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From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

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Subject: Draft Council Decision on the conclusion, on behalf of the European Union, of the Kigali Amendment to the Montreal Protocol on substances that deplete the ozone layer
- Agreement in principle
- Request by the Council for the consent of the European Parliament

1. The European Union is a party to the Vienna Convention for the protection of the ozone layer¹, the Montreal Protocol on substances that deplete the ozone layer² and had approved the four previous amendments to the Protocol³.
2. The Kigali Amendment to the Montreal Protocol was adopted at the 28th Meeting of the Parties, which took place in Kigali, Rwanda, from 10 to 15 October 2016. The aim of the Amendment is the global phase-down of consumption and production of hydrofluorocarbons under the Protocol.

¹ OJ L 297, 31.10.1988, p. 8.

² OJ L 297, 31.10.1988, p. 8.

³ OJ L 377, 31.12.1991, p. 28;
OJ L 33, 7.2.1994, p. 1;
OJ L 272, 25.10.2000, p. 26;
OJ L 72, 14.3.2002, p. 18.

3. On 2 February 2017, the Commission submitted to the Council a proposal for a Council Decision on the conclusion of the Kigali Amendment to the Montreal Protocol⁴.
4. On 17 February 2017, the Working Party on the Environment (WPE) examined the proposal; on 13 March 2017 the WPE considered a Presidency draft of the Council Decision based on the Commission proposal and a draft Declaration of competence in conformity with Article 13(3) of the Vienna Convention. The texts resulting from those discussions as set out in the JL document 7725/17 + ADD 2 are acceptable to all delegations.
5. The Council is invited to:
 - a) agree in principle on the text of the Council Decision on the conclusion, on behalf of the European Union, of the Amendment to the Montreal Protocol on substances that deplete the ozone layer adopted in Kigali, as finalized by legal-linguistic experts and set out in doc. 7725/17, together with the text of the Kigali Amendment set out in doc. 7725/17 ADD 1 and the Declaration of competence set out in doc. 7725/17 ADD 2;
 - b) request the consent of the European Parliament on that text with a view to the subsequent adoption of the Council Decision.

⁴ Doc. 5918/17 - COM(2017)51 final