

Procedure file

Basic information		
NLE - Non-legislative enactments	2017/0016(NLE)	Procedure completed
Montreal Protocol on substances that deplete the ozone layer: Kigali amendment		
Subject		
3.70.03 Climate policy, climate change, ozone layer		
3.70.18 International and regional environment protection measures and agreements		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety		24/04/2017
		GUE/NGL KONEČNÁ Kateřina	
		Shadow rapporteur	
		PPE FARIA José Inácio	
		S&D LEINEN Jo	
		ECR DUNCAN Ian	
		ALDE RIES Frédérique	
		Verts/ALE AUKEN Margrete	
		EFDD PEDICINI Piernicola	
	ENF D'ORNANO Mireille		
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	3556	17/07/2017

Key events			
02/02/2017	Initial legislative proposal published	COM(2017)0051	Summary
21/04/2017	Legislative proposal published	07725/2017	Summary
18/05/2017	Committee referral announced in Parliament, 1st reading/single reading		
22/06/2017	Vote in committee, 1st reading/single reading		
27/06/2017	Committee report tabled for plenary, 1st reading/single reading	A8-0237/2017	Summary
05/07/2017	Results of vote in Parliament		
05/07/2017	Decision by Parliament, 1st reading/single reading	T8-0294/2017	Summary
17/07/2017	Act adopted by Council after consultation of Parliament		
17/07/2017	End of procedure in Parliament		
14/09/2017	Final act published in Official Journal		

Technical information	
Procedure reference	2017/0016(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the EU TFEU 192-p1; Treaty on the Functioning of the EU TFEU 218-p6a
Modified legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/8/09204

Documentation gateway					
Initial legislative proposal		COM(2017)0051	02/02/2017	EC	Summary
Legislative proposal		07725/2017	21/04/2017	CSL	Summary
Committee draft report		PE604.618	18/05/2017	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0237/2017	27/06/2017	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0294/2017	05/07/2017	EP	Summary

Final act
Decision 2017/1541 OJ L 236 14.09.2017, p. 0001 Summary

2017/0016(NLE) - 02/02/2017 Initial legislative proposal

PURPOSE: to conclude the agreement to amend the Montreal Protocol on substances that deplete the ozone layer adopted in Kigali.

PROPOSED ACT: Council Decision.

BACKGROUND: the European Union has already approved the Vienna Convention for the protection of the ozone layer, the Montreal Protocol and the four previous amendments to the Protocol.

At the 28th meeting of the Parties to the Montreal Protocol on substances that deplete the ozone layer, which took place in Kigali, Rwanda, from 10th to 15th October 2016, the text of an amendment to that Protocol (the Kigali amendment) was adopted, adding a stepwise reduction of the consumption and production of hydrofluorocarbons (HFC) to the control measures of the Montreal Protocol.

A stepwise reduction of the consumption and production of hydrofluorocarbons is necessary to reduce the contribution of those substances to climate change and to prevent their unlimited introduction, in particular in developing countries.

CONTENT: the proposal concerns the adoption by the Council of a decision on the conclusion of the agreement to amend the Montreal Protocol on substances that deplete the ozone layer, adopted in Kigali on 15 October 2016.

The text of the Kigali amendment divides countries into three groups based on when they should reduce the use of HFCs:

- the first group, which includes the most economically developed countries, must implement the first reductions in HFCs during the period 2019-2023 and undertake to reduce the use of hydrofluorocarbons (HFCs) by 85% by 2036, compared to the period 2011-2013 as a reference;
- a second group of countries will freeze its HFC consumption and production between 2024 and 2028 and commit to reducing its consumption by 80% by 2045;
- the remaining countries will freeze their consumption and production by 2028 and 2031. Together, countries will have to reduce HFC levels by 85% by 2047.

The Kigali Amendment will enter into force on 1 January 2019, provided that at least 20 parties have deposited their instruments of ratification.

The envisaged phase-down of HFCs is implemented through [Regulation \(EU\) No 517/2014](#) that will have to be revised at a later stage in order to ensure compliance with the Kigali Amendment beyond 2030.

Until 2030, the last year for which the Regulation determines a reduction step, the phase-down schedule is stricter than the future control measures under the Montreal Protocol.

2017/0016(NLE) - 21/04/2017 Legislative proposal

PURPOSE: to conclude, on behalf of the European Union, the Kigali Amendment to the Montreal Protocol on substances that deplete the ozone layer.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the European Union has already approved the Vienna Convention for the protection of the ozone layer, the Montreal Protocol and the four previous amendments to the Protocol.

At the 28th meeting of the Parties to the Montreal Protocol, which took place in Kigali, Rwanda, from 10 to 15 October 2016, the text of a further amendment to the Montreal Protocol ("the Kigali Amendment") was adopted.

The Kigali amendment added a stepwise reduction in the consumption and production of hydrofluorocarbons (HFCs) to the control measures of the Montreal Protocol.

This reduction is necessary to reduce the contribution of those substances to climate change and to prevent their unlimited introduction, in particular in developing countries.

The Kigali Amendment should now be approved.

CONTENT: the Council draft seeks to approve, on behalf of the European Union, the Kigali Amendment to the Montreal Protocol on substances that deplete the ozone layer.

The Kigali Amendment will enter into force on 1 January 2019, provided that at least 20 parties have deposited their instruments of ratification. It is a necessary contribution to the implementation of the Paris Agreement, approved by [Council Decision \(EU\) 2016/1841](#), as regards its objective to keep the global temperature increase well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5°C above pre-industrial levels.

The text of the Kigali Amendment divides countries into three groups based on when they will have to reduce the use of HFCs. Together, countries will have to reduce HFC levels by 85% by 2047.

2017/0016(NLE) - 27/06/2017 Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Kateřina KONEČNÁ (GUE/NGL, CZ) on the 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.

The committee recommended the European Parliament to give its consent to conclusion of the agreement.

In the explanatory memorandum accompanying the report, it was recalled that the 28th meeting of the parties to the Montreal Protocol, which took place from 10 to 15 October 2016 in Kigali, Rwanda, ended in the adoption of an amendment to the Montreal Protocol. The amendment adds hydrofluorocarbons (HFCs) to the list of substances regulated by the Protocol.

HFCs are active greenhouse gases whose global warming potential can be one thousand times greater than that of carbon dioxide.

The Kigali amendment provides as follows:

- most economically developed countries have to implement the first reductions in HFCs during the period 2019-2023;
- most developing countries will begin to freeze HFC consumption and production between 2024 and 2028;
- the remaining countries will commit their efforts between 2028 and 2031.

The Kigali Protocol shall signal its commitment to making a substantial contribution to the reduction of greenhouse gas emissions and thereby meeting the targets set in the Paris Agreement. For this reason, Member States shall be called on to complete the process of ratifying the amendment according to the proposed schedule.

2017/0016(NLE) - 05/07/2017 Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 604 votes to 31, with 19 abstentions, a legislative resolution on the 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.

According to the Committee on the Environment, Public Health and Food Safety, Parliament gave its consent to the conclusion of the amendment.

The Kigali amendment to the Montreal Protocol adopted at the 28th meeting of the parties to the Montreal Protocol, held in Kigali, Rwanda in October 2016, adds hydrofluorocarbons (HFCs) to the list of substances regulated by the Protocol.

2017/0016(NLE) - 17/07/2017 Final act

PURPOSE: to approve the conclusion, on behalf of the European Union, of the Kigali Amendment to the Montreal Protocol on substances that

deplete the ozone layer.

NON-LEGISLATIVE ACT: Council Decision (EU) 2017/1541 on the conclusion, on behalf of the European Union, of the Kigali Amendment to the Montreal Protocol on substances that deplete the ozone layer.

CONTENT: the Council decided to approve, on behalf of the European Union, the Kigali amendment to the Montreal Protocol on substances that deplete the ozone layer.

The purpose of the Kigali Amendment, agreed on 15 October 2016, is to achieve a global reduction in the consumption and production of hydrofluorocarbons (HFCs).

A stepwise reduction of the consumption and production of hydrofluorocarbons is necessary to reduce the contribution of those substances to climate change and to prevent their unlimited introduction, in particular in developing countries.

The Kigali Amendment is a necessary contribution to the implementation of the Paris Agreement, approved by [Council Decision \(EU\) 2016/1841](#), as regards its objective to keep the global temperature increase well below 2 °C above pre-industrial levels.

The EU must now formally submit to the United Nations the declaration of competence under the Vienna Convention for the Protection of the Ozone Layer and the instrument of ratification of the Kigali amendment. The Union has already adopted instruments relating to the areas governed by the Kigali amendment, in particular [Regulation \(EU\) No 517/2014](#) of the European Parliament and of the Council relating to fluorinated greenhouse gases.

The Kigali Amendment will enter into force on 1 January 2019, provided that at least 20 parties have deposited their instruments of ratification.

The text of the Kigali Amendment divides countries into three groups based on when they will have to reduce the use of HFCs. Under its provisions, most economically developed countries will have to implement the first reductions of HFCs during the period 2019-2023. Most developing countries will begin to freeze their consumption and production of HFCs between 2024 and 2028. The remaining countries will commit their efforts between 2028 and 2031.

Together, countries will have to reduce HFC levels by 85% by 2047.

ENTRY INTO FORCE: 18.7.2017.