

# Section 2

# Decisions of the Conference of the Parties to the Vienna Convention

*Section 2.1 lists the decisions adopted by each Conference of the Parties to the Vienna Convention cross-referred to the related article(s) of the Convention, together with the annexes to which they refer.*

*Section 2.2 reproduces the text of the decisions, and some of the annexes, organized by article of the Convention. Section 2.3 comprises lists of the decisions grouped by subject-matter, with cross-references to the decisions themselves.*

*Annexes which are of transient importance only are not included in this Handbook, but may be found in the reports of meetings of the Conference of the Parties to the Vienna Convention, available on the Ozone Secretariat website [ozone.unep.org](http://ozone.unep.org).*

## Section 2.1

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Annexes and appendices which are not reproduced in this Handbook may be found in the reports of the meetings of the Conference of the parties to the Vienna Convention available on the Ozone Secretariat's website at: [ozone.unep.org](http://ozone.unep.org)

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## Section 2.2

# Decisions by Article

### Article 3: Research and systematic observations

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#### Decisions on research and systematic observations

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##### Decision VC I/4: Research, observations and transfer of technology

The *Conference of the Parties*, in decision VC I/4 of its first meeting, decided 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 research on 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 should make a long-term commitment to such monitoring programmes including making sufficient resources available appropriate to the effective 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.

##### Decision VC I/5: Research capability of developing countries

The *Conference of the Parties*, in decision VC I/5 of its first meeting, decided 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.

##### Decision VC II/2: Information exchange under annex II to the Vienna Convention

The *Conference of the Parties*, in decision VC II/2 of its second meeting, decided:

- (a) To note that exchange of information under annex II would in large part be fulfilled by parties reporting the data required by Article 7 of the amended Montreal Protocol, and by exchanging information and reporting on activities as required by Article 9 of the

Protocol; and therefore to call on all parties to the Convention, whether or not parties to the amended Protocol, to provide such data and information;

- (b) To request the Montreal Protocol parties to ask the assessment panels to identify and report on what information on substances listed in annex I of the Convention, can be made available from other sources, and what can and should be supplied separately by the parties; and to ask the Secretariat, in light of this information, to develop with the chairs of the assessment panels an appropriate provisional reporting format;
- (c) To note the recommendation of the meeting of the Ozone Research Managers that the HFCs should be added to the list of substances in annex I of the Vienna Convention;
- (d) To note that some countries had already submitted information for exchange in accordance with the objectives of annex II of the Convention, and to invite all parties to submit any information relevant to the objectives of this annex.

### **Decision VC II/5: Review of scientific information**

The *Conference of the Parties*, in *decision VC II/5 of its second meeting*, decided to take note of the 1989 reports of the four assessment panels, established by the parties to the Montreal Protocol in accordance with Article 6 of the Protocol, and also the ongoing work of the panels in preparing supplementary reports for consideration by the Fourth Meeting of the Parties to the Montreal Protocol to be held in 1992.

### **Decision VC II/7: Implementation of decision VC I/5**

The *Conference of the Parties*, in *decision VC II/7 of its second meeting*, decided to ask the Secretariat to request the parties to provide more information on the implementation of decision 5 of the first meeting of the Conference of the Parties to the Vienna Convention, and also to ask the Secretariat of the Vienna Convention to provide the information with regard to existing regional activities.

### **Decision VC II/9: Expansion of the Global Ozone Observing System Network**

The *Conference of the Parties*, in *decision VC II/9 of its second meeting*, decided to request the parties to the Vienna Convention as a matter of urgency to facilitate through bilateral and multilateral contributions the expansion of the ozone observing stations network, in particular at locations selected on the basis of generally accepted scientific criteria which are in the territories of interested developing countries, and specifically to request:

- (a) WMO and UNEP to keep parties continually aware of specific network needs which could be met by bilateral or multilateral co-operation;
- (b) Developed countries to make voluntary contributions to the WMO Special Fund for Environmental Monitoring for GO<sub>3</sub>OS;
- (c) Developing countries to make ozone layer monitoring a priority in their requests for bilateral and multilateral assistance within the context of the Global Ozone Observing System.



### **Decision VC III/2: Reports of the assessment panels**

The *Conference of the Parties*, in *decision VC III/2 of its third meeting*, decided:

1. To take note of the 1991 reports of Scientific Assessment, Environmental Effects Assessment and Technology and Economic Assessment Panels;
2. To take note of the ongoing work of the three assessment panels in preparing updated reports for consideration by the Seventh Meeting of the Parties to the Montreal Protocol.

### **Decision VC III/4: Reporting for the purposes of annex I to the Vienna Convention**

The *Conference of the Parties*, in *decision VC III/4 of its third meeting*, decided:

1. To accept the recommendation that for the purposes of Article 3 of, and annex I to, the Vienna Convention, it is adequate if the parties to the Convention report data under the Montreal Protocol on all substances controlled by the Protocol;
2. To defer a decision under Article 3 of, and annex I to, the Convention with respect to hydrofluorocarbons, pending a decision of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change or of the first session of the Conference of the Parties to the Framework Convention on Climate Change on the reporting on hydrofluorocarbons.

### **Decision VC IV/2: Reports of the three assessment panels**

The *Conference of the Parties*, in *decision VC IV/2 of its fourth meeting*, decided:

1. To take note with appreciation of the reports of the Scientific, Environmental Effects and Technology and Economic Assessment Panels and the Technical Options Committees;
2. To acknowledge the important role played by the Scientific Assessment Panel in coordinating the report of the World Meteorological Organization (WMO) and the substantial contributions by the national agencies to the preparation of the report.

### **Decision VC IV/4: Funding matters**

The *Conference of the Parties*, in *decision VC IV/4 of its fourth meeting*, decided:

1. To invite the Global Environment Facility (GEF) to support the monitoring of ozone and UV radiation and related research in developing countries;
2. To request the parties to support such programmes using appropriate mechanisms.

### **Decision VC V/2: Reports of the three assessment panels**

The *Conference of the Parties*, in *decision VC V/2 of its fifth meeting*, decided:

1. To take note, with appreciation, of the reports of the Scientific, Environmental Effects and Technology and Economic Assessment Panels and the Technical Options Committees;
2. To acknowledge and encourage the collaboration of the assessment panels with the Intergovernmental Panel on Climate Change, the Subsidiary Body on Scientific, Technical and Technological Advice under the United Nations Framework Convention on Climate Change and the International Civil Aviation Organization;
3. To acknowledge the important role played by the Scientific Assessment Panel in coordinating its report and the contributions by the World Meteorological Organization, the national agencies and international organizations to the preparation of the report.

## Decision VC VI/2: Ozone-related monitoring and research activities for the Vienna Convention

The Conference of the Parties, in decision VC VI/2 of its sixth meeting, decided:

Recalling Articles 3 and 4, and annexes I and II of the Vienna Convention, decisions VC I/4, VC I/5, VC II/4, VC II/7, VC II/9, VC III/5, VC IV/3, VC IV/4, and VC V/3, and paragraph 39 of the Plan of Action of the World Summit on Sustainable Development,

Recognizing the urgent need for enhancing the effective regime for the protection of the ozone layer established in the Vienna Convention and the Montreal Protocol,

1. To take note, with appreciation, of the report of the fifth meeting of the Ozone Research Managers, and the recommendations therein;
2. To request the United Nations Environment Programme, in consultation with World Meteorological Organization, to establish an extrabudgetary fund for receiving voluntary contribution from the parties to the Vienna Convention and international organizations, for the purpose of financing activities on research and systematic observations relevant to the Vienna Convention, consistent with the decisions listed above, in developing countries and countries with economies in transition;
3. To urge all parties and international organizations to make voluntary contributions to the Fund as well as voluntary contributions in kind for the purposes mentioned in paragraph 2;
4. The primary aim of the Fund should be to provide complementary support for the continued maintenance and calibration of the existing World Meteorological Organization Global Atmospheric Watch ground-based stations for monitoring column ozone, ozone profiles and ultra-violet radiation in the developing countries and in the countries with economies in transition, to address balanced global coverage. Consideration should be given to supporting other activities identified by the Ozone Research Managers and in consultation with the co-chairs of the United Nations Environment Programme Scientific Assessment and Environmental Effects Assessment Panels, for the improvement of the observation network and relevant research;
5. To request the Secretariat, in consultation with the World Meteorological Organization, to advise the parties of the institutional arrangements for making decisions on allocation of funds, with a specific proposal to meet the requirements identified in paragraph 4 above and to provide an annual report;
6. To request the Secretariat to invite the parties and international organizations to make annual voluntary contributions to the Fund;
7. To review the institutional arrangements for the operation of the Fund at the next meeting of the Conference of the Parties to the Vienna convention, taking into account the developments and requirements within other conventions, to avoid duplication of efforts;
8. To request the World Meteorological Organization and the United Nations Environment Programme, to draw to the attention of the parties opportunities for meeting common objectives among conventions, in particular the United Nations Framework Convention on Climate Change.

