

UNITED NATIONS
ENVIRONMENT PROGRAMME

CAP

key words
montreal
protocol
ozone
cdc

HANDBOOK
for the
MONTREAL PROTOCOL ON
SUBSTANCES THAT DEplete
THE OZONE LAYER



OZONE SECRETARIAT
MAY 1991



FOREWORD

1. The conclusion in 1985 of the Vienna Convention for the Protection of the Ozone Layer, followed in 1987 by the Montreal Protocol on Substances that deplete the Ozone Layer, was the starting point of the global co-operation for the protection of the ozone layer in the stratosphere. The meetings held by the Parties to the Vienna Convention (Helsinki, 26-28 April 1989) and by the Parties to the Montreal Protocol (Helsinki 2-5 May 1989 and London 27-29 June 1990) led to significant decisions designed to implement the objectives of Convention and Protocol. The Second Meeting of the Parties to the Montreal Protocol in London adopted, in accordance with the procedure laid down in paragraph 9 of Article 2 of the Montreal Protocol, certain adjustments and reductions of production and consumption of the controlled substances listed in Annex A of the Protocol and an Amendment to the Protocol in accordance with the procedure laid down in paragraph 4 of Article 9 of the Vienna Convention. The Parties invited the Executive Director of UNEP to prepare a Montreal Protocol Handbook, setting out the Protocol as adjusted and amended and the decisions of the Parties that relate to its interpretation, and to update the Handbook as necessary after each meeting of the Parties. This Handbook is prepared in accordance with this decision.

2. The adjustments, in accordance with Article 2 paragraph 9 (d) of the Montreal Protocol, are binding on all Parties and have entered into force from 7 March 1991. In the Handbook, these are indicated in *italics* to draw attention to them and are printed in place of the text of the 1987 Protocol. The text of the 1987 Protocols, where replaced by the Adjustments, have not been reproduced.

3. The amendments to the various Articles of the Protocol have been adopted by the London Meeting as a single package Amendment since the amendments are inter-related. This Amendment shall enter into force on 1 January 1992, provided that at least twenty instruments of ratification, acceptance or approval of the Amendment are deposited by States or regional economic integration organizations that are Parties to the Protocol. In the event that this condition has not been fulfilled by that date, the Amendment shall enter into force on the ninetieth day following the date on which it has been fulfilled. In the Handbook the amended portions have been printed in **bold print** along with the version of the 1987 Montreal Protocol. The portions of the 1987 Protocol which will be no longer in force from the date of entry into force of the Amendment for the States that have ratified the Amendment have been bracketed in square brackets.

4. The decisions of the Parties to the Montreal Protocol at Helsinki and London have been enclosed. In view of the relevance of the Vienna Convention, the decisions of the Parties to the Vienna Convention adopted at their Meeting in Helsinki have also been enclosed. An index of decisions along with their title or summary has been included.

5. It is hoped that this Handbook will prove use useful. It will be updated, as necessary, after each meeting of the Parties. Suggestions to improve the format or the content of the Handbook are welcome.

LIST OF CONTENTS

I. Foreword	
II. Montreal Protocol on Substances that Deplete the Ozone Layer, as adjusted and amended	p. 3
III. ENCLOSURES	
1. List of Decisions adopted by the Meetings of the Parties to the Vienna Convention and the Montreal Protocol, articles to which they relate and short summary	p. 27
2. Decisions of the First Meeting of the Parties to the Vienna Convention, Helsinki	p. 30
a) Annex I: Rules of Procedure for Meetings of the Parties to the Vienna Convention	p. 33
b) Annex II: Arbitration Procedure	p. 45
c) Annex III: Terms of Reference for the administration of the Trust Fund for the Vienna Convention	p. 48
d) Annex IV: Budget for the Secretariat under the Vienna Convention	p. 50
e) Annex V: Formula for voluntary contribution to the Trust Fund for the Vienna Convention	p. 52
3. Decisions of the First Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer	p. 53
a) Annex I: Rules of Procedure for Meetings of the Parties to the Montreal Protocol	p. 60
b) Annex II: Terms of Reference for the administration of the Trust Fund for the Montreal Protocol	p. 72
c) Annex III: Formula for voluntary contributions to the Trust Fund for the Montreal Protocol	p. 74
d) Annex IV: Budget under the Montreal Protocol	p. 75
e) Annex V: Composition of the Panels	p. 78
f) Annex VI: Terms of Reference for the Panels	p. 82
4. Decisions of the Second Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer	p. 84
a) Annex I: Adjustments (not reprinted)	
b) Annex II: Amendment (Article 1 not reprinted, since incorporated in the Protocol as adjusted and amended)	p. 93
c) Annex III: Non-Compliance Procedure	p. 94

d) Annex IV: Appendices to Decision II/8 ("Financial Mechanism") adopted by the Second Meeting of the Parties	p. 96
i) Indicative list of categories of incremental costs	p. 96
ii) Terms of Reference of the Executive Committee	p. 98
iii) Multilateral Fund: scale of contributions	p. 100
iv) Terms of Reference for the Interim Multilateral Fund	p. 103
e) Annex V: Provisional budget for the Fund Secretariat under the Montreal Protocol for 1991	p. 106
f) Annex VI: I. Revised budget under the Montreal Protocol for the year 1990	p. 109
II. Trust Fund for the Montreal Protocol	p. 112
III. Budget for the secretariat core costs under the Montreal Protocol for 1991 and 1992	p. 115
IV. Trust Fund for the Montreal Protocol	p. 118
g) Annex VII: Resolution by the Governments and the European Communities represented at the Second Meeting of the Parties to the Montreal Protocol	p. 120

MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER
AS ADJUSTED AND AMENDED BY THE SECOND MEETING OF THE PARTIES
LONDON, 27-29 JUNE 1990

The Parties to this Protocol,

Being Parties to the Vienna Convention for the Protection of the Ozone Layer,

Mindful of their obligation under that Convention to take appropriate measures to protect human health and the environment against adverse effects resulting or likely to result from human activities which modify or are likely to modify the ozone layer,

Recognizing that world-wide emissions of certain substances can significantly deplete and otherwise modify the ozone layer in a manner that is likely to result in adverse effects on human health and the environment,

Conscious of the potential climatic effects of emissions of these substances,

Aware that measures taken to protect the ozone layer from depletion should be based on relevant scientific knowledge, taking into account technical and economic considerations,

Determined to protect the ozone layer by taking precautionary measures to control equitably total global emissions of substances that deplete it, with the ultimate objective of their elimination on the basis of developments in scientific knowledge, taking into account technical and economic considerations **and bearing in mind the developmental needs of developing countries,**

Acknowledging that special provision is required to meet the needs of developing countries [for these substances], **including the provision of additional financial resources and access to relevant technologies, bearing in mind that the magnitude of funds necessary is predictable, and the funds can be expected to make a substantial difference in the world's ability to address the scientifically established problem of ozone depletion and its harmful effects,**

Noting the precautionary measures for controlling emissions of certain chlorofluorocarbons that have already been taken at national and regional levels,

Considering the importance of promoting international co-operation in the [Research and development of science and technology] **research, development and transfer of alternative technologies** relating to the control and reduction of emissions of substances that deplete the ozone layer, bearing in mind in particular the needs of developing countries,

HAVE AGREED AS FOLLOWS:

ARTICLE 1: DEFINITIONS

For the purposes of this Protocol:

1. "Convention" means the Vienna Convention for the Protection of the Ozone Layer, adopted on 22 March 1985.
2. "Parties" means, unless the text otherwise indicates, Parties to this Protocol.
3. "Secretariat" means the secretariat of the Convention.
4. "Controlled substance" means a substance [listed] in Annex A or in Annex B to this Protocol, whether existing alone or in a mixture. It includes the isomers of any such substance, except as specified in the relevant Annex, but [it] excludes, [however] any [such] controlled substance or mixture which is in a manufactured product other than a container used for the transportation or storage of [the] that substance.
5. "Production" means the amount of controlled substances produced, minus the amount destroyed by technologies to be approved by the Parties and minus the amount entirely used as feedstock in the manufacture of other chemicals. The amount recycled and reused is not to be considered as "production".
6. "Consumption" means production plus imports minus exports of controlled substances.
7. "Calculated levels" of production, imports, exports and consumption means levels determined in accordance with Article 3.
8. "Industrial rationalization" means the transfer of all or a portion of the calculated level of production of one Party to another, for the purpose of achieving economic efficiencies or responding to anticipated shortfalls in supply as a result of plant closures.
9. "Transitional substance" means a substance in Annex C to this Protocol, whether existing alone or in a mixture. It includes the isomers of any such substance, except as may be specified in Annex C, but excludes any transitional substance or mixture which is in a manufactured product other than a container used for the transportation or storage of that substance.

ARTICLE 2: CONTROL MEASURES

1. (Incorporated in Article 2A as per the adjustments made in Second Meeting of the Parties in London in 1990).
2. Replaced by Article 2B.
- 3 and 4. Replaced in Article 2A.
5. Any Party may, for one or more control periods, transfer to another Party any portion of its calculated level of production set out in Articles 2A to 2E, provided that the total combined calculated levels of production of the Parties concerned for any group of controlled substances do not exceed the production limits set out in those Articles for that group. Such transfer of production shall be notified to the Secretariat by each of the Parties concerned, stating the terms of such transfer and the period for which it is to apply.

6. Any Party not operating under Article 5, that has facilities for the production of **Annex A or Annex B** controlled substances under construction, or contracted for, prior to 16 September 1987, and provided for in national legislation prior to 1 January 1987, may add the production from such facilities to its 1986 production of such substances for the purposes of determining its calculated level of production for 1986, provided that such facilities are completed by 31 December 1990 and that such production does not raise that Party's annual calculated level of consumption of the controlled substances above 0.5 kilograms per capita.

7. Any transfer of production pursuant to paragraph 5 or any addition of production pursuant to paragraph 6 shall be notified to the secretariat, no later than the time of the transfer or addition.

8. (a) Any Parties which are Members States of a regional economic integration organization as defined in Article 1 (6) of the Convention may agree that they shall jointly fulfil their obligations respecting consumption under this Article **and Articles 2A to 2E** provided that their total combined calculated level of consumption does not exceed the levels required by this Article **and Articles 2A to 2E**.

(b) The Parties to any such agreement shall inform the secretariat of the terms of the agreement before the date of the reduction in consumption with which the agreement is concerned.

(c) Such agreement will become operative only if all Members States of the regional economic integration organization and the organization concerned are Parties to the Protocol and have notified the secretariat of their manner of implementation.

9. (a) Based on the assessments made pursuant to Article 6, the Parties may decide whether:

(i) Adjustments to the ozone depleting potentials specified in Annex A **and/or Annex B** should be made and, if so, what the adjustments should be; and

(ii) Further adjustments and reductions of production or consumption of the controlled substances [from 1986 levels] should be undertaken and, if so, what the scope, amount and timing of any such adjustments and reductions should be;

(b) Proposals for such adjustments shall be communicated to the Parties by the secretariat at least six months before the meeting of the Parties at which they are proposed for adoption;

(c) In taking such decisions, the Parties shall make every effort to reach agreement by consensus. If all efforts at consensus have been exhausted, and no agreement reached, such decisions shall, as a last resort, be adopted by a two-thirds majority vote of the Parties present and voting representing [at least fifty per cent of the total consumption of the controlled substances of the Parties;] **a majority of the Parties operating under Paragraph 1 of Article 5 present and voting and a majority of the Parties not so operating present and voting.**

(d) The decisions, which shall be binding on all Parties, shall forthwith be communicated to the Parties by the Depositary. Unless otherwise provided in the decisions, they shall enter into force on the expiry of six months from the date of the circulation of the communication by the Depositary.

10. [(a)] Based on the assessments made pursuant to Article 6 of this Protocol and in accordance with the procedure set out in Article 9 of the Convention, the Parties may decide:

- (i) Whether any substances, and if so which, should be added to or removed from any annex to this Protocol; and
- (ii) The mechanism, scope and timing of the control measures that should apply to those substances;

[(b) Any such decisions shall become effective, provided that it has been accepted by a two-thirds majority vote of the Parties present and voting.]

11. Notwithstanding the provisions contained in this Article **and Articles 2A to 2E** Parties may take more stringent measures than those required by this Article **and Articles 2A to 2E**.

INTRODUCTION TO THE ADJUSTMENTS

The Second Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decides, on the basis of assessments made pursuant to Article 6 of the Protocol, to adopt adjustments and reductions of production and consumption of the controlled substances in Annex A to the Protocol, as follows, with the understanding that:

(a) References in Article 2 to "this Article" and throughout the Protocol to "Article 2" shall be interpreted as references to Articles 2, 2A and 2B;

(b) References throughout the Protocol to "paragraphs 1 to 4 of Article 2" shall be interpreted as references to Articles 2A and 2B; and

(c) The reference in paragraph 5 of Article 2 to "paragraphs 1, 3 and 4" shall be interpreted as a reference to Article 2A.

ARTICLE 2A: CFCs

1. Each Party shall ensure that for the twelve-month period commencing on the first day of the seventh month following the date of entry into force of this Protocol, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed its calculated level of consumption in 1986. By the end of the same period, each Party producing one or more of these substances shall ensure that its calculated level of production of the substances does not exceed its calculated level of production in 1986, except that such level may have increased by no more than ten per cent based on the 1986 level. Such increase shall be permitted only so as to satisfy the basic domestic needs of the Parties operating under Article 5 and for the purposes of industrial rationalization between Parties.

2. Each Party shall ensure that for the period from 1 July 1991 to 31 December 1992 its calculated levels of consumption and production of the controlled substances in Group I of Annex A do not exceed 150 per cent of its calculated levels of production and consumption of those substances in 1986; with effect from 1 January 1993, the twelve-month control period for these controlled substances shall run from 1 January to 31 December each year.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed, annually, fifty per cent of its calculated level of consumption in 1986. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, fifty per cent of its calculated level of production in 1986. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1986.

4. Each Party shall ensure that for the twelve-month period commencing on 1 January 1997, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed, annually, fifteen per cent of its calculated level of consumption in 1986. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, fifteen per cent its calculated level of production in 1986. However, in order to satisfy the basic domestic needs to the Parties operating under paragraph 1 of Article 5, its calculated level of production in 1986.

5. Each Party shall ensure that for the twelve-month period commencing on 1 January 2000, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of the production may exceed that limit by up to fifteen per cent of its calculated level of production in 1986.

6. In 1992, the Parties will review the situation with the objective of accelerating the reduction schedule.

ARTICLE 2B: HALONS

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1992, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex A does not exceed, annually, its calculated level of consumption in 1986. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, its calculated level of production in 1986. However, in order to satisfy the basic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1986.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex A does not exceed, annually, fifty per cent of its calculated level of consumption in 1986. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, fifty per cent of its calculated level of production in 1986. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1986. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy essential uses for which no adequate alternatives are available.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2000, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex A does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1986. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy essential uses for which no adequate alternatives are available.

4. By 1 January 1993, the Parties shall adopt a decision identifying essential uses, if any, for the purposes of paragraphs 2 and 3 of this Article. Such decision shall be reviewed by the Parties at their subsequent meetings.

ARTICLE 2C: OTHER FULLY HALOGENATED CFCs

1. Each Party shall ensure that for the ~~twelve-month~~ period commencing on 1 January 1993, and in each ~~twelve-month~~ period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed, annually, eighty per cent of its calculated level of consumption in 1989. Each Party producing one or more of these substances shall, for the ~~same~~ periods, ensure that its calculated level of production of the substances does not exceed, annually, eighty per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

2. Each Party shall ensure that for the ~~twelve-month~~ period commencing on January 1997, and in each ~~twelve-month~~ period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed, annually, fifteen per cent of its calculated level of consumption in 1989. Each Party producing one or more of these substances shall, for the ~~same~~ periods, ensure that its calculated level of production of the substances does not exceed, annually, fifteen per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

3. Each Party shall ensure that for the ~~twelve-month~~ period commencing on 1 January 2000, and in each ~~twelve-month~~ period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed zero. Each Party producing one or more of these substances shall, for the ~~same~~ periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1989.

ARTICLE 2D: CARBON TETRACHLORIDE

1. Each Party shall ensure that for the ~~twelve-month~~ period commencing on 1 January 1995, and in each ~~twelve-month~~ period thereafter, its calculated level of consumption of the controlled substance in Group II of Annex B does not exceed, annually, fifteen per cent of its calculated level of consumption in 1989. Each Party producing the substance shall, for the ~~same~~ periods, ensure that its calculated level of production of the substance does not exceed, annually, fifteen per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

2. Each Party shall ensure that for the ~~twelve-month~~ period commencing on 1 January 2000, and in each ~~twelve-month~~ period thereafter, its calculated level of consumption of the controlled substance in Group II of Annex B does not exceed zero. Each Party producing the substance shall, for the ~~same~~ periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1989.

ARTICLE 2E: 1,1,1 - TRICHLOROETHANE (METHYL CHLORORFORM)

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1993, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed, annually, its calculated level of consumption in 1989. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed, annually, seventy per cent of its calculated level of consumption in 1989. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, seventy per cent of its calculated level of consumption in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2000, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed, annually, thirty per cent of its calculated level of consumption in 1989. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, thirty per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2005, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1989.

5. The Parties shall review, in 1992, the feasibility of a more rapid schedule of reductions than that set out in this Article.

ARTICLE 3: CALCULATION OF CONTROL LEVELS

For the purposes of Articles 2, 2A to 2E and 5, each Party shall, for each group of substances in Annex A or Annex B, determine its calculated levels of:

(a) Production by:

(i) Multiplying its annual production of each controlled substance by the ozone depleting potential specified in respect of it in Annex A or Annex B;

(ii) Adding together, for each such Group, the resulting figures;

(b) Imports and exports, respectively, by following, mutatis mutandis, the procedure set out in subparagraph (a); and

(c) Consumption by adding together its calculated levels of production and imports and subtracting its calculated level of exports as determined in accordance with subparagraphs (a) and (b). However, beginning on 1 January 1993, any export of controlled substances to non-Parties shall not be subtracted in calculating the consumption level of the exporting Party.

ARTICLE 4: CONTROL OF TRADE WITH NON-PARTIES

[1. Within one year of the entry into force of this Protocol, each Party shall ban the import of controlled substances from any State not Party to this Protocol.

2. Beginning on 1 January 1993, no Party operating under paragraph 1 of Article 5 may export any controlled substance to any State not Party to this Protocol.

3. Within three years of the date of entry into force of this Protocol, the Parties shall, following the procedure in Article 10 of the Convention, elaborate in an annex a list of products containing controlled substances. Parties that have not objected to the annex in accordance with those procedures shall ban, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.]

[4. Within five years of the entry into force of this Protocol, the Parties shall determine the feasibility of banning or restricting, from States not party to this Protocol, the import of products produced with, but not containing, controlled substances. If determined feasible, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of such products. Parties that have not objected to it in accordance with those procedures shall ban or restrict, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.

5. Each Party shall discourage the export, to any State not party to this Protocol, of technology for producing and for utilizing controlled substances.]

(Article 4 cont'd)

1. As of 1 January 1990, each party shall ban the import of the controlled substances in Annex A from any State not Party to this Protocol.

1 bis. Within one year of the date of the entry into force of this paragraph, each Party shall ban the import of the controlled substances in Annex B from any State not party to this Protocol.

2. As of 1 January 1993, each Party shall ban the export of any controlled substances in Annex A to any State not party to this Protocol.

2 bis. Commencing one year after the date of entry into force of this paragraph, each Party shall ban the export of any controlled substances in Annex B to any State not party to this Protocol.

3. By 1 January 1992, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of products containing controlled substances in Annex A. Parties that have not objected to the annex in accordance with those procedures shall ban, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.

3 bis. Within three years of the date of the entry into force of this paragraph, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of products containing controlled substances in Annex B. Parties that have not objected to the annex in accordance with those procedures shall ban, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.

4. By 1 January 1994, the Parties shall determine the feasibility of banning or restricting, from States not party to this Protocol, the import of products produced with, but not containing, controlled substances in Annex A. If determined feasible, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of such products. Parties that have not objected to the annex in accordance with those procedures shall ban, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.

4 bis. Within five years of the date of the entry into force of this paragraph, the Parties shall determine the feasibility of banning or restricting, from States not party to this Protocol, the import of products produced with, but not containing, controlled substances in Annex B. If determined feasible, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of such products. Parties that have not objected to the annex in accordance with those procedures shall ban or restrict, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.

5. Each Party undertakes to the fullest practicable extent to discourage the export to any State not party to this Protocol of technology for producing and for utilizing controlled substances.

6. Each Party shall refrain from providing new subsidies, aid, credits, guarantees or insurance programmes for the export to States not party to this Protocol of products, equipment, plants or technology that would facilitate the production of controlled substances.

7. Paragraphs 5 and 6 shall not apply to products, equipment, plants or technology that improve the containment, recovery, recycling or destruction of controlled substances, promote the development of alternative substances, or otherwise contribute to the reduction of emissions of controlled substances.

8. Notwithstanding the provisions of this Article, imports referred to in paragraphs 1, 1 bis, 3, 3 bis, 4, and 4 bis and exports referred to Paragraphs 2 and 2 bis may be permitted from, or to, any State not party to this Protocol if that State is determined, by a meeting of the Parties, to be in full compliance with Article 2, Articles 2A to 2E and this Article, and [has] have submitted data to that effect as specified in Article 7.

9. For the purposes of this Article, the term "State not Party to this Protocol" shall include, with respect to a particular controlled substance, a State or regional economic integration organization that has not agreed to be bound by the control measures in effect for that substance.

ARTICLE 5: SPECIAL SITUATION OF DEVELOPING COUNTRIES

1. Any Party that is a developing country and whose annual calculated level of consumption of the controlled substances in Annex A is less than 0.3 kilograms per capita on the date of the entry into force of the Protocol for it, or any time thereafter [within ten years of the date of entry into force of the Protocol] until 1 January 1999 shall, in order to meet its basic domestic needs, be entitled to delay for ten years its compliance with the control measures set out in Articles 2A to 2E [paragraphs 1 to 4 of Article 2 by ten years after that specified in those paragraphs]. [However, such Party shall not exceed an annual calculated level of consumption of 0.3 kilograms per capita. Any such Party shall be entitled to use either the average of its annual calculated level of consumption for the period of 1995 to 1997 inclusive or a calculated level of consumption of 0.3 kilograms per capita, whichever is the lower, as the basis for its compliance with the control measures].

[2. The Parties undertake to facilitate access to environmentally safe alternative substances and technology for Parties that are developing countries and assist them to make expeditious use of such alternatives.]

[3. The Parties undertake to facilitate bilaterally or multilaterally the provision of subsidies, aid, credits, guarantee or insurance programmes to Parties that are developing countries for the use of alternative technology and for substitute products.]

2. However, any Party operating under paragraph 1 of this Article shall exceed neither an annual calculated level of consumption of the controlled substances in Annex A of 0.3 kilograms per capita nor an annual calculated level of consumption of controlled substances of Annex B of 0.2 kilograms per capita.

