

2. a) Montreal Protocol on Substances that Deplete the Ozone Layer

Montreal, 16 September 1987

ENTRY INTO FORCE

REGISTRATION:

STATUS:

TEXT:

1 January 1989, in accordance with article 16(1).

1 January 1989, No. 26369.

Signatories: 46. Parties: 197.¹

United Nations, *Treaty Series*, vol. 1522, p. 3; and depositary notifications C.N.285.1988.TREATIES-15 of 20 January 1989 (procès-verbal of rectification of the original Spanish text); C.N.181.1989.TREATIES-9 of 28 August 1989 (modification of Annex A); C.N.225.1990.TREATIES-7 of 7 September 1990 (adoption of adjustments); C.N.246.1990.TREATIES-9 of 14 November 1990 (amendment); C.N.133.1991.TREATIES-3/2 of 27 August 1991 (rectification of the Spanish text of the adjustments and amendment); C.N.227.1991.TREATIES-7 of 27 November 1991 (adoption of Annex D.²); C.N.428.1992.TREATIES-12 of 22 March 1993 (adoption of adjustments and amendment of 1993); C.N.200.1993.TREATIES-2 of 17 September 1992 (procès-verbal of rectification of the original English text of the 1992 amendment); C.N.484.1995.TREATIES-5 of 5 February 1996 (adoption of adjustments); C.N.468.1997.TREATIES-4/1 of 5 December 1997 (adoption of adjustments); C.N.1230.1999.TREATIES-7 of 28 January 2000 (adoption of adjustments); C.N.1096.2007.TREATIES-1 of 14 November 2007 (adoption of adjustments); C.N.535.2009.TREATIES-3 of 2 September 2009 (Proposal of corrections to the Chinese text of the adjustments) and C.N.874.2009.TREATIES-5 of 10 December 2009 (Corrections of adjustments (Chinese text)).

Note: The Protocol was adopted by the Conference of Plenipotentiaries on the Protocol on Chlorofluorocarbons to the Vienna Convention for the Protection of the Ozone Layer, held in Montreal from 14 to 16 September 1987. Open for signature in Montreal on 16 September 1987, in Ottawa from 17 September 1987 to 16 January 1988 and at United Nations Headquarters, New York, from 17 January 1988 to 15 September 1988, in accordance with article 15.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>
Afghanistan.....		17 Jun 2004 a	State of).....		
Albania.....		8 Oct 1999 a	Bosnia and Herzegovina ³		1 Sep 1993 d
Algeria		20 Oct 1992 a	Botswana		4 Dec 1991 a
Andorra		26 Jan 2009 a	Brazil		19 Mar 1990 a
Angola		17 May 2000 a	Brunei Darussalam		27 May 1993 a
Antigua and Barbuda		3 Dec 1992 a	Bulgaria		20 Nov 1990 a
Argentina	29 Jun 1988	18 Sep 1990	Burkina Faso.....	14 Sep 1988	20 Jul 1989
Armenia		1 Oct 1999 a	Burundi		6 Jan 1997 a
Australia.....	8 Jun 1988	19 May 1989	Cabo Verde		31 Jul 2001 a
Austria	29 Aug 1988	3 May 1989	Cambodia.....		27 Jun 2001 a
Azerbaijan.....		12 Jun 1996 a	Cameroon.....		30 Aug 1989 a
Bahamas.....		4 May 1993 a	Canada	16 Sep 1987	30 Jun 1988
Bahrain.....		27 Apr 1990 a	Central African Republic		29 Mar 1993 a
Bangladesh.....		2 Aug 1990 a	Chad.....		7 Jun 1994
Barbados		16 Oct 1992 a	Chile.....	14 Jun 1988	26 Mar 1990
Belarus	22 Jan 1988	31 Oct 1988 A	China ^{4,5}		14 Jun 1991 a
Belgium	16 Sep 1987	30 Dec 1988	Colombia		6 Dec 1993 a
Belize		9 Jan 1998 a	Comoros.....		31 Oct 1994 a
Benin.....		1 Jul 1993 a	Congo.....	15 Sep 1988	16 Nov 1994
Bhutan.....		23 Aug 2004 a	Cook Islands		22 Dec 2003 a
Bolivia (Plurinational		3 Oct 1994 a			