## Decision VC VII/2: Trust Fund for activities on research and systematic observations relevant to the Vienna Convention

The *Conference of the Parties*, in decision VC VII/2 of its seventh meeting, decided:

*Noting* the conclusions and recommendations of the sixth meeting of Ozone Research Managers regarding the continuing need to ensure a stable, long-term observational capability that is regionally balanced in order to track the evolution of ozone and climate-related source gases and parameters, detect and track the stabilization and expected recovery of stratospheric ozone, attribute changes in radiative forcing to changes in the ozone profile and derive a global record of ground-level ultraviolet radiation,

*Noting* the current need to enhance the capacity of parties operating under paragraph 1 of Article 5 of the Montreal Protocol and countries with economies in transition, in order to enable them to maintain existing instruments and networks, install new capabilities to provide useful enhancements to observational capabilities and disseminate information about the effects of ozone and ultraviolet changes,

*Noting* that such enhancements in capacity are in the interests of all parties, since the creation of a more informed scientific community will not only contribute to global ozone and ultraviolet radiation science, but will serve as the basis for providing local policy makers with further scientific support for the long-term implementation of the Montreal Protocol and its amendments,

1. To take note, with appreciation, of the report of the sixth meeting of the Ozone Research Managers and the recommendations contained therein;
2. To request the Executive Director of the United Nations Environment Programme, through the Ozone Secretariat, to extend the Trust Fund established pursuant to decision VI/2 of the Vienna Convention beyond 31 December 2007 for an additional eight years up to 31 December 2015 in order to continue to support monitoring and research activities in developing countries and countries with economies in transition;
3. To take a decision at the tenth meeting of the Conference of the Parties in 2014 on whether or not to extend the Trust Fund beyond 2015;
4. To request the United Nations Environment Programme and the World Meteorological Organization to continue their cooperation with respect to the Trust Fund pursuant to the terms of the agreement contained in annex I to the note on issues for discussion by and information for the attention of the Conference of the Parties and the Meeting of the Parties, on the understanding that that agreement may be changed from time to time to meet evolving needs and conditions;
5. To urge all parties and international organizations to make voluntary contributions to the Fund as well as voluntary contributions in kind for the priorities mentioned in the recommendations of the sixth meeting of the Ozone Research Managers;
6. To request the Secretariat to invite the parties and relevant international organizations to make annual voluntary contributions to the Fund, and with each successive invitation to the parties, to report on the prior years' contributions, funded activities, and future planned activities;
7. To request the United Nations Environment Programme and the World Meteorological Organization to direct funds received to priorities among those listed within the recommendations of the sixth meeting of the Ozone Research Managers striving for regional balance, on the understanding that, depending on available funding, an effort

should be made to leverage other sources of funding, especially similar funds within the World Meteorological Organization, and provide assistance to a number of parties operating under paragraph 1 of Article 5 of the Montreal Protocol and countries with economies in transition in all regions;

8. To request the Ozone Secretariat to report to the next meeting of the Conference of the Parties of the Vienna Convention in 2008 on the operation of, contributions to, and expenditures from the Trust Fund since its inception.

### **Decision VC VIII/3: Vienna Convention Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention for the Protection of the Ozone Layer**

*The Conference of the Parties, in decision VC VIII/3 of its eighth meeting, decided:*

*Recalling* decision VI/2, by which the Conference of the Parties established the Vienna Convention Trust Fund for Research and Systematic Observations,

*Recalling also* that the United Nations Environment Programme extended the Trust Fund to 31 December 2015 in order to continue supporting monitoring and research activities in developing countries and countries with economies in transition and that the Conference of the Parties is to decide in 2014 on whether to extend the Trust Fund beyond 2015,

*Noting with appreciation* the report provided by the Secretariat on the operation of, contributions to, and expenditures from the Trust Fund since its inception,

*Also noting with appreciation* the contributions to the Trust Fund made by several parties and the joint efforts of the World Meteorological Organization and the Ozone Secretariat in the implementation of the activities of the Trust Fund,

*Recognizing* the need to continue and strengthen atmospheric research and monitoring activities in order to address the many uncertainties that exist regarding the expected ozone recovery process and interaction between ozone and climate changes,

*Noting* the recommendations of the Ozone Research Managers at their seventh meeting, particularly with regard to the Trust Fund, in respect of which the Managers emphasize its importance in enabling capacity-building activities and the need for both monetary and specific in kind contributions that are directly targeted at ozone- and ultraviolet radiation-related activities,

1. To urge all parties and relevant international organizations to make voluntary financial contributions to the Trust Fund and voluntary in kind contributions to enable the continuation and enhancement of monitoring and research activities in developing countries and countries with economies in transition, taking into account the need for balanced global coverage;
2. To request the Secretariat to continue to invite parties and relevant international organizations annually to make voluntary contributions to the Fund and with each successive invitation to the parties to report on the prior years' contributions, funded activities and planned future activities;
3. To request the Secretariat and the World Meteorological Organization to continue their cooperation in respect of the Trust Fund pursuant to the terms of the memorandum of understanding between the two bodies on the operation of the Fund and to alert the parties should a need arise to amend the memorandum of understanding to take into consideration evolving needs and conditions;

4. To remind the Secretariat and the World Meteorological Organization of the request in paragraph 7 of decision VII/2 of the Conference of the Parties that they strive for regional balance in the activities supported by the Fund and that they make an effort to leverage other sources of funding.

### **Decision VC IX/2: Eighth meeting of the Ozone Research Managers and the Trust Fund for Research and Systematic Observation relevant to the Vienna Convention**

The *Conference of the Parties*, in decision VC IX/2 of its ninth meeting, decided:

*Recalling* that, pursuant to the objective defined in decision I/6 of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer, the Ozone Research Managers review ongoing national and international research and monitoring programmes with a view to ensuring the proper coordination of those programmes and identifying gaps that need to be addressed,

*Recognizing* that it is necessary and important to continue to monitor changes in the ozone layer and to understand the scale of the impact on the ozone layer of increasing concentrations of greenhouse gases and the implementation of the Vienna Convention on the Protection of the Ozone Layer,

*Recalling* decision VI/2, by which the Conference of the Parties established the Vienna Convention Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention for the Protection of the Ozone Layer,

*Noting with appreciation* the contributions to the Trust Fund by several parties and the joint efforts of the World Meteorological Organization and the Ozone Secretariat in the implementation of the activities funded by the Trust Fund,

*Noting* that the Ozone Research Managers at their eighth meeting stated that although there had been progress in building capacity since their seventh meeting in 2008, much remained to be accomplished,

1. To take note with appreciation of the report of the eighth meeting of the Ozone Research Managers;
2. To encourage parties:
  - (a) To adopt the recommendations in report No. 53 of the World Meteorological Organization Global Ozone Research and Monitoring Project;
  - (b) To maintain research capabilities that enable measurements and scientific understanding of ozone depletion and evolution in a changing atmosphere including:
    - (i) Improvement and validation of coupled chemistry-climate and earth system models to take better account of ozone parameters and other atmospheric processes;
    - (ii) Continued and increased exploitation of long-term measurements and data for scientific process studies;
    - (iii) Support for fundamental laboratory studies to estimate photochemical reaction rates and to refine and update older measurements;
  - (c) To maintain, expand and integrate systematic ozone-related observations that are critical to understanding and monitoring the long term changes in atmospheric composition and the associated response in ground level ultraviolet radiation;

- (d) To continue to implement the recommendations of the seventh meeting of the Ozone Research Managers in relation to data archiving and to encourage the reprocessing and salvage of archival data;
  - (e) To accord priority to supporting and implementing the following capacity-building activities recommended by the Ozone Research Managers:
    - (i) Development of a mechanism under the auspices of the World Meteorological Organization Global Atmosphere Watch to enable countries to donate good-quality, operational equipment through the World Meteorological Organization for deployment to developing countries as a means of enhancing the global operational network of ozone-observing and UV-observing stations, including tasking the scientific advisory committees for ozone and ultraviolet radiation of Global Atmosphere Watch with assessing the overall global needs for the distribution of the equipment, noting the need to ensure training of experts from developing countries in this technology;
    - (ii) Provision of financial support from the Trust Fund to support the participation of professional and technical persons from developing countries in the following workshops:
      - a. Second Dobson workshop planned for 2013 as a follow-up to the successful workshop held in the Czech Republic in 2011;
      - b. Ozone-observing and UV-observing workshop organized in conjunction with the 2012 quadrennial ozone symposium in Toronto, Canada;
3. To encourage the Ozone Research Managers to develop measures that would enable them to assess the effectiveness of capacity-building activities in the future;
  4. In relation to the Trust Fund:
    - (a) To urge all parties and relevant international organizations to make voluntary financial and/or in kind contributions to the Trust Fund;
    - (b) To request the Secretariat to continue to invite parties and relevant international organizations annually to make voluntary contributions to the Fund and, with each such invitation to parties, to report on the prior years' contributions, funded activities and planned future activities;
    - (c) To request the Secretariat and invite the World Meteorological Organization to continue their cooperation with regard to activities funded by the Trust Fund;
    - (d) Also to request the Secretariat and invite the World Meteorological Organization to strive for regional balance in the activities supported by the Trust Fund and to encourage complementary funding to maximize Trust Fund resources;
    - (e) To request the Secretariat to report to the Conference of the Parties at its tenth meeting on the operation of, contributions to and expenditures from the Trust Fund and on the activities funded by the Trust Fund since its inception;
  5. To encourage the national ozone focal points to distribute information on, and coordinate, monitoring and scientific activities in their countries where relevant.

### **Decision VC X/3: General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention**

The *Conference of the Parties*, in *decision VC X/3 of its tenth meeting*, decided:

*Recalling* decision VI/2, by which the Conference of the Parties established the General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention for the Protection of the Ozone Layer, and noting that the current life of the Trust Fund will expire at the end of 2015,

*Noting with appreciation* the contributions to the Trust Fund by several parties and the joint efforts of the World Meteorological Organization and the Ozone Secretariat in the implementation of the activities funded by the Trust Fund since it became operational in 2003,

*Noting* that important activities, including calibrations, inter-comparisons and relevant training, have been implemented successfully under the Trust Fund to date,

*Noting with concern*, however, that the resources available in the Trust Fund are not sufficient to enable substantial and sustainable improvements to be made to the global ozone observing system,

*Noting* that the coming decade is a crucial time during which the status of the recovery of the ozone layer will become clearer, but that such clarity will be dependent on continued high-quality observations,

*Aware* that improvements in ozone observations should take into account the existing strong and intricate linkages between ozone and climate, and carry out relevant observations and analyses for both ozone and climate wherever possible,

*Noting* that the Ozone Research Managers, at their ninth meeting, in 2014, reviewed the status and activities of the Trust Fund, considered options for the way forward for the Fund and provided specific recommendations on the matter,

1. To request the Executive Director of the United Nations Environment Programme to extend the life of the General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention up to 31 December 2020;
2. To request the Ozone Secretariat to coordinate with the World Meteorological Organization to establish a small advisory committee for the Trust Fund, which would convene electronically or in the margins of other relevant meetings, consisting of not more than 10 members, including two co-chairs of the Scientific Assessment Panel, the two co-chairs of the Ozone Research Managers, one representative of the Ozone Secretariat and up to five scientists and experts in ozone observations, and one representative of the World Meteorological Organization as an observer, striving for equitable geographical and gender representation, with a mandate:
  - (a) To develop a long-term strategy and implementation objectives and priorities in the light of the four overarching goals identified by the Ozone Research Managers at their ninth meeting;
  - (b) To develop a short-term action plan that takes into account the most urgent needs of the Global Ozone Observing System and which will make the best possible use of the resources available in the Trust Fund;
  - (c) To ensure quality control of the individual project proposals developed under the Trust Fund, striving for regional balance in the projects supported by the Fund and identifying possibilities for complementary funding to maximize its resources;

3. To request the Ozone Secretariat to continue inviting parties, and relevant international organizations as appropriate, to make financial and/or in-kind contributions towards well-defined and well-budgeted project proposals developed under the Trust Fund;
4. To request the Ozone Secretariat to report to the Conference of the Parties at its eleventh meeting on the operation of, contributions to and expenditures from the Trust Fund and on the activities funded by the Trust Fund since its inception, as well as on the activities of the advisory committee.

