

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

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**Thirty-Fifth Meeting of the Parties to
the Montreal Protocol on Substances
that Deplete the Ozone Layer**
Nairobi, 23–27 October 2023

**Draft decisions for consideration by the Thirty-Fifth Meeting of
the Parties to the Montreal Protocol****Note by the Secretariat****I. Introduction**

1. The purpose of the present note is to assist parties in the discussion of items on the agenda for the Thirty-Fifth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer by presenting, in a single document, proposed draft decisions on certain issues that are expected to be considered at the meeting.
2. Section II sets out draft decisions that were considered by the Open-ended Working Group of the Parties to the Montreal Protocol at its forty-fifth meeting and forwarded by the Working Group for consideration by the Thirty-Fifth Meeting of the Parties.
3. Section III sets out placeholder draft decisions prepared by the Secretariat pertaining to matters related to the Montreal Protocol on which parties have historically adopted decisions at their annual meetings.
4. The draft decisions forwarded by the Open-ended Working Group and the full set of placeholder draft decisions are enclosed in square brackets to indicate that they are expected to be considered, revised and adopted as deemed appropriate by the Thirty-Fifth Meeting of the Parties. The presentation of these draft decisions does not preclude parties from proposing revisions to the draft decisions or proposing new draft decisions on any item on the agenda to be considered by the parties.

**II. Draft decisions submitted and considered by parties during the
forty-fifth meeting of the Open-ended Working Group for
consideration by the Thirty-Fifth Meeting of the Parties****[A. Draft decision XXXV/[A]: Potential areas of focus for the 2026 quadrennial
reports of the Scientific Assessment Panel, the Environmental Effects
Assessment Panel and the Technology and Economic Assessment Panel****Submission by the European Union**

The Thirty-Fifth Meeting of the Parties decides:

Noting with great appreciation the excellent and highly useful work of the members of the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel of the Montreal Protocol on Substances that Deplete the Ozone Layer and their colleagues worldwide in preparing the Panels' 2022 assessment reports, and in particular the

efforts made to condense vast amounts of pertinent information into a concise and understandable form for better use by policymakers,

1. To request the Scientific Assessment Panel, the Environmental Effects Assessment Panel and the Technology and Economic Assessment Panel to prepare quadrennial assessment reports and submit them to the Secretariat by 31 December 2026 for consideration by the Open-ended Working Group of the Parties to the Montreal Protocol and the Meeting of the Parties to the Montreal Protocol in 2027, as well as [presenting] [finalizing] a synthesis report [in time for the Meeting of the Parties] [by 30 April 2027], noting that the panels should continue to exchange information during the process of developing their respective reports in order to [avoid duplication] [ensure consistency] [and to provide comprehensive information to the parties to the Montreal Protocol];

2. To request the assessment panels to bring to the notice of the parties any significant developments that [in their opinion] deserve such notice, in accordance with decision IV/13;

3. To encourage the assessment panels to closely involve relevant scientists from parties operating under paragraph 1 of Article 5 of the Montreal Protocol with a view to promoting gender and regional balance, to the best of their ability, in producing the reports;

4. To request the Environmental Effects Assessment Panel, in preparing its 2026 assessment report, to pay particular attention to the most recent scientific information, including forward-looking projections and scenarios, and to assess the [effects of] changes in the ozone layer and ultraviolet radiation[, including [--,] and their interaction with the climate system on:

(a) Human health;

(b) The biosphere, biodiversity, and the health of flora, fauna and the ecosystem, including biogeochemical processes and global cycles;

(c) Ecosystem services, agriculture and materials, including for construction, transport and photovoltaic use and microplastics;

(d) [Potential effects of solar radiation management [and associated changes in ultraviolet radiation on the elements mentioned in subparagraphs 4 (a) to 4 (c) above][, particularly in relation to its potential effect on stratospheric ozone]];

5. [To also request the Environmental Effects Assessment Panel, in preparing its 2026 assessment report, to assess the effects and accumulation of breakdown products from controlled substances and their alternatives, in particular any substances that are very persistent in the environment, such as perfluoro- and polyfluoroalkyl substances, including trifluoroacetic acid, in ground and surface waters and in other relevant sinks;]

