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COMMENTS BY AUSTRALIA ON THE DRAFT UNEP PROTOCOL ON THE CONTROL OF CHLOROFLUOROCARBONS

INTRODUCTION

3. AUSTRALIA WELCOMES THE OPPORTUNITY PROVIDED BY THE UNEP EXECUTIVE DIRECTOR'S INVITATION OF 27 MAY 1987 TO SUBMIT COMMENTS ON THE TEXT OF THE DRAFT PROTOCOL ON CONTROL OF CHLOROFLUOROCARBONS IN THE VERSION WHICH RESULTS FROM THE THIRD SESSION OF THE AD HOC WORKING GROUP (APRIL 1987).

4. WE ARE PLEASED TO NOTE THE SUBSTANTIAL PROGRESS MADE IN THE NEGOTIATIONS AT THE THIRD MEETING AND WE TRUST THAT THIS PROGRESS WILL BE MAINTAINED IN THE ACTIVITIES LEADING UP TO THE DIPLOMATIC CONFERENCE IN SEPTEMBER. AUSTRALIA CONTINUES TO SUPPORT THE DIRECTION THE DEVELOPMENT OF THE PROTOCOL IS TAKING AND LOOKS FORWARD TO ITS CONCLUSION AT THE MONTREAL CONFERENCE.

5. THE COMMENTS PROVIDED AT THIS TIME ARE CONFINED TO THE MORE SIGNIFICANT ISSUES CURRENTLY UNDER CONSIDERATION IN THE NEGOTIATIONS. IN ADDITION, IT SHOULD BE NOTED THAT DOMESTIC CONSULTATIONS AND BACKGROUND STUDY ARE PROCEEDING AS THE PROTOCOL EVOLVES, AND THIS MAY LEAD TO FUTURE MODIFICATION OF OUR VIEWS ON SOME MATTERS.

ARTICLE 11 : CONTROL MEASURES

6. AUSTRALIA NOTES THE EMERGENCE OF INTERNATIONAL SCIENTIFIC ADVICE WHICH INDICATES THE NEED TO LIMIT AND REDUCE GLOBAL EMISSIONS OF CFCs AND HALONS.

IT IS A MATTER FOR CAREFUL ASSESSMENT AND JUDGEMENT AS TO HOW THE PROTOCOL TO BE AGREED AT THE DIPLOMATIC CONFERENCE...

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INSTITUTE CONTROL MEASURES WHICH WILL BEGIN IN A SIGNIFICANT WAY TO PROVIDE PROTECTION FOR THE OZONE LAYER:

PROVIDE FOR A PHASED APPROACH TO IMPLEMENTATION OF CONTROL MEASURES THAT -

- IS REASONABLY CAPABLE OF ACHIEVEMENT THROUGH BOTH CHANGED PATTERNS OF USE AND THROUGH ALTERED TECHNOLOGIES WITHIN INDUSTRIES WHICH ARE CAUSING SIGNIFICANT EMISSIONS OF CFCs AND THE HALONS;
- CAN BE REFINED OVER TIME IN THE LIGHT OF IMPROVED SCIENTIFIC KNOWLEDGE; AND
- WILL ENCOURAGE UNIVERSAL ACCESSION TO THE PROTOCOL;

7. THE PROPOSAL TO INCLUDE IN THE ARTICLE ON REVIEW ACTIONS (ARTICLE III) PROVISION FOR QUADRENNIAL SCIENTIFIC REVIEWS, BEGINNING IN 1990, IS STRONGLY SUPPORTED.

8. THE REVISED DRAFT TEXT OF ARTICLE II CIRCULATED BY THE UNEP EXECUTIVE DIRECTOR AT THE CONCLUSION OF THE THIRD AD HOC WORKING GROUP MEETING (APRIL '87) IS A POSITIVE CONTRIBUTION TO THE NEGOTIATIONS AND IS THE FOCUS FOR THE FOLLOWING COMMENTS.

SCOPE OF CHEMICALS

WE CONSIDER THAT THE CONTRIBUTION OF CFCs 11, 12 AND 113 TO POTENTIAL OZONE DEPLETION REQUIRES THAT THESE CERTAINLY BE INCLUDED IN THE SCOPE OF THE INITIAL PACKAGE OF CONTROL MEASURES.

