

**MONTREAL PROTOCOL ON SUBSTANCES THAT  
DEplete THE OZONE LAYER**

**FINAL ACT**

**1987**

Na.87-6106

1. The Conference of Plenipotentiaries on the Protocol on Chlorofluorocarbons to the Vienna Convention for the Protection of the Ozone Layer was convened by the Executive Director of the United Nations Environment Programme (UNEP) pursuant to decision 13/19 adopted by the Governing Council of UNEP on 23 May 1985.
2. The Conference met at the Headquarters of the International Civil Aviation Organization, Montreal, with the kind support of the Government of Canada, from 14 to 16 September 1987.
3. All States were invited to participate in the Conference. The following States accepted the invitation and participated in the Conference:

Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burkina Faso, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Congo, Costa Rica, Czechoslovakia, Denmark, Democratic Yemen, Egypt, Finland, France, Germany, Federal Republic of, Ghana, Greece, Indonesia, Israel, Italy, Japan, Kenya, Korea, Republic of, Luxembourg, Malaysia, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Panama, Peru, Philippines, Portugal, Senegal, Spain, Sweden, Switzerland, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

4. The European Economic Community also participated.
5. Observers from the following States attended the proceedings of the Conference.  
Dominica Republic, Ecuador, Hungary, India, Kuwait, Poland.
6. Observers from the following United Nations bodies, specialized agencies, intergovernmental and non-governmental organizations also attended the Conference: World Meteorological Organization (WMO), General Agreement on Tariffs and Trade (GATT), International Civil Aviation (ICAO), Organization of African Unity (OAU), Council of the European Communities (CEC), Organization for Economic Co-operation and Development (OECD), International Chamber of Commerce (ICC), Federation of European Aerosol Associations, European Chemical Industry Federation, Chemical Manufacturers Association, Natural Resources Defense Council, World Resources Institute, Environmental Defense Fund, Greenpeace, Friends of the Earth, Seattle Foundation (Canada), Mammouth International Humanitarian Societies Square Project Inc. (Canada), Watto Laboratories International (Canada), Dr. F.A. Homonnay and Associates (Canada), International Organization of Automobile Manufacturers, Alliance for Responsible CFC Policy, Air-Conditioning and Refrigeration Institute (USA), Environmental Protection Agency (USA), Institute for European Environment Policy, National Fire Protection Association, DuPont Canada, The Beloff Group (Canada), Produits Chimiques Allied Canada Inc., United States Air Force.

7. The Conference was formally opened by Dr. Mostafa K. Tolba, the Executive Director of UNEP. In the course of the inaugural ceremony, the Conference heard a welcoming address by the Honourable Tom McMillan, P.C., M.P., Minister of the Environment, on behalf of the Government of Canada.

8. Dr. Mostafa K. Tolba served as Secretary-General of the Conference and Dr. Iwona Rummel-Bulska (UNEP) served as Executive Secretary.

9. The Conference unanimously elected Ambassador W. Lang (Austria) as its President.

10. The Conference also elected the following officers:

Vice-Presidents:           Ambassador E. Hawas (Egypt)  
                                  Dr. V. Zakharov (Union of Soviet Socialist Republics)

Rapporteur:                Mr. C.R. Roque (Philippines)

11. The Conference adopted the following agenda:

1. Opening of the Conference.
2. Organizational matters:
  - (a) Adoption of the rules of procedures;
  - (b) Election of the President;
  - (c) Election of the Vice-President and Rapporteur;
  - (d) Adoption of the agenda;
  - (e) Appointment of the members of the Credentials Committee;
  - (f) Appointment of members of the Drafting Committee;
  - (g) Organization of the work of the Conference.
3. Consideration of the draft Protocol to the Vienna Convention for the Protection of the Ozone Layer.
4. Report of the Credentials Committee.
5. Adoption of the Protocol to the Vienna Convention for the Protection of the Ozone Layer.
6. Adoption of the Final Act of the Conference.
7. Signature of final instruments.
8. Closure of the Conference.

