



United Nations
Environment
Programme



Distr.
RESTRICTED



UNEP/WG.69/3
1 January 1982

Original: ENGLISH*

UNEP Ad Hoc Working Group of Legal
and Technical Experts for the Elaboration
of a Global Framework Convention for the
Protection of the Ozone Layer

Stockholm, 20-29 January 1982

DRAFT INTERNATIONAL CONVENTION
FOR THE PROTECTION OF THE
STRATOSPHERIC OZONE LAYER

TEXT SUBMITTED BY THE
DELEGATIONS OF FINLAND AND SWEDEN

*Versions in French, Spanish and Russian will be available at the meeting only.

Na.81-1508

Article 1

FUNDAMENTAL OBLIGATION

1. The contracting parties shall limit, reduce and prevent activities under their jurisdiction or control which have or are likely to have adverse effects upon the stratospheric ozone-layer.
2. To this end they shall take all relevant legislative, administrative, technical and other measures, in particular as specified in the present convention and its annexes.

Article 2

CO-OPERATION

The contracting parties shall co-operate actively with each other and with the competent international bodies in developing and harmonizing policies and strategies for the protection of the stratospheric ozone-layer.

Article 3

EXCHANGE OF INFORMATION

1. To fulfil the obligations set out in articles 1 and 2 of the present convention the contracting parties agree to facilitate and encourage the exchange of relevant legal, scientific and technical information related to activities taken or planned to limit and reduce the emission of substances which have or are likely to have adverse effects on the stratospheric ozone-layer.
2. In particular, the contracting parties shall provide the institutions established in accordance with articles 7, 8 and 9 of the present convention with all relevant legal, scientific and technical information on activities under their jurisdiction or control which have or are likely to have adverse effects on the stratospheric ozone layer.

Article 4

NATIONAL REPORTS

The contracting parties shall establish a periodic reporting system which shall cover all the necessary information on activities within the jurisdiction or control of the contracting party, having or likely to have adverse effects on the stratospheric ozone-layer, in a form determined by the conference of the parties established under article 7 of the present convention. The reports shall be submitted to the secretariat established under article 8 of the present convention.

Article 5

TRANSFER OF TECHNOLOGY AND KNOWLEDGE

The contracting parties shall promote, through collaboration of the institutions established in the present convention, the transfer of technology and knowledge i.a. through:

- a) the training of the necessary scientific and technical personnel:
- b) the supply of necessary equipment and facilities for research and monitoring:
- c) the supply of information on new technologies to replace those which have or are likely to have adverse effects on the stratospheric ozone-layer.

Article 6

AUTHORITIES

Each contracting party shall, for the purposes of the present convention, designate an appropriate authority or authorities to:

- a) survey and monitor the activities within the jurisdiction or control of that contracting party which have or are likely to have adverse effects on the stratospheric ozone-layer:
- b) provide and receive the information mentioned in articles 3 and 4.

Article 7

CONFERENCE OF THE PARTIES

1. A meeting of the conference of the parties shall be called not later than two years after the entry into force of present convention.
2. Thereafter, meetings of the conference of the parties will be held once every two years unless the conference decides otherwise or at anytime on the written request of at least one third of the contracting parties upon convocation by the secretariat. The first meeting of the conference of the parties shall be called by the secretariat of the United Nations Environment Programme (UNEP).
3. The conference shall elect its chairman and consider and adopt the rules of procedure for the conference
4. At its meetings the conference shall exercise overall supervision over the implementation of the present convention and:
 - a) make such provision as may be necessary for the secretariat to carry out its duties and adopt financial provisions:

- b) consider and adopt amendments in the present convention as well as to the annexes thereof as laid down in article 12, paragraph 1 and article 13:
 - c) consider and adopt new annexes to the present convention as laid down in article 12, paragraph 2:
 - d) make recommendations on measures relating to the purposes of the present convention:
 - e) review the condition of the stratospheric ozone-layer:
 - f) review the progress made in the implementation of the present convention and consider the national reports submitted to the secretariat in accordance with article 4 as well as consider reports submitted to it by the secretariat, working groups and the scientific technological committee established under article 9 of the present convention:
 - g) define measures to combat substances having or likely to have adverse effects on the stratospheric ozone layer and adopt guidelines for the development of alternative technology and established criteria for the reduction of adverse effects on the stratospheric ozone-layer:
 - h) establish such scientific, technical or legal working groups as deemed necessary for the implementation of the present convention:
 - i) to seek, when appropriate, the services of competent regional and other international organizations, World Health Organization (WHO) and World Meteorological Organization (WMO) to collaborate in scientific research and other activities pertinent to the objectives of the present convention:
 - j) take all other measures deemed necessary for the fulfilment of the purposes of the present convention.
5. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any state not a party to the present convention, may be represented at meetings of the conference of the parties by observers who shall have the right to participate but not to vote. Anybody or agency technically qualified in the protection of the ozone-layer, whether national or international governmental or non-governmental, which has informed the secretariat of its desire to be represented at meetings of the conference, may be admitted unless at least one third of the parties present object. Once admitted, these observers shall have the right to participate, but not to vote.

Article 8

THE SECRETARIAT

1. Upon entry into force of the present convention a secretariat shall be provided by the Executive Director of the United Nations Environment Programme.
2. The secretariat may adopt financial provisions in accordance with article 7, paragraph 4a.
3. Any contracting party not being a member of UNEP shall make an appropriate contribution to the expenses incurred by the secretariat in performing its duties.
4. The secretariat shall be located with the secretariat of the United Nations Environment Programme.
5. The functions of the secretariat shall be:
 - a) to arrange for and service meetings of the conference of the parties:
 - b) to arrange and service meetings of the scientific-technological committee established under article 9 of the present convention and working groups established by the conference of the parties:
 - c) to undertake scientific and technical studies in accordance with programmes authorized by the conference of the parties for the fulfilment of the obligations of the present convention:
 - d) to collect, analyse and present to the conference of the parties and the scientific-technical committee established under article 9 and the working groups the information provided by the parties to the present convention in accordance with article 3:
 - e) to analyse and present to the conference of the parties the national report submitted by the parties in accordance with article 4 and request from parties such further information as might be necessary to ensure the implementation of the present convention:
 - f) to invite the attention of the parties to any matter pertaining to the aims of the present convention:
 - g) to prepare reports on its work and present them to the conference of the parties:
 - h) to perform such other functions as deemed necessary by the conference of the parties:

Article 9

SCIENTIFIC-TECHNOLOGICAL COMMITTEE

A scientific-technological committee is hereby established for the purposes of the present convention. The committee shall consist of the representatives of the contracting parties. Conference shall determine and adopt the rules procedure of the committee.

The functions of the committee shall be:

- a) to co-ordinate and promote research on the generation and depletion of the stratospheric ozone layer concerning, inter alia, atmospheric chemistry, reaction mechanisms, modelling and measurement techniques and instrumentation:
- b) to organize monitoring of the stratospheric ozone layer and the substances influencing it:
- c) to survey the effects of increased ultra-violet radiation on human health, terrestria and aquatic ecosystems and climate and other effects created by the discharge of chloro-fluoro-carbons:
- d) to review the information received by the secretariat and the national reports submitted in accordance with article 4 of the present convention and to request such additional information from the contracting parties as deemed necessary by the committee and in conformity with the present convention:
- e) to prepare measures to combat the discharge of substances which have or are likely to have adverse effects on the stratospheric ozone-layer, guidelines for the development of alternative technology and to report to the conference on the activities carried out within the framework of the committee:
- f) to perform such other functions as may be deemed necessary by the conference of the parties.

Article 10

SETTLEMENT OF DISPUTES

1. In a case of a dispute between contracting parties as to the interpretation or application of the present convention, they shall seek solution by negotiation. If the parties concerned cannot reach agreement they should seek the good offices of or jointly request the mediation by a third contracting party, a qualified international organization or a qualified person.

2. If the parties concerned have not been able to resolve their dispute through negotiation or have been unable to agree on measures as described above, such disputes shall be, upon common agreement, referred to an ad-hoc tribunal, to a permanent arbitration tribunal or to the international court of justice.

