

ច្បាប់ស្តីពីការអនុម័តយល់ព្រម

ឡើយ៖ អាជ្ញាធរមានសមត្ថកិច្ចជាច្បាប់

អនុម័តសេចក្តីសម្រេច

មុខងារអាជ្ញាធរស្តីពីសេវាសាធារណៈ

បំប្លែងសេវាសាធារណៈ

(០៣៤១២០៦)



ព្រះរាជក្រម

នស/រកម/១២០៦/០៣៤

យើង

ព្រះករុណាព្រះបាទសម្តេចព្រះបរមនាថ នរោត្តម សីហមុនី
សមានភូមិជាតិសាសនា រក្ខតខត្តិយា ខេមរារដ្ឋរាស្ត្រ ពុទ្ធិន្ទ្រាធរាមហាក្សត្រ
ខេមរាជនា សមូហោភាស កម្ពុជឯករាជរដ្ឋបូរណសន្តិ សុភមង្គលា សិរីវិបុលា
ខេមរាស្រីពិរាស្ត្រ ព្រះចៅក្រុងកម្ពុជាធិបតី

- បានទ្រង់យល់ រដ្ឋធម្មនុញ្ញនៃព្រះរាជាណាចក្រកម្ពុជា
- បានទ្រង់យល់ ព្រះរាជក្រឹត្យលេខ នស/រ កត/០៧០៤/១២៤ ចុះថ្ងៃទី ១៥ ខែកក្កដា ឆ្នាំ២០០៤ ស្តីពីការតែងតាំងរាជរដ្ឋាភិបាលនៃព្រះរាជាណាចក្រកម្ពុជា
- បានទ្រង់យល់ ព្រះរាជក្រមលេខ ០២/នស/៩៤ ចុះថ្ងៃទី២០ ខែកក្កដា ឆ្នាំ១៩៩៤ ដែលប្រកាសឱ្យប្រើច្បាប់ស្តីពីការរៀបចំនិងការប្រព្រឹត្តទៅនៃគណៈរដ្ឋមន្ត្រី
- បានទ្រង់យល់ ព្រះរាជក្រមលេខ នស/រកម/០១៩៦/២១ ចុះថ្ងៃទី ២៤ ខែ មករា ឆ្នាំ ១៩៩៦ ដែលប្រកាសឱ្យប្រើច្បាប់ស្តីពីការបង្កើតក្រសួងបរិស្ថាន
- បានទ្រង់យល់ សេចក្តីក្រាបបង្គំទូលថ្វាយរបស់សម្តេចនាយករដ្ឋមន្ត្រីនៃរាជរដ្ឋាភិបាលកម្ពុជា និងរដ្ឋមន្ត្រីក្រសួងបរិស្ថាន

ប្រកាសឱ្យប្រើ

ច្បាប់ស្តីពីការអនុម័តយល់ព្រមឱ្យព្រះរាជាណាចក្រកម្ពុជាចូលរួមលើពិធីសារម្តង-
ពីរដ្ឋសភាធាតុបំផ្លាញស្រទាប់អូហ្សូន ដែលរដ្ឋសភាបានអនុម័តកាលពីថ្ងៃទី ២៦
ខែតុលា ឆ្នាំ២០០៦ នាសម័យប្រជុំរដ្ឋសភាលើកទី ៥ នីតិកាលទី

**ច្បាប់
ស្តីពី**

**ការអនុម័តយល់ព្រមឱ្យព្រះរាជាណាចក្រកម្ពុជា
ចូលរួមលើពិធីសារមុនអំណាចស្តីពីសារធាតុបំផ្លាញស្រទាប់អូហ្សូន**

មាត្រា ១._

អនុម័តយល់ព្រមឱ្យព្រះរាជាណាចក្រកម្ពុជាចូលរួមលើពិធីសារមុនអំណាចស្តីពីសារ-
ធាតុបំផ្លាញស្រទាប់អូហ្សូន ដែលធ្វើនៅទីក្រុងម៉ុងអាល់ ប្រទេសកាណាដា នាថ្ងៃទី ១៦ ខែ
កញ្ញា ឆ្នាំ ១៩៨៧ ហើយដែលមានអត្ថបទទាំងស្រុង ភ្ជាប់មកជាមួយនេះ ។

