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

Nairobi, 6-7 October 1994

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

1. The Sixth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer was held at the headquarters of the United Nations Environment Programme, Nairobi, on 6 and 7 October 1994.

I. OPENING OF THE MEETING

2. The Sixth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer was opened at 10 a.m. on Thursday, 6 October 1994, by Mr. Bashir A. Khodabux, Vice-President of the Fifth Meeting of the Parties to the Protocol.

*A. Statement by Ms. Elizabeth Dowdeswell, Executive Director of
the United Nations Environment Programme and
Secretary-General to the Sixth Meeting of
the Parties to the Montreal Protocol*

3. Welcoming all the delegates to the Sixth Meeting of the Parties to the Montreal Protocol, Ms. Elizabeth Dowdeswell, the Executive Director of the United Nations Environment Programme and Secretary-General to the Meeting, recalled that the last time the Parties had met in Nairobi had been for the Third Meeting of the Parties, in June 1991; since then, there had been a continuous increase in the number of Parties, so that, currently, 139 Parties had ratified the Montreal Protocol, 93 Parties the London Amendment and 34 Parties the Copenhagen Amendment, which had entered into force on 14 June 1994.

4. Referring to the Copenhagen Amendment, the Executive Director stressed the importance of that instrument, through which, by the end of 1993, developed countries had completely ceased production and consumption of halons and in prospect, by the end of 1995, was the elimination of the production and consumption of CFCs by all Parties not operating under Article 5 of the Protocol. The reduction in the rate of build-up in the atmosphere of man-made substances that depleted the ozone layer could be directly attributed to the measures taken by the Parties under the Montreal Protocol and its Amendments. The Executive Director thanked the Co-Chairs of the Scientific Assessment Panel and the experts from 29 countries who had assisted in the preparation of a recently-released new scientific assessment of the state of understanding of ozone depletion. Thanks were also due to the Technology and Economic Assessment Panel and the Technical Options Committees for their comprehensive and constructive

recommendations, which, in turn, had enabled the Open-ended Working Group to recommend to the Parties for approval only those nominations for essential uses of controlled substances that were endorsed by the Technology and Economic Assessment Panel. She strongly recommended to the meeting that only such essential uses, based on the technical and economic feasibility of using substitutes, be approved.

5. The Executive Director congratulated all those Parties that had fulfilled their data-reporting requirements in time and made an earnest appeal to those that had not yet reported their data to do so as soon as possible. She also drew the attention of the Meeting to the alarming trend in contributions still outstanding to the Multilateral Fund and the Trust Funds for the Vienna Convention and the Montreal Protocol and urged all the Parties to pay their entire outstanding contributions as soon as possible, in order to avoid the disruption of the many activities designed to implement decisions approved by the Parties and those that might be approved at the present meeting.

6. Listing some of the main recommendations before the Meeting, made by the Open-ended Working Group and the Preparatory Meeting, the Executive Director expressed the hope that all the recommendations would be approved by the Meeting. Regarding the future, she cited the need for renewed and innovative efforts at information sharing, capacity-building and technology transfer to developing countries, the need to move away from HCFCs wherever possible and the need for decisive action on HCFCs and methyl bromide. Substantial successes had been registered, but the urgency and global cooperation shown in the past needed to be manifested again, to perhaps an even greater degree. She was confident that the phasing-out of ozone-depleting substances would be even more successful in the future.

B. Statement by the Acting President of the Fifth Meeting of the Parties

7. Mr. Bashir A. Khodabux, Vice-President of the Fifth Meeting of the Parties, welcomed the participants and thanked Ms. Elizabeth Dowdeswell and the staff of the United Nations Environment Programme for having made the arrangements for the Sixth Meeting of the Parties to the Montreal Protocol. On behalf of the outgoing Bureau, he also thanked the Secretariat for its work throughout the year and for its efforts in preparing for the present Meeting which, he was sure, would be successful.

8. Noting the steady increase in the number of countries ratifying the Montreal Protocol and its Amendments, he said that, in the past year, 14 more countries had ratified the Protocol, bringing the total to 139 countries. Over 50 per cent of those were developing countries and the vision of a Multilateral Fund to provide resources to developing countries was now an established reality, but maintaining it was a continuing challenge, not least in keeping contributions coming in, if the effort to protect the ozone layer was to be shared between developing and developed countries. The number of participants from developing countries in the Technical Options Committees and Assessment Panels had grown, as a result of the recognition that all nations had much at stake in the reports of those committees and panels.

9. He referred to the recommendations of the Open-ended Working Group before the present meeting, in particular to the important recommendation regarding the limited number of essential uses, for which there were no adequate substitutes or available stock of the controlled substances. He believed the recommendation was well-considered from a technical point of view and important for the protection of the ozone layer.

II. ORGANIZATIONAL MATTERS

A. Attendance

10. The Meeting was attended by representatives of the following Parties to the Montreal Protocol: Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bangladesh, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Denmark, Egypt, European Community, Finland, France, Germany, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Malawi, Malaysia, Maldives, Malta, Mauritius, Mexico, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Seychelles, South Africa, Sri Lanka, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia and Zimbabwe.

11. Representatives of the following States not party to the Protocol also attended: Armenia, Burundi, Equatorial Guinea, Estonia, Holy See, Latvia, Lithuania, Mongolia, Morocco.

12. Representatives of the following United Nations bodies and specialized agencies also attended: General Agreement on Tariffs and Trade (GATT), United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP), United Nations Industrial Development Organization (UNIDO), World Bank.

13. The following intergovernmental organizations were also represented: Intergovernmental Authority on Drought and Development (IGADD), Organization of African Unity (OAU), Programme for the Environment of the Red Sea and Gulf of Aden (PERSGA).

14. The following bodies and agencies were also represented by observers: African Centre for Technology Studies (ACTS), Agricultural Research Consulting, Air-Conditioning and Refrigeration European Association (AREA), Alliance for Responsible Atmospheric Policy, Arab Towns Organization, Association Methyl Bromide Industry of Japan (AMBIJ), Centre for Science and Environment, Climate Network Africa, Development Alternatives Network, Environmental Defense Fund, Environment Liaison Centre International, European Chemical Industry Council (CEFIC), Friends of the Earth, G.F.L., General Electrical Appliances, Green Africa Society International, Greenpeace, Gujarat Fluorochemical Limited, Halozone, Hankook Shinwha Co. Ltd., Industrial Chemistry Research Institute (ICRI), Industrial Technology Research Institute (ITRI), International Council of Environmental Law (ICEL), International Mining Consultants Ltd. (IMCL), International Pharmaceutical Aerosol Consortium (IPAC), Kenya Energy and Environmental Organization (KENGO), Japan Association for Hygiene of Chlorinated Solvents (JAHCS), Japan Electrical Manufacturers Association (JEMA), Japan Flow Gas Association (JFGA), Japan Industrial Conference for Ozone Layer Protection (JICOP), Japan Refrigeration and Air Conditioning Industry Association (JRAIA), Mazingira Institute, Methyl Bromide Global Coalition (MBGC), Pesticide Action Network, Promosol, Safe Alliance, Safety Hi-Tech, Korea Special Chemical Ind. Association, Wuppertal Institute.

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

15. 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:

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- President: Mr. Manuel Romay, Minister of Housing and Environment, Uruguay (Latin American and the Caribbean Group)
- Vice-Presidents: Mr. Peter Chin, Deputy Minister of Science and Technology, Malaysia (Asia and Pacific Group)
- Mr. Alan Davis, United Kingdom (Western European and Others Group)
- Ms. Nkosazana Dlamini Zuma, South Africa (African Group)
- Rapporteur: Mr. Janusz Kozakiewicz, Poland (Eastern European Group)

C. Adoption of the agenda

16. One representative proposed the addition to the provisional agenda (UNEP/OzL.Pro.6/1) of a new sub-item 3 c (v) (Situation of Parties with economies in transition). The amendment was adopted by the Meeting.

17. The following agenda, as contained in document UNEP/OzL.Pro.6/1, was adopted as amended:

1. Opening of the Meeting:
 - (a) Statement by the Executive Director of the United Nations Environment Programme (UNEP);
 - (b) Statement by the President of the Fifth Meeting of the Parties.
2. Organizational matters:
 - (a) Election of the President, three Vice-Presidents and the Rapporteur;
 - (b) Adoption of the agenda;
 - (c) Organization of work;
 - (d) Credentials of representatives.
3. Consideration of the report of the Executive Director of UNEP:
 - (a) Implementation of the decisions of the Fifth Meeting of the Parties;
 - (b) Status of ratification of the Montreal Protocol;
 - (c) Implementation matters:
 - (i) Implementation of the Protocol by the Parties;
 - (ii) Membership of the Implementation Committee;
 - (iii) Application of trade measures under Article 4 to non-Parties to the Protocol;
 - (iv) Status of certain developing country Parties vis-à-vis Article 5 of the

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Protocol;

- (v) Situation of Parties with economies in transition;
- (d) Multilateral Fund:
- (i) Review under paragraph 8 of Article 5 of the Protocol;
 - (ii) Review to meet the requirements of section II, paragraph 4, of decision IV/18;
 - (iii) Membership of the Executive Committee;
- (e) Technology and economic assessment:
- (i) Essential use nominations for halons for 1995;
 - (ii) Essential use nominations for other controlled substances for 1996 and beyond;
 - (iii) Alternatives to HCFCs;
 - (iv) Recovery and recycling;
 - (v) Halon banking;
 - (vi) Inadvertent production;
 - (vii) Problems of definitions for control of methyl bromide;
 - (viii) List of products containing controlled substances from Annex B;
- (f) Other issues discussed by the Tenth Meeting of the Open-ended Working Group of the Parties;
- (g) Scientific assessment of the impact on the ozone layer of continued use of recycled controlled substances;
- (h) Provision of information on the supply of controlled substances to Parties operating under paragraph 1 of Article 5 of the Montreal Protocol (paragraph 59 of the report of the Fifth Meeting of the Parties to the Protocol);
- (i) Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol.
4. Report of the Secretariat on information provided by the Parties in accordance with Articles 4, 7 and 9 of the Montreal Protocol and the report of the Implementation Committee.
5. Consideration of the report of the Chair of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol.

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6. Financial report for 1993 and the revised 1994 and 1995 budgets and the proposed 1996 budget for the Montreal Protocol Trust Fund.
7. Date and venue of the Seventh Meeting of the Parties.
8. Other matters.
9. Adoption of the report.
10. Closure of the meeting.

D. Credentials

18. The Bureau of the Sixth Meeting of the Parties approved the credentials of the representatives of 50 Parties to the Sixth Meeting of the Parties to the Protocol. The Bureau also approved provisionally the representation of 21 Parties on the understanding that they would send the credentials to the Secretariat in due course.

III. SUBSTANTIVE MATTERS

A. Presentation of reports

19. Dr. P.J. Aucamp, Co-Chair of the Scientific Assessment Panel, reported that the growth in CFCs had slowed down, as a result of the measures taken by the Parties to the Montreal Protocol. He also stated, however, that ozone depletion was on the increase and would continue to increase for the next few years. Only in the latter part of the next century would levels get back to "pre-ozone-hole" levels. It had been indicated to the Parties that options to strengthen the Protocol further were limited and would probably be expensive and that issue still had to be explored further by the Technology and Economic Assessment Panel. At the end of September 1994, the ozone hole was already bigger than 21 million square km with ozone levels below 100 Dobson units, more or less equal to 70 per cent depletion, and it was expected to deteriorate further.