12. The Conference adopted as its rules of procedure document UNEP/IG./9/2 proposed by the Secretariat.

13. In conformity with the rules of procedure, the Conference established the following Committees:

Committee of the Whole:

Chairman: The President of the Conference

General Committee:

Chairman: The President of the Conference

Members: The Vice-President of the Conference, the Rapporteur and the Chairman of the Drafting Committee

Drafting Committee:

Chairman: Mr. Jon J. Allen (Canada)

Members: Argentina  
Australia  
France  
Japan  
United Kingdom  
United States

Credentials Committee:

Chairman: Ambassador Jose M. Bustani (Brazil)

Members: Finland  
Germany, Federal Republic of  
Indonesia  
Kenya  
Mexico  
Norway

14. The main documents which served as the basis for the deliberations of the Conference were:

Seventh Revised Draft Protocol on [Chlorofluorocarbons] [and other Ozone Depleting Substances], UNEP/IG.93/3 and Rev. 1;

Reports of the Ad Hoc Working Group of Legal and Technical Experts for the Elaboration of a Protocol on Chlorofluorocarbons to the Vienna Convention for the Protection of the Ozone Layer (Vienna Group), UNEP/WG.15L/L.4, UNEP/WG.167/2 and UNEP/WG.172/2.

15. In addition, the Conference had before it a number of other documents that were made available to it by the Secretariat of UNEP.

16. The Conference approved the recommendation of its Credential Committee that the credentials of the representatives of the participating States as listed in paragraph 3 should be recognized as being in order.

17. On the basis of the deliberations of the Committee of the Whole, the Conference, on 16 September 1987, adopted the Montreal Protocol on Substances that Deplete the Ozone Layer. The Protocol, which is appended to this Final Act, will be open for signature at the Ministry for External Affairs of Canada in Ottawa from 17 September 1987 to 16 January 1988 and at the United Nations Headquarters in New York from 17 January 1988 to 15 September 1988.

18. The Conference also adopted the following resolutions which are appended to this Final Act:

- a. Resolution on the Montreal Protocol.
- b. Resolution on the exchange of technical information.
- c. Resolution on the reporting of data.
- d. Tribute to the Government of Canada.

19. At the time of adoption of this Final Act, some delegations made declarations which are recorded in this document.

IN WITNESS WHEREOF the representatives have signed this Final Act.

DONE at Montreal, this sixteenth day of September one thousand nine hundred and eighty seven in one original in the Arabic, Chinese, English, French, Russian and Spanish languages, each language version being equally authentic. The original text will be deposited with Secretary-General of the United Nations.

## 1. RESOLUTION ON THE MONTREAL PROTOCOL

The Conference,

Having adopted the Montreal Protocol on Substances that Deplete the Ozone Layer,

Noting with appreciation that the Protocol was opened for signature in Montreal on 16 September 1987,

Recalling the Vienna Convention for the Protection of the Ozone Layer, adopted on 22 March 1985,

Bearing in mind the Resolution of the Conference of Plenipotentiaries on the Protection of the Ozone Layer adopted on the same day which urged in the sixth operative paragraph “all States and regional economic integration organizations, pending entry into force of a protocol, to control their emissions of CFCs, inter-alia in aerosols, by any means at their disposal, including controls on production or use, to the maximum extent practicable”.

1. Calls upon all States and regional economic integration organizations that have not yet done so to implement the sixth paragraph, bearing in mind the special situation of the developing countries;
2. Appeals to all States to become Parties to the Vienna Convention for the Protection of the Ozone Layer;
3. Urges all States and regional economic integration organizations, including those that have not participated in this Conference, to sign and become Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer;
4. Requests the Executive Director of the United Nations Environment Programme to forward this Resolution to the Secretary-General of the United Nations and to circulate it to all states and regional economic integration organizations.

## 2. RESOLUTION ON THE EXCHANGE OF TECHNICAL INFORMATION

The Conference,

Having adopted the Montreal Protocol on Substances that Deplete the Ozone Layer,

Realizing the importance of reducing as quickly as possible the emissions of these substances,

Recognizing the need for an early exchange of information on technologies and strategies to achieve this,

1. Requests the Executive Director of the United Nations Environment Programme (UNEP), pending the first meeting of the Parties, to make appropriate arrangements to facilitate the exchange of information on technology referred to in Articles 9 and 10 of the Protocol;
2. Appeals to interested States and regional economic integration organization to sponsor, at the earliest opportunity, in co-operation with UNEP, a workshop with the aim of:
  - (a) Exchange information on technologies and administrative strategies for reducing emissions of the substances listed in Annex A to the Protocol and for developing alternatives, taking into account paragraph 2 of Annex II to the Vienna Convention for the Protection of the Ozone Layer; and
  - (b) Identifying areas in which further research and technical development are required,
3. Urges all interested Parties to participate in and contribute to such a workshop and to make expeditious use of the information so gained in order to reduce the emissions of those substances and to develop alternatives.