6. That the 2026 report of the Scientific Assessment Panel should include:

(a) An assessment of the state of the ozone layer and its future evolution;

(b) An evaluation of global and polar stratospheric ozone, including the Antarctic ozone hole and Arctic winter and spring ozone depletion and the predicted changes in these phenomena, as well as [any other occurring events of ozone depletion][other latitude regions];

(c) An updated assessment of past and projected contributions of the Montreal Protocol to mitigating climate change in terms of total avoided CO₂-equivalent emissions and avoided temperature increase;

(d) An evaluation of trends in the top-down derived emissions, abundances and fate in the atmosphere of trace gases of relevance to the Montreal Protocol, in particular controlled substances and other substances of importance to the ozone layer, [which should include a comparison of top-down estimations and available bottom-up estimations of such emissions with a view to identifying currently unknown emission sources and explaining discrepancies between [reported] emissions [derived from reported information] and observed atmospheric concentrations (Scientific Assessment Panel/Technology and Economic Assessment Panel)];

(e) An evaluation of consistency with reported production and consumption of those substances and the likely implications for the state of the ozone layer, including its interaction with the climate system;

(f) An assessment of the interaction between changes in stratospheric ozone and the climate system, including consideration of [related policy scenarios] [possible future policy scenarios relating to ozone depletion [and related policy scenarios] [and climate change][and climate impacts][and climate systems]];

(g) [Suggestions regarding policy scenarios designed to contribute further to ozone layer protection and climate change mitigation, taking into account potential timelines to allow for the implementation of such scenarios, and presenting their benefits in terms of impacts on the total column ozone and equivalent effective stratospheric chlorine, advancing the recovery of the ozone layer, and avoiding CO₂-equivalent emissions, as relevant;]

(h) Early identification and quantification of any substances that could be of concern, including other halogenated gases, in particular those with high global warming potential, breakdown products of controlled substances and their alternatives that remain in the environment for a long time, such as perfluoro- and polyfluoroalkyl substances, including trifluoroacetic acid, N₂O and very short-lived substances such as dichloromethane, and their main sources of emissions;

(i) An assessment of information and research related to solar radiation management;

(j) An assessment of the potential effects of supersonic aircraft, rockets, wildfires and volcanic eruptions on the stratospheric ozone layer and their interactions with the climate;

(k) Relevant information on any newly detected substances that are relevant for the Montreal Protocol;

(l) Identification and quantification, where possible, of any other issues of importance to the ozone layer and the climate system, consistent with the objectives of the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol;

7. That the 2026 report of the Technology and Economic Assessment Panel should include an assessment and evaluation of the following topics:

(a) Technical progress in the production and consumption sectors in the transition to technically and economically feasible, climate- and environment-friendly and sustainable alternatives that pose no harm to or have other lasting effects on the environment, and to practices that minimize or eliminate the use of controlled substances in all sectors;

(b) Process agents and feedstock uses for which the use of controlled substances is no longer required and identification of alternative pathways or technologies that can replace these uses, taking into account costs, energy use, and other environmental and economic considerations;

(c) An assessment of information and research relating to relevant emissions of controlled substances from common feedstock and production processes and other manufacturing processes, and identification of best practices and technologies for minimizing such emissions;

(d) The status of banks and stocks of controlled substances, their alternatives and other substances of importance to the ozone layer, including those used as feedstocks and those resulting from by-production, and the options available for managing them so as to avoid emissions to the atmosphere;

(e) Challenges facing all parties to the Montreal Protocol in implementing obligations under the Protocol and maintaining the phase-outs already achieved, including challenges related to preventing emissions from feedstock uses and by-production, and technically and economically feasible options for addressing those challenges;

(f) The impact of the phase-out of controlled ozone-depleting substances and the phase-down of hydrofluorocarbons on sustainable development;

(g) Technical advances in developing alternatives to hydrofluorocarbons, taking into account in particular energy efficiency, safety, and suitability for use in high-ambient-temperature countries.