20. Dr. Jan C. Van der Leun, Co-Chair of the Panel on Environmental Effects of Ozone Depletion, reported on the state of science with respect to effects. The 1994 Assessment on Effects would deal with the increase in ultraviolet radiation and its consequences for human and animal health, terrestrial plants, aquatic ecosystems, biogeochemical cycles, air quality and materials. The prediction by the Scientific Assessment Panel, implying that the ozone layer would be damaged for at least 50 years, had been based on fairly optimistic assumptions: that there would be full and world-wide compliance with the Copenhagen Amendment, and that there would be no new threats to the ozone layer in that period. Even on the basis of that scenario, there would be significant effects. And those effects would be worse if the assumptions were not fully satisfied. The environmental effects still formed a very good reason to continue with efforts to protect the ozone layer.

21. Dr. Anderson and Dr. Kuijpers, Co-Chairs of the Technology and Economic Assessment Panel, introduced the Panel's report. The Technology and Economics Assessment Panel and its seven Technical Options Committees had over 300 members from 38 countries. Twenty-two developed country parties had nominated essential uses. The Panel and its Technical Options Committees, by consensus, had recommended only metered dose inhalers (MDIs), space shuttle, and laboratory and analytical uses. Other nominations had not been recommended because substitutes and alternatives were available or uses could be satisfied from available ODS supplies, for the years nominated. The Panel and its Technical Options Committees had been unable to recommend production of silicone, chlorinated rubber, chlorine, or terephthaloyldichloride because alternatives were available, albeit at great cost and effort. However, because emissions from those

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processors were not well quantified, the Panel had recommended that Parties consider their treatment as "process agents" similar to the allowed use for "feedstocks", while the Panel studied the issue. The decisions taken at the present Meeting would include tasks for Panel and its Technical Options Committees on a very challenging time schedule, and complete and accurate applications, meeting essential use criteria, would be very helpful. The March 1994 report included important technical information on recovery, recycling and containment, destruction, halon banking, and inadvertent production. Issues of HCFCs and developing country concerns had also been considered and would be updated and elaborated in the November 1994 and March 1995 reports.

B. Statements

22. Statements were made by representatives of 35 States, including two non-Parties, and by two non-governmental organizations.

23. A number of representatives expressed their appreciation of the excellent work of the Ozone Secretariat, the secretariats of the Multilateral Fund and UNEP, and the Assessment Panels.

24. Many representatives took a positive view of the achievements of the Montreal Protocol, particularly its capacity to evolve to keep pace with events. Some stated, however, that future progress would depend on the adequate fulfilment of the Parties' obligations. One representative commented that an increasing number of Article 5 countries had begun the work of reconvertng industry and collecting data, and some of them had gone beyond what was necessary. Several cautioned, however, against the trend to permit bodies subordinate to the Meeting of the Parties, such as the Executive Committee, to restrict or otherwise modify the duties and entitlements of the Parties under the Protocol.

25. Many representatives gave an account of their national achievements in implementing the Protocol, a number of them mentioning the approval or imminent completion of their country programmes. Several representatives referred, however, to the greater difficulties encountered by the Article 5 countries, particularly with regard to the collection of data - leading to reporting problems - and the acquisition of accurate and timely information concerning alternative technologies.

26. Several representatives cautioned against complacency. There was still much work to be done. Although some of the scientific data indicated that the Protocol was having a beneficial effect, the ozone "hole" was becoming larger each year and the peak load of ozone-depleting substances in the atmosphere had not yet been reached. One of them gave details of the current "hole" over the Antarctic. He added, and another representative concurred, that research into alternative technologies that were environmentally clean needed to be intensified.

27. One representative said that more precautionary measures were needed. He believed that strict monitoring of trade in recycled substances should be put in place. Such steps were crucial to make durable the results achieved with the phase-out. Another representative said that the use of recycled controlled substances might involve difficult trade-offs with respect to performance, energy efficiency, toxicity, global-warming potential and costs.

28. Many representatives referred to the usefulness of cooperation in attaining the ends of the Protocol, both regional cooperation and bilateral cooperation between individual Parties operating under Article 5, paragraph 1, and Parties not so operating. One of them mentioned, in that regard, the decision of the Multilateral Fund to provide resources for regional and subregional workshops. Another representative commented that it was incumbent on the Parties not operating under Article 5, paragraph 1, to bear the brunt of the burden of the Protocol operations, since they were

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mainly responsible for the parlous state of the ozone layer. Several representatives pointed out that cooperation was also essential at the national level between the governmental and non-governmental sectors, with particular reference to industry.

29. A number of representatives of countries operating under Article 5, paragraph 1, expressed alarm at the attempts that were being made to impose earlier phase-out dates than those prescribed by the Protocol and its Amendments, largely through the Assessment Panels. Some representatives of countries not operating under Article 5, paragraph 1, and several representatives of countries operating under Article 5, paragraph 1, informed the Meeting that they were ahead of schedule in phasing-out or reducing the production and consumption of various controlled substances.

30. One representative reminded the Meeting that, despite numerous previous calls for verification of claims concerning ozone-benign and safe substitutes and alternatives, there had been no progress. He urged the Meeting to act on that matter. He further proposed that UNEP should be responsible for the dissemination of information on safe and ozone-benign substitutes and alternatives and work towards a legal regime for a verification mechanism, product safety and liability.

31. Several representatives pointed to the need for an adequate transfer of technology that could assure the protection of the ozone layer.

32. One of them said that there had been no palpable movement towards the provision of technology to Article 5 countries to produce CFC substitutes. Information dissemination and clearing-house functions were inadequate. That situation had to be changed, or the Protocol would be only partially implemented. Technology for the production of CFC substitutes, he continued, had to be made available at affordable rates and on acceptable terms. One representative said that his country was supporting interested partner countries to help them undertake specific CFC substitution measures, e.g. through bilateral cooperation with China, India and Indonesia in the area of home refrigeration.

33. Another representative said that his country would make a reality of the obligation to transfer technology it had entered into under the Montreal Protocol, in order to help, wherever possible, developing countries to comply with the regulatory provisions. However, such a transfer was not a one-way street from industrial to developing and threshold countries. Where necessary, technologies had to be jointly developed which were tailor-made to the problems to be tackled.

34. Yet another representative said that, because Article 5 countries naturally found it more difficult to switch to alternatives than non-Article 5 countries, it was necessary to review constantly the actual transfer of technology for alternatives. There was a need to be more innovative and to exploit indigenous technologies, which would make the switch to alternatives less financially burdensome.

35. Some representatives said that the flow of information had to be improved. One of them, the representative of Germany, speaking on behalf of the European Union, said that institutions were needed to meet that challenge. The UNEP International Environmental Technology Centre represented an excellent example and Germany planned to set up a similar centre, geared particularly to the countries of Eastern Europe and to developing and threshold countries. His country believed it could provide not only the technology, but also the know-how required to operate it and the relevant funding and the legal framework required.

36. One representative invited UNEP to establish regional networks in order to facilitate more productive interaction among countries in reducing ODS.

37. The representative of South Africa said that his country was ready to share its expertise and experience in phasing out ODS with all other African States, and especially with neighbouring countries.

38. One representative said he had expected the two reviews currently being undertaken under the Protocol to deal adequately with the issue of technology transfer. However, he believed the primary purpose of those studies did not touch on identifying the quantity, rate and consequences of such transfer in relation to ODS phase-out. In the future, the need for a specific study on technological issues related to the Protocol could be considered.

39. A number of representatives welcomed the entry into force of the Copenhagen Amendment on 14 June 1994 and said that their countries were actively engaged in the ratification process. Several of them added that, without waiting for the formal ratification, their Governments had begun implementing the contents of the Amendment.

40. Several representatives referred to the importance of recognizing the special situation of countries with economies in transition. One representative said that it did not seem feasible for his country to meet the 1 January 1996 deadline for the phase-out of CFCs. Consequently a request was currently being prepared that his country be granted an extension of the deadline with respect to the production of CFCs, carbon tetrachloride, methyl chloroform and halons.

41. Another representative stated that ratifying the London and Copenhagen Amendments would commit it to financial obligations that it could not meet.

He noted further that countries with economies in transition had been given special status in many international treaties and he hoped that an understanding of their situation would also be appropriately reflected in the decision of the Meeting of the Parties. In view of the change in the political situation in the world since the lists of developed and developing countries had been established in 1989, he said that it was difficult to satisfy the principle of fairness without taking into consideration the actual capabilities of countries to implement their obligations under the Protocol.

42. Representatives of some States with economies in transition not party to the Protocol said that their countries had hitherto been unable to become parties to the Vienna Convention and the Montreal Protocol, mainly because of the lack, for historical reasons, of the infrastructural elements needed to fulfil the obligations involved. They felt, however, that, with the installation of those elements and the completion of country studies, their countries would be able to accede to the Convention and Protocol in 1995. They emphasized, however, that, for financial reasons, that accession would be limited to the 1987 text of the Protocol and that their countries would be unable to accept the London and Copenhagen Amendments in the near future.

43. Several representatives said that particular attention should be paid to the special situation of small island developing States. In that connection, one of them pointed out that the attitude of such States to the other environmental conventions would be conditioned by their experience with the Montreal Protocol. Several others recalled the decision by the United Nations Global Conference on Small Island Developing States and urged the Executive Committee to recognize those special interests and needs, including expeditious approval of programmes and projects intended to retrofit essential equipment used in the tourism industry, the most important economic sector in small island developing States.

44. One representative emphasized the importance of augmenting the full participation of Parties operating under paragraph 1 of Article 5 in all organs of the Montreal Protocol. Noting the importance of maintaining

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strong interest in the issue at the highest levels of policy-making, he emphasized the need to fund fully the attendance of Ministers at Meetings of the Parties.

45. One representative, speaking on behalf of several Parties in the Caribbean region, called on the Secretariat to develop a regional approach to reducing the use of ozone-depleting substances in those countries.

46. One representative said he wished to emphasize the importance of cooling facilities and air-conditioning mechanisms in many Article 5 countries for climatic reasons. Sufficient attention must be paid to that industry, lest major unemployment should result and social conditions be jeopardized. Another representative said that the Technical Options Committee reports on refrigeration, air-conditioning and heat pumps would be of great assistance in minimizing consumption in the cooling sector.

47. Several representatives said that greater use should be made of indigenous capacity in implementing projects in developing countries. One representative stressed the need for awareness-building among the public and industry in order to promote changes of policy regarding the use of ODS. One representative said that, while local management in a country could not, of itself, solve the global problem of ozone depletion, it could act as a catalyst by showing what could be done.

48. Many representatives expressed concern about the poor state of the Multilateral Fund and a number said that the Fund had to be protected and strengthened, noting that the response of developing countries would be contingent on a continuous flow of financial resources. The contributions should be adequate and predictable. The outstanding contributions, said some representatives, had to be paid on time. One representative believed that promissory notes to the Fund were acceptable, as the method had stood the test of time.

49. The representative of the Group of 77 said that the country programmes of those Parties operating under paragraph 1 of Article 5 showed that they had adopted ambitious objectives to eliminate the production and consumption of ODS and meet their obligations under the Protocol. Those countries had enormous needs with regard to technology transfer and funds. The present situation of the Fund required immediate action on the part of donors to pay their contributions to avoid delaying the implementation of projects in the Article 5 countries and the negative consequences that such delay would have on cooperation in the protection of the ozone layer. In the name of the Group of 77, the representative asked Parties to ensure that contributions to the Fund were paid regularly and on time and were reserved exclusively for the use of countries operating under Article 5 of the Protocol, otherwise there was a danger of seeing other poles emerge which could absorb the essential part of the Fund's meagre resources. That could severely penalize the countries in the Group of 77. Present contributions, even if paid in total, could not be sufficient to meet all the requirements. Thus, it was necessary to manage available resources rationally. Access to those resources for developing countries was becoming increasingly difficult, due to the restrictive conditions adopted at different Meetings of the Parties. The developing countries had to obtain easier access to project financing and new technologies, instead of facing a multiplication of restrictive criteria that could cause jams and have the reverse effect to that intended. In addition, he said, the large number of decisions, their ambiguity and the difficulty in implementing them was a major obstacle for the developing countries in attaining the objectives of the Montreal Protocol. He hoped that the present weak state of the Fund's resources was not a sign of weakening commitment on the part of developed countries with regard to the indispensable aid the developing countries required for the protection of the ozone layer.