### 3. RESOLUTION ON REPORTING OF DATA

The Conference,

Having adopted the Montreal Protocol on Substances that Deplete the Ozone Layer,

Convinced that the timely reporting of complete and accurate data on the production and consumption of controlled substances is critical to the effective and efficient implementation of this Protocol,

1. Calls upon all signatories to take, expeditiously, all steps necessary to acquire data and report on the production, import and export of controlled substances in a complete and timely fashion in accordance with Article 7 of the Protocol and taking into account paragraph 1 of Article 4 of the Vienna Convention for the Protection of the Ozone Layer;
2. Invites Signatories to consult with other Signatories, and to seek advice and assistance from the United Nations Environment Programme (UNEP) and other relevant international organizations, as necessary, in designing and implementing data reporting systems;
3. Calls upon the Executive Director of UNEP to convene, within six months of the adoption of this Resolution, a meeting of governmental experts with the assistance of experts from relevant international organizations to make recommendations for the harmonization of data on production, imports and exports to ensure consistency and comparability of data on controlled substances.

#### **4. TRIBUTE TO THE GOVERNMENT OF CANADA**

The Conference,

Having met in Montreal from 14 to 16 September 1987 at the gracious invitation of the Government of Canada,

Convinced that the efforts made by the Government of Canada and by the civic authorities of Montreal in providing facilities, premises and other resources contributed significantly to the smooth conduct of its proceedings,

Deeply appreciative of the courtesy and hospitality extended by the Government of Canada and the City of Montreal to the members of the delegations, observers and the secretariat attending the Conference,

Expresses its sincere gratitude to the Government of Canada, to the authorities of Montreal and, through them, to the Canadian people and in particular to the population of Montreal for the cordial welcome which they accorded to the Conference and to those associated with its work and for their contribution to the success of the Conference.

## DECLARATIONS

### **made at the time of adoption of the Final Act of the Conference of Plenipotentiaries on the Montreal Protocol on Substances that Deplete the Ozone Layer.**

1. Speaking on behalf of the developing countries, the delegate from Egypt stated that the developing countries' understanding on Article 2 of the Montreal Protocol on Substances that Deplete the Ozone Layer is that any of its provisions will in no way affect the agreement reached on subparagraph (c) of Article 3 on Articles 4 and 5.
2. Speaking on behalf of the European Economic Community, the delegates from Denmark stated that all Member States of the European Economic Community and EEC will sign the Montreal Protocol on Substances that Deplete the Ozone Layer and that all Member States and EEC will ratify the Vienna Convention for the Protection of the Ozone Layer as soon as possible to allow the Montreal Protocol to enter into force on 1 January 1989.
3. The delegate from the Soviet Union stated that while fully sharing the idea that the trade in CFCs should be controlled, the Soviet Union finds it necessary to include into a corresponding Article a provision allowing Parties to fulfill their earlier commitments. That would be content with the letter and spirit of all international agreements. At the first meeting of the Parties an effort should be made to introduce amendments and corrections into a number of Articles to make the Protocol more flexible and responsive to the needs of different countries, in particular, those with a low level of consumption of ozone depleting substances. At the first meeting of the Parties, among other things, they should consider, besides the ozone depleting substances, the scientific data on the effect of the use of alternative substances on human health and environment as well as ecological consequences. Scientific experts, to this end, should prepare a review of alternatives. In reiterating the will of our country to develop international co-operation in the field of environmental protection and that of the ozone layer, the delegation of the Soviet Union considers, in general, that the present protocol seems to be ready for signing and that after having considered the legal basis of the provisions contained in certain Articles formulated in the last few days of the Conference, the question can be solved.