

2. d) Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer

Montreal, 17 September 1997

ENTRY INTO FORCE: 10 November 1999, in accordance with article 3(1).

REGISTRATION: 10 November 1999, No. 26369.

STATUS: Parties: 197.

TEXT: United Nations, *Treaty Series*, vol. 2054, p. 522; UNEP/OzL.Pro.9/12, Annex IV of the Report of the Ninth Meeting of the Parties; C.N.783.1999.TREATIES-21 of 13 October 1999 (proposal for corrections to the original text of the amendment - Arabic, Chinese, English, French, Russian and Spanish authentic texts); C.N.1002.2007.TREATIES-10 of 16 October 2007 (proposal for corrections to the original text of the Amendment (Chinese version) and to the Certified True Copies) and C.N.71.2008.TREATIES-2 of 6 February 2008 (Corrections).¹

Note: The amendment to the Montreal Protocol as set out in Annexes I to III to the report of the Ninth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (Decision IX/4), which was held in Montreal from 15 to 17 September 1997, was adopted in accordance with the procedure laid down in article 9 (4) of the 1985 Vienna Convention for the Protection of the Ozone Layer.

<i>Participant</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>	<i>Participant</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>
Afghanistan.....	17 Jun 2004 a	Brunei Darussalam	3 Mar 2009 a
Albania.....	25 May 2006 a	Bulgaria	24 Nov 1999
Algeria	6 Aug 2007	Burkina Faso.....	11 Nov 2002
Andorra.....	26 Jan 2009 a	Burundi	18 Oct 2001 A
Angola	21 Jun 2011 a	Cabo Verde.....	31 Jul 2001 a
Antigua and Barbuda.....	10 Feb 2000	Cambodia.....	31 Jan 2007 a
Argentina	15 Feb 2001	Cameroon.....	21 Aug 2009
Armenia	18 Dec 2008	Canada	27 Mar 1998
Australia.....	5 Jan 1999 A	Central African Republic.....	29 May 2008
Austria	7 Aug 2000	Chad.....	30 May 2001
Azerbaijan.....	28 Sep 2000 AA	Chile.....	17 Jun 1998
Bahamas.....	16 Mar 2005 A	China.....	19 May 2010 A
Bahrain.....	13 Mar 2001	Colombia	16 Jun 2003 a
Bangladesh.....	27 Jul 2001 A	Comoros.....	2 Dec 2002 a
Barbados	10 Dec 2002 a	Congo.....	19 Oct 2001 a
Belarus	13 Mar 2007 A	Cook Islands	22 Dec 2003 a
Belgium	11 Aug 2004	Costa Rica.....	1 Dec 2005
Belize.....	17 Jan 2008 A	Côte d'Ivoire	28 Jun 2012
Benin.....	16 Nov 2007	Croatia	8 Sep 2000
Bhutan.....	23 Aug 2004 a	Cuba.....	12 Sep 2005 A
Bolivia (Plurinational State of).....	12 Apr 1999 a	Cyprus.....	2 Jun 2003 A
Bosnia and Herzegovina.....	11 Aug 2003 a	Czech Republic.....	5 Nov 1999 AA
Botswana	21 Feb 2013 a	Democratic People's Republic of Korea.....	13 Dec 2001 a
Brazil	30 Jun 2004	Democratic Republic of the Congo	23 Mar 2005 a

<i>Participant</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>
Denmark ²	24 Sep 2003 A
Djibouti.....	30 Jul 1999 a
Dominica.....	7 Mar 2006 a
Dominican Republic.....	1 Oct 2009 a
Ecuador.....	16 Feb 2007 a
Egypt.....	20 Jul 2000
El Salvador.....	8 Dec 2000 a
Equatorial Guinea.....	11 Jul 2007 a
Eritrea.....	5 Jul 2005 a
Estonia.....	11 Apr 2003 a
Eswatini.....	16 Dec 2005 a
Ethiopia.....	25 Nov 2009
European Union.....	17 Nov 2000 AA
Fiji.....	19 Feb 2007 a
Finland.....	18 Jun 2001 A
France.....	25 Jul 2003 AA
Gabon.....	4 Dec 2000 a
Gambia.....	30 Apr 2008
Georgia.....	12 Jul 2000 a
Germany.....	5 Jan 1999
Ghana.....	8 Aug 2005 a
Greece.....	27 Jan 2006
Grenada.....	20 May 1999 a
Guatemala.....	21 Jan 2002 a
Guinea.....	28 Feb 2012 a
Guinea-Bissau.....	12 Nov 2002 a
Guyana.....	23 Jul 1999 A
Haiti.....	29 Mar 2000 a
Holy See.....	5 May 2008 a
Honduras.....	14 Sep 2007 a
Hungary.....	26 Jul 1999
Iceland.....	8 Feb 2000
India.....	3 Mar 2003 a
Indonesia.....	26 Jan 2006
Iran (Islamic Republic of).....	17 Oct 2001 A
Iraq.....	25 Jun 2008 a
Ireland.....	6 Oct 2005 A
Israel.....	28 May 2003
Italy.....	1 May 2001
Jamaica.....	24 Sep 2003 a
Japan.....	30 Aug 2002 A
Jordan.....	3 Feb 1999
Kazakhstan.....	28 Jun 2011 a

