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**United Nations
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**Open-ended Working Group of
the Parties to the Montreal Protocol
on Substances that Deplete the Ozone Layer
Resumed thirty-seventh meeting**

**Open-ended Working Group of
the Parties to the Montreal Protocol
on Substances that Deplete the Ozone Layer
Thirty-eighth meeting
Vienna, 18–21 July 2016**

**Extraordinary Meeting of the Parties to the
Montreal Protocol on Substances that Deplete
the Ozone Layer
Third meeting
Vienna, 22 and 23 July 2016**

**Twenty-Eighth Meeting of the Parties to the
Montreal Protocol on Substances that Deplete
the Ozone Layer
Kigali, 10–14 October 2016**

Proposed amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer submitted by Canada, Mexico and the United States of America

Addendum

Additional text for the proposed amendment

Note by the Secretariat

1. Pursuant to article 9, paragraph 2, of the Vienna Convention for the Protection of the Ozone Layer, the Secretariat has circulated a joint proposal to amend the Montreal Protocol on Substances that Deplete the Ozone Layer in respect of hydrofluorocarbons (HFCs) submitted by Canada, Mexico and the United States of America (see annexes I–IV of document UNEP/OzL.Pro.WG.1/38/3–UNEP/OzL.Pro.ExMOP/3/3–UNEP/Ozl.Pro.28/5).
2. The amendment proposal, as set out in document UNEP/Ozl.Pro.27/5, along with three other proposals to amend the Protocol in respect of HFCs submitted by India (UNEP/Ozl.Pro.27/6), the European Union and its member States (UNEP/Ozl.Pro.27/7), and Kiribati, the Marshall Islands, Mauritius, the Federated States of Micronesia, Palau, the Philippines, Samoa and Solomon Islands (UNEP/Ozl.Pro.27/8), was discussed by the Twenty-Seventh Meeting of the Parties, which decided, in decision XXVII/1, that consideration of the amendment proposals would continue at meetings of the parties and meetings of the Open-ended Working Group to be held in 2016.
3. The annex to the present note contains proposed additional text for the amendment proposal submitted by Canada, Mexico and the United States in document UNEP/OzL.Pro.WG.1/38/3–UNEP/OzL.Pro.ExMOP/3/3–UNEP/Ozl.Pro.28/5; the additional text was submitted on 8 April 2016. In submitting the proposed additional text, the proponents have indicated that, given the urgency of the need to address HFCs, it would be useful for parties to have the option to

commit to concrete early action by electing, if they so choose, to provisionally apply any agreed HFC control measures, and corresponding reporting obligations, pending entry into force of an HFC amendment.

Annex

Article V: Provisional application

Any Party may, at any time before this Amendment enters into force, declare that it will apply provisionally any of the control measures set out in Article 2J, and the corresponding reporting obligations in Article 7, pending such entry into force.
