

Vienna Convention and Montreal Protocol

Number 8/16

Fact Sheet

International legal efforts to protect ozone layer have important implications for international actions dealing with climate change.

Climate Change

Protecting the ozone layer

International legal efforts to protect ozone layer have important implications for climate change. The *1985 Vienna Convention for Protection of the Ozone Layer*, and the *1987 Montreal Protocol on Substance that Depletes the Ozone Layer* do not directly address climate change. Both, however, aim to phase out CFCs, a group of greenhouse gases (GHGs).

Under UNEP, the Vienna Convention is legally binding on its parties to protect the human health and environment against the "adverse effects" of depleting the ozone layer. It entered into force in 1988, with 81 states and the EC countries as parties to it. The Convention defines "adverse effects" as including climate change.

Vienna Convention

As a framework convention, the *Vienna Convention* regulates only broad principles. It requires member states to:

- ♦ co-operate on research into the causes of ozone depletion;
- ♦ research into the effects of ozone depletion on climate;
- ♦ find alternative technologies to minimise the use of CFCs;
- ♦ co-operate in adopting legal and policy measures to counteract activities harmful to the atmosphere; and,
- ♦ facilitate the transfer of technology and transmission of information to developing countries.

Montreal Protocol

The *Montreal Protocol*, on the other hand, regulates the details, and entered into force on 1 January 1989. By September 1991, 74 states and EC countries, controlling 95% of World's consumption of substances controlled by the Protocol, were Parties.

The Montreal Protocol regulates the production of CFCs, halons and carbon tetrachloride, which are all GHGs. Parties are obligated to phase these out by 2000.

The most relevant mechanisms of the Protocol, amended at the second Meeting of Parties in June 1990, incorporated stronger measures. Instead of "freeing levels", it called for "phasing out" ozone-depleting substances by 2000. The measures include:

- ♦ the scheduled phasing out of target gases;
- ♦ exchanging rights to produce but not to exceed scheduled production of CFCs;
- ♦ banning trade in controlled substances with non-parties;
- ♦ establishing dual standards for developed and developing countries;
- ♦ establishing a finance mechanism in which developed countries will help developing countries - e.g. US \$160 million in January 1991
- ♦ establishing committees for implementation, an executive, and an ad hoc Technical Advisory Committee on Destruction Technologies;
- ♦ listing HCFCs as "transitional substances" for use by countries, but with the aim to eventually replace these with more environmentally friendly substances.

□