មាត្រា ២._

រាជរដ្ឋាភិបាលនៃព្រះរាជាណាចក្រកម្ពុជា ត្រូវបន្តរាល់នីតិវិធីដើម្បីអនុវត្តពិធីសារ

រាជធានីភ្នំពេញ ថ្ងៃទី ២៦ ខែ ធ្នូ ឆ្នាំ ២០០៦

ភ្នំពេញ ថ្ងៃទី ២៦ ខែ ធ្នូ ឆ្នាំ ២០០៦

ប្រមុខរដ្ឋស្តីទី

ហត្ថលេខា និងព្រះរាជលញ្ឆករ

ជា ស៊ីម

ពល. ០៦១២.៥៤០

បានយកសេចក្តីក្រាបបង្គំទូលថ្វាយ
សូមឡាយព្រះហស្តលេខាព្រះមហាក្សត្រ

នាយករដ្ឋមន្ត្រី

ហត្ថលេខា

ហ៊ុន សែន

បានជម្រាបជូនសម្តេចនាយករដ្ឋមន្ត្រី

ទេសរដ្ឋមន្ត្រី រដ្ឋមន្ត្រីក្រសួងបរិស្ថាន

ហត



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

រាជរដ្ឋាភិបាលកម្ពុជា

លេខ: ១០ ក្រ.ជ.ណ. ២០០៧

សេចក្តីថ្លែងបោក

នៃសេចក្តីព្រាងច្បាប់

ស្តីពីការអនុម័តយល់ព្រមលើពិធីសារមុខអំណាចស្តីពីសារធាតុបំផ្លាញស្រទាប់អូហ្សូន

សារធាតុក្លរូផ្លូរូកាបូន Chlorofluorocarbons (CFCs) ត្រូវបានគេរកឃើញនៅឆ្នាំ ១៩២៨ ក្នុងប្រេងអេប៉ុង សារធាតុធ្វើឱ្យត្រជាក់ម៉ាស៊ីនត្រជាក់ សារធាតុរំលាយ សារធាតុពន្លត់អគ្គីភ័យ។ សារធាតុ CFCs មានជីវិតយូរអង្វែងដែលការកាយរបស់វាបង្កឡើងនូវការបំផ្លាញស្រទាប់អូហ្សូន និងធ្វើការបំផ្លាញខ្ពស់នូវអូហ្សូន។ ការបាត់បង់ស្រទាប់អូហ្សូន ត្រូវបានគេរកឃើញនៅតំបន់អង់តាក់ទិកឆ្នាំ១៩៨៥ ដែលតាំងពីពេលនោះ មកការបាត់បង់នេះត្រូវបានគេរកឃើញនៅរយៈកម្ពស់មធ្យម និងរយៈកម្ពស់ខ្ពស់ ។

ក្នុងការពិចារណាអំពីបរិស្ថាន អង្គការកម្មវិធីបរិស្ថានសហប្រជាជាតិត្រូវបានចាត់តាំងបង្កើតឡើងដើម្បីតាមដាន និងឃ្លាំមើលសភាពការណ៍ប្រែប្រួលនៃបរិស្ថាននៅក្នុងក្របខ័ណ្ឌសកលលោកទាំងមូល និងជាពិសេសដើម្បីលើកឡើងនូវវិធានការចាំបាច់បន្ទាន់មួយចំនួនដែលមនុស្សជាតិត្រូវអនុវត្ត ក្នុងទិសដៅធានានូវនិរន្តរភាពបរិស្ថាន និងរក្សាឱ្យបាននូវតុល្យភាពនៃភពផែនដីនៅក្នុងការអភិវឌ្ឍ ។

ដើម្បីកាត់បន្ថយនូវសារធាតុបំផ្លាញស្រទាប់អូហ្សូន និងអនុវត្តអនុសញ្ញាវិយ៉ែនឱ្យមានប្រសិទ្ធភាពអង្គការ កម្មវិធីបរិស្ថានពិភពលោក និងប្រតិភូមកពីប្រទេសជាច្រើនបានជួបប្រជុំគ្នានៅទីក្រុងម៉ុងរ៉េអាល់នាឆ្នាំ ១៩៨៧ ដើម្បីអនុម័តលើពិធីសារម៉ុងរ៉េអាល់ស្តីពីសារធាតុបំផ្លាញស្រទាប់អូហ្សូន ជាលទ្ធផលពិធីសារនេះ ត្រូវបាន អនុម័តដោយរដ្ឋាភិបាលមកពីប្រទេសជាច្រើន។ ពិធីសារនេះមានការកែសម្រួលជាបន្តបន្ទាប់ ការកែ សម្រួលនេះ ត្រូវបានពង្រឹងតាមរយៈការកែតម្រូវចំនួនបួនដងនៅក្នុងការអនុម័តនៃពិធីសារទីក្រុងឡុងដុង ១៩៩០ ការធ្វើ វិសោធនកម្ម ទីក្រុងកូបេនហាហ្គែ

ក្នុងការទប់ស្កាត់នូវការរិចរិលនៃស្រទាប់អូហ្សូនដែលបង្កដោយសារធាតុបំផ្លាញស្រទាប់អូហ្សូន ដោយកាត់បន្ថយ និងលប់បំបាត់សារធាតុដែលបំផ្លាញស្រទាប់អូហ្សូន ដោយទប់ស្កាត់ និងកាត់បន្ថយការនាំចូល ការប្រើប្រាស់ ការកែច្នៃ និងការផលិតសារធាតុបំផ្លាញស្រទាប់អូហ្សូន និងឧបករណ៍ដែលប្រើប្រាស់សារធាតុទាំងនេះដែលឧបករណ៍ទាំងនេះភាគច្រើនជាឧបករណ៍ចាស់ៗ ជាធម្មតាប្រទេសនៅក្នុងពិភពលោកយើងកំពុងរកកន្លែងបោះចោល ហើយឧបករណ៍ទាំងនេះនឹងត្រូវប្រើប្រាស់លែងកើតបន្ទាប់ពីឆ្នាំ២០១០ ព្រោះសារធាតុទាំងនេះនឹងត្រូវលុបបំបាត់ទាំងស្រុងពីលើពិភពលោកយើង ។

៣.ទទួលបានផលចំណេញផ្នែកនយោបាយ ÷

- បង្ហាញពីឆន្ទៈរបស់ប្រទេសកម្ពុជា ក្នុងការរួមចំណែកដោះស្រាយបញ្ហាបរិស្ថាន ជាមួយសហគមន៍អន្តរជាតិ
- លើកកម្ពស់កិត្យានុភាពជាតិ តាមរយៈការចូលរួមប្រជុំដែលរៀបចំឡើងសម្រាប់ពិភាក្សា ដោះស្រាយបញ្ហាកាត់បន្ថយសារធាតុដែលបំផ្លាញស្រទាប់អូហ្សូន ។