### **Decision VC XI/2: General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention**

*The Conference of the Parties, in decision VC XI/2 of its eleventh meeting, decided:*

*Recalling* decision VI/2, by which the Conference of the Parties established the General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention for the Protection of the Ozone Layer, and noting that the current life of the Trust Fund will expire at the end of 2019,

*Noting with appreciation* the contributions to the Trust Fund by several parties and the joint efforts of the World Meteorological Organization and the Secretariat in the implementation of the activities funded from the Trust Fund since it became operational in 2003,

*Noting* that important activities, including calibrations, inter-comparisons and relevant training, have been implemented successfully under the Trust Fund to date,

*Noting with great concern*, however, that the resources available in the Trust Fund are not sufficient to enable substantial and sustainable improvements to be made to the global ozone observing system,

*Noting* that the coming decade remains a crucial time during which the status of the recovery of the ozone layer will become clearer, but that such clarity will be dependent on continued high-quality observations,

*Aware* that improvements in ozone observations should take into account the existing strong and intricate linkages between ozone and climate and of the need to carry out relevant observations and analyses for both ozone and climate wherever possible,

*Noting with appreciation* the work of the Advisory Committee of the Trust Fund, including on the long-term strategy and short-term plan of action for the Trust Fund prepared for consideration by the Conference of the Parties pursuant to decision X/3,

1. To request the Executive Director of the United Nations Environment Programme to extend the life of the General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention until 31 December 2026;
2. To request the Advisory Committee of the Trust Fund, with the assistance of the World Meteorological Organization and the Secretariat, to implement its long-term strategy and short-term plan of action for the Trust Fund, paying particular attention to:
  - (a) Identifying gaps and needs in research and monitoring of ozone and related climate variables and parameters, complementing the ongoing efforts of the Ozone Research Managers of the parties to the Vienna Convention and other relevant programmes such as the World Meteorological Organization Global Atmosphere Watch programme;



- (b) Exploring the use of new and cost-effective instrumentation to replace ageing instruments with regard to the projects under consideration by the Advisory Committee;
  - (c) Fostering stronger relationships with scientific institutions and related global networks to build capacity and the infusion of knowledge for the activities under its consideration;
  - (d) Developing a strategic plan for mobilizing public and financial resources and in-kind contributions for the Trust Fund, to safeguard necessary research and observation activities, and submit it to the Conference of the Parties to the Vienna Convention at its twelfth meeting and inform the parties to the Convention annually through the Secretariat on the progress made, in conjunction with the action set out in paragraph 3 (a) below;
3. To request the Secretariat:
- (a) To continue to invite parties and relevant international organizations, including space agencies, scientific and research institutions, United Nations entities, international financial institutions and the private sector, as appropriate, to make financial and/or in-kind contributions towards well-defined and well-budgeted project proposals developed under the Trust Fund;
  - (b) To report to the Conference of the Parties at its twelfth meeting on the operation of, contributions to and expenditure from the Trust Fund and on the activities funded from the Trust Fund since its inception, as well as on the activities of the Advisory Committee.

## Decisions on Ozone Research Managers

### Decision VC I/6: Subsidiary bodies

The *Conference of the Parties*, in decision VC I/6 of its first meeting, decided:

- (a) To establish the following co-ordination bodies as subsidiary bodies of the Conference of the Parties under Article 6 para. 4(i) 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 co-operation 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.

#### **Decision VC II/4: Recommendations of the Ozone Research Managers**

The *Conference of the Parties*, in *decision VC II/4 of its second meeting*, decided to note the outcome of the first meeting of the Ozone Research Managers (WMO Global Ozone Research and Monitoring Project Report No. 23) and, in accordance with the recommendations of that meeting:

- (a) To recommend that the collaboration with WMO in the co-ordination of research and systematic observations should be further expanded;
- (b) To request the parties to the Convention to determine the ways and means to provide scientific and technical training in ozone monitoring and research and other relevant assistance especially to developing countries;
- (c) To recommend that WMO should continue to provide guidance and infrastructure to ensure the maintenance and calibration of existing GO<sub>3</sub>OS stations, their data availability and analysis, and to aim at expanding the GO<sub>3</sub>OS to better cover the polar and tropical regions;
- (d) To request the Secretariat to continue to collect information, within the framework of the Convention, on national research activities and ensure its wide distribution;
- (e) To recall decision VC I/6(a)(ii) of the first meeting of the Conference of the Parties to the Vienna Convention which requested the meeting of the Ozone Research Managers to be composed of:
  - (i) Government Atmospheric Research Managers, and;
  - (ii) Government Research Managers of research related to health and environmental effects of ozone modifications, and to request WMO in collaboration with UNEP to continue to arrange for convening the Ozone Research Managers meetings related to the Vienna Convention and to ensure that scientific assessment panels under

the Montreal Protocol co-operate closely, to which end the chairpersons of the assessment panels should be invited to participate in the meetings of the Ozone Research Managers;

- (f) To request the parties to take note of the full range of recommendations in the Ozone Research Managers meetings report and request that the Ozone Research Managers establish priorities for those recommendations in their next report.

### **Decision VC III/5: Recommendations of the second meeting of the Ozone Research Managers**

The *Conference of the Parties*, in decision VC III/5 of its third meeting, decided:

1. To take note of the report of the second meeting of the Ozone Research Managers, especially with regard to the high priority scientific objectives to guide the future work on the ozone issue, the needed improvements in the long-term observations of ozone and ozone-related constituents, and the acute need for the improvement of training in the fields of both measurements and analysis as identified by the Ozone Research Managers;
2. To request that all parties make voluntary contributions to the World Meteorological Organization's Special Fund for Environment Monitoring for the Global Ozone Observing System in order to expand the station network in developing countries;
3. To welcome the Global Environment Facility's decision to fund a number of global ozone observation stations and to request that that body give due consideration to funding the installation of a limited number of additional stations in the tropical belt and in any other regions not adequately covered, in light of recommendations of the Ozone Research Managers, and where the requesting country deems such stations a priority; and to request the World Meteorological Organization in co-operation with the United Nations Environment Programme to investigate and evaluate available monitoring equipment so as to equip such stations as appropriate using best available technologies for measuring both ozone and UV-B.

### **Decision VC III/8: Future meetings of the Ozone Research Managers**

The *Conference of the Parties*, in decision VC III/8 of its third meeting, decided to hold a meeting of the Ozone Research Managers every three years, six months prior to the meeting of the Conference of the Parties and back-to-back with the meeting of the Bureau of the Conference in partial modification of decision VC I/6 of the first meeting of the Conference of the Parties.

### **Decision VC IV/3: Recommendations of the third meeting of the Ozone Research Managers**

The *Conference of the Parties*, in decision VC IV/3 of its fourth meeting, decided:

1. To take note of the report of the third meeting of the Ozone Research Managers (WMO Global Ozone Research and Monitoring Project Report No. 41);
2. To endorse the recommendations of the third meeting of the Ozone Research Managers, as contained in the report of that meeting, to the fourth meeting of the Conference of the Parties to the Vienna Convention;

3. To request all parties:
  - (a) To maintain and further develop monitoring and archiving of measurements of stratospheric and tropospheric ozone, including vertical profiles and other trace species and aerosols, and to pursue the development and implementation of new observational capacities, such as aircraft and satellite-based measurements;
  - (b) To increase investigation and quantification of stratospheric and tropospheric processes through routine monitoring and experimental campaigns to understand current changes and to further develop predictions of stratospheric change both for the short and long term;
  - (c) To investigate the interactions between ozone and climate and the impact of aircraft emissions;
  - (d) To cooperate with the World Meteorological Organization in its continued work towards coordinated and compatible UV-B measurements and their archiving;
  - (e) To enhance research on the effects of UV-B through, inter alia, establishing baseline data on biological systems and establishing the interactions with other environmental factors such as climate change;
  - (f) To cooperate with the World Meteorological Organization and the United Nations Environment Programme to enhance training and baseline monitoring of ozone, UV-B radiation and related research in developing countries;
  - (g) To make additional voluntary contributions to the World Meteorological Organization's Trust Fund for environmental monitoring for the Global Ozone Observing System.

