

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 734 final.

Brussels, 30 November 1981

## Recommendation for a Council decision

authorising the Commission to participate on behalf of the  
Community in the negotiations for a global framework Convention  
on the protection of the ozone layer

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(submitted to the Council by the Commission)

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Explanatory Memorandum

1. At the ninth session of the Governing Council of the United Nations Environment Programme (UNEP), held in Nairobi 13-27 May 1981, a draft decision on the protection of the ozone layer sponsored by Community Member States was adopted (reference: Governing Council decision n° 9/13-B). The text was the subject of Community coordination within the Council framework both in Brussels and during the Session of the Governing Council in Nairobi.
2. The decision provides, inter alia, for the initiation of work aimed at the "elaboration of a global framework convention for the protection of the ozone layer".

The decision establishes for this purpose "an ad hoc working group of legal and technical experts nominated by interested Governments and intergovernmental organisations, which shall report through the Executive Director (of UNEP), to the Governing Council on the progress of its work".

(The text of the decision is to be found in Council document 7666/81, ENV 107, page 7).

3. It is envisaged to hold the first meeting of the ad hoc working group in Stockholm, at the invitation of the Swedish Government on 20 - 29 January 1982.

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In addition, the Coordinating Committee on the ozone layer - a scientific body set up by UNEP, which holds yearly meetings and which will meet again next October, will be called upon, in accordance with the above mentioned Governing Council decision, to contribute to the work of the ad hoc working group.

4. The Community has already been active in meeting the concerns expressed at national and international level for the protection of the ozone layer, notably through the Council resolution of 30 May 1978\*, and the Council decision of 26 March 1980\*\* (which stipulated that the production capacity of CFC's 11 and 12 should not be increased in any Member State and that by 31 December 1981 there should be a reduction of at least 30 % compared with 1976 levels of the use of the CFC's in aerosols) and by promoting action on an international level.
5. The recent communication from the Commission to the Council entitled "Chlorofluorocarbons in the Environment : Information and basis for evaluation for the pursuit of Community policy" (reference: COM(81) 261 final), recalls these measures and includes proposals for further action.
6. The above communication was examined by the Council of Ministers for Environment at its meeting on 11 June 1981, where it was decided, inter alia, to invite the Commission to submit to the Council as soon as possible a proposal for a Council decision authorising the Commission to participate on behalf of the Community in the negotiations for a global framework Convention on the protection of the ozone layer.  
The present proposal is in response to that invitation.

7. In view of the above mentioned considerations therefore, and in order to ensure the participation of the Community as such in the negotiations for a global framework Convention on the protection of the ozone layer, the Commission hereby recommends that the Council should as soon as possible:
  - adopt the decision for which a proposal is annexed authorising the Commission to participate on behalf of the Community in the negotiations for a global framework Convention on the protection of the ozone layer

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\* O.J. C 133, 7/6/1978

\*\* Decision 80/372/EEC - O.J. L 90, 3/4/80

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the recommendation from the Commission,

Whereas the aim of the Community environment policy as stated in the Declaration of the Council of the European Communities and of the representatives of the Governments of the Member States meeting in the Council of 22 November 1973 on the programme of action of the European Communities on the environment<sup>1)</sup> as supplemented by the Resolution of the Council of the European Communities and of the representatives of the Governments of the Member States meeting within the Council of 17 May 1977 on the continuation and implementation of an European Community policy and action programme on the environment<sup>2)</sup>, namely the improvement of the quality and setting of life, of the surroundings and living conditions of the peoples of the Community, implies, in particular, preventing, reducing and, as far as possible, eliminating, pollution and nuisances as well as seeking common solutions to environmental problems with States outside the Community, particularly in international organisations;

Whereas in accordance with this policy the Community has already adopted measures concerning chlorofluorocarbons in the environment, and pursued actions on an international level, particularly in the framework of the United Nations Environment Programme;

Whereas the Governing Council of the United Nations Environment Programme, at its ninth session, decided to initiate work aimed at the elaboration of a global framework Convention for the protection of the ozone layer;

Whereas in view of the above-mentioned considerations, it is necessary for the Community to participate in the negotiations for a global framework Convention on the protection of the ozone layer;

HAS DECIDED AS FOLLOWS:

Sole Article

The Commission is hereby authorised to participate in the negotiations for a global framework Convention on the protection of the ozone layer.

The Commission shall conduct these negotiations in consultation with representatives of the Member States and in accordance with the annexed directives.

Directives for the negotiations

The negotiations should aim towards the elaboration of a global framework Convention, which would cover monitoring, scientific research and the development of best available and economically feasible technologies to limit and gradually reduce emissions of ozone-depleting substances, as well as the development of appropriate strategies and policies, in consistency with policies being developed in the Community.

The negotiations should also aim at ensuring that appropriate provisions enabling the Community to become a Contracting Party be contained in the Convention.

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