  | 35 000          | 36 000            |
| 1304   | Senior Secretary (Deputy)                          | 12  | 35 000          | 32 000            |
| 1305   | Secretary (Deputy)                                 | 12  | 31 000          | 32 000            |
| 1306   | Secretary (for 3-P-3s)                             | 12  | 35 000          | 32 000            |
| 1307   | Secretary (for P-3/P-4)                            | 12  | 31 000          | 32 000            |
| 1308   | Secretary (for P-3/Consultant)                     | 12  | 31 000          | 32 000            |
| 1309   | Clerk/Messenger/Receptionist                       | 12  | 25 000          | 24 000            |
| 1321   | Conference servicing costs (CSC)                   |     |                 |                   |
| 1325   | With Meeting                                       |     | 75 000          | 90 000            |
| 1326   | With Meeting                                       |     | 75 000          | 90 000            |
| 1327   | With Meeting                                       |     | 75 000          | 90 000            |
| 1328   | 2 Meetings Sub-Committee                           |     | 20 000          | 20 000            |
| 1399   | TOTAL  |     | 547 000         | 586 000           |
| 1600   | Travel on official business                        |     |                 |                   |
| 1601   | Travel and subsistence (Secretariat Staff)         |     | 100 000         | 100 000           |
| 1699   | TOTAL  |     | 100 000         | 100 000           |
| 1999   | Component total, Personnel                         |     | 1 483 000       | 1 567 000         |
| 30     | MEETING COMPONENT                                  |     |                 |                   |
| 3300   | Meetings, conferences etc.                         |     |                 |                   |
| 3305   | Travel and substance of Chairman and Vice-Chairman |     | 37 500          | 37 000            |
| 3306   | With Meeting                                       |     | 110 250         | 87 000            |
| 3307   | With Meeting                                       |     | 110 250         | 87 000            |

| Number | Description | W/M | Approved Budget | Revised Estimates |
|--------|-------------|-----|-----------------|-------------------|
|--------|-------------|-----|-----------------|-------------------|

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|      |  |  |           |           |
|------|--|--|-----------|-----------|
| 3308 | With Meeting                             |  | 110 250   | 87 000    |
| 3309 | 2 Sub-Committees                         |  | 31 500    | 31 500    |
|      |  |  | 399 750   | 330 000   |
| 3399 | TOTAL                                    |  |           |           |
| 3999 | Component total, Meetings                |  | 399 750   | 330 000   |
| 4100 | Expendable equipment (items under \$500) |  |           |           |
| 4101 | Office stationery supplies               |  | 15 000    | 15 000    |
| 4102 | Software and computer expendables        |  | 15 000    | 15 000    |
| 4199 | TOTAL                                    |  | 30 000    | 30 000    |
| 4200 | Non-expendable equipment                 |  |           |           |
| 4201 | Furniture                                |  | -         | -         |
| 4202 | Typewriters                              |  | -         | -         |
| 4103 | Personal computers - 3                   |  | 22 500    | 22 500    |
| 4104 | Portable computers - 3                   |  | 15 000    | 18 000    |
| 4105 | Others                                   |  | 10 000    | 7 000     |
|      |  |  | 47 500    | 47 500    |
| 4299 | TOTAL                                    |  |           |           |
| 4300 | Premises                                 |  |           |           |
| 4301 | Rent of offices                          |  | -         | -         |
| 4399 | TOTAL                                    |  | -         | -         |
| 4999 | 1992 Component total                     |  | -         | -         |
| 50   | MISCELLANEOUS COMPONENT                  |  |           |           |
| 5100 | Operation and maintenance of equipment   |  |           |           |
| 5101 | Maintenance of equipment                 |  | 5 000     | 5 000     |
| 5102 | Maintenance of offices                   |  | 5 000     | 5 000     |
| 5103 | Rental of computer equipment             |  | 18 000    | 18 000    |
| 5104 | Rental of photocopier(s)                 |  | 15 000    | 15 000    |
| 5105 | Rental of telecommunication equipment    |  | 18 000    | 18 000    |
| 5199 | TOTAL                                    |  | 61 000    | 61 000    |
| 5200 | Reporting costs                          |  |           |           |
| 5201 | Reporting (document production costs)    |  | 50 000    | 50 000    |
| 5299 | TOTAL                                    |  | 50 000    | 50 000    |
| 5300 | Sundry                                   |  |           |           |
| 5301 | Communications                           |  | 50 000    | 50 000    |
| 5302 | Freight charges (shipment of documents)  |  | 20 000    | 20 000    |
| 5303 | Others                                   |  | 5 000     | 5 000     |
| 5399 | TOTAL                                    |  | 75 000    | 75 000    |
| 5400 | Hospitality                              |  |           |           |
| 5401 | Official hospitality                     |  | 15 000    | 10 000    |
| 5499 | TOTAL                                    |  | 15 000    | 10 000    |
| 5999 | Component total, Miscellaneous           |  | 201 000   | 196 000   |
|      | GLAND TOTAL                              |  | 2 161 250 | 2 170 500 |

