



United Nations
Environment
Programme



WG.110/CRP.1
22 October 1984

ORIGINAL: ENGLISH

DRAFT PROTOCOL ON CHLOROFLUOROCARBONS

Revised text submitted by Canada, Norway, Sweden and
the United States of America

PREAMBLE

The Parties to the present Protocol,

BEING Contracting Parties to the Convention for the Protection of the Ozone Layer,

MINDFUL of their obligation under the Convention to take all appropriate measures to protect human health and the environment from adverse effects which could result from modification of the ozone layer,

RECOGNIZING that world-wide emissions of chlorofluorocarbons could significantly deplete and otherwise modify the ozone layer, resulting in adverse effects on human health and the environment,

RECOGNIZING also the potential climatic effects of chlorofluorocarbon emissions,

RECOGNIZING further the desirability of reducing the total global emissions of chlorofluorocarbons, and determined to take precautionary measures to control such emissions,

CONSIDERING that emissions of chlorofluorocarbons used in aerosols can be relatively economically controlled,

HAVE AGREED as follows:

ARTICLE I: DEFINITIONS

For the purposes of the present Protocol,

1. "The Convention" means the Convention for the Protection of the Ozone Layer;
2. "A Party" or "the Parties" means a contracting party or the contracting parties to the Protocol;
3. "The Secretariat" means the Secretariat of the Convention;
4. "Chlorofluorocarbons" or "CFC" means any fully halogenated chlorofluoroalkane.

ARTICLE II: CONTROL OF THE USE OF CFCs IN AEROSOLS

1. Each Party shall:

(a) Within two years after the entry into force of the present Protocol, ensure that its total annual use of CFCs in aerosols does not exceed 60 per cent of the amount of CFCs it used in aerosols in the year of its maximum use prior to the entry into force of the present Protocol;

(b) Within four years after the entry into force of the present Protocol, ensure that its total annual use of CFCs in aerosols does not exceed 20 per cent of the amount of CFCs it used in aerosols in the year of its maximum use prior to the entry into force of the present Protocol;

(c) Within six years after the entry into force of the present Protocol, ensure that its total annual use of CFCs in aerosols does not exceed 20 per cent of the amount of CFCs it used in aerosols in the year of its maximum use prior to the entry into force of the present Protocol;

2. The requirements of paragraph 1 shall not apply to any Party which:

(a) Within four years after the entry into force of the Present Protocol, prohibits all uses of CFCs in aerosols except for those uses it considers to be essential, and

(b) Within six years after the entry into force of the Present Protocol, prohibits all exports of CFCs in aerosols except for those uses it considers to be essential.

3. The provisions of the present article shall in no way affect the right of the Parties to adopt measures stricter than those provided for in paragraphs 1 and 2.

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ARTICLE III: REVIEW OF CONTROL MEASURES

The Parties shall periodically assess the control measures provided for in article II, taking into account the scientific research and systematic observations conducted pursuant to article 3 of the Convention, with a view to determining the need to amend these measures.

ARTICLE IV: REPORTING OF INFORMATION

1. Within one year after the entry into force of the present Protocol, each Party shall inform the Secretariat of its year of maximum use of CFCs in aerosols, as provided for in article II, and the total amount of such use in that year.

2. Each Party shall submit annually to the Secretariat:

(a) Aggregated data on the total amount of CFCs used and the total amounts of CFCs exported in aerosols;

(b) A list of the uses it considers essential pursuant to paragraph 2 of article II;

(c) Information on national laws, regulations, policy directives or other measures adopted to implement this Protocol;

(d) Any other information to indicate its implementation of the present Protocol.

3. The Parties may adopt more specific guidelines or procedures for reporting of information at any meeting of the Parties.

ARTICLE V: RESEARCH AND DEVELOPMENT

1. Recognizing that reductions gained by implementation of article II may be offset by potential growth in other uses of CFCs, the Parties shall co-operate in promoting research and development on the control, limitation, reduction and prevention of all CFC emissions, such as:

(a) Development and application of best practicable control technologies;

(b) Development and application of substitutes for CFCs and CFC products;

(c) Research on the costs and benefits of various control strategies.

2. Each Party shall submit to the Secretariat a summary of activities conducted pursuant to the present article on a biennial basis.

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ARTICLE VI: TECHNICAL ASSISTANCE

1. The Parties shall co-operate in promoting technical assistance to facilitate participation in and implementation of the present Protocol, taking into account in particular the needs of developing countries.
2. Any Party or Signatory to the present Protocol in need of technical assistance in implementing it may submit a request to the Secretariat.

ARTICLE VII: SECRETARIAT FUNCTIONS

1. The Secretariat shall:
 - (a) Arrange for and service meetings of the Parties;
 - (b) Distribute to the Parties information on each Party's year of maximum use of CFCs in aerosols and the total amount of its use in that year, as reported by the Parties in accordance with Article IV;
 - (c) Prepare and distribute to the Parties an annual report based on information received pursuant to articles IV and V;
 - (d) Notify the Parties of any request for technical assistance received pursuant to article VI;
 - (e) Perform such other functions as may be assigned by the Parties.

ARTICLE VIII: MEETINGS OF THE PARTIES

1. The Secretariat shall convene the first meeting of the Parties within one year after the entry into force of the present Protocol and in conjunction with a meeting of the Conference of the Contracting Parties to the Convention, if the latter meeting is scheduled within that period.
2. Subsequent ordinary meetings of the Parties shall be held in conjunction with meetings of the Contracting Parties to the Convention, unless otherwise decided by the Parties. The Parties may hold extraordinary meetings as provided for in article 6 of the Convention.
3. The functions of the meetings of the Parties shall be to:
 - (a) Review implementation of the present Protocol;
 - (b) Establish guidelines or procedures for reporting of information as provided for in article IV;

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- (c) Review requests for technical assistance provided for in article VI;
- (d) Review reports received from the Secretariat pursuant to article VII;
- (e) Consider proposals for review of the control measures provided for in article II, pursuant to article III;
- (f) Consider other proposals for amendment of the present Protocol.

ARTICLE IX: RELATIONSHIP OF THE PRESENT PROTOCOL TO THE CONVENTION

1. The provisions of the Convention with respect to any Protocol shall apply to the present Protocol.
2. The Rules of Procedure and Financial Rules adopted pursuant to article 6, paragraph 3 of the Convention shall apply to the present Protocol, unless the Parties agree otherwise.

ARTICLE X: ENTRY INTO FORCE

1. The present Protocol shall enter into force on the thirtieth day following the date of deposit of the fifth instrument of ratification, acceptance, approval or accession submitted by any Contracting Party to the Convention.
2. Thereafter, any Contracting Party to the Convention shall become a Party to the present Protocol on the thirtieth day following the date of deposit of its instrument of ratification, acceptance, approval or accession, and shall assume all obligations currently in effect for other Parties.

ARTICLE XI: AUTHENTIC TEXTS

The original of the present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF THE UNDERSIGNED, BEING DULY AUTHORIZED TO THAT EFFECT, HAVE SIGNED THE PRESENT PROTOCOL.

DONE AT THIS
DAY OF
