



Brussels, 13 September 2019  
(OR. en)

5644/15  
DCL 1

CLIMA 7  
ENV 28  
MI 45

### DECLASSIFICATION<sup>1</sup>

---

of document: 5644/15 RESTREINT UE/EU RESTRICTED

dated: 28 January 2015

new status: Public

---

Subject: Recommendation for a Council Decision authorising the Commission to negotiate, on behalf of the Union, amendments to the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer

---

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

---

<sup>1</sup> Document declassified by the European Commission on 13 September 2019.



Council of the  
European Union

Brussels, 28 January 2015  
(OR. en)

5644/15

RESTREINT UE/EU RESTRICTED

CLIMA 7  
ENV 28  
MI 45

**COVER NOTE**

---

From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 26 January 2015

To: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European  
Union

---

No. Cion doc.: COM(2015) 14 final

---

Subject: Recommendation for a Council Decision authorising the Commission to  
negotiate, on behalf of the Union, amendments to the Vienna Convention  
for the Protection of the Ozone Layer and the Montreal Protocol on  
Substances that Deplete the Ozone Layer

---

Delegations will find attached document COM(2015) 14 final.

---

Encl.: COM(2015) 14 final



EUROPEAN  
COMMISSION

Brussels, 23.1.2015  
COM(2015) 14 final

Recommendation for a

**COUNCIL DECISION**

**authorising the Commission to negotiate, on behalf of the Union, amendments to the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer**

DECLASSIFIED

# RESTREINT UE

## EXPLANATORY MEMORANDUM

1. The Union and its Member States are Parties to the Vienna Convention for the Protection of the Ozone Layer, and to the Montreal Protocol on Substances that Deplete the Ozone Layer adopted under that Convention.
2. The Union considers that further action is needed in order to secure the success in reducing the use and emissions of ozone-depleting substances (ODS) under the Montreal Protocol over the last decades. It therefore intends to contribute actively to negotiations regarding, *inter alia*, actions on high-global warming potential alternatives to ozone-depleting substances through an amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, and related instruments, to regulate hydrofluorocarbons (HFCs).
3. The objective of this Recommendation is that the European Commission be authorised to negotiate on the above-mentioned issues on behalf of the Union at the Conferences of the Parties to the Convention and at the Meetings of the Parties to the Protocol and to ensure coordinated Union positions and actions.
4. Although it is unlikely that negotiations on the above-mentioned issues will result in amendments to the Vienna Convention for the Protection of the Ozone Layer, this cannot be fully excluded. In this respect, the Commission should also be authorised to participate and engage in these negotiations, if needed.
5. Taking into account the current state of play and dynamics of the discussions on the above-mentioned issues, negotiations may not be concluded in 2015. In this respect, and in order to avoid unnecessary and repetitive administrative procedures, this Recommendation should at least cover discussions until the end of 2016. At the same time, the Commission should regularly report to the Council on the progress in negotiations.
6. The Recommendation will have no impact on the EU budget. Any conclusions that may emerge from these negotiations requiring implementation through Union legislation should be consistent with the Treaty and relevant Union legislation, in particular Regulation (EC) No 1005/2009 on substances that deplete the ozone layer<sup>2</sup>, Regulation (EU) No 517/2014 on fluorinated greenhouse gases<sup>3</sup>, and Directive 2006/40/EC relating to emissions from air-conditioning systems in motor vehicles<sup>4</sup>.

---

<sup>2</sup> OJ L 286, 31.10.2009, p. 1.

<sup>3</sup> OJ L 150, 20.5.2014, p.195

<sup>4</sup> OJ L 161, 14.6.2006, p. 12.

Recommendation for a

**COUNCIL DECISION**

**authorising the Commission to negotiate, on behalf of the Union, amendments to the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

WHEREAS the Commission should be authorised to negotiate, on behalf of the European Union, amendments to the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer<sup>5</sup>,

HAS ADOPTED THIS DECISION:

*Article 1*

1. The Commission is hereby authorised to negotiate, on behalf of the European Union, as regards matters falling within the Union's competence, amendments to the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer at the Conferences of the Parties to the Convention and at the Meetings of the Parties to the Protocol.
2. The Commission shall conduct the negotiations on behalf of the Union, as regards matters falling within the Union's competence, in consultation with [*name of the special committee to be inserted by the Council*], and in accordance with the negotiating directives set out in the Addendum to this Decision.
3. To the extent that the subject matter of the amendments referred to in paragraph 1 falls within the shared competence of the Union and of the Member States, the Commission and the Member States should cooperate closely during the negotiating process, with a view to ensuring unity in the international representation of the Union and its Member States.
4. The Commission shall report to the Council on the outcome of the negotiations and, where appropriate, on any problem that may arise during the negotiations.

---

<sup>5</sup> OJ L 297, 31.10.1988, p. 8

**RESTREINT UE**

*Article 2*

This Decision is addressed to the Commission.

Done at Brussels,

*For the Council  
The President*

DECLASSIFIED

**EN**

**EN**

**RESTREINT UE**