

**ITEKA RYA PEREZIDA N°143/01 RYO
KU WA 13/04/2017 RYEMEZA
BURUNDU IBYAVUGURUWE KU
MASEZERANO YA MONTREAL
YEREKEYE IBINTU BYANGIZA
AKAYUNGURUZO K'IMIRASIRE
Y'IZUBA, YEMEREJWE I KIGALI KU
WA 15/10/2016**

**PRESIDENTIAL ORDER N°143/01 OF
13/04/2017 RATIFYING THE
AMENDMENT TO THE MONTREAL
PROTOCOL ON SUBSTANCES THAT
DEplete THE OZONE LAYER,
ADOPTED AT KIGALI ON 15/10/2016**

**ARRETE PRESIDENTIEL N°143/01 DU
13/04/2017 PORTANT RATIFICATION
DE L'AMENDEMENT AU PROTOCOLE
DE MONTREAL RELATIF A DES
SUBSTANCES QUI APPAUVRISSENT
LA COUCHE D'OZONE, ADOPTE A
KIGALI LE 15/10/2016**

ISHAKIRO

TABLE OF CONTENTS

TABLE DES MATIERES

Ingingo ya mbere: Kwemeza burundu

Article One: Ratification

Article premier: Ratification

**Ingingo ya 2: Abashinzwe gushyira mu
bikorwa iri teka**

**Article 2: Authorities responsible for the
implementation of this Order**

**Article 2: Autorités chargées de l'exécution
du présent arrêté**

**Ingingo ya3: Igihe iteka ritangira
gukurikizwa**

Article 3: Commencement

Article 3: Entrée en vigueur

ITEKA RYA PEREZIDA N°143/01 RYO KU WA 13/04/2017 RYEMEZA BURUNDU IBYAVUGURUWE KU MASEZERANO YA MONTREAL YEREKEYE IBINTU BYANGIZA AKAYUNGURUZO K'IMIRASIRE Y'IZUBA, YEMEREJWE I KIGALI KU WA 15/10/2016

Twebwe, KAGAME Paul,
Perezida wa Repubulika;

Dushingiye ku Itegeko Nshinga rya Repubulika y'u Rwanda ryo mu 2003, ryavuguruwe mu 2015, cyane cyane mu ngingo zaryo, iya 53, 112, iya 120, iya 122, iya 167, iya 168 n'iya 176;

Tumaze kubona ibyavuguruwe ku masezerano ya Montreal yerekeye ibintu byangiza akayunguruzo k'imirasire y'izuba, byemerejwe i Kigali ku wa 15/10/2016;

Bisabwe na Minisitiri w'Umutungo Kamere;

Inama y'Abaminisitiri yateranye ku wa 3 Gashyantare 2017 imaze kubisuzuma no kubyemeza;

TWATEGETSE KANDI DUTEGETSE:

PRESIDENTIAL ORDER N°143/01 OF 13/04/2017 RATIFYING THE AMENDMENT TO THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER, ADOPTED AT KIGALI ON 15/10/2016

We, KAGAME Paul,
President of the Republic;

Pursuant to the Constitution of the Republic of Rwanda of 2003, revised in 2015, especially in Articles, 53, 112, 120, 122, 167, 168 and 176;

Considering the amendment to the Montreal Protocol on substances that deplete the ozone layer, adopted at Kigali on 15/10/2016;

On proposal by the Minister of Natural Resources;

After consideration and adoption by the Cabinet, in its session 3 February 2017;

HAVE ORDERED AND HEREBY ORDER:

ARRETE PRESIDENTIEL N°143/01 DU 13/04/2017 PORTANT RATIFICATION DE L'AMENDEMENT AU PROTOCOLE DE MONTREAL RELATIF A DES SUBSTANCES QUI APPAUVRISSENT LA COUCHE D'OZONE, ADOPTE A KIGALI LE 15/10/2016

Nous, KAGAME Paul,
Président de la République;

Vu la Constitution de la République du Rwanda du 2003, révisée en 2015, spécialement en ses articles, 53, 112, 120, 122, 167, 168 et 176;