50. Another representative said he could sympathize with non-payment by countries facing genuine economic hardship, but not with countries

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which could pay, but chose not to. That representative urged the Parties to adopt concrete and effective measures to overcome the problem, such as imposition of interest on arrears; barring attendance to working groups, expert panels and the meetings of Parties; or having the unpaid arrears borne by those non-Article 5 countries that claimed non-payment did not contravene Article 10.

51. One representative said that the assurances that lack of funds was no reason for turning down projects had not been borne out by experience. The very concept of prioritization of projects, under consideration by the Executive Committee, was obviously due to a shortage of funds - otherwise it was difficult to comprehend why projects which were meritorious in themselves should be prioritized.

52. Several representatives were concerned that policy recommendations were being discussed that increasingly restricted access to financial resources. One representative, stating that restrictive criteria gave the wrong signal to industries in developing countries, said that such important policy issues should not be left to the Executive Committee, but should be appraised by the Meeting of the Parties. Another representative, noting that enthusiasm for the Multilateral Fund had cooled in some countries, called for flexibility in interpreting the rules governing project approval and said that, if confidence in the Multilateral Fund failed, there was a risk of not succeeding with the environmental conventions.

53. Yet another representative said that there was a clear intention behind the tendency of some members of the Executive Committee to interpret the Committee's terms of reference restrictively: to reduce the outflow of funds and, therefore, the inflow of their contributions. That was contrary to the spirit of the London Agreement, and Parties should strike down such practices wherever they occurred. Another representative urged the Executive Committee to reconsider its position regarding support for regional workshops on data collection and reporting.

54. One representative said that increasingly restrictive interpretations were being given to the term "incremental operating costs" and the period for which they would be made available had been reduced from meeting to meeting of the Executive Committee, which was currently seeking a period of two years, or even one year. The indicative list of qualifying costs, which had been expected to evolve from the Executive Committee's discussions, had unfortunately resulted in greater stringency and insurmountable constraints. At the implementation level, he said, that meant that the universal consensus arrived at in Meetings of the Parties was being whittled away. That tendency had to be rejected.

55. One representative urged the Parties not to forget their commitment to the world community that compliance with the Protocol would not mean any adverse economic or other impacts on developing countries. The developing countries, whose contribution to ozone depletion had been minimal, had committed themselves to the requirements of the Protocol in a spirit of partnership to address the environmental problems of the planet in their entirety. Should an instrument of environmental protection, he asked, be allowed to degenerate into one of developmental constraints.

56. Another representative said that the Executive Committee was not taking an increasingly limited view of incremental costs and, in his view, the Fund was intended to support development, but that had to be done in an appropriate and sustainable way.

57. In the calculation of incremental operating costs, said one representative, the current market prices of ODS should not be used, as they were themselves the result of Protocol-induced scenarios. The lower, pre-Protocol, prices of ODS would more correctly reflect the true financial impact of the adoption of non-ODS technologies on consumers.

58. Several representatives emphasized that, until the requisite funds were forthcoming from the Fund or some other financial mechanism, developing countries would be in a very difficult position in implementing ODS phase-out plans. One of them consequently welcomed the commissioning of the reviews undertaken by the Fund and the independent review of the Financial Mechanism. One representative reiterated his country's desire to explore with partners ways and means of converting a part of his country's external debt to finance the national environment protection programme.

59. Another representative said that, in order to help developing countries which were unable to implement control measures themselves, her country could make a continued equitable financial contribution to the Fund. Her country supported the idea that, in order to make more effective use of the Fund's resources, some affluent developing countries should not count on the Fund for aid to implement control measures. The representative further expressed appreciation for the self-control manifested by such countries.

60. One representative said he was glad that the differing opinions on the subject of reclassifying countries as not operating under Article 5 had been reconciled and that draft decision VI/5 was being submitted for adoption by the present Meeting.

61. The representative of the Republic of Korea said that, in the light of the limited resources available in the Fund and the need to use them efficiently, his country, though clearly eligible for access to the Fund, would henceforth not exercise that right for the purpose of national programmes. He hoped that that decision would help other developing countries to gain more access to the Fund and also help developed countries mobilize domestic support for contributing to the Fund.

62. One representative said it was fortunate that the process of restructuring the Global Environment Facility had been finalized and that GEF-2, with its new resources, had become a reality. He hoped that the present Meeting would succeed in stabilizing a rational relationship between the Montreal Protocol and the Facility, in such a way that developing countries would benefit more effectively from those two mechanisms for the purpose of protecting the global environment.

63. One representative said that the Parties must find new sources of financial assistance for ODS phase-out in Article 5 countries, because the Multilateral Fund was not large enough for the task.

64. Several representatives said that the use of CFCs was actually increasing in certain sectors, a situation that needed to be addressed. One of them commented, in that regard, that the retention by the non-Article 5 Parties of a limited CFC-production capacity to meet the basic needs of the Article 5 Parties seemed unnecessary, since the latter countries were perfectly capable of producing sufficient CFCs for the purpose.

65. Some representatives said that HCFCs were important transitional substances and that any action to restrict the use of HCFCs at the current stage would, despite the recent development of technologies that were ozone benign, place an undue burden on the Article 5 countries. Yet another representative added that many such countries had invested substantially in HCFC technologies. Another representative said that it was essential to phase out the use of HCFCs more rapidly than anticipated.

66. The representative of the Group of 77 said it was important to draw the Parties' attention to the fact that recovery of ODS and their transboundary movements to developing countries with the aim of recycling them constituted a practice that was not in conformity with international agreements on transboundary movements of waste, notably the Basel and

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Bamako conventions. Thus, it was necessary to examine the question closely and to take appropriate decisions on that subject.

67. On the subject of methyl bromide, a number of representatives said they were in favour of more stringent controls on the substance, although some of them recognized that it was still indispensable for agricultural production and quarantine purposes. Another of them said that the regional grouping of which his country currently held the presidency was to reduce its consumption of methyl bromide by 25 per cent by the end of 1997. One representative said that methyl bromide was the only controlled substance produced by his country and legislation and administrative measures were currently being prepared to control its production. He expressed his country's great interest in developing cooperation projects in the Middle East and other areas of the world for reduction of methyl bromide emissions, as well as a project to monitor ground-level UV radiation in the Middle East. Several other representatives said that there were no clear and readily available alternatives to methyl bromide and the economic implications of its phase-out for Article 5 countries would be very serious, especially as there were no funding arrangements. One of them added that he had yet to be convinced that man-made sources of methyl bromide were indeed the cause of ozone depletion.

68. Several representatives voiced the need to develop halon banks at appropriate prices with stocks of sufficient quality. The representative of an Article 5 country reviewed his country's plans to eliminate imports of halon and develop a halon bank. The representative of a non-Article 5 country said it was clear that no production of halons was needed to satisfy the essential uses of Parties not operating under Article 5, paragraph 1, of the Protocol.

69. The observer for the Industrial Technology Research Institute (ITRI) said that ITRI was a non-profit, non-governmental organization in Taiwan, which had been assisting its communities in organizing and coordinating the ozone protection efforts and had been attending Montreal Protocol meetings as an observer since 1990. She wished to reiterate ITRI's willingness to promote the implementation of the Protocol and to be a part of the truly global effort in protecting the ozone layer.

70. The representative of China said that the information his country had provided to the Secretariat also covered Taiwan.

71. The observer for the Centre for Science and Environment in New Delhi, India, speaking on behalf of Friends of the Earth, Greenpeace, the Environmental Defense Fund, Pesticide Action Network, and the Sustainable Agriculture Alliance, said that it was clear from the scientific information presented that action must be taken on HCFCs and methyl bromide, to prevent further significant depletion of the ozone layer. Renewed diplomatic and financial commitments were needed to face those challenges. Continuing financial support for the Multilateral Fund must be ensured. In addition, there needed to be full provision for dissemination of information to the Article 5 countries about environmentally sound alternatives, so that they could make informed choices for themselves and not get pushed into directions which they might regret later. Industrialized countries had sold methyl bromide to Article 5 countries. They thus had an obligation to make real efforts to set up bilateral projects to assist Article 5 countries to introduce environmentally sound alternatives as soon as possible. More than 80 per cent of methyl bromide was used in industrialized countries. They therefore had a responsibility, and the resources, to start replacing it immediately. For the sake of future human health and food supplies, industrialized countries must not wait another year until the next Meeting of the Parties, but must make national phase-out commitments immediately.

C. Action taken by the Meeting

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72. Under agenda items 3, 4, 5, 6 and 7, the Meeting had before it the report of the Executive Director to the Fifth Meeting of the Parties (UNEP/OzL.Pro.6/2 and Corr.1 (English and Chinese only) and Corr.2), the financial report on the Trust Funds for the Vienna Convention and the Montreal Protocol for the biennium 1992-1993 and expenditures for 1993 as compared to the approved budget (UNEP/OzL.Pro.6/3 and Corr.1), the financial report for 1993 and the revised 1994 and 1995 budgets and the proposed 1996 budget for the Montreal Protocol Trust Fund (UNEP/OzL.Pro.6/4), the report of the Secretariat on the reporting of data by the Parties (UNEP/OzL.Pro.6/5), and the report of the Executive Committee to the Sixth Meeting of the Parties (UNEP/OzL.Pro.6/6/Rev.1). It also had before it the draft decisions submitted to it by the Preparatory Meeting (UNEP/OzL.Pro.6/Prep/2 and Corr.1, annex), prepared on the basis of the draft decisions circulated by the Secretariat prior to the meetings (UNEP/OzL.Pro.6/L.1 and Corr.1).

73. The report of the Preparatory Meeting (UNEP/OzL.Pro.6/Prep/2 and Corr.1) was introduced by its Chairman.

74. The Sixth Meeting adopted a number of decisions on the basis of the draft decisions submitted by the Preparatory Meeting. All the draft decisions were adopted by consensus, with the comments and amendments reflected in paragraphs 85 to 109 below.

75. In addition to the draft decisions adopted, the Meeting also had before it at its closing meeting a draft decision VI/6 which had been forwarded to it in square brackets by the Preparatory Meeting.

76. The Chairman of the Preparatory Meeting proposed that since there was no consensus on the draft, it should be withdrawn.

77. The representative of Algeria, speaking on behalf of the Group of 77 and China, supported the proposal of the Chairman of the Preparatory Meeting.

78. The President said that the Bureau proposed that the decision should be taken up at the Seventh Meeting of the Parties.

79. Two representatives of countries with economies in transition explained the economic realities of that group of countries. Postponing a decision on the status of those countries would delay their phase-out of ozone-depleting substances.

80. One representative, supported by several others, said that, since it was for the GEF Council to decide on the allocation of GEF funds, the withdrawal of the draft would not mean very much in reality.

81. One representative agreed that the decision should be taken up by the Open-ended Working Group at its next meeting. Another cautioned, however, that the Working Group could go no further than making recommendations to the Meeting of the Parties.

82. In response to a statement that all Parties were entitled to raise issues at the Working Group and that it was not for the Meeting of the Parties to decide on the Group's agenda, one representative said that, in the past, the Group had decided that it could not consider certain issues because it had no mandate to do so.

83. In response, the Secretariat clarified that, while the Working Group would consider the issues entrusted to it by the Meeting of the Parties, Parties were free to raise additional issues under "other matters".

