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WITHDRAWAL SHEET

Ronald Reagan Library

Collection: BLEDSOE, RALPH: Files
OA/Box: OA 18803
File Folder: 330-Stratospheric Ozone
 (September 1987) [2]

Archivist: lov/lov
FOIA ID: F00-013, Metzger
Date: 08/17/2000

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. Cable	Bonn 27524, 1p <i>R 12/10/02 F2000-013 #20</i>	9/4/87	P1/F1
2. Cable	Copenhagen 06714, 1p <i>R 12/10/02 F2000-013 #21</i>	8/26/87	P1/F1
3. Cable	Oslo 06123, 2p <i>R 12/10/02 F2000-013 #22</i>	9/2/87	P1/F1
4. Cable	Accra 05984, 2p <i>R 12/10/02 F2000-013 #23</i>	9/2/87	P1/F1
5. Cable	Same text as item #2 (with different notations) <i>R 12/10/02 F2000-013 #24</i>	8/26/87	P1/F1
6. Cable	London 18632, 1p <i>A 12/10/02 F2000-013 #25</i>	8/27/87	P1/F1
7. Cable	Paris 39276, 1p <i>R 12/10/02 F2000-013 #26</i>	8/27/87	P1/F1
8. Cable	State 271815, 2p <i>R 12/10/02 F2000-013 #27</i>	8/31/87	P1/F1
9. Cable	Ankara 10429, 1p <i>A 12/10/02 F2000-013 #28</i>	8/27/87	P1/F1
10. Cable	Helsinki 05316, 1p <i>R 12/10/02 F2000-013 #29</i>	8/31/87	P1/F1
11. Cable	Stockholm 06449, 1p <i>R 12/10/02 F2000-013 #30</i>	8/28/87	P1/F1
12. Cable	Bogota 11633, 1p <i>R 12/10/02 F2000-013 #31</i>	8/25/87	P1/F1
13. Cable	Canberra 08078, 1p <i>R 12/10/02 F2000-013 #32</i>	8/27/87	P1/F1
14. Cable	Tokyo 15318, 1p <i>R 12/10/02 F2000-013 #33</i>	8/28/87	P1/F1
15. Cable	Same text as item #7, 1p <i>R 12/10/02 F2000-013 #34</i>	8/27/87	P1/F1
16. Cable	Same text as item #9, 1p <i>R 12/10/02 F2000-013 #35</i>	8/27/87	P1/F1
17. Cable	Same text as item #14, 1p <i>R 12/10/02 F2000-013 #36</i>	8/27/87	P1/F1

RESTRICTIONS

P-1 National security classified information [(a)(1) of the PRA].
 P-2 Relating to appointment to Federal office [(a)(2) of the PRA].

P-3 Release would violate a Federal statute [(a)(3) of the PRA].
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

F-1 National security classified information [(b)(1) of the FOIA].
 F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
 F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
 F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
 F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
 F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
 F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
 F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

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DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
18. Cable	Stockholm 06449, 1p <i>R 12/10/02 F2000-013 #37</i>	8/28/87	P1/F1
19. Cable	State 271815, 2p <i>R 12/10/02 F2000-013 #38</i>	8/31/87	P1/F1
20. Cable	Helsinki 05316, 1p <i>R 12/10/02 F2000-013 #39</i>	8/31/87	P1/F1
21. Cable	Canberra 08209, 2p <i>R 12/10/02 F2000-013 #40</i>	8/2/87	P1/F1
22. Cable	Brussels 12219, 2p <i>R 12/10/02 F2000-013 #41</i>	9/1/87	P1/F1
23. Cable	Helsinki 05375, 1p <i>R 12/10/02 F2000-013 #42</i>	9/2/87	P1/F1

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PAGE 01 BOMN 27524 00 OF 02 041420Z

5107

ACTION OES-09

INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 EUR-00 SS-00
OIC-02 CIAE-00 EB-00 DINT-05 DODE-00 H-01 IO-19
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TRSE-00 PM-10 EPA-01 CEA-01 OMB-01 STR-17 INRE-00
AGRE-00 ACDA-12 USIE-00 JUSE-00 SP-02 DOEE-00 CEQ-01
PRS-01 E-01 T-01 /100 W

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R 041038Z SEP 87
FM AMEMBASSY BOMN
TO SECSTATE WASHDC IMMEDIATE 9360
INFO EC COLLECTIVE IMMEDIATE
AMCONSUL MONTREAL IMMEDIATE

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DEPARTMENT FOR OES (BENEDICK)