[Additional areas to be considered for inclusion in the terms of reference:

(1) An assessment of information and research relating to relevant emissions of controlled substances from common feedstock and production processes and other manufacturing processes, and identification of best practices and technologies for minimizing such emissions;

(2) Refrigerant management;

(3) Banks and rates of recovery, recycling and reuse;

(4) Sectors where hydrochlorofluorocarbons were not previously used and hydrofluorocarbons have been and are currently used, such as electronics manufacturing;

- (5) Energy efficiency, including minimum energy performance standards, cold chain management and buildings;
- (6) Use of raw material as feedstocks and input materials;
- (7) Safety measures for low-global-warming-potential alternatives;
- (8) Assessment of whether production of hydrofluoroolefins is resulting in fugitive high-global-warming-potential hydrofluorocarbons;
- (9) Alignment of the hydrofluorocarbon alternative reports under decision XXVIII/2, paragraph 4;
- (10) The potential impact of the evolution of the management of per- and polyfluoroalkyl substances on the implementation of the Montreal Protocol and the selection of alternatives in relevant sectors.]]

[B. Draft decision XXXV/[B]: Stratospheric aerosol injection and protection of the ozone layer

Submission by Australia and Canada

The Thirty-Fifth Meeting of the Parties decides:

Taking note with appreciation of the 2022 quadrennial assessment report of the Scientific Assessment Panel¹ and its chapter 6 on stratospheric aerosol injection and its potential effect on the stratospheric ozone layer,

Taking note of the 2023 United Nations Environment Programme report *One Atmosphere: An Independent Expert Review on Solar Radiation Modification Research and Deployment*,² which provides an expert review of solar radiation modification research and deployment in relation to stratospheric aerosol injection,

Noting that limited scientific information is available about the risks to the ozone layer of stratospheric aerosol injection,

Noting the potential for negative effects that stratospheric aerosol injection may have on the ozone layer, including depleting stratospheric ozone, delaying recovery of the ozone layer, and influencing stratospheric chemistry,

1. Invites the global scientific community to address risks and uncertainties for the ozone layer in any scientific studies or assessments undertaken in relation to stratospheric aerosol injection;
2. Requests the Scientific Assessment Panel to engage with the global scientific community regarding, and to continue to bring to the attention of the parties, any important developments with respect to stratospheric aerosol injection, including the inclusion of updated or new scenarios or modelling to assist with understanding of the potential impacts of stratospheric aerosol injection on the ozone layer.]

[C. Draft decision XXXV/[C]: Destruction technologies for controlled substances

Submission by the European Union

The Thirty-Fifth Meeting of the Parties decides:

Noting with appreciation the 2022 report by the Technology and Economic Assessment Panel's Medical and Chemical Technical Options Committee that contains the response to decision XXX/6 on destruction technologies for controlled substances,

Noting also with appreciation the Technology and Economic Assessment Panel's assessment of destruction technologies with regard to their destruction and removal efficiency and its recommendations to parties for potential approval for inclusion on the list of approved technologies, and suggesting that parties consider this information in the development and implementation of their domestic regulations,

¹ Available at <https://ozone.unep.org/system/files/documents/Scientific-Assessment-of-Ozone-Depletion-2022.pdf>.

² Available at www.unep.org/resources/report/Solar-Radiation-Modification-research-deployment.

Noting that in decision XXX/15 the Technology and Economic Assessment Panel is requested to provide a review of destruction technologies, if new compelling information becomes available,

1. To approve the following destruction technology, for the purposes of paragraph 5 of Article 1 of the Montreal Protocol on Substances that Deplete the Ozone Layer, as an addition to the technologies listed in annex VI to the report of the Fourth Meeting of the Parties to the Montreal Protocol³ and modified by decisions V/26, VII/35, XIV/6, XXIX/4 and XXX/6, for diluted sources of ozone-depleting substances and Annex F, group I substances for which there is already approval for concentrated sources: cement kiln;

2. To remove portable plasma arc technology as a separate approved technology for the purposes of paragraph 5 of Article 1 of the Montreal Protocol, given that portable plasma arc technology is a subset of the already approved category of nitrogen plasma arc destruction technology.