D. Decisions

84. The Sixth Meeting of the Parties to the Montreal Protocol on

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Substances that Deplete the Ozone Layer decided:

Decision VI/1. Ratification, approval or accession to the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer and the Amendments to the Montreal Protocol

1. To note with satisfaction the large number of countries that have ratified the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer and the Amendments to the Montreal Protocol;
2. To urge all States that have not yet done so to ratify, approve or accede to the Vienna Convention, the Montreal Protocol and the Amendments to the Montreal Protocol;

Decision VI/2. Implementation of Article 7 and 9 of the Protocol

1. To note with satisfaction the implementation of the provisions of the Protocol by the Parties which have so far reported data and information under Articles 7 and 9 of the Protocol;
2. To note that the timely reporting of data and any other required information is a legal obligation for each Party and to request all Parties to comply with the provisions of Articles 7 and 9 of the Protocol;

Decision VI/3. Implementation Committee

- To confirm the positions of Burkina Faso, Chile, Jordan, the Netherlands and the Russian Federation as members of the Implementation Committee for one further year, and to select Austria, Bulgaria, Peru, Philippines and the United Republic of Tanzania as members of the Committee for a two-year period;

Decision VI/4. Application of trade measures under Article 4 to non-Parties to the London Amendment to the Protocol

1. To note the information reported by Poland and Turkey pursuant to decision V/3 (Application of trade measures under Article 4 to non-Parties to the London Amendment) of the Fifth Meeting of the Parties and to note that these two countries have thereby submitted data demonstrating that in 1993 they were in full compliance with Articles 2, 2A-2E and 4 of the Montreal Protocol and have submitted supporting data to that effect as specified in Article 7 of the Protocol;
2. To request those countries to submit data on their compliance with the above Articles of the Protocol by 31 March 1995 in order to establish their continued eligibility under Article 4, paragraph 8, to treatment as Parties during the year 1995-1996;
3. To welcome the fact that both countries intend to ratify or accede to the London Amendment in 1995;

Decision VI/5. Status of certain Parties vis-à-vis Article 5 of the Protocol

- To adopt the following principles regarding treatment of classified and reclassified developing country Parties:
 - (a) The Secretariat should continue to classify, in absence of complete data, developing countries temporarily as operating or not

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operating under Article 5 based on the information available to the Secretariat, subject to the conditions that:

- (i) The Secretariat encourages these Parties to approach the Executive Committee and the Implementation Committee for assistance in establishing accurate data;
 - (ii) A country may only be classified temporarily as operating under Article 5 for a period of two years applicable from the time of adoption of the present decision. After this period, Article 5 status can no longer be extended without data reporting as required by the Protocol, unless the country has sought the assistance of the Executive Committee and the Implementation Committee. In this case, the extension period shall not exceed two years;
 - (iii) A developing country temporarily classified as operating under Article 5 would lose the status if it does not report base-year data as required by the Protocol within one year of the approval of its country programme and its institutional strengthening by the Executive Committee, unless otherwise decided by a Meeting of the Parties;
- (b) The Executive Committee will consider projects from Parties temporarily classified as operating under Article 5. The projects approved when such temporary classification is operative will continue to be funded even if the countries subsequently are reclassified as not operating under Article 5 on receipt of data. However, no project will be sanctioned during a period during which the country is classified as not operating under Article 5;
- (c) Parties may be allowed to correct the data submitted by them in the interest of accuracy for a given year but no change of classification will be permitted for that year pertaining to which the data has been corrected. Any such corrections should be accompanied by an explanatory note to facilitate the work of the Implementation Committee;
- (d) Regarding developing-country Parties which are initially classified as not operating under Article 5 and then reclassified, any outstanding contribution to the Multilateral Fund will be disregarded, only for the years in which they are reclassified as operating under Article 5. Any Party reclassified as operating under Article 5 will be allowed to utilize the remainder of the ten-year grace period;
- (e) Any developing-country Party initially classified as non-Article 5 but reclassified subsequently as operating under Article 5 shall not be requested to contribute to the Multilateral Fund. Such Parties are urged not to request financial assistance for national programmes from the Multilateral Fund but may seek other assistance under Article 10 of the Montreal Protocol. This will not apply if the initial classification of the Party as non-Article 5, made in the absence of complete data, is subsequently proved to be wrong on the basis of complete data;

*Decision VI/6. Reviews under paragraph 8 of Article 5
of the Protocol and under section II, paragraph 4,
of decision IV/18 of the Fourth Meeting of
the Parties to the Montreal Protocol*

1. To take note of the ongoing reviews under paragraph 8 of Article 5 of the Montreal Protocol and under section II, paragraph 4, of decision IV/18 of the Fourth Meeting of the Parties to the Montreal Protocol;
2. (a) To approve the loan of US\$ 450,000 from the Multilateral Fund to the Secretariat as a one-time measure to facilitate the review of the Financial Mechanism;

(b) To repay the loan to the Multilateral Fund through necessary additional contributions to the Trust Fund for the Montreal Protocol as proposed in the revised budgets for 1994 and 1995;

3. To request the Open-ended Working Group to consider the report of the review undertaken under decision IV/18 and to make recommendations, as appropriate, to the Seventh Meeting of the Parties;

Decision VI/7. Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol

1. To endorse the selection of Australia, Austria, Denmark, Japan, Poland, United Kingdom, 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 Algeria, Argentina, China, Colombia, Iran (Islamic Republic of), Cameroon, Thailand as members representing Parties operating under paragraph 1 of Article 5, for one year;
2. To endorse the selection of Mr. John Whitelaw of Australia to act as Chair and of Algeria to act as Vice-Chair of the Executive Committee for one year;

Decision VI/8. Essential use nominations for halons for 1995

- That, for the year 1995 no level of production or consumption is necessary to satisfy essential uses of halons in Parties not operating under paragraph 1 of Article 5 of the Protocol, since there are technically and economically feasible alternatives and substitutes for most applications, and since halons are available in sufficient quantity and quality from existing stocks of banked and recycled halons;

Decision VI/9. Essential use nominations for controlled substances other than halons for 1996 and beyond

1. To note with appreciation the work done by the Technology and Economic Assessment Panel and its Technical Options Committees pursuant to decision IV/25 of the Fourth Meeting of the Parties;
2. That, for 1996 and 1997 for Parties not operating under paragraph 1 of Article 5 of the Protocol, levels of production or consumption necessary to satisfy essential uses of chlorofluorocarbons and 1,1,1-trichloroethane for: (i) metered dose inhalers (MDIs) for the treatment of asthma, chronic obstructive pulmonary disease (COPD), and for the delivery of leuprolide to the lungs and (ii) the Space Shuttle, are authorized as specified in annex I to the report of the Sixth Meeting of the Parties, subject to annual review of quantities;
3. That for 1996 and 1997, for Parties not operating under paragraph 1 of Article 5 of the Protocol, production or consumption necessary to satisfy essential uses of ozone-depleting substances for laboratory and analytical uses are authorized as specified in annex II to the report of the Sixth Meeting of the Parties;
4. That Parties shall endeavour to minimize use and emissions by all practical steps. In the case of metered dose inhalers, these steps include education of physicians and patients about other treatment options and good-faith efforts to eliminate or recapture emissions from filling and testing, consistent with national laws and regulations;

Decision VI/10. Use of controlled substances as process agents

- Taking into account:

That some Parties may have interpreted use of controlled substances in some

applications where they are used as process agents as feedstock application;

That other Parties have interpreted similar applications as use and thereby subject to phase-out;

That the Technology and Economic Assessment Panel has been unable to recommend exemption, under the essential use criteria, to Parties submitting applications of such uses nominated in 1994; and

The pressing requirement for elaboration of the issue and the need for appropriate action by all Parties;

1. To request the Technology and Economic Assessment Panel:
 - (a) To identify uses of controlled substances as chemical process agents;
 - (b) To estimate emissions of controlled substances when used as chemical process agents and the ultimate fate of such emissions and to evaluate emissions associated with the different control technologies and other process conditions under which chemical process agents are used;
 - (c) To evaluate alternative process agents or technologies or products available to replace controlled substances in such uses; and
 - (d) To submit its findings to the Open-ended Working Group of the Parties to the Montreal Protocol not later than March 1995, and to request the Open-ended Working Group to formulate recommendations, if any, for the consideration of the Parties at their Seventh Meeting;
2. That Parties, for an interim period of 1996 only, treat chemical process agents in a manner similar to feedstock, as recommended by the Technology and Economic Assessment Panel, and take a final decision on such treatment at their Seventh Meeting;

Decision VI/11. Clarification of "quarantine" and "pre-shipment" applications for control of methyl bromide

1. Recognizing the need for non-Article 5 Parties to have, before 1 January 1995, common definitions of "quarantine" and "pre-shipment" applications for methyl bromide, for purposes of implementing Article 2H of the Montreal Protocol, and that non-Article 5 Parties have agreed on the following:
 - (a) Quarantine applications, with respect to methyl bromide, are applications to prevent the introduction, establishment and/or spread of quarantine pests (including diseases), or to ensure their official control, where:
 - (i) Official control is that performed by, or authorized by a national plant, animal or environmental protection, or health authority;
 - (ii) Quarantine pests are pests of potential importance to the areas endangered thereby and not yet present there, or present but not widely distributed and being officially controlled;
 - (b) Pre-shipment applications are those treatments applied directly preceding and in relation to export, to meet the phytosanitary or sanitary requirements of the importing country or existing phytosanitary or sanitary requirements of the exporting country;
 - (c) In applying these definitions, non-Article 5 countries are urged to refrain from use of methyl bromide and to use non-ozone-depleting technologies wherever possible. Where methyl bromide is used, Parties are urged to minimize emissions and use of methyl bromide through

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containment and recovery and recycling methodologies to the extent possible;

2. Acknowledging that Article 5 Parties have agreed to identify the following:
 - (a) That definitions relating to pre-shipment applications affect Article 5 countries and that new non-tariff barriers to trade should be avoided;
 - (b) That the Article 5 countries still need to have more consultations and further approaches to the quarantine and pre-shipment application definitions related to methyl bromide;
 - (c) That the Food and Agriculture Organization of the United Nations should play a fundamental role in the establishment of common definitions concerning quarantine and pre-shipment applications related to methyl bromide use;
 - (d) That it is anticipated that the use of methyl bromide by Article 5 countries may increase in the forthcoming years;
 - (e) That adequate resources from the Multilateral Fund for the Implementation of the Montreal Protocol and other sources are needed to facilitate the transfer of non-ozone-depleting technologies for quarantine and pre-shipment applications related to methyl bromide to the Article 5 countries;
3. Further recognizing that containment, recovery and recycling methodologies relating to methyl bromide should be given a wider application among all Parties;
4. To request the open-ended working group of the Parties at its eleventh and twelfth meetings
 - (a) To further study the most suitable definition for "quarantine" and "pre-shipment" applications relating to methyl bromide use, taking into consideration:
 - (i) The Methyl Bromide Technical Options Committee report;
 - (ii) The Methyl Bromide Scientific Assessment Report;
 - (iii) The FAO guidelines on Pests Risk Analysis; and
 - (iv) The development of lists of injurious pests;
 - (b) To consider jointly the definitions issues along with the methyl bromide issues contained in decision VI/13;
 - (c) To provide the necessary elements to be included for a decision of the Seventh Meeting of the Parties to the Montreal Protocol on all the above issues;

Decision VI/12. List of products containing controlled substances in Annex B of the Protocol

1. To note the conclusions of the Technology and Economic Assessment Panel and the recommendation of the Open-ended Working Group of the Parties on elaborating a list of products containing controlled substances in Annex B of the Protocol;
2. To agree that, in view of the tightening of the phase-out schedule for Annex B substances from 1 January 2000 to 1 January 1996 and ratification of the Protocol by an overwhelming majority of countries, the elaboration of the list called for in Article 4, paragraph 3 bis, of the Montreal Protocol

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would be of little practical consequence and the work entailed in drawing up and adopting such a list would be disproportionate to the benefits, if any, to the ozone layer;

3. To decide not to elaborate the list specified in Article 4, paragraph 3 bis, of the Montreal Protocol;

Decision VI/13. Assessment Panels

- To request the Panels, as an inclusion in their ongoing work, to evaluate, without prejudice to Article 5 of the Montreal Protocol, the technical and economic feasibility, and the environmental, scientific, and economic implications for non-Article 5 countries, as well as Article 5 countries, bearing in mind Article 5, paragraph 1 bis, of the Copenhagen Amendment, of:

(a) The alternatives to hydrochloroflourocarbons in so doing, the Technology and Economic Assessment Panel is requested to consider the ozone-depleting substance substitution potential of not-in-kind alternatives, in-kind alternatives, and alternative technologies. In assessing this matter, the Technology and Economic Assessment Panel should consider how available alternatives compare with hydrochloroflourocarbons with respect to such factors as energy efficiency, total global warming impact, potential flammability, and toxicity, and the potential impacts on the effective use and phase-out of chloroflourocarbons and halons; in time for consideration by the Open-ended Working Group at its eleventh meeting;

(b) Alternatives to methyl bromide, in time for consideration by the Open-ended Working Group at its eleventh meeting;

In considering these matters, the Scientific Assessment Panel shall consider, if possible, atmospheric chlorine and bromine loadings and their impact on ozone depletion. The Technology and Economic Assessment Panel and Scientific Assessment Panel evaluations shall be solely for the purpose of discussions by the Parties and shall in no way be construed as recommendations for action.