Considérant l'amendement au protocole de Montréal relatif à des substances qui appauvrissent la couche d'ozone, adopté à Kigali le 15/10/2016 ;

Sur proposition du Ministre des Ressources Naturelles ;

Après examen et adoption par le Conseil des Ministres en sa séance du 3 février 2017;

AVONS ARRETE ET ARRETONS:

Ingingo ya mbere : Kwemeza burundu

Ibyavuguruwe ku masezerano ya Montreal yerekeye ibintu byangiza akayunguruzo k'imirasire y'izuba, yemerejwe i Kigali ku wa 15/10/2016, ari ku mugereka w'iri teka yemejwe burundu kandi atangiye gukurikizwa mu ngingo zayo zose.

Ingingo ya 2: Abashinzwe gushyira mu bikorwa iri teka

Minisitiri w'Intebe, Minisitiri w'Ububanyi n'Amahanga n'Ubutwemerane na Minisitiri w'Umutungo Kamere bashinzwe gushyira mu bikorwa iri teka.

Ingingo ya3: Igihe iri teka ritangira gukurikizwa

Iri teka ritangira gukurikizwa ku munsu ritangarijweho mu Igazeti ya Leta ya Repubulika y'u Rwanda.

Kigali, ku wa **13/04/2017**

Article One : Ratification

The amendment to the Montreal Protocol on substances that deplete the ozone layer, adopted at Kigali on 15/10/2016, annexed to this Order is ratified and becomes fully effective.

Article 2: Authorities responsible for the implementation of this Order

The Prime Minister, the Minister of Foreign Affairs and Cooperation and the Minister of Natural Resources are entrusted with the implementation of this Order.

Article 3: Commencement

This Order comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Kigali, on **13/04/2017**

Article premier : Ratification

L'amendement au protocole de Montréal relatif à des substances qui appauvrissent la couche d'ozone, adopté à Kigali le 15/10/2016, annexé au présent arrêté est ratifié et sort son plein et entier effet.

Article 2: Autorités chargées de l'exécution du présent arrêté

Le Premier Ministre, le Ministre des Affaires Etrangères et de la Coopération, et Ministre des Ressources Naturelles sont chargés de l'exécution du présent arrêté.

Article 3: Entrée en vigueur

Le présent arrêté entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda.

Kigali, le **13/04/2017**

(sé)
KAGAME Paul
Perezida wa Repubulika

(sé)
KAGAME Paul
President of the Republic

(sé)
KAGAME Paul
Président de la République

(sé)
MUREKEZI Anastase
Minisitiri w'Intebe

(sé)
MUREKEZI Anastase
Prime Minister

(sé)
MUREKEZI Anastase
Premier Ministre

**Bibonywe kandi bishyizweho Ikirango cya
Repubulika:**

**Seen and sealed with the Seal of the
Republic:**

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya
Leta

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

(sé)
BUSINGYE Johnston
Ministre de la Justice/ Garde des Sceaux

**UMUGEREKA W' ITEKA RYA
PEREZIDA N°143/01 RYO KU WA
13/04/2017 RYEMEZA BURUNDU
IBYAVUGURUWE KU MASEZERANO
YA MONTREAL YEREKEYE IBINTU
BYANGIZA AKAYUNGURUZO
K'IMIRASIRE Y'IZUBA, YEMEREJWE I
KIGALI KU WA 15/10/2016**

**ANNEX TO THE PRESIDENTIAL
ORDER N°143/01 OF 13/04/2017
RATIFYING THE AMENDMENT TO
THE MONTREAL PROTOCOL ON
SUBSTANCES THAT DEplete THE
OZONE LAYER, ADOPTED AT KIGALI
ON 15/10/2016**

**ANNEXE DE L'ARRETE
PRESIDENTIEL N°143/01 DU 13/04/2017
PORTANT RATIFICATION DE
L'AMENDEMENT AU PROTOCOLE DE
MONTREAL RELATIF A DES
SUBSTANCES QUI APPAUVRISSENT
LA COUCHE D'OZONE, ADOPTE A
KIGALI LE 15/10/2016**

Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer

Article I: Amendment

Article 1, paragraph 4

In paragraph 4 of Article 1 of the Protocol, for the words:

“Annex C or Annex E”

there shall be substituted:

“Annex C, Annex E or Annex F”

Article 2, paragraph 5

In paragraph 5 of Article 2 of the Protocol, for the words:

“and Article 2H”

there shall be substituted:

“Articles 2H and 2J”

Article 2, paragraphs 8 (a), 9 (a) and 11

In paragraphs 8 (a) and 11 of Article 2 of the Protocol, for the words:

“Articles 2A to 2I”

there shall be substituted:

“Articles 2A to 2J”

The following words shall be added at the end of subparagraph (a) of paragraph 8 of Article 2 of the Protocol:

“Any such agreement may be extended to include obligations respecting consumption or production under Article 2J provided that the total combined calculated level of consumption or production of the Parties concerned does not exceed the levels required by Article 2J.”

In subparagraph (a) (i) of paragraph 9 of Article 2 of the Protocol, after the second use of the words:

“should be;”

there shall be deleted:

“and”

Subparagraph (a) (ii) of paragraph 9 of Article 2 of the Protocol shall be renumbered as subparagraph (a) (iii).

The following shall be added as subparagraph (a) (ii) after subparagraph (a) (i) of paragraph 9 of Article 2 of the Protocol:

“Adjustments to the global warming potentials specified in Group I of Annex A, Annex C and Annex F should be made and, if so, what the adjustments should be; and”

Article 2J

The following Article shall be inserted after Article 2I of the Protocol:

“Article 2J: Hydrofluorocarbons

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 2019, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Annex F, expressed in CO₂ equivalents, does not exceed the percentage, set out for the respective range of years specified in subparagraphs (a) to (e) below, of the annual average of its calculated levels of consumption of Annex F controlled substances for the years 2011, 2012 and 2013, plus fifteen per cent of its calculated level of

consumption of Annex C, Group I, controlled substances as set out in paragraph 1 of Article 2F, expressed in CO₂ equivalents:

- (a) 2019 to 2023: 90 per cent
- (b) 2024 to 2028: 60 per cent
- (c) 2029 to 2033: 30 per cent
- (d) 2034 to 2035: 20 per cent
- (e) 2036 and thereafter: 15 per cent

2. Notwithstanding paragraph 1 of this Article, the Parties may decide that a Party shall ensure that, for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Annex F, expressed in CO₂ equivalents, does not exceed the percentage, set out for the respective range of years specified in subparagraphs (a) to (e) below, of the annual average of its calculated levels of consumption of Annex F controlled substances for the years 2011, 2012 and 2013, plus twenty-five per cent of its calculated level of consumption of Annex C, Group I, controlled substances as set out in paragraph 1 of Article 2F, expressed in CO₂ equivalents:

- (a) 2020 to 2024: 95 per cent
- (b) 2025 to 2028: 65 per cent
- (c) 2029 to 2033: 30 per cent
- (d) 2034 to 2035: 20 per cent
- (e) 2036 and thereafter: 15 per cent

3. Each Party producing the controlled substances in Annex F shall ensure that for the twelve-month period commencing on 1 January 2019, and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Annex F, expressed in CO₂ equivalents, does not exceed the percentage, set out for the respective range of years specified in subparagraphs (a) to (e) below, of the annual average of its calculated levels of production of Annex F controlled substances for the years 2011, 2012 and 2013, plus fifteen per cent of its calculated level of production of Annex C, Group I, controlled substances as set out in paragraph 2 of Article 2F, expressed in CO₂ equivalents:

- (a) 2019 to 2023: 90 per cent
- (b) 2024 to 2028: 60 per cent
- (c) 2029 to 2033: 30 per cent
- (d) 2034 to 2035: 20 per cent
- (e) 2036 and thereafter: 15 per cent