3. When implementing the control measures set out in Articles 2A to 2E, any Party operating under paragraph 1 of this Article shall be entitled to use:

(a) For controlled substances under Annex A, either the average of its annual calculated level of consumption for the period 1995 to 1997 inclusive or a calculated level of consumption of 0.3 kilograms per capita, whichever is the lower, as the basis for determining its compliance with the control measures.

(b) For controlled substances under Annex B, the average of its annual calculated level consumption for the period 1998 to 2000 inclusive or a calculated level of consumption of 0.2 kilograms per capita, whichever is the lower, as the basis for determining its compliance with the control measures.

4. If a Party operating under paragraph 1 of this Article, at any time before the control measures obligations in Articles 2A to 2E become applicable to it, finds itself unable to obtain an adequate supply of controlled substances, it may notify this to the Secretariat. The Secretariat shall forthwith transmit a copy of such notification to the Parties, which shall consider the matter at their next Meeting, and decide upon appropriate action to be taken.

5. Developing the capacity to fulfil the obligations of the Parties operating under paragraph 1 of this Article to comply with the control measures set out in Articles 2A to 2E and their implementation by those same Parties will depend upon the effective implementation of the financial co-operation as provided by Article 10 and the transfer of technology as provided by Article 10A.

6. Any Party operating under paragraph 1 of this Article may, at any time, notify the Secretariat in writing that, having taken all practicable steps it is unable to implement any or all of the obligations laid down in Articles 2A to 2E due to the inadequate implementation of Articles 10 and 10A. The Secretariat shall forthwith transmit a copy of the notification to the Parties, which shall consider the matter at their next Meeting, giving due recognition to paragraph 5 of this Article and shall decide upon appropriate action to be taken.

7. During the period between notification and the Meeting of the Parties at which the appropriate action referred to in paragraph 6 above is to be decided, or for a further period if the Meeting of the Parties so decides, the non-compliance procedures referred to in Article 8 shall not be invoked against the notifying Party.

8. A Meeting of the Parties shall review, not later than 1995, the situation of the Parties operating under paragraph 1 of this Article, including the effective implementation of financial co-operation and transfer of technology to them, and adopt such revisions that may be deemed necessary regarding the schedule of control measures applicable to those Parties.

9. Decisions of the Parties referred to in paragraph 4, 6 and 7 of this Article shall be taken according to the same procedure applied to decision-making under Article 10.

ARTICLE 6: ASSESSMENT AND REVIEW OF CONTROL MEASURES

Beginning in 1990, and at least every four years thereafter, the Parties shall assess the control measures provided for in Article 2 and Articles 2A to 2E, and the situation regarding production, imports and exports of the transitional substances in Group I of Annex C on the basis of available scientific, environmental, technical and economic information. At least one year before each assessment, the Parties shall convene appropriate panels of experts qualified in the fields mentioned and determine the composition and terms of reference of any such panels. Within one year of being convened, the panels will report their conclusions, through the secretariat, to the Parties.

ARTICLE 7: REPORTING OF DATA

1. Each Party shall provide to the Secretariat, within three months of becoming a Party, statistical data on its production, imports and exports of each of the controlled substances in Annex A for the year 1986, or the best possible estimates of such data where actual data are not available.

[2. Each Party shall provide statistical data to the secretariat on its annual production (with separate data on amounts destroyed by technologies be approved by the Parties), imports, and exports to Parties and non-Parties respectively, of such substances for the year during which it becomes a Party and for each year thereafter. It shall forward the data no later than nine months after the end of the year to which the data relate.]

2. Each Party shall provide to the Secretariat statistical data on its production, imports and exports of each of the controlled substances in Annex B and each of the transitional substances in Group I of Annex C, for the year 1989, or the best possible estimates of such data where actual data are available, not later than three months after the date when the provisions set out in the Protocol with regard to the substances in Annex B enter into force for that Party.

3. Each Party shall provide statistical data to the Secretariat on its annual production (as defined in paragraph 5 of Article 1), and, separately

- amounts used for feedstocks,
- amounts destroyed by technologies approved by the Parties,
- imports and exports to Parties and non-Parties respectively,

of each of the controlled substances listed in Annexes A and B as well as of the transitional substances in Group I of Annex C, for the year during which provisions concerning the substances in Annex B entered into force for that Party and for each year thereafter. Data shall be forwarded not later than nine months after the end of the year to which the data relate.

4. For Parties operating under the provisions of paragraph 8 (a) of Article 2, the requirements in paragraphs 1, 2 and 3 of this Article in respect of statistical data on imports and exports shall be satisfied if the regional economic integration organization concerned provides data on imports and exports between the organization and States that are not members of that organization.

ARTICLE 8: NON-COMPLIANCE

The Parties, at their first meeting, shall consider and approve procedures and institutional mechanisms for determining non-compliance with the provisions of this Protocol and for treatment of Parties found to be in non-compliance.

ARTICLE 9: RESEARCH, DEVELOPMENT, PUBLIC AWARENESS
AND EXCHANGE OF INFORMATION

1. The Parties shall co-operate, consistent with their national laws, regulations and practices and taking into account in particular the needs of developing countries, in promoting, directly or through competent international bodies, research, development and exchange of information

(a) Best technologies for improving the containment, recovery, recycling, or destruction of controlled and transitional substances or otherwise reducing their emissions;

(b) Possible alternatives to controlled substances, to products containing such substances, and to products manufactured with them; and

(c) Costs and benefits of relevant control strategies.

2. The Parties, individually, jointly or through competent international bodies, shall co-operate in promoting public awareness of the environmental effects of the emissions of controlled substances and other substances that deplete the ozone layer.

3. Within two years of the entry into force of this Protocol and every two years thereafter, each Party shall submit to the Secretariat a summary of the activities it has conducted pursuant to this Article.

[ARTICLE 10: TECHNICAL ASSISTANCE

1. The Parties shall in the context of the provisions of Article 4 of the Convention, and taking into account in particular the needs of developing countries, co-operate in promoting technical assistance to facilitate participation in and implementation of this Protocol.

2. Any Party of Signatory of this Protocol may submit a request to the Secretariat for technical assistance for the purposes of implementing or participating in the Protocol.

3. The Parties, at their first meeting, shall begin deliberations on the means of fulfilling the obligations set out in Article 9, and paragraphs 1 and 2 of this Article, including the preparation of workplans. Such workplans shall pay special attention to the needs and circumstances of the developing countries. States and regional economic integration organizations not party to the Protocol should be encouraged to participate in activities specified in such workplans.]

ARTICLE 10: FINANCIAL MECHANISM

1. The Parties shall establish a mechanism for the purposes of providing financial and technical co-operation, including the transfer of technologies, to Parties operating under paragraph 1 of Article 5 of this Protocol to enable their compliance with the control measures set out in Articles 2A to 2E of the Protocol. The mechanism, contributions to which shall be additional to other financial transfers to Parties operating under that paragraph, shall meet all agreed incremental costs of such Parties in order to enable their compliance with the control measures of the Protocol. An indicative list of the categories of incremental costs shall be decided by the meeting of the Parties.

2. The mechanism established under paragraph 1 shall include a Multilateral Fund. It may also include other means of multilateral, regional and bilateral co-operation.

3. The Multilateral Fund shall:

(a) Meet, on a grant or concessional basis as appropriate, and according to criteria to be decided upon by the Parties, the agreed incremental costs;

(b) Finance clearing-house functions to:

(i) Assist Parties operating under paragraph 1 of Article 5, through country specific studies and other technical co-operation, to identify their needs for co-operation;

(ii) Facilitate technical co-operation to meet these identified needs;

(iii) Distribute, as provided for in Article 9, information and relevant materials, and hold workshops, training sessions, and other relevant activities, for the benefit of Parties that are developing countries; and

(iv) Facilitate and monitor other multilateral, regional and bilateral co-operation available to Parties that are developing countries;

(c) Finance the secretarial services of the Multilateral Fund and related support costs.

4. The Multilateral Fund shall operate under the authority of the Parties who shall decide on its overall policies.

5. The Parties shall establish an Executive Committee to develop and monitor the implementation of specific operational policies, guidelines and administrative arrangements, including the disbursement of resources, for the purpose of achieving the objectives of the Multilateral Fund. The Executive Committee shall discharge its tasks and responsibilities, specified in its terms of reference as agreed by the Parties, with the co-operation and assistance of the International Bank for Reconstruction and Development (World Bank), the United Nations Environment Programme, the United Nations Development Programme or other appropriate agencies depending on their respective areas of expertise. The members of the Executive Committee, who shall be selected on the basis of a balanced representation of the Parties operating under paragraph 1 of Article 5 and of the Parties not so operating, shall be endorsed by the Parties.

6. The Multilateral Fund shall be financed by contributions from Parties operating under paragraph 1 of Article 5 in convertible currency or, in certain circumstances, in kind and/or in national currency, on the basis of the United Nations scale of assessments. Contributions by other Parties shall be encouraged. Bilateral and, in particular cases agreed by a decision of the Parties, regional co-operation may, up to a percentage and consistent with criteria to be specified by decision of the Parties, be considered as a contribution to the Multilateral Fund, provided that such co-operation, as a minimum:

(a) Strictly relates to compliance with the provisions of this Protocol;

(b) Provides additional resources; and

(c) Meets agreed incremental costs.

7. The Parties shall decide upon the programme budget of the Multilateral Fund for each fiscal period and upon the percentage of contributions of the individual Parties thereto.

8. Resources under the Multilateral Fund shall be disbursed with the concurrence of the beneficiary Party.

9. Decisions by the Parties under this Article shall be taken by consensus whenever possible. If all efforts at consensus have been exhausted and no agreement reached, decisions shall be adopted by a two-thirds majority vote of the Parties present and voting, representing a majority of the Parties operating under paragraph 1 of Article 5 present and voting and a majority of the Parties not so operating present and voting.

10. The financial mechanism set out in this Article is without prejudice to any future arrangements that may be developed with respect to other environmental issues.

ARTICLE 10A: TRANSFER OF TECHNOLOGY

Each Party shall take every practicable step, consistent with the programmes supported by the financial mechanism, to ensure:

(a) That the best available, environmentally safe substitutes and related technologies are expeditiously transferred to Parties operating under paragraph 1 of Article 5; and

(b) That the transfers referred to in subparagraph (a) occur under fair and most favourable conditions.

ARTICLE 11: MEETINGS OF THE PARTIES

1. The Parties shall hold meetings at regular intervals. The secretariat shall convene the first meeting of the Parties not later than one year after the date of the entry into force of this Protocol and in conjunction with a meeting of the Conference of the Parties to the Convention, if a meeting of the latter is scheduled within that period.

2. Subsequent ordinary meetings of the parties shall be held, unless the Parties otherwise decide, in conjunction with meetings of the Conference of the Parties to the Convention. Extraordinary meetings of the Parties shall be held at such other times as may be deemed necessary by a meeting of the Parties, or at the written request of any Party, provided that within six months of such a request being communicated to them by the secretariat, it is supported by at least one third of the Parties.

3. The Parties, at their first meeting, shall:

(a) Adopt by consensus rules of procedure for their meetings;

(b) Adopt by consensus the financial rules referred to in paragraph 2 of Article 13;

(c) Establish the panels and determine the terms of reference referred to in Article 6;

(d) Consider and approve the procedures and institutional mechanisms specified in Article 8; and

(e) Begin preparation of workplans pursuant to paragraph 3 of Article 10.

4. The functions of meetings of the Parties shall be to:

- (a) Review the implementation of this Protocol;
- (b) Decide on any adjustments or reductions referred to in paragraph of Article 2;
- (c) Decide on any addition to, insertion in or removal from any annex of substances and on related control measures in accordance with paragraph of Article 2;
- (d) Establish, where necessary, guidelines or procedures for reporting of information as provided for in Article 7 and paragraph 3 of Article 9;
- (e) Review requests for technical assistance submitted pursuant to paragraph 2 of Article 10;
- (f) Review reports prepared by the secretariat pursuant to subparagraph (c) of Article 12;
- (g) Assess, in accordance with Article 6, the control measures and **situation regarding transitional substances** [provided for in Article 2];
- (h) Consider and adopt, as required, proposals for amendment of the Protocol or any annex and for any new annex;
- (i) Consider and adopt the budget for implementing this Protocol;
- (j) Consider and undertake any additional action that may be required for the achievement of the purposes of this Protocol.

5. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not party to this Protocol, may be represented at meetings of the Parties as observers. Any body or agency, whether national or international, governmental or non-governmental, qualified in fields relating to the protection of the ozone layer which has informed the secretariat of its wish to be represented at a meeting of the Parties as an observer may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Parties.

ARTICLE 12: SECRETARIAT

For the purposes of this Protocol, the secretariat shall:

- (a) Arrange for and service meetings of the Parties as provided for in Article 11;
- (b) Receive and make available, upon request by a Party, data provided pursuant to Article 7;
- (c) Prepare and distribute regularly to the Parties reports based on information received pursuant to Articles 7 and 9;
- (d) Notify the Parties of any request for technical assistance received pursuant to Article 10 so as to facilitate the provision of such assistance;
- (e) Encourage non-Parties to attend the meetings of the Parties as observers and to act in accordance with the provisions of Article 5.

(f) Provide, as appropriate, the information and requests referred to in subparagraphs (c) and (d) to such non-party observers; and

(g) Perform such other functions for the achievement of the purposes of this Protocol as may be assigned to it by the Parties.

ARTICLE 13: FINANCIAL PROVISIONS

1. The funds required for the operation of this Protocol, including those for the functioning of the secretariat related to this Protocol, shall be charged exclusively against contributions from the Parties.
2. The Parties, at their first meeting, shall adopt by consensus financial rules for the operation of this Protocol.

ARTICLE 14: RELATIONSHIP OF THIS PROTOCOL TO THE CONVENTION

Except as otherwise provided in this Protocol, the provisions of the Convention relating to its protocols shall apply to this Protocol.

ARTICLE 15: SIGNATURE

This Protocol shall be open for signature by States and by regional economic integration organizations in Montreal on 16 September 1987, in Ottawa from 17 September 1987 to 16 January 1988, and at United Nations Headquarters in New York from 17 January 1988 to 15 September 1988.

ARTICLE 16: ENTRY INTO FORCE

1. This Protocol shall enter into force on 1 January 1989, provided that at least eleven instruments of ratification, acceptance, approval of the Protocol or accession thereto have been deposited by States or regional economic integration organizations representing at least two-thirds of 1986 estimated global consumption of the controlled substances, and the provisions of paragraph 1 of Article 17 of the Convention have been fulfilled. In the event that these conditions have not been fulfilled by that date, the Protocol shall enter into force on the ninetieth day following the date on which the conditions have been fulfilled.
2. For the purposes of paragraph 1, any such instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.
3. After the entry into force of this Protocol, any State or regional economic integration organization shall become a Party to it on the ninetieth day following the date of deposit of its instrument of ratification, acceptance, approval or accession.

ARTICLE 17: PARTIES JOINING AFTER ENTRY INTO FORCE

Subject to Article 5, any State or regional economic integration organization which becomes a Party to this Protocol after the date of its entry into force, shall fulfil forthwith the sum of the obligations under Article 2, as well as under Articles 2A to 2E, and Article 4, that apply at that date to the States and regional economic integration organizations that became Parties on the date the Protocol entered into force.

ARTICLE 18: RESERVATIONS

No reservations may be made to this Protocol

[ARTICLE 19: WITHDRAWAL

For the purposes of this Protocol, the provisions of Article 19 of the Convention relating to withdrawal shall apply, except with respect to Parties referred to in paragraph 1 of Article 5. Any such Party may withdraw from this Protocol by giving written notification to the Depositary at any time after four years of assuming the obligations specified in paragraphs 1 and 2 of Article 2. Any such withdrawal shall take effect upon expiry of one year after the date of its receipt by the Depositary, or on such later date as may be specified in the notification of the withdrawal.]

ARTICLE 19: WITHDRAWAL

Any Party may withdraw from this Protocol by giving written notification to the Depositary at any time after four years of assuming the obligations specified in paragraph 1 of Article 2A. Any such withdrawal shall take effect upon expiry of one year after the date of its receipt by the Depositary, or on such later date as may be specified in the notification of the withdrawal.

ARTICLE 20: AUTHENTIC TEXTS

The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF THE UNDERSIGNED, BEING DULY AUTHORIZED TO THAT EFFECT, HAVE SIGNED THIS PROTOCOL.

DONE AT MONTREAL THIS SIXTEENTH DAY OF SEPTEMBER, ONE THOUSAND NINE HUNDRED AND EIGHTY SEVEN.

Annex A

CONTROLLED SUBSTANCES

Group	Substance	Ozone Deplet. Potential ^{*/}
Group I		
CFCl ₃	(CFC-11)	1.0
CF ₂ Cl ₂	(CFC-12)	1.0
C ₂ F ₃ Cl ₃	(CFC-113)	0.8
C ₂ F ₄ Cl ₂	(CFC-114)	1.0
C ₂ F ₅ Cl	(CFC-115)	0.6
Group II		
CF ₂ BrCl	(halon-1211)	3.0
CF ₃ Br	(halon-1301)	10.0
C ₂ F ₄ Br ₂	(halon-2402)	6.0

^{*/} These ozone depleting potentials are estimates based on existing knowledge and will be reviewed and revised periodically.

Annex B

Controlled substances

<u>Group</u>	<u>Substance</u>	<u>Ozone-depleting potential</u>
<u>Group I</u>		
F_3Cl	(CFC-13)	1.0
$2FCl_5$	(CFC-111)	1.0
$2F_2Cl_4$	(CFC-112)	1.0
$3FCl_7$	(CFC-211)	1.0
$3F_2Cl_6$	(CFC-212)	1.0
$3F_3Cl_5$	(CFC-213)	1.0
$3F_4Cl_4$	(CFC-214)	1.0
$3F_5Cl_3$	(CFC-215)	1.0
$3F_6Cl_2$	(CFC-216)	1.0
$3F_7Cl$	(CFC-217)	1.0
<u>Group II</u>		
Cl_4	carbon tetrachloride	1.1
<u>Group III</u>		
$2H_3Cl_3^*$	1,1,1-trichloroethane (methyl chloroform)	0.1

* This formula does not refer to 1,1,2-trichloroethane.

Annex C

Transitional substances

<u>Group</u>	<u>Substance</u>
<u>Group I</u>	
CHFCl ₂	(HCFC-21)
CHF ₂ Cl	(HCFC-22)
CH ₂ FCl	(HCFC-31)
C ₂ HFCI ₄	(HCFC-121)
C ₂ HF ₂ Cl ₃	(HCFC-122)
C ₂ HF ₃ Cl ₂	(HCFC-123)
C ₂ HF ₄ Cl	(HCFC-124)
C ₂ H ₂ FCl ₃	(HCFC-131)
C ₂ H ₂ F ₂ Cl ₂	(HCFC-132)
C ₂ H ₂ F ₃ Cl	(HCFC-133)
C ₂ H ₃ FCl ₂	(HCFC-141)
C ₂ H ₃ F ₂ Cl	(HCFC-142)
C ₂ H ₄ FCl	(HCFC-151)
C ₃ HFCI ₆	(HCFC-221)
C ₃ HF ₂ Cl ₅	(HCFC-222)
C ₃ HF ₃ Cl ₄	(HCFC-223)
C ₃ HF ₄ Cl ₃	(HCFC-224)
C ₃ HF ₅ Cl ₂	(HCFC-225)
C ₃ HF ₆ Cl	(HCFC-226)
C ₃ H ₂ FCl ₅	(HCFC-231)
C ₃ H ₂ F ₂ Cl ₄	(HCFC-232)
C ₃ H ₂ F ₃ Cl ₃	(HCFC-233)
C ₃ H ₂ F ₄ Cl ₂	(HCFC-234)
C ₃ H ₂ F ₅ Cl	(HCFC-235)
C ₃ H ₃ FCl ₄	(HCFC-241)
C ₃ H ₃ F ₂ Cl ₃	(HCFC-242)
C ₃ H ₃ F ₃ Cl ₂	(HCFC-243)
C ₃ H ₃ F ₄ Cl	(HCFC-244)
C ₃ H ₄ FCl ₃	(HCFC-251)
C ₃ H ₄ F ₂ Cl ₂	(HCFC-252)
C ₃ H ₄ F ₃ Cl	(HCFC-253)
C ₃ H ₅ FCl ₂	(HCFC-261)
C ₃ H ₅ F ₂ Cl	(HCFC-262)
C ₃ H ₆ FCl	(HCFC-271)

ENCLOSURE 1

DECISIONS ADOPTED BY THE MEETINGS OF THE PARTIES TO THE
VIENNA CONVENTION AND THE MONTREAL PROTOCOL:
ARTICLES TO WHICH THEY RELATE AND TITLE OR SHORT SUMMARY

A) Vienna Convention, First Meeting in Helsinki 1989
UNEP/Ozl.Conv.1/5

<u>Decision</u>	<u>Article</u>	<u>Summary</u>
I/1	6 (3)	Adoption of Rules of Procedure, = Annex I to the Report of this Meeting
I/2		Requests Parties to submit to the Secretariat every two years a summary of the measures adopted by the Party for the implementation of the Convention
I/3		Defines the areas of application of Protocol and Convention
I/4	3	Sets the priorities for the research, observations and the transfer of technology
I/5	4	Requires Parties to co-operate in order to ensure the enhancement of the capability of developing countries to contribute to ozone science research through workshops, identification of scientific institutes in developing and developed countries, identification of financial institutes which might assist
I/6	6 (3)	a) Establishes the Bureau of the Conference of the Parties, outlines its terms of reference and establishes the Meeting of government Research Managers b) Requests the Secretariat of the Convention to prepare the biannual meeting of Research Managers
I/7	11 (3)	Adoption of the Arbitration Procedure = Annex II to the Report of this Meeting
I/8		Designates UNEP as the Secretariat of the Convention
I/9	6 (3)	Financial Arrangements = Annex III to the Report of this Meeting
I/10		Encourages voluntary contributions

B) I) Montreal Protocol, First Meeting in Helsinki 1989
UNEP/OzL.Pro.1/5

<u>Decision</u>	<u>Article</u>	<u>Summary</u>
I/1	11 (3)	Adoption of Rules of Procedure - Annex I to the Report of this Meeting
I/2		Establishes the Bureau and its objectives
I/3	6	Endorses the establishment of four review panels according to the composition in Annex V and the of Reference in Annex VI to the Report of this M
I/4	10 (3)	Considers elements as the first components for t workplans required by Article 10 para 3 like: Dissemination and regular updating of panel repo development of a programme, facilitation of production and dissemination of materials for pu information etc.
I/5		Establishes an open-ended working group (prolong the Second Meeting) to review the reports of the panels, prepare draft amendments etc. and to wor modalities for a financial mechanism
I/6		Authorizes the Secretariat to convene meetings o working group referred to in Dec. I/5
I/7		Authorizes the Secretariat to invite non-Parties meetings of the working groups
I/8		Establishes an <u>ad-hoc</u> working group on non-compl
I/9		Accepts the ODP-value for Halon 2402 as 6.0
I/10		Requests the Panel for Scientific Assessment to g full consideration to various aspects of atmosph constituents
I/11	7	Report and confidentiality of data
I/12		Classification of terms and definitions
I/13	5 (2), 9,10	Assistance to Developing Countries
I/14	13	Financial arrangements
I/15		Helsinki Declaration