### **Decision VC V/3: Recommendations of the fourth meeting of the Ozone Research Managers**

*The Conference of the Parties, in decision VC V/3 of its fifth meeting, decided:*

1. To take note of the report of the fourth meeting of the Ozone Research Managers;
2. To endorse the recommendations of the fourth meeting of the Ozone Research Managers, as contained in the report WMO/UNEP, Report of the fourth meeting of the Ozone Research Managers, WMO Global Ozone Research and Monitoring Project, Report No. 45 to the fifth meeting of the Conference of the Parties to the Vienna Convention;
3. To request all parties:
  - (a) To continue to maintain instruments and develop the monitoring, calibration and archiving of measurements of stratospheric and tropospheric ozone, including measurements of vertical ozone profiles and of other trace species and aerosols that are essential and to pursue the development and implementation of new observational capabilities such as aircraft and satellite-based measurements hand-in-hand with an accelerated programme for ground-based instrument calibration;
  - (b) To expand the ground-based ozone stations, especially in the continental part of Asia (e.g., Siberia), as well as in the Caribbean and Central American region;
  - (c) To increase investigation and quantification of stratospheric and tropospheric processes through routine monitoring and experimental campaigns in order to understand current changes and to further develop and implement predictions of stratospheric change both for the short and long term;

- (d) To continue giving high priority to research into the interactions between ozone and climate and into the impact of aircraft emissions on ozone;
- (e) To request the World Meteorological Organization to continue to work towards improving the quality and compatibility of UV-B measurements and their archiving;
- (f) To enhance substantially research on the effects of ultraviolet radiation (UV-B), and efforts to monitor such effects;
- (g) To request the World Meteorological Organization and the United Nations Environment Programme to pursue ways of enhancing training and baseline monitoring of ozone and UV-B radiation and related research in developing countries, bearing in mind that these goals can only be accomplished with assistance from international funding organizations such as the Global Environment Facility and with the direct support of the parties to the Convention to such programmes through the appropriate mechanisms.

### **Decision VC VI/2: Ozone-related monitoring and research activities for the Vienna Convention**

*The Conference of the Parties, in decision VC VI/2 of its sixth meeting, decided:*

*Recalling* Articles 3 and 4, and annexes I and II of the Vienna Convention, decisions VC I/4, VC I/5, VC II/4, VC II/7, VC II/9, VC III/5, VC IV/3, VC IV/4, and VC V/3, and paragraph 39 of the Plan of Action of the World Summit on Sustainable Development,

*Recognizing* the urgent need for enhancing the effective regime for the protection of the ozone layer established in the Vienna Convention and the Montreal Protocol,

1. To take note, with appreciation, of the report of the fifth meeting of the Ozone Research Managers, and the recommendations therein;
2. To request the United Nations Environment Programme, in consultation with World Meteorological Organization, to establish an extrabudgetary fund for receiving voluntary contribution from the parties to the Vienna Convention and international organizations, for the purpose of financing activities on research and systematic observations relevant to the Vienna Convention, consistent with the decisions listed above, in developing countries and countries with economies in transition;
3. To urge all parties and international organizations to make voluntary contributions to the Fund as well as voluntary contributions in kind for the purposes mentioned in paragraph 2;
4. The primary aim of the Fund should be to provide complementary support for the continued maintenance and calibration of the existing World Meteorological Organization Global Atmospheric Watch ground-based stations for monitoring column ozone, ozone profiles and ultra-violet radiation in the developing countries and in the countries with economies in transition, to address balanced global coverage. Consideration should be given to supporting other activities identified by the Ozone Research Managers and in consultation with the co-chairs of the United Nations Environment Programme Scientific Assessment and Environmental Effects Assessment Panels, for the improvement of the observation network and relevant research;
5. To request the Secretariat, in consultation with the World Meteorological Organization, to advise the parties of the institutional arrangements for making decisions on allocation of funds, with a specific proposal to meet the requirements identified in paragraph 4 above and to provide an annual report;

6. To request the Secretariat to invite the parties and international organizations to make annual voluntary contributions to the Fund;
7. To review the institutional arrangements for the operation of the Fund at the next meeting of the Conference of the Parties to the Vienna convention, taking into account the developments and requirements within other conventions, to avoid duplication of efforts;
8. To request the World Meteorological Organization and the United Nations Environment Programme, to draw to the attention of the parties opportunities for meeting common objectives among conventions, in particular the United Nations Framework Convention on Climate Change.

### **Decision VC VII/2: Trust Fund for activities on research and systematic observations relevant to the Vienna Convention**

*The Conference of the Parties, in decision VC VII/2 of its seventh meeting, decided:*

*Noting* the conclusions and recommendations of the sixth meeting of Ozone Research Managers regarding the continuing need to ensure a stable, long-term observational capability that is regionally balanced in order to track the evolution of ozone and climate-related source gases and parameters, detect and track the stabilization and expected recovery of stratospheric ozone, attribute changes in radiative forcing to changes in the ozone profile and derive a global record of ground-level ultraviolet radiation,

*Noting* the current need to enhance the capacity of parties operating under paragraph 1 of Article 5 of the Montreal Protocol and countries with economies in transition, in order to enable them to maintain existing instruments and networks, install new capabilities to provide useful enhancements to observational capabilities and disseminate information about the effects of ozone and ultraviolet changes,

*Noting* that such enhancements in capacity are in the interests of all parties, since the creation of a more informed scientific community will not only contribute to global ozone and ultraviolet radiation science, but will serve as the basis for providing local policy makers with further scientific support for the long-term implementation of the Montreal Protocol and its amendments,

1. To take note, with appreciation, of the report of the sixth meeting of the Ozone Research Managers and the recommendations contained therein;
2. To request the Executive Director of the United Nations Environment Programme, through the Ozone Secretariat, to extend the Trust Fund established pursuant to decision VI/2 of the Vienna Convention beyond 31 December 2007 for an additional eight years up to 31 December 2015 in order to continue to support monitoring and research activities in developing countries and countries with economies in transition;
3. To take a decision at the tenth meeting of the Conference of the Parties in 2014 on whether or not to extend the Trust Fund beyond 2015;
4. To request the United Nations Environment Programme and the World Meteorological Organization to continue their cooperation with respect to the Trust Fund pursuant to the terms of the agreement contained in annex I to the note on issues for discussion by and information for the attention of the Conference of the Parties and the Meeting of the Parties, on the understanding that that agreement may be changed from time to time to meet evolving needs and conditions;

5. To urge all parties and international organizations to make voluntary contributions to the Fund as well as voluntary contributions in kind for the priorities mentioned in the recommendations of the sixth meeting of the Ozone Research Managers;
6. To request the Secretariat to invite the parties and relevant international organizations to make annual voluntary contributions to the Fund, and with each successive invitation to the parties, to report on the prior years' contributions, funded activities, and future planned activities;
7. To request the United Nations Environment Programme and the World Meteorological Organization to direct funds received to priorities among those listed within the recommendations of the sixth meeting of the Ozone Research Managers striving for regional balance, on the understanding that, depending on available funding, an effort should be made to leverage other sources of funding, especially similar funds within the World Meteorological Organization, and provide assistance to a number of parties operating under paragraph 1 of Article 5 of the Montreal Protocol and countries with economies in transition in all regions;
8. To request the Ozone Secretariat to report to the next meeting of the Conference of the Parties of the Vienna Convention in 2008 on the operation of, contributions to, and expenditures from the Trust Fund since its inception.

### **Decision VC VIII/2: Recommendations adopted by the Ozone Research Managers at their seventh meeting**

The *Conference of the Parties*, in *decision VC VIII/2 of its eighth meeting*, decided:

*Recalling* that, pursuant to the objective defined in decision I/6 of the Conference of the Parties to the Vienna Convention, the Ozone Research Managers review ongoing national and international research and monitoring programmes with a view to ensuring the proper coordination of those programmes and identifying gaps that need to be addressed,

*Recognizing* that the Ozone Research Managers at their seventh meeting emphasized the discussion of satellite research and monitoring owing to concerns among scientists that there could be serious gaps in satellite monitoring and associated data when current generation satellites and associated instruments reach the end of their useful lives in the next few years,

*Also recognizing* that the Ozone Research Managers have noted that international funding and cooperation are essential for the implementation of their recommendations, that their previous recommendations have not received sufficient attention owing to a lack of such funding and cooperation and that problems associated with the maintenance of existing instruments and networks for ozone monitoring and the development of new capabilities have been exacerbated as a result,

*Emphasizing* the need for continued monitoring of the effectiveness of the implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer and its adjustments and amendments, including the adjustment providing for the accelerated phase-out of hydrochlorofluorocarbons, the impact of the increasing abundance in the atmosphere of many substitute chemicals, including hydrofluorocarbons, and the expected recovery of the ozone layer in a context of climate change,

1. To take note with appreciation of the report of the seventh meeting of the Ozone Research Managers;



2. To endorse the recommendations adopted by the Ozone Research Managers at their seventh meeting, as set out in the report of that meeting;
3. To urge space agencies and Governments to ensure the continuation of satellite research and observations, particularly to allow for measurements that contribute to the long-term time series for both total and profile ozone and profiles of ozone-related and climate-related species and parameters, and to carry out any necessary gap-filler missions in order to avoid gaps in areas of atmospheric observation that are critical to understanding and monitoring changes in atmospheric ozone and surface ultraviolet radiation and their interrelationship with climate variability and change;
4. To request all parties to make a renewed effort to implement the actions recommended by the Ozone Research Managers, particularly those adopted at their seventh meeting, with a view to:
  - (a) Addressing uncertainties and new questions, including actual quantification of the extent to which chemical and dynamical processes are responsible for ozone production, loss, transport and distribution as well as changes in surface ultraviolet radiation resulting from changes in ozone and other atmospheric parameters and their impact on human and biological systems;
  - (b) Maintaining and expanding surface observation networks where gaps in geographical coverage result in data deficiencies in order to ensure the continuity and improvement of ground-based in situ observations of ozone depleting substances, their substitutes and greenhouse gases as well as the networks that provide altitude profile information for ozone-related and climate-related species;
  - (c) Ensuring that data acquired through observation are of the highest possible quality and include the metadata necessary to make them valuable to users today and in the future and, to that end, that efforts are made to enhance data archiving, including through the development of appropriate data quality assurance and submission procedures and timely access by users;
  - (d) Strengthening the capacity of developing countries and countries with economies in transition to enable them to maintain existing instruments and networks, acquire new observational capabilities and increase their participation in scientific research and assessments.