Decision VI/14 A. Provision of information on the supply of controlled substances to Parties operating under Paragraph 1 of Article 5 of the Montreal Protocol

- That, in order to facilitate implementation of the Protocol's provision concerning the supply of controlled substances to meet the basic domestic needs of Parties operating under Article 5, paragraph 1, of the Montreal Protocol, a Party may opt to use either decision V/25 or the following:

(a) Each Party operating under paragraph 1 of Article 5 of the Protocol, that requires controlled substances referred to in Articles 2A and 2E from another Party is requested to furnish, with effect from 1 January 1995, to the Government of the supplying Party within 60 days of such imports a letter specifying the quantity of the substances imported and stating that the substances are to be used for the purposes of meeting its basic domestic needs. The Parties concerned will work out an internal mechanism so that enterprises in importing and exporting countries can trade directly in controlled substances;

(b) Each Party supplying the controlled substances is requested to provide annually to the Secretariat a summary of the letters received from Parties operating under paragraph 1 of Article 5 of the Protocol and to indicate therein whether each such Party receiving the substances had affirmed that such imports are to meet its basic domestic needs. It is expected that such supplies will be consistent with the provisions of the Protocol;

Decision VI/14 B. "Basic domestic needs"

- To request the Open-ended Working Group to make recommendations to the Seventh Meeting of the Parties concerning the following issues:
 - (a) The need for clarification, amendment and/or further definition and of provisions regarding "basic domestic needs" in Articles 2 and 5 of the Montreal Protocol and under decision 1/12C of the First Meeting of the Parties;
 - (b) What appropriate measures, such as reports under Article 7, should be taken for implementation of provisions related to "basic domestic needs" in Articles 2 and 5 of the Protocol;

Decision VI/15. Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol

- To endorse the selection of Mr. John Carstensen of Denmark and Mr. N. R. Krishnan of India as Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol for 1995;

Decision VI/16. Juridical personality, privileges and immunities of the Multilateral Fund

Recalling decision IV/18 of the Fourth Meeting of the Parties, which established the Financial Mechanism, including the Multilateral Fund for the Implementation of the Montreal Protocol, provided for in Article 10 of the Montreal Protocol, as amended in London on 29 June 1990,

- To clarify the nature and legal status of the Fund as a body under international law as follows:
 - (a) *Juridical personality*: The Multilateral Fund shall enjoy such legal capacity as is necessary for the exercise of its functions and the protection of its interests, in particular the capacity to enter into contracts, to acquire and dispose of movable and immovable property and to institute legal proceedings in defence of its interests;
 - (b) *Privileges and immunities*:
 - (i) The Fund shall, in accordance with arrangements to be determined with the Government of Canada, enjoy in the territory of the host country, such privileges and immunities as are necessary for the fulfilment of its purposes;
 - (ii) The officials of the Fund Secretariat shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Multilateral Fund;

Decision VI/17. Budgets and financial matters

1. To take note of the financial report on the Trust Fund for the Montreal Protocol for 1993;
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 III to the report of the Sixth Meeting of the Parties;

3. To approve the revised budgets for the Trust Fund for the Montreal Protocol of US\$ 3,048,735 for 1994 and of US\$ 3,699,050 for 1995 and to adopt the proposed budget of US\$ 2,818,215 for 1996, as set out in annex IV to the report of the Sixth Meeting of the Parties;

Decision VI/18. Modification of the indicative list of categories of incremental costs under the Montreal Protocol

- To request the Open-ended Working Group to examine the proposal to amend the indicative list of categories of incremental costs under the Montreal Protocol, as proposed by India and Malaysia and any other related specific proposals brought by the Parties to the eleventh meeting of the Open-ended Working Group;

Decision VI/19. Trade in previously used ozone-depleting substances

1. To reaffirm the Parties' intent embodied in decision IV/24;
2. To restate that only used controlled substances may be excluded from the calculated level of consumption of countries importing or exporting such substances;
3. To note further that, as required by decision IV/24, such exclusions from a Party's calculated level of consumption is made contingent on reporting of such imports and exports to the Secretariat and Parties should make their best efforts to report this information in a timely manner;
4. To request all Parties with reclamation facilities to submit to the Secretariat prior to the Seventh Meeting of the Parties and on an annual basis thereafter a list of the reclamation facilities and their capacities available in their countries;
5. To request all Parties that export previously used substances to take, where appropriate, steps to ensure that such substances are labelled correctly and are of the nature claimed and to report any related activities through the Secretariat to the seventh meeting of the Parties;
6. To request such exporting Parties to make best efforts to require their companies to include in documentation accompanying such exports, the name of the source firm of the used controlled substance and whether it was recovered, recycled or reclaimed and any further information available to allow for verification of the nature of the substance;
7. To request the Ozone Secretariat, drawing on the experience of the Technology and Economic Assessment Panel and the Parties, to study and report on trade in used/recycled/reclaimed ozone-depleting substances, taking particular account of Parties' experience in the control of such trade and the concerns and interests of all Parties that have facilities for the production of ozone-depleting substances, in time for the issues to be considered by the Open-ended Working Group at its twelfth meeting;

VI/20. Seventh Meeting of the Parties to the Montreal Protocol

1. To reaffirm decision V/28 of the Fifth Meeting of the Parties, by which the Parties expressed their gratitude to the Government of Austria for its generous offer to host the Seventh Meeting of the Parties to the Montreal Protocol in Vienna in 1995, to mark the tenth anniversary of the Vienna Convention for the Protection of the Ozone Layer;
2. To convene the Seventh Meeting of the Parties to the Montreal Protocol in Vienna from 28 November to 7 December 1995.

Comments made at the time of adoption of the decisionsStatus of certain Parties vis-à-vis Article 5 of the Protocol (decision VI/5)

85. The representative of Malta said that his Government pledged to sustain its commitment to fulfilling its obligations under the Montreal Protocol. The reclassification of his country confirmed its rightful access to the Multilateral Fund, which would not imply any serious threat to the Fund. Drawing attention to paragraph (e) of the draft decision, he said that a more equitable compromise could be achieved by changing the word "such" at the beginning of the second sentence of that paragraph to "certain", thus giving the Parties and the Executive Committee additional flexibility in their decisions on the subject.

86. The representative of Cyprus said that, being a small-island State with no ODS-production facilities, Cyprus did not represent a threat to the Fund. His country should not be deprived of access to the Fund while its country programme still had not been completed. Without a country programme, Cyprus could not assess its financial requirements. The matter should therefore be reconsidered after the preparation of the programme.

87. The Meeting noted the views expressed by the representatives of Malta and Cyprus.

Reviews under paragraph 8 of Article 5 of the Protocol and under section II paragraph 4 of decision IV/18 of the Fourth Meeting of the Parties to the Montreal Protocol (decision VI/6)

88. The representative of Malaysia said that it had been his understanding that the word "voluntary" should be placed before the word "contributions" in paragraph 2 (b) of the draft decision on this subject.

89. In response, the Secretariat explained that it had been customary for Meetings of the Parties not to use the words "voluntary" or "assessed" when deciding upon contributions. While approving the budget, the Meeting of the Parties also approved the contribution to be made by each Party and the Parties accepted those decisions.

Executive Committee of the Multilateral Fund for the implementation of the Montreal Protocol (decision VI/7)

90. The representative of Uganda, speaking as Coordinator of the African Group, said that the Group had agreed that Kenya, Senegal, Burkina Faso and Zimbabwe would be co-opted to participate in meetings of the Executive Committee along with the core members of the Committee from Africa.

91. The representative of Egypt said that his delegation had also been co-opted into the delegation of Algeria by the African Group on the understanding that the Egyptian Government was to pay for the participation costs as necessary. The representative of Algeria confirmed that arrangement.

92. The representative of Argentina said that his country's delegation on the Executive Committee would include representatives of Brazil, Uruguay and Chile.

Clarification of "quarantine" and "pre-shipment" applications for control of methyl bromide (decision VI/11)

93. In response to a statement by the representative of Malaysia, speaking as coordinator of the Asian Group, the representative of Colombia, speaking as Chairman of the subgroup that had drafted the draft decision, said that the purpose of paragraph 2 of the draft was to recognize the concern of Article 5 countries. Subparagraph (e) identified the needs of such countries for adequate resources, which included both present and future funding. The words "new and additional" had not been inserted because no distinction had been made between present and future resources.

Provision of information on the supply of controlled substances to Parties

operating under paragraph 1 of Article 5 of the Montreal Protocol (decision VI/14 A) and "Basic domestic needs" (decision VI/14 B)

94. Decisions VI/14 A and B were adopted on the basis of draft decisions VI/15 and VI/15 bis submitted by the Preparatory Committee as amended on the basis of a conference room paper that had been circulated during the Meeting.

95. Some representatives said that the decision contained commitments that could lead to problems for Governments when it came to implementing them especially with regard to the compilation of import statistics. The Seventh Meeting of the Parties could reconsider a way of implementing the decision, taking account of practical realities. Supporting this, some of those representatives suggested that the Open-ended Working Group should be requested to consider the decisions in view of the difficulties that certain countries had with their contents. Another representative said that his delegation had difficulties with paragraphs 1 and 2 of draft decision VI/15. It still believed that draft decision VI/15 bis was more appropriate and was the best way to proceed. His delegation believed that the definition of "basic domestic needs" should include ozone-depleting substances and not just products containing such substances. He was concerned that the decision would encourage some industries to start trading before the needs were justified, in which case the Government concerned could encounter enforcement problems and fail in its obligations. Noting that Article 5 countries already had problems in reporting data, he said that he could accept the compromise in the conference room paper and draft decision 15 bis.

96. One representative said that he would prefer to see the draft decisions adopted without the chapeau, since that would avoid having two regimes in place in the future. Some representatives noted that decision V/25 was still in operation and was more onerous than the draft being proposed. There were many problems with the current decision and the draft before the Meeting was an interim solution.