3. To invite parties to submit to the Secretariat information relevant for a review of destruction technologies.]

[D. Draft decision XXXV/[D]: Very short-lived substances, including dichloromethane

Submission by Australia, Canada, Switzerland and the United States of America

The Thirty-Fifth Meeting of the Parties decides:

Taking note with appreciation of the information on very short-lived substances in the 2022 quadrennial assessment report of the Scientific Assessment Panel and the 2022 assessment report of the Medical and Chemical Technical Options Committee of the Technology and Economic Assessment Panel,

Noting that the 2022 quadrennial assessment report of the Scientific Assessment Panel indicates that chlorine emissions from very short-lived substances not controlled by the Montreal Protocol on Substances that Deplete the Ozone Layer, in particular from dichloromethane, continue to increase and are estimated to contribute about 4 per cent of total chlorine input to the stratosphere, and that future emissions of dichloromethane have the potential to lead to more ozone depletion than emissions from other sources in many of the other alternative scenarios explored in the report,

Concerned about the continued substantial increase of emissions of dichloromethane, which is the main component of the very short-lived substance chlorine, estimated to have averaged 13 per cent annually between 2011 and 2019, according to information contained in the 2022 assessment report of the Medical and Chemical Technical Options Committee,

Noting that, according to the policy-relevant scenarios considered in the 2022 quadrennial assessment report of the Scientific Assessment Panel, the positive effect on the ozone layer from 2020 to 2070 of eliminating emissions of dichloromethane in 2023 would be about 40–80 per cent of the effect of eliminating all emissions of ozone-depleting substances in 2023,

Recalling decisions XIII/7 and XVIII/11 pertaining to the very short-lived substance n-propyl bromide,

1. To request the Technology and Economic Assessment Panel to include in its 2024 progress report, for consideration by the Open-ended Working Group of the Parties to the Montreal Protocol at its forty-sixth meeting:

(a) Information on alternatives to dichloromethane and measures for reducing emissions in the main applications for which it is currently used;

(b) Any relevant updates regarding existing and projected production, use and emissions of dichloromethane and other very short-lived substances discussed in the 2022 assessment report of the Medical and Chemical Technical Options Committee;

2. To encourage parties to take action to reduce the use and emissions of dichloromethane in applications for which alternatives are available and emissions control measures are feasible.]

³ UNEP/OzL.Pro.4/15.

[E. Draft decision XXXV/[E]: Emissions of HFC-23**Submission by Australia, Canada, Norway and the United States of America**

The Thirty-Fifth Meeting of the Parties decides:

Recalling the provisions under paragraphs 6 and 7 of Article 2J of the Montreal Protocol on Substances that Deplete the Ozone Layer on by-product emissions from each production facility that manufactures Annex C, Group I substances or Annex F substances,

Expressing serious concern about the recent scientific findings showing unexplained increases in emissions of HFC-23 in recent years,

Taking note of the information on HFC-23 emissions in the 2022 quadrennial assessment report of the Scientific Assessment Panel,⁴

Taking note also of the information on chemical pathways that may generate HFC-23 by-product emissions and on best practices for controlling such emissions in the 2022 assessment report of the Medical and Chemical Technical Options Committee of the Technology and Economic Assessment Panel and in the Technology and Economic Assessment Panel's decision XXXIV/7 report,

