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CO-OPERATION: ENVIRONMENT

ECONOMIC AND SOCIAL COUNCIL
Second regular session
of 1989
DEVELOPMENT AND INTERNATIONAL
ECONOMIC CO-OPERATION:
ENVIRONMENT

Protection of the ozone layer

Note by the Secretary-General

The Secretary-General has the honour to submit to the members of the General Assembly and to those of the Economic and Social Council the report of the Executive Director of the United Nations Environment Programme, prepared pursuant to General Assembly resolution 42/182 of 11 December 1987.

* A/44/50/Rev.1.

ANNEX

Report by the Executive Director of the United Nations
Environment Programme

Summary

By its resolution 42/182 of 11 December 1987, the General Assembly requested the Executive Director of the United Nations Environment Programme to submit to the General Assembly at its forty-fourth session, through the Governing Council of the United Nations Environment Programme and the Economic and Social Council, a report on the implementation of resolution 42/182 and any further information regarding the Montreal Protocol on Substances that Deplete the Ozone Layer that the Programme may be in a position to provide.

Consequently, the Executive Director submitted to the Governing Council at its fifteenth session a report on the status of the Vienna Convention for the Protection of the Ozone Layer and the Protocol thereto (UNEP/GC.15/9/Add.3) as required by Governing Council decision 14/28 of 17 June 1987 and General Assembly resolution 42/182.

1. The first meeting of the Conference of the Parties to the Vienna Convention on the Protection of the Ozone Layer and the first meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer were held at Helsinki at the invitation of the Government of Finland from 26 to 28 April and 2 to 5 May 1989, respectively.

2. The first meeting of the Conference of the Parties to the Vienna Convention was attended by representatives of 31 countries and the European Economic Community (EEC) as parties to the Vienna Convention, 32 countries as observers and 17 organizations.

3. The Conference:

(a) Adopted by consensus the rules of procedure;

(b) Decided that each Contracting Party should report to the secretariat the measures adopted by the Party for the implementation of the Convention in a standard format, which the secretariat should design;

(c) In the field of research, observation and technology transfer, decided to give priority to (i) research on the potential substitute substances, particularly their ozone-depleting potential and their greenhouse-warming potential, implications of the change in ultraviolet radiation at the earth's surface, and effects on the atmosphere of the other ozone-depleting substances; (ii) expanded monitoring, particularly in the tropics and the southern hemisphere, and to monitoring the rarer gases as well; and (iii) a study of the social and economic effects of ozone depletion;

(d) Established the Bureau and the Research Managers as subsidiary bodies of the Conference to facilitate the implementation of the Convention, especially in the field of science and technology. The Bureau should hold a maximum of two meetings between the meetings of the Conference of the Parties to the Vienna Convention, and the Research Managers, who have been assigned the tasks of reviewing ongoing national and international research and of identifying gaps that need to be addressed, should hold a meeting biennially in conjunction with the meetings of the Bureau;

(e) Adopted the Arbitration Procedures in accordance with article 11, paragraph 3 (a), of the Vienna Convention;

(f) Designated the United Nations Environment Programme as the secretariat of the Convention and decided to base the secretariat at Nairobi;

(g) Adopted the 1990-1991 budget of \$US 790,000, decided to establish a Trust Fund to be administered by the Executive Director of the United Nations Environment Programme, and adopted the terms of reference for the Trust Fund and the formula for voluntary contributions to the Trust Fund.

4. The first meeting of the Parties to the Montreal Protocol was attended by 31 countries and the EEC as Parties to the Protocol, 51 countries as observers and 21 organizations.

5. The meeting:

(a) Adopted by consensus the rules of procedure;

(b) Endorsed the establishment of four international panels for scientific, environmental, technical and economic assessments for the purpose of reviewing and assessing the control measures in the Protocol and adopted the terms of reference for these panels;

(c) Considered the components for the workplans required under articles 9 and 10 of the Protocol on research, development, public awareness, exchange of information and technical assistance. These include (i) dissemination and regular updating of the reports of the panels; (ii) development of a programme for demonstration projects, training courses, and the exchange and provision of experts; (iii) preparation of studies on retrofit technologies (substitute technologies applicable to existing appliances that use controlled substances); (iv) facilitation of the production and wide dissemination of public information; (v) exploration of ways of promoting the exchange of information on and the transfer of substitute substances and alternative technologies; and (vi) initiatives to support activities in the programmes of the international organizations and financing agencies contributing towards the implementation of the Protocol;

(d) Established an open-ended working group to review and consolidate the four reports of the assessment panels and, based on the review and the consolidated report, to prepare draft amendments to the Protocol. The working group shall also develop the above-mentioned workplans and work out the modalities required for assistance to the developing countries;

(e) Established a working group of legal experts to develop and submit by 1 November 1989 proposals on procedures and institutional mechanisms for determining non-compliance with the provisions of the Protocol;

(f) Accepted the ozone-depleting potential for Halon 2402 as 6.0;

(g) Requested the Panel for Scientific Assessment to consider the ozone-depleting potentials, greenhouse-warming potentials and the atmospheric lifetimes of various atmospheric constituents and to give particular attention to the potential substitute substances as well as methyl chloroform and carbon tetrachloride;

(h) Decided that each Party would be required to report its annual production, imports and exports of each individual controlled substance. The Parties submitting such data as they deemed confidential may request a guarantee from the secretariat that the data would be treated with professional secrecy and maintained as confidential. In preparing reports on such data, the secretariat

should aggregate such data so as to ensure that the data deemed to be confidential was not disclosed. The Party requesting such data under article 12, paragraph b, should send a written request to the secretariat guaranteeing that the data would be treated with professional secrecy;

- (i) Clarified the following terms and definitions:
 - (i) Controlled substances (in bulk);
 - (ii) Controlled substances produced, article 1, paragraph 5;
 - (iii) Basic domestic needs, articles 2 and 5;
 - (iv) Industrial rationalization, article 1, paragraph 8 and article 2, paragraphs 1 to 5;
 - (v) Developing countries, article 5;
 - (vi) Destruction, article 1, paragraph 5;
 - (vii) Article 2, paragraph 6 (production from new facilities);
 - (viii) Exports and imports of used controlled substances;
- (j) Recognized the urgent need to establish financial and other mechanisms to enable the developing countries to meet the requirements of the Protocol in acquiring the alternative substances and technology and established an open-ended working group to develop modalities for such mechanisms, including adequate international funding mechanisms;
- (k) Adopted the 1990-1991 budget of \$US 1,580,000 and established a Trust Fund to be administered by the Executive Director of the United Nations Environment Programme. The meeting adopted the terms of reference for the administration of the Trust Fund and the formula for voluntary contributions to the Trust Fund for the Protocol.