II) Montreal Protocol, Second Meeting in London
UNEP/OzI.Pro.2/3

<u>Decision</u>	<u>Article</u>	<u>Titles</u>
II/1	2 (4)	Adjustments and reductions
II/2	9 (4)	Amendment of the Protocol
II/3		Halons
II/4		Isomers
II/5	8	Non-Compliance
II/6		Article 19 (Withdrawal
II/7		Montreal Protocol Handbook
II/8	5 (2)	Financial Mechanism
II/8A		Budget for the Fund Secretariat = Annex V to the Report of this Meeting
II/8B		Acceptance of offer of Canada
II/9	7	Data reporting
II/10	5 (1)	Data of developing countries
I/11		Destruction technologies
II/12		Customs Cooperation Council
II/13	6	Assessment panels
II/14	9,10	Workplans required by Article 9 and 10 of the Protocol
II/15		Extension of the mandate of the Open-Ended Working Group of the Parties
II/16		Amendment of the Vienna Convention
II/17	11 (4)	Budget = Annex VI to the Report of this Meeting
II/18		Meetings of the Open-Ended Working Group
II/19	11 (3)	Rules of procedure for Meetings of the Parties
II/20		Third Meeting of the Parties

ENCLOSURE 2

THE FIRST MEETING OF THE PARTIES TO THE VIENNA CONVENTION
ON THE PROTECTION OF THE OZONE LAYER DECIDED:

(Reproduced from UNEP/OzL.Conv.1/5)

1. To adopt, taking into account the explanations given during the meeting, the rules of procedures for the meetings of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer and the provisions of this report.
2. That each Contracting Party shall submit to the Secretariat of the Convention every two years after the entry into force of the Convention a summary of the measures adopted by the Party for the implementation of the Convention. In accordance with paragraph 5 of Annex II of the Convention, the biennial reporting shall include the socio-economic and commercial information on the substances referred to in Annex I, and the Secretariat shall prepare a format for reporting and shall ensure any required confidentiality of the information supplied to it.
3. (a) That the Vienna Convention is the most appropriate instrument for harmonizing the policies and strategies on research; and
(b) That the Montreal Protocol is the appropriate instrument for achieving the harmonization of policies, strategies and measures for minimizing the release of substances causing or likely to cause modifications of the ozone layer.
4. That the following activities shall be given priority in the research, observations and transfer of technology:
 - (a) The atmospheric impact of potential substitutes for the controlled substances particularly with regard to their likely ozone depletion potential and their greenhouse warming potential;
 - (b) Monitoring of the rarer trace gases in the troposphere and their interactions;
 - (c) The Global Ozone Observing System should be expanded particularly in the tropics and in the Southern hemisphere. Special attention must be paid to ozone monitoring in Polar regions. Nations must make a long-term commitment to such monitoring programmes by making sufficient resources available appropriate to the efficient operation;
 - (d) Research on the human health and biological implications of ultraviolet radiation changes at the earth's surface. Particular attention must be given to the impact on food production in the developing world and to development of crop varieties resistant to higher levels of ultraviolet radiation;
 - (e) Research into the effects on the atmosphere of potential ozone layer depleting gases, other than the controlled substances, for example methyl chloroform;
 - (f) Studies on the social and economic effects of ozone depletion;

5. To co-operate to ensure the enhancement of the capability of developing countries to contribute to ozone science research. This may be facilitated through the organization of workshops and the identification of institutes in developed countries which can co-operate with appropriate scientific institutions in the developing countries. The identification of financial institutions who might assist the development of an improved scientific capability in developing countries should also be undertaken.
6. (a) To establish the following co-ordination bodies as subsidiary bodies of the Conference of the Parties under Article 6 para.4(1) of the Vienna Convention:

- (i) The Bureau of the Conference of the Parties composed of the officers elected by the Conference;

The terms of reference of the Bureau shall be to facilitate the implementation, as appropriate, on behalf of the Parties, of the relevant subparagraphs of paragraph 4 of Article 6 of the Convention, particularly, - review the scientific

information on the ozone layer, on its possible modification and on possible effects of any such modifications; - consider, in accordance with Articles 3 and 4, programmes for research, systematic observations, scientific and technological co-operation, the exchange of information and the transfer of technology and knowledge and prepare a draft agenda for such activities for consideration by the Parties at their following Conference with estimates of the costs required for the implementation of the proposed activities; - consider other topics on the Agenda of the next Conference of the Parties, and review the documents prepared by the Secretariat for the Conference to facilitate the work of the Conference.

The Bureau of the Conference of the Parties is to hold maximum two meetings between two sessions of the Conference of the Parties one of them in conjunction with the Research Managers' Meeting referred to in the next section.

The cost of the meeting of the Bureau is to be covered within the budget of the Convention;

- (ii) A Meeting composed of: (a) government atmospheric Research Managers and (b) government Research Managers of research related to health and environmental effects of ozone modifications.

Such a Meeting shall review ongoing national and international research and monitoring programmes to ensure proper co-ordination of these programmes and identify gaps that need to be addressed.

The Meeting shall be held every 2 years (6 months prior to the meeting of the Parties) jointly with a meeting of the Bureau.

The Meeting should produce a report including recommendations for future research and expanded cooperation between researchers in developed and developing countries for presentation to the following meeting of the Parties to the Convention. It is assumed that the Research Managers from developed countries will cover their own expenses and that the Secretariat budget will cover only participation of no more than ten Research Managers from developing countries.

- (b) The Secretariat of the Convention in co-operation with UNEP and WMO shall prepare for the joint meeting of the Bureau and the group of the Research Managers. The joint meeting shall take place in conjunction with a meeting of the WMO Executive Council Panel on Environmental Pollution, Monitoring and Research.

7. Adopt, in accordance with Article 11, para. 3(a), of the Vienna Convention, the Arbitration Procedure in Annex II to this report.
8. To designate UNEP as the Secretariat of the Convention.

Financial Arrangements:

9.
 - (a) To establish a United Nations Trust Fund in accordance with the Financial Regulations and Rules of the United Nations and in accordance with the General Procedures governing operations of the Fund of the United Nations Environment Programme;
 - (b) The Convention Trust Fund shall be administered by the Executive Director of UNEP and shall finance expenditures approved by the Parties and shall receive the contributions of Parties to the Convention;
 - (c) To that end the Conference requests the Executive Director to secure the necessary consents of the Secretary General of the United Nations and the Governing Council of UNEP;
 - (d) To adopt the terms of reference of the Trust Fund in Annex III of this report.
 - (e) The contributions of the Parties shall be in the form of voluntary contributions according to the formula in Annex V of this report;
 - (f) The Conference calls on all parties to pay their contributions to the Trust Fund in advance of the period to which they relate;
 - (g) To approve a total budget of US\$ 790,000 for the biennium 1990-91, the details of the approved budget are presented in Annex IV.
10. The States non-Parties and the non-contributing Parties to the Trust Fund are encouraged to make voluntary contributions to the Trust Fund.

ANNEX I

RULES OF PROCEDURE

Rules of procedure for meetings of the Conference of the Parties
to the Vienna Convention for the Protection
of the Ozone Layer

PURPOSES

Rule 1

These rules of procedure shall apply to any meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer convened in accordance with Article 6 of the Convention.

DEFINITIONS

Rule 2

For the purposes of these rules:

1. "Convention" means the Vienna Convention for the Protection of the Ozone Layer, adopted on 22 March 1985;
2. "Parties" means, unless the text otherwise indicates, Parties to the Convention;
3. "Conference of the Parties" means the Conference of the Parties established in accordance with Article 6 of the Convention;
4. "Regional economic integration organization" means an organization defined in Article 1, paragraph 6, of the Convention;
5. "President" means the President elected in accordance with rule 21, paragraph 1, of the present rules of procedure;
6. "Secretariat" means the international organization designated as Secretariat of the Convention by the Conference of the Parties in accordance with Article 7, paragraph 2, of the Convention;
7. "Meeting" means any ordinary or extraordinary meeting of the Conference of the Parties.

PLACE OF MEETINGS

Rule 3

The meetings of the Conference of the Parties shall take place at the seat of the Secretariat, unless other appropriate arrangements are made by the Secretariat in consultation with the Parties.

DATES OF MEETINGS

Rule 4

1. Ordinary meetings of the Parties shall be held every two years, unless the Parties decide otherwise.

2. At each ordinary meeting, the Conference shall fix the opening date and duration of its next ordinary meeting.

3. Extraordinary meetings of the Conference of the Parties shall be convened at such times as may be deemed necessary by the Conference of the Parties or at the written request of any Party, provided that, within six months of the request being communicated to them by the Secretariat, the request is supported by at least one third of the Parties.

4. In the case of an extraordinary meeting convened at the written request of a Party, it shall be convened not more than ninety days after the date at which the request is supported by at least one third of the Parties in accordance with paragraph 3 of this rule.

Rule 5

The Secretariat shall notify all Parties of the dates and venue of meetings at least two months before the meeting.

OBSERVERS

Rule 6

1. The Secretariat shall notify the United Nations and its specialized agencies, the International Atomic Energy Agency and any State not party to the Convention of any meeting so that they may be represented by observers.

2. Such observers may, upon invitation of the President, and where there is no objection from the Parties present, participate without the right to vote in the proceedings of any meetings in matters of direct concern to the organizations and States they represent.

Rule 7

1. The Secretariat shall notify any body or agency, whether national or international, governmental or non-governmental, qualified in the fields relating to the protection of the ozone layer which has informed the Secretariat of its wish to be represented, of any meeting so that it may be represented by observers, subject to the condition that their admission to the meeting is not objected to by at least one third of the Parties present at the meeting.

2. Such observers may, upon invitation of the President, and where there is no objection from the Parties present, participate without the right to vote in the proceedings of any meeting in matters of direct concern to the body or agency they represent.

AGENDA

Rule 8

In agreement with the President, the Secretariat shall prepare a provisional agenda of each meeting.

Rule 9

The provisional agenda of each ordinary meeting shall include:

2. Items the inclusion of which has been decided at a previous meeting;
3. Items referred to in rule 15 of the present rules of procedure;
4. Any item proposed by a Party before the agenda is circulated;
5. The provisional budget as well as all questions pertaining to the accounts and financial arrangements.

Rule 10

The provisional agenda, together with supporting documents, for each ordinary meeting shall be distributed by the Secretariat to the Parties at least two months before the opening of the meeting.

Rule 11

The Secretariat shall, with the agreement of the President, include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening of the meeting in a supplement to the provisional agenda, which the meeting shall examine together with the provisional agenda.

Rule 12

The meeting when adopting the agenda may add, delete, defer or amend items. Only items which are considered by the meeting to be urgent and important may be added to the agenda.

Rule 13

The provisional agenda for an extraordinary meeting shall consist only of those items proposed for consideration in the request for the holding of the extraordinary meeting. It shall be distributed to the Parties at the same time as the invitation to the extraordinary meeting.

Rule 14

The Secretariat shall report to the meeting on the administrative and financial implications of all substantive agenda items submitted to the meeting, before they are considered by it. Unless the meeting decides otherwise, no such item shall be considered until at least forty-eight hours after it has received the Secretariat's report on the administrative and financial implications.

Rule 15

Any item of the agenda of an ordinary meeting, consideration of which has not been completed at the meeting, shall be included automatically in the agenda of the next ordinary meeting, unless otherwise decided by the Conference of the Parties.

REPRESENTATION AND CREDENTIALS

Rule 16

Each Party participating in the meeting shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as may be required.

Rule 17

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Rule 18

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the meeting if possible not later than twenty-four hours after the opening of the meeting. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary. The credentials shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization.

Rule 19

The officers of any meeting shall examine the credentials and submit their report to the meeting.

Rule 20

Pending a decision of the meeting upon their credentials representatives shall be entitled to participate provisionally in the meeting.

OFFICERS

Rule 21

1. 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.
2. The President, three Vice-Presidents and the Rapporteur elected at an ordinary meeting shall remain in office until their successors are elected at the extraordinary meetings. On occasions, one or more of these officers may be re-elected for one further consecutive term.
3. The President shall participate in the meeting in that capacity and shall not at the same time exercise the rights of a representative of a Party. In such a case, the President or the Party concerned shall designate another representative who shall be entitled to represent the Party in the meeting and to exercise the right to vote.

Rule 22

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of the meeting, preside at the sessions of the meeting, ensure the observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference of the Parties the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a session.
2. The President, in the exercise of his functions, remains under the authority of the Conference of the Parties.

Rule 23

1. If the President is temporarily absent from a session or any part thereof, he shall designate a Vice-President to act as President.
2. If the President resigns or is otherwise unable to complete his term of office or to perform his functions, a new President shall be elected from the representatives of the Parties.

Rule 24

If an officer other than the President resigns or is otherwise unable to complete his term of office or to perform his functions, a representative of the same Party shall be named by the Party concerned to replace him for the remainder of his mandate.

Rule 25

At the first session of each ordinary meeting, the President of the previous ordinary meeting, or in his absence, a Vice-President, shall preside until the meeting has elected a President for the meeting.

COMMITTEES AND WORKING GROUPS

Rule 26

1. The meeting may establish such committees or working groups as may be required for the transaction of its business.
2. The meeting may decide that such committees or working groups may meet in the period between ordinary meetings.
3. Unless otherwise decided by the meeting, the chairman for each such committee or working group shall be elected by the meeting. The meeting shall determine the matters to be considered by each such committee or working group and may authorize the President, upon the request of the chairman of a committee or working group, to adjust the allocation of work.
4. Without prejudice to paragraph 3 of this rule, each committee or working group shall elect its own officers.

5. A majority of the Parties designated by the meeting to take part in the committee or working group shall constitute a quorum, but in the event of the committee or working group being open-ended one quarter of the Parties shall constitute a quorum.

6. Unless otherwise decided by the meeting, these rules shall apply mutatis mutandis to the proceedings of committees and working groups, except that:

- (a) The chairman of a committee or working group may exercise the right to vote; and
- (b) Decisions of committees or working groups shall be taken by a majority of the Parties present and voting, except that the reconsideration of a proposal or of an amendment to a proposal shall require the majority established by rule 38.

SECRETARIAT

Rule 27

1. The head of the international organization designated as Secretariat of the Convention shall be the Secretary-General of any meeting. He may delegate his functions to a member of the Secretariat. He, or his representative, shall act in that capacity in all sessions of the meeting and in all sessions of committees or working groups of the meeting.

2. The Secretary-General shall appoint an Executive Secretary of the meeting and shall provide and direct the staff required by the meeting and the committees or working groups of the meeting.

Rule 28

The Secretariat shall, in accordance with these rules:

- (z) Arrange for interpretation at the meeting;
- (b) Receive, translate, reproduce and distribute the documents of the meeting;
- (c) Publish and circulate the official documents of the meeting;
- (d) Make and arrange for keeping of sound recordings of the meeting;
- (e) Arrange for the custody and preservation of the documents of the meeting in the archives of the international organization designated as secretariat of the Convention; and
- (f) Generally perform all other work that the meeting may require.

CONDUCT OF BUSINESS

Rule 29

Sessions of the meeting, and of committees and working groups established by the meeting shall be held in accordance with the rules established by the meeting.

Rule 30

The President may declare a session of the meeting open, and permit the debate to proceed and have any decision taken when representatives of at least two thirds of the Parties are present.

Rule 31

1. No one may speak at a session of the meeting without having previously obtained the permission of the President. Without prejudice to rules 32, 33, 34 and 36, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall be in charge of drawing up a list of such speakers. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

2. The meeting may, on a proposal from the President, or from any Party, limit the time allowed to each speaker and the number of times each representative may speak on a question. Before a decision is taken, two representatives may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Rule 32

The chairman or rapporteur of a committee or working group may be accorded precedence for the purpose of explaining the conclusions arrived at by his committee or working group.

Rule 33

During the discussion of any matter, a representative may at any time raise a point of order which shall be decided immediately by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be put to the vote immediately and the ruling shall stand unless overruled by a majority of the Parties present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 34

Any motion calling for a decision on the competence of the meeting to discuss any matter or to adopt a proposal or an amendment to a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Rule 35

1. Without prejudice to paragraph 2 of this rule, proposals and amendments to proposals shall normally be introduced in writing by the Parties and handed to the Secretariat, which shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any session unless copies of it have been circulated to delegations not later than the day preceding the session. The President may, however, permit the discussion and consideration of amendments to proposals or of procedural motions even though these amendments or motions have not been circulated or have been circulated only the same day.

2. Proposals of amendments to the Protocol, including its annexes, and of additional annexes to the Protocol shall be communicated to the Parties by the Secretariat at least six months before the meeting at which they were proposed for adoption.

Rule 36

1. Subject to rule 33, the following motions shall have precedence, in the order indicated below, over all other proposals or motions:

- (a) To suspend a session;
- (b) To adjourn a session;
- (c) To adjourn the debate on the question under discussion; and
- (d) For the closure of the debate on the question under discussion.

2. Permission to speak on a motion falling within (a) to (d) above shall be granted only to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 37

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended. A proposal or motion withdrawn may be reintroduced by any other Party.

Rule 38

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the meeting, by a two-thirds majority of the Parties present and voting, decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter, after which it shall be put immediately to the vote.

VOTING

Rule 39

1. Except as provided for in paragraph 2 of this rule, each Party shall have one vote.
2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States which are Parties. Such organizations shall not exercise their right to vote if their member States exercise theirs, and vice versa.

Rule 40

1. Unless otherwise provided by the Convention, decisions of a meeting on all matters of substance shall be taken by a two-thirds majority vote of the Parties present and voting, except as otherwise provided in the Terms of Reference for the administration of the Trust Fund.

2. Decisions of a meeting on matters of procedure shall be taken by a simple majority vote of the Parties present and voting.

3. If the question arises whether a matter is one of procedural or substantive nature, the President shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the Parties present and voting.

4. If on matters other than elections a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be regarded as rejected.

5. For the purposes of these rules, the phrase "Parties present and voting" means Parties present at the session at which voting takes place and casting an affirmative or negative vote. Parties abstaining from voting shall be considered as not voting.

Rule 41

If two or more proposals relate to the same question, the meeting, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted. The meeting may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 42

Any representative may request that any parts of a proposal or of an amendment to a proposal be voted on separately. If objection is made to the request for division, the President shall permit two representatives to speak, one in favour of and the other against the motion, after which shall be put immediately to the vote.

Rule 43

If the motion referred to in rule 42 is adopted, those parts a proposal or of an amendment to a proposal which have been approved shall then be put to the vote as a whole. If all the operative parts of a proposal or amendment have been rejected the proposal or amendment shall be considered to have been rejected as a whole.

Rule 44

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from, or revise parts of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 45

If two or more amendments are moved to a proposal, the meeting shall first vote on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed therefrom, and so on, until all amendments have been put to the vote. The President shall determine the order of the voting on the amendments under this rule.

Rule 46

Except for elections, voting shall normally be by show of hands. A roll-call vote shall be taken if one is requested by any Party. It shall be taken in the English alphabetical order of the names of the Parties participating in the meeting, beginning with the Party whose name is drawn by lot by the President. However, if at any time a Party requests a secret ballot, that shall be the method of voting on the issue in question.

Rule 47

The vote of each Party participating in a roll-call vote shall be recorded in the relevant documents of the meeting.

Rule 48

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of voting. The President may permit the Parties to explain their votes, either before or after the voting. The President may limit the time to be allowed for such explanations. The President shall not permit the proposer of a proposal or an amendment to a proposal to explain his vote on his own proposal or amendment, except if it has been amended.

Rule 49

All elections shall be held by secret ballot, unless otherwise decided by the meeting

Rule 50

1. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of the votes cast by the Parties present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set forth in paragraph 1 of this rule.

Rule 51

When two or more elective places are to be filled at one time under the same conditions, those candidates, not exceeding the number of such places, obtaining in the first ballot the largest number of votes and a majority of the votes cast by the Parties present and voting shall be deemed elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled, provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation. If three such unrestricted

ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter, shall be unrestricted, and so on until all the places have been filled.

LANGUAGES

Rule 52

The Official languages of the meeting shall be Arabic, Chinese, English, French, Russian, and Spanish.

Rule 53

1. Statements made in an official language of the meeting shall be interpreted in the official languages.
2. A representative may speak in a language other than an official language of the meeting, if he provides for interpretation into one such official language.

Rule 54

Official documents of the meetings shall be drawn up in one of the official languages and translated into the other official languages.

SOUND RECORDS OF THE MEETING

Rule 55

Sound records of the meeting, and whenever possible of its committees and working groups, shall be kept by the Secretariat in accordance with the practice of the United Nations.

AD HOC MEETINGS

Rule 56

1. A meeting may recommend to the Secretariat, taking duly into account the financial implications, the convening of Ad Hoc meetings, either of representatives of the Parties or of experts nominated by the Parties, in order to deal with matters which, because of their specialized nature, or for other reasons, cannot be adequately discussed during the normal session of a meeting.
2. The terms of reference of these Ad Hoc meetings and the questions to be discussed shall be determined by a meeting.
3. Unless otherwise decided by the meeting, each Ad Hoc meeting shall elect its own officers.
4. These rules of procedure shall apply mutatis mutandis to such Ad Hoc meetings.

AMENDMENTS TO RULES OF PROCEDURE

Rule 57

1. These rules of procedure may be amended by consensus by the Conference of the Parties.
2. Paragraph 1 of this rule shall likewise apply in case the Conference of the Parties deletes an existing rule of procedure or adopts a new rule of procedure.

OVERRIDING AUTHORITY OF THE CONVENTION

Rule 58

In the event of any conflict between any provision of these rules and any provision of the Convention, the Convention shall prevail.

ANNEX II

ARBITRATION PROCEDURE

UNDER ARTICLE 11, PARAGRAPH 3 (a), OF THE VIENNA CONVENTION
FOR THE PROTECTION OF THE OZONE LAYER

Article 1

This procedure is adopted as required by Article 11, paragraph 3 (a), of the Vienna Convention for the Protection of the Ozone Layer. Unless the Parties to a dispute otherwise agree the arbitration procedure shall be conducted in accordance with articles 2 to 16 below.

Article 2

The claimant Party shall notify the Secretariat that the Parties are referring a dispute to arbitration pursuant to Article 11, paragraph 3, of the Convention. The notification shall state the subject-matter of arbitration and include in particular the articles of the Convention or the Protocol, the interpretation or application of which are at issue. The Secretariat shall forward the information thus received to all Contracting Parties to the Convention or to the Protocol concerned.

Article 3

1. In disputes between two Parties, the arbitral tribunal shall consist of three members. Each of the Parties to the dispute shall appoint an arbitrator and the two arbitrators so appointed shall designate by common agreement the third arbitrator who shall be the chairman of the tribunal. The latter shall not be a national of one of the Parties to the dispute, nor have his usual place of residence in the territory of one of these Parties, nor be employed by any of them, nor have dealt with the case in any other capacity.
2. In disputes between more than two Parties, Parties in the same interest shall appoint one member of the tribunal jointly by agreement.
3. Any vacancy shall be filled in the manner prescribed for the initial appointment.

