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FIFTH MEETING OF THE CONFERENCE
OF THE PARTIES TO THE VIENNA
CONVENTION FOR THE PROTECTION
OF THE OZONE LAYER

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

Beijing, 29 November - 3 December 1999

ANNOTATED PROVISIONAL AGENDA

I. Preparatory Segment (29 November - 1 December)

1. Opening of the meeting:
 - (a) Statement by a representative of the Government of China;
 - (b) Statement by the Executive Director of the United Nations Environment Programme (UNEP).
2. Organizational matters:
 - (a) Adoption of the agenda;
 - (b) Organization of work.
3. Discussion on the issues and on draft decisions:
 - (a) Proposed adjustments and amendments to the Montreal Protocol;
 - (b) Replenishment of the Multilateral Fund;
 - (c) Use of a fixed-currency-exchange-rate mechanism for contributions to the Multilateral Fund;
 - (d) Selection of:
 - (i) Members of the Implementation Committee;

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- (ii) Members of the Executive Committee of the Multilateral Fund; and
 - (iii) Co-Chairs of the Open-ended Working Group for future years;
 - (e) Reporting of data;
 - (f) Ratification of the Convention, Protocol and its amendments;
 - (g) Quarantine and pre-shipment applications of methyl bromide;
 - (h) Essential-use-exemption applications;
 - (i) Laboratory and analytical uses of ozone-depleting substances;
 - (j) Import and export of products whose functioning relies on Annex A and Annex B substances;
 - (k) Limitation of emissions of chlorofluorocarbons from equipment in non-Article 5 Parties.
4. Report of the President of the Implementation Committee.
 5. Terms of reference for the Assessment Panels.
 6. Proposed decisions for the Conference of the Parties to the Vienna Convention.
 7. Financial statements and budgets for the trust funds for the Vienna Convention and the Montreal Protocol.

II. High-level Segment (2-3 December)

1. Opening of the High-level Segment:
 - (a) Welcome by the representative of the Government of China;
 - (b) Statement by the Executive Director;
 - (c) Statement by the President of the Conference of the Parties to Vienna Convention at its fourth meeting;
 - (d) Statement by the President of the Tenth Meeting of the Parties to the Montreal Protocol.
2. Organizational matters:
 - (a) Election of officers of the fifth meeting of the Conference of the Parties to the Vienna Convention;
 - (b) Election of officers of the Eleventh Meeting of the Parties to the Montreal Protocol;
 - (c) Adoption of the agenda;

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- (d) Organization of work;
 - (e) Credentials of representatives.
3. Presentations by the Assessment Panels on the 1998 assessments.
 4. Presentations by the representatives of United Nations agencies and the Global Environment Facility.
 5. Presentation by the Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol.
 6. Statements by heads of delegations.
 7. Report of the Co-Chairs of the Preparatory Segment and consideration of the recommended decisions.
 8. Date and venue of the Twelfth Meeting of the Parties to the Montreal Protocol and sixth meeting of the Conference of the Parties to the Vienna Convention.
 9. Other matters.
 10. Adoption of the report of the fifth meeting of the Conference of the Parties to the Vienna Convention and the Eleventh Meeting of the Parties to the Montreal Protocol.
 11. Closure of the meeting.

ANNOTATIONS

I. Preparatory Segment

Item 1

The meeting will be opened at 10 a.m. on Monday, 29 November 1999, at the Beijing International Convention Centre. Registration of participants will start at 9 a.m. the same day.

Item 2 (a)

The above provisional agenda will be before the Parties for adoption. The Co-Chairs of the nineteenth meeting of the Open-ended Working Group, Mr. Ibrahim Abdel Gelil (Egypt) and Mr. Jukka Uosukainen (Finland) will co-chair the Preparatory Segment.

Item 2 (b)

The Parties may wish to carry out their work in plenary and draw up a specific timetable for the work under the agenda.