REVISED BUDGET FOR THE FUND SECRETARIAT FOR 1994

| Number | Description                         |     | W/M | US \$ |
|--------|-------------------------------------|-----|-----|-------|
| 10     | PROJECT PERSONNEL COMPONENT         | w/m |     | US \$ |
| 1100   | Project Personnel (Title and Grade) |     |     |       |

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|         |      |   |     |           |
|---------|------|---|-----|-----------|
|         | 1101 | Chief Officer   | D.2 | 12        |
| 111 000 |      |   |     |           |
|         | 1102 | Deputy Chief Officer  | P.5 | 12        |
| 87 000  |      |   |     |           |
|         | 1103 | Deputy Chief Officer  | P.5 | 12        |
| 87 000  |      |   |     |           |
|         | 1104 | Programme Officer   | P.3 | 12        |
| 64 000  |      |   |     |           |
|         | 1105 | Programme Officer   | P.3 | 12        |
| 64 000  |      |   |     |           |
|         | 1106 | Programme Officer   | P.3 | 12        |
| 64 000  |      |   |     |           |
|         | 1107 | Programme Officer   | P.3 | 12        |
| 64 000  |      |   |     |           |
|         | 1108 | Information Officer   | P.3 | 12        |
| 64 000  |      |   |     |           |
|         | 1109 | Fund and Administration Officer   | P.4 | 12        |
| 72 000  |      |   |     |           |
|         | 1199 | Total   |     |           |
| 677 000 |      |   |     |           |
|         | 1200 | Consultants   |     |           |
|         | 1201 | Evaluation of programmes, projects, etc.                                    |     | 200 000   |
|         | 1299 | Total   |     |           |
| 200 000 |      |   |     |           |
|         | 1300 | Administrative Support (Title and Grade)                                    |     |           |
|         | 1301 | Administrative Assistance   | G.9 | 12        |
| 43 000  |      |   |     |           |
|         | 1302 | Documentalist   | G.8 | 12        |
| 33 000  |      |   |     |           |
|         | 1303 | Secretary to Chief Officer  | G.8 | 12        |
| 39 000  |      |   |     |           |
|         | 1304 | Senior Secretary  | G.6 | 12        |
| 33 000  |      |   |     |           |
|         | 1305 | Senior Secretary  | G.6 | 12        |
| 33 000  |      |   |     |           |
|         | 1306 | Senior Secretary  | G.6 | 12        |
| 33 000  |      |   |     |           |
|         | 1307 | Senior Secretary  | G.6 | 12        |
| 33 000  |      |   |     |           |
|         | 1308 | Senior Secretary  | G.6 | 12        |
| 33 000  |      |   |     |           |
|         | 1309 | Registry Clerk  | G.4 | 12        |
| 25 000  |      |   |     |           |
|         | 1329 | CSC (conference servicing costs)<br>for 12th Executive Committee<br>Meeting |     | 90 000    |
|         | 1330 | CSC - 13th Executive Committee Meeting                                      |     | 90 000    |
|         | 1331 | CSC - 14th Executive Committee Meeting                                      |     | 90 000    |
|         | 1332 | CSC - 2 Sub-Committee Meetings  |     |           |
| 30 000  |      |   |     |           |
|         | 1399 | Total   |     |           |
| 605 000 |      |   |     |           |
|         | 1600 | Travel on business  |     |           |
|         | 1601 | Travel and subsistence (Staff)  |     |           |
| 120 000 |      |   |     |           |
|         | 19   | Component total   |     | 1 602 000 |
|         | 20   | Contracts components  |     |           |
|         | 2100 | Sub-contracts   |     |           |
|         | 2101 | External printing: Information materials                                    |     | 30 000    |