4. Notwithstanding paragraph 3 of this Article, the Parties may decide that a Party producing the controlled substances in Annex F shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Annex F, expressed in CO₂ equivalents, does not exceed the percentage, set out for the respective range of years specified in subparagraphs (a) to (e) below, of the annual average of its calculated levels of production of Annex F controlled substances for the years 2011, 2012 and 2013, plus twenty-five per cent of its calculated level of production of Annex C, Group I, controlled substances as set out in paragraph 2 of Article 2F, expressed in CO₂ equivalents:

- (a) 2020 to 2024: 95 per cent
- (b) 2025 to 2028: 65 per cent
- (c) 2029 to 2033: 30 per cent
- (d) 2034 to 2035: 20 per cent
- (e) 2036 and thereafter: 15 per cent

5. Paragraphs 1 to 4 of this Article will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by the Parties to be exempted uses.
6. Each Party manufacturing Annex C, Group I, or Annex F substances shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its emissions of Annex F, Group II, substances generated in each production facility that manufactures Annex C, Group I, or Annex F substances are destroyed to the extent practicable using technology approved by the Parties in the same twelve-month period.
7. Each Party shall ensure that any destruction of Annex F, Group II, substances generated by facilities that produce Annex C, Group I, or Annex F substances shall occur only by technologies approved by the Parties.

Article 3

The preamble to Article 3 of the Protocol should be replaced with the following:

“1. For the purposes of Articles 2, 2A to 2J and 5, each Party shall, for each group of substances in Annex A, Annex B, Annex C, Annex E or Annex F, determine its calculated levels of:”

For the final semi-colon of subparagraph (a) (i) of Article 3 of the Protocol there shall be substituted:

“, except as otherwise specified in paragraph 2;”

The following text shall be added to the end of Article 3 of the Protocol:

“; and

(d) Emissions of Annex F, Group II, substances generated in each facility that generates Annex C, Group I, or Annex F substances by including, among other things, amounts emitted from equipment leaks, process vents and destruction devices, but excluding amounts captured for use, destruction or storage.

2. When calculating levels, expressed in CO₂ equivalents, of production, consumption, imports, exports and emissions of Annex F and Annex C, Group I, substances for the purposes of Article 2J, paragraph 5 *bis* of Article 2 and paragraph 1 (d) of Article 3, each Party shall use the global warming potentials of those substances specified in Group I of Annex A, Annex C and Annex F.”

Article 4, paragraph 1 sept

The following paragraph shall be inserted after paragraph 1 *sex* of Article 4 of the Protocol:

“1 *sept*. Upon entry into force of this paragraph, each Party shall ban the import of the controlled substances in Annex F from any State not Party to this Protocol.”

Article 4, paragraph 2 sept

The following paragraph shall be inserted after paragraph 2 *sex* of Article 4 of the Protocol:

“2 *sept*. Upon entry into force of this paragraph, each Party shall ban the export of the controlled substances in Annex F to any State not Party to this Protocol.”

Article 4, paragraphs 5, 6 and 7

In paragraphs 5, 6 and 7 of Article 4 of the Protocol, for the words:

“Annexes A, B, C and E”

there shall be substituted:

“Annexes A, B, C, E and F”

Article 4, paragraphs 8

In paragraph 8 of Article 4 of the Protocol, for the words:

“Articles 2A to 2I”

there shall be substituted:

“Articles 2A to 2J”

Article 4B

The following paragraph shall be inserted after paragraph 2 of Article 4B of the Protocol:

“2 *bis*. Each Party shall, by 1 January 2019 or within three months of the date of entry into force of this paragraph for it, whichever is later, establish and implement a system for licensing the import and export of new, used, recycled and reclaimed controlled substances in Annex F. Any Party operating under paragraph 1 of Article 5 that decides it is not in a position to establish and implement such a system by 1 January 2019 may delay taking those actions until 1 January 2021.”