97. The amended draft decision V/15 and draft decision VI/15 bis were then adopted as decisions VI/14 A and VI/14 B.

Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol (decision VI/15)

98. The representative of Algeria, speaking on behalf of the Group of 77 and China, said that India had been nominated by that Group to serve as Co-Chair of the Open-ended Working Group of the Parties for 1995. At the same time, it had agreed on the principle of rotation of the co-chairmanship among Asia, Africa and Latin America and the Caribbean, in that order. The African Group had approved the candidature of Mauritius for the next one-year term, from the Seventh to the Eighth Meeting of the Parties.

99. The representative of Uganda, speaking as Coordinator of the African Group, said that Group understood that the term of office of Co-Chairs was one year and that the Group had nominated Mauritius to Co-Chair the Open-ended Working Group for 1996. In response, the representative of Egypt, supported by the representative of Ghana, said it was his understanding that, while the African Group had initially presented the candidature of Mauritius for 1995, the decision to change the year for the African term meant that it was now premature to make any nomination. The decision on the Co-Chair for 1996 would be taken at the appropriate time in accordance with the prevailing circumstances.

100. The representative of Costa Rica, speaking as Coordinator of the Latin American Caribbean Group, supported the statements made by the Group of 77 and Uganda and said the Group agreed fully with the rotation proposed and a term of office lasting from one Meeting of the Parties to the next. His Group would propose a candidate for the third term in due course.

101. The representative of Malaysia, speaking as coordinator of the Asian Group, said that the issue of rotation was a very important one and that the Group wished to consider the matter further.

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102. The representative of the Group of 77 subsequently announced that the co-chairmanship of the Open-ended Working Group from the Article 5 countries would rotate among the Asian and Pacific, African and Latin American and Caribbean groups in that order for one year. "One year" was interpreted as the period between two annual Meetings of the Parties. The Chairman for 1995 would be from India, as nominated by the Asian and Pacific group.

Juridical personality, privileges and immunities of the Multilateral Fund (decision VI/16)

103. The representative of Japan said that, while his delegation had no objections to the arrangements between the Multilateral Fund and Canada, his country was unable to join in the consensus since it needed prior authorization to give legal personality to international bodies. Japan therefore reserved its position on the decision.

Budgets and financial matters (decision VI/17)

104. The representative of Malaysia proposed that the last two sentences of paragraph 53 of the report of the Fifth Meeting of the Parties (UNEP/OzL.Pro.5/12) should be deleted since they were an inaccurate reflection of the proceedings at the Meeting. After a lengthy discussion, the Meeting decided to request the Secretariat to consult the Rapporteur of the Fifth Meeting and arrange for the issuance of an appropriate corrigendum to the report of that Meeting.

105. In response to a question, the Secretariat clarified that, as a body within UNEP, Secretariat travel was governed by UNEP rules. He also noted that, with reference to subparagraph (a) of paragraph 137 of the report of the Preparatory Meeting, it was the Secretariat's understanding that subparagraph (a) did not apply to Meetings of the Executive Committee.

106. The Meeting decided to continue, with respect to meetings of the Executive Committee, the current practice of financing more than one delegate from each Article 5 country.

107. The Meeting noted that the words "most advantageous economy-class fare" in line 3 of footnote (e) in the explanatory notes to the budget would be changed to "most appropriate economical fare". The new wording would be incorporated into the text of the budget approved by decision VI/17 (see annex IV to the present report).

Trade in previously used ozone-depleting substances (decision VI/19)

108. In response to a question, the Secretariat clarified that the cost of the study referred to in paragraph 7 of the decision would be absorbed within the approved 1995 budget of the Secretariat.

Seventh Meeting of the Parties to the Montreal Protocol (decision VI/20)

109. The Secretariat informed the Meeting that, in order to facilitate full consideration of the reports to be prepared during 1995, meetings of the Open-ended Working Group would be held from 8 to 12 May 1995 in Nairobi and from 28 August to 1 September 1995 in a location to be fixed. He noted that those dates differed from those in the report of the Preparatory Meeting (UNEP/OzL.Pro.6/Prep/2 and Corr.1).

IV. OTHER MATTERS

110. One representative requested that a Declaration by a number of Article 5 Parties be included in the report. The Meeting decided to annex the said Declaration to its report (see annex V hereto).

V. ADOPTION OF THE REPORT

/...

111. The present report, together with the annexes hereto, was adopted at the closing session of the Meeting on the basis of the draft report contained in document UNEP/OzL.Pro.6/L.2 and Add.1.

VI. CLOSURE OF THE MEETING

112. After the customary exchange of courtesies, the President declared the Sixth Meeting of the Parties closed at 5.40 p.m. on Friday, 7 October 1994.

Annex I

A. ESSENTIAL USE EXEMPTIONS: METERED DOSE INHALERS

COUNTRY	CATEGORY	CHEMICAL	YEAR	QUANTITY	
				(TONNES)	USE
AUSTRALIA	AEROSOL	CFC-11	1996	80	MDI
AUSTRALIA	AEROSOL	CFC-114	1996	10	MDI
AUSTRALIA	AEROSOL	CFC-12	1996	200	MDI
CANADA	AEROSOL	CFC-11	1996	152	MDI
CANADA	AEROSOL	CFC-114	1996	70	MDI
CANADA	AEROSOL	CFC-12	1996	377	MDI
EC-BELGIUM	AEROSOL	CFC-11	1996	90	MDI
EC-BELGIUM	AEROSOL	CFC-12	1996	95	MDI
EC-DENMARK	AEROSOL	CFCS	1996	<5	MDI
EC-FRANCE	AEROSOL	CFC-11	1996	618	MDI
EC-FRANCE	AEROSOL	CFC-113	1996	30.1	MDI
EC-FRANCE	AEROSOL	CFC-114	1996	153	MDI
EC-FRANCE	AEROSOL	CFC-12	1996	1063	MDI
EC-GERMANY	AEROSOL	CFC-11	1996	178	MDI
EC-GERMANY	AEROSOL	CFC-114	1996	178	MDI
EC-GERMANY	AEROSOL	CFC-12	1996	417	MDI
EC-IRELAND	AEROSOL	CFC-11	1996	145	MDI
EC-IRELAND	AEROSOL	CFC-12	1996	264	MDI
EC-ITALY	AEROSOL	CFC-11	1996	145	MDI
EC-ITALY	AEROSOL	CFC-113	1996	5	MDI
EC-ITALY	AEROSOL	CFC-114	1996	50	MDI
EC-ITALY	AEROSOL	CFC-12	1996	340	MDI
EC-PORTUGAL	AEROSOL	CFC-11	1996	3.63	MDI
EC-PORTUGAL	AEROSOL	CFC-12	1996	8.38	MDI
EC-PORTUGAL	AEROSOL	CFC-114	1996	1.2	MDI
EC-SPAIN	AEROSOL	CFC-11	1996	146	MDI
EC-SPAIN	AEROSOL	CFC-12	1996	362	MDI
EC-SPAIN	AEROSOL	CFC-113	1996	1	MDI
EC-SPAIN	AEROSOL	CFC-114	1996	39	MDI

COUNTRY	CATEGORY	CHEMICAL	YEAR	QUANTITY (TONNES)	USE
EC-UK	AEROSOL	CFC-11	1996	1031	MDI
EC-UK	AEROSOL	CFC-113	1996	32	MDI
EC-UK	AEROSOL	CFC-114	1996	363	MDI
EC-UK	AEROSOL	CFC-12	1996	1762	MDI
FINLAND	AEROSOL	CFC-11	1996	6	MDI
FINLAND	AEROSOL	CFC-12	1996	16	MDI
JAPAN	AEROSOL	CFC-11	1996	75	MDI
JAPAN	AEROSOL	CFC-113	1996	1	MDI
JAPAN	AEROSOL	CFC-114	1996	22	MDI
JAPAN	AEROSOL	CFC-12	1996	142	MDI
POLAND	AEROSOL	CFC-11	1996	330	MEDICAL
POLAND	AEROSOL	CFC-12	1996	330	MEDICAL
POLAND	AEROSOL	CFC-114	1996	40	MEDICAL
S.AFRICA	AEROSOL	CFC-11	1996	59	MDI
S.AFRICA	AEROSOL	CFC-11	1997	67	MDI
S.AFRICA	AEROSOL	CFC-114	1996	7	MDI
S.AFRICA	AEROSOL	CFC-114	1997	9	MDI
S.AFRICA	AEROSOL	CFC-12	1996	123	MDI
S.AFRICA	AEROSOL	CFC-12	1997	138	MDI
SWITZERLAND	AEROSOL	CFC-11	1996	8	MDI
SWITZERLAND	AEROSOL	CFC-114	1996	8	MDI
SWITZERLAND	AEROSOL	CFC-12	1996	8	MDI
USA	AEROSOL	CFC-11	1996	749.8	MDI
USA	AEROSOL	CFC-11	1997	658.3	MDI
USA	AEROSOL	CFC-114	1996	343.7	MDI
USA	AEROSOL	CFC-114	1997	343.1	MDI
USA	AEROSOL	CFC-12	1996	2363.2	MDI
USA	AEROSOL	CFC-12	1997	2177	MDI

B. ESSENTIAL USE EXEMPTIONS: SOLVENTS

<u>COUNTRY</u>	<u>CATEGORY</u>	<u>CHEMICAL</u>	<u>YEAR</u>	<u>QUANTITY</u> <u>(TONNES)</u>	<u>USE</u>
USA	SOLVENTS	TCA	1996	56.8	SPACE SHUTTLE
USA	SOLVENTS	TCA	1997	56.8	SPACE SHUTTLE

Annex II

CONDITIONS APPLIED TO EXEMPTION FOR LABORATORY AND ANALYTICAL USES

1. Laboratory purposes are identified at this time to include equipment calibration; use as extraction solvents, diluents, or carriers for chemical analysis; biochemical research; inert solvents for chemical reactions, as a carrier or laboratory chemical and other critical analytical and laboratory purposes. Production for laboratory and analytical purposes is authorized provided that these laboratory and analytical chemicals shall contain only controlled substances manufactured to the following purities:

%

CTC (reagent grade)	99.5
1,1,1-trichloroethane	99.0
CFC-11	99.5
CFC-13	99.5
CFC-12	99.5
CFC-113	99.5
CFC-114	99.5
Other w/Boiling P>20° C	99.5
Other w/Boiling P<20° C	99.0

2. These pure controlled substances can be subsequently mixed by manufacturers, agents, or distributors with other chemicals controlled or not controlled by the Montreal Protocol as is customary for laboratory and analytical uses.

3. These high purity substances and mixtures containing controlled substances shall be supplied only in re-closable containers or high pressure cylinders smaller than three litres or in 10 millilitre or smaller glass ampoules, marked clearly as substances that deplete the ozone layer, restricted to laboratory use and analytical purposes and specifying that used or surplus substances should be collected and recycled, if practical. The material should be destroyed if recycling is not practical.

4. Parties shall annually report for each controlled substance produced: the purity; the quantity; the application, specific test standard, or procedure requiring its uses; and the status of efforts to eliminate its use in each application. Parties shall also submit copies of published instructions, standards, specifications, and regulations requiring the use of the controlled substance.