### **Decision VC IX/2: Eighth meeting of the Ozone Research Managers and the Trust Fund for Research and Systematic Observation relevant to the Vienna Convention**

*The Conference of the Parties, in decision VC IX/2 of its ninth meeting, decided:*

*Recalling* that, pursuant to the objective defined in decision I/6 of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer, the Ozone Research Managers review ongoing national and international research and monitoring programmes with a view to ensuring the proper coordination of those programmes and identifying gaps that need to be addressed,

*Recognizing* that it is necessary and important to continue to monitor changes in the ozone layer and to understand the scale of the impact on the ozone layer of increasing concentrations of greenhouse gases and the implementation of the Vienna Convention on the Protection of the Ozone Layer,



*Recalling* decision VI/2, by which the Conference of the Parties established the Vienna Convention Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention for the Protection of the Ozone Layer,

*Noting with appreciation* the contributions to the Trust Fund by several parties and the joint efforts of the World Meteorological Organization and the Ozone Secretariat in the implementation of the activities funded by the Trust Fund,

*Noting* that the Ozone Research Managers at their eighth meeting stated that although there had been progress in building capacity since their seventh meeting in 2008, much remained to be accomplished,

1. To take note with appreciation of the report of the eighth meeting of the Ozone Research Managers;
2. To encourage parties:
  - (a) To adopt the recommendations in report No. 53 of the World Meteorological Organization Global Ozone Research and Monitoring Project;
  - (b) To maintain research capabilities that enable measurements and scientific understanding of ozone depletion and evolution in a changing atmosphere including:
    - (i) Improvement and validation of coupled chemistry-climate and earth system models to take better account of ozone parameters and other atmospheric processes;
    - (ii) Continued and increased exploitation of long-term measurements and data for scientific process studies;
    - (iii) Support for fundamental laboratory studies to estimate photochemical reaction rates and to refine and update older measurements;
  - (c) To maintain, expand and integrate systematic ozone-related observations that are critical to understanding and monitoring the long term changes in atmospheric composition and the associated response in ground level ultraviolet radiation;
  - (d) To continue to implement the recommendations of the seventh meeting of the Ozone Research Managers in relation to data archiving and to encourage the reprocessing and salvage of archival data;
  - (e) To accord priority to supporting and implementing the following capacity-building activities recommended by the Ozone Research Managers:
    - (i) Development of a mechanism under the auspices of the World Meteorological Organization Global Atmosphere Watch to enable countries to donate good-quality, operational equipment through the World Meteorological Organization for deployment to developing countries as a means of enhancing the global operational network of ozone-observing and UV-observing stations, including tasking the scientific advisory committees for ozone and ultraviolet radiation of Global Atmosphere Watch with assessing the overall global needs for the distribution of the equipment, noting the need to ensure training of experts from developing countries in this technology;
    - (ii) Provision of financial support from the Trust Fund to support the participation of professional and technical persons from developing countries in the following workshops:

- a. Second Dobson workshop planned for 2013 as a follow-up to the successful workshop held in the Czech Republic in 2011;
  - b. Ozone-observing and UV-observing workshop organized in conjunction with the 2012 quadrennial ozone symposium in Toronto, Canada;
3. To encourage the Ozone Research Managers to develop measures that would enable them to assess the effectiveness of capacity-building activities in the future;
4. In relation to the Trust Fund:
  - (a) To urge all parties and relevant international organizations to make voluntary financial and/or in kind contributions to the Trust Fund;
  - (b) To request the Secretariat to continue to invite parties and relevant international organizations annually to make voluntary contributions to the Fund and, with each such invitation to parties, to report on the prior years' contributions, funded activities and planned future activities;
  - (c) To request the Secretariat and invite the World Meteorological Organization to continue their cooperation with regard to activities funded by the Trust Fund;
  - (d) Also to request the Secretariat and invite the World Meteorological Organization to strive for regional balance in the activities supported by the Trust Fund and to encourage complementary funding to maximize Trust Fund resources;
  - (e) To request the Secretariat to report to the Conference of the Parties at its tenth meeting on the operation of, contributions to and expenditures from the Trust Fund and on the activities funded by the Trust Fund since its inception;
5. To encourage the national ozone focal points to distribute information on, and coordinate, monitoring and scientific activities in their countries where relevant.

## **Decision VC X/2: Recommendations of the ninth meeting of the Ozone Research Managers**

*The Conference of the Parties, in decision VC X/2 of its tenth meeting, decided:*

*Recalling* that, pursuant to the objectives defined in decision I/6 of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer, the Ozone Research Managers review ongoing national and international research and monitoring programmes with a view to ensuring the proper coordination of those programmes and identifying gaps that need to be addressed,

*Recognizing* the importance of continuing and enhancing the monitoring of changes in the ozone layer, including its projected recovery in an atmosphere whose conditions are different from pre-1980 conditions owing to changes in its composition,

*Recognizing also* that the latest assessment by the Scientific Assessment Panel suggests a potential influence of climate change on the ozone layer, especially in the tropics,

*Recognizing further* the need to increase knowledge and understanding of the atmosphere and its processes, with regard to which many uncertainties remain, including the intricate linkages between the ozone layer and climate and, therefore, the need to monitor and analyse the ozone layer and climate variables together whenever possible,

*Noting* the importance of capacity-building activities in parties operating under paragraph 1 of Article 5 of the Montreal Protocol that expand scientific expertise and have the added

benefit of expanding the geographic area that can be measured and data archives in respect of the key variables related to the ozone layer and changing climate,

1. To take note with appreciation of the report of the ninth meeting of the Ozone Research Managers, published in 2014 (World Meteorological Organization Global Ozone Research and Monitoring Project Report No. 54);
2. To encourage parties to adopt and implement as appropriate the recommendations of the Ozone Research Managers under the topics of research, systematic observations, data archiving and capacity-building;
3. To accord priority to capacity-building activities, in particular the specific projects identified for priority funding under the General Trust Fund for Financing Activities on Research and Systematic Observations Relevant to the Vienna Convention, related to the inter-calibration of instruments, the training of instrument operators and increasing the number of ozone observations, especially through the relocation of available Dobson instruments;
4. To encourage the Ozone Research Managers to review, at their tenth meeting, in 2017, the capacity-building activities that have been conducted, with a view to assessing their effectiveness, and to include further specific recommendations in their report to the Conference of the Parties;
5. To encourage the national ozone focal points, or other appropriate officials, to distribute information on, and coordinate where relevant, monitoring, research and scientific activities in their countries.

### **Decision VC XI/1: Recommendations of the tenth meeting of the Ozone Research Managers of the parties to the Vienna Convention**

*The Conference of the Parties, in decision VC XI/1 of its eleventh meeting, decided:*

*Recalling that, pursuant to the objectives defined in decision I/6 of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer, the Ozone Research Managers of the parties to the Vienna Convention review ongoing national and international research and monitoring programmes with a view to ensuring the proper coordination of those programmes and identifying gaps that need to be addressed,*

*Recognizing the need to improve the understanding and accuracy of future projections of global ozone amounts, including ozone layer recovery,*

*Recognizing also the importance of continuing and enhancing existing observation capabilities for ozone layer and climate variables owing to the changing atmospheric composition and the strong coupling between the behaviour of the ozone layer and changes in climate,*

*Noting the importance of capacity-building activities in developing countries and countries with economies in transition in order to expand their ability to participate in research and systematic observations relating to the ozone layer and the changing climate,*

1. To take note with appreciation of the report of the tenth meeting of the Ozone Research Managers of the parties to the Vienna Convention, published in 2017;<sup>1</sup>
2. To encourage parties to adopt and implement, as appropriate, the recommendations of the Ozone Research Managers under the topics of research, systematic observations, data archiving and stewardship and capacity-building;



3. Also to encourage parties to accord priority to:
  - (a) Research and systematic observation activities on processes influencing the evolution of the ozone layer and its links to climate, including the prioritization of new measurement locations to optimize the co-location of ozone measurements with observations of other atmospheric species and parameters;
  - (b) Capacity-building activities in developing countries and countries with economies in transition, in particular through the continuation and expansion of regular calibration and intercomparison campaigns and through the provision of assistance to enable those parties to expand their scientific capacity and participate in ozone research activities, including assessment activities under the Montreal Protocol on Substances that Deplete the Ozone Layer;
4. To encourage the national ozone focal points to improve communication with the meteorological agencies and other relevant organizations in their countries on monitoring, research and scientific activities.

## Article 5: Transmission of information

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### Decision VC I/2: Reporting of measures taken by parties

The *Conference of the Parties*, in *decision VC I/2 of its first meeting*, decided 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. To this end the Secretariat shall prepare a format for reporting and shall ensure any required confidentiality of the information supplied to it.

## Article 6: Conference of the Parties

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### Decisions on meetings of the Conference of the Parties

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#### Decision VC I/1: Rules of procedure for Conferences of the Parties

The *Conference of the Parties*, in *decision VC I/1 of its first meeting*, decided 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. [See section 3 of this Handbook].

#### Decision VC I/6: Subsidiary bodies

The *Conference of the Parties*, in *decision VC I/6 of its first meeting*, decided:

- (a) To establish the following co-ordination bodies as subsidiary bodies of the Conference of the Parties under Article 6 para. 4(i) 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 co-operation 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.

### **Decision VC II/1: Amendments to the rules of procedure**

*The Conference of the Parties, in decision VC II/1 of its second meeting, decided:*

- (a) To amend paragraph 2 of rule 6 as follows:

Delete the words “in matters of direct concern to the organizations and states they represent” in the third and fourth lines of the paragraph. The paragraph would now read: “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.”;

- (b) To amend paragraph 1 of rule 21 of the Rules of Procedure to include the following additional sentences:

“In electing its officers, the meeting of the Conference of the Parties shall have due regard to the principle of equitable geographical distribution. The offices of the 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 of General Assembly resolution 2997 (XXVII) of 16 December 1972, by which UNEP was established.”;

- (c) To amend rules 23 and 24 as follows:
  - (i) Rule 23 – delete paragraph 2;
  - (ii) Rule 24 – delete the words “other than the President” and replace by the words “of the Bureau”.

### **Decision VC II/8: Meetings of the Conference of the Parties**

The *Conference of the Parties*, in *decision VC II/8 of its second meeting*, decided to convene the meeting of the Conference of the Parties once every three years starting from the 1993 meeting, i.e. to hold the fourth meeting of the Conference of the Parties in 1996.