៤-ទទួលបានផលចំណេញផ្នែកបរិស្ថាន ÷

- ក្នុងនាមជាសមាជិកនៃពិធីសារនេះ ប្រទេសកម្ពុជាទប់ស្កាត់បាននូវឥទ្ធិពលនៃការកើនកំដៅដែលធ្វើឱ្យខូចខាតបរិស្ថានធម្មជាតិ និងការប៉ះពាល់លើសុខភាពសាធារណៈ ដោយសារការឆ្លុះឆ្លាយស្រទាប់អូហ្សូន
- ទទួលបាននូវការគាំទ្រលើជំនួយបច្ចេកទេស ក្នុងការបណ្តុះបណ្តាលការផ្តល់នូវបច្ចេកវិទ្យា និងការទទួលព័ត៌មាន និងជំនួយជាវិភាគសម្រាប់អនុវត្តគម្រោងដែលទាក់ទងនឹងការអនុវត្តពិធីសារនេះ ដូចជាការកែច្នៃ ការត្រួតពិនិត្យ ការនាំចូលនូវឧបករណ៍ និងសារធាតុបំផ្លាញស្រទាប់អូហ្សូន ប្រកបដោយសុវត្ថិភាព ។ ដែលបច្ចុប្បន្ននេះ យើងទទួលបានជំនួយផ្នែកពង្រឹងសមត្ថភាព និងការរៀបចំធ្វើកម្មវិធីជាតិដើម្បីកាត់បន្ថយ និងលប់បំបាត់សារធាតុដែលបំផ្លាញស្រទាប់អូហ្សូន ។

-អាចទទួលបានថវិកាក្នុងការរៀបចំប្រព័ន្ធផ្តល់អាជ្ញាប័ណ្ណក្នុងការត្រួតពិនិត្យការនាំចេញនាំចូល ដោយប្រើប្រព័ន្ធព័ត៌មានវិទ្យាទំនើបដែលអាចទប់ស្កាត់ចរាចរទំនិញខុសច្បាប់បានដោយមានប្រសិទ្ធភាព ។

ពិនិត្យជារួម ការចូលជាសមាជិកនៃពិធីសារនេះ ពុំនាំមកនូវផលវិបាកជាអវិជ្ជមានណាមួយដល់ការអភិវឌ្ឍសេដ្ឋកិច្ច-សង្គមរបស់កម្ពុជាឡើយ ។ ផ្ទុយទៅវិញវាគឺជាឱកាសដ៏ល្អមួយដែលអនុញ្ញាតឱ្យកម្ពុជាទទួលបាននូវផលចំណេញលើគ្រប់វិស័យ ដូចបានរៀបរាប់ខាងលើ ដែលជាទុនយ៉ាងសំខាន់សម្រាប់រាជរដ្ឋាភិបាល ក្នុងការអនុវត្តកម្មវិធីកាត់បន្ថយភាពក្រីក្រ ការពារបរិស្ថាន និងធនធានធម្មជាតិ ឆ្ពោះទៅសម្រេចបាននូវការអភិវឌ្ឍប្រទេសប្រកបដោយនិរន្តរភាព ។

សេចក្តីដូចបានទូលថ្វាយ និងជម្រាបជូនខាងលើ សូមរដ្ឋសភាមេត្តាពិនិត្យ និងអនុម័តសេចក្តីព្រាងច្បាប់ស្តីពីការអនុម័តយល់ព្រមលើពិធីសារម៉ុងរ៉េអាល់ស្តីពីសារធាតុបំផ្លាញស្រទាប់អូហ្សូននេះ ដោយអនុគ្រោះ ។ *Handwritten signature*

រាជធានីភ្នំពេញ, ថ្ងៃទី ២២ ខែ កក្កដា ឆ្នាំ ២០០៥



ពិធីសារប្រចាំអាណត្តិ
សារធាតុដែលបំផ្លាញស្រទាប់ អូហ្សូន
សារធាតុដែលបំផ្លាញស្រទាប់ អូហ្សូន

ភាគីនៃពិធីសារនេះ ជាភាគីនៃអនុសញ្ញា *Vienna* ដើម្បីការពារស្រទាប់ អូហ្សូន ។

ស្ថិតនៅក្រោមអនុសញ្ញានេះ ភាគីជាសមាជិកត្រូវយល់ដឹងអំពីការត្រួតពិនិត្យរបស់ខ្លួន គឺអនុវត្តវិធានការសមស្របសំដៅការការពារសុខភាពមនុស្ស និងបរិស្ថានប្រឆាំងឥទ្ធិពលប៉ះពាល់ផ្សេងៗ បណ្តាលមកពីសកម្មភាពមនុស្សបង្កឱ្យមានការផ្លាស់ប្តូរ ឬមាននិន្នាការផ្លាស់ប្ត

បានព្រមព្រៀងដូចតទៅ :

មាត្រា 1 : និយមន័យ

សម្រាប់គោលបំណង នៃពិធីសារនេះ:

1. "អនុសញ្ញា" មានន័យថា អនុសញ្ញា *Vienna* ដើម្បីការពារស្រទាប់ អូហ្សូន ដែលបានអនុម័តនៅ ថ្ងៃទី២២ ខែមីនា ឆ្នាំ១៩៨៥ ។
2. "ភាគី" មានន័យសំដៅទៅលើភាគីជាសមាជិករបស់ពិធីសារនេះ ។
3. "លេខាធិការដ្ឋាន" មានន័យសំដៅទៅលើលេខាធិការដ្ឋានរបស់អនុសញ្ញានេះ ។
4. "សារធាតុដែលត្រូវពិនិត្យ" គឺសំដៅទៅលើសារធាតុដែលបានចុះបញ្ជីក្នុងឧបសម្ព័ន្ធ A ឧបសម្ព័ន្ធ B ឧបសម