Article 4

1. If the chairman of the arbitral tribunal has not been designated within two months of the appointment of the second arbitrator, the Secretary General of the United Nations shall, at the request of a Party, designate him within a further two month's period.
2. If one of the Parties to the dispute does not appoint an arbitrator within two months of receipt of the request, the other Party may inform the Secretary-General of the United Nations who shall designate the other arbitrator within a further two month's period.

Article 5

The arbitral tribunal shall render its decisions in accordance with international law, as well as the provisions of this Convention and any protocols concerned.

Article 6

Unless the parties to the dispute otherwise agree, the arbitral tribunal shall determine its own procedure, assuring that each Party has a full opportunity to be heard and to present its case.

Article 7

The Parties to the dispute shall facilitate the work of the arbitral tribunal and, in particular, using all means at their disposal, shall:

- (a) Provide it with all relevant documents, facilities and information; and
- (b) Enable it when necessary to call witnesses or experts and receive their evidence.

Article 7 bis

The Parties and the arbitrators are under an obligation to protect the confidentiality of any information they receive in confidence during the proceedings of the arbitral tribunal.

Article 8

Unless the arbitral tribunal determines otherwise because of the particular circumstances of the case, the costs of the tribunal shall be borne by the Parties to the dispute in equal shares. The tribunal shall keep record of all its costs, and shall furnish a final statement thereof to the Parties.

Article 9

Any Contracting Party that has an interest of a legal nature in the subject-matter of the dispute which may be affected by the decision in the case, may intervene in the proceedings with the consent of the tribunal.

Article 10

The tribunal may hear and determine counterclaims arising directly out of the subject-matter of the dispute.

Article 11

Decisions both on procedure and substance of the arbitral tribunal shall be taken by a majority vote of its members.

Article 12

If one of the Parties to the dispute does not appear before the arbitral tribunal or fails to defend its case, the other Party may request the tribunal to continue the proceedings and to make its award. Absence of a Party or failure of a Party to defend its case shall not constitute a bar to the proceedings. Before rendering its final decision, the arbitral tribunal must satisfy itself that the claim is well founded in fact and law.

Article 13

The tribunal shall render its final decision within five months of the date on which it is fully constituted unless it finds it necessary to extend the time-limit for a period which should not exceed five months.

Article 14

The final decision of the arbitral tribunal shall be confined to the subject-matter of the dispute and shall state the reasons on which it is based. It shall contain the names of the members who have participated and the date of the final decision. Any members of the tribunal may attach a separate or dissenting opinion to the final decision.

Article 15

The final decision shall be without appeal unless the Parties to the dispute have agreed in advance to an appellate procedure. It shall be complied with by the Parties to the dispute.

Article 16

Any controversy which may arise between the Parties to the dispute as regards the interpretation or manner of implementation of the final decision may be submitted by either Party for decision to the arbitral tribunal which rendered it.

ANNEX III

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND
FOR THE VIENNA CONVENTION FOR THE PROTECTION OF THE OZONE LAYER

1. A Trust Fund for the Vienna Convention for the Protection of the Ozone Layer (hereinafter referred to as the Trust Fund) shall be established to provide financial support to the Convention.
2. Pursuant to the Financial Regulations and Rules of the United Nations, the Executive Director of the United Nations Environment Programme (UNEP), with the approval of the Governing Council of UNEP and the Secretary-General of the United Nations, shall establish the Trust Fund for the administration of the Convention.
3. The Trust Fund shall be established for an initial period of three and one half years beginning 1 October 1989 and ending 31 March 1993. The appropriations of the Trust Fund for this period shall be financed from:
 - (a) Voluntary contributions made by the Parties to the Convention including contributions from any new Parties;
 - (b) Voluntary contributions from States not party to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
4. The voluntary contributions referred to in Article 3 (a) above, are to be based on the United Nations scale of contributions for the apportionment of the expenses of the United Nations adjusted to provide that no one contribution shall exceed 25 per cent of the total and no contributions shall be required when the United Nations scale provides for a contribution of less than 0.1 per cent.
5. The budget estimates prepared in United States dollars, covering the income and expenditure of the Convention, shall be submitted to the ordinary meetings of the Conference of the Parties to the Convention.
6. The proposed budget shall be dispatched by the Secretariat to all Parties to the Convention at least ninety days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties to the Convention.
7. The Parties shall make every effort to reach agreement on the budget by consensus. If all efforts at consensus have been exhausted and no agreement reached, the budget shall, as a last resort, be adopted by two-thirds majority vote of the Parties present and voting representing at least 50 per cent of the total consumption of the controlled substances of the Parties.
8. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, he shall have discretion to adjust the budget so that expenditures are at all times fully covered by contributions received.
9. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income. No commitments shall be made in advance of the receipt of contributions.

10. The Executive Director of UNEP may make transfers from one budget line to another within the budget in accordance with the Financial Regulations and Rules of the United Nations. At the end of a calendar year of a financial period, the Executive Director may transfer an uncommitted balance of appropriations to the following calendar year.
11. All contributions are due to be paid in the year immediately preceding the year to which the contributions relate.
12. All contributions shall be paid in United States dollars into the following account: Account No.015-002756, UNEP General Trusts Funds Account, Chemical Bank, United Nations Branch, New York, N.Y. 10017, United States.
13. Contributions from States that become Parties after the beginning of the financial period shall be made on a pro rata basis for the balance of the financial period.
14. Contributions not immediately required for the purposes of the Fund shall be invested at the discretion of the United Nations and any interest so earned shall be credited to the Fund.
15. The Executive Director shall deduct from the income of the Trust Fund an administrative support charge equal to 13 per cent of other expenditures recorded during any accounting period in order to meet the cost of administrative activities financed from the Trust Fund and providing services relating to personnel, accounting, audit, etc.
16. At the end of the first calendar year of a financial period, the Executive Director shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.
17. The General Procedures governing the Operations of the Fund of UNEP and the Financial Regulations and Rules of the United Nations shall govern the financial operations of the Convention.
18. In the event that the Parties wish the Trust Fund to be extended beyond 31 March 1993, the Executive Director of UNEP shall be so requested by the Parties at least six months earlier. Such extension of the Trust Fund shall be subject to the approval of the UNEP Governing Council and the United Nations Secretary-General.

ANNEX IV

BUDGET FOR THE SECRETARIAT
UNDER THE VIENNA CONVENTION
(United States dollars)

		<u>1990</u>	<u>1991</u>	<u>TOTAL</u>
1100	<u>Project personnel</u> (to be shared between the Convention and the Protocol)			
	1101 Co-ordinator (Lawyer) (P-4/P-5)	40 000	40 000	80 000
	1102 Programme officer (Chemist) (P-3/P-4)	34 000	34 000	68 000
	1103 administrative officer (P-2)	23 000	23 000	46 000
	SUBTOTAL	97 000	97 000	194 000
1200	<u>Consultants</u>			
	1201 Consultants for preparation of documents for the second meeting of the Conference of the Parties to the Convention	12 000	12 000	24 000
	SUBTOTAL	12 000	12 000	24 000
1300	<u>Administrative Support</u>			
	1301 Administrative assistant (to be shared between the Convention and the Protocol)	6 500	6 500	13 000
	1302 Secretary	12 000	12 000	24 000
	<u>Conference-servicing costs</u>			
	1311 Second meeting of the Conference of the Parties to the Convention(1991)		-	170 000
170 000				
	1312 Meeting of Bureau/Research Managers	25 000	25 000	50 000
	SUBTOTAL	43 500	213 500	257 000

		<u>1990</u>	<u>1991</u>	<u>TOTAL</u>
1600	Travel on official business			
	1600 Travel and subsistence costs of UNEP staff members	30 000	30 000	60 000
	SUBTOTAL	30 000	30 000	60 000
3300	<u>Meeting/conferences</u>			
	Travel and subsistence cost of participants to the Meetings of Bureau/Research Managers	35 000	35 000	70 000
	SUBTOTAL	35 000	35 000	70 000
4000	<u>Equipment</u>	20 000	10 000	30 000
5000	<u>Miscellaneous</u>			
	5100 Maintenance of equipment	3 000	4 500	7 500
	5200 Reporting costs	-	2 500	2 500
	SUBTOTAL	3 000	7 000	10 000
5300	<u>Sundry</u>			
	5301 Communications	10 000	10 000	20 000
	5302 Freight charges (shipment of documents)	7 500	7 500	15 000
	5303 Other	5 000	5 000	10 000
	5400 Hospitality	-	10 000	10 000
	SUBTOTAL	22 500	32 500	55 000
	TOTAL	263 000	437 000	700 000
	Programme support costs (13%)	34 000	56 000	90 000
	GRAND TOTAL	297 000	493 000	790 000

FORMULA FOR VOLUNTARY CONTRIBUTION TO
THE TRUST FUND FOR THE VIENNA CONVENTION
ON THE PROTECTION OF THE OZONE LAYER

	Percentages of total budget	Contribution 1990 US\$	Contribution 1991 US\$	Total 1990-91 US\$
Australia	1.76	5,229	8,680	13,909
Austria	0.83	2,465	4,091	6,556
Belgium	1.31	3,897	6,468	10,365
Burkina Faso	0.00	0	0	0
Byelorussian SSR	0.37	1,099	1,824	2,924
Canada	3.47	10,292	17,083	27,375
Denmark	0.77	2,298	3,815	6,113
Egypt	0.00	0	0	0
Equatorial Guinea	0.00	0	0	0
Finland	0.57	1,699	2,820	4,518
France	7.01	20,816	34,554	55,370
German Democratic Rep.	1.44	4,263	7,077	11,340
Germany, Fed. Rep. of	9.06	26,911	44,671	71,583
Greece	0.45	1,332	2,211	3,544
Guatemala	0.00	0	0	0
Hungary	0.24	699	1,161	1,860
Ireland	0.20	600	995	1,595
Italy	4.47	13,289	22,059	35,348
Japan	12.76	37,903	62,916	100,818
Kenya	0.00	0	0	0
Lichtenstein	0.00	0	0	0
Luxembourg	0.00	0	0	0
Maldives	0.00	0	0	0
Malta	0.00	0	0	0
Mexico	1.05	3,131	5,197	8,328
Netherlands	1.85	5,496	9,122	14,618
New Zealand	0.27	799	1,327	2,126
Nigeria	0.22	666	1,106	1,772
Norway	0.62	1,832	3,041	4,873
Panama	0.00	0	0	0
Peru	0.00	0	0	0
Portugal	0.20	600	995	1,595
Singapore	0.12	366	608	975
Spain	2.19	6,495	10,781	17,276
Sweden	1.36	4,030	6,690	10,720
Switzerland	1.21	3,597	5,971	9,568
Uganda	0.00	0	0	0
Ukrainian SSR	1.40	4,163	6,911	11,074
Uruguay	0.00	0	0	0
USSR	11.20	33,273	55,231	88,504
U.K.	5.45	16,187	26,869	43,056
U.S.A.	25.00	74,250	123,250	197,500
Venezuela	0.64	1,898	3,151	5,050
EEC	2.50	7,425	12,325	19,750
TOTAL	100.00	297,000	493,000	790,000

ENCLOSURE 3

The First Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decides: (Reproduced from UNEP/Oz1.Pro.1/5)

1. To adopt the Rules of Procedure for Meetings of the Parties to the Montreal Protocol as they appear in Annex I to this report.
2. To establish its Bureau to be composed of the President, three Vice-Presidents and Rapporteur elected by each meeting of the parties.

The Bureau shall meet at least once between meetings of the Parties to review the work of any working groups established by the Parties during their meetings, to consider other topics on the Agenda of the next meeting of the Parties and to review the documents prepared by the Secretariat for meetings of the Parties to facilitate the work of these meetings.

3. To endorse the establishment, in accordance with article 6 of the Montreal Protocol, of the following four review panels:

- (a) Panel for Scientific Assessment,
- (b) Panel for Environmental Assessment,
- (c) Panel for Technical Assessment,
- (d) Panel for Economic Assessment,

according to the composition in Annex V and the Terms of Reference in Annex VI to this report.

4. To consider the following elements as the first components for the workplans required by articles 9 and 10 of the Protocol:

- (a) Dissemination of the reports of the panels for scientific environmental, technical, and economic assessments, as well as the synthesis report, and their follow-up;

- (b) Regular updating of the panel reports, taking into account in particular the developments in the fields of production of environmentally sound substitutes or alternative technological solutions to the use of CFCs or halons;

- (c) Development of a programme, which will include workshops, demonstration projects, training courses, the exchange of experts and the provision of consultants on control options, taking into account the special needs of developing countries, for the consideration by the Parties at their second meeting;

- (d) Preparation of a study of retrofit technologies applicable to existing manufacturing facilities that produce controlled substances or products made with or containing such substances, to be presented to the Parties for their consideration at their second meeting;

- (e) Facilitation of the production and wide dissemination of material for public information;
 - (f) Exploration of specific ways of promoting exchange and transfer of environmentally sound substitutes and alternative technologies;
 - (g) Initiatives to support activities in programmes of international organizations and financing agencies that could contribute towards implementing the provisions of the Protocol, and defining means by which the Secretariat can initiate concrete contacts with the appropriate international organizations, programmes and financing agencies for this purpose.
5. To establish an open-ended group to:
- (a) Review the report of the four panels referred in decision 3 above, and integrate them into one synthesis report;
 - (b) Based on (a) above, and taking into account the views expressed at the First Meeting of the Parties to the Montreal Protocol, prepare draft proposals for any amendments to the Protocol which would be needed. Such proposals are to be circulated to the Parties in accordance with article 9 of the Vienna Convention for the Protection of the Ozone Layer;
 - (c) To develop the workplans referred to in decision 4 above; and
 - (d) To work out the modalities required by decision 13.
6. To authorize the Secretariat to convene meetings of the working group referred to in paragraph 5 above.
7. To authorize the Secretariat to invite non-Parties to participate in the deliberations of the meetings of the working groups established by the Parties.
8. Non-Compliance:
- (a) To establish an open-ended ad hoc working group of legal experts to develop and submit to the Secretariat by 1 November 1989 appropriate proposals for consideration and approval by the Parties at their Second Meeting on procedures and institutional mechanisms for determining non-compliance with the provisions of the Montreal Protocol and for the treatment of Parties that fail to comply with its terms;
 - (b) To invite Parties and signatories to submit to the Secretariat by no later than 22 May 1989 any comments or proposals they wish to see reflected in the working documents of the ad hoc working group;
 - (c) To urge the Parties to provide within the next three months on a voluntary basis, the necessary funds for the ad hoc working group's meeting.

9. To accept the value for the Ozone Depleting Potential (ODP) for halon 2402, as 6.0, and to request the Secretariat to inform the Depositary that the Parties agreed to accept this figure by consensus at their first meeting and that accordingly, the Depositary should insert this figure to replace the words "to be determined" in Annex A to the Montreal Protocol.
10. To request the Panel for Scientific Assessment to give full consideration to ODPs, greenhouse-warming potential and atmospheric life-time of the various atmospheric constituents whether controlled or not, and advise the Parties as to the environmental characteristics, both currently and in the light of projections of future production and emission, of all relevant atmospheric constituents. In this regard, particular attention should be paid to potential substitutes for the presently controlled substances, particularly HCFC 22. Similarly, the importance of methyl chloroform and carbon tetrachloride in controlling the volume of atmospheric ozone should be quantified.
11. Report and confidentiality of data
 - (a) That each Party is required to report its annual production, imports and exports of each individual controlled substance;
 - (b) That Parties submitting data on controlled substances deemed to be confidential by that Party shall, in submitting the data to the Secretariat, require a guarantee that the data will be treated with professional secrecy and maintained confidential;
 - (c) That the Secretariat in preparing reports on data of controlled substances shall aggregate the data from several Parties in such a way as to ensure that data from Parties deemed to be confidential is not disclosed. The Secretariat shall also publish total data aggregated over all Parties for each individual controlled substance;
 - (d) That Parties wishing to exercise their rights under article 12, paragraph b of the Protocol may have access from the Secretariat to confidential data from other Parties, provided that they send an application in writing guaranteeing that such data will be treated with professional secrecy and not disclosed or published in any way;
 - (e) That data submitted under article 7 shall when necessary be made available on a confidential basis to resolve disputes under article 11 of the Convention.
12. Clarification of terms and definitions:
 - A. To agree to the following clarification of the definition of controlled substances (in bulk) in article 1 paragraph 4 of the Montreal Protocol:
 - (a) Article 1 of the Montreal Protocol excludes from consideration as a "controlled substance" any listed substance, whether alone or in a mixture, which is in a manufactured product other than a container used for transportation or storage;

(b) Any amount of a controlled substance or a mixture of controlled substances which is not part of a use system containing the substance is a controlled substance for the purpose of the Protocol (i.e. a bulk chemical);

(c) If a substance or mixture must first be transferred from a bulk container to another container, vessel or piece of equipment in order to realize its intended use, the first container is in fact utilized only for storage and/or transport, and the substance or mixture so packaged is covered by article 1, paragraph 4 of the Protocol;

(d) If, on the other hand, the mere dispensing of the product from a container constitutes the intended use of the substance, then that container is itself part of a use system and the substance contained in it is therefore excluded from the definition;

(e) Examples of use systems to be considered as products for the purposes of article 1, paragraph 4 are inter alia:

(i) An aerosol can;

(ii) A refrigerator or refrigerating plant, air conditioning plant, heat pump, etc;

(iii) A polyurethane prepolymer or any form containing, or manufactured with, a controlled substance;

(iv) A fire extinguisher (wheel or hand-operated) or an installed container incorporating a release device (automatic or hand-operated);

(f) Bulk containers for shipment of controlled substances and mixtures containing controlled substances to users include (numbers being illustrative), inter alia:

(i) Tanks installed on board ships;

(ii) Rail tank cars (10-40 metric tons);

(iii) Road tankers (up to 20 metric tons);

(iv) Cylinders from 0.4 kg to one metric ton;

(v) Drums (5-300 kg);

(g) Because containers of all sizes are used for either bulk or manufactured products, distinguishing on the basis of size is not consistent with the definition in the Protocol. Similarly, since containers for bulk or manufactured products can be designed to be rechargeable or not rechargeable, rechargeability is not sufficient for consistent definition;

(h) If the purpose of the container is used as the distinguishing characteristic as in the Protocol definition, such CFC or halon-containing products as aerosol spray cans and fire extinguishers, whether of the portable or flooding type, would therefore be excluded, because it is the mere release from such containers which constitute the intended use.

- B. (a) To agree to the following clarification on the definition of "controlled substances produced" in article 1, paragraph 5:

"Controlled substances produced" as used in article 1, paragraph 5 is the calculated level of controlled substances manufactured by a Party. This excludes the calculated level of controlled substances entirely used as a feedstock in the manufacture of other chemicals. Excluded also from the term "controlled substances produced" is the calculated level of controlled substances derived from used controlled substances through recycling or recovery processes.

(b) Each Party should establish accounting procedures to implement this definition.

- C. To agree to the following clarification of the term "basic domestic needs" in articles 2 and 5 of the Protocol:

"Basic domestic needs" referred to in articles 2 and 5 of the Protocol should be understood as not to allow production of products containing controlled substances to expand for the purpose of supplying other countries.

- D. To agree to the following clarification of the definition of "industrial rationalization" in article 1, paragraph 8 and article 2, paragraphs 1 to 5 of the Protocol:

"In interpreting the definition of industrial rationalization, it is not possible for one country to increase its production without a corresponding reduction of production in another country."

- E. Clarification of the term "developing countries":

The following countries shall be considered developing countries for the purposes of the Protocol: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burma, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cote d'Ivoire, Cuba, Cyprus, Democratic Kampuchea, Democratic People's Republic of Korea, Democratic Yemen, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Romania, Rwanda, St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia,

Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe.

F. Definition of "destruction"

(a) To agree to the following clarification of the definition of article 1, paragraph 5 of the Protocol:

"A destruction process is one which, when applied to controlled substances, results in the permanent transformation, or decomposition of all or a significant portion of such substances";

(b) To request the Panel for Technical Assessment to address this subject for the Parties to return to it at its second and subsequent meetings with a view to determining whether it would be necessary to have a Standing Technical Committee to review and recommend for approval by the Parties methods for transformation or decomposition and to determine the amount of controlled substances that are transformed or decomposed by each method.

G. To agree to the following clarification of article 2, paragraph 6 of the Protocol:

(a) Paragraphs 1 to 4 of article 2 of the Protocol freeze and then reduce annual production and therefore do not allow any increase of such production under article 2, paragraph 6.

(b) Since the object and purpose of the Protocol is to significantly reduce the production and use of CFCs and halons, neither article 2, paragraph 6 nor any other provision allows an increase in production to be exported to non-Parties so that the reduction in global consumption is not obtained in accordance with the object of the Protocol.

(c) Only countries that notify the Secretariat that the facilities were under construction or contracted prior to 16 September 1987, provided for in national legislation prior to 1 January 1987 and completed by 31 December 1990 were allowed to operate under article 2, paragraph 6.

H. Exports and imports of used controlled substances

Imports and exports of bulk used controlled substances should be treated and recorded in the same manner as virgin controlled substances and included in the calculation of a Party's consumption limits.

13. Assistance to Developing Countries

(a) To recognize the urgent need to establish international financial and other mechanisms to implement article 5, paragraphs 2 and 3, in conjunction with articles 9 and 10 of the Montreal Protocol and to enable developing countries to meet the requirements of the present and a future strengthened Protocol, thereby addressing the ozone depletion and related problems.

(b) To establish an open-ended working group of the Contracting Parties to develop modalities for such mechanisms, including adequate international funding mechanisms which do not exclude the possibility of an international Fund and to report the results of their deliberations to the Conference of the Parties at its second meeting in 1990.

14. Financial Arrangements:

A. (a) To establish a United Nations Trust Fund in accordance with the Financial Regulations and Rules of the United Nations and in accordance with the General Procedures governing operations of the Fund of the United Nations Environment Programme;

(b) The Protocol Trust Fund shall be administered by the Executive Director of UNEP and shall finance expenditures approved by the Parties and shall receive the contributions of Parties to the Protocol;

(c) To that end the Meeting requests the Executive Director to secure the necessary consents of the Secretary General of the United Nations and the Governing Council of UNEP;

(d) To adopt the terms of reference of the Trust Fund in Annex II of this report;

(e) The contributions of the Parties shall be in the form of voluntary contributions according to the formula in Annex III of this report;

(f) The Meeting calls on all Parties to pay their contributions to the Trust Fund in advance of the period to which they relate;

(g) To approve a total budget of US\$ 1,580,000 for the biennium 1990-1991, the details of the approved budget are presented in Annex IV.

B. The States non-Parties and the non-Contributing Parties to the Trust Fund are encouraged to make voluntary contributions to the Trust Fund.

15. Helsinki Declaration

To take note of the Helsinki Declaration on the Protection of the Ozone Layer adopted by all countries both Contracting and non-Contracting Parties present in Helsinki on the occasion of the first Meeting of Parties to the Vienna Convention and the Montreal Protocol as it appears in Appendix I to this Report.

ANNEX I

RULES OF PROCEDURE

Rules of procedure for meetings of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer

PURPOSES

Rule 1

These rules of procedure shall apply to any meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer convened in accordance with article 11 of the Protocol.