E.O. 12356: (N/A)
TAGS: SENV, ETRD, UNEP, GE
SUBJECT: NEGOTIATIONS TO CONTROL OZONE DEPLETING
CHEMICALS

REF: (A) STATE 261173, (B) BOMN 26653

1. ~~100~~ ENTIRE TEXT

2. SUMMARY: FRG FOREIGN MINISTRY AND ENVIRONMENT
MINISTRY OFFICIALS REITERATE THEIR SUPPORT FOR A STRONG
AND EFFECTIVE PROTOCOL TO LIMIT PRODUCTION OF OZONE
DEPLETING SUBSTANCES. THE FRG EMPHATICALLY OPPOSES THE
EC "SINGLE UNIT" APPROACH AND WISHES TO LIMIT PRODUCTION
OF CFCs AND OTHER SIMILAR PRODUCTS WHILE PROHIBITING
THEIR REPLACEMENT BY IMPORTS. THE FRG WISHES TO
SPECIFICALLY INCLUDE THE HALONS 1211 AND 1301 IN ARTICLE
2. THE FRG POSITION IS TO SHOOT FOR A 50 PERCENT
EMISSION REDUCTION BUT CONCEDES THAT A 40 PERCENT
REDUCTION IS MORE LIKELY TO BE ACCEPTABLE TO OTHER EC
PLAYERS. END SUMMARY.

3. BACKGROUND: SCICONS MET WITH FOREIGN OFFICE DAS
WIEGAND PABSCH AND ENVIRONMENT MINISTRY DIRECTOR OF THE
OFFICE FOR ATMOSPHERIC POLLUTION, DR. ALLAN KRAUS, TO
DISCUSS THE FRG POSITION ON UPCOMING NEGOTIATIONS TO
CONCLUDE A PROTOCOL ON LIMITING SUBSTANCES THAT DEplete
ATMOSPHERIC OZONE. KRAUS, THE MAIN FRG REPRESENTATIVE TO
ATTEND THE MONTREAL NEGOTIATION MEETINGS, ONLY RETURNED
FROM AN EXTENDED VACATION TWO DAYS PRIOR TO OUR CALL ON
HIM. HE HAD NOT YET DIGESTED THE DEPARTMENT'S POSITION
PAPER (REF A) BUT FREELY SHARED HIS VIEWS ON THE MAJOR
ISSUES HE PERCEIVED WILL BE RAISED IN MONTREAL.
THE FRG POSITION WILL BE MORE CLEARLY DEFINED AFTER A
FINAL INTERAGENCY STRATEGY MEETING TO BE HELD SEPTEMBER
4.

4. EC AS "SINGLE UNIT:" PABSCH AND KRAUS SAID THAT THE
PROPOSAL TO TREAT THE EC AS A SINGLE UNIT FOR
PRODUCTION/CONSUMPTION PURPOSES WAS RAISED BY THE EC
COMMISSION WITHOUT PRIOR CONSULTATION WITH MEMBER
NATIONS. THEY STATED THE FRG WOULD OPPOSE ANY PROPOSAL
THAT PERMITTED OTHER EC NATIONS TO RAISE THE PRODUCTION
OF CONTROLLED CFCs TO TAKE ADVANTAGE OF NATIONS LIKE THE
FRG THAT LOWER PRODUCTION BELOW PRESCRIBED LIMITS. AN
AIDE TO PABSCH, HERR LEMP, ADDED THAT THE EC COMMISSION
ALSO WANTED THE EC TO SIGN FOR THE TWELVE -- A PROPOSAL
THAT PABSCH SAID THE FRG WOULD STRONGLY OPPOSE. PABSCH
CONCLUDED THAT IT WAS IN NO WAY CERTAIN, HOWEVER, THAT
THE FRG VOICE WOULD CARRY THE COMMITTEE. WITH EMPHASIS,

PABSCH NOTED THAT THE EC MEMBERS STATES CAN NOT NEGOTIATE
INTRA-EC TRADE IN CFCs AND IN PRODUCTS CONTAINING CFCs.

KRAUS EMPHASIZED THAT THE SINGLE UNIT CONCEPT ORIGINATED
FROM THE COMMISSION AND NOT THE EC COUNCIL. WHEN ASKED
IF THE EC POSITION WAS NOW CONSOLIDATED AMONG OTHER EC
STATES, KRAUS SAID HE DID NOT THINK SO. HE SAID THERE
SHOULD BE SOME FLEXIBILITY ON THIS ISSUE AT MONTREAL.

5. PRODUCTION V. CONSUMPTION: KRAUS CITED THE MAXIM:
WHAT IS NOT PRODUCED CANNOT BE EMITTED. THUS HIS FOCUS
FOR EMISSION LIMITATION WAS ON PRODUCTION. HE ALSO
STATED THE CONCERN THAT IMPORTS, PARTICULARLY FROM
DEVELOPING NATIONS, DO NOT REPLACE SUBSTANCES WHOSE
PRODUCTION HAVE BEEN REDUCED BY THE PROTOCOL. KRAUS
AGREED THAT THE US AND THE FRG SEEM TO SEEK THE SAME ENDS
BUT FROM DIFFERENT STARTING POINTS.