5. ចំពោះរយៈពេលត្រួតពិនិត្យម្តង ឬច្រើនដង ភាគីទាំងឡាយអាចធ្វើការផ្ទេរផលិតផលក្នុងកម្រិតប៉ាន់ស្មានទៅអោយភាគីដទៃ ដូចមានចែងនៅក្នុងមាត្រា 2A ទៅ 2F និងមាត្រា 2H ថា កម្រិតប៉ាន់ស្មានផលិតផលចម្រុះនៃសារធាតុដែលត្រូវពិនិត្យរបស់ភាគីពាក់ព័ន្ធ មិនត្រូវលើសពីកម្រិតនៃការផលិតដែលមានចែងនៅក្នុងមាត្រាខាងលើ ។ ការផ្ទេរផលិតផលនេះ នឹងត្រូវជូនដំណឹងទៅលេខាធិការដ្ឋានតាមរយៈភាគីពាក់ព័ន្ធនីមួយៗ ដោយលើកឡើងពីលក្ខខណ្ឌផ្ទេរនិងរយៈពេលអនុវត្ត ។

5. bis. ចំពោះរយៈពេលត្រួតពិនិត្យម្តងឬច្រើនដង ភាគីដែលមិនអនុវត្តតាមកថាខណ្ឌ 1 នៃមាត្រា 5

- i. ការកែតម្រូវទៅលើសក្តានុពលនៃការបំផ្លាញស្រទាប់ អូហ្សូន ដែលបានបញ្ជាក់ក្នុងឧបសម្ព័ន្ធ A ឧបសម្ព័ន្ធ B ឧបសម្ព័ន្ធ C និង ឧបសម្ព័ន្ធ E និងត្រូវធ្វើឡើង បើដូច្នោះតើបញ្ហាអ្វីខ្លះត្រូវកែតម្រូវ ។
- ii. ការកែតម្រូវ និងការកាត់បន្ថយការផលិតឬការប្រើប្រាស់សារធាតុដែលត្រូវពិនិត្យ ត្រូវតែមានការទទួលខុសត្រូវ បើដូច្នោះ តើការកែតម្រូវ និងការកាត់បន្ថយត្រូវមានទំហំ ចំនួន និងរយៈពេលប៉ុន្មាន ។
- b) សំណើសុំកែតម្រូវ ត្រូវផ្សព្វផ្សាយជាព័ត៌មានទៅភាគីទាំងឡាយតាមរយៈលេខាធិការដ្ឋាន ដែលយ៉ាងហោចណាស់ឱ្យបានរយៈពេល 6 ខែ មុនកិច្ចប

ត្រូវធានាឱ្យបាននូវកម្រិតប៉ាន់ស្មានលើការផលិតសារធាតុជាប្រចាំ មិនត្រូវលើសនៃកម្រិតប៉ាន់ស្មានលើការផលិតសារធាតុនា ឆ្នាំ 1989 ។ ទោះបីយ៉ាងណាក៏ដោយ ដើម្បីបំពេញនូវតម្រូវការជាមូលដ្ឋាន នៃការអនុវត្តរបស់ភាគីជាសមាជិកដែល អនុវត្តតាមកថាខ័ណ្ឌ 1 នៃមាត្រា 5 នោះកម្រិតប៉ាន់ស្មានលើការផលិតអាចលើសការកំណត់ នៃកម្រិតការផលិតឆ្នាំ 1989 រហូតដល់ 10% ។

2. ក្នុងរយៈពេល 12 ខែដំបូងចាប់ពីថ្ងៃទី១ ខែមករា ឆ្នាំ1994 និងរយៈពេល 12 ខែ បន្តបន្ទាប់ភាគីនីមួយៗ ត្រូវធានាឱ្យបាននូវកម្រិតប៉ាន់ស្មានជាប្រចាំ លើការប្រើប្រាស់សារធាតុដែលត្រូវព

ត្រូវធានាឱ្យបាននូវកម្រិតប៉ាន់ស្មានជាប្រចាំលើការប្រើប្រាស់សារធាតុដែលត្រូវពិនិត្យ ស្ថិតក្នុងក្រុម I នៃឧបសម្ព័ន្ធ C មិនត្រូវលើសពីកម្រិត 65% នៃចំនួនដែលបានចែងក្នុងកថាខ័ណ្ឌ 1 នៃមាត្រានេះ ។

៤. ក្នុងរយៈពេល ១២ ខែដំបូង ចាប់ពីថ្ងៃទី១ ខែមករា ឆ្នាំ២០១៥ និងរយៈពេល ១២ ខែ បន្តបន្ទាប់ ភាគីនីមួយៗ ត្រូវធានាឱ្យបាននូវកម្រិតប៉ាន់ស្មានជាប្រចាំលើការប្រើប្រាស់សារធាតុដែលត្រូវពិនិត្យស្ថិតក្នុងក្រុម I នៃឧបសម្ព័ន្ធ C មិនត្រូវលើសពីកម្រិត 10% នៃចំនួនដែលបានចែងក្នុងកថាខ័ណ្ឌ 1 នៃមាត្រានេះ ។