1. To request the Scientific Assessment Panel to provide an update on HFC-23 emissions to supplement the information in the 2022 quadrennial assessment report, including by reflecting any new information regarding atmospheric monitoring and atmospheric modelling, with its underlying [assumptions][methodology] with respect to such emissions, and to prepare a report on the matter to the Thirty-Sixth Meeting of the Parties to the Montreal Protocol;
2. To request the Technology and Economic Assessment Panel to prepare a report to the Thirty-Sixth Meeting of the Parties containing information regarding:
 - (a) Potential sources of emissions of HFC-23 from facilities that manufacture Annex C, Group I substances, Annex F substances [or other relevant chemicals, and consumptive uses] that may lead to HFC-23 emissions;
 - (b) Any additional relevant information on chemical manufacturing, other than the manufacture of Annex C, Group I substances or Annex F substances, that may generate HFC-23 by-product emissions[, including estimates of the scale of such emissions, when such estimates are possible];
 - (c) The quantity of HFC-23 being consumed, [by country and] by sector;
 - (d) Best practices for reducing emissions of HFC-23 from consumption sectors;
3. To [request][invite] parties with available relevant scientific or technical information that may help inform the reports of the Scientific Assessment Panel and the Technology and Economic Assessment Panel mentioned in paragraphs 1 and 2 above to provide that information to the Secretariat by 1 March 2024;
4. To encourage Parties, as appropriate, to support scientific efforts, including in relation to atmospheric measurements, to further study and [characterize – *to be further specified*] emissions of HFC-23, and to share data from such scientific efforts in a timely manner;
5. To encourage [scientific and atmospheric organizations and institutions – *to be further considered*] to further study and elaborate on the current findings related to HFC-23 emissions, as relevant and appropriate to their respective mandates, with a view to contributing to the assessment described in paragraph 1 above;
6. [To request Parties to take appropriate measures to ensure that they are effectively implementing their HFC-23 obligations in accordance with paragraphs 6 and 7 of Article 2J of the Protocol;]
- [7. That “the extent practicable” referred to in Article 2J, paragraph 6 is defined as a maximum of 0.1 kg of HFC-23 by-product emitted per 100 kg of the relevant Annex C/I or Annex F substance produced. – *to be further considered*]]

⁴ Available at <https://ozone.unep.org/system/files/documents/Scientific-Assessment-of-Ozone-Depletion-2022.pdf>.

[F. Draft decision XXXV/[F]: Shared responsibility to stop the dumping of inefficient cooling equipment containing obsolete refrigerants

Submission by Ghana on behalf of the African States

The Thirty-Fifth Meeting of the Parties decides:

Recognizing that compliance with the Montreal Protocol on Substances that Deplete the Ozone Layer and its amendments involves sharing of responsibility between importing and exporting Parties,

Welcoming the commitments of certain Parties to prohibit, in domestic regulations, the export of cooling equipment not satisfying their national regulations and/or standards,

1. To request that Parties manufacturing and exporting cooling equipment consider instituting measures involving shared responsibility to stop exporting cooling appliances with obsolete refrigerants and encourage the supply of next-generation cooling equipment;

2. To request the Technology and Economic Assessment Panel to provide a preliminary report to the Parties at the forty-sixth meeting of the Open-ended Working Group of the Parties to the Montreal Protocol, and to provide an updated version of that report for discussion at the Thirty-Sixth Meeting of the Parties to the Montreal Protocol, providing examples of technically and economically feasible measures for shared responsibility where cooling equipment that is prohibited from use in a domestic market is also prohibited from export.]

[G. Draft decision XXXV/[G]: Abating emissions of carbon tetrachloride

Submission by Switzerland

The Thirty-Fifth Meeting of the Parties decides:

Recalling decision XXXIV/6, in which Parties having production of carbon tetrachloride, as well as by-production, or use of carbon tetrachloride as a feedstock for other substances or as a process agent, were invited to provide to the Secretariat on a voluntary basis, by 1 February 2023, information on the national procedures and frameworks in place for management of such activities in their respective countries,

Recalling also decision XXXIV/5, in which the Technology and Economic Assessment Panel was requested to prepare a report on chemical pathways in which substantial emissions of controlled substances were likely to occur, best practices available to control those emissions, and gaps in understanding the sources of those emissions,

Acknowledging the valuable information that the Technology and Economic Assessment Panel has provided on sources and emissions of carbon tetrachloride in its responses to the above-mentioned decisions through its 2023 progress report,

Recognizing with concern the range of estimated emission rates provided in the 2023 progress report of the Technology and Economic Assessment Panel, which indicates significant emissions from processes involving carbon tetrachloride,

To request the Technology and Economic Assessment Panel:

(a) To compile a list of best practices and technologies, by process and by geographical region, for minimizing carbon tetrachloride emissions and emission rates, based on the information provided by the Parties and addressed in decision XXXIV/6 and further information;

(b) To indicate, by process and by geographical region, the minimum carbon tetrachloride emission rates that have been achieved, based on the information provided by Parties and further information.]