6. THE HALONS: KRAUS EXPRESSED THE VIEW OF FRG
ENVIRONMENT MINISTER TOEPFER THAT THE HALONS 1211 AND
1301 SHOULD BE INCLUDED BY NAME IN ARTICLE 2 OF THE
PROTOCOL. HE FELT THAT THE DAMAGE DONE BY THESE TWO
SUBSTANCES WAS SIGNIFICANT ENOUGH TO WARRANT SPECIFIC
MENTION IN THE PROTOCOL

7. 50 PERCENT REDUCTION: ACCORDING TO KRAUS, THE
PRIMARY GOAL OF THE PROTOCOL SHOULD BE TO REDUCE CFC
EMISSIONS BY 50 PERCENT. IN KRAUS' OPINION, THIS IDEA
HAS NOT BEEN ACCEPTED BY ALL PARTIES.
THE FRG NATIONAL PROGRAM IS GEARED TO THIS ALREADY.
FRANCE AND THE UK, HE STATED, ARE NOT FAR FROM ACCEPTING
40 PERCENT IN THE THIRD STAGE (FIRST STAGE: FREEZE;
SECOND STAGE: 20 PERCENT).

8. COOPERATION WITH THE US DELEGATION AT MONTREAL:
KRAUS EXPRESSED THE DESIRE TO DISCUSS ALL MATTERS

CONCERNING THE PROTOCOL WITH THE US DELEGATION AT THE
NEGOTIATING SESSIONS. HE CONFIRMED THE FRG HOPE FOR A
STRONG AND WIDELY ACCEPTED PROTOCOL.
BURT

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BY smf, NARA, DATE 12/02

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PAGE 01 BERN 05955 261148Z
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FM AMEMBASSY BERN
TO SECSTATE WASHDC 2566
INFO USMISSION GENEVA

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, SZ
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

1. POST PROVIDED SANITIZED VERSION OF TEXT CONTAINED REFTEL TO DR. CHRISTOPH RENTSCH OF THE SWISS FEDERAL OFFICE OF ENVIRONMENTAL PROTECTION. ECON COUNSELOR AND ECONOMIC OFFICER SUBSEQUENTLY MET WITH RENTSCH AUGUST 25. RENTSCH AT THAT TIME HAD, UNFORTUNATELY, NOT YET HAD AN OPPORTUNITY TO STUDY US TEXT IN DETAIL.

2. RENTSCH TOLD EMBASSY OFFICERS THAT THE SWISS POSITION FOR THE SEPTEMBER MEETINGS WOULD BE ESSENTIALLY UNCHANGED FROM PREVIOUS POSITION. "THE GENERAL LINE WILL BE THE SAME AS IN THE PAST" ACCORDING TO RENTSCH. SWITZERLAND COULD SUPPORT THE GENERAL THRUST OF UNEP'S SEVENTH REVISED DRAFT PROTOCOL.

3. POST WILL SOLICIT RENTSCH'S VIEWS AFTER HE HAS HAD AN OPPORTUNITY TO DIGEST TEXT PROVIDED 8/24, AND REPORT ACCORDINGLY.
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PAGE 01 COPENH 06714 261528Z
ACTION OES-09

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INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 EUR-00 SS-00
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T-01 /094 W

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R 261522Z AUG 87
FM AMEMBASSY COPENHAGEN
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AMEMBASSY STOCKHOLM
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4. AS IN OUR PAST CONVERSATIONS (REF C AND D) HARTNACK REITERATED TO SCIOFF THAT DENMARK'S VIEWS WERE NOT NECESSARILY THOSE OF ALL THE EC-12 AND THAT THERE WOULD OF NECESSITY BE MUCH COORDINATION WITH EC MEMBER DELEGATIONS DURING THE CONFERENCE IN AN ATTEMPT TO ARRIVE AT AN AGREEMENT. WHILE THERE HAD BEEN CONSIDERABLE DISCUSSION AMONG THE 12, THERE REMAINED A LONG WAY TO GO BEFORE ARRIVING AT A COMMON POSITION FOR MONTREAL. TOOMANN

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BRUSSELS ALSO FOR USEC

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, DA
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS - DANISH VIEWS

REFS: (A) STATE 261173
(B) STATE 219514
(C) COPENHAGEN 02720
(D) COPENHAGEN 00887

1. SCIOFF PROVIDED LATEST US PROPOSALS CONCERNING NEGOTIATIONS FOR A PROTOCOL ON OZONE-DEPLETING CHEMICALS 25 AUGUST BOTH TO JØRGEN HARTNACK, MFA OFFICIAL RESPONSIBLE FOR INTERNATIONAL ENVIRONMENTAL AFFAIRS, AND TO HENRI HERON, ENVIRONMENTAL AGENCY TECHNICAL EXPERT INVOLVED IN THE OZONE LAYER NEGOTIATIONS. (WE HAD PREVIOUSLY PASSED HARTNACK COPY OF TALKING POINTS REF. B BUT INTERVENING HOLIDAY PERIOD HAD DELAYED HIS RESPONSE.)