Article 11

STATUS OF ANNEXES

The annexes shall be considered as an integral part of the present convention.

Article 12

AMENDMENT OF THE CONVENTION AND THE ANNEXES AND ADOPTION OF NEW ANNEXES

1. Each contracting party may propose amendments to the present convention and its annexes or the adoption of new annexes and request the convening of a meeting of the conference of the parties to consider such proposals. The secretariat shall circulate such proposals to all contracting parties.

Within 6 months from date of such communication not less than third of the contracting parties reply favourably to such request, the secretariat shall convene the conference.

2. The amendments and the new annexes shall be adopted by a two-third majority of the contracting parties present and voting. For these purposes "parties present voting" means parties present and casting an affirmative or negative vote.

Article 13

AMENDMENT BY SIMPLIFIED PROCEDURE

1. A contracting party may propose by written communication addressed to the secretariat an amendment to the present convention or its annexes to be adopted by a simplified procedure.
2. The secretariat shall circulate such communications to all contracting parties.
3. If, at any time within a period of 6 months thereafter, a contracting party objects to the proposed amendment or to the proposal for its adoption by simplified procedure, it shall be considered rejected. The secretariat shall notify all contracting parties accordingly. If, on the expiry of 6 months no contracting party has objected to the proposed amendment or to the proposal for its adoption by simplified procedure, it shall be considered adopted. The secretariat shall notify all contracting parties accordingly.

Article 14

ENTRY INTO FORCE OF AMENDMENTS AND NEW ANNEXES

1. An amendment of a new annex shall enter into force for the contracting parties which have accepted it 60 days after two-thirds of the parties have deposited an instrument of acceptance of the amendment for the new annex with the depositary. Thereafter, an amendment or the new annex shall enter into force for any other party 60 days after the party deposits its instrument of acceptance of the amendment or the new annex.
2. Any state which becomes a party to the convention after the entry into force of amendments or new annexes in accordance with paragraph 1 shall, failing an expression to the contrary by the State:
 - a) be considered a party to the present convention as amended and including the new annexes: and
 - b) be considered a party to the unamended convention not including the new annexes in relation to any contracting party not bound by the amendments or the new annexes.

Article 15

RESERVATIONS

The provisions of the present convention shall not be subject to reservations.

Article 16

The present convention shall be open for signature at
from by

Article 17

RATIFICATION, ACCEPTANCE, APPROVAL AND ACCESSION

1. The present convention shall be subject to ratification, acceptance or approval.
2. The present convention shall be open for accession as from.....
by the States and organizations referred to in Article 16.
3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Executive Director or the United Nations Environment Programme who shall perform the functions of the depositary.

Article 18

ENTRY INTO FORCE OF THE CONVENTION

1. The present convention shall enter into force on the ninetieth day after the date of deposit in theinstrument of ratification, acceptance, approval or accession.

2. For each contracting party which ratifies, accepts or approves the present convention or accedes thereto after the deposit of the instrument of ratification, acceptance, approval or accession, the convention shall enter into force on the ninetieth day after the date of deposit by such contracting party of its instrument of ratification, acceptance, approval or accession.

Article 19

WITHDRAWAL

At any time after five years from the date on which the present convention has come into force with respect to a contracting party, that contracting party may withdraw from the convention by giving written notification to the depositary. Any such withdrawal shall take effect on the ninetieth day after the date of its receipt by the depositary.

Article 20

FUNCTIONS OF THE DEPOSITARY

The Executive Director of the United Nations Environment Programme shall inform all signatory and acceding States of signatures, deposits of instruments of ratification, acceptance, approval or accession, entry force of the present convention, amendments thereto and withdrawals from the convention.

As soon as the present convention enters into force, a certified copy thereof shall be transmitted by the Executive Secretary of the United Nations Environment Programme to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the United Nations Charter.

Article 21

AUTHENTIC TEXTS

The original of the present convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Executive Director of the United Nations Environment Programme.

In witness whereof the undersigned, being duly authorized to that effect, have signed the present convention.

Done at