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Item 3 (a), (b), (c) and (e) to (k)

The Parties may wish to address these issues as a continuation of the discussions at the nineteenth meeting of the Open-ended Working Group of the Parties to the Montreal Protocol and the meeting of the Ad Hoc Group on Replenishment of the Multilateral Fund to meet in Washington, on 30 September and 1 October 1999. The report of the Executive Director of UNEP (UNEP/OzL.Pro.11/2) also contains some relevant information to guide the discussion. The draft decisions reflecting the discussions already held on some issues will be placed before the meeting by the Secretariat as document UNEP/OzL.Pro.11/8.

Item 3 (d)

Membership of the Implementation Committee. In accordance with the non-compliance procedure (1998), the Implementation Committee consists of 10 Parties elected for two years on the basis of equitable geographical distribution. Outgoing Parties may be re-elected for one consecutive term. In decision X/3, the Tenth Meeting of the Parties confirmed the positions of Bolivia, Kenya, Latvia, Pakistan and the United States of America as members of the Committee for one further year and selected Antigua and Barbuda, Mali, Poland, Saudi Arabia and United Kingdom as members of the Committee for a two-year period. The Eleventh Meeting of the Parties may wish to select new members of the Implementation Committee to replace Bolivia, Kenya, Latvia, Pakistan and the United States of America and to confirm Antigua and Barbuda, Mali, Poland, Saudi Arabia and United Kingdom as members for one further year.

Membership of the Executive Committee. In decision X/4, the Tenth Meeting of the Parties endorsed the selection of Belgium, Canada, Italy, Japan, Slovakia, Sweden and the United States of America as members of the Executive Committee representing Parties not operating under paragraph 1 of Article 5 of the Montreal Protocol and the selection of Algeria, Bahamas, Brazil, Burkina Faso, China, India and Uganda as members representing Parties operating under paragraph 1 of Article 5, for one year. It also endorsed the selection of the United States of America as Chair and India as Vice-Chair. In accordance with the terms of reference of the Executive Committee approved by the Fourth Meeting of the Parties, the Executive Committee consists of 14 members, seven from the group of Parties operating under Article 5, paragraph 1, and seven from the group of Parties not so operating. Each group elects its Executive Committee members and the members of the Executive Committee have to be formally endorsed by the Meeting of the Parties. The Chair and the Vice-Chair have to be selected from the 14 Executive Committee members. The office of Chair is subject to rotation, on an annual basis effective 1 January of the year in which the term of office relates, between the Parties operating under paragraph 1 of Article 5 and the Parties not so operating.

The group of Parties not operating under Article 5, paragraph 1, may wish to select the members representing them in the Executive Committee for the next year and also the Vice-Chair of the Committee for the next year. The group of Parties operating under Article 5, paragraph 1, may also select their seven representatives in the Committee and the Chair for the next year. The Eleventh Meeting of the Parties may wish to endorse these selections.

Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol. In accordance with decision X/5 of the Tenth Meeting of Parties, Mr. Jukka Uosukainen of Finland and Mr. Ibrahim Abdel Gelil of Egypt have served as Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol for 1999. The Eleventh Meeting may wish to consider the chairmanship of the Open-ended Working Group in 2000.

Item 4

The report of the President of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol will be delivered at the meeting. The report of the Secretariat on production and consumption of ozone-depleting substances reported by the Parties for 1997 will be circulated as document UNEP/OzL.Pro.11/6.

Item 5

The Secretariat has consulted with the Co-Chairs of the Assessment Panels regarding the terms of reference for the assessment in the year 2002. A draft decision on the subject has been placed before the meeting in document UNEP/OzL.Pro/11/8.

Item 6

The decisions proposed for the fifth meeting of the Conference of the Parties to the Vienna Convention will be communicated to all the Parties by the Secretariat as document UNEP/OzL.Conv.5/3.

Item 7

The budgets of the Montreal Protocol and Vienna Convention trust funds and the statements of accounts for 1998 will be circulated as documents UNEP/OzL.Pro.11/5 and 4 and UNEP/OzL.Conv.5/4 and 5, respectively.