2. AT MEETING ON 26 AUGUST, HARTNACK INFORMED US THAT HE WOULD BE THE CHAIRMAN OF THE EC DELEGATION DURING THE FIRST WEEK OF THE MONTREAL MEETING, WHILE HERON WOULD BE HEADING THE DANISH NATIONAL DELEGATION. THE ENVIRONMENT MINISTER IS EXPECTED TO ATTEND THE SEPTEMBER 14-16 PLENIPOTENTIARIES CONFERENCE UNLESS 8 SEPTEMBER DANISH PARLIAMENTARY ELECTION RESULTS IN A CHANGE OF GOVERNMENT OR A CABINET SHUFFLE, IN WHICH CASE HARTNACK MIGHT CONTINUE AS DANISH GOVERNMENT REPRESENTATIVE.

3. HARTNACK, WHO HAD DISCUSSED REFTEL A WITH HERON, TOLD SCIOFF THAT DANISH VIEWS REMAIN SIMILAR TO THOSE OF THE UNITED STATES: THE DANES WOULD LIKE TO SEE THE STRICTEST PROTOCOL POSSIBLE IN TERMS OF TYPES OF CHEMICALS COVERED BY THE PROTOCOL, TIMEFRAME AGREED UPON FOR REDUCTION, COMPLIANCE, TRADE DISINCENTIVES, CONTROL PLACED ON CONSUMPTION INSTEAD OF PRODUCTION, ETC. DENMARK CONSIDERED IT ESSENTIAL, HOWEVER, THAT IN THE END A PROTOCOL BE REACHED WHICH COULD BE AGREED UPON BY AS MANY PARTIES AS POSSIBLE. NO ONE ISSUE SHOULD STAND IN THE WAY OF AN AGREEMENT. AS AN EXAMPLE, HARTNACK SAID THAT HE PERSONALLY WOULD NOT WANT THE EC COMMISSION'S REQUIREMENT THAT THE EC BE TREATED AS A SINGLE PRODUCING UNIT BE A STUMBLING BLOCK TO A FINAL PROTOCOL. HARTNACK EMPHASIZED THAT A PROTOCOL SIGNED BY ONLY A FEW COUNTRIES SUCH AS THE NORDICS, THE USA AND CANADA WOULD AMOUNT TO NO PROTOCOL AT ALL. DENMARK THEREFORE HOPED THAT ALL PARTICIPANTS WOULD REMAIN FLEXIBLE ON "NUMBERS AND ISSUES" IN FINALIZING THE PROTOCOL.

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BY Ans, NARA, DATE 12/10/02

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PAGE 01 BRUSSE 11859 251520Z
ACTION QES-09

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INFO	LOG-00	COPY-01	ADS-00	AID-00	INR-10	EUR-00	SS-00
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FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC PRIORITY 4247
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E. O. 12356: N/A
TAGS: SENV, ETRD, UNEP, BE
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

L. BELGIUM WILL BE REPRESENTED IN MONTREAL BY SECRETARY OF STATE FOR THE ENVIRONMENT MIET SMET, THE DEPUTY DIRECTOR OF THE STATE SECRETARY'S OFFICE (DEPUTY CHEF DE CABINET) JOHN HUYLEBROECK AND DR. HUGO J. PEPPERSTRAETE, ADVISOR TO THE STATE SECRETARY AND HEAD OF ENVIRONMENTAL PROGRAMS AT THE NUCLEAR ENERGY STUDY CENTER IN MOL, BELGIUM.

2. EMBOFF PROVIDED TEXT OF THE UNITED STATES VIEWS ON THE PROPOSED PROTOCOL ON OZONE-DEPLETING SUBSTANCES TO DR. HUYLEBROECK. HE HAD NO IMMEDIATE COMMENT BUT SAID HE WOULD LOOK OVER THE PAPER AND GIVE US HIS VIEWS EARLY NEXT WEEK. HE WILL ALSO DISCUSS THE PAPER WITH HIS COLLEAGUE AFTER DR. PEPPERSTRAETE RETURNS TO BRUSSELS NEXT WEEK. HE DID INDICATE, HOWEVER, THAT THE GOB VIEWED THIS SUBJECT WITH GREAT CONCERN AND THAT THE GOB'S VIEWS WERE CLOSELY AKIN TO THOSE OF THE USG. IN DR. HUYLEBROECK'S VIEW, THE OZONE-DEPLETION ISSUE MAY BE A MORE IMPORTANT ENVIRONMENTAL PROBLEM THAN ACID RAIN. WOODS**

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101
8/1/00



With the compliments of

THE NEW ZEALAND EMBASSY

Ms Suzanne S Butcher
OES/ENH
Room 4325
DEPARTMENT OF STATE

(David Taylor)
Second Secretary
21 August 1987

*37 Observatory Circle, N.W.
Washington, D. C. 20008
Phone: (202) 328-4800*

CLAS: UNCLASSIFIED

21 AUG 87

FROM: WELLINGTON

THE MINISTRY OF FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE FEDERAL REPUBLIC OF GERMANY, AND WITH REGARD TO THE EMBASSY'S ROLE IN WELLINGTON IN FULFILLING, ON BEHALF OF DENMARK, THE FUNCTIONS OF THE PRESIDENT OF THE EC, HAS THE HONOUR TO REFER TO THE UNITED NATIONS ENVIRONMENT PROGRAMME'S DECISION TO CONVENE A DIPLOMATIC CONFERENCE IN MONTREAL FROM 14 TO 16 SEPTEMBER 1987 TO ADOPT A PROTOCOL ON CHLORO-FLUOROCARBONS (CFC) TO THE VIENNA CONVENTION FOR THE PROTECTION OF THE OZONE LAYER.