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|       |   |       |         |
|-------|---|-------|---------|
| 29    | Component total                             |       | 30 000  |
| 30    | Meetings component                          |       |         |
| 3300  | Travel and DSA for participants at Meetings |       |         |
| 3305  | Chairman/Vice-Chairman's travel and dsa     |       | 30 000  |
| 3314  | 12th Executive Committee (7 x 3 x \$4,000)  |       | 84 000  |
| 3315  | 13th Executive Committee (7 x 3 x \$4,000)  |       | 84 000  |
| 3316  | 14th Executive Committee (7 x 3 x \$4,000)  |       | 84 000  |
| 3317  | 2 Sub-Committee meetings (2 x 3 x \$3,000)  |       | 18 000  |
| 3399  |   | Total | 300 000 |
| <hr/> |   |       |         |
| 39    | COMPONENT TOTAL                             |       | 300 000 |
| <hr/> |   |       |         |

|         | Number | Description                                   | US \$     |
|---------|--------|---|-----------|
|         | 40     | Equipment and premises component              |           |
|         | 4100   | Expendable equipment (Items under \$US 500)   |           |
|         | 4101   | Office stationary supplies                    |           |
| 12 000  |        |   |           |
|         | 4102   | Software and computer items                   | 6         |
| 000     |        |   |           |
|         | 4199   | Total   | 18 000    |
|         | 4200   | Non-expendable equipment                      |           |
|         | 4201   | Office furniture                              | 0         |
|         | 4202   | Personal computers                            | 0         |
|         | 4203   | Portable computers                            | 0         |
|         | 4204   | Other   | 3         |
| 000     |        |   |           |
|         | 4299   | Total   | 3 000     |
|         | 4301   | Rental of offices                             |           |
| 540 000 |        |   |           |
|         | 49     | Component total                               | 561 000   |
|         | 50     | Miscellaneous component                       |           |
|         | 5100   | Operation and maintenance of equipment        |           |
|         | 5101   | Maintenance of equipment                      | 7         |
| 000     |        |   |           |
|         | 5102   | Maintenance of office                         | 5         |
| 000     |        |   |           |
|         | 5103   | Maintenance of computer equipment             |           |
| 10 000  |        |   |           |
|         | 5104   | Rental of photocopier(s)                      |           |
| 18 000  |        |   |           |
|         | 5105   | Rental of telecommunication equipment         | 21 000    |
|         | 5199   | Total   |           |
| 61 000  |        |   |           |
|         | 5200   | Reporting costs (Including translation costs) |           |
|         | 5201   | Executive Committee meetings                  |           |
| 40 000  |        |   |           |
|         | 5202   | Others (including meetings of Parties)        | 20 000    |
|         | 5299   | Total   |           |
| 60 000  |        |   |           |
|         | 5300   | Sundry costs                                  |           |
|         | 5301   | Communications                                |           |
| 30 000  |        |   |           |
|         | 5302   | Freight (documents)                           |           |
| 20 000  |        |   |           |
|         | 5303   | Miscellaneous charges                         |           |
| 10 000  |        |   |           |
|         | 5399   | Total   |           |
| 60 000  |        |   |           |
|         | 5400   | Hospitality                                   |           |
|         | 5401   | Hospitality for meetings                      |           |
| 10 000  |        |   |           |
|         | 59     | Component total                               | 191 000   |
|         | 99     | Grand total                                   | 2 684 000 |

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|                                   |           |
|-----------------------------------|-----------|
| Programme Support Costs           | 127 600   |
| Counterpart Contribution (Canada) | 650 000   |
| <hr/>                             |           |
| Total Cost to Fund                | 2 161 600 |
| <hr/>                             |           |

Annex XIV

MULTILATERAL FUND FOR THE FINANCIAL MECHANISM: SCALE OF CONTRIBUTIONS BY  
THE PARTIES BASED ON THE UNITED NATIONS SCALE OF ASSESSMENTS WITH  
NO COUNTRY PAYING MORE THAN 25 PER CENT FOR 1993 AND 1994