ម្យ៉ាងវិញទៀត ដើម្បីបំពេញតម្រូវការក្នុងស្រុកនៃប្រតិបត្តិការរបស់ភាគីក្រោមកថាខ័ណ្ឌ 1 នៃមាត្រា 5 ។ ការប៉ាន់ស្មានកម្រិតផលិតកម្មមិនឱ្យលើសពីចំនួនកំណត់ 15% នៃកម្រិតផលិតនៃសារធាតុត្រូវពិនិត្យស្ថិតក្នុងក្រុម I នៃឧបសម្ព័ន្ធ A ដូចបានបង្ហាញខាងលើ។

មាត្រា 2G: Hydrobromofluorocarbons

ក្នុងរយៈពេល 12 ខែដំបូង ចាប់ពីថ្ងៃទី 1 ខែមករា ឆ្នាំ 1996 និង រយៈពេល 12 ខែ បន្តបន្ទាប់ ភាគី នីមួយៗ ត្រូវធានាឱ្យបាននូវកម្រិតប៉ាន់ស្មានលើការប្រើប្រាស់សារធាតុដែលត្រូវពិនិត្យ ស្ថិតក្នុងក្រុម II ន

ឧបសម្ព័ន្ធ A

សារធាតុដែលត្រូវពិនិត្យ

ក្រុម	សារធាតុ	ការបំផ្លាញស្រទាប់ អូហ្សូន សក្តានុពល*
ក្រុម I	CFCl ₃ (CFC-11)	1.0
	CF ₂ Cl ₂ (CFC-12)	1.0
	C ₂ F ₃ Cl ₃ (CFC-113)	0.8
	C ₂ F ₄ Cl ₂ (CFC-114)	1.0
	C ₂ F ₅ Cl (CFC-115)	0.6
ក្រុម II	CF	

	C ₃ H ₆ FCI (HCFC-271)	5	0.001-0.03
ក្រុម II			
	CHFBr	1	1.00
	CHF ₂ Br (HBFC-22B1)	1	0.74
	CH ₂ FBr	1	0.73
	C ₂ HFBBr ₄	2	0.3-0.8
	C ₂ HF ₂ Br ₃	3	0.5-1.8
	C ₂ HF ₃ Br ₂	3	0.4-1.6
	C ₂ HF ₄ Br	2	0.7-1.2
	C ₂ H ₂ FBr ₃	3	0.1-1.1
	C _{2</}		

តបសម្ព័ន្ធ E

ក្រុម	សារធាតុ	សក្តានុពល នៃការបំផ្លាញស្រទាប់ អូហ្សូន
ក្រុមទី I	CH ₃ Br ម៉េតិលប្រូម៉ាយ	0.6

The Montreal Protocol on Substances that Deplete the Ozone Layer

as either adjusted and/or amended in

London 1990

Copenhagen 1992

Vienna 1995

Montreal 1997

Beijing 1999



UNEP

Ozone Secretariat

United Nations Environment Programme

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Preamble

The Parties to this Protocol,

Being Parties to the Vienna Convention for the Protection of the Ozone Layer,

Mindful of their obligation under that Convention to take appropriate measures to protect human health and the environment against adverse effects resulting or likely to result from human activities which modify or are likely to modify the ozone layer,

Recognizing that world-wide emissions of certain substances can significantly deplete and otherwise modify the ozone layer in a manner that is likely to result in adverse effects on human health and the environment,

Conscious of the potential climatic effects of emissions of these substances,

Aware that measures taken to protect the ozone layer from depletion should be based on relevant scientific knowledge, taking into account technical and economic considerations,

Determined to protect the ozone layer by taking precautionary measures to control equitably total global emissions of substances that deplete it, with the ultimate objective of their elimination on the basis of developments in scientific knowledge, taking into account technical and economic considerations and bearing in mind the developmental needs of developing countries,

Acknowledging that special provision is required to meet the needs of developing countries, including the provision of additional financial resources and access to relevant technologies, bearing in mind that the magnitude of funds necessary is predictable, and the funds can be expected to make a substantial difference in the world's ability to address the scientifically established problem of ozone depletion and its harmful effects,

Noting the precautionary measures for controlling emissions of certain chlorofluorocarbons that have already been taken at national and regional levels,

Considering the importance of promoting international co-operation in the research, development and transfer of alternative technologies relating to the control and reduction of emissions of substances that deplete the ozone layer, bearing in mind in particular the needs of developing countries,

HAVE AGREED AS FOLLOWS:

Article 1: Definitions

For the purposes of this Protocol:

1. “Convention” means the Vienna Convention for the Protection of the Ozone Layer, adopted on 22 March 1985.
2. “Parties” means, unless the text otherwise indicates, Parties to this Protocol.
3. “Secretariat” means the Secretariat of the Convention.
4. “Controlled substance” means a substance in Annex A, Annex B, Annex C or Annex E to this Protocol, whether existing alone or in a mixture. It includes the isomers of any such substance, except as specified in the relevant Annex, but excludes any controlled substance or mixture which is in a manufactured product other than a container used for the transportation or storage of that substance.
5. “Production” means the amount of controlled substances produced, minus the amount destroyed by technologies to be approved by the Parties and minus the amount entirely used as feedstock in the manufacture of other chemicals. The amount recycled and reused is not to be considered as “production”.
6. “Consumption” means production plus imports minus exports of controlled substances.

7. “Calculated levels” of production, imports, exports and consumption means levels determined in accordance with Article 3.
8. “Industrial rationalization” means the transfer of all or a portion of the calculated level of production of one Party to another, for the purpose of achieving economic efficiencies or responding to anticipated shortfalls in supply as a result of plant closures.