<i>Participant</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>
Kenya.....	12 Jul 2000
Kiribati.....	9 Aug 2004 a
Kuwait.....	13 Jun 2003 a
Kyrgyzstan.....	13 May 2003
Lao People's Democratic Republic.....	28 Jun 2006 a
Latvia.....	14 Jun 2002 A
Lebanon.....	31 Jul 2000 a
Lesotho.....	15 Apr 2010 a
Liberia.....	30 Nov 2004 a
Libya.....	15 Apr 2014
Liechtenstein.....	23 Dec 2003 A
Lithuania.....	17 Mar 2004 A
Luxembourg.....	8 Feb 1999
Madagascar.....	16 Jan 2002 a
Malawi.....	27 Feb 2009
Malaysia.....	26 Oct 2001
Maldives.....	27 Sep 2001
Mali.....	7 Mar 2003 A
Malta.....	22 Dec 2003 A
Marshall Islands.....	27 Jan 2003 a
Mauritania.....	22 Jul 2005 A
Mauritius.....	24 Mar 2003 A
Mexico.....	28 Jul 2006 A
Micronesia (Federated States of).....	27 Nov 2001 a
Monaco.....	26 Jul 2001 A
Mongolia.....	28 Mar 2002
Montenegro ³	23 Oct 2006 d
Morocco.....	19 Sep 2012
Mozambique.....	11 Nov 2010 a
Myanmar.....	30 Jan 2012 a
Namibia.....	1 Oct 2007 A
Nauru.....	10 Sep 2004 a
Nepal.....	18 May 2012 a
Netherlands.....	21 Feb 2000 A
New Zealand ⁴	3 Jun 1999
Nicaragua.....	7 Nov 2012
Niger.....	8 Oct 1999
Nigeria.....	27 Sep 2001
Niue.....	22 Dec 2003 a
North Macedonia.....	31 Aug 1999 a
Norway.....	30 Dec 1998
Oman.....	19 Jan 2005
Pakistan.....	2 Sep 2005

<i>Participant</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>	<i>Participant</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>
Palau	29 May 2001 a	St. Lucia	24 Aug 1999 a
Panama	5 Mar 1999	St. Vincent and the Grenadines	11 May 2009 a
Papua New Guinea	12 Nov 2013 a	Sudan	18 May 2004 a
Paraguay	27 Apr 2001	Suriname	29 Mar 2006 a
Peru	20 May 2008 a	Sweden	12 Jul 1999
Philippines	23 May 2006	Switzerland	28 Aug 2002
Poland	6 Dec 1999	Syrian Arab Republic	30 Nov 1999 a
Portugal	3 Oct 2003	Tajikistan	7 May 2009 a
Qatar	29 Jan 2009	Thailand	23 Jun 2003
Republic of Korea	19 Aug 1998 A	Timor-Leste	16 Sep 2009 a
Republic of Moldova	24 May 2005 a	Togo	26 Nov 2001 A
Romania	21 May 2001 A	Tonga	26 Nov 2003
Russian Federation	14 Dec 2005 A	Trinidad and Tobago	10 Jun 1999
Rwanda	7 Jan 2004 a	Tunisia	19 Oct 1999
Samoa	4 Oct 2001 A	Turkey	24 Oct 2003
San Marino	23 Apr 2009 a	Turkmenistan	28 Mar 2008 a
Sao Tome and Principe	19 Nov 2001 a	Tuvalu	31 Aug 2000 A
Saudi Arabia	14 Mar 2014	Uganda	23 Nov 1999 a
Senegal	12 Aug 1999 a	Ukraine	4 May 2007
Serbia	22 Mar 2005 a	United Arab Emirates	16 Feb 2005 a
Seychelles	26 Aug 2002 a	United Kingdom of Great Britain and Northern Ireland ^{5,6,7}	12 Oct 2001
Sierra Leone	29 Aug 2001 a	United Republic of Tanzania	6 Dec 2002
Singapore	22 Sep 2000 a	United States of America	1 Oct 2003
Slovakia	3 Nov 1999 AA	Uruguay	16 Feb 2000 a
Slovenia	15 Nov 1999	Uzbekistan	31 Oct 2006
Solomon Islands	17 Aug 1999 a	Vanuatu	21 Jul 2011 a
Somalia	1 Aug 2001 a	Venezuela (Bolivarian Republic of)	13 May 2002
South Africa	11 Nov 2004 a	Viet Nam	3 Dec 2004
South Sudan	16 Oct 2012 a	Yemen	23 Apr 2001 a
Spain	11 May 1999 A	Zambia	11 Oct 2007 a
Sri Lanka	20 Aug 1999 a	Zimbabwe	1 Mar 2012 a
St. Kitts and Nevis	25 Feb 1999		

Declarations and Reservations

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

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 In this regard, the Secretary-General received the following objection:

United Kingdom of Great Britain and Northern Ireland (20 December 1999):

"With regard to the authentic English text, the Government of the United Kingdom considers the original text of both article 3 (1) and article 3 (3) of the Amendment to be correct. The Government therefore objects to the proposal to correct the text of these two paragraphs by the addition of the words 'or accession'.