UN SCALE OF UN SCALE PERCENTAGES ADJUSTED 1993 1994  
PARTY ASSESSMENTS OF ADJUSTED TO PERCENTAGES CONTRIBUTIONS CONTRIBUTIONS  
IN FORCE ASSESSMENTS EXCLUDE WITH 25% BY PARTIES BY PARTIES  
AS AT FOR NON CEILING (\$ US) (\$ US)  
25 NOV 1992 1993-1994\* CONTRIBUTORS CONSIDERED  
NON-PAYING ART 5 PARA 1  
DEVELOPING COUNTRIES

|                           |       |       |       |       |   |   |
|---------------------------|-------|-------|-------|-------|---|---|
| Algeria**                 | 0.16% | 0.16% | 0.00% | 0.00% | 0 | 0 |
| Argentina                 | 0.57% | 0.57% | 0.00% | 0.00% | 0 | 0 |
| Bangladesh                | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Barbados**                | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Botswana**                | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Brazil                    | 1.59% | 1.59% | 0.00% | 0.00% | 0 | 0 |
| Burkina Faso              | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Cameroon                  | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Chile                     | 0.08% | 0.08% | 0.00% | 0.00% | 0 | 0 |
| China                     | 0.77% | 0.77% | 0.00% | 0.00% | 0 | 0 |
| Costa Rica                | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Croatia**                 | 0.00% | 0.13% | 0.00% | 0.00% | 0 | 0 |
| Cuba**                    | 0.09% | 0.09% | 0.00% | 0.00% | 0 | 0 |
| Cyprus**                  | 0.02% | 0.02% | 0.00% | 0.00% | 0 | 0 |
| Ecuador                   | 0.03% | 0.03% | 0.00% | 0.00% | 0 | 0 |
| Egypt                     | 0.07% | 0.07% | 0.00% | 0.00% | 0 | 0 |
| Equatorial Guinea         | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Fiji                      | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Gambia                    | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Ghana                     | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Guatemala                 | 0.02% | 0.02% | 0.00% | 0.00% | 0 | 0 |
| Guinea**                  | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| India                     | 0.36% | 0.36% | 0.00% | 0.00% | 0 | 0 |
| Indonesia**               | 0.16% | 0.16% | 0.00% | 0.00% | 0 | 0 |
| Iran, Islamic Republic of | 0.77% | 0.77% | 0.00% | 0.00% | 0 | 0 |
| Jordan                    | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Kenya                     | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Libyan Arab Jamahiriya    | 0.24% | 0.24% | 0.00% | 0.00% | 0 | 0 |
| Malawi                    | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Malaysia                  | 0.12% | 0.12% | 0.00% | 0.00% | 0 | 0 |
| Maldives                  | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Mauritius**               | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Mexico                    | 0.88% | 0.88% | 0.00% | 0.00% | 0 | 0 |
| Niger**                   | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Nigeria                   | 0.20% | 0.20% | 0.00% | 0.00% | 0 | 0 |
| Panama                    | 0.02% | 0.02% | 0.00% | 0.00% | 0 | 0 |
| Philippines               | 0.07% | 0.07% | 0.00% | 0.00% | 0 | 0 |
| Saint Kitts and Nevis**   | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Slovenia**                | 0.00% | 0.09% | 0.00% | 0.00% | 0 | 0 |

UN SCALE OF UN SCALE PERCENTAGES ADJUSTED 1993 1994  
PARTY ASSESSMENTS OF ADJUSTED TO PERCENTAGES CONTRIBUTIONS CONTRIBUTIONS  
IN FORCE ASSESSMENTS EXCLUDE WITH 25% BY PARTIES BY PARTIES  
AS AT FOR NON CEILING (\$ US) (\$ US)  
25 NOV 1992 1993-1994\* CONTRIBUTORS CONSIDERED

NON-PAYING ART 5 PARA 1  
DEVELOPING COUNTRIES

|                      |       |       |       |       |   |   |
|----------------------|-------|-------|-------|-------|---|---|
| Sri Lanka            | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Swaziland**          | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Syrian Arab Republic | 0.04% | 0.04% | 0.00% | 0.00% | 0 | 0 |
| Thailand             | 0.11% | 0.11% | 0.00% | 0.00% | 0 | 0 |
| Togo                 | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Trinidad and Tobago  | 0.05% | 0.05% | 0.00% | 0.00% | 0 | 0 |
| Tunisia              | 0.03% | 0.03% | 0.00% | 0.00% | 0 | 0 |
| Turkey               | 0.27% | 0.27% | 0.00% | 0.00% | 0 | 0 |
| Uganda               | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Uruguay              | 0.04% | 0.04% | 0.00% | 0.00% | 0 | 0 |
| Venezuela            | 0.49% | 0.49% | 0.00% | 0.00% | 0 | 0 |
| Yugoslavia           | 0.42% | 0.16% | 0.00% | 0.00% | 0 | 0 |
| Zambia               | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |
| Zimbabwe**           | 0.01% | 0.01% | 0.00% | 0.00% | 0 | 0 |