Article 5

In paragraph 4 of Article 5 of the Protocol, for the word:

“2I”

there shall be substituted:

“2J”

In paragraphs 5 and 6 of Article 5 of the Protocol, for the words:

“Article 2I”

there shall be substituted:

“Articles 2I and 2J”

In paragraph 5 of Article 5 of the Protocol, before the words:

“any control measures”

there shall be inserted:

“with”

The following paragraph shall be inserted after paragraph 8 *ter* of Article 5 of the Protocol:

“8 *qua*

(a) Each Party operating under paragraph 1 of this Article, subject to any adjustments made to the control measures in Article 2J in accordance with paragraph 9 of Article 2, shall be entitled to delay its compliance with the control measures set out in subparagraphs (a) to (e) of paragraph 1 of Article 2J and subparagraphs (a) to (e) of paragraph 3 of Article 2J and modify those measures as follows:

- (i) 2024 to 2028: 100 per cent
- (ii) 2029 to 2034: 90 per cent
- (iii) 2035 to 2039: 70 per cent
- (iv) 2040 to 2044: 50 per cent
- (v) 2045 and thereafter: 20 per cent

(b) Notwithstanding subparagraph (a) above, the Parties may decide that a Party operating under paragraph 1 of this Article, subject to any adjustments made to the control measures in Article 2J in accordance with paragraph 9 of Article 2, shall be entitled to delay its compliance with the control measures set out in subparagraphs (a) to (e) of paragraph 1 of Article 2J and subparagraphs (a) to (e) of paragraph 3 of Article 2J and modify those measures as follows:

- (i) 2028 to 2031: 100 per cent
- (ii) 2032 to 2036: 90 per cent
- (iii) 2037 to 2041: 80 per cent
- (iv) 2042 to 2046: 70 per cent
- (v) 2047 and thereafter: 15 per cent

(c) Each Party operating under paragraph 1 of this Article, for the purposes of calculating its consumption baseline under Article 2J, shall be entitled to use the average of its calculated levels of consumption of Annex F controlled substances for the years 2020, 2021 and 2022,

plus sixty-five per cent of its baseline consumption of Annex C, Group I, controlled substances as set out in paragraph 8 *ter* of this Article.

(d) Notwithstanding subparagraph (c) above, the Parties may decide that a Party operating under paragraph 1 of this Article, for the purposes of calculating its consumption baseline under Article 2J, shall be entitled to use the average of its calculated levels of consumption of Annex F controlled substances for the years 2024, 2025 and 2026, plus sixty-five per cent of its baseline consumption of Annex C, Group I, controlled substances as set out in paragraph 8 *ter* of this Article.

(e) Each Party operating under paragraph 1 of this Article and producing the controlled substances in Annex F, for the purposes of calculating its production baseline under Article 2J, shall be entitled to use the average of its calculated levels of production of Annex F controlled substances for the years 2020, 2021 and 2022, plus sixty-five per cent of its baseline production of Annex C, Group I, controlled substances as set out in paragraph 8 *ter* of this Article.

(f) Notwithstanding subparagraph (e) above, the Parties may decide that a Party operating under paragraph 1 of this Article and producing the controlled substances in Annex F, for the purposes of calculating its production baseline under Article 2J, shall be entitled to use the average of its calculated levels of production of Annex F controlled substances for the years 2024, 2025 and 2026, plus sixty-five per cent of its baseline production of Annex C, Group I, controlled substances as set out in paragraph 8 *ter* of this Article.

(g) Subparagraphs (a) to (f) of this paragraph will apply to calculated levels of production and consumption save to the extent that a high-ambient-temperature exemption applies based on criteria decided by the Parties.”

Article 6

In Article 6 of the Protocol, for the words:

“Articles 2A to 2I”

there shall be substituted:

“Articles 2A to 2J”

Article 7, paragraphs 2, 3 and 3 ter

The following line shall be inserted after the line that reads “– in Annex E, for the year 1991,” in paragraph 2 of Article 7 of the Protocol:

“– in Annex F, for the years 2011 to 2013, except that Parties operating under paragraph 1 of Article 5 shall provide such data for the years 2020 to 2022, but those Parties operating under paragraph 1 of Article 5 to which subparagraphs (d) and (f) of paragraph 8 *qua* of Article 5 applies shall provide such data for the years 2024 to 2026;”

In paragraphs 2 and 3 of Article 7 of the Protocol, for the words:

“C and E”

there shall be substituted:

“C, E and F”

The following paragraph shall be added to Article 7 of the Protocol after paragraph 3 *bis*:

“3 *ter*. Each Party shall provide to the Secretariat statistical data on its annual emissions of Annex F, Group II, controlled substances per facility in accordance with paragraph 1 (d) of Article 3 of the Protocol.”

