



**United Nations
Environment
Programme**

Distr.: General
9 September 2005

Original: English



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

**Seventeenth Meeting of the Parties
to the Montreal Protocol on
Substances that Deplete the
Ozone Layer**

Dakar, 12–16 December 2005

Annotated provisional agenda of the seventh meeting of the Conference of the Parties to the Vienna Convention and the seventeenth Meeting of the Parties to the Montreal Protocol

I. Preparatory segment (12–14 December 2005)

1. Opening of the preparatory segment

1. The preparatory segment of the joint seventh meeting of the Conference of the Parties to the Vienna Convention and the seventeenth Meeting of the Parties to the Montreal Protocol is scheduled to be opened by the Co-Chairs of the Open-ended Working Group on 12 December at 10 a.m. in the Congress Hall at the Méridien Hotel in Dakar. Registration of participants will start at 8.30 a.m. on the same day. Participants are encouraged to register well in advance of the meeting through the Secretariat's internet website (www.unep.org/ozone/). Under this agenda item, statements will be made by a representative of the Government of Senegal and by the Executive Director of the United Nations Environment Programme.

2. Organizational matters:

(a) Adoption of the agenda of the preparatory segment

2. The provisional agenda set forth in document UNEP/OzL.Conv.7/1–UNEP/OzL.Pro.17/1 will be before the Parties for adoption. Mr. Tom Land (United States of America) and Mr. David Okioga (Kenya) will co-chair the meeting.

(b) Organization of work

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

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3. **Consideration of Vienna Convention and joint Vienna Convention /Montreal Protocol issues**
 - (a) **Status of ratification of the Vienna Convention, the Montreal Protocol and Amendments to the Montreal Protocol**
4. The meeting will review the status of ratification of the Convention, the Protocol and its amendments. A draft decision to memorialize the status of ratifications at the time of the meeting has been prepared for consideration by the Parties and may be found as draft placeholder decision AA in chapter III of document UNEP/OzL.Conv.7/3-UNEP/OzL.Pro.17/3.
 - (b) **Presentation and consideration of the report of sixth meeting of the Ozone Research Managers to the Vienna Convention (UNEP.OzL.Conv.7/6)**
5. The Parties will review the work and recommendations emanating from of the sixth meeting of the Ozone Research Managers, which was held in Vienna from 19 to 21 September 2005.
 - (c) **Financial reports and budgets of the trust funds for the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer (UNEP/OzL.Conv.7/4 and 5 and UNEP/OzL.Pro.17/4 and 5)**
6. Under this agenda item, it is expected that the Parties will establish a budget committee to deliberate and recommend action on the Secretariat's budgets. The Secretariat, which services both the Vienna Convention and the Montreal Protocol, has traditionally had separate budgets with some shared budget lines. While the Montreal Protocol budget is considered annually, the Vienna Convention budget is considered only in years when the Conference of the Parties to the Vienna Convention meet. This is such a year.
 - (d) **Report by the Ozone Secretariat on the Trust Fund for financing activities on research and systematic observations relevant to the Vienna Convention and the institutional arrangements in accordance with decision VI/2 of the Conference of the Parties to the Vienna Convention (decision VC VI/2)**
7. At its sixth meeting, in 2002, the Conference of the Parties to the Vienna Convention called for the establishment of an extrabudgetary fund for receiving voluntary contributions for the purpose of financing certain activities on research and systematic observations relevant to the Vienna Convention in developing countries and countries with economies in transition. The Secretariat will provide the Parties with a description of the operation of the fund to date. In fulfilment of decision VC VI/2, the Secretariat will also present a proposal on the institutional arrangements for making decisions on the allocation of funds received. The Parties may wish to consider that report and provide further guidance on the topic as they deem appropriate.
4. **Discussion on Montreal Protocol issues**
 - (a) **Essential-use exemption nominations for 2006 and 2007**
8. At the twenty-fifth meeting of the Open-ended Working Group, the delegates heard a presentation from the Technology and Economic Assessment Panel on their initial review of the nominations put forward by Parties for essential-use exemptions. In the ensuing discussion, two proposed decisions were put forward, and the meeting agreed that those proposals should be put before the seventeenth Meeting of the Parties for further consideration. The draft decisions of the Open-ended Working Group are reproduced as draft decisions A and B in chapter I of document UNEP/OzL.Conv.7/3-UNEP/OzL.Pro.17/3.
 - (b) **Consideration of methyl-bromide-related issues**
 - (i) **Presentation and consideration of the Methyl Bromide Technical Options Committee 2005 Supplemental Report including the Parties' 2006 and 2007 nominations for critical-use exemptions**
9. In accordance with the procedures agreed by the second Extraordinary Meeting of the Parties to the Montreal Protocol, the Methyl Bromide Technical Options Committee has met for a second time to consider all available information and prepare its recommendations on the nominations for critical-use exemptions. The Committee's presentation will include its findings in an effort to help the Parties reach a conclusion on the outstanding nominations for critical-use exemptions.