DEFINITIONS

Rule 2

For the purposes of these rules:

1. "Convention" means the Vienna Convention for the Protection of the Ozone Layer, adopted on 22 March 1985;
2. "Protocol" means the Montreal Protocol on Substances that Deplete the Ozone Layer, adopted on 16 September 1987;
3. "Parties" means, unless the text otherwise indicates, Parties to the Protocol;
4. "Conference of the Parties to the Convention" means the Conference of the Parties established in accordance with article 6 of the Convention;
5. "Meeting of the Parties" means the meeting of the Parties convened in accordance with Article 11 of the Protocol;
6. "Regional economic integration organization" means an organization defined in article 1, paragraph 6, of the Convention;
7. "President" means the President elected in accordance with rule 21, paragraph 1, of the present rules of procedure;
8. "Secretariat" means the international organization designated as Secretariat of the Convention by the Conference of the Parties to the Convention in accordance with paragraph 2 of Article 7 of the Convention;
9. "Meeting" means any ordinary or extraordinary meeting of the Parties.

PLACE OF MEETING

Rule 3

The meetings of the Parties shall take place at the seat of the Secretariat, unless other appropriate arrangements are made by the Secretariat in consultation with the Parties.

DATES OF MEETINGS

Rule 4

1. Ordinary meetings of the Parties shall be held once every year, unless the Parties decide otherwise. In years when there is an ordinary meeting of the Conference of the Parties to the Vienna Convention, that meeting and the meeting of the Parties to the Protocol shall be held in conjunction.

2. At each ordinary meeting, the Parties shall fix the opening date and duration of the next ordinary meeting.

3. Extraordinary meetings of the Parties shall be convened at such times as may be deemed necessary by a meeting of the Parties, or at the written request of any Party, provided that, within six months of the request being communicated to them by the Secretariat, it is supported by at least one third of the Parties.

4. In the case of an extraordinary meeting convened at the written request of a party, it shall be convened not more than ninety days after the date at which the request is supported by at least one third of the Parties in accordance with paragraph 3 of this rule.

Rule 5

The Secretariat shall notify all Parties of the dates and venue of meetings at least two months before the meeting.

OBSERVERS

Rule 6

1. The Secretariat shall notify the United Nations and its specialized agencies, the International Atomic Energy Agency and any State not party to the Protocol of any meeting so that they may be represented by observers.

2. Such observers may, upon invitation of the President, and if there is no objection from the Parties present, participate without the right to vote in the proceedings of any meeting.

Rule 7

1. The Secretariat shall notify any body or agency, whether national or international, governmental or non-governmental, qualified in fields relating to the protection of the ozone layer which has informed the

Secretariat of its wish to be represented, of any meeting so that they may be represented by observers, subject to the condition that their admission to the meeting is not objected to by at least one third of the Parties present at the meeting.

2. Such observers may, upon invitation of the President, and if there is no objection from the Parties present, participate without the right to vote in the proceedings of any meeting in matters of direct concern to the body or agency they represent.

AGENDA

Rule 8

In agreement with the President, the Secretariat shall prepare the provisional agenda of each meeting.

Rule 9

The provisional agenda of each ordinary meeting shall include:

1. Items specified in article 11 of the Protocol;
2. Items the inclusion of which has been decided at a previous meeting;
3. Items referred to in rule 15 of the present rules of procedure;
4. Any item proposed by a Party before the agenda is circulated;
5. The provisional budget as well as all questions pertaining to the accounts and financial arrangements.

Rule 10

The provisional agenda, together with supporting documents, for each ordinary meeting shall be distributed by the Secretariat to the Parties at least two months before the opening of the meeting.

Rule 11

The Secretariat shall, with the agreement of the President, include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening of the meeting in a supplementary provisional agenda, which the meeting shall examine together with the provisional agenda.

Rule 12

The meeting when adopting the agenda may add, delete, defer or amend items. Only items which are considered by the meeting to be urgent and important may be added to the agenda.

Rule 13

The provisional agenda for an extraordinary meeting shall consist only of those items proposed for consideration in the request for the holding of

the extraordinary meeting. It shall be distributed to the Parties at the same time as the invitation to the extraordinary meeting.

Rule 14

The Secretariat shall report to the meeting on the administrative and financial implications of all substantive agenda items submitted to the meeting, before they are considered by it. Unless the meeting decides otherwise, no such item shall be considered until at least forty-eight hours after the meeting has received the Secretariat's report on the administrative and financial implications.

Rule 15

Any item of the agenda of an ordinary meeting, consideration of which has not been completed at the meeting, shall be included automatically in the agenda of the next ordinary meeting, unless otherwise decided by the meeting of the Parties.

REPRESENTATION AND CREDENTIALS

Rule 16

Each Party participating in the meeting shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as may be required.

Rule 17

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Rule 18

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the meeting if possible not later than twenty-four hours after the opening of the meeting. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary. The credentials shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization.

Rule 19

The officers of any meeting shall examine the credentials and submit their report to the meeting.

Rule 20

Pending a decision of the meeting upon their credentials representatives shall be entitled to participate provisionally in the meeting.

OFFICERS

Rule 21

1. 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.

2. The President, three Vice-Presidents and the Rapporteur elected at an ordinary meeting shall remain in office until their successors are elected at the next ordinary meeting and shall serve in that capacity at any intervening extraordinary meetings. On occasion, one or more of these officers may be re-elected for one further consecutive term.

3. The President shall participate in the meeting in that capacity and shall not at the same time exercise the rights of a representative of a Party. In such a case, the President or the Party concerned shall designate another representative who shall be entitled to represent the Party in the meeting and to exercise the right to vote.

Rule 22

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of the meeting, preside at the sessions of the meeting, ensure the observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the meeting of the Parties the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a session.

2. The President, in the exercise of his functions, remains under the authority of the meeting of the Parties.

Rule 23

1. If the President is temporarily absent from a session or any part thereof, he shall designate a Vice-President to act as President.

2. If the President resigns or is otherwise unable to complete his term of office or to perform his functions, a new President shall be elected from the representatives of the Parties.

Rule 24

If an officer other than the President resigns or is otherwise unable to complete his term of office or to perform his functions, a representative of the same Party shall be named by the Party concerned to replace him for the remainder of his mandate.

Rule 25

At the first session of each ordinary meeting, the President of the previous ordinary meeting, or in his absence, a Vice-President, shall preside until the meeting has elected a President for the meeting.

COMMITTEES AND WORKING GROUPS

Rule 26

1. The meeting may establish such committees or working groups as may be required for the transaction of its business.

2. The meeting may decide that such committees or working groups may meet in the period between ordinary meetings.

3. Unless otherwise decided by the meeting, the chairman for each such committee or working group shall be elected by the meeting. The meeting shall determine the matters to be considered by each such committee or working group and may authorize the President, upon the request of the chairman of a committee or working group, to adjust the allocation of work.

4. Without prejudice to paragraph 3 of this rule, each committee or working group shall elect its own officers.

5. A majority of the Parties designated by the meeting to take part in the committee or working group shall constitute a quorum, but in the event of the committee or working group open-ended one quarter of the Parties shall constitute a quorum.

6. Unless otherwise decided by the meeting, these rules shall apply mutatis mutandis to the proceedings of committees and working groups, except that:

- (a) The chairman of a committee or working group may exercise the right to vote; and
- (b) Decisions of committees or working groups shall be taken by a majority of the Parties present and voting, except that the reconsideration of a proposal or of an amendment to a proposal shall require the majority established by rule 38.

SECRETARIAT

Rule 27

1. The head of the international organization designated as Secretariat of the Convention shall be the Secretary-General of any meeting. He may delegate his functions to a member of the Secretariat. He, or his representative, shall act in that capacity in all sessions of the meeting and in all sessions of committees or working groups of the meeting.

2. The Secretary-General shall appoint an Executive Secretary of the meeting and shall provide and direct the staff required by the meeting and the committees or working groups of the meeting.

Rule 28

The Secretariat shall, in accordance with these rules:

- (a) Arrange for interpretation at the meeting;
- (b) Receive, translate, reproduce and distribute the documents of the meeting;

- (c) Publish and circulate the official documents of the meeting;
- (d) Make and arrange for keeping of sound recordings of the meeting;
- (e) Arrange for the custody and preservation of the documents of the meeting in the archives of the international organization designated as Secretariat of the Convention; and
- (f) Generally perform all other work that the meeting may require.

CONDUCT OF BUSINESS

Rule 29

Sessions of the meeting, and of committees and working groups established by the meeting shall be held in private, unless the meeting otherwise decides.

Rule 30

The President may declare a session of the meeting open, and permit the debate to proceed and have any decisions taken when representatives of at least two thirds of the Parties are present.

Rule 31

1. No one may speak at a session of the meeting without having previously obtained the permission of the President. Without prejudice to rules 32, 33, 34 and 36, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall be in charge of drawing up a list of such speakers. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

2. The meeting may, on a proposal from the President, or from any Party, limit the time allowed to each speaker and the number of times each representative may speak on a question. Before a decision is taken, two representatives may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Rule 32

The chairman or rapporteur of a committee or working group may be accorded precedence for the purpose of explaining the conclusions arrived at by his committee or working group.

Rule 33

During the discussion of any matter, a representative may at any time raise a point of order which shall be decided immediately by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be put to the vote immediately and the ruling shall stand unless overruled by a majority of the Parties present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 34

Any motion calling for a decision on the competence of the meeting to discuss any matter or to adopt a proposal or an amendment to a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Rule 35

1. Without prejudice to paragraph 2 of this rule, proposals and amendments to proposals shall normally be introduced in writing by the Parties and handed to the Secretariat, which shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any session unless copies of it have been circulated to delegations not later than the day preceding the session. The President may, however, permit the discussion and consideration of amendments to proposals or of procedural motions even though these amendments or motions have not been circulated or have been circulated only the same day.

2. Proposals of amendments to the Protocol, including its annexes, and of additional annexes to the Protocol shall be communicated to the Parties by the Secretariat at least six months before the meeting at which they are proposed for adoption.

Rule 36

1. Subject to rule 33, the following motions shall have precedence, in the order indicated below, over all other proposals or motions:

- (a) To suspend a session;
- (b) To adjourn a session;
- (c) To adjourn the debate on the question under discussion; and
- (d) For the closure of the debate on the question under discussion.

2. Permission to speak on a motion falling within (a) to (d) above shall be granted only to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 37

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended. A proposal or motion withdrawn may be reintroduced by any other Party.

Rule 38

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the meeting, by a two-thirds majority of the Parties present and voting, decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter, after which it shall be put immediately to the vote.

VOTING

Rule 39

1. Except as provided for in paragraph 2 of this rule, each Party shall have one vote.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States which are Parties. Such organizations shall not exercise their right to vote if their member States exercise theirs, and vice versa.

Rule 40

1. Unless otherwise provided by the Convention or by the Protocol decisions of a meeting on all matters of substance shall be taken by a two-thirds majority vote of the Parties present and voting except as otherwise provided in the Terms of Reference for the administration of the Trust Fund.

2. Decisions of a meeting on matters of procedure shall be taken by a simple majority vote of the Parties present and voting.

3. If the question arises whether a matter is one of procedural or substantive nature, the President shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the Parties present and voting.

4. If on matters other than elections a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be regarded as rejected.

5. For the purposes of these rules, the phrase "Parties present and voting" means Parties present at the session at which voting takes place and casting an affirmative or negative vote. Parties abstaining from voting shall be considered as not voting.

Rule 41

If two or more proposals relate to the same question, the meeting, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted. The meeting may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 42

Any representative may request that any parts of a proposal or of an amendment to a proposal be voted on separately. If objection is made to the request for division, the President shall permit two representatives to speak, one in favour of and the other against the motion, after which it shall be put immediately to the vote.

Rule 43

If the motion referred to in rule 42 is adopted, those parts of a proposal or of an amendment to a proposal which have been approved shall then

be put to the vote as a whole. If all the operative parts of a proposal or amendment have been rejected the proposal or amendment shall be considered to have been rejected as a whole.

Rule 44

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises parts of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 45

If two or more amendments are moved to a proposal, the meeting shall first vote on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed thereon, and so on, until all amendments have been put to the vote. The President shall determine the order of voting on the amendments under this rule.

Rule 46

Except for elections, voting shall normally be by show of hands. A roll-call vote shall be taken if one is requested by any Party. It shall be taken in the English alphabetical order of the names of the Parties participating in the meeting, beginning with the Party whose name is drawn by lot by the President. However, if at any time a Party requests a secret ballot, that shall be the method of voting on the issue in question.

Rule 47

The vote of each Party participating in a roll-call vote shall be recorded in the relevant documents of the meeting.

Rule 48

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The President may permit the Parties to explain their votes, either before or after the voting. The President may limit the time to be allowed for such explanations. The President shall not permit the proposer of a proposal or of an amendment to a proposal to explain his vote on his own proposal or amendment, except if it has been amended.

Rule 49

All elections shall be held by secret ballot, unless otherwise decided by the meeting.

Rule 50

1. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of the votes cast by the Parties present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set forth in paragraph 1 of this rule.

Rule 51

When two or more elective places are to be filled at one time under the same conditions, those candidates, not exceeding the number of such places, obtaining in the first ballot the largest number of votes and a majority of the votes cast by the parties present and voting shall be deemed elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled, provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter, shall be unrestricted, and so on until all the places have been filled.

LANGUAGES

Rule 52

The official languages of the meetings shall be Arabic, Chinese, English, French, Russian, and Spanish.

Rule 53

1. Statements made in an official language of the meeting shall be interpreted in the other official languages.

2. A representative may speak in a language other than an official language of the meeting, if he provides for interpretation into one such official language.

Rule 54

Official documents of the meetings shall be drawn up in one of the official languages and translated into the other official languages.

SOUND RECORDS OF THE MEETING

Rule 55

Sound records of the meeting, and whenever possible of its committees and working groups, shall be kept by the Secretariat in accordance with the practice of the United Nations.

AD HOC MEETINGS

Rule 56

1. A meeting may recommend to the Secretariat, taking duly into account the financial implications, the convening of Ad Hoc Meetings, either of representatives of the Parties or of experts nominated by the Parties, in order to deal with matters which, because of their specialized nature, or for other reasons, cannot be adequately discussed during the normal sessions of a meeting.

2. The terms of reference of these Ad Hoc meetings and the questions to be discussed shall be determined by a meeting.

3. Unless otherwise decided by the meeting, each Ad Hoc meeting shall elect its own officers.

4. These rules of procedure shall apply mutatis mutandis to such Ad Hoc meetings.

AMENDMENTS TO RULES OF PROCEDURE

Rule 57

1. These rules of procedure may be amended by consensus by a meeting of the Parties.

2. Paragraph 1 of this rule shall likewise apply in case a meeting of the Parties deletes an existing rule of procedure or adopts a new rule of procedure.

OVERRIDING AUTHORITY OF THE CONVENTION OR THE PROTOCOL

Rule 58

1. In the event of any conflict between any provision of these rules and any provision of the Convention, the Convention shall prevail.

2. In the event of any conflict between any provision of these rules and any provision of the Protocol, the Protocol shall prevail.

ANNEX II

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND
FOR THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

1. A Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer (hereinafter referred to as the Trust Fund) shall be established to provide financial support to the Protocol.
2. Pursuant to the Financial Regulations and Rules of the United Nations, the Executive Director of the United Nations Environment Programme (UNEP), with the approval of the Governing Council of UNEP and the Secretary-General of the United Nations, shall establish the Trust Fund for the administration of the Protocol.
3. The Trust Fund shall be established for an initial period of three and one half years beginning 1 October 1989 and ending 31 March 1993. The appropriations of the Trust Fund for this period shall be financed from:
 - (a) Voluntary contributions made by the Parties to the Protocol including contributions from any new Parties;
 - (b) Voluntary contributions from States not party to the Protocol, other governmental, intergovernmental and non-governmental organizations and other sources.
4. The voluntary contributions referred to in Article 3 (a) above, are to be based on the United Nations scale of contributions for the apportionment of the expenses of the United Nations (adjusted to provide that no one contribution shall exceed 25 per cent of the total and no contributions shall be required when the United Nations scale provides for a contribution of less than 0.1 per cent).
5. The budget estimates prepared in United States dollars, covering the income and expenditure for the Protocol, shall be submitted to the ordinary meetings of the Parties to the Protocol.
6. The proposed budget shall be dispatched by the Secretariat to all Parties to the Protocol at least ninety days before the date fixed for the opening of the ordinary meeting of the Parties to the Protocol.
7. The Parties shall make every effort to reach agreement on the budget by consensus. If all efforts at consensus have been exhausted and no agreement reached, the budget shall, as a last resort, be adopted by two-thirds majority vote of the Parties present and voting representing at least 50 per cent of the total consumption of the controlled substances of the Parties.
8. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, he shall have discretion to adjust the budget so that expenditures are at all times fully covered by contributions received.
9. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income. No commitments shall be made in advance of the receipt of contributions.

10. The Executive Director of UNEP may make transfers from one budget line to another within the budget in accordance with the Financial Regulations and Rules of the United Nations. At the end of a calendar year of a financial period, the Executive Director may transfer any uncommitted balance of appropriations to the following calendar year.
11. All contributions are due to be paid in the year immediately preceding the year to which the contributions relate.
12. All contributions shall be paid in United States dollars or its equivalent into the following account: Account No.015-002756, UNEP General Trust Funds Account, Chemical Bank, United Nations Branch, New York, N.Y. 10017, United States.
13. Contributions from States that become Parties after the beginning of the financial period shall be made on a pro rata basis for the balance of the financial period.
14. Contributions not immediately required for the purposes of the Fund shall be invested at the discretion of the United Nations and any interest so earned shall be credited to the Fund.
15. The Executive Director shall deduct from the income of the Trust Fund an administrative support charge equal to 13 per cent of other expenditures recorded during any accounting period in order to meet the cost of administrative activities financed from the Trust Fund and providing services relating to personnel, accounting, audit, etc.
16. At the end of the first calendar year of a financial period, the Executive Director shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.
17. The General Procedures governing the Operations of the Fund of UNEP and the Financial Regulations and Rules of the United Nations shall govern the financial operations of the Protocol.
18. In the event that the Parties wish the Trust Fund to be extended beyond 31 March 1993, the Executive Director of UNEP shall be so requested by the Parties at least six months earlier. Such extension of the Trust Fund shall be subject to the approval of the UNEP Governing Council and the United Nations Secretary-General.

ANNEX III

FORMULA FOR VOLUNTARY CONTRIBUTIONS TO THE TRUST FUND
FOR THE MONTREAL PROTOCOL ON SUBSTANCES
THAT DEplete THE OZONE LAYER

Country	Percentage of total budget	Contributions 1990 US\$	Contributions 1991 US\$	Total 1990-1991 US\$
Belgium	1.36	12 000	9 461	21 461
Byelorussian SSR	0.38	3 385	2 668	6 053
Canada	3.59	31 694	24 985	56 679
Denmark	0.80	7 077	5 579	12 656
Egypt	0.00	0	0	0
Finland	0.59	5 231	4 124	9 355
France	7.26	64 105	50 537	114 642
German Democratic Rep.	1.61	14 257	11 239	25 496
Germany Fed. Rep. Of,	9.38	82 875	65 334	148 209
Greece	0.46	4 103	3 234	7 337
Hungary	0.24	2 154	1 698	3 852
Ireland	0.21	1 846	1 455	3 302
Italy	4.63	40 925	32 263	73 187
Japan	13.21	116 722	92 017	208 740
Kenya	0.00	0	0	0
Liechtenstein	0.00	0	0	0
Luxembourg	0.00	0	0	0
Malta	0.00	0	0	0
Mexico	1.09	9 641	7 601	17 242
Netherlands	1.92	16 924	13 342	30 265
New Zealand	0.28	2 462	1 941	4 402
Nigeria	0.23	2 051	1 617	3 669
Norway	0.64	5 641	4 447	10 088
Panama	0.00	0	0	0
Portugal	0.21	1 846	1 455	3 302
Singapore	0.13	1 128	889	2 018
Spain	2.26	20 001	15 767	35 768
Sweden	1.40	12 411	9 784	22 195
Switzerland	1.25	11 077	8 733	19 810
Uganda	0.00	0	0	0
Ukrainian SSR	1.45	12 821	10 107	22 928
USSR	11.60	102 465	80 778	183 243
United Kingdom	5.64	49 848	39 297	89 145
United States	25.00	220 875	174 125	395 000
Venezuela	0.66	5 846	4 609	10 455
EEC	2.50	22 088	17 413	39 500
TOTAL	100.00	883 500	696 500	1 580 000

ANNEX IV

BUDGET UNDER THE MONTREAL PROTOCOL

(United States dollars)

	<u>1990</u>	<u>1991</u>	<u>TOTAL</u>
1100 <u>Project personnel</u> (to be shared between the Convention and the Protocol)			
1101 Co-ordinator (Lawyer) (P-4/P-5)	40 000	40 000	80 000
1102 Programme Officer (Scientist) (P-3/P-4)	34 000	34 000	68 000
1103 Administrative Officer (P-2)	23 000	23 000	46 000
SUBTOTAL	97 000	97 000	194 000
1200 <u>Consultants</u>			
1201 Consultants for preparation of documents for the Second and Third Meetings of the Parties to the Protocol	30 000	30 000	60 000
SUBTOTAL	30	30 000	60 000
1300 <u>Administrative Support</u>			
1301 Administrative assistant (to be shared with Convention)	6 500	6 500	13 000
1302 Secretary	12 000	12 000	24 000
<u>Conference-servicing costs</u>			
1311 Second meeting of the Parties to the Protocol	173 000	-	173 000
1312 Third Meeting of the Parties to the Protocol	-	175 000	175 000
1313 Working group meetings (4) on assessment process and workplans in Geneva	135 000	45 000	180 000
1314 Meeting of the Bureau	35 000	35 000	70 000
SUBTOTAL	361 500	273 500	635 000

	<u>1990</u>	<u>1991</u>	<u>TOTAL</u>
1600 <u>Travel on official business</u>			
1600 Travel and subsistence costs of UNEP staff members	60 000	60 000	120 000
<hr/>			
SUBTOTAL	60 000	60 000	120 000
<hr/>			
3300 <u>Meetings/conferences</u>			
<u>Travel and subsistence cost of experts from developing countries to participate in the:</u>			
3301 Second Meeting of the Parties (1990)	35 000	-	35 000
3302 Third Meeting of the Parties	-	35 000	35 000
3303 Working group meetings (4) on the assessment process and workplans	105 000	35 000	140 000
3304 Travel and DSA of Participants of the Bureau	35 000	35 000	70 000
<hr/>			
SUBTOTAL	175 000	105 000	280 000
<hr/>			
4000 <u>Equipment</u>	20 000	10 000	30 000
<hr/>			
5000 <u>Miscellaneous</u>			
5100 Maintenance of equipment	3 000	4 000	7 000
5200 Reporting costs	5 000	5 000	10 000
<hr/>			
SUBTOTAL	8 000	9 000	17 000
<hr/>			