Article 2: Control Measures

1. *Incorporated in Article 2A.*
2. *Replaced by Article 2B.*
3. *Replaced by Article 2A.*
4. *Replaced by Article 2A.*
5. Any Party may, for one or more control periods, transfer to another Party any portion of its calculated level of production set out in Articles 2A to 2F, and Article 2H, provided that the total combined calculated levels of production of the Parties concerned for any group of controlled substances do not exceed the production limits set out in those Articles for that group. Such transfer of production shall be notified to the Secretariat by each of the Parties concerned, stating the terms of such transfer and the period for which it is to apply.
- 5 bis. Any Party not operating under paragraph 1 of Article 5 may, for one or more control periods, transfer to another such Party any portion of its calculated level of consumption set out in Article 2F, provided that the calculated level of consumption of controlled substances in Group I of Annex A of the Party transferring the portion of its calculated level of consumption did not exceed 0.25 kilograms per capita in 1989 and that the total combined calculated levels of consumption of the Parties concerned do not exceed the consumption limits set out in

Article 2F. Such transfer of consumption shall be notified to the Secretariat by each of the Parties concerned, stating the terms of such transfer and the period for which it is to apply.

6. Any Party not operating under Article 5, that has facilities for the production of Annex A or Annex B controlled substances under construction, or contracted for, prior to 16 September 1987, and provided for in national legislation prior to 1 January 1987, may add the production from such facilities to its 1986 production of such substances for the purposes of determining its calculated level of production for 1986, provided that such facilities are completed by 31 December 1990 and that such production does not raise that Party's annual calculated level of consumption of the controlled substances above 0.5 kilograms per capita.
7. Any transfer of production pursuant to paragraph 5 or any addition of production pursuant to paragraph 6 shall be notified to the Secretariat, no later than the time of the transfer or addition.
8.
 - (a) Any Parties which are Member States of a regional economic integration organization as defined in Article 1 (6) of the Convention may agree that they shall jointly fulfil their obligations respecting consumption under this Article and Articles 2A to 2I provided that their total combined calculated level of consumption does not exceed the levels required by this Article and Articles 2A to 2I.
 - (b) The Parties to any such agreement shall inform the Secretariat of the terms of the agreement before the date of the reduction in consumption with which the agreement is concerned.
 - (c) Such agreement will become operative only if all Member States of the regional economic integration organization and the organization concerned are Parties to the Protocol and have notified the Secretariat of their manner of implementation.

9. (a) Based on the assessments made pursuant to Article 6, the Parties may decide whether:
 - (i) Adjustments to the ozone depleting potentials specified in Annex A, Annex B, Annex C and/or Annex E should be made and, if so, what the adjustments should be; and
 - (ii) Further adjustments and reductions of production or consumption of the controlled substances should be undertaken and, if so, what the scope, amount and timing of any such adjustments and reductions should be;
 - (b) Proposals for such adjustments shall be communicated to the Parties by the Secretariat at least six months before the meeting of the Parties at which they are proposed for adoption;
 - (c) In taking such decisions, the Parties shall make every effort to reach agreement by consensus. If all efforts at consensus have been exhausted, and no agreement reached, such decisions shall, as a last resort, be adopted by a two-thirds majority vote of the Parties present and voting representing a majority of the Parties operating under Paragraph 1 of Article 5 present and voting and a majority of the Parties not so operating present and voting;
 - (d) The decisions, which shall be binding on all Parties, shall forthwith be communicated to the Parties by the Depositary. Unless otherwise provided in the decisions, they shall enter into force on the expiry of six months from the date of the circulation of the communication by the Depositary.
10. Based on the assessments made pursuant to Article 6 of this Protocol and in accordance with the procedure set out in Article 9 of the Convention, the Parties may decide:

- (a) whether any substances, and if so which, should be added to or removed from any annex to this Protocol, and
 - (b) the mechanism, scope and timing of the control measures that should apply to those substances;
- 11. Notwithstanding the provisions contained in this Article and Articles 2A to 2I Parties may take more stringent measures than those required by this Article and Articles 2A to 2I.

Article 2A: CFCs

- 1. Each Party shall ensure that for the twelve-month period commencing on the first day of the seventh month following the date of entry into force of this Protocol, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed its calculated level of consumption in 1986. By the end of the same period, each Party producing one or more of these substances shall ensure that its calculated level of production of the substances does not exceed its calculated level of production in 1986, except that such level may have increased by no more than ten per cent based on the 1986 level. Such increase shall be permitted only so as to satisfy the basic domestic needs of the Parties operating under Article 5 and for the purposes of industrial rationalization between Parties.
- 2. Each Party shall ensure that for the period from 1 July 1991 to 31 December 1992 its calculated levels of consumption and production of the controlled substances in Group I of Annex A do not exceed 150 per cent of its calculated levels of production and consumption of those substances in 1986; with effect from 1 January 1993, the twelve-month control period for these controlled substances shall run from 1 January to 31 December each year.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed, annually, twenty-five per cent of its calculated level of consumption in 1986. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, twenty-five per cent of its calculated level of production in 1986. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1986.
4. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex A does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by a quantity equal to the annual average of its production of the controlled substances in Group I of Annex A for basic domestic needs for the period 1995 to 1997 inclusive. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.
5. Each Party shall ensure that for the twelve-month period commencing on 1 January 2003 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex A for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed eighty per cent of the annual

average of its production of those substances for basic domestic needs for the period 1995 to 1997 inclusive.

