

Proposal 2

142. Annexes to the Protocol shall form an integral part thereof and, unless otherwise expressly provided, a reference to the Protocol constitutes at the same time a reference to any annexes thereto. Annexes other than those adopted together with the Protocol shall be restricted to lists, forms and any other material of a descriptive nature that is of a scientific, technical, procedural or administrative character.

143. Any Party may make proposals for an annex to the Protocol and may propose amendments to Annexes to the Protocol.

144. Proposals for an annex to the Protocol and for amendments to Annexes to the Protocol shall be adopted at a session of the Conference of the Parties. The text of any proposed annex to the Protocol shall be communicated to the Parties by the secretariat at least three months before the session at which it is proposed for adoption. The secretariat shall also communicate any proposed annex to the Protocol or any amendment to an annex to the Protocol to the signatories to the Protocol and, for information, to the Depositary.

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

146. An annex that has been adopted or amended in accordance with paragraph 3 and 4 above shall enter into force for all Parties to the Protocol six months after the date of the communication by the Depositary to such Parties of the adoption or amendment of the annex, except for those Parties that have notified the Depositary, in writing, within that period of their non-acceptance of the annex or amendment. The annex or amendment shall enter into force for Parties which withdraw their notification of non-acceptance on the ninetieth day after the date on which withdrawal of such notification has been received by the Depositary.

147. If the adoption of an annex or an amendment to an annex involves an amendment to the Protocol, that annex or amendment to an annex shall not enter into force until time as the amendment to the Protocol enters into force.

148. For the purposes of this Article, "Parties present and voting" means Parties present and casting an affirmative or negative vote.¹⁰³

Proposal 3

149. Elaboration of any annexes dealing with lists in Annexes I and II to the Convention, and any other listing of Parties shall be in accordance with Article 4.2(f) and 4.2(g) of the Convention.¹⁰⁴

¹⁰³EU

¹⁰⁴G-77 and China