[H. Draft decision XXXV/[H]: Feedstock uses

Submission by Australia

The Thirty-Fifth Meeting of the Parties decides:

Recalling paragraph 5 of Article 1 of the Montreal Protocol on Substances that Deplete the Ozone Layer, which excludes the calculated level of controlled substances entirely used as feedstock in the manufacture of other chemicals from the definition of production of controlled substances,

Recalling also decision IV/12, in which Parties were urged to take steps to minimize emissions of such substances, including such steps as avoidance of the creation of such emissions, reduction of emissions using practicable control technologies or process changes, containment or destruction,

Taking note with concern of the 2022 assessment reports of the Technology and Economic Assessment Panel and the Scientific Assessment Panel, which highlight the significant increases in the production of controlled substances used as feedstock and the unexplained abundance of ozone-depleting substances in the atmosphere, which may result from increased emissions of these substances from feedstock production or use, or by-product emissions from other chemical processes,

Decides:

1. To urge relevant Parties, in accordance with decision IV/12, to take steps to minimize emissions of controlled ozone-depleting substances produced or used as feedstock, including such steps as avoidance of the creation of such emissions and reduction of emissions using practicable control technologies or process changes, containment or destruction;
2. To encourage relevant Parties to replace, where technically feasible, the use of ozone-depleting substances with non-controlled substances in feedstock manufacturing processes or in the production of products currently relying on ozone-depleting substances;
3. To remind Parties, when they are reporting feedstock production, to include unintentional production of isolated and non-isolated intermediates, where such production is measurable;
4. To invite Parties with production or use of ozone-depleting substances for feedstock to provide to the Ozone Secretariat by [1 June 2024] information on their domestic policies, practices and regulations relating to the management of such production and use, including any controls on resulting emissions;
5. To request the Ozone Secretariat to collate and summarize the information provided pursuant to paragraph 4 above for consideration by the Open-ended Working Group at its forty-sixth meeting;
6. To request the Technology and Economic Assessment Panel to prepare a report for consideration by the Open-ended Working Group at its forty-sixth meeting that includes:
 - (a) Information on alternative chemicals and processes, including best-practice control technologies, that can be used or implemented to reduce the need for feedstock production or use of controlled ozone-depleting substances;
 - (b) Estimates of annual global emissions of ozone-depleting substances by species from feedstock production, by-product emissions and use based on bottom-up calculations and estimates made by the Scientific Assessment Panel arising from atmospheric observations, including different emission factors previously identified;
 - (c) Any other relevant updated information.]]

III. Placeholder draft decisions prepared by the Secretariat for consideration by the Thirty-Fifth Meeting of the Parties to the Montreal Protocol

[A. Draft decision XXXV/[AA]: Financial reports and budgets for the Montreal Protocol on Substances that Deplete the Ozone Layer

The Thirty-Fifth Meeting of the Parties decides:

Recalling decision XXXIV/24 on financial reports and budgets for the Montreal Protocol on Substances that Deplete the Ozone Layer,

Taking note of the financial report for the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer for the fiscal year 2022,⁵

Recognizing the voluntary contributions of parties as an essential complement for the effective implementation of the Montreal Protocol,

⁵ UNEP/OzL.Pro.35/5.