### **Decision VC II/11: Third meeting of the Conference of the Parties**

The *Conference of the Parties*, in *decision VC II/11 of its second meeting*, decided to convene the third meeting of the Conference of the Parties in 1993 in conjunction with the fifth Meeting of the Parties to the Montreal Protocol at the same venue.

### **Decision VC III/7: Fourth meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer**

The *Conference of the Parties*, in *decision VC III/7 of its third meeting*, decided:

1. To convene the fourth meeting of the Conference of the Parties to the Vienna Convention in 1996 in conjunction with the Eighth Meeting of the Parties to the Montreal Protocol and at the same venue;
2. To accept with appreciation the offer of Austria to host a celebration of the tenth anniversary of the Convention in conjunction with the Seventh Meeting of the Parties to the Montreal Protocol in 1995 in Vienna.

### **Decision VC IV/6: Fifth meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer**

The *Conference of the Parties*, in *decision VC IV/6 of its fourth meeting*, decided to convene the fifth meeting of the Conference of the Parties to the Vienna Convention in 1999 in conjunction with the Eleventh Meeting of the Parties to the Montreal Protocol at the same venue.

### **Decision VC V/5: Sixth meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer**

The *Conference of the Parties*, in *decision VC V/5 of its fifth meeting*, decided to convene the sixth meeting of the Conference of the Parties to the Vienna Convention in 2002 in conjunction with the Fourteenth Meeting of the Parties to the Montreal Protocol.

### **Decision VC VI/4: Seventh meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer**

The *Conference of the Parties*, in *decision VC VI/4 of its sixth meeting*, decided to convene the seventh meeting of the Conference of the Parties to the Vienna Convention in 2005 in conjunction with the Seventeenth Meeting of the Parties to the Montreal Protocol.

### **Decision VC VII/4: Eighth meeting of the Conference of the Parties to the Vienna Convention**

The *Conference of the Parties*, in *decision VC VII/4 of its seventh meeting*, decided to convene the eighth meeting of the Conference of the Parties to the Vienna Convention back-to-back with the Twentieth Meeting of the Parties to the Montreal Protocol.

### **Decision VC VIII/5: Ninth meeting of the Conference of the Parties to the Vienna Convention**

The *Conference of the Parties*, in *decision VC VIII/5 of its eighth meeting*, decided to convene the ninth meeting of the Conference of the Parties to the Vienna Convention back-to-back with the Twenty-Third Meeting of the Parties to the Montreal Protocol.

### **Decision VC IX/4: Tenth meeting of the Conference of the Parties to the Vienna Convention**

The *Conference of the Parties*, in *decision VC IX/4 of its ninth meeting*, decided to convene the tenth meeting of the Conference of the Parties to the Vienna Convention back to back with the Twenty-Sixth Meeting of the Parties to the Montreal Protocol.

### **Decision VC X/5: Eleventh meeting of the Conference of the Parties to the Vienna Convention**

The *Conference of the Parties*, in *decision VC X/5 of its tenth meeting*, decided to convene the eleventh meeting of the Conference of the Parties to the Vienna Convention back to back with the Twenty-Ninth Meeting of the Parties to the Montreal Protocol.

### **Decision VC XI/4: Twelfth meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer**

The *Conference of the Parties*, in *decision VC XI/4 of its eleventh meeting*, to convene the twelfth meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer back to back with the Thirty-Second Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.

## **Decisions on financial matters**

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### **Decision VC I/9: Financial arrangements**

The *Conference of the Parties*, in *decision VC I/9 of its first meeting*, decided:

- (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 the report of the first meeting; [Reproduced below]

- (e) The contributions of the parties shall be in the form of voluntary contributions according to the formula in annex V of the report of the first meeting;
- (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 1990–1991, the details of the approved budget are presented in annex IV of the report of the first meeting.

### 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 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 are to be paid in United States dollars into the following account: Account No. 485-000326, UNEP Trust Funds and Counterpart Contributions, JP Morgan Chase, International Agencies Banking, 1166 Avenue of the Americas, 17th Floor, New York, N.Y. 10036-2708, 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.

### **Decision VC I/10: Voluntary contributions to Trust Fund**

The *Conference of the Parties*, in *decision VC I/10 of its first meeting*, decided that the States non-parties and the non-contributing parties to the Trust Fund are encouraged to make voluntary contributions to the Trust Fund.

### **Decision VC II/10: Budgets and financial matters**

The *Conference of the Parties*, in *decision VC II/10 of its second meeting*, decided:

- (a) To request the Secretariat to submit as soon as possible to all parties certified and audited accounts of the Vienna Convention Trust Fund for the expenditures under the Fund for the 1990 financial year;
- (b) To request the Secretariat to submit to the parties the certified and audited accounts for 1989 of the Interim Ozone Secretariat;

- (c) To submit certified and audited accounts for subsequent years prior to regular meeting of the parties;
- (d) To emphasize that expenditures incurred due to recommendations by the Bureau should only be met either within the budget adopted by the parties for that year or by other additional contributions made towards these expenditures;
- (e) To emphasize that it is essential to avoid increases in already adopted budgets in the years to which they relate;
- (f) To extend the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer from 31 March 1993 to 31 March 1995;
- (g) To urge all parties to pay their outstanding 1990 and 1991 contributions promptly and to also pay their future contributions promptly and in full in accordance with the terms of reference and the formula for contributions as attached to this report as annex II;
- (h) To note that the revised 1991 budget has been increased to \$813,690, which corresponds to the funds available to the Secretariat from paid and pledged contributions of 1990 and 1991, less the expenditures incurred in 1990;
  - (i) To adopt the final budget for 1992 of \$351,430 and for 1993 of \$877,445, as set out in annex I.

### **Decision VC III/6: Budgets and financial matters**

The *Conference of the Parties*, in *decision VC III/6 of its third meeting*, decided:

1. To take note of the certified and audited accounts of the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer for expenditures under the Trust Fund for 1990 and 1991 and the certified and audited accounts for the Interim Ozone Secretariat;
2. To take note of the financial report on the Trust Fund for the Vienna Convention for the first year of the biennium 1992–1993 ended 31 December 1992;
3. To urge all parties to pay their outstanding 1990–1993 contributions promptly and also to pay their future contributions promptly and in full in accordance with the terms of reference of the Trust Fund and the formula for contributions as attached to the report of the third meeting of the Conference of the Parties as annex I;
4. To extend the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer from 31 March 1995 to 31 December 2000;
5. To adopt the final budgets of \$297,245 for 1994, \$609,690 for 1995, \$825,520 for 1996 and \$317,020 for 1997, as set out in annex II to the report of the third meeting of the Conference of the Parties;
6. To urge the Secretariat to furnish the parties with an estimation of the current three years needs and, in the same format, the actual expenditures of the previous three years so that the parties would have a good understanding of the Secretariat's budgetary requirements.

### **Decision VC IV/5: Budget and financial matters**

The *Conference of the Parties*, in *decision VC IV/5 of its fourth meeting*, decided:

1. To take note of the certified and audited accounts of the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer for expenditures under the Trust Fund for 1993, 1994 and 1995;

2. To take note of the financial reports on the Trust Fund for the Vienna Convention for the biennium 1992–1993 ended 31 December 1993; first year of biennium 1994–1995 as at 31 December 1994 and the biennium 1994–1995 ended 31 December 1995;
3. To request the Executive Director of UNEP to extend the duration of the Trust Fund for the Vienna Convention until 31 December 2000, subject to the approval of the UNEP Governing Council;
4. To adopt the budgets for the Trust Fund of \$1,057,170 for 1996, \$361,090 for 1997, \$382,342 for 1998, \$1,207,991 for 1999, and \$370,590 for 2000, as set out in annex I to the report of the fourth meeting;
5. To urge all parties to pay their outstanding contributions on time and in full in accordance with the terms of reference of the Trust Fund and the formula for contributions contained in annex II to the report of the fourth meeting;
6. To urge all parties to make additional voluntary contributions amounting to US\$200,000 annually to WMO (World Meteorological Organization), in support of its ozone monitoring activities of developing countries, in view of the fundamental importance of such monitoring activities to the Convention;
7. To request the Executive Director of UNEP to ensure that the 13 per cent programme support costs charged to the Trust Fund for the Vienna Convention are used fully in support of the Convention and its Secretariat, and to report to the next meeting of the Conference of the Parties on the ways in which the 13 per cent has been used for the benefit of the Convention and its Secretariat.

#### **Decision VC V/4: Financial report and budgets**

*The Conference of the Parties, in decision VC V/4 of its fifth meeting, decided:*

1. To note with appreciation the exemplary financial management by the Secretariat over many years;
2. To take note of the financial report on the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer for expenditures of the first year of the biennium 1998–1999, as contained in document UNEP/OzL.Conv.5/5;
3. To approve the budgets of \$370,590 for 2000, \$370,590 for 2001, \$1,207,991 for 2002 and the proposed budget of \$370,590 for 2003, as set out in annex I to the report of the fifth meeting of the Conference of the Parties;
4. To urge all parties to pay their outstanding contributions promptly and also to pay their future contributions promptly and in full, in accordance with the formula for contributions by parties, as set out in annex II to the report of the fourth meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer (UNEP/OzL.Conv.4/6), for the year 2000, and in annex II to the report of the fifth meeting of the Conference of the Parties, for the year 2001;
5. To draw down an amount of \$75,000 from the unspent balance for the purpose of reducing it, thereby ensuring that the contributions to be paid by the parties amount to \$295,590 for 2000, \$295,590 for 2001, \$1,132,991 for 2002 and \$295,590 for 2003;
6. To review the status of reserves in the Meeting of the Parties in the year 2002.