IT IS NOTED THAT CURRENTLY GLOBAL PRODUCTION OF CFCs 114 AND 115 IS LOW; HOWEVER THESE SUBSTANCES HAVE AN OZONE DEPLETION ACTIVITY OF THE SAME ORDER AS CFCs 11, 12 AND 113, AND THEREFORE UNRESTRAINED GROWTH IN EMISSIONS OF THESE SUBSTANCES WOULD BE OF CONCERN. FURTHERMORE, IT IS NOTED THAT RESTRICTIONS ON CFC 11, 12 AND 113 MAY LEAD TO SUBSTITUTION BY CFCs 114 AND 115. THESE FACTORS LEAD US TO PREFER INCLUSION OF CFCs 114 AND 115 IN THE INITIAL SCOPE OF CHEMICALS TO BE CONTROLLED.

9. IT IS ALSO NOTED THAT HALONS 1211 AND 1301 HAVE A VERY HIGH OZONE DEPLETION ACTIVITY. HENCE, EVEN THOUGH THE CURRENT LEVEL OF PRODUCTION OF THESE SUBSTANCES IS LOW COMPARED TO SOME OF THE CFC'S IT IS IMPORTANT THAT THEIR GROWTH BE RESTRAINED, SO THAT THEY DO NOT BECOME A SIGNIFICANT CONTRIBUTOR TO OVERALL OZONE DEPLETION. THESE HALONS SHOULD BE ADDRESSED IN THE CURRENTLY PROPOSED PROTOCOL.

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10. THE CONTROL MEASURES INITIALLY CONTAINED IN THE PROTOCOL SHOULD BE AS SIMPLE AS POSSIBLE TO ADMINISTER. CONSEQUENTLY, THOSE SUBSTANCES WHICH CURRENTLY OR IN THE MEDIUM TERM MAKE A LESS SIGNIFICANT CONTRIBUTION TO POTENTIAL OZONE DEPLETION SHOULD BE EXCLUDED FROM THE SCOPE. THUS, LIMITS SHOULD NOT BE PROPOSED AT THIS TIME ON EMISSIONS OF HALOCARBONS SUCH AS METHYL CHLOROFORM, AND CFCs 22, 123, 132B AND 134A BECAUSE EACH OF THESE HAS A LOW OZONE DEPLETION POTENTIAL OR A LOW LEVEL OF PRODUCTION (OR BOTH).

11. THE CONTROL MEASURES SHOULD ADDRESS THE AGGREGATE EFFECT OF THE SET OF CONTROLLED CHEMICAL SUBSTANCES, WITH WEIGHTING BEING GIVEN TO THE INTRINSIC OZONE DEPLETION POTENTIAL EXHIBITED BY EACH SUBSTANCE. THIS APPROACH WILL ALLOW INDIVIDUAL COUNTRIES MAXIMUM FLEXIBILITY IN DECIDING THE OPTIMAL MEANS TO ACHIEVE IN AN EQUITABLE WAY THE GOALS SPECIFIED WITHIN THE PROTOCOL.

VARIATIONS TO THE SCOPE OF CHEMICALS COVERED BY THE PROTOCOL SHOULD BE CONSIDERED FROM TIME TO TIME UNDER THE REVIEW PROCESS PROVIDED FOR IN THE DRAFT PROTOCOL.

DEFINITION OF EMISSIONS

AUSTRALIA SUPPORTS FORMULATION OF CONTROL MEASURES IN THE TERMS OF COMBINED ADJUSTED ANNUAL PRODUCTION (I.E. DOMESTIC PRODUCTION + IMPORTS - EXPORTS).

CONTROL ACTIONS

AUSTRALIA SUPPORTS THE PROPOSAL TO USE 1986 AS THE REFERENCE POINT UPON WHICH TO BASE THE SPECIFICATION OF CONTROL MEASURES.

THE PROVISIONS CONTAINED IN PARAS. 1 TO 3 OF THE DRAFT ARTICLE II, VI:

- A FREEZE APPLYING TO COMBINED ADJUSTED ANNUAL PRODUCTION SET AT 1986 LEVELS WHICH WOULD COME INTO EFFECT TWO YEARS AFTER ENTRY INTO FORCE OF THE PROTOCOL; AND

- A 20% REDUCTION IN COMBINED ADJUSTED ANNUAL PRODUCTION TAKING EFFECT FOUR YEARS AFTER ENTRY INTO FORCE OF THE PROTOCOL,

ARE SUPPORTED.