Annex III

TRUST FUND FOR THE MONTREAL PROTOCOL ON THE SUBSTANCES THAT DEplete THE OZONE LAYER
SCALE OF 1994, 1995 AND 1996 CONTRIBUTIONS BY THE PARTIES
BASED ON THE UNITED NATIONS SCALE OF ASSESSMENTS
WITH NO PARTY PAYING MORE THAN 25 PER CENT
(In US Dollars)

PARTY	UNITED NATIONS SCALE OF ASSESSMENTS	PERCENTAGES ADJUSTED TO EXCLUDE NON- CONTRIBUTORS	ADJUSTED PERCENTAGES WITH 25% CEILING CONSIDERED	1 9 9 4 CONTRIBUTIONS BY PARTIES	1 9 9 5 CONTRIBUTIONS BY PARTIES	1 9 9 6 CONTRIBUTIONS BY PARTIES
Algeria	0.16%	0.16%	0.16%	4,885	5,927	4,516
Antigua and Barbuda	0.01%	0.00%	0.00%	0	0	0
Argentina	0.57%	0.57%	0.57%	17,404	21,117	16,088
Australia	1.51%	1.51%	1.51%	46,106	55,941	42,620
Austria	0.75%	0.75%	0.75%	22,900	27,785	21,169
Bahamas	0.02%	0.00%	0.00%	0	0	0
Bahrain	0.03%	0.00%	0.00%	0	0	0
Bangladesh	0.01%	0.00%	0.00%	0	0	0
Barbados	0.01%	0.00%	0.00%	0	0	0
Belarus	0.48%	0.48%	0.48%	14,656	17,782	13,548
Belgium	1.06%	1.06%	1.06%	32,366	39,270	29,918
Benin	0.01%	0.00%	0.00%	0	0	0
Bosnia and Herzegovina	0.04%	0.00%	0.00%	0	0	0
Botswana	0.01%	0.00%	0.00%	0	0	0
Brazil	1.59%	1.59%	1.59%	48,549	58,904	44,878
Brunei Darussalam	0.03%	0.00%	0.00%	0	0	0
Bulgaria	0.13%	0.13%	0.13%	3,969	4,816	3,669
Burkina Faso	0.01%	0.00%	0.00%	0	0	0
Cameroon	0.01%	0.00%	0.00%	0	0	0
Canada	3.11%	3.11%	3.11%	94,960	115,215	87,780

PARTY	UNITED NATIONS SCALE OF ASSESSMENTS	PERCENTAGES ADJUSTED TO EXCLUDE NON- CONTRIBUTORS	ADJUSTED PERCENTAGES WITH 25% CEILING CONSIDERED	1 9 9 4 CONTRIBUTIONS BY PARTIES	1 9 9 5 CONTRIBUTIONS BY PARTIES	1 9 9 6 CONTRIBUTIONS BY PARTIES
Central African Republic	0.01%	0.00%	0.00%	0	0	0
Chad	0.01%	0.00%	0.00%	0	0	0
Chile	0.08%	0.00%	0.00%	0	0	0
China	0.77%	0.77%	0.77%	23,511	28,526	21,733
Colombia	0.13%	0.13%	0.13%	3,969	4,816	3,669
Costa Rica	0.01%	0.00%	0.00%	0	0	0
Cote d'Ivoire	0.02%	0.00%	0.00%	0	0	0
Croatia	0.13%	0.13%	0.13%	3,969	4,816	3,669
Cuba	0.09%	0.00%	0.00%	0	0	0
Cyprus	0.02%	0.00%	0.00%	0	0	0
Czech Republic	0.42%	0.42%	0.42%	12,824	15,560	11,854
Denmark	0.65%	0.65%	0.65%	19,847	24,080	18,346
Dominica	0.01%	0.00%	0.00%	0	0	0
Dominican Republic	0.02%	0.00%	0.00%	0	0	0
Ecuador	0.03%	0.00%	0.00%	0	0	0
Egypt	0.07%	0.00%	0.00%	0	0	0
El Salvador	0.01%	0.00%	0.00%	0	0	0
Fiji	0.01%	0.00%	0.00%	0	0	0
Finland	0.57%	0.57%	0.57%	17,404	21,117	16,088
France	6.00%	6.00%	6.01%	183,202	222,280	169,350
Gabon	0.02%	0.00%	0.00%	0	0	0
Gambia	0.01%	0.00%	0.00%	0	0	0
Germany	8.93%	8.93%	8.94%	272,666	330,827	252,049
Ghana	0.01%	0.00%	0.00%	0	0	0
Greece	0.35%	0.35%	0.35%	10,687	12,966	9,879

PARTY	UNITED NATIONS SCALE OF ASSESSMENTS	PERCENTAGES ADJUSTED TO EXCLUDE NON- CONTRIBUTORS	ADJUSTED PERCENTAGES WITH 25% CEILING CONSIDERED	1 9 9 4 CONTRIBUTIONS BY PARTIES	1 9 9 5 CONTRIBUTIONS BY PARTIES	1 9 9 6 CONTRIBUTIONS BY PARTIES
Grenada	0.01%	0.00%	0.00%	0	0	0
Guatemala	0.02%	0.00%	0.00%	0	0	0
Guinea	0.01%	0.00%	0.00%	0	0	0
Guyana	0.01%	0.00%	0.00%	0	0	0
Honduras	0.01%	0.00%	0.00%	0	0	0
Hungary	0.18%	0.18%	0.18%	5,496	6,668	5,080
Iceland	0.03%	0.00%	0.00%	0	0	0
India	0.36%	0.36%	0.36%	10,992	13,337	10,161
Indonesia	0.16%	0.16%	0.16%	4,885	5,927	4,516
Iran (Islamic Republic of)	0.77%	0.77%	0.77%	23,511	28,526	21,733
Ireland	0.18%	0.18%	0.18%	5,496	6,668	5,080
Israel	0.23%	0.23%	0.23%	7,023	8,521	6,492
Italy	4.29%	4.29%	4.30%	130,989	158,930	121,085
Jamaica	0.01%	0.00%	0.00%	0	0	0
Japan	12.45%	12.45%	12.47%	380,144	461,232	351,401
Jordan	0.01%	0.00%	0.00%	0	0	0
Kenya	0.01%	0.00%	0.00%	0	0	0
Kiribati	0.01%	0.00%	0.00%	0	0	0
Kuwait	0.25%	0.25%	0.25%	7,633	9,262	7,056
Lebanon	0.01%	0.00%	0.00%	0	0	0
Lesotho	0.01%	0.00%	0.00%	0	0	0
Libyan Arab Jamahiriya	0.24%	0.24%	0.24%	7,328	8,891	6,774
Liechtenstein	0.01%	0.00%	0.00%	0	0	0
Luxembourg	0.06%	0.00%	0.00%	0	0	0

PARTY	UNITED NATIONS SCALE OF ASSESSMENTS	PERCENTAGES ADJUSTED TO EXCLUDE NON- CONTRIBUTORS	ADJUSTED PERCENTAGES WITH 25% CEILING CONSIDERED	1 9 9 4 CONTRIBUTIONS BY PARTIES	1 9 9 5 CONTRIBUTIONS BY PARTIES	1 9 9 6 CONTRIBUTIONS BY PARTIES
Malawi	0.01%	0.00%	0.00%	0	0	0
Malaysia	0.12%	0.12%	0.12%	3,664	4,446	3,387
Maldives	0.01%	0.00%	0.00%	0	0	0
Malta	0.01%	0.00%	0.00%	0	0	0
Marshall Islands	0.01%	0.00%	0.00%	0	0	0
Mauritania	0.01%	0.00%	0.00%	0	0	0
Mauritius	0.01%	0.00%	0.00%	0	0	0
Mexico	0.88%	0.88%	0.88%	26,870	32,601	24,838
Monaco	0.01%	0.00%	0.00%	0	0	0
Mozambique	0.01%	0.00%	0.00%	0	0	0
Myanmar	0.01%	0.00%	0.00%	0	0	0
Namibia	0.01%	0.00%	0.00%	0	0	0
Nepal	0.01%	0.00%	0.00%	0	0	0
Netherlands	1.50%	1.50%	1.50%	45,801	55,570	42,337
New Zealand	0.24%	0.24%	0.24%	7,328	8,891	6,774
Nicaragua	0.01%	0.00%	0.00%	0	0	0
Niger	0.01%	0.00%	0.00%	0	0	0
Nigeria	0.20%	0.20%	0.20%	6,107	7,409	5,645
Norway	0.55%	0.55%	0.55%	16,794	20,376	15,524
Pakistan	0.06%	0.00%	0.00%	0	0	0
Panama	0.02%	0.00%	0.00%	0	0	0
Papua New Guinea	0.01%	0.00%	0.00%	0	0	0
Paraguay	0.02%	0.00%	0.00%	0	0	0
Peru	0.06%	0.00%	0.00%	0	0	0
Philippines	0.07%	0.00%	0.00%	0	0	0

PARTY	UNITED NATIONS SCALE OF ASSESSMENTS	PERCENTAGES ADJUSTED TO EXCLUDE NON- CONTRIBUTORS	ADJUSTED PERCENTAGES WITH 25% CEILING CONSIDERED	1 9 9 4 CONTRIBUTIONS BY PARTIES	1 9 9 5 CONTRIBUTIONS BY PARTIES	1 9 9 6 CONTRIBUTIONS BY PARTIES
Poland	0.47%	0.47%	0.47%	14,351	17,412	13,266
Portugal	0.20%	0.20%	0.20%	6,107	7,409	5,645
Republic of Korea	0.69%	0.69%	0.69%	21,068	25,562	19,475
Romania	0.17%	0.17%	0.17%	5,191	6,298	4,798
Russian Federation	6.71%	6.71%	6.72%	204,881	248,583	189,390
Saint Kitts and Nevis	0.01%	0.00%	0.00%	0	0	0
Saint Lucia	0.01%	0.00%	0.00%	0	0	0
Samoa	0.01%	0.00%	0.00%	0	0	0
Saudi Arabia	0.96%	0.96%	0.96%	29,312	35,565	27,096
Senegal	0.01%	0.00%	0.00%	0	0	0
Seychelles	0.01%	0.00%	0.00%	0	0	0
Singapore	0.12%	0.12%	0.12%	3,664	4,446	3,387
Slovakia	0.13%	0.13%	0.13%	3,969	4,816	3,669
Slovenia	0.09%	0.00%	0.00%	0	0	0
Solomon Islands	0.01%	0.00%	0.00%	0	0	0
South Africa	0.41%	0.41%	0.41%	12,519	15,189	11,572
Spain	1.98%	1.98%	1.98%	60,457	73,352	55,885
Sri Lanka	0.01%	0.00%	0.00%	0	0	0
Sudan	0.01%	0.00%	0.00%	0	0	0
Swaziland	0.01%	0.00%	0.00%	0	0	0
Sweden	1.11%	1.11%	1.11%	33,892	41,122	31,330
Switzerland	1.16%	1.16%	1.16%	35,419	42,974	32,741
Syrian Arab Republic	0.04%	0.00%	0.00%	0	0	0
Thailand	0.11%	0.11%	0.11%	3,359	4,075	3,105

PARTY	UNITED NATIONS SCALE OF ASSESSMENTS	PERCENTAGES ADJUSTED TO EXCLUDE NON- CONTRIBUTORS	ADJUSTED PERCENTAGES WITH 25% CEILING CONSIDERED	1 9 9 4 CONTRIBUTIONS BY PARTIES	1 9 9 5 CONTRIBUTIONS BY PARTIES	1 9 9 6 CONTRIBUTIONS BY PARTIES
The former Yugoslav Republic of Macedonia	0.02%	0.00%	0.00%	0	0	0
Togo	0.01%	0.00%	0.00%	0	0	0
Trinidad and Tobago	0.05%	0.00%	0.00%	0	0	0
Tunisia	0.03%	0.00%	0.00%	0	0	0
Turkey	0.27%	0.27%	0.27%	8,244	10,003	7,621
Turkmenistan	0.06%	0.00%	0.00%	0	0	0
Tuvalu	0.01%	0.00%	0.00%	0	0	0
Uganda	0.01%	0.00%	0.00%	0	0	0
Ukraine	1.87%	1.87%	1.87%	57,098	69,277	52,781
United Arab Emirates	0.21%	0.21%	0.21%	6,412	7,780	5,927
United Kingdom	5.02%	5.02%	5.03%	153,279	185,974	141,689
United Republic of Tanzania	0.01%	0.00%	0.00%	0	0	0
United States of America	25.00%	25.00%	25.00%	762,184	924,763	704,554
Uruguay	0.04%	0.00%	0.00%	0	0	0
Uzbekistan	0.26%	0.26%	0.26%	7,939	9,632	7,338
Venezuela	0.49%	0.49%	0.49%	14,962	18,153	13,830
Viet Nam	0.01%	0.00%	0.00%	0	0	0
Yugoslavia	0.14%	0.14%	0.14%	4,275	5,187	3,951
Zambia	0.01%	0.00%	0.00%	0	0	0
Zimbabwe	0.01%	0.00%	0.00%	0	0	0
European Community	2.50%	2.50%	2.50%	76,218	92,476	70,455
TOTAL	101.59%	99.89%	100.00%	3,048,735	3,699,050	2,818,215