Welcoming the continued efficient management by the Secretariat of the finances of the Trust Fund for the Montreal Protocol,

Recognizing that the exceptional circumstances arising from the coronavirus disease (COVID-19) pandemic have resulted in a lower utilization of the budget in 2020 and 2021 [and taking this into account with respect to the level of contributions for 2024],

1. To approve the budget of \$[--] for 2024 and to take note of the indicative budget for 2025, as set out in table A of the annex to the present decision, to be considered further by the Thirty-Sixth Meeting of the Parties to the Montreal Protocol,
2. To authorize the Executive Secretary, on an exceptional basis, to draw down from the available cash balance for 2023 in an amount of up to \$[--] for specific activities listed in table A of the annex to the present decision, provided that the cash balance is not reduced to below the working capital reserve;
3. To approve the contributions to be paid by the parties in the amount of \$[--] for 2024 and to take note of the contributions for 2025 as set out in table B of the annex to the present decision;
4. To authorize the Secretariat to draw down from the cash balance the funds required to cover the shortfall between the level of contributions agreed upon in paragraph 3 of the present decision and the approved budget for 2024 as set out in paragraph 1 of the present decision;
5. To reaffirm that a working capital reserve shall be maintained at a level of 15 per cent of the annual budget, to be used to meet the final expenditures under the Trust Fund, noting that the working capital reserve shall be set aside from the existing cash balance;
6. To encourage parties and other stakeholders to contribute financially and by other means to assist the members of the three assessment panels and their subsidiary bodies with a view to ensuring their continued participation in assessment activities under the Montreal Protocol;
7. To express its appreciation regarding the fact that a number of parties have paid their contributions for 2023 and prior years, and to urge those parties that have not done so to pay their outstanding contributions promptly and in full and all parties to pay their future contributions promptly and in full;
8. To request the Executive Secretary to enter into discussions with any party whose contributions have been outstanding for two or more years with a view to finding a way forward, and to report to the Thirty-Sixth Meeting of the Parties on the outcome of those discussions to enable further consideration by the parties of how to address the matter;
9. To request the Executive Secretary to continue to provide regular information on earmarked contributions and to include that information, where relevant, in the budget proposals of the Trust Fund to enhance transparency with regard to the actual income and expenses of the Trust Fund;
10. To request the Executive Secretary to continue to prepare fact sheets for the presentation of future budgets;
11. To request the Secretariat to ensure the full utilization of the programme support resources available to it in 2024 and in later years and, where possible, to offset programme support resources against the administrative components of the approved budget;
12. To request the Secretariat to indicate in future financial reports of the Trust Fund the amounts of cash on hand and the status of contributions to the Trust Fund;
13. To request the Executive Secretary to prepare budgets and work programmes for the years 2025 and 2026, based on the projected needs, for two budget scenarios:
 - (a) A zero-nominal-growth scenario;
 - (b) A scenario based on recommended adjustments to the zero-nominal-growth scenario, indicating the added costs or savings related thereto;
14. To stress the need to continue to ensure that the budget proposals are realistic and represent the agreed priorities of all parties to help to ensure a sustainable and stable fund and cash balance, including contributions.

Annex to draft decision XXXV/[AA]

Table A

Approved 2024 and noted 2025 budgets

(United States dollars)

[--]

Appendix to table A**Explanatory notes for the 2024 budget of the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer**

[--]

Table B

Parties' contributions to the Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer

(United States dollars)

(Pursuant to General Assembly resolution 76/238 of 24 December 2021, with a maximum assessment rate of 22 per cent)

[--]]

[B. Draft decision XXXV/[BB]: Replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol for the triennium 2024–2026*The Thirty-Fifth Meeting of the Parties decides:*

1. To adopt a budget for the Multilateral Fund for the Implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer for the triennium 2024–2026 of \$[--], on the understanding that \$[--] of that budget will be provided from anticipated contributions due to the Multilateral Fund and other sources for the triennium 2021–2023, and that \$[--] will be provided from interest accruing to the Fund during the triennium 2024–2026;⁶
2. To note that outstanding contributions from parties with economies in transition in the period 2021–2023 amount to \$[--];
3. To adopt the scale of contributions for the Multilateral Fund based on a replenishment of \$[--] for 2024, \$[--] for 2025 and \$[--] for 2026, as set out in annex [--] to the report of the Thirty-Fifth Meeting of the Parties to the Montreal Protocol;
4. That the Executive Committee should take action to ensure, to the extent possible, that the entire budget for the triennium 2024–2026 is committed by the end of 2026 and that parties not operating under paragraph 1 of Article 5 should make timely payments in accordance with paragraph 7 of decision XI/6.]

