

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

Kigali, 15 October 2016

ENTRY INTO FORCE: 1 January 2019, in accordance with article IV, paragraphs 1 and 2, with the exception of the changes to article 4 of the Protocol set out in article I of the Amendment which will enter into force on 1 January 2033. After the entry into force of the Amendment, as provided under paragraphs 1 and 2 of article IV, it shall enter into force for any other Party to the Protocol on the ninetieth day following the date of deposit of its instrument of ratification, acceptance or approval.

REGISTRATION: 1 January 2019, No. 26369.

STATUS: Parties: 72.

TEXT: See the text of the Amendment in: C.N.872.2016.TREATIES-XXVII.2.f of 23 November 2016 (Adoption of amendment); C.N.730.2017.TREATIES-XXVII.2.f of 20 November 2017 (Entry into force); C.N.72.2018.TREATIES-XXVII.2.f of 9 February 2018 (Proposal of corrections to the French and Spanish authentic texts of the Amendment) and C.N.245.2018.TREATIES-XXVII.2.f of 17 May 2018 (Corrections); C.N.118.2018.TREATIES-XXVII.2.f of 2 March 2018 (Proposal of correction to article 3 (2) of the Amendment) and C.N.278.2018.TREATIES-XXVII.2.f of 4 June 2018 (Correction); C.N.232.2018.TREATIES-XXVII.2.f of 7 May 2018 (Proposal of corrections to the Chinese and French authentic texts of the Amendment) and CN.379.2018.TREATIES-XXVII.2.f of 14 August 2018 (Corrections).

Note: At the Twenty-Eighth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, held in Kigali from 10 to 15 October 2016, the Parties adopted, in accordance with the procedure laid down in paragraph 4 of article 9 of the 1985 Vienna Convention for the Protection of the Ozone Layer, a further amendment to the Montreal Protocol as set out in Annex I to the report of the Twenty-Eighth Meeting of the Parties (Decision XXVIII/1).

<i>Participant</i>	<i>Acceptance(A), Ratification, Approval(AA)</i>	<i>Participant</i>	<i>Acceptance(A), Ratification, Approval(AA)</i>
Albania.....	18 Jan 2019	Estonia	27 Sep 2018
Andorra.....	23 Jan 2019 A	European Union.....	27 Sep 2018 AA
Armenia	2 May 2019 A	Finland.....	14 Nov 2017 A
Australia.....	27 Oct 2017 A	France	29 Mar 2018 AA
Austria	27 Sep 2018	Gabon.....	28 Feb 2018 A
Barbados	19 Apr 2018	Germany	14 Nov 2017 A
Belgium	4 Jun 2018	Greece.....	5 Oct 2018
Benin.....	19 Mar 2018	Grenada.....	29 May 2018
Bulgaria	1 May 2018	Guinea-Bissau.....	22 Oct 2018
Burkina Faso.....	26 Jul 2018	Honduras.....	28 Jan 2019
Canada	3 Nov 2017	Hungary	14 Sep 2018 AA
Chile.....	19 Sep 2017	Ireland.....	12 Mar 2018
Comoros.....	16 Nov 2017	Japan	18 Dec 2018 A
Costa Rica.....	23 May 2018	Kiribati.....	26 Oct 2018
Côte d'Ivoire	29 Nov 2017 A	Lao People's Democratic Republic.....	16 Nov 2017 A
Croatia	6 Dec 2018	Latvia.....	17 Aug 2018
Czech Republic.....	27 Sep 2018 A	Lithuania.....	24 Jul 2018
Democratic People's Republic of Korea.....	21 Sep 2017	Luxembourg.....	16 Nov 2017
Denmark ¹	6 Dec 2018 AA	Malawi.....	21 Nov 2017
Ecuador.....	22 Jan 2018	Maldives	13 Nov 2017

<i>Participant</i>	<i>Acceptance(A), Ratification, Approval(AA)</i>
Mali.....	31 Mar 2017 A
Marshall Islands.....	15 May 2017
Mexico.....	25 Sep 2018 A
Micronesia (Federated States of).....	12 May 2017
Montenegro.....	23 Apr 2019
Namibia.....	16 May 2019 A
Netherlands ²	8 Feb 2018 A
Niger.....	29 Aug 2018
Nigeria.....	20 Dec 2018
Niue.....	24 Apr 2018
Norway.....	6 Sep 2017
Palau.....	29 Aug 2017
Panama.....	28 Sep 2018
Paraguay.....	1 Nov 2018 A
Poland.....	7 Jan 2019
Portugal.....	17 Jul 2018 AA

<i>Participant</i>	<i>Acceptance(A), Ratification, Approval(AA)</i>
Rwanda.....	23 May 2017
Samoa.....	23 Mar 2018
Senegal.....	31 Aug 2018
Slovakia.....	16 Nov 2017
Slovenia.....	7 Dec 2018
Sri Lanka.....	28 Sep 2018
Sweden.....	17 Nov 2017
Switzerland.....	7 Nov 2018
Togo.....	8 Mar 2018 A
Tonga.....	17 Sep 2018
Trinidad and Tobago.....	17 Nov 2017
Tuvalu.....	21 Sep 2017
Uganda.....	21 Jun 2018
United Kingdom of Great Britain and Northern Ireland.....	14 Nov 2017
Uruguay.....	12 Sep 2018
Vanuatu.....	20 Apr 2018

EUROPEAN UNION

Declaration by the European Union in conformity with Article 13 (3) of the Vienna Convention for the protection of the ozone layer concerning the extent of its competence with respect to the matters covered by the Convention and by the Montreal Protocol on substances that deplete the ozone layer.

The following States are at present Members of the European Union: the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland.

In accordance with the Treaty on the Functioning of the European Union, and in particular Article 192 (1) thereof, the Union has competence for entering into international agreements, and for implementing the obligations resulting therefrom, which contribute to the pursuit of the following objectives:

1. preserving, protecting and improving the quality of the environment;
2. protecting human health;
3. prudent and rational utilisation of natural resources;

4. promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

The Union has exercised its competence in the area covered by the Vienna Convention and the Montreal Protocol by adopting legal instruments, in particular Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer (recast)¹, replacing earlier legislation for the protection of the ozone layer, and of Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006². The Union is competent for the performance of those obligations from the Vienna Convention and the Montreal Protocol regarding which the provisions of Union legal instruments, in particular those mentioned above, establish common rules and if and insofar as such common rules are affected or altered in scope by provisions of the Vienna Convention or the Montreal Protocol or an act adopted in implementation thereof; otherwise the Union's competence continues to be shared between the Union and its Member States.

The exercise of competences by the European Union pursuant to the Treaties is, by its nature, subject to continuous development. The Union therefore reserves the right to adjust this Declaration.

In the field of research, as referred to by the Convention, the Union has competence to carry out activities, in particular to define and implement programmes; however, the exercise of that competence does not result in Member States being prevented from exercising theirs.

Notes:

¹ With territorial exclusion in respect of Greenland. See C.N.578.2018.TREATIES-XXVII.2.f of 6 December 2018.

² For the European Part of the Netherlands.