(ii) Consideration of the handbook on critical-use nominations including the standard presumptions proposed for use in future critical-use reviews (see also paragraph 113 and annex I, paragraph 2, of the report of the Sixteenth Meeting of the Parties)

10. As decided by the Meeting of the Parties at its sixteenth meeting, and taking into account comments submitted by Parties pursuant to the discussions at the twenty-fifth meeting of the Open-ended Working Group, the Methyl Bromide Technical Options Committee is preparing, for consideration and adoption by the Parties, a new draft critical-use handbook. The draft handbook is expected to include the standard presumptions which the Committee proposes to use to evaluate future nominations for critical-use exemptions.

(iii) Multi-year exemptions for methyl bromide use

11. At their fifteenth and sixteenth Meetings, the Parties considered the issue of agreeing criteria for the approval of multi-year critical-use exemptions for methyl bromide. At their sixteenth Meeting, the Parties decided that they would develop, as far as possible, at the seventeenth Meeting of Parties, a framework for extending critical-use exemptions to cover more than one year. At its twenty-fifth meeting, the Open-ended Working Group considered a proposal by the United States of America on the issue and agreed that it should be considered again at the seventeenth Meeting of the Parties. The proposal is reproduced as draft decision K in chapter I of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

(iv) Laboratory and analytical uses of methyl bromide

12. At the twenty-fifth meeting of the Open-ended Working Group, a proposal was put forward by the European Community which would extend the existing laboratory and analytical use exemption to include methyl bromide. The Parties agreed that the proposal should be forwarded for consideration by the seventeenth Meeting of the Parties. The proposal is reproduced as draft decision F in chapter I of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

(v) Recapturing, recycling and destruction of methyl bromide used in space fumigation

13. At the twenty-fifth meeting of the Open-ended Working Group, a draft decision was put forward by New Zealand on the recapturing, recycling and destruction of methyl bromide used in space fumigation. At that time, it was agreed that the draft decision should be forwarded for consideration by the seventeenth Meeting of the Parties. The proposal is reproduced as draft decision G in chapter I of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

(c) Replenishment of the Multilateral Fund

(i) Presentation and consideration of the Supplemental Report of the Technology and Economic Assessment Panel Replenishment Task Force

14. At the twenty-fifth meeting of the Open-ended Working Group, the Parties considered the Panel's initial report on the replenishment of the Multilateral Fund for the years 2006 to 2008 and agreed to request the Panel's Replenishment Task Force to prepare some additional analysis to help advance the Parties' deliberations on the issue. Under this agenda item, the Parties are expected to hear and discuss the presentation of the Replenishment Task Force, and consider the process which they wish to use to bring the replenishment issue to consensus.

(ii) Fixed-exchange-rate mechanism for replenishment of the Multilateral Fund

15. At the twenty-fifth meeting of the Open-ended Working Group, the United Kingdom put forward a proposal on the use of the fixed-exchange-rate mechanism in replenishments of the Multilateral Fund. In their deliberations on the issue, the Working Group agreed that the proposal should be forwarded for the consideration of the seventeenth Meeting of the Parties. The proposal is reproduced as draft decision H in chapter I of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

(d) Process agents

16. In paragraph 3 of decision XV/7, the Technology and Economic Assessment Panel was requested to review national nominations and make recommendations annually on uses which could be added to or removed from table A of decision X/14. Decision XV/7 also called for certain process-agent uses to be treated as such for 2004 and 2005 only, pending a new review by the Technology and Economic Assessment Panel this year, and reconsideration of the status of those uses by the Parties at

their seventeenth Meeting. At the twenty-fifth meeting of the Open-ended Working Group, the Parties considered the Panel's reports on those issues, and following discussions, a draft decision, which is reproduced as draft decision D in chapter I of UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3, was circulated. It is expected that the Parties will wish to discuss the proposal and/or other proposals related to the process agent issue.