II. High-level Segment

Item 2 (a) and (b)

Rule 21, paragraph 1, of the rules of procedure of the meetings of the Conference of the Parties to the Vienna Convention and Meetings of the Parties to the Montreal Protocol states that:

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

A Party from the Eastern European Group presided over the fourth meeting of the Conference of the Parties to the Vienna Convention, while a Party from the Asian Group served as Rapporteur. On the basis of rotation according to English alphabetical order among the five groups of States referred to in General Assembly resolution 2997 (XXVII), a Party from the Latin American and Caribbean Group may be elected to preside over the fifth meeting of the Conference of the Parties, and a Party from the Eastern European Group elected as Rapporteur, unless the Meeting decides otherwise. Three Vice-Presidents may be elected from the African, Asian and Western European and Others Group, respectively.

Likewise, a Party from the Eastern European Group presided over the Tenth Meeting of the Parties to the Montreal Protocol, while a Party from the Asian Group served as Rapporteur. On the same

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rotation basis as highlighted above, a Party from the Latin American and Caribbean Group may be elected to preside over the Eleventh Meeting and a Party from the Eastern European Group elected as Rapporteur, unless the Meeting decides otherwise. Three Vice-Presidents may be elected from the African, Asian and Western European and Others Group, respectively.

Item 2 (c)

The above provisional agenda for the High-level Segment will be before the Parties for adoption.

Item 2 (d)

The Parties may wish to carry out their work in plenary session and draw up a specific timetable for the work under the agenda.

Item 2 (e)

In accordance with rule 18 of the rules of procedure for meetings of the Conference of the Parties to the Vienna Convention and Meetings of the Parties to the Montreal Protocol, the credentials of representatives shall be submitted to the Executive Secretary of the meeting, if possible not later than twenty-four hours after the opening of the meeting. In accordance with rule 19, the officers of the meeting shall examine the credentials and submit their report to the meeting.

Item 3

The Co-Chairs of the Scientific, Environmental Effects and Technology and Economic Assessment Panels will make a summary presentation of the major findings of the 1998 assessment.

Item 4

The Chairman of the Global Environment Facility (GEF) and the representatives of the Implementing Agencies of the Multilateral Fund will present their reports to the Parties under this item.

Item 5

The report of the Chair of the Executive Committee of the Multilateral Fund will be circulated as document UNEP/OzL.Pro.11/7.

Item 6

Under this item, the heads of delegations will deliver their statements (of about five minutes' duration) in the order to be decided on by the President of the Bureau.

Item 7

It is expected that, in their report to the High-level Segment, the Co-Chairs of the Preparatory Segment will present draft decisions and recommendations on, *inter alia*, ratification of the Convention, the Protocol and its Amendments; reporting of data; membership of the Implementation Committee; membership of the Executive Committee; Co-Chairs of Open-ended Working Group; replenishment of the Multilateral Fund; the proposal to use a fixed-currency-exchange-rate mechanism for contributions to the Fund; the quarantine and pre-shipment exemption for methyl bromide; essential-use exemptions for

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ozone-depleting substances; laboratory and analytical uses of ozone-depleting substances; proposed adjustment and amendment of the Montreal Protocol; imports and exports of products and equipment relying on Annex A and Annex B substances; limitation of emissions of CFCs from equipment in non-Article 5 Parties; and any other issues.

Item 8

The Parties will decide on the dates and venue of the sixth meeting of the Conference of the Parties to the Vienna Convention and the Twelfth Meeting of the Parties to the Montreal Protocol.

Item 9

The Parties may wish to raise other matters for discussion.

Item 10

The draft report of the fifth meeting of the Conference of the Parties to the Vienna Convention and the Eleventh Meeting of the Parties to the Montreal Protocol will be presented for adoption at the conclusion of the meeting.

Item 11

The meeting is expected to close at 6.00 p.m. on 3 December 1999.