	<u>1990</u>	<u>1991</u>	<u>TOTAL</u>
5300 <u>Sundry</u>			
5301 Communications	10 000	10 000	20 000
5302 Freight charges (shipment of documents)	7 000	7 000	14 000
5303 Other	5 000	5 000	10 000
5400 Hospitality	10 000	10 000	20 000
<hr/>			
SUBTOTAL	32 000	32 000	64 000
<hr/>			
TOTAL	783 500	616 500	1 400 000
<hr/>			
Programme support costs (13%)	100 000	80 000	180 000
<hr/>			
GRAND TOTAL	883 500	696 500	1 580 000
<hr/>			

ANNEX V

COMPOSITION OF THE PANELS

1. Panel for Environmental Assessment

A. Participating countries

Developed countries:

Netherlands
United States
Federal Republic of Germany
Sweden
Australia
Norway
Israel
Japan
USSR

Developing countries:

Kenya
India
Malaysia
Saudi Arabia
Panama
Chad
Philippines
Bangladesh
Nigeria
Egypt

B. Participating experts

J.C. Van der Leun	(Netherlands)
Anthony L. Andrady	(United States)
Martyn M. Caldwell	(United States)
Michael W. Gery	(United States)
D.P. Haeder	(Federal Republic of Germany)
John S. Hoffman	(United States)
Janice Longstreth	(United States)
Allen H. Teramura	(United States)
M. Tevini	(Federal Republic of Germany)
Robert C. Worrest	(United States)
Peter Usher	(UNEP)
Katie Smythe	(United States)
Susan Morschauser	(United States)
Lars O. Bjorn	(Sweden)
Dallas English	(Australia)
Ivar Isaksen	(Norway)
T. Berman	(Israel)
G. Dohler	(Federal Republic of Germany)
M. Furuya	(Japan)
H.D. Kumar	(India)
V. Skulachev	(USSR)
Toru Hashimoto	(Japan)
G. Kulandaivelu	(India)
Mohammed Ilyas	(Malaysia)
Kenji Fueki	(Japan)

Mohammed B. Amin	(Saudi Arabia)
Claudia Candanedo	(Panama)
Eloy Gibs	(Panama)
Ali Ngaram	(Chad)
Mahamat Ali	(Chad)
Bayani S. Lomotan	(Philippines)
Rodito D. Buan	(Philippines)
Jamilur Reza Chowdhury	(Bangladesh)
Adefolalu	(Nigeria)
Ahmed Amin Aljamal	(Egypt)
N.O. Adedipe	(Nigeria)

II. Panel for Scientific Assessment

A. Participating countries

Developed countries

United States
Norway
France
United Kingdom
Australia
Canada
Federal Republic of Germany
USSR
German Democratic Republic

Developing countries

Kenya
Panama
Chad
Chile
India
Philippines
Bangladesh
Nigeria
Egypt

B. Participating experts

R. Bojkov	(WMO)
Daniel L. Albritton	(United States)
Ivar S.A. Isaksen	(Norway)
Gerard Megie	(France)
Guy Brasseur	(United States)
Vicky Pope	(United Kingdom)
Rod Jones	(United Kingdom)
Paul Fraser	(Australia)
John E. Frederick	(United States)
Carl Mateer	(Canada)
Dieter H. Ehhalt	(Federal Republic of Germany)
R.A. (Tony) Cox	(United Kingdom)
Peter Usher	(UNEP)
Robert Watson	(United States)
David Warrilow	(United Kingdom)
Shelagh Varney	(United Kingdom)
U. Fiester	(GDR)
M. Muller	(France)

V.U. Khattatov	(USSR)
U.P. Kosheikov	(USSR)
I.L. Karol	(USSR)
V.V. Filyushkin	(USSR)
Claudia Candenedo	(Panama)
Eloys Gibs	(Panama)
Ali Ngaram	(Chad)
Mahamat Ali	(Chad)
Margarita Prendez	(Chile)
Subbaraya	(India)
J.A. Pyle	(United Kingdom)
Susan Solomon	(United States)
J.M. Russell III	(United States)
Matsuno	(Japan)
Bayani S. Lomotan	(Philippines)
Rodito D. Buan	(Philippines)
Jamilur Reza Chowdhury	(Bangladesh)
Adefolalu	(Nigeria)
Abdel M. Abdel Rahman Ibrahim	(Egypt)

III. Panel for Economic Assessment

A. Participating countries

Canada
France
Japan
Netherlands
Norway
United Kingdom
United States

B. Participating experts

George Strongylis	(Commission of the European Communities)
Stephen Andersen	(United States)
John B. Hoffman	(United States)
Yusuf J. Ahmad	(UNEP)
Dalphe Lynn Colemann	(United Kingdom)
Stephen De Canio	(United States)
(Huib Jansen)	(Netherlands)
Kazuo Katao	(Japan)
Wiel Klerken	(Netherlands)
Serge Landau	(Canada)
Espen Langtvat	(Norway)
Kai N. Lee	(United States)
Irving Minstzer	(United States)
Franz Nader	(Federal Republic of Germany)
Sylvain Rault	(France)
Masahiro Sato	(Japan)
Salah El Serafy	(World Bank)
V.P. Kukhar	(USSR)

IV. Panel for technical Assessment

A. Panel members

Chairman: Mr. V. Buxton (Canada)
 Chapter Charman: Dr. L. Kuijpers (Netherlands)
 Ms. J. Lupinacci (United States)
 Dr. S. Andersen (United States) (Cor-Chairman)
 Ms. I. Kokeritz (Sweden)
 Mr. G. Taylor (Canada)

B. Participants and advisors

	<u>Refrigerants</u>	<u>Foams</u>	<u>Solvents</u>	<u>Aerosols, etc</u>	<u>Halons</u>
Canada	-	1	1	-	1
United States	13	5	6	3	3
Mexico *					
Venezuela *					
Brazil	1	-	-	-	-
EEC .	-	1	-	-	-
Austria	2	-	-	-	-
Belgium	1	1	-	-	-
France	2	-	-	-	2
German Democratic Republic *	4	1	-	-	-
Germany, Federal Republic of					
Netherlands	1	-	-	-	-
United Kingdom	4	1	5	1	-
Switzerland	1	1	1	-	1
Italy	1	-	-	-	-
USSR 1/					
Australia	-	-	1	-	2
New Zealand	1	-	-	-	-
Japan	3	-	3	-	2
China	1	-	-	-	-
Singapore*					
Norway	2	-	1	-	-
Sweden	4	-	1	3	1
Denmark	1	-	-	-	-
German Dem. Republic 2/					
TOTALS (including chairman)	42	11	19	7	12

* Requested to participate.

1/ B.N. Maksimov
 I.K. Larin

2/ K.H. Pieper

ANNEX VI

TERMS OF REFERENCE FOR THE PANELS

I. Panel for Scientific Assessment

1. The Panel for Scientific Assessment shall be responsible for undertaking the review of the scientific knowledge in a timely manner as dictated by the needs of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.
 2. The currently available new scientific knowledge acquired since the adoption of the Montreal Protocol shall be compiled into a report which shall be ready for submission to the Integration Working Group of the Parties ten months prior to the second meeting of the Parties to the Protocol, at which the assessment of the control measures will be undertaken.
 3. The report shall be consolidated with three other review reports on environmental, economic and technical knowledge. The Integration Working Group of the Parties will be responsible for consolidating the four reports and preparing recommendations to the Parties on the assessment of the control measures specified in the Montreal Protocol. The Secretariat will formally transmit the consolidated report to the Parties at least eight months before the second meeting of the Parties to the Protocol.
 4. The report shall consist of four chapters as follows:
 - Chapter 1 - Introduction
 - Chapter 2 - Polar ozone
 - Chapter 3 - Global trends
 - Chapter 4 - Model prediction
- Each chapter will be 50-100 pages in length with a 5-page summary of the chapter. The report will have a 10-page executive summary which will be written in a style understandable and useful to policy makers.
5. The Panel shall consist of selected experts who are qualified in the field of atmospheric science and internationally recognized as such. The experts who are best qualified in the subject-matter of the various chapters shall be selected ensuring the widest possible geographical balance of representation.
 6. The Panel shall be organized in the following way:
 - (a) The Executive Committee of the Chairman;
 - (b) The Chapter Chairmen;
 - (c) The Contributing Authors.
 7. The Executive Committee of the Chairmen shall select the experts to participate in the Panel, ensure co-ordination of the Chapter Chairmen, convene necessary meetings of the Panel and prepare the executive summary of the report.

8. The Chapter Chairmen shall ensure effective co-ordination among the Contributing Authors as well as ensuring co-ordination with the other review panels. They shall compile and prepare the summary of their respective chapters.

9. The Contributing Authors shall, as directed by the Chapter Chairmen, prepare and submit a brief report on current knowledge of their topic.

II. Panel for Environmental Assessment

1. The Panel for Environmental Assessment shall be responsible for undertaking the review of the knowledge concerning the environmental effects of the ozone depletion in a timely manner as dictated by the needs of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.

2. The currently available new environmental knowledge acquired since the adoption of the Montreal Protocol shall be compiled into a report which shall be ready for submission to the Integration Working Group of the Parties ten months prior to the second meeting of the Parties to the Protocol, at which the assessment of the control measures will be undertaken.

3. The report shall be consolidated with three other review reports on scientific, economic and technical knowledge. The Integration Working Group of the Parties will be responsible for consolidating the four reports and preparing recommendations to the Parties on the assessment of the control measures specified in the Montreal Protocol. The Secretariat will formally transmit the consolidated report to the Parties at least eight months before the second meeting of the Parties to the Protocol.

4. The report shall consist of seven chapters as follows:

- Chapter 1 - Introduction
- Chapter 2 - Solar interactions
- Chapter 3 - Human Health
- Chapter 4 - Terrestrial plants
- Chapter 5 - Aquatic ecosystems
- Chapter 6 - Tropospheric air quality
- Chapter 7 - Materials damage

Each chapter will be 5-25 pages in length and consist of the following:

- Summary
- Introduction or background
- State of science
- Assessment of results
- Research needs
- References

The report shall have an executive summary of approximately 10 pages written in a style understandable and useful to policy makers.

5. The Panel shall consist of selected experts who are qualified in the fields related to the environmental effects of ozone depletion and internationally recognized as such. The experts who are best qualified in the subject-matter of the various chapters shall be selected ensuring the widest possible geographical balance of representation.

ENCLOSURE 4

The Second Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer decided: (Reproduced from UNEP/Oz1.Pro.2/3)

Decision II/1. Adjustments and reductions

- To adopt in accordance with the procedure laid down in paragraphs 4 and 9 of Article 2 of the Montreal Protocol the adjustments and reductions of production and consumption of the controlled substances listed in Annex A to the Protocol, as set out in Annex I to the report on the work of the Second Meeting of the Parties;

Decision II/2. Amendment of the Protocol

- To adopt in accordance with the procedure laid down in paragraph 4 of Article 9 of the Vienna Convention for the Protection of the Ozone Layer, the Amendment to the Montreal Protocol as set out in Annex II to the report on the work of the Second Meeting of the Parties;

Decision II/3. Halons

- To establish an ad hoc working group of experts to investigate, and make recommendations to the Fourth Meeting of the Parties in 1992 on, the availability of substitutes for halons, the need to define essential uses of halons, methods of implementation and, if there is such a need, the identification of such uses;

Decision II/4. Isomers

- To clarify the definition of "controlled substance" in paragraph 4 of Article 1 of the Protocol so that it is understood to include the isomers of such substances except as specified in the relevant Annex;

Decision II/5. Non-compliance

- To adopt, on an interim basis, the procedures and institutional mechanisms for determining non-compliance with the provisions of the Protocol and for treatment of Parties found to be in non-compliance, as set out in Annex III to the report on the work of the Second Meeting of the Parties;
- To extend the mandate of the open-ended Ad Hoc Working Group of Legal Experts to elaborate further procedures on non-compliance and terms of reference for the Implementation Committee and to present the results for review by the preparatory meeting to the Fourth Meeting of the Parties with a view to their consideration at the Fourth Meeting;

Decision II/6. Article 19 (Withdrawal)

- To agree that the phrase "at any time after four years of assuming the obligations" in Article 19 should be understood to mean at any time after four years after a Party's obligation to comply became operative;

Decision II/7. Montreal Protocol Handbook

- To invite the Executive Director to prepare as soon as possible a Montreal Protocol Handbook setting out the Protocol as adjusted, the Protocol as adjusted and amended and the decisions of the Parties that relate to its interpretation and other material relevant to its operation, and to update the Handbook, as necessary, after each meeting of the Parties;

Decision II/8 Financial Mechanism

- To establish for the three-year period from 1 January 1991 to 31 December 1993 or until such time as the Financial Mechanism is established, an Interim Financial Mechanism according to the following:
 1. The Interim Financial Mechanism is established for the purposes of providing financial and technical co-operation, including the transfer of technologies, to Parties operating under paragraph 1 of Article 5 of the Montreal Protocol to enable their compliance with the control measures set out in Articles 2A to 2E of the Protocol. The Mechanism, contributions to which shall be additional to other financial transfers to Parties operating under that paragraph, shall meet all agreed incremental costs of such Parties, in order to enable their compliance with the control measures of the Protocol. An indicative list of the categories of incremental costs is attached as Appendix I to this decision.*
 2. The Mechanism established under paragraph 1 shall include a Multilateral Fund. It may also include other means of multilateral, regional and bilateral co-operation.
 3. The Multilateral Fund shall:
 - (a) Meet, on a grant or concessional basis as appropriate, and according to criteria to be decided upon by the Parties, the agreed incremental costs;
 - (b) Finance clearing-house functions to:
 - (i) Assist Parties operating under paragraph 1 of Article 5, through country-specific studies and other technical co-operation, to identify their needs for co-operation;
 - (ii) Facilitate technical co-operation to meet these identified needs;
 - (iii) Distribute, as provided for in Article 9 of the Protocol, information and relevant materials, and hold workshops, training sessions and other related activities for the benefit of Parties that are developing countries; and
 - (iv) Facilitate and monitor other multilateral, regional and bilateral co-operation available to Parties that are developing countries; and

* The appendices to this decision are contained in annex IV of the present report.

(c) Finance the secretarial services of the Multilateral Fund and related support costs.

4. The Multilateral Fund shall operate under the authority of the Parties who shall decide on its overall policies.

5. The President of the Second Meeting of the Parties shall ensure that the Executive Committee establishes, with effect from 1 January 1991, an "Interim Multilateral Fund for the Implementation of the Montreal Protocol" and draws up the financial regulations and rules of the Fund.

6. The Parties hereby establish an Executive Committee to develop and monitor the implementation of specific operational policies, guidelines and administrative arrangements, including the disbursement of resources for the purpose of achieving the objectives of the Multilateral Fund. It is established for a three-year period. Before the end of that three-year period, the terms of reference of the Executive Committee shall be reviewed by the meeting of the Parties. The Executive Committee shall discharge its tasks and responsibilities specified in its terms of reference as agreed by the Parties, with the co-operation and assistance of the International Bank for Reconstruction and Development (World Bank), the United Nations Environment Programme, the United Nations Development Programme, or other appropriate agencies depending on their respective areas of expertise. The members of the Executive Committee, which shall be selected on the basis of a balanced representation of the Parties operating under paragraph 1 of Article 5 and of the Parties not so operating shall be endorsed by the Parties. The terms of reference of the Executive Committee are attached as Appendix II to this decision.*

7. The Multilateral Fund shall be financed by contributions from Parties not operating under paragraph 1 of Article 5 in convertible currency or, in certain circumstances, in kind and/or in national currency, on the basis of the United Nations scale of assessments as set out in Appendix III to this decision.* Contributions by other Parties shall be encouraged. Bilateral and, in particular cases agreed by a decision of the Parties, regional co-operation may, up to twenty per cent and consistent with any criteria specified by decision of the Parties, be considered as a contribution to the Multilateral Fund, provided that such co-operation as a minimum:

(a) Strictly relates to compliance with the provisions of the Protocol;

(b) Provides additional resources; and

(c) Meets agreed incremental costs.

The terms of reference of the Multilateral Fund are attached as Appendix IV to the present decision.*

* The appendices to this decision are contained in annex IV of the present report.

8. The Parties shall decide upon the programme budget of the Multilateral Fund for each fiscal period and upon the percentage of contributions of the individual Parties thereto.

9. Resources under the Multilateral Fund shall be disbursed with the concurrence of the beneficiary Party.

10. Decisions by the Parties under this decision shall be taken by consensus whenever possible. If all efforts at consensus have been exhausted and no agreement reached, decisions shall be adopted by a two-thirds majority vote of the Parties present and voting, representing at least a majority of the Parties operating under paragraph 1 of Article 5 present and voting and at least a majority of the Parties not so operating present and voting.

11. The Financial Mechanism set out in this decision is without prejudice to any future arrangements that may be developed with respect to other environmental issues.

12. References to dollars (\$) in the appendices to this decision are to United States dollars.

Decision II/8 A. Budget for the Fund Secretariat

- To adopt the provisional budget for the Fund Secretariat as attached in Annex V of the report on the work of the Second Meeting of the Parties and to request the Executive Committee of the Parties to present to the Third Meeting of the Parties a revised version of the budget in the light of the experience gained during its implementation;

Decision II/8 B. Acceptance of offer of Canada

- To accept the offer of Canada:
 - (a) To host the Executive Committee meetings as necessary during the interim period;
 - (b) To support participation of developing countries in those meetings; and
 - (c) To assume the administrative costs of those initiatives.

Decision II/9. Data reporting

- To establish an ad hoc group of experts to consider the reasons leading to the difficulties faced by some countries in reporting data as required by Article 7 of the Protocol and to recommend possible solutions to the Parties concerned and to report on its progress to the Third Meeting of the Parties; and
- To confirm that any data on consumption of the controlled substances that are submitted to the Secretariat as required by Article 7 of the Protocol are not to be confidential;

Decision II/10. Data of developing countries

- To ask the Secretariat to determine from the data available to it the exact quantities of the controlled substances required by developing countries operating under paragraph 1 of Article 5 and the possible sources of supply to assist developed countries to authorize their companies to produce the additional amounts needed within the percentages authorized by Article 2 and Articles 2A to 2E of the Protocol;
- To request the Secretariat to publish in its annual report on data an updated list of developing countries which, on the basis of complete data submissions, are considered to be operating under paragraph 1 of Article 5. The Secretariat shall also publish a list of developing countries that, having submitted incomplete or estimated data, appear to qualify as Parties operating under paragraph 1 of Article 5. In accordance with the provisions of Article 5 of the Protocol, no Party will be eligible for paragraph 1 of Article 5 treatment until it submits complete data to the Secretariat establishing that its annual calculated per capita level of consumption is below 0.3 kg;

Decision II/11. Destruction technologies

- To establish an ad hoc technical advisory committee on destruction technologies and to appoint its Chairman, who shall appoint in consultation with the Secretariat up to nine other members on the basis of nomination by Parties. The members shall be experts on destruction technologies and selected with due reference to equitable geographical distribution;
- The committee shall analyse destruction technologies and assess their efficiency and environmental acceptability and develop approval criteria and measurements. The committee shall report regularly to meetings of the Parties;

Decision II/12. Customs Co-operation Council

- To agree with the recommendations adopted by the Customs Co-operation Council that all member administrations take actions to reflect the adopted subheadings in their national statistical nomenclatures as soon as possible, and to ask the Secretariat to inform the Council that the Parties, having determined that additional subheadings for individual chemicals controlled by the Montreal Protocol would be useful in their efforts to protect the ozone layer, request the assistance of the Council in this regard;

Decision II/13. Assessment panels

- To request the Technology Review Panel to assess, in accordance with Article 6, the earliest technically feasible dates and the costs for reductions and total phase-out of 1,1,1-trichloroethane (methyl chloroform) and to report its findings in time for consideration by the preparatory meeting to the Fourth Meeting of the Parties with a view to their consideration at that Fourth Meeting;

- To request the Secretariat to convene members of each of the four assessment panels established by the First Meeting of the Parties to review new information and to consider its inclusion in supplementary reports in time for consideration by the Fourth Meeting of the Parties, subject to a review of their mandate in the context of Article 2, paragraph 9, at the Third Meeting of the Parties;
- To request the Technology Review Panel to include in its work:
 - (a) An evaluation of the need for transitional substances in specific applications;
 - (b) An analysis of the quantity of controlled substances required by Parties operating under paragraph 1 of Article 5 for their basic domestic needs, both at present and in the future, and the likely availability of such supplies; and
 - (c) A comparison of the toxicity, flammability, energy efficiency implications and other environmental and safety considerations of chemical substitutes, along with an analysis of the likely availability of substitutes for medical uses;
- To request the Scientific Assessment Panel to include in its work:
 - (a) An evaluation of the ozone-depletion potential, other possible ozone layer impacts, and global warming potential of chemical substitutes (e.g. HCFCs and HFCs) for controlled substances;
 - (b) An evaluation of the likely ozone-depletion potential of "other halons" that might be produced in significant quantities; and
 - (c) An analysis of the anticipated impact on the ozone layer of the revised control measures reflecting the changes adopted at the Second Meeting of the Parties taking into account the current level of global participation in the Protocol;
- To instruct the Scientific Assessment Panel to prepare estimated data on the impacts on the ozone layer of engine emissions from high-altitude aircraft, heavy rockets and space shuttles;
- To undertake efforts to encourage broad participation in all assessment panels by experts from developing countries;

Decision II/14. Workplans required by Articles 9
and 10 of the Protocol

- To request the Executive Committee under the Financial Mechanism and the Secretariat to take into account in their work the recommendations on workplans required by Article 9 and Article 10 of the Protocol, as adopted by the third session of the first meeting of the Open-Ended Working Group of the Parties to the Protocol;

Decision II/15. Extension of the mandate of the Open-Ended Working Group of the Parties

- To continue the work of the Open-Ended Working Group of the Parties and to extend its mandate to consider, if necessary and in particular, the following topics:
 - (a) Further elaboration of any remaining details of the various components of the Financial Mechanism;
 - (b) Identification of the most appropriate modalities for the transfer of technologies designed for the protection of the ozone layer;
 - (c) Co-operation with Parties that are developing countries for the implementation of the Protocol; and
 - (d) Problems arising under the trade provisions of the Protocol, in respect of both trade between Parties and trade with non-Parties including issues related to free-trade zones;
- and to make recommendations to the Third Meeting of the Parties;

Decision II/16. Amendment of the Vienna Convention

- To recommend that the Parties to the Vienna Convention for the Protection of the Ozone Layer review, at the earliest opportunity, Article 9 of the Convention with a view to expediting the amendment procedure for protocols;

Decision II/17. Budget

- To adopt the system of rolling biennial budgets, and to approve a total revised budget of \$3,400,000 for 1990, a total revised budget for 1991 of \$2,423,000 and a total budget for 1992 of \$2,225,000. The details of the approved budgets are presented in Annex VI to the report on the work of the Second Meeting of the Parties;

Decision II/18. Meetings of the Open-Ended Working Group

- To authorize the Secretariat to convene, if necessary, up to six meetings of the Open-Ended Working Group of the Parties prior to the Third Meeting of the Parties and to invite non-Parties to participate in the deliberations of these meetings;

Decision II/19. Rules of procedure for meetings of the Parties

- To amend paragraph 1 of rule 21 of the rules of procedure, adopted at the First Meeting of the Parties, to include the following additional sentences:

"In electing its officers, the Meeting of the Parties shall have due regard to the principle of equitable geographical representation. The offices of President and Rapporteur of the Meeting of the Parties shall normally be subject to rotation among the five groups of States referred to in section I, paragraph 1, of General Assembly resolution 2997 (XXVII) of 15 December 1972, by which the United Nations Environment Programme was established.";

Decision II/20. Third Meeting of the Parties

- To convene the Third Meeting of the Parties from 19 to 21 June 1991 in conjunction with and at the same venue as the second meeting of the Conference of the Parties to the Vienna Convention.