NEW ZEALAND, RECOGNISING THE POTENTIAL DANGER TO MANKIND FROM THE CONTINUING DEPLETION OF THE OZONE LAYER BY CFC EMISSIONS, HAS TAKEN AN ACTIVE PART IN THE UNEP WORKING GROUP OF EXPERTS WHO HAVE BEEN NEGOTIATING THE CONDITIONS FOR THE CFC PROTOCOL. THE IMMEDIACY AND SERIOUSNESS OF THE CFC PROBLEM HAS ENCOURAGED NEW ZEALAND TO PROMOTE EMISSION CONTROLS THAT COULD BE INTRODUCED QUICKLY AND WHICH AIM TO BE EFFECTIVE, PRAGMATIC AND FAIR. NEW ZEALAND IS, HOWEVER, CONCERNED THAT THE CONTROL MEASURES PROPOSED BY THE EUROPEAN COMMUNITY DO NOT APPEAR LIKELY TO PROVIDE THE DEGREE OF CONTROL NECESSARY TO GIVE ADEQUATE PROTECTION TO THE OZONE LAYER, AND THIS MAY PRECLUDE REACHING AN AGREEMENT ON A PROTOCOL THAT OFFERS THE INTERNATIONAL COMMUNITY SOME PROSPECT OF AN EFFECTIVELY PROTECTED OZONE ENVIRONMENT.

IN THE HOPE THAT IT MAY HELP TO CONTRIBUTE TO THE EARLY CONCLUSION OF AN ACCEPTABLE AND EFFECTIVE PROTOCOL ON CHLORO-FLUOROCARBONS, NEW ZEALAND HAS PREPARED THE ATTACHED BACKGROUND PAPER SETTING OUT IN MORE TECHNICAL DETAIL THE NATURE OF NEW ZEALAND'S CONCERNS.

IT WOULD BE APPRECIATED IF A COPY OF THIS PAPER COULD BE PASSED TO THE APPROPRIATE EUROPEAN COMMUNITY AUTHORITIES.

THE MINISTRY OF FOREIGN AFFAIRS TAKES THIS OPPORTUNITY TO RENEW TO THE EMBASSY OF THE FEDERAL REPUBLIC OF GERMANY THE ASSURANCES OF ITS HIGHEST CONSIDERATION.

MINISTRY OF FOREIGN AFFAIRS

WELLINGTON

21 AUGUST 1987

PROTOCOLS ON CHLOROFLUOROCARBONS :

NEW ZEALAND VIEWPOINT

INTERNATIONAL SCIENTIFIC ASSESSMENTS ARE NOW CONFIDENT THAT DAMAGE TO THE OZONE LAYER WILL INCREASE, IF EMISSIONS OF THE MAN-MADE CHEMICALS OF THE CHLOROFLUOROCARBON (CFC) FAMILY TO THE ATMOSPHERE ARE NOT SIGNIFICANTLY REDUCED. CONTINUING OZONE DEPLETION WILL HAVE SERIOUS CONSEQUENCES FOR HUMAN HEALTH, THE ECOLOGY OF THE BIOSPHERE AND FOR THE GLOBAL CLIMATE.

NEW ZEALAND SIGNED THE VIENNA CONVENTION ON THE PROTECTION OF THE OZONE LAYER IN 1986 AND THE GOVERNMENT RATIFIED THE CONVENTION IN JUNE 1987. NEW ZEALAND HAS ACTIVELY PARTICIPATED IN THE INTERNATIONAL EFFORTS ORGANISED BY UNEP TO REACH AGREEMENT ON THE REDUCTION OF CFC CONSUMPTION.

THE NEW ZEALAND GOVERNMENT HAS A POLICY TO PROTECT THE OZONE LAYER BY PARTICIPATING IN INTERNATIONALLY AGREED CONTROLS ON CONSUMPTION OF CFC'S. AS PART OF THIS POLICY NEW ZEALAND SEEKS AN EARLY FREEZE ON PRODUCTION AND CONSUMPTION LEVELS OF CFC'S AND THAT EQUITABLE NATIONAL LIMITS BE SET TO ESTABLISH FUTURE CONSUMPTION LIMITS FOR INDIVIDUAL NATIONS. IT CONSIDERS ALL MAN-MADE OZONE MODIFYING SUBSTANCES SHOULD BE INCLUDED IN THE INTERNATIONAL PROTOCOL AS SCIENTIFIC EVIDENCE INDICATES AND THAT GLOBAL CONSUMPTION SHOULD BE PROGRESSIVELY REDUCED AT A RATE DETERMINED BY CONTINUING SCIENTIFIC ASSESSMENTS OF THE EVIDENCE.