Article 7, paragraph 4

In paragraph 4 of Article 7, after the words:

“statistical data on” and “provides data on”

there shall be added:

“production,”

Article 10, paragraph 1

In paragraph 1 of Article 10 of the Protocol, for the words:

“and Article 2I”

There shall be substituted:

“, Article 2I and Article 2J”

The following shall be inserted at the end of paragraph 1 of Article 10 of the Protocol:

“Where a Party operating under paragraph 1 of Article 5 chooses to avail itself of funding from any other financial mechanism that could result in meeting any part of its agreed incremental costs, that part shall not be met by the financial mechanism under Article 10 of this Protocol.”

Article 17

In Article 17 of the Protocol, for the words:

“Articles 2A to 2I”

there shall be substituted:

“Articles 2A to 2J”

Annex A

The following table shall replace the table for Group I in Annex A to the Protocol:

Group	Substance	Ozone-Depleting Potential*	100-Year Global Warming Potential
<i>Group I</i>			
CFCl ₃	(CFC-11)	1.0	4,750
CF ₂ Cl ₂	(CFC-12)	1.0	10,900
C ₂ F ₃ Cl ₃	(CFC-113)	0.8	6,130
C ₂ F ₄ Cl ₂	(CFC-114)	1.0	10,000
C ₂ F ₅ Cl	(CFC-115)	0.6	7,370

Annex C and Annex F

The following table shall replace the table for Group I in Annex C to the Protocol:

Group	Substance	Number of isomers	Ozone-Depleting Potential*	100-Year Global Warming Potential***
<i>Group I</i>				
CHFCl ₂	(HCFC-21)**	1	0.04	151
CHF ₂ Cl	(HCFC-22)**	1	0.055	1810
CH ₂ FCl	(HCFC-31)	1	0.02	
C ₂ HFCl ₄	(HCFC-121)	2	0.01–0.04	
C ₂ HF ₂ Cl ₃	(HCFC-122)	3	0.02–0.08	
C ₂ HF ₃ Cl ₂	(HCFC-123)	3	0.02–0.06	77
CHCl ₂ CF ₃	(HCFC-123)**	–	0.02	
C ₂ HF ₄ Cl	(HCFC-124)	2	0.02–0.04	609
CHFClCF ₃	(HCFC-124)**	–	0.022	
C ₂ H ₂ FCl ₃	(HCFC-131)	3	0.007–0.05	
C ₂ H ₂ F ₂ Cl ₂	(HCFC-132)	4	0.008–0.05	
C ₂ H ₂ F ₃ Cl	(HCFC-133)	3	0.02–0.06	
C ₂ H ₃ FCl ₂	(HCFC-141)	3	0.005–0.07	
CH ₃ CFCl ₂	(HCFC-141b)**	–	0.11	725
C ₂ H ₃ F ₂ Cl	(HCFC-142)	3	0.008–0.07	
CH ₃ CF ₂ Cl	(HCFC-142b)**	–	0.065	2310
C ₂ H ₄ FCl	(HCFC-151)	2	0.003–0.005	