Comments made at the time of adoption of the decisions

Decision II/2

41. Following the adoption of decision II/2, the representative of India said that the original text of the Protocol had contained provisions which discriminated against developing countries: the amended text met many of their concerns. She would therefore recommend it to the Government of India for signature.

42. The representative of China said that useful progress had been made. He would recommend to the Chinese Government that it should ratify the amended text.

Decision II/8

43. In introducing draft decision II/8, the President drew attention to an earlier statement by the delegation of Ireland, speaking as the President of the Council of Ministers of the Environment of the European Communities, in which it had stated that the European Economic Community, which was a Party to the Montreal Protocol, would not be able to contribute to the Multilateral Fund and that the contributions of all other paying Parties would have to rise by a small percentage in consequence. With that proviso, draft decision II/8 and the scale of contributions as it appears in appendix III to that decision were adopted.

CONSTITUTION OF THE COMMITTEES ESTABLISHED BY THE DECISIONS OF THE
SECOND MEETING OF THE PARTIES

A. Executive Committee established by decision II/8

44. Pursuant to paragraphs 2 and 3 of the terms of reference of the Executive Committee laid down in appendix II of decision II/8 (annex IV to the present report), the Meeting endorsed the selection by the groups concerned of following States to serve on the first Executive Committee:

(a) Parties not operating under paragraph 1 of Article 5 of the Protocol: Canada, Federal Republic of Germany, Finland, Japan, Netherlands, United States of America and Union of Soviet Socialist Republics;

(b) Parties operating under paragraph 1 of Article 5 of the Protocol: Brazil, Egypt, Ghana, Jordan, Malaysia, Mexico and Venezuela.

The Meeting further endorsed the selection of Finland to act as Chairman and of Mexico to act as Vice-Chairman for the first year of the Executive Committee.

45. The President pointed out that the selection of nominees had been endorsed on the understanding that, within the three-year mandate of the Executive Committee, members representing either one or the other of the two groups referred to in paragraph 2 of the terms of reference of the Committee could be changed in accordance with the wishes of the group concerned.

46. The representative of Trinidad and Tobago said that small islands and low-lying countries were particularly threatened by changes in the environment. He hoped that in future their interests could be explicitly represented in decision-making bodies.

B. Implementation Committee established by decision II/5

47. Pursuant to paragraph 3 of the non-compliance procedure adopted by its decision II/5, the meeting elected the following Parties to serve on the Implementation Committee established under the non-compliance procedure: Japan, Norway, Trinidad and Tobago, Hungary and Uganda, with the understanding arrived at during the informal consultations that the two last mentioned States were elected for a one-year term.

C. Ad Hoc Technical Advisory Committee on Destruction Technologies

48. Pursuant to the first paragraph of decision II/11, the Meeting appointed Canada as Chairman of the Ad Hoc Technical Advisory Committee on Destruction Technologies.

VI. DECLARATIONS AND RESOLUTIONS

A. Declarations

49. The representative of New Zealand drew attention to the following declaration by Australia, Austria, Belgium, Canada, Denmark, Finland, Federal Republic of Germany, Liechtenstein, Netherlands, New Zealand, Norway, Sweden and Switzerland:

"THE HEADS OF DELEGATIONS OF THE ABOVE GOVERNMENTS REPRESENTED AT THE SECOND MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL,

"CONCERNED of the recent scientific findings on severe depletion of ozone layer of both Southern and Northern Hemispheres,

"MINDFUL that all CFCs are also powerful greenhouse gases leading to global warming,

"CONVINCED of the availability of more environmentally suitable alternative substances or technologies, and

"CONVINCED of the need to further tighten control measures of CFCs beyond the Protocol adjustments agreed by the Parties to the Montreal Protocol,

"DECLARE

"Their firm determination to take all appropriate measures to phase-out the production and consumption of all fully halogenated chlorofluorocarbons controlled by the Montreal Protocol, as adjusted and amended, as soon as possible but not later than 1997."

50. The representative of the Commission of the European Communities said that the Commission wished to associate itself with the above declaration. It had reluctantly accepted a programme of reductions for CFCs which did not give

the degree of protection for the ozone layer that the Community considered necessary. The latest scientific evidence in ozone depletion over high northern and southern latitudes, as well as the increasing preoccupation with the green-house properties of CFCs, required that the Parties reconsidered its decision; that review should take place within the context of the review foreseen for 1992 with a view to the complete elimination of CFCs at the earliest possible date.

B. Resolution by the Governments and the European Communities
represented at the Second Meeting of the Parties

51. The Governments and the European Communities represented at the Meeting adopted an amended version (UNEP/OzL.Pro.2/L.2/Rev.1) of the draft resolution submitted for the consideration of the Meeting by the Open-Ended Working Group. The text of the resolution as adopted appears in annex VII to the present report.

ANNEX I

ADJUSTMENTS TO THE MONTREAL PROTOCOL ON SUBSTANCES
THAT DEplete THE OZONE LAYER

(The adjustments to the Montreal Protocol have been incorporated in the Montreal Protocol as adjusted and amended.)

ANNEX II

AMENDMENT TO THE MONTREAL PROTOCOL ON SUBSTANCES
THAT DEplete THE OZONE LAYER

ARTICLE I: AMENDMENT

(The Amendment to the Montreal Protocol has been incorporated in the Montreal Protocol as adjusted and amended.)

ARTICLE 2: ENTRY INTO FORCE

1. This Amendment shall enter into force on 1 January 1992, provided that at least twenty instruments of ratification, acceptance or approval of the Amendment have been deposited by States or regional economic integration organizations that are Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. In the event that this condition has not been fulfilled by that date, the Amendment shall enter into force on the ninetieth day following the date on which it has been fulfilled.

2. For the purposes of paragraph 1, any such instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

3. After the entry into force of this Amendment as provided under paragraph 1, it shall enter into force for any other Party to the Protocol on the ninetieth day following the date of deposit of its instrument of ratification, acceptance or approval.

Annex III

NON-COMPLIANCE PROCEDURE

1. If one or more Parties have reservations regarding another Party's implementation of its obligations under the Protocol, those concerns may be addressed in writing to the Secretariat. Such a submission shall be supported by corroborating information.
2. The Party whose implementation is at issue is to be given the submission and a reasonable opportunity to reply. Such reply and information in support thereof is to be submitted to the Secretariat and to the Parties involved. The Secretariat shall then transmit the submission, the reply and the information provided by the Parties, to the Implementation Committee referred to in paragraph 3, which shall consider the matter as soon as practicable.
3. An Implementation Committee is hereby established. It shall consist of five Parties elected by the Meeting of the Parties for two years, based on equitable geographical distribution. Outgoing Parties may also be re-elected for one immediate consecutive term. At the first election, two Parties shall be elected for a one-year term.
4. The Committee shall meet as necessary to perform its functions.
5. The functions of the Committee shall be to receive, consider and report on:
 - (a) Any submission made by one or more Parties in accordance with paragraphs 1 and 2;
 - (b) Any information or observations forwarded by the Secretariat in connection with the preparation of the report referred to in Article 12 (c) of the Protocol.
6. The Committee shall consider the submissions, information and observations referred to in paragraph 5 with a view to securing an amicable resolution of the matter on the basis of respect for the provisions of the Protocol.
7. The Committee shall report to the Meeting of the Parties. After receiving a report by the Committee the Parties may, taking into consideration the circumstances of the case, decide upon and call for steps to bring about full compliance with the Protocol, including measures to assist the Party's compliance with the Protocol, and to further the Protocol's objectives.
8. The Parties involved in a matter referred to in paragraph 5 shall inform, through the Secretariat, the Meeting of the Parties of the results of proceedings taken under Article 11 of the Convention regarding possible non-compliance, about implementation of those results and about implementation of any decision of the Parties pursuant to paragraph 7.
9. The Meeting of the Parties may, pending completion of proceedings initiated under Article 11 of the Convention, issue an interim call and/or recommendations.

10. The Meeting of the Parties may request the Committee to make recommendations to assist the Meeting's consideration of cases of possible non-compliance.

11. The members of the Committee and any Party involved in its deliberations shall protect the confidentiality of information they receive in confidence.

Annex IV

APPENDICES TO DECISION II/8 ("FINANCIAL MECHANISM")
ADOPTED BY THE SECOND MEETING OF THE PARTIES

Appendix I

INDICATIVE LIST OF CATEGORIES OF INCREMENTAL COSTS

1. The evaluation of requests for financing incremental costs of a given project shall take into account the following general principles:

(a) The most cost-effective and efficient option should be chosen, taking into account the national industrial strategy of the recipient party. It should be considered carefully to what extent the infrastructure at present used for production of the controlled substances could be put to alternative uses, thus resulting in decreased capital abandonment, and how to avoid deindustrialization and loss of export revenues;

(b) Consideration of project proposals for funding should involve the careful scrutiny of cost items listed in an effort to ensure that there is no double-counting;

(c) Savings or benefits that will be gained at both the strategic and project levels during the transition process should be taken into account on case-by-case basis, according to criteria decided by the Parties and as elaborated in the guidelines of the Executive Committee;

(d) The funding of incremental costs is intended as an incentive for early adoption of ozone protecting technologies. In this respect the Executive Committee shall agree which time scales for payment of incremental costs are appropriate in each sector.

2. Incremental costs that once agreed are to be met by the financial mechanism include those listed below. If incremental costs other than those mentioned below are identified and quantified, a decision as to whether they are to be met by the financial mechanism shall be taken by the Executive Committee consistent with any criteria decided by the Parties and elaborated in the guidelines of the Executive Committee. The incremental recurring cost apply only for a transition period to be defined. The following list is indicative:

(a) Supply of substitutes

(i) Cost of conversion of existing production facilities:

- cost of patents and designs and incremental cost of royalties;
- capital cost of conversion;
- cost of retraining of personnel, as well as the cost of research to adapt technology to local circumstances;

(ii) Costs arising from premature retirement or enforced idleness, taking into account any guidance of the Executive Committee on appropriate cut-off dates:

- of productive capacity previously used to produce substances controlled by existing and/or amended or adjusted Protocol provisions; and
- where such capacity is not replaced by converted or new capacity to produce alternatives;

(iii) Cost of establishing new production facilities for substitutes of capacity equivalent to capacity lost when plants are converted or scrapped, including:

- cost of patents and designs and incremental cost of royalties;
- capital cost;
- cost of training, as well as the cost of research to adapt technology to local circumstances;

(iv) Net operational cost, including the cost of raw materials;

(v) Cost of import of substitutes;

(b) Use in manufacturing as an intermediate good

(i) Cost of conversion of existing equipment and product manufacturing facilities;

(ii) Cost of patents and designs and incremental cost of royalties;

(iii) Capital cost;

(iv) Cost of retraining;

(v) Cost of research and development;

(vi) Operational cost, including the cost of raw materials except where otherwise provided for;

(c) End use

(i) Cost of premature modification or replacement of user equipment;

(ii) Cost of collection, management, recycling, and, if cost effective, destruction of ozone-depleting substances;

(iii) Cost of providing technical assistance to reduce consumption and unintended emission of ozone-depleting substances.

Appendix II

TERMS OF REFERENCE OF THE EXECUTIVE COMMITTEE

1. The Executive Committee of the Parties is established to develop and monitor the implementation of specific operational policies, guidelines and administrative arrangements including the disbursement of resources, for the purpose of achieving the objectives of the Multilateral Fund under the Financial Mechanism.
2. The Executive Committee shall consist of seven Parties from the group of Parties operating under paragraph 1 of Article 5 of the Protocol and seven Parties from the group of Parties not so operating. Each group shall select its Executive Committee members. The members of the Executive Committee shall be formally endorsed by the Meeting of the Parties.
3. The Chairman and Vice-Chairman shall be selected from the fourteen Executive Committee members. The office of Chairman is subject to rotation, on an annual basis, between the Parties operating under paragraph 1 of Article 5, and the Parties not so operating. The group of Parties entitled to the chairmanship shall select the Chairman from among their members of the Executive Committee. The Vice-Chairman shall be selected by the other group from within their number.
4. Decisions by the Executive Committee shall be taken by consensus whenever possible. If all efforts at consensus have been exhausted and no agreement reached, decisions shall be taken by a two-thirds majority of the Parties present and voting, representing a majority of the Parties operating under paragraph 1 of Article 5 and a majority of the Parties not so operating present and voting.
5. The meetings of the Executive Committee shall be conducted in those official languages of the United Nations required by members of the Executive Committee. Nevertheless the Executive Committee may agree to conduct its business in one of the United Nations official languages.
6. Costs of Executive Committee meetings, including travel and subsistence of Committee participants from Parties operating under paragraph 1 of Article 5, shall be disbursed from the Multilateral Fund as necessary.
7. The Executive Committee shall ensure that the expertise required to perform its functions is available to it.
8. The Executive Committee shall meet at least twice a year.
9. The Executive Committee shall adopt other rules of procedure on a provisional basis and in accordance with paragraphs 1 to 8 of these terms of reference. Such provisional rules of procedure shall be submitted to the next annual meeting of the Parties for endorsement. This procedure shall also be followed when such rules of procedure are amended.
10. The functions of the Executive Committee shall include:
 - (a) To develop and monitor the implementation of specific operational policies, guidelines and administrative arrangements, including the disbursement of resources;

(b) To develop the three-year plan and budget for the Multilateral Fund, including allocation of Multilateral Fund resources among the agencies identified in paragraph 6 of decision II/8;

(c) To supervise and guide the administration of the Multilateral Fund;

(d) To develop the criteria for project eligibility and guidelines for the implementation of activities supported by the Multilateral Fund;

(e) To review regularly the performance reports on the implementation of activities supported by the Multilateral Fund;

(f) To monitor and evaluate expenditure incurred under the Multilateral Fund;

(g) To consider and, where appropriate, approve country programmes for compliance with the Protocol and, in the context of those country programmes, assess and, where applicable, approve all project proposals or groups of project proposals where the agreed incremental costs exceed \$500,000;

(h) To review any disagreement by a Party operating under paragraph 1 of Article 5 with any decision taken with regard to a request for financing by that Party of a project or projects where the agreed incremental costs are less than \$500,000;

(i) To assess annually whether the contributions through bilateral co-operation, including particular regional cases, comply with the criteria set out by the Parties for consideration as part of the contributions to the Multilateral Fund;

(j) To report annually to the meeting of the Parties on the activities exercised under the functions outlined above, and to make recommendations as appropriate;

(k) To nominate, for appointment by the Executive Director of UNEP, the Chief Officer of the Fund Secretariat, who shall work under the Executive Committee and report to it; and

(l) To perform such other functions as may be assigned to it by the Meeting of the Parties.

Appendix III

MULTILATERAL FUND FOR THE FINANCIAL MECHANISM: SCALE OF CONTRIBUTIONS BY
THE PARTIES BASED ON THE UNITED NATIONS SCALE OF ASSESSMENT WITH NO
COUNTRY PAYING MORE THAN 25 PER CENT FOR 1991, 1992, AND 1993

Party	UN scale of contribution (%)	Percentages based on the United Nations scale with a 25 per cent ceiling (%)	Pledges for 1991 (US \$)	Pledges for 1992 (US \$)	Pledges for 1993 (US \$)
<u>Developing countries that are not operating under paragraph 1 of Article 5</u>					
Brazil	1.45	0.00	0	0	0
Burkina Faso	0.01	0.00	0	0	0
Cameroon	0.01	0.00	0	0	0
Chile	0.08	0.00	0	0	0
Ecuador	0.03	0.00	0	0	0
Egypt	0.07	0.00	0	0	0
Fiji	0.01	0.00	0	0	0
Ghana	0.01	0.00	0	0	0
Guatemala	0.02	0.00	0	0	0
Jordan	0.01	0.00	0	0	0
Kenya	0.01	0.00	0	0	0
Malaysia	0.11	0.00	0	0	0
Maldives	0.01	0.00	0	0	0
Mexico	0.94	0.00	0	0	0
Nigeria	0.20	0.00	0	0	0
Sri Lanka	0.01	0.00	0	0	0
Syrian Arab Republic	0.04	0.00	0	0	0
Thailand	0.10	0.00	0	0	0
Trinidad and Tobago	0.05	0.00	0	0	0
Tunisia	0.03	0.00	0	0	0
Uganda	0.01	0.00	0	0	0
Venezuela	0.57	0.00	0	0	0
Zambia	0.01	0.00	0	0	0

/...

Party	UN scale of contribution (%)	Percentages based on the United Nations scale with a 25 per cent ceiling (%)	Pledges for 1991 (US \$)	Pledges for 1992 (US \$)	Pledges for 1993 (US \$)
<u>Developing countries that are not operating under paragraph 1 of Article 5</u>					
Bahrain	0.02	0.02	12 553	12 553	12 553
Malta	0.01	0.01	6 276	6 276	6 276
Panama	0.02	0.02	12 553	12 553	12 553
Singapore	0.11	0.13	69 041	69 041	69 041
United Arab Emirates	0.19	0.22	119 253	119 253	119 253
<u>Developed countries</u>					
Australia	1.57	1.85	985 407	985 407	985 407
Austria	0.74	0.87	464 459	464 459	464 459
Byelorussian SSR	0.33	0.39	207 124	207 124	207 124
Canada	3.09	3.64	1 939 432	1 939 432	1 939 432
Finland	0.51	0.60	320 100	320 100	320 100
German Democratic Republic	1.28	1.51	803 389	803 389	803 389
Hungary	0.21	0.25	131 806	131 806	131 806
Iceland	0.03	0.04	18 829	18 829	18 829
Japan	11.38	13.39	7 142 633	7 142 633	7 142 633
Liechtenstein	0.01	0.01	6 276	6 276	6 276
New Zealand	0.24	0.28	150 635	150 635	150 635
Norway	0.55	0.65	345 206	345 206	345 206
South Africa	0.45	0.53	282 442	282 442	282 442
Sweden	1.21	1.42	759 454	759 454	759 454
Switzerland	1.08	1.27	677 860	677 860	677 860
Ukrainian SSR	1.25	1.47	784 560	784 560	784 560
USSR	9.99	11.76	6 270 202	6 270 202	6 270 202
United States	25.00	25.00	13 333 333	13 333 333	13 333 333

/...

Country	UN scale of contribution (%)	Percentages based on the United Nations scale with a 25 per cent ceiling (%)	Pledges for 1991 (US \$)	Pledges for 1992 (US \$)	Pledges for 1993 (US \$)
	0	0.00	0	0	0
Total (total for member States)	29.46	34.67			
Belgium	1.17	1.38	734 348	734 348	734 348
Germany	0.69	0.81	433 077	433 077	433 077
France	6.25	7.36	3 922 799	3 922 799	3 922 799
Germany, Federal Republic of	8.08	9.51	5 071 395	5 071 395	5 071 395
Yugoslavia	0.40	0.47	251 059	251 059	251 059
Ireland	0.18	0.21	112 977	112 977	112 977
Italy	3.99	4.70	2 540 315	2 540 315	2 540 315
Luxembourg	0.06	0.07	37 659	37 659	37 659
Netherlands	1.65	1.94	1 035 619	1 035 619	1,035 619
Portugal	0.18	0.21	112 977	112 977	112 977
Spain	1.95	2.29	1 223 913	1 223 913	1 223 913
United Kingdom	4.86	5.72	3 050 369	3 050 369	3 050 369
TOTAL	92.52	100.00	53 333 333	53 333 333	53 333 333

Appendix IV

TERMS OF REFERENCE FOR THE INTERIM MULTILATERAL FUND

A. Establishment

1. An interim Multilateral Fund, of \$160 million, which could be raised by up to \$80 million during the three-year period when more countries become Parties to the Protocol, hereinafter referred to as "the Multilateral Fund", shall be established.

B. Roles of the implementing agencies

2. Under the overall guidance and supervision of the Executive Committee in the discharge of its policy-making functions:

(a) Implementing agencies shall be requested by the Executive Committee, in the context of country programmes developed to facilitate compliance with the Protocol, to co-operate with and assist the Parties within their respective areas of expertise; and

(b) Implementing agencies shall be invited by the Executive Committee to develop an inter-agency agreement and specific agreements with the Executive Committee acting on behalf of the Parties.

Implementing agencies shall apply only those considerations relevant to effective and economically efficient programmes and projects which are consistent with any criteria adopted by the Parties.

3. Specifically,

(a) The United Nations Environment Programme shall be invited by the Executive Committee to co-operate and assist in political promotion of the objectives of the Protocol, as well as in research, data gathering and the clearing-house functions;

(b) The United Nations Development Programme and such other agencies which, within their areas of expertise, may be able to assist, shall be invited by the Executive Committee to co-operate and assist in feasibility and pre-investment studies and in other technical assistance measures;

(c) The World Bank shall be invited by the Executive Committee to co-operate and assist in administering and managing the programme to finance the agreed incremental costs;

(d) Other agencies, in particular regional development banks, shall also be invited by the Executive Committee to co-operate with and assist it in carrying out its functions.

4. The Executive Committee shall draw up reporting criteria and shall invite the implementing agencies to report regularly to it in accordance with those criteria.

5. The Executive Committee shall invite the implementing agencies, in fulfilling their responsibilities in respect of the Multilateral Fund, to consult each other regularly. It shall also invite the heads of the agencies, or their representatives, to meet at least once a year to report on their activities and consult on co-operative arrangements.

6. The implementing agencies shall be entitled to receive support costs for the activities they undertake having reached specific agreements with the Executive Committee.

C. Budget and contributions

7. The Multilateral Fund shall be financed in accordance with paragraph 7 of decision II/8. In addition, contributions may be made by countries not Party to the Protocol, and by other governmental, intergovernmental, non-governmental and other sources.

8. The contributions referred to in paragraph 7 above are to be based on the scale of contributions set out in Appendix III. Bilateral, and in particular cases, regional co-operation by a country not operating under paragraph 1 of Article 5 may, according to criteria adopted by the Parties, be considered as a contribution to the Multilateral Fund up to a total of twenty per cent of the total contribution by that Party set out in Appendix III.

9. All contributions other than the value of bilateral and agreed regional co-operation referred to in paragraph 8 above shall be in convertible currency or, in certain circumstances, in kind and/or in national currency.

10. Contributions from States that become Parties not operating under paragraph 1 of Article 5 after the beginning of the financial period of the mechanism shall be calculated on a pro rata basis for the balance of the financial period.

11. Contributions not immediately required for the purposes of the Multilateral Fund shall be invested under the authority of the Executive Committee and any interest so earned shall be credited to the Multilateral Fund.

12. Budget estimates, setting out the income and expenditure of the Multilateral Fund prepared in United States dollars, shall be drawn up by the Executive Committee and submitted to the regular meetings of the Parties to the Protocol.