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>
Costa Rica.....		30 Jul 1991 a	Iran (Islamic Republic of).....		3 Oct 1990 a
Côte d'Ivoire.....		5 Apr 1993 a	Iraq.....		25 Jun 2008 a
Croatia ³		21 Sep 1992 d	Ireland.....	15 Sep 1988	16 Dec 1988
Cuba.....		14 Jul 1992 a	Israel.....	14 Jan 1988	30 Jun 1992
Cyprus.....		28 May 1992 a	Italy.....	16 Sep 1987	16 Dec 1988
Czech Republic ⁶		30 Sep 1993 d	Jamaica.....		31 Mar 1993 a
Democratic People's Republic of Korea....		24 Jan 1995 a	Japan.....	16 Sep 1987	30 Sep 1988 A
Democratic Republic of the Congo.....		30 Nov 1994 a	Jordan.....		31 May 1989 a
Denmark ⁷	16 Sep 1987	16 Dec 1988	Kazakhstan.....		26 Aug 1998 a
Djibouti.....		30 Jul 1999 a	Kenya.....	16 Sep 1987	9 Nov 1988
Dominica.....		31 Mar 1993 a	Kiribati.....		7 Jan 1993 a
Dominican Republic.....		18 May 1993 a	Kuwait.....		23 Nov 1992 a
Ecuador.....		30 Apr 1990 a	Kyrgyzstan.....		31 May 2000 a
Egypt.....	16 Sep 1987	2 Aug 1988	Lao People's Democratic Republic.....		21 Aug 1998 a
El Salvador.....		2 Oct 1992 a	Latvia.....		28 Apr 1995 a
Equatorial Guinea.....		6 Sep 2006 a	Lebanon.....		31 Mar 1993 a
Eritrea.....		10 Mar 2005 a	Lesotho.....		25 Mar 1994 a
Estonia.....		17 Oct 1996 a	Liberia.....		15 Jan 1996 a
Ethiopia.....		11 Oct 1994 a	Libya.....		11 Jul 1990 a
European Union.....	16 Sep 1987	16 Dec 1988 AA	Liechtenstein.....		8 Feb 1989 a
Fiji.....		23 Oct 1989 a	Lithuania.....		18 Jan 1995 a
Finland.....	16 Sep 1987	23 Dec 1988 A	Luxembourg.....	29 Jan 1988	17 Oct 1988
France.....	16 Sep 1987	28 Dec 1988 AA	Madagascar.....		7 Nov 1996 a
Gabon.....		9 Feb 1994 a	Malawi.....		9 Jan 1991 a
Gambia.....		25 Jul 1990 a	Malaysia.....		29 Aug 1989 a
Georgia.....		21 Mar 1996 a	Maldives.....	12 Jul 1988	16 May 1989
Germany ^{8,9}	16 Sep 1987	16 Dec 1988	Mali.....		28 Oct 1994 a
Ghana.....	16 Sep 1987	14 Jul 1992	Malta.....	15 Sep 1988	29 Dec 1988
Greece.....	29 Oct 1987	29 Dec 1988	Marshall Islands.....		11 Mar 1993 a
Grenada.....		31 Mar 1993 a	Mauritania.....		26 May 1994 a
Guatemala.....		7 Nov 1989 a	Mauritius.....		18 Aug 1992 a
Guinea.....		25 Jun 1992 a	Mexico.....	16 Sep 1987	31 Mar 1988 A
Guinea-Bissau.....		12 Nov 2002 a	Micronesia (Federated States of).....		6 Sep 1995 a
Guyana.....		12 Aug 1993 a	Monaco.....		12 Mar 1993 a
Haiti.....		29 Mar 2000 a	Mongolia.....		7 Mar 1996 a
Holy See.....		5 May 2008 a	Montenegro ¹⁰		23 Oct 2006 d
Honduras.....		14 Oct 1993 a	Morocco.....	7 Jan 1988	28 Dec 1995
Hungary.....		20 Apr 1989 a	Mozambique.....		9 Sep 1994 a
Iceland.....		29 Aug 1989 a	Myanmar.....		24 Nov 1993 a
India.....		19 Jun 1992 a			
Indonesia.....	21 Jul 1988	26 Jun 1992			