PAYING DEVELOPING  
COUNTRIES

|                      |       |       |       |       |         |         |
|----------------------|-------|-------|-------|-------|---------|---------|
| Bahrain              | 0.03% | 0.03% | 0.03% | 0.04% | 39 971  | 39 971  |
| Korea, Republic of** | 0.69% | 0.69% | 0.69% | 0.81% | 919 330 | 919 330 |
| Malta                | 0.01% | 0.01% | 0.01% | 0.01% | 13 324  | 13 324  |
| Singapore            | 0.12% | 0.12% | 0.12% | 0.14% | 159 883 | 159 883 |
| United Arab Emirates | 0.21% | 0.21% | 0.21% | 0.25% | 279 796 | 279 796 |

DEVELOPED COUNTRIES  
(GENERAL)

|                    |        |        |        |        |            |            |
|--------------------|--------|--------|--------|--------|------------|------------|
| Australia          | 1.51%  | 1.51%  | 1.51%  | 1.78%  | 2 011 867  | 2 011 867  |
| Austria            | 0.75%  | 0.75%  | 0.75%  | 0.88%  | 999 272    | 999 272    |
| Belarus            | 0.31%  | 0.48%  | 0.48%  | 0.56%  | 639 534    | 639 534    |
| Bulgaria           | 0.13%  | 0.13%  | 0.13%  | 0.15%  | 173 207    | 173 207    |
| Canada             | 3.11%  | 3.11%  | 3.11%  | 3.66%  | 4 143 646  | 4 143 646  |
| Czechoslovakia     | 0.55%  | 0.55%  | 0.55%  | 0.65%  | 732 799    | 732 799    |
| Finland            | 0.57%  | 0.57%  | 0.57%  | 0.67%  | 759 446    | 759 446    |
| Hungary            | 0.18%  | 0.18%  | 0.18%  | 0.21%  | 239 825    | 239 825    |
| Iceland            | 0.03%  | 0.03%  | 0.03%  | 0.04%  | 39 971     | 39 971     |
| Israel**           | 0.23%  | 0.23%  | 0.23%  | 0.27%  | 306 443    | 306 443    |
| Japan              | 12.45% | 12.45% | 12.45% | 14.64% | 16 587 909 | 16 587 909 |
| Liechtenstein      | 0.01%  | 0.01%  | 0.01%  | 0.01%  | 13 324     | 13 324     |
| New Zealand        | 0.24%  | 0.24%  | 0.24%  | 0.28%  | 319 767    | 319 767    |
| Norway             | 0.55%  | 0.55%  | 0.55%  | 0.65%  | 732 799    | 732 799    |
| Poland             | 0.47%  | 0.47%  | 0.47%  | 0.55%  | 626 210    | 626 210    |
| Russian Federation | 9.41%  | 6.71%  | 6.71%  | 7.89%  | 8 940 150  | 8 940 150  |
| South Africa       | 0.41%  | 0.41%  | 0.41%  | 0.48%  | 546 268    | 546 268    |
| Sweden             | 1.11%  | 1.11%  | 1.11%  | 1.30%  | 1 478 922  | 1 478 922  |
| Switzerland        | 1.16%  | 1.16%  | 1.16%  | 1.36%  | 1 545 540  | 1 545 540  |
| Ukraine            | 1.18%  | 1.87%  | 1.87%  | 2.20%  | 2 491 517  | 2 491 517  |
| United States      | 25.00% | 25.00% | 25.00% | 25.00% | 28 334 903 | 28 334 903 |

UN SCALE OF UN SCALE PERCENTAGES ADJUSTED 1993 1994  
PARTY ASSESSMENTS OF ADJUSTED TO PERCENTAGES CONTRIBUTIONS CONTRIBUTIONS  
IN FORCE ASSESSMENTS EXCLUDE WITH 25% BY PARTIES BY PARTIES  
AS AT FOR NON CEILING (\$ US) (\$ US)  
25 NOV 1992 1993-1994\* CONTRIBUTORS CONSIDERED