13. The proposed budget estimates shall be dispatched by the Fund Secretariat to all Parties to the Protocol at least sixty days before the date fixed for the opening of the regular meeting of the Parties to the Protocol at which they are to be considered.

14. After entry into force of the Amendment to the Protocol, the Financial Mechanism shall be established by the Parties at their next regular meeting and any resources remaining in the interim Multilateral Fund shall be transferred to the multilateral fund established under that mechanism.

D. Administration

15. The World Bank shall be invited by the Executive Committee to co-operate with and assist it in administering and managing the programme to finance the agreed incremental costs of Parties operating under paragraph 1 of Article 5. Should the World Bank accept this invitation, in the context of an agreement with the Executive Committee, the President of the World Bank shall be the Administrator of this programme, which shall operate under the authority of the Executive Committee.

16. The Executive Committee shall encourage the involvement of other agencies, in particular the regional development banks, in carrying out its functions effectively in relation to the programme to finance the agreed incremental costs.
17. The Fund Secretariat operating under the Chief Officer, co-located with the United Nations Environment Programme (UNEP) at a place to be decided by the Executive Committee, shall assist the Executive Committee in the discharge of its functions. The Multilateral Fund shall cover Secretariat costs, based on regular budgets to be submitted for decision by the Executive Committee.
18. In the event that the Chief Officer of the Fund Secretariat anticipates that there may be a shortfall in resources over the financial period as a whole, he shall have discretion to adjust the budget approved by the Parties so that expenditures are at all times fully covered by contributions received.
19. No commitments shall be made in advance of the receipt of contributions, but income not spent in a budget year and unimplemented activities may be carried forward from one year to the next within the financial period.
20. At the end of each calendar year, the Chief Officer of the Fund Secretariat shall submit to the Parties accounts for the year. The Chief Officer shall also, as soon as practicable, submit the audited accounts for each period so as to coincide with the accounting procedures of the implementing agencies.
21. The Fund Secretariat and the implementing agencies shall co-operate with the Parties to provide information on funding available for relevant projects, to secure the necessary contacts and to co-ordinate, when requested by the interested Party, projects financed from other sources with activities financed under the Protocol.
22. The financing of activities or other costs, including resources channelled to third party beneficiaries, shall require the concurrence of the recipient Governments concerned. Recipient Governments shall, where appropriate, be associated with the planning of projects and programmes.
23. Nothing shall preclude a beneficiary Party operating under paragraph 1 of Article 5 from applying for its requirements for agreed incremental costs solely from the resources available to the Multilateral Fund.

Annex V

PROVISIONAL BUDGET FOR THE MULTILATERAL FUND SECRETARIAT
UNDER THE MONTREAL PROTOCOL FOR 1991
(United States dollars)

	<u>1991</u>
1100 <u>Project personnel</u>	
1101 Chief, Fund Secretarial Services <u>1/</u>	90 000
1102 Deputy Chief, Fund (Economist) (P-4/P-5)	80 000
1103 Deputy Chief, clearing-house (Engineer) (P-4/P-5)	80 000
1104 Programme officer (Economist) (P-3)	70 000
1105 Programme officer (Engineer) (P-3)	70 000
1106 Programme officer (Engineer) (P-3)	70 000
1107 Programme officer (Environmental scientist) (P-3)	70 000
1108 Programme officer (Environmental scientist) (P-3)	70 000
1109 Administrative officer (P-2)	50 000
1110 Fund management officer (P-2)	50 000
<hr/>	
SUBTOTAL	700 000
<hr/>	
1200 <u>Consultants</u>	
1201 Financial mechanisms	55 000
1202 Country-specific studies	2 000 000
1203 Technology transfer and technical co-operation	1 500 000
<hr/>	
SUBTOTAL	3 555 000
<hr/>	

1/ For the purposes of this budget, the cost of the Chief of the Fund Secretarial Services has been calculated at the D-1 level. Should the Executive Committee wish to have the Chief at the D-2 level, the additional cost will be \$10,000 each year.

1991

1300	<u>Administrative support</u>	
1301	Senior secretary	14 000
1302	Senior secretary	14 000
1303	Secretary	12 000
1304	Secretary	12 000
1305	Secretary	12 000
1306	Secretary	12 000
1307	Administrative assistant	14 000
1308	Administrative assistant	14 000
1320	<u>Conference-servicing costs (interpreters, translators, typists, etc)</u>	
1320	Regional workshops (6)	500 000

SUBTOTAL 604 000

1600	<u>Travel on official business</u>	
1601	Travel and subsistence costs of Secretariat staff members	25 000
1602	Travel and subsistence costs of conference-servicing staff	25 000

SUBTOTAL 50 000

30	<u>Training</u>	
3200	<u>Training courses</u>	
3201	Training courses	500 000
3300	<u>Workshops</u>	
3301	Travel and subsistence costs of participants to workshops (3 each year)	465 000

SUBTOTAL 965 000

	<u>1991</u>
40 <u>Equipment</u>	
4100 Miscellaneous	10 000
4202 Photocopier (2)	10 000
4203 Personal computers (4)	32 000
4204 Portable computers (4)	16 000
<hr/>	
SUBTOTAL	68 000
<hr/>	
50 <u>Miscellaneous</u>	
5100 Maintenance of equipment	6 000
5200 Reporting	10 000
<hr/>	
SUBTOTAL	16 000
<hr/>	
53 <u>Sundry</u>	
5301 Communications	30 000
5301 Freight charges (shipment of documents)	5 000
5303 Other	10 000
5304 Hospitality	3 000
<hr/>	
SUBTOTAL	48 000
<hr/>	
<u>Contingency fund</u>	600 000
<hr/>	
TOTAL	6 606 000
<hr/>	
Programme support costs (13%)	859 000
<hr/>	
GRAND TOTAL	7 465 000
<hr/>	

Annex VI

I. REVISED BUDGET UNDER THE MONTREAL PROTOCOL FOR THE YEAR 1990
(United States dollars)

	<u>Budget as adopted in Helsinki</u>	<u>Increase</u>	<u>Total</u>
1100 <u>Project personnel</u> (to be shared between the Convention and the Protocol)			
1101 Co-ordinator (Lawyer) (P-4/P-5)	40 000	-	40 000
1102 Programme officer (Scientist) (P-3/P-4)	34 000	-	34 000
1103 Administrative officer (P-2)	23 000	-	23 000
SUBTOTAL	97 000	-	97 000
1200 <u>Consultants</u> <u>1/</u>			
1201 Consultants	30 000	240 000	270 000
SUBTOTAL	30 000	240 000	270 000
1300 <u>Administrative support</u>			
1301 Administrative assistant (to be shared with the Convention)	6 500	-	6 500
1302 Secretary	12 000	-	12 000
<u>Conference-servicing costs</u>			
1321 Second Meeting of the Parties to the Protocol	173 000	-	173 000
1322 Regional workshops (3)	-	620 000	620 000
1323 Working Group meetings (6) <u>2/</u>	135 000	615 000	750 000
1324 Meetings of the Bureau	35 000	35 000	70 000
SUBTOTAL	361 500	1 270 000	1 631 500

	<u>Budget as adopted in Helsinki</u>	<u>Increase</u>	<u>Total</u>
1600 <u>Travel on official business</u>			
1600 Travel and subsistence costs of UNEP staff members	60 000	30 000	90
<hr/>			
SUBTOTAL	60 000	30 000	90
<hr/>			
3300 <u>Meeting/conferences</u>			
<u>Travel and subsistence cost of experts from developing countries to participate in the:</u>			
3301 Second Meeting of the Parties (1990)	35 000	165 000	200 (
3302 Regional workshops	-	70 000	70 (
3303 Working group meetings (6)	105 000	240 000	345 (
3304 Travel and daily subsistence allowance of participants of the Bureau	35 000	-	35 (
<hr/>			
SUBTOTAL	175 000	475 000	650 C
<hr/>			
4000 <u>Equipment</u>	20 000	-	20 C
<hr/>			
SUBTOTAL	20 000	-	20 C
<hr/>			

	<u>Budget as adopted in Helsinki</u>	<u>Increase</u>	<u>Total</u>
5000 <u>Miscellaneous</u>			
5100 Maintenance of equipment	3 000	-	3 000
5200 Reporting costs <u>3/</u>	5 000	172 000	177 000
<hr/>			
SUBTOTAL	8 000	172 000	180 000
<hr/>			
5300 <u>Sundry</u>			
5301 Communications	10 000	10 000	20 000
5302 Freight charges (shipment of documents)	7 000	8 000	15 000
5303 Other	5 000	5 000	10 000
5400 Hospitality	10 000	15 000	25 000
<hr/>			
SUBTOTAL	32 000	38 000	70 000
<hr/>			
TOTAL	783 500	2 225 000	3 008 500
<hr/>			
Programme support costs (13%)	100 000	291 500	391 500
<hr/>			
GRAND TOTAL	883 500	2 516 500	3 400 000
<hr/>			

1/ Consultants for preparing a data base on the controlled substances, studies on financial mechanisms, country studies and preparations for the Second Meeting of the Parties.

2/ Based on the experience in 1989, the total conference-servicing costs of a Working Group meeting of 4-5 days are estimated at approximately \$20,000 per working language and approximately \$5,000 for secretarial support. Thus, a Working Group meeting using three working languages would cost approximately \$65,000. The cost will vary depending on the level of daily subsistence allowance applicable at the venue of the meeting. For the purpose of this budget, Geneva has been taken as the venue.

3/ Including translation, reproduction and dissemination of the executive summaries of the assessment panel reports, the synthesis report, the report of the Technology Review Panel and the five technical options reports.

II. TRUST FUND FOR THE MONTREAL PROTOCOL ON SUBSTANCES
THAT DEplete THE OZONE LAYER

Contribution to the costs of Ozone Secretariat for 1990 (expressed in US dollars)

Party	A Trust Fund pledges for 1990 <u>a</u> (US \$)	B Additional funds requested <u>b/</u> (US \$)	C Percentage of total costs <u>c/</u> (%)	D Adjusted additional pledge for 1990 (\$133,656 x C)	E Total adjusted pledges (A + B + D) (US \$)	F Paid for 1990 (as at 15 June 1990) (US \$)	G Balance to be paid (E - F) (US \$)
Australia	16 108	39 721	1.70	2 272	58 101	0	58 101
Austria	7 592	18 722	0.80	1 071	27 385	0	27 385
Bahrain	0	0	0.00	0	0	0	0
Belgium	12 000	29 920	1.27	1 693	43 613	0	43 613
Brazil	11 158	27 514	1.57	2 099	40 771	0	40 771
Burkina Faso	0	0	0.00	0	0	0	0
Byelorussian SSR	3 385	8 360	0.36	478	12 223	0	12 223
Cameroon	0	0	0.00	0	0	0	0
Canada	31 694	78 980	3.35	4 472	115 146	31 694	83 452
Chile	0	0	0.00	0	0	0	0
Denmark	7 077	17 600	0.75	999	25 676	7 077 <u>d/</u>	18 599
Ecuador	0	0	0.00	0	0	0	0
Egypt	0	0	0.00	0	0	0	0
Fiji	0	0	0.00	0	0	0	0
Finland	5 231	12 980	0.55	738	18 949	18 211	738
France	64 105	159 720	6.77	9 046	232 871	0	232 871
German Democratic Republic	14 257	35 420	1.39	1 853	51 530	14 257	37 273
Germany, Federal Republic of	82 875	206 360	8.75	11 695	300 930	82 875	218 055
Ghana	0	0	0.00	0	0	0	0
Greece	4 103	10 120	0.43	579	14 802	0	14 802
Guatemala	0	0	0.00	0	0	0	0
Hungary	2 154	5 280	0.23	304	7 738	7 434	304

Country	A Trust Fund pledges for 1990 <u>a/</u> (US \$)	B Additional funds requested <u>b/</u> (US \$)	C Percentage of total costs <u>c/</u> (%)	D Adjusted additional pledge for 1990 (\$133,656 x C)	E Total adjusted pledges (A + B + D) (US \$)	F Paid for 1990 (as at 15 June 1990) (US \$)	G Balance to be paid (E - F) (US \$)
Iceland	0	0	0.00	0	0	0	0
Ireland	1 846	4 620	0.19	261	6 727	6 466	261
Italy	40 925	101 860	4.32	5 755	148 560	0	148 560
Japan	116 722	290 620	12.32	16 471	423 813	0	423 813
Jordan	0	0	0.00	0	0	0	0
Kuwait	0	0	0.00	0	0	0	0
Liechtenstein	0	0	0.00	0	0	0	0
Luxembourg	0	0	0.00	0	0	0	0
Malaysia	1 129	2 783	0.12	159	4 071	0	4 071
Maldives	0	0	0.00	0	0	1 500	(1 500)
Malta	0	0	0.00	0	0	0	0
Mexico	9 641	23 980	1.02	1 361	34 982	0	34 982
Netherlands	16 924	42 240	1.79	2 388	61 552	0	61 552
New Zealand	2 462	6 160	0.26	347	8 969	8 622	347
Nigeria	2 051	5 060	0.22	289	7 400	0	7 400
Norway	5 641	17 124	0.60	796	23 561	19 721 <u>e/</u>	3 840
Pakistan	0	0	0.00	0	0	0	0
Portugal	1 846	4 620	0.19	261	6 727	0	6 727
Singapore	1 128	2 860	0.12	159	4 147	1 128	3 019
South Africa	4 617	11 385	0.49	651	16 653	0	16 653
Spain	20 001	49 720	2.11	2 822	72 543	0	72 543
Sri Lanka	0	0	0.00	0	0	0	0
Sweden	12 411	60 000	1.31	1 751	74 162	25 911	48 251
Switzerland	11 077	27 500	1.17	1 563	40 140	27 500	12 640
Syrian Arab Republic	0	0	0.00	0	0	0	0
Turkey	1 026	2 530	0.11	145	3 701	0	3 701
Trinidad and Tobago	0	0	0.00	0	0	0	0
Thailand	0	0	0.00	0	0	0	0

/...

Country	A Trust Fund pledges for 1990 <u>a/</u> (US \$)	B Additional funds requested <u>b/</u> (US \$)	C Percentage of total costs <u>c/</u> (%)	D Adjusted additional pledge for 1990 (\$133,656 x C)	E Total adjusted pledges (A + B + D) (US \$)	F Paid for 1990 (as at 15 June 1990) (US \$)	G Balance to be paid (E - F) (US \$)
Yugoslavia	0	0	0.00	0	0	0	0
Ukrainian SSR	12 821	31 900	1.35	1 809	46 530	0	46 530
Ukraine	102 465	255 200	10.82	14 459	372 124	0	372 124
United Arab Emirates	1 949	4 807	0.21	275	7 031	0	7 031
United Kingdom	49 848	124 080	5.26	7 034	180 962	49 848	131 114
USA	220 875	550 000	25.00	33 414	804 289	70 750	733 539
Venezuela	5 846	14 520	0.62	825	21 191	0	21 191
Yugoslavia	0	0	0.00	0	0	0	0
Yugoslavia	22 088	55 000	2.50	3 341	80 429	22 088	58 341
TOTAL	927 078	2 339 266	100.00	133 656	3 400 000	395 082	3 004 918

a/ Level of contributions calculated on the basis of the scale of assessments agreed by the First Meeting of the Contracting Parties in May 1989, Helsinki.

b/ The additional funds requested by the Open-Ended Working Group at the third session of its first meeting, 22 September, 1989.

c/ Calculated on the basis of the United Nations scale of assessments, as agreed by the First Meeting of the Parties.

d/ \$100,000 paid for support to participants from developing countries and studies on technology options in low income developing countries is removed from the table, as it is considered as special additional contribution.

e/ \$3,044 paid for support to participants from developing countries is removed from the table, as it is considered as special additional contribution.

III. BUDGET FOR THE SECRETARIAT CORE COSTS UNDER THE MONTREAL
PROTOCOL FOR 1991 AND 1992
(United States dollars)

	<u>1991</u>	<u>1992</u>	<u>Total</u>
1100 <u>Project personnel</u>			
1101 Secretary (Co-ordinator)(D-1)	90 000	92 000	182 000
1102 Deputy Secretary (Lawyer)(P-4/P-5) (shared with the Vienna Convention)	40 000	41 000	81 000
1103 Programme officer (Lawyer) (P-3)	70 000	72 000	142 000
1104 Programme officer (Chemist/ environmental scientist)(shared with the Vienna Convention) (P-3)	35 000	36 000	71 000
1105 Administrative officer (shared with the Vienna Convention) (P-2)	25 000	26 000	51 000
<hr/> SUBTOTAL	260 000	267 000	527 000
<hr/> 1200 <u>Consultants</u>			
1201 Data reporting	30 000	30 000	60 000
1202 Preparations for the Meeting of the Parties	10 000	10 000	20 000
1203 Dissemination of information	10 000	10 000	20 000
<hr/> SUBTOTAL	50 000	50 000	100 000
<hr/> 1300 <u>Administrative support</u>			
1301 Administrative assistant (shared with the Vienna Convention)	7 000	7 000	14 000
1302 Senior secretary	14 000	14 000	28 000
1303 Secretary <u>1/</u>	12 000	6 000	18 000
1304 Secretary <u>1/</u>	12 000	6 000	18 000

	<u>1991</u>	<u>1992</u>	<u>Total</u>
1320 <u>Conference-servicing costs (interpreters, translators, typists, etc)</u>			
1321 Third Meeting of the Parties to the Montreal Protocol	175 000	-	175 000
1322 Fourth Meeting of the Parties to the Montreal Protocol	-	175 000	175 000
1323 Working Group meetings (6)	480 000	240 000	720 000
1324 Meeting of the Bureau of the Montreal Protocol (4)	70 000	70 000	140 000
1325 Informal consultations (4)	10 000	10 000	20 000
1326 Meeting of the assessment panels	10 000	50 000	60 000
1327 Meetings of committees established by the Parties <u>2/</u>	100 000	145 000	245 000

SUBTOTAL	890 000	723 000	1 613 000
----------	---------	---------	-----------

1600 Travel on official business

1601 Travel and subsistence costs of Secretariat staff members	100 000	100 000	200 000
1602 Travel and subsistence costs of UNEP conference-servicing staff	40 000	20 000	60 000

SUBTOTAL	140 000	120 000	260 000
----------	---------	---------	---------

3300 Meetings/conferences

3301 Travel and subsistence costs of participants in the Working Group meetings (15 participants from developing countries per meeting, \$3,500 per participant)	210 000	105 000	315 000
3302 Travel and subsistence costs of participants in the Meetings of the Parties (30 participants from developing countries)	100 000	100 000	200 000
3303 Travel and subsistence costs of participants from developing countries in the meetings of the Bureau	35 000	35 000	70 000

	<u>1991</u>	<u>1992</u>	<u>Total</u>
3304 Travel and subsistence costs of participants from developing countries in assessment meetings	35 000	175 000	210 000
3305 Travel and subsistence costs of participants from developing countries in committee meetings	70 000	70 000	140 000
SUBTOTAL	450 000	485 000	935 000
4000 <u>Equipment</u>			
4100 Miscellaneous	5 000	10 000	15 000
4201 Telefax machine	5 000	-	5 000
4202 Photocopier (1)	5 000	-	5 000
4203 Personal computers (3)	24 000	-	24 000
4204 Portable computers (3)	12 000	-	12 000
SUBTOTAL	51 000	10 000	61 000
5000 <u>Miscellaneous</u>			
5100 Maintenance of equipment	3 000	9 000	12 000
5200 Reporting	30 000	35 000	65 000
SUBTOTAL	33 000	44 000	77 000
5300 <u>Sundry</u>			
5301 Communications	30 000	30 000	60 000
5301 Freight charges (shipment of documents)	15 000	15 000	30 000
5303 Other	10 000	10 000	20 000
5401 Hospitality	15 000	15 000	30 000
SUBTOTAL	70 000	70 000	140 000
Contingency Fund	200 000	200 000	400 000
TOTAL	2 144 000	1 969 000	4 113 000
Programme support costs (13%)	279 000	256 000	535 000
GRAND TOTAL	2 423 000	2 225 000	4 648 000

1/ To be shared with the Vienna Convention from 1992, when a new budget is adopted for the Convention.

2/ The estimated cost per meeting (of 2-3 days) using three languages is approximately \$11,000 per language. Three meetings are anticipated in 1991. Four meetings are anticipated in 1992 at a cost of approximately \$12,000 per language.

IV. TRUST FUND FOR THE MONTREAL PROTOCOL ON SUBSTANCES
THAT DEplete THE OZONE LAYER

Contributions to the core costs of the
Ozone Secretariat for 1991-1992

Party	Percentage of total costs*	Pledges for 1991 (\$)	Pledges for 1992 (\$)
Australia	1.70	41 195	37 828
Austria	0.80	19 417	17 830
Bahrain	0.00	0	0
Belgium	1.27	30 699	28 191
Brazil	1.57	38 046	34 937
Burkina Faso	0.00	0	0
Byelorussian SSR	0.36	8 659	7 951
Cameroon	0.00	0	0
Canada	3.35	81 077	74 452
Chile	0.00	0	0
Denmark	0.75	18 105	16 625
Ecuador	0.00	0	0
Egypt	0.00	0	0
Fiji	0.00	0	0
Finland	0.55	13 382	12 288
France	6.77	163 991	150 590
German Democratic Republic	1.39	33 585	30 841
Germany, Federal Republic of	8.75	212 008	194 683
Ghana	0.00	0	0
Greece	0.43	10 495	9 638
Guatemala	0.00	0	0
Hungary	0.23	5 510	5 060
Iceland	0.00	0	0
Ireland	0.19	4 723	4 337
Italy	4.32	104 692	96 137
Japan	12.32	298 595	274 195
Jordan	0.00	0	0
Kenya	0.00	0	0
Liechtenstein	0.00	0	0
Luxembourg	0.00	0	0
Malaysia	0.12	2 886	2 650
Maldives	0.00	0	0
Malta	0.00	0	0
Mexico	1.02	24 664	22 649
Netherlands	1.79	43 294	39 756
New Zealand	0.26	6 297	5 783
Nigeria	0.22	5 248	4 819
Norway	0.60	14 431	13 252
Panama	0.00	0	0

Party	Percentage of Pledges for total costs*	1991 (\$)	Pledges for 1992 (\$)
Portugal	0.19	4 723	4 337
Singapore	0.12	2 886	2 650
South Africa	0.49	11 807	10 843
Spain	2.11	51 165	46 984
Sri Lanka	0.00	0	0
Sweden	1.31	31 749	29 154
Switzerland	1.17	28 338	26 022
Syrian Arab Republic	0.00	0	0
Thailand	0.11	2 624	2 409
Trinidad and Tobago	0.00	0	0
Tunisia	0.00	0	0
Uganda	0.00	0	0
Ukrainian SSR	1.35	32 798	30 118
USSR	10.82	262 124	240 704
United Arab Emirates	0.21	4 985	4 578
United Kingdom	5.26	127 520	117 099
United States of America	25.00	605 750	556 250
Venezuela	0.62	14 956	13 734
Zambia	0.00	0	0
EEC	2.50	60 575	55 625
TOTAL	100.00	2 423 000	2 225 000

* Calculated on the basis of the United Nations scale of assessments, as agreed by the First Meeting of the Parties.