### Decision VC VI/3: Financial matters: Financial reports and budgets

The Conference of the Parties, in decision VC VI/3 of its sixth meeting, decided:

1. To welcome the continuing excellent management by the Secretariat of the finances of the Vienna Convention Trust Fund and the very good quality documentation furnished to the meeting;
2. To take note with appreciation of the financial statements of the Trust Fund for the biennium 2000–2001 and the report on the actual expenditures for 2001 as compared to the approvals for that year, as contained in document UNEP/OzL.Conv.6/4;
3. To approve the budget for the Trust Fund in the amount of \$449,690 for 2003, \$559,689 for 2004, \$1,233,169 for 2005 and take note of the proposed budget of \$556,299 for 2006, as set out in annex I of the report of the 6th Conference of the Parties;
4. To firstly draw down an amount of \$100,000 in years 2004, 2005 and 2006 from the Fund balance for the purpose of reducing that balance (including the annually accruing interest income);
5. To secondly draw down further from the unspent balance from year 2001, an amount of \$79,100 in 2003 and \$76,886 in 2005;
6. To ensure, as a consequence of the draw-downs referred to in paragraphs 4 and 5 above, that the contributions to be paid by the parties amount to \$295,590 for 2003, \$459,689 for 2004, \$1,056,283 for 2005 and \$456,299 for 2006 as set out in annex I of the report of the 6th Conference of the Parties. The contributions of the individual parties shall be as listed in annex II to the present report;
7. To urge all parties to pay their outstanding contributions as well as their future contributions promptly and in full;
8. To amend paragraph 4 of the terms of reference for the administration of the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer by substituting 25 per cent by 22 per cent in accordance with the United Nations General Assembly resolution through its decision A/RES/55/5 B-F of 23 December 2000;
9. To request the Executive Director to extend the Vienna Convention Trust Fund until 31 December 2010.

### Decision VC VII/3: Financial matters: financial reports and budgets

The Conference of the Parties, in decision VC VII/3 of its seventh meeting, decided:

1. To welcome the continuing excellent management by the Secretariat of the finances of the Vienna Convention Trust Fund and the very good quality documentation furnished to the meeting;
2. To take note with appreciation of the financial statement of the Trust Fund for the biennium 2004–2005 ended 31 December 2004 and the report on the actual expenditures for 2004 as compared to the approvals for that year, as contained in document UNEP/OzL.Conv.7/4;
3. To approve the budget for the Trust Fund in the amount of \$897,672 for 2006, \$589,691 for 2007, and \$1,162,601 for 2008 as set out in annex I of the report of the seventh meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer and the Seventeenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer;

4. To draw down an amount of \$386,672 and \$559,601 in years 2006 and 2008 from the Fund balance for the purpose of reducing that balance;
5. To ensure, as a consequence of the draw-downs referred to in paragraph 4, that the contributions to be paid by the parties amount to \$511,000 for 2006, \$589,691 for 2007 and \$603,000 for 2008 as set out in annex I of the report of the seventh meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer and the Seventeenth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. The contributions of the individual parties shall be as listed in annex II to that report;
6. To allow the Secretariat to make transfers up to 20 per cent from one main appropriation line of the approved budget to other main appropriation lines;
7. To urge all parties to pay their outstanding contributions as well as their future contributions promptly and in full.

#### **Decision VC VIII/4: Financial matters: financial reports and budgets**

The *Conference of the Parties*, in *decision VC VIII/4 of its eighth meeting*, decided:

*Recalling* decision VII/3 on financial matters,

*Recognizing* that voluntary contributions are an essential complement for the effective implementation of the Vienna Convention,

*Welcoming* the continued excellent management by the Secretariat of the finances of the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer:

1. To take note with appreciation of the financial statement of the Trust Fund for the biennium 2006–2007 ended 31 December 2007 and the report on the actual expenditures for 2007 as compared to the approvals for that year;
2. To approve the revised 2008 budget for the Trust Fund in the amount of \$1,213,142, the budget for 2009 in the amount of \$699,897, the budget for 2010 in amount of \$717,901, and the budget for 2011 in the amount of \$1,268,489 as set out in annex I to the report of the eighth meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer and the Twentieth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer;
3. To authorize the Secretariat to draw down amounts of \$96,897 in 2009, \$114,901 in 2010 and \$665,489 in 2011, respectively, from the Fund balance for the purpose of reducing that balance;
4. To ensure, as a consequence of the draw-downs referred to in paragraph 3, that the contributions to be paid by the parties amount to \$603,000 for each of the years 2009, 2010 and 2011 as set out in annex II to the report of the eighth meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer and the Twentieth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer;
5. To urge all parties to pay their outstanding contributions as well as their future contributions promptly and in full;
6. To request the Executive Director to extend the Vienna Convention Trust Fund until 31 December 2015.

### Decision VC IX/3: Financial matters: financial reports and budgets

The Conference of the Parties, in decision VC IX/3 of its ninth meeting, decided:

*Recalling* decision VIII/4 on financial matters,

*Taking note* of the financial report on the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer for the biennium 2010–2011, ended 31 December 2010,

*Recognizing* that voluntary contributions are an essential complement for the effective implementation of the Vienna Convention,

*Welcoming* the continued excellent management by the Secretariat of the finances of the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer,

1. To take note with appreciation of the financial statement of the Trust Fund for the biennium 2010–2011 ended 31 December 2010 and the report on the actual expenditures for 2010 as compared to the approvals for that year;
2. To approve the 2012 budget for the Trust Fund in the amount of \$723,063, the budget for 2013 in the amount of \$735,622 and the budget for 2014 in the amount of \$1,280,311 as set out in annex I to the report of the ninth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Third Meeting of the Parties to the Montreal Protocol;
3. To authorize the Secretariat to draw down the amounts of \$120,063 in 2012, \$132,622 in 2013 and \$677,311 in 2014, respectively, from the Fund balance for the purpose of reducing that balance;
4. To ensure, as a consequence of the drawdowns referred to in paragraph 3, that the contributions to be paid by the parties amount to \$603,000 for each of the years 2012, 2013 and 2014 as set out in annex II to the report of the ninth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Third Meeting of the Parties to the Montreal Protocol;
5. To urge all parties to pay their outstanding contributions as well as their future contributions promptly and in full.

### Decision VC X/4: Financial reports and budgets for the Vienna Convention

The Conference of the Parties, in decision VC X/4 of its tenth meeting, decided:

*Recalling* decision IX/3 on financial matters,

*Taking note* of the financial report on the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer for the biennium 2012–2013, ended 31 December 2013,

*Recognizing* that voluntary contributions are an essential complement for the effective implementation of the Vienna Convention,

*Welcoming* the continued efficient management by the Secretariat of the finances of the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer,

1. To take note with appreciation of the financial statement of the Trust Fund for the biennium 2012–2013, ended 31 December 2013, and the report on the actual expenditures for 2012 and 2013 as compared with the approvals for those years;
2. To approve the establishment of a working capital reserve equivalent to 15 per cent of the proposed budget for 2015 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 fund balance;

3. To approve the revised 2014 budget for the Trust Fund in the amount of \$1,280,309, the budget for 2015 in the amount of \$800,937, the budget for 2016 in the amount of \$773,578 and the budget for 2017 in the amount of \$1,363,368, as set out in annex I to the report on the tenth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Sixth Meeting of the Parties to the Montreal Protocol;
4. To authorize the Secretariat to draw down the amounts of \$197,937 in 2015, \$170,578 in 2016 and \$760,368 in 2017 from the Fund balance;
5. To approve, as a consequence of the drawdowns referred to in paragraph 4 of the present decision, the payment of contributions by the parties amounting to \$603,000 for each of the years 2015, 2016 and 2017, as set out in annex II to the report of the tenth meeting of the Conference of the Parties to the Vienna Convention and the Twenty-Sixth Meeting of the Parties to the Montreal Protocol;
6. To request the Secretariat to indicate in future financial reports of the Trust Fund for the Vienna Convention the amounts of cash in hand in the section entitled "Total reserves and fund balances", in addition to contributions that have not yet been received;
7. To urge all parties to pay their outstanding contributions as well as their future contributions promptly and in full;
8. To request the Executive Director of the United Nations Environment Programme to extend the Trust Fund until 31 December 2025.

### **Decision VC XI/3: Financial reports and budgets for the Vienna Convention for the Protection of the Ozone Layer**

*The Conference of the Parties, in decision VC XI/3 of its eleventh meeting, decided:*

*Recalling* decision X/4 on financial reports and budgets for the Vienna Convention for the Protection of the Ozone Layer,

*Taking note* of the financial report on the Trust Fund for the Vienna Convention for the Protection of the Ozone Layer for the fiscal year 2016,<sup>1</sup>

*Recognizing* that voluntary contributions, once agreed upon, are an essential complement for the effective implementation of the Vienna Convention,

*Welcoming* the continued efficient management by the Secretariat of the finances of the Trust Fund for the Vienna Convention,

1. To express its appreciation to the Government of Canada for the generous hosting of and contribution towards the joint eleventh meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer and the Twenty-Ninth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, and to allocate 50 per cent of that contribution, entitled "Contribution for the organization of the joint 29th Meeting of the Parties to the Montreal Protocol and the 11th meeting of the Conference of the Parties to the Vienna Convention", to the Trust Fund for the Vienna Convention to be reflected in the financial statement for 2017;

<sup>1</sup> UNEP/OzL.Conv.11/4/Add.1.

2. To take note with appreciation of the financial report of the Trust Fund for the fiscal year 2016 and the report on the actual expenditures for 2016 as compared to the approved budget for that year;
3. To reaffirm a working capital reserve equivalent to 15 per cent of the annual operational budgets for the triennium 2018–2020 to be used to meet the final expenditures under the Trust Fund;
4. To approve the revised budget for 2017 for the Trust Fund in the amount of \$1,308,964, the budget for 2018 in the amount of \$788,167, the budget for 2019 in the amount of \$800,981 and the budget for 2020 in the amount of \$1,370,010, as set out in annex I to the present report;
5. Also to approve the contributions to be paid by the parties of \$733,000 in 2018, \$863,000 in 2019 and \$986,000 in 2020, as set out in annex II to the present report;
6. 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 5 above and the approved budgets for 2018, 2019 and 2020 as set out in paragraph 4 above;
7. To urge all parties to pay any outstanding contributions and their future contributions promptly and in full;
8. To note with concern that a number of parties have not paid their contributions for 2017 and prior years, and to urge those parties to pay both their outstanding contributions and their future contributions promptly and in full;
9. To request the Executive Secretary, and to invite the President of the Bureau of the Conference of the Parties, 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 request the Executive Secretary to report to the Conference of the Parties at its twelfth meeting on the outcome of the discussions;
10. To further consider how to address outstanding contributions to the Trust Fund at its twelfth meeting, and to request the Executive Secretary to continue to publish and regularly update information on the status of contributions to the Trust Fund;
11. To request the Secretariat to ensure the full utilization of programme support costs available to it in the triennium 2018–2020 and in later years, and where possible, to offset those costs against the administrative components of the approved budget;
12. Also to request the Secretariat to indicate in future financial reports of the Trust Fund the amounts of cash on hand in the section entitled “Total reserves and fund balances”, in addition to contributions that have not yet been received;
13. To request the Executive Secretary to prepare results-based budget and work programmes for the triennium 2021–2023, presenting two budget scenarios and work programmes based on the projected needs for the biennium in:
  - (a) A zero nominal growth scenario;
  - (b) A scenario based on further recommended adjustments to the first scenario and the added costs or savings related thereto.