C ₃ HFCI ₆	(HCFC-221)	5	0.015–0.07	
C ₃ HF ₂ Cl ₅	(HCFC-222)	9	0.01–0.09	
C ₃ HF ₃ Cl ₄	(HCFC-223)	12	0.01–0.08	
C ₃ HF ₄ Cl ₃	(HCFC-224)	12	0.01–0.09	
C ₃ HF ₅ Cl ₂	(HCFC-225)	9	0.02–0.07	
CF ₃ CF ₂ CHCl ₂	(HCFC-225ca)**	–	0.025	122
CF ₂ CICF ₂ CHClF	(HCFC-225cb)**	–	0.033	595
C ₃ HF ₆ Cl	(HCFC-226)	5	0.02–0.10	
C ₃ H ₂ FCI ₅	(HCFC-231)	9	0.05–0.09	
C ₃ H ₂ F ₂ Cl ₄	(HCFC-232)	16	0.008–0.10	
C ₃ H ₂ F ₃ Cl ₃	(HCFC-233)	18	0.007–0.23	
C ₃ H ₂ F ₄ Cl ₂	(HCFC-234)	16	0.01–0.28	
C ₃ H ₂ F ₅ Cl	(HCFC-235)	9	0.03–0.52	
C ₃ H ₃ FCI ₄	(HCFC-241)	12	0.004–0.09	
C ₃ H ₃ F ₂ Cl ₃	(HCFC-242)	18	0.005–0.13	
C ₃ H ₃ F ₃ Cl ₂	(HCFC-243)	18	0.007–0.12	
C ₃ H ₃ F ₄ Cl	(HCFC-244)	12	0.009–0.14	
C ₃ H ₄ FCI ₃	(HCFC-251)	12	0.001–0.01	
C ₃ H ₄ F ₂ Cl ₂	(HCFC-252)	16	0.005–0.04	
C ₃ H ₄ F ₃ Cl	(HCFC-253)	12	0.003–0.03	
C ₃ H ₅ FCI ₂	(HCFC-261)	9	0.002–0.02	
C ₃ H ₅ F ₂ Cl	(HCFC-262)	9	0.002–0.02	
C ₃ H ₆ FCI	(HCFC-271)	5	0.001–0.03	

* Where a range of ODPs is indicated, the highest value in that range shall be used for the purposes of the Protocol. The ODPs listed as a single value have been determined from calculations based on laboratory measurements. Those listed as a range are based on estimates and are less certain. The range pertains to an isomeric group. The upper value is the estimate of the ODP of the isomer with the highest ODP, and the lower value is the estimate of the ODP of the isomer with the lowest ODP.

** Identifies the most commercially viable substances with ODP values listed against them to be used for the purposes of the Protocol.

*** For substances for which no GWP is indicated, the default value 0 applies until a GWP value is included by means of the procedure foreseen in paragraph 9 (a) (ii) of Article 2.

The following annex shall be added to the Protocol after Annex E:

“Annex F: Controlled substances

Group	Substance	100-Year Global Warming Potential
<i>Group I</i>		
CHF ₂ CHF ₂	HFC-134	1,100
CH ₂ FCF ₃	HFC-134a	1,430
CH ₂ FCHF ₂	HFC-143	353
CHF ₂ CH ₂ CF ₃	HFC-245fa	1,030
CF ₃ CH ₂ CF ₂ CH ₃	HFC-365mfc	794
CF ₃ CHF ₂ CF ₃	HFC-227ea	3,220
CH ₂ FCF ₂ CF ₃	HFC-236cb	1,340
CHF ₂ CHF ₂ CF ₃	HFC-236ea	1,370
CF ₃ CH ₂ CF ₃	HFC-236fa	9,810
CH ₂ FCF ₂ CHF ₂	HFC-245ca	693
CF ₃ CHF ₂ CHF ₂ CF ₃	HFC-43-10mee	1,640
CH ₂ F ₂	HFC-32	675
CHF ₂ CF ₃	HFC-125	3,500
CH ₃ CF ₃	HFC-143a	4,470
CH ₃ F	HFC-41	92

CH ₂ FCH ₂ F	HFC-152	53
CH ₃ CHF ₂	HFC-152a	124
<i>Group II</i>		
CHF ₃	HFC-23	14,800

Article II: Relationship to the 1999 Amendment

No State or regional economic integration organization may deposit an instrument of ratification, acceptance or approval of or accession to this Amendment unless it has previously, or simultaneously, deposited such an instrument to the Amendment adopted at the Eleventh Meeting of the Parties in Beijing, 3 December 1999.