		<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>				<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	
<i>Participant</i>	<i>Signature</i>			<i>Participant</i>	<i>Signature</i>		
Namibia		20 Sep	1993 a	Sri Lanka.....		15 Dec	1989 a
Nauru		12 Nov	2001 a	St. Kitts and Nevis		10 Aug	1992 a
Nepal.....		6 Jul	1994 a	St. Lucia.....		28 Jul	1993 a
Netherlands ¹¹	16 Sep 1987	16 Dec	1988 A	St. Vincent and the Grenadines		2 Dec	1996 a
New Zealand ¹²	16 Sep 1987	21 Jul	1988	Sudan		29 Jan	1993 a
Nicaragua.....		5 Mar	1993 a	Suriname		14 Oct	1997 a
Niger		9 Oct	1992 a	Swaziland.....		10 Nov	1992 a
Nigeria		31 Oct	1988 a	Sweden.....	16 Sep 1987	29 Jun	1988
Niue		22 Dec	2003 a	Switzerland	16 Sep 1987	28 Dec	1988
Norway	16 Sep 1987	24 Jun	1988	Syrian Arab Republic		12 Dec	1989 a
Oman		30 Jun	1999 a	Tajikistan		7 Jan	1998 a
Pakistan.....		18 Dec	1992 a	Thailand.....	15 Sep 1988	7 Jul	1989
Palau		29 May	2001 a	The former Yugoslav Republic of Macedonia ³		10 Mar	1994 d
Panama.....	16 Sep 1987	3 Mar	1989	Timor-Leste		16 Sep	2009 a
Papua New Guinea		27 Oct	1992 a	Togo.....	16 Sep 1987	25 Feb	1991
Paraguay		3 Dec	1992 a	Tonga		29 Jul	1998 a
Peru		31 Mar	1993 a	Trinidad and Tobago		28 Aug	1989 a
Philippines	14 Sep 1988	17 Jul	1991	Tunisia		25 Sep	1989 a
Poland		13 Jul	1990 a	Turkey.....		20 Sep	1991 a
Portugal ^{5,13}	16 Sep 1987	17 Oct	1988	Turkmenistan		18 Nov	1993 a
Qatar		22 Jan	1996 a	Tuvalu		15 Jul	1993 a
Republic of Korea.....		27 Feb	1992 a	Uganda.....	15 Sep 1988	15 Sep	1988
Republic of Moldova		24 Oct	1996 a	Ukraine	18 Feb 1988	20 Sep	1988 A
Romania.....		27 Jan	1993 a	United Arab Emirates		22 Dec	1989 a
Russian Federation	29 Dec 1987	10 Nov	1988 A	United Kingdom of Great Britain and Northern Ireland ^{4,14} ..	16 Sep 1987	16 Dec	1988
Rwanda		11 Oct	2001 a	United Republic of Tanzania.....		16 Apr	1993 a
Samoa		21 Dec	1992 a	United States of America.....	16 Sep 1987	21 Apr	1988
San Marino		23 Apr	2009 a	Uruguay		8 Jan	1991 a
Sao Tome and Principe..		19 Nov	2001 a	Uzbekistan		18 May	1993 a
Saudi Arabia		1 Mar	1993 a	Vanuatu.....		21 Nov	1994 a
Senegal.....	16 Sep 1987	6 May	1993	Venezuela (Bolivarian Republic of)	16 Sep 1987	6 Feb	1989
Serbia ³		12 Mar	2001 d	Viet Nam.....		26 Jan	1994 a
Seychelles		6 Jan	1993 a	Yemen.....		21 Feb	1996 a
Sierra Leone.....		29 Aug	2001 a	Zambia		24 Jan	1990 a
Singapore		5 Jan	1989 a	Zimbabwe		3 Nov	1992 a
Slovakia ⁶		28 May	1993 d				
Slovenia ³		6 Jul	1992 d				
Solomon Islands		17 Jun	1993 a				
Somalia		1 Aug	2001 a				
South Africa.....		15 Jan	1990 a				
South Sudan.....		12 Jan	2012 a				
Spain	21 Jul 1988	16 Dec	1988				

Declarations and Reservations
(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval, accession or succession.)

BAHRAIN

[See under chapter XXVII.2.]

EUROPEAN UNION

"In the light of article 2.8 of the Protocol, the Community wishes to state that its signature takes place on the assumption that all its member states will take the necessary steps to adhere to the Convention and to conclude the Protocol."

[See under chapter XXVII.2.]

HOLY SEE

"In acceding to the Vienna Convention on the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer, as well as its four Amendments: London (1990), Copenhagen (1992), Montreal (1997) and Beijing (1999), the Holy See desires to encourage the entire International Community to be resolute in promoting authentic cooperation between politics, science and economics. Such cooperation, as has

been shown in the case of the ozone regime, can achieve important outcomes, which make it simultaneously possible to safeguard creation, to promote integral human development and to care for the common good, in a spirit of responsible solidarity and with profound positive repercussions for present and future generations.