(e) Consideration of the supplemental report arising out of the deliberations of the Open-ended Working Group on the actions to address ozone depletion discussed in the joint Special Assessment Report of the Technology and Economic Assessment Panel and the Intergovernmental Panel on Climate Change

17. In decision XIV/10, the Parties requested the Technology and Economic Assessment Panel to work with the Intergovernmental Panel on Climate Change (IPCC) in preparing a fully integrated report on the relationship between efforts to protect the stratospheric ozone layer and efforts to safeguard the global climate system, and to forward that report for consideration by the Open-ended Working Group insofar as it related to actions to address ozone depletion. At the twenty-fifth meeting of the Open-ended Working Group, the Parties considered the report and agreed to ask the joint TEAP and IPCC panel to produce a supplemental report which explained further the ozone-related impacts of certain items. That report is in the process of being finalized. The Meeting of the Parties may wish to consider the findings of the reports.

(f) Preventing illegal trade in ozone-depleting substances

18. In decision XVI/33, the Secretariat was requested, among other things, to produce draft terms of reference for a study on the feasibility of developing a tracking system for the trade in ozone-depleting substances and the costs of such a system, and, funds permitting, to convene a workshop of experts from Parties to develop specific areas and a conceptual framework of cooperation to combat illegal trade. At the twenty-fifth meeting of the Open-ended Working Group, the Parties established a subgroup to review the outputs of the workshop of experts and the draft terms of reference prepared by the Secretariat. That subgroup agreed to forward a draft proposal, which is reproduced as draft decision I in chapter I of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3, for consideration by the seventeenth Meeting of the Parties, and to request Parties to provide any comments thereon to the Secretariat by 15 September. Under this agenda item, the Parties may wish to review the relevant material (which includes, in document UNEP/OzL.Pro.17/INF/3, an explanatory note from the European Community) and address the issue as they deem appropriate.

(g) Technical and financial implications of the environmentally sound destruction of ozone-depleting substances

19. Decision XVI/15 called for a new review of destruction technologies which in 2002 had been categorized as emerging, to assess whether sufficient progress had been made since that time to warrant their addition to the Parties' list of approved destruction technologies. At the twenty-fifth meeting of the Open-ended Working Group, the Technology and Economic Assessment Panel reported to the Parties that none of the technologies had made progress which would warrant their inclusion in the list of approved destruction technologies. During the discussion within the Working Group on this agenda item, a proposal on the environmentally sound destruction of ozone-depleting substances was developed by Colombia, and the Working Group agreed that it should be passed on to the seventeenth Meeting of the Parties for consideration in greater depth. The proposal is reproduced as draft decision C in chapter I of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

(h) Technology and Assessment Panel administrative issues

20. In its 2004 progress report and during its presentation at the Sixteenth Meeting of the Parties, the Technology and Economic Assessment Panel proposed, among other things, the replacement of co-chairs on some of its Technical Options Committees. Unfortunately, the Parties did not have sufficient time at that meeting to prepare or even consider a decision on this matter. The matter of new co-chairs was again discussed at the twenty-fifth meeting of the Open-ended Working Group, and some specific nominations for co-chairs of the Methyl Bromide Technical Options Committee were proposed. To support the Parties' desire to take action on this issue, draft placeholder decision BB is included in chapter III of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

(i) Laboratory and analytical uses of carbon tetrachloride

21. At the twenty-fifth meeting of the Open-ended Working Group, the Parties discussed a proposal put forward by Chile on laboratory and analytical uses of carbon tetrachloride, and agreed that the proposal, which is reproduced as draft decision E in chapter I of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3, should be forwarded to the seventeenth Meeting of the Parties for further consideration.

(j) Dates for future Montreal-Protocol-related meetings

22. At the twenty-fifth meeting of the Open-ended Working Group, the Parties discussed a proposal put forward by the European Community on the dates for future Montreal-Protocol-related meetings and agreed that the proposal, which is reproduced as draft decision J in chapter I of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3, should be forwarded to the seventeenth Meeting of the Parties for further consideration.

(k) Guidelines for disclosure of interests for groups such as the Technology and Economic Assessment Panel and its Technical Options Committees

23. At the twenty-fifth meeting of the Open-ended Working Group, the Parties discussed a non-paper by Canada on guidelines for disclosure of interests by Protocol-related groups such as the Technology and Economic Assessment Panel and its Technical Options Committees. At that time, it was agreed that Canada would accept comments from the Parties on its non-paper and produce a new proposal for consideration by the Parties. The proposal will be dispatched to the Parties as soon as it is submitted to the Secretariat.