DEVELOPED COUNTRIES  
(EEC)

|                |        |        |        |         |             |             |
|----------------|--------|--------|--------|---------|-------------|-------------|
| Belgium        | 1.06%  | 1.06%  | 1.06%  | 1.25%   | 1 412 304   | 1 412 304   |
| Denmark        | 0.65%  | 0.65%  | 0.65%  | 0.76%   | 866 035     | 866 035     |
| France         | 6.00%  | 6.00%  | 6.00%  | 7.05%   | 7 994 173   | 7 994 173   |
| Germany        | 8.93%  | 8.93%  | 8.93%  | 10.50%  | 11 897 994  | 11 897 994  |
| Greece         | 0.35%  | 0.35%  | 0.35%  | 0.41%   | 466 327     | 466 327     |
| Ireland        | 0.18%  | 0.18%  | 0.18%  | 0.21%   | 239 825     | 239 825     |
| Italy          | 4.29%  | 4.29%  | 4.29%  | 5.04%   | 5 715 834   | 5 715 834   |
| Luxembourg     | 0.06%  | 0.06%  | 0.06%  | 0.07%   | 79 942      | 79 942      |
| Netherlands    | 1.50%  | 1.50%  | 1.50%  | 1.76%   | 1 998 543   | 1 998 543   |
| Portugal       | 0.20%  | 0.20%  | 0.20%  | 0.24%   | 266 472     | 266 472     |
| Spain          | 1.98%  | 1.98%  | 1.98%  | 2.33%   | 2 638 077   | 2 638 077   |
| United Kingdom | 5.02%  | 5.02%  | 5.02%  | 5.90%   | 6 688 458   | 6 688 458   |
| TOTAL          | 98.55% | 96.67% | 88.80% | 100.00% | 113 339 610 | 113 339 610 |

\* As recommended by the United Nations Committee on Contributions in its report to the General Assembly at its forty-seventh session (A/47/11). All calculations in the present table are based on these percentages.

\*\* New Parties who joined during 1992.

*Annex XV*

RESOLUTION ADOPTED BY THE PARTIES TO THE MONTREAL PROTOCOL  
ON SUBSTANCES THAT DEplete THE OZONE LAYER

*Methyl bromide*

*The Parties to the Montreal Protocol on Substances that Deplete  
the Ozone Layer*

*Resolve in the light of serious environmental concerns raised in the scientific assessment, to make every effort to reduce emissions of and to recover, recycle and reclaim, methyl bromide. They look forward to receiving the full evaluations to be carried out by the UNEP Scientific Assessment Panel and the Technology and Economic Assessment Panel, with a view to deciding on the basis of these evaluations no later than at their Seventh Meeting, in 1995, a general control scheme for methyl bromide, as appropriate, including concrete targets beginning, for Parties not operating under paragraph 1 of Article 5, with, for example a 25 per cent reduction as a first step, at the latest by the year 2000, and a possible phase-out date.*

*Copenhagen, 25 November 1992*

*Annex XVI*

QUESTION OF YUGOSLAVIA

*Statement by the representative of the United Kingdom on behalf  
of the European Community\**

"As we have already made clear on a number of occasions, the European Community and its member States do not accept that the Federal Republic of Yugoslavia is the automatic continuation of the Socialist Federal Republic of Yugoslavia.

"In this context, we take note of General Assembly resolution 47/1, adopted on 22 September 1992, in which the Assembly considered that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations, and decided that the Federal Republic of Yugoslavia (Serbia and Montenegro) should therefore apply to join the United Nations and shall not participate in the work of the General Assembly.

"The European Community and its member States have also noted the United Nations Legal Counsel's advice on the applicability of the General Assembly resolution to other United Nations bodies. We regard General Assembly resolution 47/1 as a model for action in the specialized agencies and other United Nations bodies in due course, as appropriate.

"We do not accept that representatives of the Federal Republic of Yugoslavia (Serbia and Montenegro) may validly represent Yugoslavia in this meeting. The presence of the representative in question is without prejudice to future action which the Community and its member States may take."

*Statement by the representative of Yugoslavia*

"We are sorry about the statements of some countries raising the question of the status of the Federal Republic of Yugoslavia. We would like to stress that this approach as well as the imposed sanctions against Yugoslavia are essentially contrary to the basic premises of both the Vienna Convention and the Montreal Protocol.

"This conference is devoted to the protection of the ozone layer, a question of global character and raising political issues does not help in reaching the goals of this meeting.

"Yugoslavia respects the resolutions of the United Nations. Yugoslavia does not participate, we hope temporarily, in the meetings of the General Assembly, but Yugoslavia is not expelled from the United Nations and its bodies and works intensively to fulfil their goals.

"At the same time we would like to give our positive contribution to the work of this conference, aware of the fact that it is of global and our own interest."

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\* This statement was supported by the representatives of Australia, Austria, Hungary, Malaysia, Switzerland, Turkey and the United State of America