In conformity with its own nature and with the particular character of Vatican City State, the Holy See, by means of the solemn act of accession, intends to give its own moral support to the commitment of States to the correct and effective implementation of the Treaties in question and to the attaining of the mentioned objectives. To this end, it expresses the wish that by recognizing 'the signs of [an economic growth] that has not always been able to protect the delicate balances of nature' (Homily of Pope Benedict XVI at Loreto, 2 September 2007), all actors will intensify the aforesaid cooperation and strengthen 'the alliance between man and the environment, which must mirror the creative love of God, from whom we come and to whom we are bound' (Benedict XVI, After the Angelus, 16 September 2007)."

Notes:

¹ For the purpose of entry into force of the [Convention/Protocol], any instrument of ratification, acceptance, approval or accession deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that Organization.

² On 27 May 1992, the Government of Singapore notified the Secretary-General, in accordance with article 10 (2) (b) of the Vienna Convention for the Protection of the Ozone Layer, of the following:

"Singapore is still in the process of evaluating the feasibility of imposing controls on all the products listed in Annex D. In the interim, Singapore can only approve the intention to ban import of the following:

(a) All products classified under item 2 of Annex D except domestic refrigerators and freezers; and

(b) All products classified under item 3 of Annex D."

Consequently, on the expiry of six months from the date of its circulation, i.e., 27 May 1992, in accordance with the provisions of article 10 (2) (c) of the Vienna Convention, Annex D became effective in its entirety for all Parties to the Montreal Protocol, with the exception of Singapore, for which the Annex became effective only with respect of the products described above.

Subsequently, on 20 April 1993, the Government of Singapore informed the Secretary-General that "the Republic of Singapore is now in a position to approve the full list of products under Annex D... with immediate effect."

³ The former Yugoslavia had acceded to the Protocol on 3 January 1991. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section in the front matter of this volume.

⁴ On 6 and 10 June 1997, the Secretary-General received communications concerning the status of Hong Kong from the Governments of the United Kingdom and China (see also note 2 under "China" and note 2 under "United Kingdom of Great Britain and Northern Ireland" regarding Hong Kong in the "Historical Information" section in the front matter of this volume). Upon resuming the exercise of sovereignty over Hong Kong, China notified the Secretary-General that the Convention with the reservation made by China will also apply to the Hong Kong Special Administrative Region.

In addition, the notification made by the Government of China contained the following declaration:

Provisions of article 5 of the [said Protocol] will not be applied to the Hong Kong Special Region.

⁵ On 19 October 1999, the Secretary-General received from the Government of China, the following communication:

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the Republic of Portugal on the Question of Macau (hereinafter referred to as the Joint Declaration), the Government of the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999. Macau will, from that date, become a Special Administrative

Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

In this connection, [the Government of the People's Republic of China informs the Secretary-General of the following:]

The Vienna Convention for the Protection of the Ozone Layer, which the Government of the People's Republic of China deposited the instrument of accession on 11 September 1989, as well as the Montreal Protocol on Substances that Deplete the Ozone Layer of 16 September 1987 and the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer of 29 June 1990 (hereinafter referred to as the "Convention, the Protocol and the Amendment"), will apply to the Macau Special Administrative Region with effect from 20 December 1999. The Government of the People's Republic of China also wishes to make the following declaration:

Provisions of Article 5 of the Montreal Protocol on Substances that Deplete the Ozone Layer of 16 September 1987 will not be applied to the Macau Special Administrative Region, and provisions of paragraph 1 of Article 5 of the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer of 29 June 1990 will not be applied to the Macau Special Administrative Region.

The Government of the People's Republic of China will assume responsibility for the international rights, and obligations arising from the application of the Convention, the Protocol and the Amendment to the Macau Special Administrative Region.

In reference to the communication made on 19 October 1999, the Government of China furthermore informs the Secretary-General of the following:

The above-mentioned declaration is solely to make the provisions of the Protocol that had previously applied to Macau continue to so apply to the Macau Special Administrative Region. The declaration is not purported to modify the obligations previously undertaken by Macau under the Protocol and is fully consistent with the objectives and purposes of the Protocol. In fact, the Chinese Government had made a statement of the same nature in the note of 6 June 1997 to the Secretary-General of the United Nations concerning the continuing application of the Protocol to the Hong Kong Special Administrative Region. The past two years and a half since Hong Kong's return to China saw a clear and full understanding on the part of the Parties to the Protocol of the approach adopted by the Chinese Government.

⁶ Czechoslovakia had acceded to the Protocol on 1 October 1990. See also note 1 under "Czech Republic" and note 1 under "Slovakia" in the "Historical Information" section in the front matter of this volume.