(l) Consideration of membership of Protocol bodies for 2006**(i) Members of the Implementation Committee**

24. The seventeenth Meeting of the Parties will consider the issue of membership of the Implementation Committee. In accordance with the non-compliance procedure adopted by the Parties, the Implementation Committee is to consist of representatives of 10 Parties which are elected for two years on the basis of equitable geographical distribution. Outgoing Parties may be re-elected for one consecutive term. Draft placeholder decision CC on this item is included in chapter III of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

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

25. The seventeenth Meeting of the Parties will consider the issue of membership of the Executive Committee. In accordance with the terms of reference of the Executive Committee approved by the fourth Meeting of the Parties, the Executive Committee consists of 14 members: seven from the group of Parties operating under paragraph 1 of Article 5 of the Montreal Protocol and seven from the group of Parties not so operating. Each group elects its Executive Committee members, who are then formally endorsed by the Meeting of the Parties. The group of Parties operating under Article 5 may wish to select the members to represent them in the Executive Committee for 2006, and also the Chair of the Committee for that year. The group of Parties not operating under Article 5 may wish to select their seven representatives for the Committee and the Vice-Chair for 2006. The seventeenth Meeting of the Parties may wish to endorse the selections of the new representatives and note the selection of the Chair and Vice-Chair of the Committee for 2006. Draft placeholder decision DD on this item is included in chapter III of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

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

26. In accordance with decision XVI/41 of the sixteenth Meeting of the Parties, Mr. Tom Land (United States of America) and Mr. David Okioga (Kenya) have served as co-chairs of the Open-ended Working Group of the Parties to the Montreal Protocol for 2005. The seventeenth Meeting of the Parties may wish to consider the chairmanship of the Open-ended Working Group in 2006. Draft placeholder decision EE on this item is included in chapter III of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

(m) Compliance and reporting issues considered by the Implementation Committee

27. Under this agenda item, the President of the Committee will report on the issues considered at its thirty-fifth meeting. The Parties are expected to consider and take appropriate action on the report and its recommendations, which could include a decision memorializing the status of compliance and

reporting. Draft placeholder decision FF on this item is included in chapter III of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3.

(n) Proposal by the European Community for adjustment of the Montreal Protocol (UNEP.OzL.Pro.17/7)

28. Under Article 2 of the Montreal Protocol, the European Community circulated a proposal to adjust the Protocol's current methyl bromide phase-out schedule for Article 5 parties. The proposal, which is reproduced in chapter II of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3 and discussed fully in document UNEP/OzL.Pro.17/7, was discussed at the twenty-fifth meeting of the Open-ended Working Group, and it was agreed that it should be forwarded to the seventeenth Meeting of the Parties for further consideration.

(o) Proposal by the European Community for amendment of the Montreal Protocol (UNEP.OzL.Pro.17/8)

29. Under Article 2 of the Montreal Protocol, the European Community circulated a proposal to amend the Protocol by including therein an expedited procedure for adding new chemicals. The proposal, which is reproduced in chapter II of document UNEP/OzL.Conv.7/3–UNEP/OzL.Pro.17/3 and described fully in document UNEP/OzL.Pro.17/8, was discussed at the twenty-fifth meeting of the Open-ended Working Group and it was agreed that it should be forwarded for the consideration by the Seventeenth Meeting of the Parties.

5. Other matters

30. The Parties may wish to discuss such other matters as have been identified and agreed for consideration.

II. High-level segment (15–16 December 2005)

1. Opening of the high-level segment

31. The high-level segment of the joint seventh meeting of the Conference of the Parties to the Vienna Convention and the seventeenth Meeting of the Parties to the Montreal Protocol is scheduled to be opened on 15 December at 10 a.m. in the Congress Hall at the Méridien Hotel in Dakar.

(a) Welcome by a representative of the Government of Senegal

(b) Statement by the Executive Director of the United Nations Environment Programme

(c) Statement by the President of the sixth Conference of the Parties to the Vienna Convention

(d) Statement by the President of the sixteenth Meeting of the Parties to the Montreal Protocol

32. Under these agenda items, statements will be made by a representative of the Government of Senegal, the Executive Director of the United Nations Environment Programme, the President of the sixth Conference of the Parties to the Vienna Convention and by the President of the sixteenth Meeting of the Parties to the Montreal Protocol.