[C. Draft decision XXXV/[CC]: Extension of the fixed-exchange-rate mechanism to the 2024–2026 replenishment of the Multilateral Fund*The Thirty-Fifth Meeting of the Parties decides:*

1. To direct the Treasurer to extend the fixed-exchange-rate mechanism to the period 2024–2026;
2. That parties choosing to pay their contributions to the Multilateral Fund for the Implementation of the Montreal Protocol in national currencies will calculate their contributions based on the average United Nations exchange rate for the six-month period commencing 1 January 2023;
3. That, subject to paragraph 4 below, parties not choosing to pay in national currencies pursuant to the fixed-exchange-rate mechanism will continue to pay in United States dollars;
4. That no party should change the currency selected for its contribution in the course of the triennium 2024–2026;

⁶ In decision Ex.V/1 on replenishment for the triennium 2021–2023, adopted by the Fifth Extraordinary Meeting of the Parties, the parties noted in paragraph 2 that \$246 million in remaining funds that were due to the Multilateral Fund during the triennium 2018–2020 would be used after 2023 to support the implementation of the Montreal Protocol.

5. That only parties with inflation rate fluctuations of less than 10 per cent for the preceding triennium, pursuant to published figures of the International Monetary Fund, will be eligible to use the fixed-exchange-rate mechanism;

6. To urge parties to pay their contributions to the Multilateral Fund in full and as early as possible in accordance with paragraph 7 of decision XI/6;

7. To agree that if the fixed-exchange-rate mechanism is to be used for the replenishment period 2027–2029, parties choosing to pay their contributions in national currencies will calculate their contributions based on the average United Nations exchange rate for the six-month period commencing 1 January or 1 July ending at least 3 months prior to the replenishment that is to be decided.]

[D. Draft decision XXXV/[DD]: Membership of the Implementation Committee

The Thirty-Fifth Meeting of the Parties decides:

1. To note with appreciation the work carried out by the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol in 2023;

2. To confirm the positions of Lebanon, Netherlands (Kingdom of the), North Macedonia, Senegal and Suriname as members of the Committee for one further year and to select -----, -----, -----, ----- and ----- as members of the Committee for a two-year period beginning on 1 January 2024;

3. To note the selection of ----- (-----) to serve as President and ----- (-----) to serve as Vice-President and Rapporteur of the Committee for one year beginning on 1 January 2024.]

[E. Draft decision XXXV/[EE]: Membership of the Executive Committee of the Multilateral Fund

The Thirty-Fifth Meeting of the Parties decides:

1. To note with appreciation the work carried out by the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer with the assistance of the Fund secretariat in 2023;

2. To endorse the selection of -----, -----, -----, -----, -----, ----- and ----- as members of the Executive Committee representing parties operating under paragraph 1 of Article 5 of the Protocol and the selection of -----, -----, -----, -----, -----, ----- and ----- as members representing parties not so operating, for one year beginning 1 January 2024;

3. To note the selection of ----- (-----) to serve as Chair and ----- (-----) to serve as Vice-Chair of the Executive Committee for one year beginning 1 January 2024.]

[F. Draft decision XXXV/[FF]: Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol

The Thirty-Fifth Meeting of the Parties decides:

To endorse the selection of ----- (-----) and ----- (-----) as Co-Chairs of the Open-ended Working Group of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer in 2024.]

[G. Draft decision XXXV/[GG]: Status of ratification of the Kigali Amendment to the Montreal Protocol

The Thirty-Fifth Meeting of the Parties decides:

1. To note that, as at 26 October 2023, [--] parties had ratified, approved or accepted the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer;

2. To urge all parties that have not yet done so to ratify, approve or accept the Kigali Amendment in order to ensure broad participation and achieve the goals of the Amendment.]

[H. Draft decision XXXV/[HH]: Thirty-Sixth Meeting of the Parties to the Montreal Protocol

The Thirty-Fifth Meeting of the Parties decides:

To convene the Thirty-Sixth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer in [--] from [--] to [--] 2024.]