⁷ The decision, made on 20 December 1991, to reserve the application to Greenland and the Faroe Islands, was lifted by a notification received on 12 February 1997.

⁸ The German Democratic Republic had acceded to the Protocol on 25 January 1989. See also note 2 under "Germany" in the "Historical Information" section in the front matter of this volume.

⁹ See note 1 under "Germany" regarding Berlin (West) in the "Historical Information" section in the front matter of this volume.

¹⁰ See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

¹¹ For the Kingdom in Europe, the Netherlands Antilles and Aruba.

¹² Upon ratification the Government of New Zealand specified that the Protocol shall not apply to the Cook Islands and Niue.

¹³ On 15 February 1994, the Secretary-General received from the Government of Portugal a notification to the effect that it shall extend the Protocol to Macau.

Subsequently, the Secretary-General received, on 21 October 1999, from the Government of Portugal, the following communication:

"In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that date onwards the People's Republic of China will resume the exercise of sovereignty over Macau with effect from 20 December 1999.

From 20 December 1999 onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau."

¹⁴ In respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Isle of Man, Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands (Malvinas), Gibraltar, Hong Kong (*see also note 3*), Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, Saint Helena, Saint Helena Dependencies, South Georgia and the South Sandwich Islands, Turks and Caicos Islands.

In this regard, the Secretary-General received, from the Government of Argentina the following objection:

The Argentine Republic rejects the ratification of the above-mentioned Convention by the Government of the United Kingdom of Great Britain and Northern Ireland with respect to the Malvinas, South Georgia and South Sandwich Islands and reaffirms its sovereignty over those Islands, which form a part of its national territory.

The United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12 and 39/6 in which it recognizes the existence of a sovereignty dispute concerning the question of the Malvinas and urges the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find as soon as possible a peaceful and definitive solution to the dispute and to their remaining differences relating to the question, through the good offices of the Secretary-General, who is to report

to the General Assembly on the progress made. The United Nations General Assembly also adopted resolution 40/21 and 41/40, which again urge the two parties to resume the negotiations.

The Argentine Republic also rejects the ratification of the above-mentioned Convention by the Government of the United Kingdom of Great Britain and Northern Ireland with respect to what that country calls "British Antarctic Territory".

At the same time, it reaffirms its rights of sovereignty over the Argentine Antarctic Sector located between longitudes 25 ° and 74 ° W and latitude 60 ° S and the South Pole, including its maritime spaces.

It is appropriate to recall, in this connection, the provisions concerning rights of or claims to territorial sovereignty in Antarctica contained in article IV of the Antarctic Treaty.

Further, upon ratification, the Government of Chile declared the following:

[Chile] rejects the declaration made by the United Kingdom of Great Britain and Northern Ireland upon ratification, as it concerns the Chilean Antarctic Territory, including the corresponding maritime zones: [Chile] reaffirms once more its sovereignty over the said territory including its maritime areas, as defined by Supreme Decree No. 1747 of 6 November 1940.

In this connection, the Secretary-General received, on 2 August 1990, from the Government of the United Kingdom, the following objection:

"The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to British sovereignty over the British Antarctic Territory. In this respect, the Government of the United Kingdom would draw attention to the provisions of Article IV of the Antarctic Treaty of 1 December 1959, to which both Chile and the United Kingdom are parties.

For the above reasons, the Government of the United Kingdom reject the Chilean declaration."

In a communication received on 30 August 1990, the Government of the United Kingdom notified the Secretary-General that the Protocol shall extend to the Bailiwick of Guernsey for whose international relations the Government of the United Kingdom is responsible.

The Government of Mauritius, upon acceding to the Convention, made the following declaration:

"The Republic of Mauritius rejects the ratification of [the Protocol] effected by the Government of the United Kingdom of Great Britain and Northern Ireland on 16 December 1988 in respect of the British Indian Ocean Territory namely Chagos Archipelago and reaffirms its sovereignty over the Chagos Archipelago, which form an integral part of its national territory."

Subsequently, on 27 January 1993, the Secretary-General received from the Government of the United Kingdom of Great Britain and Northern Ireland the following communication with respect to the declaration made by the Government of Mauritius:

"The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to British sovereignty over the British Indian Ocean Territory and their consequent right to extend the application of the [said] Convention and Protocol to it. Accordingly, the Government of the United Kingdom do not accept or regard as having any legal effect the declarations made by the Government of the Republic of Mauritius.