Annex IV

TRUST FUND FOR THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER:
REVISED 1994 AND 1995 BUDGETS AND THE APPROVED 1996 BUDGET
FOR THE OZONE SECRETARIAT
(United States dollars)

10 PROJECT PERSONNEL COMPONENT (a)	w/m	1994	w/m	1995	w/m	1996
1100 Project personnel (Title and grade)		----		----		----
1101 Secretary (Coordinator) (D-1/2) (shared with Vienna Convention (VC))	6	58 000	6	59 000	6	60 000
1102 Deputy Secretary (Lawyer) (P-5/D-1)	12	98 000	12	100 000	12	102 000
1103 Programme Officer (Lawyer) (P-3/4)	12	79 000	12	81 000	12	83 000
1104 Programme Officer (P-3/4) (Chemist/Scientist) (shared with VC)	6	41 000	6	43 000	6	43 000
1105 Administrative Officer (P-2/3) (shared with VC) Prior year's adjustments	6	34 000	6	36 000	6	36 000
1199 Subtotal		310 000		319 000		324 000
1200 Consultants (b)						
1201 Assistance in data reporting analysis, promotion of the protocol and evaluation of the Financial Mechanism		225 000		275 000		25 000
1299 Subtotal		225 000		275 000		25 000
1300 Administrative support costs (c)						
Support staff costs (Title and grade) -----						
1301 Administrative Assistant (G-6) (shared with VC)	6	8 000	6	8 500	6	9 000
1302 Senior Secretary (G-5)	12	14 000	12	15 000	12	15 500
1304 Secretary (shared with VC) (G-4)	6	7 000	6	7 500	6	8 000
1305 Secretary (shared with VC) (G-4)	6	7 000	6	7 500	6	8 000
1306 Document Clerk (G-3)	12	6 500	12	7 000	12	7 500
1320 Temporary Assistance		5 000		5 000		5 500

Subtotal support staff costs

47 500

50 000

53 500

Conference-servicing costs (d)	1994	1995	1996
1321 Open-ended Working Group meetings	370 000	740 000	390 000
1322 Preparatory and Parties meetings	393 000	393 000	280 000
1323 Meetings of the Assessment Panel	30 000	30 000	31 000
1324 Meetings of the Bureau	37 000	37 000	39 000
1325 Meeting of the Committees	25 000	25 000	26 000
1326 Informal consultation meetings	10 000	20 000	11 000
Subtotal conference-servicing costs	865 000	1 245 000	777 000
1399 Subtotal	912 500	1 295 500	830 500
1600 Travel on official business			
1601 Secretariat staff	100 000	80 000	100 000
1602 UNEP conference-servicing staff	20 000	20 000	20 000
1699 Subtotal	120 000	100 000	120 000
1999 Component total	1 567 500	1 989 500	1 299 500
30 TRAINING/PARTICIPATION COMPONENT			
3300 Participation costs of developing countries (e)			
3301 Assessment panel meetings	300 000	300 000	300 000
3302 Preparatory and Parties meetings	240 000	240 000	220 000
3303 Open-ended Working Group meetings	180 000	360 000	200 000
3304 Bureau meetings	24 000	24 000	30 000
3305 Committee meetings	48 000	48 000	60 000
3399 Subtotal	792 000	972 000	810 000
3999 Component total	792 000	972 000	810 000
40 EQUIPMENT AND PREMISES COMPONENT			

	1994	1995	1996
4100 Expendable equipment (items under \$1,500)			
4101 Miscellaneous expendables (f) (shared with VC)	18 000	21 000	24 000
4199 Subtotal	18 000	21 000	24 000
4200 Non-expendable equipment (g)			
4201 Personal computers and accessories (shared with VC)	5 000	0	10 000
4202 Portable computers (shared with VC)	3 500	0	3 000
4203 E-mail/bulletin board and others (shared with VC)	6 000	5 000	5 000
4299 Subtotal	14 500	5 000	18 000
4300 Rental of office premises			
4300 Rental of office premises (shared with VC)	15 000	15 000	15 000
4399 Subtotal	15 000	15 000	15 000
4999 Component Total	47 500	41 000	57 000
50 MISCELLANEOUS COMPONENT			
5100 Operation and maintenance of equipment			
5101 Maintenance of equipment (shared with VC)	9 000	10 000	11 000
5199 Subtotal	9 000	10 000	11 000
5200 Reporting costs (h)			
5201 Reporting (general)	40 000	50 000	55 000
5202 Reporting (assessment panel reports)	66 000	25 000	27 500
5299 Subtotal	106 000	75 000	82 500

	1994	1995	1996
5300 Sundries			
5301 Communications	30 000	35 000	50 000
5302 Freight charges (documents shipment) (1)	35 000	40 000	73 000
5303 Others	5 000	5 000	5 000
5399 Subtotal	70 000	80 000	128 000
5400 Hospitality			
5401 Hospitality	17 500	17 500	17 500
5499 Subtotal	17 500	17 500	17 500
5999 Component Total	202 500	182 500	239 000
=====			
99 TOTAL	2 609 500	3 185 000	2 405 500
=====			
Contingency	100 000	100 000	100 000

Programme support costs (13%)	339 235	414 050	312 715

GRAND TOTAL	3 048 735	3 699 050	2 818 215

Explanatory Notes for the Budget

1. The 1994 and 1995 budgets, as approved by the Fifth Meeting of the Parties to the Montreal Protocol, are amended by an addition of \$200,000 for 1994 and \$250,000 for 1995 under line 1200 ("Consultants") in order to provide for the estimated cost of the evaluation of the Financial Mechanism as mandated by section II, paragraph 4, of decision IV/18 of the Fourth Meeting of the Parties to the Montreal Protocol and as determined by the Tenth Meeting of the Open-ended Working Group of the Parties to the Montreal Protocol in accordance with decision V/12 of the Fifth Meeting of the Parties to the Montreal Protocol (paragraph 14 (h) of Annex I of UNEP/OzL.Pro/WG.1/10/6).
2. The guidelines for the 1996 budget are as follows:
 - a/ 1100 Classification of the posts in UNEP is currently taking place in accordance with the guidelines of the United Nations. Provision is made for upgrading, if approved by the Executive Director, after review.
 - b/ 1201 See explanatory note 1.
 - c/ 1320 The Secretariat needs the temporary assistance at the times of meetings due to increasing number of documents.
 - d/ 1321-1326 The conference-servicing costs have been based on the following assumptions:

One Open-ended Working Group meeting will be held during 1996, using six languages and lasting five days.

The Preparatory and Parties meeting in 1996 for Vienna Convention and the Montreal Protocol in six languages, will be convened back-to-back in Nairobi. The cost provided for the Montreal Protocol budget is arrived at after deducting the amount provided by the Parties to the Vienna Convention (\$200,000) from the total anticipated cost for all the meetings (\$480,000).

The two Bureau meetings are scheduled for 1996, using three languages.

The two Implementation Committee meetings, in English only, are assumed to take place in Nairobi.

The one informal consultation, in English, is assumed to take place in Nairobi.
 - e/ 3301-3305 The participation of representatives of developing country Parties in the various Protocol meetings is assumed to cost an average of \$5,000 per participation taking into account not more than one person's travel costs per country using the most appropriate economical fare and per diem allowances for one week during 1996.

The participation in the Assessment Panel meetings (Three Panels and Seven Technical Options Committees) for around 60 participants is \$300,000.

The Preparatory and Parties meetings participation costs for 80 experts are shared between the Trust Funds in the Vienna Convention and of the Montreal Protocol.

Participation costs of the two Bureau meetings are based on three developing country participants in each meeting.

Participation costs of the two committee meetings are based on six developing country participants in each meeting.

- f/ 4101 The costs of expendable equipment have been increased marginally to provide for increases in prices.
- g/ 4201 The cost of non-expendable equipment is to allow the replacement of one computer and two printers.
- h/ 5201-5202 The general reporting costs are expected to increase marginally in view of the larger number of Parties.
- i/ 5301-5302 The communications and freight charges have been increased due to the increase in the number of Parties to the Montreal Protocol and the increasing local and international postal charges.

Annex V

DECLARATION FROM THE DELEGATIONS OF ARGENTINA, BRAZIL, CHILE, CHINA, COLOMBIA, INDIA, MALAYSIA, PERU, PHILIPPINES AND URUGUAY

The above Article 5 countries, Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer:

Calling upon the spirit of global partnership, with common but differentiated obligations among developed and developing countries, established at the Rio Conference,

Recognizing the positive contribution of the Multilateral Fund for the encouragement of the phase-out of ODS in Article 5 countries,

Concerned about the critical financial situation of the Multilateral Fund,

Concerned also about new restrictions on the access to the already scarce resources of the Fund to Article 5 countries based on policy considerations,

Fully aware of the fact that such tendency could have a very negative impact on article 5 countries' commitment to phase-out ODS,

Acknowledging the need to channel the resources of the Multilateral Fund according to the industrial strategy adopted by Article 5 countries, inter alia, in their country programmes,

Finding the need to provide the domestic industries with elements of credibility, reliability and predictability as regards financial support from the Fund to cover incremental costs,

Urge:

(a) Article 2 Parties to fulfil their financial pledges to the Multilateral Fund for the Implementation of the Montreal Protocol, in order to assure adequate resources for Article 5 Parties to meet their obligations under the Protocol in the fastest feasible timeframe and the most environmentally safe manner;

(b) Parties to assess properly the need for a new replenishment of the Multilateral Fund in order to cover the financial and technological need of article 5 countries;

(c) Parties to reiterate that, for all sectors and sub-sectors for the phase-out projects in Article 5 countries are presented to the Multilateral Fund for financing, a period of up to four years should be considered during the calculation of incremental operational costs, on the basis of costs prevailing at the time of implementation of projects; this calculation should take place on a case-by-case basis according to the specific characteristics of the projects;

(d) Parties to consider the need to assure adequate financing from the Multilateral Fund for all projects that, according to the respective industrial strategies and specific social, environmental and economic characteristics of article 5 countries, aim at phasing out ODS;

(e) Parties to reiterate the need to assure that Article 5 countries engaged in the phasing out of ODS do not suffer loss of export revenues;

(f) Parties to confirm that companies that may export ODS-free products will be fully supported by the Multilateral Fund, taking into account, inter alia, the benefit of the exchange of technologically advanced products between Article 5 countries and the overall interest in the protection of the ozone layer;

(g) Article 2 countries to ensure the transfer of the best available and

environmentally safe alternative technologies to Article 5 countries under fair and most favourable conditions;

(h) Parties to ensure that the alternative technologies financed by the Multilateral Fund for industrial reconversion are adequate and predictable and will not be subject to restrictions in the forthcoming years;

(i) Parties to consider collectively and in the most democratic manner the need to halt the tendency to selectivity and restrictiveness of the Multilateral Fund, for the sake of preserving the commitments of the Montreal Protocol and for the protection of the ozone layer.
