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From: General Secretariat of the Council
To: Delegations

Subject: 28th Meeting of the Parties (MOP 28) to the Montreal Protocol on
Substances that Deplete the Ozone Layer
(Kigali, Rwanda, 10-14 October 2016)
- Information from the Presidency and the Commission

Delegations will find in the Annex an information note from the Commission on the above subject, to be dealt with under "Any other business" at the Environment Council meeting on 17 October 2016 .

**28th Meeting of the Parties (MOP 28) to the Montreal Protocol on Substances that Deplete the Ozone Layer
(Kigali, Rwanda, 10-14 October 2016)**

- Information from the Presidency and the Commission -

An ambitious agreement to phase-down hydrofluorocarbons

Hydrofluorocarbons (HFCs) are potent greenhouse gases and an amendment to the Montreal Protocol to phase-down their production and consumption could avoid up to 0.5°C of global warming by the end of the century. An ambitious agreement at the Meeting of the Parties to be held in Kigali, 10-14 October 2016, would be the most significant step the world can currently take to implement the Paris Agreement.

In April 2015 the EU and its Member States submitted a proposal to amend the Montreal Protocol to include HFCs within its ambit. In November 2015, Parties to the Montreal Protocol adopted the "Dubai Pathway" to work towards an HFC amendment in 2016. Meetings held in Vienna, in July, marked a turning point because negotiations (in accordance with the mandate contained in Council Decision (EU) 2015/798) on the substance of the amendment proposals were started.

For *developing countries* (Article 5 Parties) more than 100 Parties currently support a 2021 freeze and a baseline averaged over the years 2017-2019. It is unclear whether this level of ambition can be maintained as India and, to a lesser extent, the Gulf countries, China and Iran promote later action (see appendix). Moreover, some Parties advocate a solution whereby a choice of baseline would be permitted, with finance being available only from the chosen date. While noting that "nothing is agreed until everything is agreed" there is consent on a temporary exemption from the phase-down for certain sectors in high ambient temperature countries as well as a number of specificities linked to the financing to be provided by the Multilateral Fund.

For *developed countries* (non-Article 5 Parties) there is less divergence of ambition. The EU and other developed countries presented a consolidated position in Vienna; however, Belarus and the Russian Federation propose later action (see appendix). Some developing countries are requesting more ambition from developed countries: while the EU could accommodate this possibility, without compromising Regulation (EU) 517/2014 on fluorinated greenhouse gases, others have less room to move.

The EU can play an important role in brokering an ambitious and balanced agreement due to its credibility in this policy area. It is recognised that the EU amendment offered flexibility for developing countries and displayed understanding for their specific situation. Moreover, the EU Regulation on fluorinated greenhouse gases shows an ambitious phase-down is possible. Furthermore, Member States provide about 50% of the contributions to the Multilateral Fund: agreeing clear funding conditions underlines their commitment to provide sufficient funding for the implementation of the phase-down in developing countries.

Outreach remains crucial to the finalization of the Kigali meeting. Building on the output of meetings in the fringes of the UNGA (the High Ambition Coalition, Major Economies Forum, *The New York Declaration of the Coalition for an Ambitious HFC Amendment* and *The New York Donor Declaration on an HFC Amendment to the Montreal Protocol*) Member States are encouraged to instill a message for an ambitious outcome in Kigali in any bilateral contacts with less ambitious countries. Finally, a small number of Member States, as well as the Commission, will have political representation during the Meeting of the Parties. This presence underlines EU leadership and the desire to get an ambitious HFC agreement in Kigali.

Appendix

Party positions regarding baselines, freeze dates and first reduction steps at the extraordinary meeting of the Parties in Vienna on 22-23 July 2016

A5 baselines and freeze dates		
Proponents	Proposed range (HFC component of baseline)	Freeze date
GCC	2024–2026	2028
China, Pakistan	2019–2025	2025–2026
India	2028–2030	2031
African Group, Pacific Island Countries, Latin America like-minded*, EU and JUSSCANNZ	2017–2019	2021
Malaysia, Indonesia, Brazil, Argentina, ¹ English-speaking Caribbean, Cuba	2021–2023	2025
Iran	2024–2027	2029
Non-A5 baseline, freeze date/first reduction step		
EU and JUSSCANNZ	2011–2013	90% of baseline in 2019
Belarus and Russian Federation	2009–2013 ¹	100% of baseline in 2020

* Nicaragua, El Salvador, Guatemala, Venezuela, Chile, Colombia, Honduras, Costa Rica, Mexico, Dominican Republic, Haiti, Panama, Peru, Paraguay (as a basis)

¹ Subject to confirmation by Government

- The HFC component of the baseline should be the average of consumption/production over three consecutive years expressed in CO₂ equivalent
- The baseline should include a percentage of HCFC consumption/production baseline or actual consumption/production, added to the HFC component