NEW ZEALAND DELEGATIONS HAVE ADVANCED IDEAS CONSISTENT WITH THIS POLICY AT WORKING GROUP MEETINGS CONVENED BY UNEP AT VIENNA AND GENEVA EARLIER THIS YEAR AND AT A SMALL WORKING GROUP ARRANGED BY DR TCLBA OF UNEP AT EC HEADQUARTERS IN BRUSSELS IN JUNE 1987.

MOST OF THE PRINCIPLES NECESSARY FOR A CFC PROTOCOL NOW APPEAR TO BE INTERNATIONALLY AGREED, BUT NEVERTHELESS NEW ZEALAND IS BECOMING INCREASINGLY CONCERNED THAT AN EFFECTIVE AND WORKABLE PROTOCOL MAY NOT BE READY FOR SIGNING AT THE MONTREAL DIPLOMATIC CONFERENCE. IT IS ENVISAGED THAT SUCH A SITUATION WOULD ARISE IF THE EUROPEAN COMMUNITY IS UNABLE TO SUPPORT SOME OF THE MORE EFFECTIVE CONTROLS WHICH ARE MORE WIDELY CONSIDERED TO BE NECESSARY FOR THE ADEQUATE PROTECTION OF THE OZONE LAYER.

THE PRINCIPAL UNRESOLVED ISSUES WHICH CONCERN US, AND ON WHICH EC AGREEMENT HAS NOT BEEN POSSIBLE, RELATE TO ALL PARTS OF ARTICLE II OF THE 7TH REVISED DRAFT PROTOCOL.

(1) THE PROTOCOL SHOULD IN OUR VIEW INCLUDE HALONS 1211 AND 1301. ALTHOUGH THEIR USE IS RELATIVELY LOW THE OZONE DEPLETION POTENTIAL OF THESE COMPOUNDS IS HIGH. THERE IS SCIENTIFIC UNCERTAINTY ABOUT PRECISELY HOW GREAT THIS DEPLETION IS COMPARED WITH OTHER CFC'S, BUT IT IS CLEAR THAT ONE MEASURE OF HALON CAN CAUSE SEVERAL TIMES MORE OZONE DESTRUCTION THAN A SIMILAR MEASURE OF ANY OTHER CFC. BECAUSE OF FORESEEABLE DIFFICULTIES WITH ALTERNATIVES AND SUBSTITUTES A DELAY ON A FREEZE IS ACCEPTABLE. HOWEVER IT IS MOST IMPORTANT THAT A FREEZE ON HALONS IS SPECIFIED CLEARLY IN THE PROTOCOL, PREFERABLY WITH PROVISION FOR LATER REDUCTIONS IN USE. THE FREEZE ON HALONS COULD BE SPECIFIED AS COMING AFTER THE FIRST SCIENTIFIC ASSESSMENT, WHICH WILL PROVIDE AN OPPORTUNITY FOR REFINEMENTS IN THE FREEZE OR REDUCTION SCHEDULE. IF A DEFINED FREEZE OR REDUCTION OF HALONS IS NOT MENTIONED IN THE PROTOCOL, THERE IS NO SIGNAL TO INDUSTRY FOR THE NEED FOR URGENT RESEARCH AND DEVELOPMENT OF ALTERNATIVES.

EUROPEAN COMMUNITY IS IN NEW ZEALAND'S VIEW AN INSUFFICIENT
REDUCTION FOR THE ADEQUATE PROTECTION OF THE OZONE LAYER. THE 50%
NOW MENTIONED IN THE DRAFT PROTOCOL IS PROBABLY STILL NOT ENOUGH
BUT MAY BE SUFFICIENT TO ENCOURAGE URGENT DEVELOPMENT OF
SUBSTITUTES AND IT SEEMS LIKELY THAT BY THE END OF A DECADE THERE
WOULD BE LITTLE INDUSTRIAL INTEREST IN CONTINUING CFC PRODUCTION
FURTHER INTO THE FUTURE. THE NEW ZEALAND PROPOSAL PUT FORWARD AT
GENEVA IN APRIL 1987 ADVOCATED A 50% REDUCTION OF CFC'S OVER TEN
YEARS. WE NOTE THAT THOSE COUNTRIES THAT HAVE ALREADY MADE
CONSIDERABLE REDUCTIONS IN THE USE OF CFC'S FOR AEROSOL SPRAYS (EG
USA, NZ) STILL SATISFY CONSUMER DEMAND WITH SUBSTITUTES. AN
EQUIVALENT REDUCTION IN USE OF CFC-CONTAINING SPRAY CANS IN THE EC
COULD VIRTUALLY SATISFY THE NEED TO REDUCE CONSUMPTION BY 50%.
THE ALTERNATIVE TECHNOLOGIES EXIST ALREADY.



