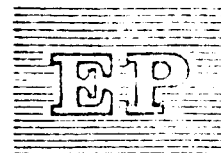




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Ad Hoc Working Group of Legal and Technical Experts
for the Preparation of the Protocol on
Chlorofluorocarbons to the Vienna Convention for
the Protection of the Ozone Layer (Vienna Group)

Geneva, 1-5 December 1986

REVISED DRAFT PROTOCOL ON CHLOROFLUOROCARBONS
SUBMITTED BY THE US
PREAMBLE

ARTICLE II: CONTROL MEASURES

1. Within () years after entry into force of this Protocol, each Party shall ensure that its aggregate annual emissions of fully-halogenated alkanes does not exceed its 1986 level.
2. Within () years after entry into force of this Protocol, each Party shall ensure that its aggregate annual emissions of fully-halogenated alkanes is reduced by (20) percent from its 1986 level.
3. Within () years after entry into force of this Protocol, each Party shall ensure that its aggregate annual emissions of fully-halogenated alkanes is reduced by (50) percent from its 1986 level.
4. Within () years after entry into force of this Protocol, each Party shall ensure that its aggregate annual emissions of fully-halogenated alkanes is reduced by (95) percent from its 1986 level.
5. The right of any Party to adopt control measures more stringent than contained herein is not restricted by this article.

....

ARTICLE III: CALCULATION OF AGGREGATE ANNUAL EMISSIONS

1. For the purposes of Article II, each Party shall calculate its aggregate annual emissions by taking its:

- (a) Aggregate annual production;
- [(b) Plus aggregate annual bulk imports;]
- [(c) Minus aggregate annual bulk exports to other Parties;]
- [(d) Minus aggregate annual amount of fully-halogenated alkanes which have been destroyed or permanently encapsulated.]

2. To calculate the aggregate amounts specified in the subparagraphs of paragraph 1, each Party shall multiply the amount of each fully-halogenated alkane by its ozone depletion weight, as specified in Annex A, and then add the products.

ARTICLE IV: ASSESSMENT AND ADJUSTEMENT OF CONTROL MEASURES

1. The Parties shall co-operate in establishing an international monitoring network for detecting, or aiding in the prediction of, modification of the ozone layer.

2. At least one year before implementing the reductions specified in paragraphs 2, 3 and 4, respectively, of Article II, the Parties shall convene an Ad Hoc panel of scientific experts, with composition and terms of reference determined by the Parties, to review advances in scientific understanding of modification of the ozone layer and the potential health, environmental and climatic effects of such modification.

3. In light of such scientific review, the Parties shall jointly assess and may adjust the stringency, timing, and scope of the control measures in Article II and the ozone depletion weights in Annex A.

4. Any such adjustment shall be made by amending Article II and/or Annex A as provided in Article 9 of the Convention, except that such amendment would not be subject to the six month advance notice requirement of paragraph 2 of that Article.

ARTICLE V: CONTROL OF TRADE

1. Within () years after entry into force of this Protocol, each Party shall ban the import of fully-halogenated alkanes in bulk from any state not party to this Protocol, [unless such state is in full compliance with Article II and this Article and has submitted information to that effect as specified in paragraph 1 of Article VI].

.... /

Annex

SCHEDULE A

The following chemical substances [and their relative ozone depletion potential] are believed to have the potential, either alone or in combination, to modify adversely the ozone layer and, thus, are to be considered in the development of control measures pursuant to this Protocol:

Trichlorofluoromethane	(CFC-11)	1.00
Dichlorodifluoromethane	(CFC-12)	0.86
Trichlorotrifluoroethane	(CFC-113)	0.80
Dichlorotetrafluoroethane	(CFC-114)	0.60
[Chlorodifluoromethane	(CFC-22)	0.05]
[1,1,1,-Trichloroethane	(Methyl Chloroform)	0.15]
[Bromotrifluoromethane	(Halon 1301)	10.00]
[Bromochlorodifluoromethane	(Halon 1211)	10.00]
[Tetrachloromethane	(Carbon Tetrachloride)	1.11]

[Weighting factors may be revised according to the percentage of total production that is actually emitted.]

SCHEDULE B

National emission limits (NEL) are allocated in accordance with the following apportionment procedure:

(a) Apportion [25 per cent] of the global emission limit (GEL) as specified in article II, paragraph 1 (a), of this Protocol, among the nations of the world, on the basis of their share of world population in [1983]. (Data taken from the International Monetary Fund Data Base);

(b) Apportion [75 per cent] of the global emission limit (GEL) as specified in article II, paragraph 1 (a), among the nations of the world, on the basis of the relative size of their gross national product (GNP) in [1983]. (Data taken from the International Monetary Fund Data Base);

(c) Add (a) and (b) to determine each country's NEL.

2. Within () years after entry into force of this Protocol, each Party shall ban:

- (a) The export of technologies to the territory of non-Parties;
- [(b) Direct investment in facilities in the territory of non-Parties for producing fully-halogenated alkanes, [unless such state is in full compliance with Article II and this Article and has submitted information to that effect as specified in paragraph 1 of Article VI].

3. The Parties shall jointly study the feasibility of restricting imports of products containing or produced with fully-halogenated alkanes from any state not party to this Protocol.

ARTICLE VI: REPORTING OF INFORMATION

1. Each Party shall submit annually to the Secretariat data showing its calculation of aggregate annual emissions of fully-halogenated alkanes, as specified in Article III, using the format developed by the Secretariat pursuant to paragraph 3A.

2. Each Party shall submit to the Secretariat appropriate information to indicate its compliance with Article V.

3. The Secretariat shall:

- (a) Develop and distribute to all Parties a standard format for reporting such data as indicated by paragraph 1;
- (b) Take appropriate measures to ensure the confidentiality of all data submitted to it pursuant to paragraph 1, except for the aggregate annual emissions figures;
- (c) Compile and distribute annually to all Parties a report of the aggregate annual emissions figures and other information submitted to it pursuant to paragraph 2.

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Ad Hoc Working Group of Legal and Technical Experts
for the Preparation of a Protocol on
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First Session
Geneva, 1-5 December 1986

USSR PROPOSAL FOR ARTICLE II

ARTICLE II: CONTROL MEASURES

1. The Parties recognize that it is essential to establish an agreed limit for the permissible annual volume of world-wide production of CFCs [11, 12].
2. The Parties consider it essential to establish maximum permissible volumes of annual consumption of CFCs for each of the States Parties to the Protocol, on the basis of the agreed limit for the annual volume of world-wide production of CFCs and the population of each country.
3. The provisions concerning the establishment of maximum permissible volumes of annual consumption of CFCs shall not extend to the developing countries, bearing in mind their special circumstances and requirements.
4. Each Party undertakes not to exceed, up to the year 2000, the maximum permissible volume of annual consumption of CFCs agreed for it. The transition to the established maximum permissible volumes of consumptions shall be effected over a period of three years from the entry into force of the Protocol.
5. The Parties shall take measures to devise alternative technologies by the year 2000 with a view to reducing atmospheric emissions of CFCs and other substances capable of affecting the ozone layer, and shall co-operate in the development and realization of the best possible technologies.
6. The provisions of the present article shall in no way affect the right of the Parties to adopt more stringent measures than those set out in paragraphs 1-4.