

Council Decision of 14 October 1988 concerning the conclusion of the Vienna Convention for the protection of the ozone layer and the Montreal Protocol on substances that deplete the ozone layer (88/540/EEC)

COUNCIL DECISION

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concerning the conclusion of the Vienna Convention for the protection of the ozone layer and the Montreal Protocol on substances that deplete the ozone layer

(88/540/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas the Community together with several of its Member States signed, on 22 March 1985, the Vienna Convention for the protection of the ozone layer;

Whereas it is established that continued emissions of certain chlorofluorocarbons and halons at current levels are likely to cause significant damage to the ozone layer; whereas there is an international consensus that significant reductions in both production and consumption of such substances are necessary; whereas Decisions 80/372/EEC⁽³⁾ and 82/795/EEC⁽⁴⁾ provide for controls which are of limited effect and which cover only two such substances (CFC 11 and CFC 12);

Whereas a Protocol supplementary to the Vienna Convention, the Montreal Protocol on substances that deplete the ozone layer, was negotiated and adopted on 16 September 1987; whereas the Protocol was signed by the Community and by several of its Member States;

Whereas it is necessary for the protection, promotion and improvement of the environment to bring into force the Vienna Convention and the Montreal Protocol, which is based on the principle of preventive action to avoid further damage to the ozone layer and on the scientific and technical data which were available at the time of its adoption;

Whereas to that end the Community must approve the said Convention and Protocol;

Whereas it is, in particular, necessary for the Community to become a Contracting Party to the Protocol because certain of its provisions can only be carried out if the Community and all its Member States become Contracting Parties;

Status: This is the original version (as it was originally adopted).

Whereas in order for all the obligations under the Convention and the Protocol to be appropriately carried out, it is necessary that all Member States should also become Contracting Parties;

Whereas, furthermore, certain provisions of the Protocol, in particular Article 2(8), will apply in the Community only if all Member States become Parties to that Protocol;

Whereas all Member States should conclude as rapidly as possible their procedures for accession to and ratification of the Convention and the Protocol respectively, with a view to permit the deposit, as far as possible simultaneously, of the instruments of approval, acceptance, ratification or accession by the Community and the Member States,

HAS ADOPTED THIS DECISION:

Status: This is the original version (as it was originally adopted).

- (1) OJ No C 187, 18. 7. 1988, p. 46.
- (2) OJ No C 208, 8. 8. 1988, p. 3.
- (3) OJ No L 90, 3. 4. 1980, p. 45.
- (4) OJ No L 329, 25. 11. 1982, p. 29.