12. WE SEE MERIT IN INCLUDING IN THE INITIAL PACKAGE OF CONTROL MEASURES AN INDICATIVE SECOND STAGE OF REDUCTION OF EMISSIONS. ON BALANCE, THE MOST APPROPRIATE FORMULA COULD INCLUDE A FURTHER 30% CUT-BACK AFTER A FURTHER 4 YEARS (IE. 8 YEARS AFTER THE PROTOCOL COMES INTO EFFECT,) WHICH WOULD APPLY SEMI-AUTOMATICALLY. THIS VIEW ASSUMES THAT THE ABOVE POSITION ON A BROAD SCOPE OF CFCs AND HALONS IS FOLLOWED.

13. WE SEE BENEFIT IN THE APPROACH WHICH PROVIDES FOR A SEMI-AUTOMATIC CUT-BACK. THIS WOULD GIVE A STRONG SIGNAL TO GOVERNMENTS AND INDUSTRY ON THE MEDIUM TO LONG TERM GOALS AGAINST WHICH THEY SHOULD BE PLANNING. HOWEVER, THE FINAL FORM OF THIS SECOND STAGE CUT-BACK SHOULD BE SUBJECT TO CAREFUL EVALUATION IN TERMS OF THE QUADRENNIAL SCIENTIFIC REVIEWS (TWO OF WHICH WOULD BE MADE BEFORE THE SECOND CUT-BACK OCCURRED). IN LIGHT OF THE CONCLUSIONS OF THIS EVALUATION PROCESS, THE SECOND CUT-BACK MAY NEED TO BE VARIOUS; FOR EXAMPLE, TO BE MADE LESS OR MORE STRINGENT, TO INCLUDE OTHER SUBSTANCES OR TO DELETE SOME CONTROLLED SUBSTANCES. OF

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14. AS NOTED EARLIER, WE CONSIDER THAT THE PROTOCOL SHOULD BE FRAMED WITH A MIND TO ACHIEVING GREATEST COMPLIANCE. THIS MAY GIVE SOME COURSE FOR A DEGREE OF TRADE-OFF AGAINST THE DEGREE OF STRINGENCY APPLYING IN THE CONTROL MEASURES IN THE EARLY PERIOD.

ARTICLE ON CONTROL OF TRADE

15. AUSTRALIA GENERALLY SUPPORTS THE THRUST OF THE DRAFT ARTICLE. SEPARATE COMMENTS WILL BE PROVIDED ON DETAILS OF THE TEXT AS OCCASION PROVIDES.

ARTICLE ON LOW CONSUMING COUNTRIES

16. AUSTRALIA PREFERS THE USE OF THE TERM 'LOW CONSUMING COUNTRY' RATHER THAN 'DEVELOPING COUNTRY' AND SUPPORTS THE PROPOSED DEFINITION OF LOW CONSUMING COUNTRIES. HOWEVER, WE HAVE NO SPECIFIC VIEW AT THIS POINT ON WHETHER THE SPECIFIC THRESHOLD MIGHT BE EITHER 0.1 OR 0.2 KG/CAPITA/YEAR.

17. WE ALSO SUPPORT AN EXEMPTION FOR A SPECIFIED TIME FOR LOW CONSUMING COUNTRIES PROVIDED THAT THE ANNUAL ADJUSTED PRODUCTION DOES NOT GROW TO EXCEED, AS AN EXAMPLE, EITHER 0.15 OR 0.3 KG/CAPITA/YEAR (IE. 150 PERCENT THE THRESHOLD FIGURE) DURING THE EXEMPTION. A RELATIVELY LONG PERIOD OF EXEMPTION SHOULD BE PROVIDED IN PARA 2, SO AS NOT TO BE UNDULY RESTRICTIVE FOR THOSE COUNTRIES WHICH MAY NOT HAVE THE ECONOMIC IMPETUS OR INDUSTRIAL INFRASTRUCTURE TO ATTAIN THE SPECIFIED LIMITS ON CONSUMPTION AT THE EXPIRY OF ANY ARBITRARY TIME PERIOD. TO A LARGE EXTENT, THE CAPACITY OF LOW CONSUMING COUNTRIES TO LIMIT USE OF CFCs WILL BE AFFECTED BY THE RATE AT WHICH PRACTICAL ALTERNATIVE TECHNOLOGIES FOR BASIC USES SUCH AS REFRIGERATION BEING AVAILABLE.

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