## Article 7: Secretariat

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### Decision VC I/8: Designation of Secretariat

*The Conference of the Parties*, in decision VC I/8 of its first meeting, decided to designate UNEP as the Secretariat of the Convention.

## Article 8: Adoption of protocols

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### Decision VC I/3: Relationship between the Vienna Convention and the Montreal Protocol

*The Conference of the Parties*, in decision VC I/3 of its first meeting, decided:

- (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.

## Article 9: Amendment of the Convention or protocols

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[See also the decisions listed under Article 14, 'Accession'.]

### Decision VC II/3: Amendment procedure under the Vienna Convention

*The Conference of the Parties*, in decision VC II/3 of its second meeting, decided:

- (a) To request the Parties to the Montreal Protocol to request the *Ad Hoc* Working Group on Non-Compliance with the Montreal Protocol to consider procedures for expediting the amendment procedure under Article 9 of the Vienna Convention;
- (b) To request the Secretariat to prepare a note outlining the problem.

### Decision VC III/3: Amendment procedure under the Vienna Convention

*The Conference of the Parties*, in decision VC III/3 of its third meeting, decided to note the conclusions of the *Ad Hoc* Working Group of Legal Experts on Non-Compliance with the Montreal Protocol on procedures for expediting the amendment procedure under Article 9 of the Vienna Convention, and decision IV/5, paragraph 4, of the Fourth Meeting of the Parties to the Montreal Protocol in respect of these conclusions and to agree that there is no need to expedite the amendment procedure under Article 9 of the Vienna Convention for the Protection of the Ozone Layer.



## Article 11: Settlement of disputes

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### Decision VC I/7: Arbitration procedure

The *Conference of the Parties*, in *decision VC I/7 of its first meeting*, decided to adopt, in accordance with Article 11, paragraph 3(a) of the Vienna Convention, the Arbitration Procedure in annex II of the report of the first meeting. [Reproduced below.]

#### 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 months' 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 a 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 member 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.

## Article 14: Accession

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### Decision VC II/6: Adjustments and Amendment to the Montreal Protocol

The *Conference of the Parties*, in *decision VC II/6 of its second meeting*, decided to note the adjustments and Amendment to the Montreal Protocol that were adopted at the Second Meeting of the Parties to the Montreal Protocol, held in London from 27 to 29 June 1990, to urge the parties to the Protocol to expedite their ratification of the Amendment, to urge all the parties to the Vienna Convention to ratify the Montreal Protocol and to urge all the countries who have not ratified the Vienna Convention and the Montreal Protocol and its Amendment to do so expeditiously.

### Decision VC III/1: Adjustments and Amendments to the Montreal Protocol

The *Conference of the Parties*, in *decision VC III/1 of its third meeting*, decided:

1. To note the adjustments and Amendment to the Montreal Protocol that were adopted by the Fourth Meeting of the Parties to the Montreal Protocol, held in Copenhagen in November 1992; to urge the parties to the Protocol to expedite their ratification of the Amendment; to urge all the parties to the Vienna Convention to ratify the Montreal Protocol; and, to urge all the countries that have not ratified the Vienna Convention and the Montreal Protocol and its Amendments to do so expeditiously;
2. To provide immediate support and assistance to newly sovereign States that were previously part of unions, federations or other States and all other non-parties in becoming parties to the Vienna Convention and Montreal Protocol.

### Decision VC IV/1: Adjustments and Amendments to the Montreal Protocol

The *Conference of the Parties*, in *decision VC IV/1 of its fourth meeting*, decided:

1. To note the adjustments to the Montreal Protocol that were adopted by the Seventh Meeting of Parties to the Montreal Protocol, held in Vienna from 5 to 7 December 1995, and that these adjustments relating to controlled substances in Annex A and Annex B of the Montreal Protocol entered into force for all parties on 5 August 1996 and those relating to Annex C and Annex E will enter into force for all parties on 1 January 1997;
2. To urge all States that have not already ratified the Vienna Convention, the Montreal Protocol and its Amendments, to do so expeditiously.

### Decision VC V/1: Adjustments and Amendments to the Montreal Protocol

The *Conference of the Parties*, in *decision VC V/1 of its fifth meeting*, decided:

1. To note the adjustments and Amendment to the Montreal Protocol that were adopted by the Ninth Meeting of Parties to the Montreal Protocol, held in Montreal from 15 to 17 September 1997, and that the adjustments relating to control measures in Annex A, Annex B and Annex E of the Montreal Protocol entered into force on 5 June 1998 and the Amendment entered into force on 10 November 1999 for parties that ratified the Amendment;
2. To urge all States that have not already ratified the Vienna Convention, the Montreal Protocol and the London, Copenhagen and Montreal Amendments, to do so expeditiously. Universal participation is necessary to ensure the protection of the ozone layer.

### **Decision VC VI/1: Ratification of the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer and the London, Copenhagen, Montreal and Beijing Amendments**

The *Conference of the Parties*, in *decision VC VI/1 of its sixth meeting*, decided:

1. To note with satisfaction the large number of countries that have ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer;
2. To note that as of 28 November 2002, 164 parties had ratified the London Amendment to the Montreal Protocol, 142 parties had ratified the Copenhagen Amendment to the Montreal Protocol, 84 parties had ratified the Montreal Amendment to the Montreal Protocol while only 41 parties had ratified the Beijing Amendment to the Montreal Protocol;
3. To note further that the Beijing Amendment entered into force on 25 February 2002, on the ninetieth day following the date of deposit on which the twentieth instrument of ratification had been deposited by States or regional economic integration organizations that are party to the Montreal Protocol on Substances that deplete the Ozone Layer;
4. To urge all States that have not yet done so to ratify, approve or accede to the Vienna Convention and the Montreal Protocol and its Amendments, taking into account that universal participation is necessary to ensure the protection of the ozone layer.

### **Decision VC VII/1: Status of ratification of the Vienna Convention, the Montreal Protocol and the London, Copenhagen, Montreal and Beijing Amendments to the Montreal Protocol**

The *Conference of the Parties*, in *decision VC VII/1 of its seventh meeting*, decided:

1. To note with satisfaction the large number of countries which have ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer;
2. To note that, as of 15 December 2005, 180 parties had ratified the London Amendment to the Montreal Protocol, 171 parties had ratified the Copenhagen Amendment to the Montreal Protocol and 139 parties had ratified the Montreal Amendment to the Montreal Protocol, while only 104 parties had ratified the Beijing Amendment to the Montreal Protocol;
3. To urge all States that have not yet done so to ratify, approve or accede to the Vienna Convention and the Montreal Protocol and its amendments, taking into account that universal participation is necessary to ensure the protection of the ozone layer.

### **Decision VC VIII/1: Status of ratification of the Vienna Convention, the Montreal Protocol and the London, Copenhagen, Montreal and Beijing Amendments to the Montreal Protocol**

The *Conference of the Parties*, in *decision VC VIII/1 of its eighth meeting*, decided:

1. To note with satisfaction the large number of countries which have ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer;

2. To note that, as of 15 November 2008, 193 parties had ratified the Vienna Convention and the Montreal Protocol, 189 parties had ratified the London Amendment to the Montreal Protocol, 184 parties had ratified the Copenhagen Amendment to the Montreal Protocol, 167 parties had ratified the Montreal Amendment to the Montreal Protocol and 144 parties had ratified the Beijing Amendment to the Montreal Protocol;
3. To urge all States that have not yet done so to ratify, approve or accede to the Vienna Convention and the Montreal Protocol and its amendments, taking into account that universal participation is necessary to ensure the protection of the ozone layer.

### **Decision VC IX/1: Status of ratification of the Vienna Convention, the Montreal Protocol and the London, Copenhagen, Montreal and Beijing Amendments to the Montreal Protocol**

*The Conference of the Parties, in decision VC IX/1 of its ninth Meeting, decided:*

1. To note with satisfaction the large number of countries that have ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer;
2. To note that, as at 1 November 2011, 196 parties had ratified the London Amendment to the Montreal Protocol, 194 parties had ratified the Copenhagen Amendment to the Montreal Protocol, 185 parties had ratified the Montreal Amendment to the Montreal Protocol and 171 parties had ratified the Beijing Amendment to the Montreal Protocol;
3. To urge all States that have not yet done so to ratify, approve or accede to the amendments to the Montreal Protocol, taking into account that universal participation is necessary to ensure the protection of the ozone layer.

### **Decision VC X/1: Status of ratification of the Vienna Convention, the Montreal Protocol and the London, Copenhagen, Montreal and Beijing Amendments to the Montreal Protocol**

*The Conference of the Parties, in decision VC X/1 of its tenth meeting, decided:*

1. To note with satisfaction the universal ratification of the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer, and the London Amendment, the Copenhagen Amendment and the Montreal Amendment to the Montreal Protocol;
2. To note that, as at 1 November 2014, 196 parties had ratified the Beijing Amendment to the Montreal Protocol;
3. To urge Mauritania, which has not yet done so, to ratify, approve or accede to the Beijing Amendment to the Montreal Protocol, taking into account that universal participation is necessary to ensure the protection of the ozone layer.

## Section 2.3

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