A FIFTY PERCENT PROTOCOL WOULD GIVE MEANINGFUL PROTECTION TO THE
OZONE LAYER AND WOULD IN OUR VIEW APPEAR TO CONSTITUTE A
REASONABLE COMPROMISE BETWEEN THOSE WHO HAVE ADVOCATED MUCH
SMALLER REDUCTIONS AND THOSE WHO ARE SEEKING THE OPTIMUM IN
WISHING TO PROVIDE FOR THE ELIMINATION OF CFC USE WITHIN ONE OR
TWO DECADES.

(3) IT IS NEW ZEALAND'S VIEW THAT THE EC'S PROPOSAL FOR BASING
CONTROLS ON PRODUCTION RATHER THAN CONSUMPTION OF CFC'S IS AN
UNSUITABLE WAY TO PROCEED. NEW ZEALAND NOTED THAT AT GENEVA IN
APRIL THE EC WAS PREPARED TO ACKNOWLEDGE THE CONCEPT OF
CONSUMPTION-BASED CONTROLS COMING IN AFTER SEVERAL YEARS.
NEVERTHELESS, AS A SMALL CFC-IMPORTING NATION, NEW ZEALAND
BELIEVES CONTROL OF PRODUCTION WOULD HAVE THE FOLLOWING
UNDESIRABLE EFFECTS.

(A) THE CONTROL OF PRODUCTION BY REGULATION IN PRODUCING
COUNTRIES WOULD (BECAUSE OF DOMESTIC DEMAND FOR THE SCARCE
RESOURCE) RESTRICT AVAILABILITY TO IMPORTING COUNTRIES. THE
REGULATED SITUATION IS NOT A FREE MARKET AND MARKET FORCES CANNOT
BE EXPECTED TO PRODUCE AN EQUITABLE INTERNATIONAL DISTRIBUTION
OVER THE FIRST FEW YEARS, WHICH WOULD BE CRITICAL TO INDUSTRIES
IN A SMALL ECONOMY.

CONSUMPTION BY IMPORTING COUNTRIES, WHICH MIGHT BE MADE AS A GESTURE TOWARDS THE PROTECTION OF THE OZONE LAYER, WOULD HAVE LITTLE EFFECT AS THE OFFENDING CFC'S ARE LIKELY TO STILL BE PRODUCED, FOR USE ELSEWHERE. THE SMALL AND LOW CONSUMING COUNTRIES WOULD LOSE WHAT INFLUENCE THEY MIGHT OTHERWISE HAVE IN PROTECTING THE OZONE LAYER.

(C) THE SPECIAL PROVISIONS FOR LOW CONSUMING COUNTRIES (LCC'S) RUN INTO ANOMALIES WITHIN A PRODUCTION CONTROL REGIME.

NEW ZEALAND CONSIDERS THAT THE USE OF CONSUMPTION-BASED CONTROLS SHOULD REMOVE THE FIRST TWO DIFFICULTIES MENTIONED ABOVE, WITHOUT ADVERSELY AFFECTING THE MAJOR PRODUCERS. THE RESOLUTION OF CONCESSIONS FOR THE LCC'S IS SIMPLIFIED IF CONSUMPTION-BASED CONTROLS ARE TO BE IN FORCE.

(4) AT BRUSSELS IN JUNE, THE LARGER PRODUCING COUNTRIES MADE A CASE FOR GREATER INFLUENCE IN THE COURSE OF THE PROTOCOL ON THE GROUNDS OF A GREATER 'STAKE' IN ITS EFFECTS.

IT IS RECOGNISED THAT THE U.S. AND EC CERTAINLY HAVE A LARGE ECONOMIC STAKE IN THIS PROTOCOL, AND NEW ZEALAND ACCEPTS THAT THERE WILL BE NO EFFECTIVE PROTOCOL WITHOUT THE U.S. AND EC BEING FULLY INVOLVED. NEVERTHELESS, AS WELL AS THE FINANCIAL OR ECONOMIC STAKE IN THE SHORT TERM, THERE IS A SIGNIFICANT ENVIRONMENTAL ISSUE OF PARTICULAR CONCERN TO NEW ZEALAND AND OTHERS. IN THE SOUTHERN HEMISPHERE, FOR EXAMPLE, RELATIVELY FEW CFC'S ARE CONSUMED, BUT MORE THAN HALF THE OZONE DEPLETION SO FAR IS IN THE SOUTHERN HEMISPHERE. IT IS ALSO NOTED THAT THE SCANDINAVIAN COUNTRIES, LOCATED AT HIGH LATITUDES, WHERE OZONE DEPLETION WILL BE GREATEST, HAVE EXPRESSED SIMILAR CONCERNS.