6. Each Party shall ensure that for the twelve-month period commencing on 1 January 2005 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex A for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed fifty per cent of the annual average of its production of those substances for basic domestic needs for the period 1995 to 1997 inclusive.
7. Each Party shall ensure that for the twelve-month period commencing on 1 January 2007 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex A for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed fifteen per cent of the annual average of its production of those substances for basic domestic needs for the period 1995 to 1997 inclusive.
8. Each Party shall ensure that for the twelve-month period commencing on 1 January 2010 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex A for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed zero.
9. For the purposes of calculating basic domestic needs under paragraphs 4 to 8 of this Article, the calculation of the annual average of production by a Party includes any production entitlements that it has transferred in accordance with paragraph 5 of Article 2, and excludes any production entitlements that it has acquired in accordance with paragraph 5 of Article 2.

Article 2B: Halons

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1992, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex A does not exceed, annually, its calculated level of consumption in 1986. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, its calculated level of production in 1986. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1986.
2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex A does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may, until 1 January 2002 exceed that limit by up to fifteen per cent of its calculated level of production in 1986; thereafter, it may exceed that limit by a quantity equal to the annual average of its production of the controlled substances in Group II of Annex A for basic domestic needs for the period 1995 to 1997 inclusive. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.
3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2005 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group II of Annex A for the basic

domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed fifty per cent of the annual average of its production of those substances for basic domestic needs for the period 1995 to 1997 inclusive.

4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2010 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group II of Annex A for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed zero.

Article 2C: Other fully halogenated CFCs

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1993, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed, annually, eighty per cent of its calculated level of consumption in 1989. Each Party producing one or more of these substances shall, for the same period, ensure that its calculated level of production of the substances does not exceed, annually, eighty per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.
2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed, annually, twenty-five per cent of its calculated level of consumption in 1989. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed, annually, twenty-five per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of

Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex B does not exceed zero. Each Party producing one or more of these substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may, until 1 January 2003 exceed that limit by up to fifteen per cent of its calculated level of production in 1989; thereafter, it may exceed that limit by a quantity equal to eighty per cent of the annual average of its production of the controlled substances in Group I of Annex B for basic domestic needs for the period 1998 to 2000 inclusive. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.
4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2007 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex B for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed fifteen per cent of the annual average of its production of those substances for basic domestic needs for the period 1998 to 2000 inclusive.
5. Each Party shall ensure that for the twelve-month period commencing on 1 January 2010 and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex B for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed zero.

Article 2D: Carbon tetrachloride

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, its calculated level of consumption of the controlled substance in Group II of Annex B does not exceed, annually, fifteen per cent of its calculated level of consumption in 1989. Each Party producing the substance shall, for the same period, ensure that its calculated level of production of the substance does not exceed, annually, fifteen per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.
2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group II of Annex B does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production in 1989. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

Article 2E: 1,1,1-Trichloroethane (Methyl chloroform)

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1993, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed, annually, its calculated level of consumption in 1989. Each Party producing the substance

shall, for the same period, ensure that its calculated level of production of the substance does not exceed, annually, its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1994, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed, annually, fifty per cent of its calculated level of consumption in 1989. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, fifty per cent of its calculated level of production in 1989. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1989.
3. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Group III of Annex B does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production for 1989. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

Article 2F: Hydrochlorofluorocarbons

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, the sum of:
 - (a) Two point eight per cent of its calculated level of consumption in 1989 of the controlled substances in Group I of Annex A; and
 - (b) Its calculated level of consumption in 1989 of the controlled substances in Group I of Annex C.
2. Each Party shall ensure that for the twelve month period commencing on 1 January 2004, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, sixty-five per cent of the sum referred to in paragraph 1 of this Article.
3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2010, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, thirty-five per cent of the sum referred to in paragraph 1 of this Article.
4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2015, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, ten per cent of the sum referred to in paragraph 1 of this Article.
5. Each Party shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed,

annually, zero point five per cent of the sum referred to in paragraph 1 of this Article. Such consumption shall, however, be restricted to the servicing of refrigeration and air conditioning equipment existing at that date.

6. Each Party shall ensure that for the twelve-month period commencing on 1 January 2030, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed zero.
7. As of 1 January 1996, each Party shall endeavour to ensure that:
 - (a) The use of controlled substances in Group I of Annex C is limited to those applications where other more environmentally suitable alternative substances or technologies are not available;
 - (b) The use of controlled substances in Group I of Annex C is not outside the areas of application currently met by controlled substances in Annexes A, B and C, except in rare cases for the protection of human life or human health; and
 - (c) Controlled substances in Group I of Annex C are selected for use in a manner that minimizes ozone depletion, in addition to meeting other environmental, safety and economic considerations.
8. Each Party producing one or more of these substances shall ensure that for the twelve-month period commencing on 1 January 2004, and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex C does not exceed, annually, the average of:
 - (a) The sum of its calculated level of consumption in 1989 of the controlled substances in Group I of Annex C and two point eight per cent of its calculated level of

consumption in 1989 of the controlled substances in Group I of Annex A; and

- (b) The sum of its calculated level of production in 1989 of the controlled substances in Group I of Annex C and two point eight per cent of its calculated level of production in 1989 of the controlled substances in Group I of Annex A.

However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to fifteen per cent of its calculated level of production of the controlled substances in Group I of Annex C as defined above.

Article 2G: Hydrobromofluorocarbons

Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group II of Annex C does not exceed zero. Each Party producing the substances shall, for the same periods, ensure that its calculated level of production of the substances does not exceed zero. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

Article 2H: Methyl bromide

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1995, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed, annually, its calculated level of consumption in 1991. Each Party producing the substance shall, for the same period, ensure that its calculated level of production of the substance does not exceed, annually, its calculated level of production in 1991. However, in order to satisfy the basic domestic needs of the

Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1991.

