

III. FINAL ELEMENTS

A. Decision-making⁸⁹

121. Decisions under this Protocol shall be taken only by Parties to this Protocol.⁹⁰

B. Amendments

Proposal 1

122. Amendments to this instrument may be made, mutatis mutandis, in accordance with the procedures set out in Article 15 of the Convention.⁹¹

Proposal 2

123. Any Party may propose amendments to the Protocol.

124. Amendments to the Protocol shall be adopted at [a Meeting of the Parties⁹²/an ordinary session of the Conference of the Parties⁹³]. The text of any proposed amendment to the Protocol shall be communicated to the Parties by the secretariat at least six months before the session at which it is proposed for adoption. The secretariat shall also communicate proposed amendments to the signatories to the Protocol and, for information, to the Depositary.

125. The Parties shall make every effort to reach agreement on any proposed amendments to the Protocol by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a [two-thirds⁹⁴/three fourths⁹⁵] majority vote of the Parties present and voting at the meeting. The adopted amendment shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties for their acceptance.

126. Instruments of acceptance in respect of an amendment shall be deposited with the Depositary. An amendment adopted in accordance with paragraph 3 above shall enter into

⁸⁹*Note to reader: This section should be considered together with that on "Conference of the Parties/Meeting of the Parties", "Amendments" and "Adoption and Amendment of Annexes".*

⁹⁰AOSIS, incorporating a proposal from Switzerland

⁹¹Chairman's proposal, based on proposals from Australia, Switzerland and Russian Federation

⁹²AOSIS

⁹³EU

⁹⁴AOSIS

⁹⁵EU