Article III: Relationship to the United Nations Framework Convention on Climate Change and its Kyoto Protocol

This Amendment is not intended to have the effect of excepting hydrofluorocarbons from the scope of the commitments contained in Articles 4 and 12 of the United Nations Framework Convention on Climate Change or in Articles 2, 5, 7 and 10 of its Kyoto Protocol.

Article IV: Entry into force

1. Except as noted in paragraph 2, below, this Amendment shall enter into force on 1 January 2019, provided that at least twenty instruments of ratification, acceptance or approval of the Amendment have been deposited by States or regional economic integration organizations that are Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. In the event that this condition has not been fulfilled by that date, the Amendment shall enter into force on the ninetieth day following the date on which it has been fulfilled.

2. The changes to Article 4 of the Protocol, Control of trade with non-Parties, set out in Article I of this Amendment shall enter into force on 1 January 2033, provided that at least seventy instruments of ratification, acceptance or approval of the Amendment have been deposited by States or regional economic integration organizations that are Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. In the event that this condition has not been fulfilled by that date, the Amendment shall enter into force on the ninetieth day following the date on which it has been fulfilled.

3. For purposes of paragraphs 1 and 2, any such instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

4. After the entry into force of this Amendment, as provided under paragraphs 1 and 2, it shall enter into force for any other Party to the Protocol on the ninetieth day following the date of deposit of its instrument of ratification, acceptance or approval.

Article V: Provisional application

Any Party may, at any time before this Amendment enters into force for it, declare that it will apply provisionally any of the control measures set out in Article 2J, and the corresponding reporting obligations in Article 7, pending such entry into force.

I hereby certify that the foregoing text is a true copy of the Amendment adopted on 15 October 2016 at the Twenty-Eighth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, which was held in Kigali, Rwanda, from 10 to 15 October 2016.

Je certifie que le texte qui précède est une copie conforme de l'Amendement adopté le 15 octobre 2016 à la vingt-huitième Réunion des Parties au Protocole de Montréal relatif à des substances qui appauvrissent la couche d'ozone, tenue à Kigali, Rwanda, du 10 au 15 octobre 2016.

For the Secretary-General,
The Under-Secretary-General
for Legal Affairs and
United Nations Legal Counsel

Pour le Secrétaire général,
Le Secrétaire général adjoint
aux affaires juridiques et Conseiller
juridique des Nations Unies



Miguel de Serpa Soares

United Nations
New York, 18 November 2016

Organisation des Nations Unies
New York, le 18 novembre 2016

Official Gazette n° Special of 20/04/2017

Bibonywe ngo bishyirwe ku mugereka w'Iteka rya Perezida n°143/01 ryo ku wa 13/04/2017 ryemeza burundu ibyavugururwe ku masezerano ya Montreal yerekeye ibintu byangiza akayunguruzo k'imirasire y'izuba, yemerejwe i Kigali ku wa 15/10/2016

Kigali, ku wa **13/04/2017**

(sé)

KAGAME Paul
Perezida wa Repubulika

(sé)

MUREKEZI Anastase
Minisitiri w'Intebe

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)

BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to the Presidential Order n°143/01 of 13/04/2017 ratifying the amendment to the Montreal Protocol on substances that deplete the ozone layer, adopted at Kigali on 15/10/2016

Kigali, on **13/04/2017**

(sé)

KAGAME Paul
President of the Republic

(sé)

MUREKEZI Anastase
Prime Minister

Seen and sealed with the Seal of the Republic:

(sé)

BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Présidentiel n°143/01 du 13/04/2017 portant ratification de l'amendement au protocole de Montréal relatif à des substances qui appauvrissent la couche d'ozone, adopté à Kigali le 15/10/2016

Kigali, le **13/04/2017**

(sé)

KAGAME Paul
Président de la République

(sé)

MUREKEZI Anastase
Premier Ministre

Vu et scellé du Sceau de la République:

(sé)

BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux