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**Montreal Protocol  
on Substances that  
Deplete the Ozone Layer**

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**Thirty-Fifth Meeting of the Parties to  
the Montreal Protocol on Substances  
that Deplete the Ozone Layer**

Nairobi, 23–27 October 2023

Item 10 of the provisional agenda for the preparatory  
segment\*

**Potential impacts of the coronavirus disease  
(COVID-19) pandemic on hydrofluorocarbon  
consumption for Group 1 Parties operating under  
paragraph 1 of Article 5: proposed adjustments to the  
Montreal Protocol**

**Proposed adjustment to the Montreal Protocol submitted by  
Cuba**

**Note by the Secretariat**

Pursuant to paragraph 9 of Article 2 of the Montreal Protocol on Substances that Deplete the Ozone Layer, the Secretariat is circulating in annexes I and II to the present note a proposal submitted by Cuba to adjust the Montreal Protocol, along with explanatory information related to the proposal. The texts were previously made available in document UNEP/OzL.Pro.WG.1/45/7. The text of the proposal is presented as a translation of the original, which was submitted to the Secretariat in Spanish, without formal editing.

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\* UNEP/OzL.Pro.35/1.

## **Annex I\***

### **Explanatory information concerning the proposal submitted by Cuba to adjust the hydrofluorocarbon baseline for parties operating under Article 5 of the Montreal Protocol**

1. Cuba proposes to adjust the Montreal Protocol on Substances that Deplete the Ozone Layer to make the selection of baseline years for hydrofluorocarbons (HFCs) for parties operating under Article 5 of the Montreal Protocol more flexible as presented in Annex II. The main reason for the proposal is the concern that during COVID-19 pandemic there was economic contraction and reduced imports of refrigerant gases compared with pre-pandemic years.
2. Cuba first introduced the issue of the impact of the COVID-19 pandemic on HFC baselines for parties operating under Article 5 during the Thirty-Fourth Meeting of the Parties to the Montreal Protocol in 2022.

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\* The annex has not been formally edited.

## Annex II

[Original: Spanish]

### **Text of the proposal by Cuba to adjust the hydrofluorocarbon baseline for parties operating under Article 5 of the Montreal Protocol**

#### **Article 5, paragraph 8 qua. (c) of the Montreal Protocol on Substances that Deplete the Ozone Layer**

Each Party operating under paragraph 1 of the present article, for the purposes of calculating its consumption baseline under Article 2J, shall be entitled to use the average of its calculated levels of consumption of Annex F controlled substances for the years 2020, 2021 and 2022, plus 65 per cent of its baseline consumption of Annex C, Group I, controlled substances as set out in paragraph 8 ter of the present article.

#### **Draft decision**

#### **Calculation of hydrofluorocarbon consumption baseline under the Kigali Amendment to the Montreal Protocol, in accordance with Article 5, paragraph 8 qua. (c) of the Montreal Protocol**

*The Thirty-Fifth Meeting of the Parties decides:*

*Noting* that the coronavirus disease (COVID-19) pandemic during the period 2020–2022 had an extraordinary impact on the economy of developing countries operating under Article 5 of the Montreal Protocol, especially low-consumption countries, significantly affecting their gross domestic product and decreasing their capacity to consume and procure hydrofluorocarbon refrigerant gases, and that this was accompanied by rampant inflation and uncontrolled increases in prices and freight and insurance costs,

*Noting also* that the consumption of hydrofluorocarbons in Article 5 countries was artificially reduced by the COVID-19 pandemic and the global economic crisis during the period 2020–2022, owing to the above-mentioned causes, and that an economic recovery in Article 5 countries, including substantial increases in hydrofluorocarbon consumption, is expected to occur starting in 2023, which makes it unfeasible to calculate the consumption baseline using data from the period 2020–2022 as specified in paragraph 8 qua. (c) of Article 5 of the Montreal Protocol,

*Noting further* that a consumption baseline calculation using data from the period 2020–2022 could lead to unintentional non-compliance with the Protocol by Article 5 countries, especially low-consumption countries that have been significantly affected,

To make the consumption baseline calculation more flexible by using the following data:

- (a) The average consumption for 2020–2022 for parties whose consumption levels were not significantly affected by the COVID-19 pandemic and which could maintain the baseline years, if they so wish;
- (b) For parties whose consumption levels were significantly affected by the COVID-19 pandemic, the average consumption for 2018 and 2019, plus a 20 per cent increase, if they so wish;
- (c) For parties whose consumption levels were significantly affected by the COVID-19 pandemic, the average consumption for the period 2015–2019, with the option of choosing the average of that period's three best years, plus a 20 per cent increase;
- (d) In all cases, the addition of 65 per cent of the baseline consumption of Annex C, Group I, controlled substances as set out in paragraph 8 ter of the present article.

II. The implementation of the Kigali Amendment in the current situation of rampant inflation and uncontrolled increases in prices and freight and insurance costs, as well as the new tasks that our countries, especially low-consumption countries, need to perform in order to achieve a 10 per cent reduction in hydrofluorocarbon consumption, require substantial additional resources to enable low-consumption countries to meet their minimum reduction commitment during the period until 2029 independently of hydrochlorofluorocarbons.

We propose

To approve additional independent funding to enable countries with low or very low consumption, which are the most vulnerable, to meet their 10 per cent reduction commitment by 2029 in a safe and effective manner.

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