(e) Keynote speaker for the celebration of the twentieth anniversary of the Vienna Convention

33. The year 2005 is the twentieth anniversary of the Vienna Convention on the Protection of the Ozone Layer. During the opening of the high-level segment of the meeting, a keynote speaker will reflect on the contribution of the treaty to global environmental protection.

(f) Presentation of United Nations Environment Programme/World Meteorological Organization awards for outstanding contributions to the Vienna Convention

34. As part of the celebration of the twentieth anniversary of the Vienna Convention, awards for outstanding contributions to the ozone regime will be presented.

2. Organizational matters:

(a) Election of officers of the seventh Conference of the Parties to the Vienna Convention

35. Paragraph 1 of rule 21 of the rules of procedure of the Conference of the Parties to the Vienna Convention and the Meeting of the Parties to the Montreal Protocol states that:

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

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

(b) Election of officers of the seventeenth Meeting of the Parties to the Montreal Protocol

37. In accordance with the rule of procedure cited above, the seventeenth Meeting of the Parties to the Montreal Protocol must also elect a President, three Vice-Presidents and a Rapporteur. A representative of a Party from the Latin America and Caribbean group presided over the sixteenth Meeting of the Parties to the Montreal Protocol, while a representative of a Party from the Eastern European group served as Rapporteur. On the same basis as described above, a Party from the Western European and other States group may be elected to preside over the seventeenth Meeting and a Party from the Latin America and Caribbean group may be elected as Rapporteur, unless the Meeting decides otherwise. Three Vice-Presidents may be elected from the African, the Asian and the Eastern European groups.

(c) Adoption of the agenda of the seventh meeting of the Conference of the Parties to the Vienna Convention and the seventeenth Meeting of the Parties to the Montreal Protocol

38. Under this agenda item, the Parties will adopt the agenda, including any items which they may agree to include under item 8, “Other matters.”

(d) Organization of work

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

(e) Credentials of representatives

40. In accordance with rule 18 of the rules of procedure for meetings of the Conference of the Parties to the Vienna Convention and the Meetings of the Parties to the Montreal Protocol, the credentials of representatives must be submitted to the Executive Secretary of the meeting, if possible not later than 24 hours after the opening of the Meeting. Under this agenda item, and in accordance with rule 19 of the rules of procedure, the officers of the meeting must examine the credentials and submit their report to the meeting.

3. Presentations by the Assessment Panels on their ongoing work and preparations for the 2006 assessment

41. Under this agenda item, the assessment panels will make a brief presentation on related issues.

4. Presentation by the Chairman of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol on the work of the Executive Committee, the Multilateral Fund Secretariat and the Fund's implementing agencies

42. The Chairman of the Executive Committee of the Multilateral Fund will present his report, circulated as document UNEP/OzL.Pro.17/9.

5. Statements by heads of delegation

43. Heads of delegations of the Parties will be invited to make statements.

6. Report of the Co-Chairs of the preparatory segment and consideration of the decisions recommended for adoption by the seventh meeting of the Conference of the Parties to the Vienna Convention and the seventeenth Meeting of the Parties to the Montreal Protocol

44. Under this agenda item, the Co-Chairs of the preparatory segment will be invited to update the Meeting of the Parties on the progress which has been made on reaching consensus on the substantive issues on the agenda.

7. Dates and venues for the eighth meeting of the Conference of the Parties to the Vienna Convention and the eighteenth Meeting of the Parties to the Montreal Protocol

45. The Parties will be informed of any plans regarding the potential venue for the eighteenth Meeting of the Parties to the Montreal Protocol. The custom has been that the Conference of the Parties to the Vienna Convention will be held back-to-back with the meeting of the Parties to the Montreal Protocol every third year – in this case, with the twentieth Meeting of the Parties.

8. Other matters

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

9. Adoption of Vienna Convention decisions by the seventh meeting of the Conference of the Parties to the Vienna Convention

47. Under this agenda item, the Parties to the Vienna Convention assembled in Dakar will adopt the Vienna-Convention-related decisions to be taken at the meeting.

10. Adoption of Montreal Protocol decisions by the seventeenth Meeting of the Parties to the Montreal Protocol

48. Under this agenda item, the Parties to the Montreal Protocol assembled in Dakar will adopt the Montreal-Protocol-related decisions to be taken at the meeting.

11. Adoption of the report of the seventh Conference of the Parties to the Vienna Convention and the seventeenth Meeting of the Parties to the Montreal Protocol

49. Under this agenda item, the meeting will adopt the report of the meeting.

12. Closure of the meeting
