Achievements and challenges of the Vienna Convention and the Montreal Protocol

Recount of the most prominent achievements of the Convention and Protocol to date and the biggest challenges laying ahead.

Site: UNITED NATIONS INFORMATION PORTAL ON MULTILATERAL ENVIRONMENTAL AGREEMENTS
Course: Introductory Course to the International Legal Framework on Ozone Depletion
Book: Achievements and challenges of the Vienna Convention and the Montreal Protocol

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1. Achievements

The international ozone regime has been successful in several ways.

1.1. Universal Participation

The Vienna Convention and Montreal Protocol achieved universal participation, for the second time on 12 January 2012 when the new state of South Sudan became a Party thus bringing the total number of Parties to 197 (including the European Union).

As of March 2014, the London and Copenhagen Amendments to the Montreal Protocol have been ratified by all 197 Parties to the Montreal Protocol, the Montreal Amendment by 195 Parties and the Beijing Amendment by 193 Parties.

1.2. Phased-out of Ozone Depleting Substances

The Montreal Protocol regime has operated in a dynamic and flexible way. Controls on ozone depleting substances were strengthened in 1990, 1992, 1997, 1999 and 2007 and new substances were added.

More than 98 per cent of the historic levels of production and consumption of CFCs, halons, carbon tetrachloride, methyl chloroform, n-propyl bromide and chlorobromomethane has been phased-out.

1.3. Implementation and Compliance

The availability of technical and financial assistance from the Multilateral Fund has helped to ensure the participation of all developing countries in the implementation of the Montreal Protocol.

The non-compliance procedure has been successful by making it possible for both developed and developing to comply with their treaty obligations. Most importantly, the flexible compliance mechanism of the Montreal Protocol is often considered to be a role model in environmental agreements.

2. Challenges

Parties shall now focus of the total recovery of the ozone layer and the use of climate-friendly substitutes of ozone-depleting substances.

2.1. Total recovery of the Ozone Hole

Parties shall now facilitate and commit the necessary funding to achieve the total elimination of ozone-depleting substances, address illegal trade in ozone-depleting substances under the Protocol and continue monitoring the status of the ozone layer.

If the Montreal Protocol is fully adhered to, global ozone losses will be eradicated and the Antarctic ozone hole will have recovered by approximately 2065.

2.2. Ozone depleting substances and climate change

There seems to be an evident need to coordinate the Ozone regime with the Climate Change regime, since some of the substitute substances to ozone-depleting gases are classified as greenhouse gases under the 1997 Kyoto Protocol to the United Nations Framework Convention on Climate Change ("UNFCCC").

Currently, Parties are discussing on the possibility of including HFCs under the Montreal Protocol and the transition to climate-friendly alternatives to ozone depleting substances.

At the same time, according to the Ozone Secretariat, the Montreal Protocol has avoided the emissions of greenhouse gas equivalent to more than 135 billion tonnes of carbon dioxide by phasing out ozone-depleting substances according to scientific assessments on ozone protection measures.