2. Each Party shall ensure that for the twelve-month period commencing on 1 January 1999, and in the twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed, annually, seventy-five per cent of its calculated level of consumption in 1991. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, seventy-five per cent of its calculated level of production in 1991. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1991.
3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2001, and in the twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed, annually, fifty per cent of its calculated level of consumption in 1991. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, fifty per cent of its calculated level of production in 1991. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1991.
4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2003, and in the twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed, annually, thirty per cent of its calculated level of consumption in 1991. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed, annually, thirty per cent of its

calculated level of production in 1991. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production in 1991.

5. Each Party shall ensure that for the twelve-month period commencing on 1 January 2005, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substance in Annex E does not exceed zero. Each Party producing the substance shall, for the same periods, ensure that its calculated level of production of the substance does not exceed zero. However, in order to satisfy the basic domestic needs of the Parties operating under paragraph 1 of Article 5, its calculated level of production may, until 1 January 2002 exceed that limit by up to fifteen per cent of its calculated level of production in 1991; thereafter, it may exceed that limit by a quantity equal to the annual average of its production of the controlled substance in Annex E for basic domestic needs for the period 1995 to 1998 inclusive. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be critical uses.
- 5 *bis*. Each Party shall ensure that for the twelve-month period commencing on 1 January 2005 and in each twelve-month period thereafter, its calculated level of production of the controlled substance in Annex E for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed eighty per cent of the annual average of its production of the substance for basic domestic needs for the period 1995 to 1998 inclusive.
- 5 *ter*. Each Party shall ensure that for the twelve-month period commencing on 1 January 2015 and in each twelve-month period thereafter, its calculated level of production of the controlled substance in Annex E for the basic domestic needs of the Parties operating under paragraph 1 of Article 5 does not exceed zero.

6. The calculated levels of consumption and production under this Article shall not include the amounts used by the Party for quarantine and pre-shipment applications.

Article 2I: Bromochloromethane

Each Party shall ensure that for the twelve-month period commencing on 1 January 2002, and in each twelve-month period thereafter, its calculated level of consumption and production of the controlled substance in Group III of Annex C does not exceed zero. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.

Article 3: Calculation of control levels

For the purposes of Articles 2, 2A to 2I and 5, each Party shall, for each group of substances in Annex A, Annex B, Annex C or Annex E determine its calculated levels of:

- (a) Production by:
 - (i) multiplying its annual production of each controlled substance by the ozone depleting potential specified in respect of it in Annex A, Annex B, Annex C or Annex E;
 - (ii) adding together, for each such Group, the resulting figures;
- (b) Imports and exports, respectively, by following, *mutatis mutandis*, the procedure set out in subparagraph (a); and
- (c) Consumption by adding together its calculated levels of production and imports and subtracting its calculated level of exports as determined in accordance with subparagraphs (a) and (b). However, beginning on 1 January 1993, any export of controlled substances to

non-Parties shall not be subtracted in calculating the consumption level of the exporting Party.

Article 4: Control of trade with non-Parties

1. As of 1 January 1990, each party shall ban the import of the controlled substances in Annex A from any State not party to this Protocol.
- 1 *bis*. Within one year of the date of the entry into force of this paragraph, each Party shall ban the import of the controlled substances in Annex B from any State not party to this Protocol.
- 1 *ter*. Within one year of the date of entry into force of this paragraph, each Party shall ban the import of any controlled substances in Group II of Annex C from any State not party to this Protocol.
- 1 *qua*. Within one year of the date of entry into force of this paragraph, each Party shall ban the import of the controlled substance in Annex E from any State not party to this Protocol.
- 1 *quin*. As of 1 January 2004, each Party shall ban the import of the controlled substances in Group I of Annex C from any State not party to this Protocol.
- 1 *sex*. Within one year of the date of entry into force of this paragraph, each Party shall ban the import of the controlled substance in Group III of Annex C from any State not party to this Protocol.
2. As of 1 January 1993, each Party shall ban the export of any controlled substances in Annex A to any State not party to this Protocol.

- 2 *bis*. Commencing one year after the date of entry into force of this paragraph, each Party shall ban the export of any controlled substances in Annex B to any State not party to this Protocol.
- 2 *ter*. Commencing one year after the date of entry into force of this paragraph, each Party shall ban the export of any controlled substances in Group II of Annex C to any State not party to this Protocol.
- 2 *qua*. Commencing one year of the date of entry into force of this paragraph, each Party shall ban the export of the controlled substance in Annex E to any State not party to this Protocol.
- 2 *quin*. As of 1 January 2004, each Party shall ban the export of the controlled substances in Group I of Annex C to any State not party to this Protocol.
- 2 *sex*. Within one year of the date of entry into force of this paragraph, each Party shall ban the export of the controlled substance in Group III of Annex C to any State not party to this Protocol.
- 3. By 1 January 1992, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of products containing controlled substances in Annex A. Parties that have not objected to the annex in accordance with those procedures shall ban, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.
- 3 *bis*. Within three years of the date of the entry into force of this paragraph, the Parties shall, following the procedures in Article 10 of the Convention, elaborate in an annex a list of products containing controlled substances in Annex B. Parties that have not objected to the annex in accordance with those procedures shall ban, within one year of the annex having become effective, the import of those products from any State not party to this Protocol.