The Government of the United Kingdom respectfully draws the attention of the Secretary-General to article 9, paragraph 5, of the Vienna Convention for the Protection of the Ozone Layer, and to article 14 of the Montreal Protocol on Substances that Deplete the Ozone Layer. The effect of these provisions is that amendments to the Protocol are subject to ratification, approval or acceptance. There is no provision for accession to amendments. The Government therefore believes that the addition of the words proposed by the Secretary-General would be inconsistent with the provisions of the Vienna Convention and the Montreal Protocol which apply to the entry into force of amendments to the Protocol.

The Government of the United Kingdom also notes that the existing wording of the authentic English text of article 3 (1) and article 3 (3) of the 1997 Amendment is consistent with the wording used in previous amendments to the Montreal Protocol, namely article 2 of the Amendment to the Montreal Protocol adopted at London in 1990 and article 3 of the Amendment to the Montreal Protocol adopted at Copenhagen in 1992.

The Secretary-General's Depositary Notification refers to errors in the first sentence of article 3 (1) (except French version). The Government of the United Kingdom has not seen the authentic French version of article 3 (1), which was not attached to the Depositary Notification, but would respectfully suggest that the Secretary-General may wish to consider whether there are errors in the French version."

² In a communication received on 3 December 2009, the Government of Denmark notified the Secretary-General that it had decided to withdraw the declaration, made upon ratification to the Amendment, relating to the territorial exclusion in respect of the Faroe Islands.

³ See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

⁴ See also note 1 under "New Zealand" regarding Tokelau

in the "Historical Information" section in the front matter of this volume.

⁵ On 5 August 2014, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that the Amendment would extend to the territory of Gibraltar as follows:

"... the Government of the United Kingdom of Great Britain and Northern Ireland wishes the United Kingdom's Ratification of the [Amendment] be extended to the territory of Gibraltar for whose international relations the United Kingdom is responsible.

The Government of the United Kingdom of Great Britain and Northern Ireland considers the extension of the [Amendment] to the territory of Gibraltar to enter into force on the day of receipt of this notification by [the depositary] for deposit..."

On 17 April 2015, the Secretary-General received from the Government of Spain the following communication relating to the territorial application by the United Kingdom of Great Britain and Northern Ireland to Gibraltar:

1. Gibraltar is a Non-Self-Governing Territory for whose international relations the Government of the United Kingdom is responsible and which is subject to a process of decolonization in accordance with the relevant decisions and resolutions of the General Assembly.

2. The authorities of Gibraltar are local in character, and exercise competences exclusively over internal affairs that originate in and are based on the powers allocated to and conferred on them by the United Kingdom, in accordance with its domestic legislation and in its capacity as the sovereign State upon which depends the said Non-Self-Governing Territory.

3. Consequently, any involvement by the Gibraltarian authorities in the implementation of this Amendment shall be understood to take place exclusively within the framework of the internal affairs of Gibraltar and shall not be considered to affect in any way the content of the two preceding paragraphs.

4. The procedure envisaged in the "Arrangements relating to Gibraltar authorities in the context of certain international treaties (2007)", which were agreed to by Spain and the United Kingdom on 19 December 2007 together with "Agreed Arrangements relating to Gibraltar authorities in the context of European Union and European Community Instruments and Related Treaties" of 19 April 2000 applies to the present Amendment.

5. The application of the present Amendment to Gibraltar cannot be interpreted as recognition of any rights or situations involving matters not included in Article 10 of the Treaty of

Utrecht of 13 July 1713, signed by the crowns of Spain and Great Britain.

⁶ On 4 August 2020, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that its ratification of the Amendment would extend to the territoire of the Bailiwick of Jersey, as follows:

“... the Government of the United Kingdom of Great Britain and Northern Ireland hereby extends the application of the United Kingdom's Ratification of the Montreal... [Amendment] to the Montreal Protocol to the territory of the Bailiwick of Jersey for whose international relations the United Kingdom is responsible.

The Government of the United Kingdom of Great Britain and Northern Ireland considers the extension of the Montreal... [Amendment] to the Montreal Protocol to the territory of the Bailiwick of Jersey to be effective on the day of receipt of this notification...”

⁷ On 25 February 2021, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that the Amendment would extend to the territory of the Isle of Man as follows:

“... the Government of the United Kingdom of Great Britain and Northern Ireland hereby extends the application of the United Kingdom's ratification of the... Montreal... [Amendment] to the Montreal Protocol to the territory of the Isle of Man for the international relations of which the United Kingdom is responsible.

The Government of the United Kingdom of Great Britain and Northern Ireland considers the extension of the... Montreal... [Amendment] to the Montreal Protocol to the territory of the Isle of Man to be effective on the day of receipt of this notification...”