THE PROPORTION OF THE NEW ZEALAND ECONOMY THAT IS DEPENDENT ON THE CONTINUING USE OF CFC'S IS MUCH THE SAME AS THAT FOR THE COUNTRIES OF THE EUROPEAN COMMUNITY.

NEW ZEALAND ALSO RECOGNISES THAT THERE ARE OTHER UNRESOLVED CFC ISSUES, SUCH AS THE TIMING OF REDUCTIONS, TRADE PROVISIONS, LCC PROVISIONS, WHICH NEW ZEALAND CONSIDERS IMPORTANT. HOWEVER, NEW ZEALAND HAS SOME CONFIDENCE THAT THESE LESS SUBSTANTIVE ISSUES CAN BE SATISFACTORILY RESOLVED DURING THE PREPARATORY SESSION OF THE MONTREAL CONFERENCE.

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ACTION QES-09

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INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 EUR-00 SS-00
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BRUSSELS ALSO FOR USEC
OES FOR BENEDICK/BUTCHER

E.O.: 12356:DECL:OADR
TAGS: SENV, ETRD, UNEP, OVIP, ND
SUBJ: OZONE NEGOTIATIONS

REF: STATE 261173

1. ~~CONFIDENTIAL~~ - ENTIRE TEXT.

2. SUMMARY AND INTRODUCTION

IN A RECENT CONFERENCE WITH THE GON REPRESENTATIVE TO THE OZONE NEGOTIATIONS, ECONOFF GOT A READOUT ON THE NORWEGIAN REACTION TO THE US VIEWS CONTAINED IN REFTEL. THE MINISTRY OFFICIAL EMPHASIZED NORWAY'S DESIRE TO CONCLUDE THE NEGOTIATIONS SUCCESSFULLY, BUT EXPRESSED RESERVATIONS ABOUT OUR POSITION ON HALONS, FUTURE DECISIONMAKING AND ENTRY-INTO-FORCE. OVERALL, HOWEVER, THE NORWEGIAN REPRESENTATIVE WAS ENCOURAGED BY THE USG VIEWS AND HOPED TO WORK OUT THE REMAINING DIFFERENCES IN FURTHER CONSULTATIONS. THE MINISTRY'S SECRETARY GENERAL, DR. OLAV SAETERSDAL MAY WISH TO DISCUSS NORWAY'S COMMENTS IN HIS SEPTEMBER 4 MEETING WITH DAS BENEDICK.

3. GON EAGER FOR AN AGREEMENT

AS REQUESTED, POST TRANSMITTED COPY OF US VIEWS ON THE DRAFT OZONE DEPLETION PROTOCOL TO GON MINISTRY OF ENVIRONMENT OFFICIALS. AFTER THE MINISTRY WAS ABLE TO REVIEW THE DOCUMENT, ECONOFF MET WITH PER BAKKEN, NORWAY'S REPRESENTATIVE AT THE NEGOTIATIONS. BAKKEN STRESSED THAT, ABOVE ALL, HIS GOVERNMENT WANTED THE UPCOMING CONFERENCE TO RESULT IN AN AGREEMENT, AND WOULD TAKE WHATEVER STEPS NECESSARY TO BRING ABOUT AN ACCORD. NORWAY, HE OBSERVED, FELT THAT ARTICLE 2 WAS THE HEART OF THE DRAFT PROTOCOL, AND BELIEVED THAT THE NEGOTIATING PARTIES SHOULD CONCENTRATE THEIR EFFORTS IN THAT AREA.

4. THE PROBLEM WITH HALONS

TURNING TO SPECIFICS, BAKKEN BEGAN TO ANALYZE THE POINTS RAISED BY THE US IN REFTEL. INTERPRETING OUR POSITION ON HALONS AS ONLY EMBRACING THE PRODUCTION LIMITATION APPROACH, HE CRITICIZED THE USG VIEW, ARGUING THAT NORWAY OPPOSED ANY ATTEMPT TO FREEZE THE PRODUCTION, BUT NOT THE CONSUMPTION, OF HALONS. A FREEZE MERELY

ON PRODUCTION AND IMPORT LEVELS, HE MAINTAINED, UNFAIRLY BURDENED THOSE COUNTRIES WHICH DO NOT MANUFACTURE THE SUBSTANCE, SINCE THEY DEPEND UPON THE OPEN MARKET FOR THEIR SUPPLY. AND WHILE IN THE LONG RUN NORWAY MIGHT FIND ACCEPTABLE SUBSTITUTES FOR THESE CHEMICALS, IN THE SHORT-TERM INDIVIDUAL FIRMS MIGHT SUFFER. BAKKEN NOTED THAT ONE OF NORWAY'S MAJOR SHIPPING CLASSIFICATION FIRMS -- VERITAS-- REQUIRED THE USE OF HALONS IN VESSEL PREP.

5. BAKKEN COMMENTED THAT NORWAY WOULD PREFER THAT THE PARTIES ADOPT A PRODUCTION/CONSUMPTION FREEZE -- AS SUGGESTED FOR THE CFCS -- WITH RESPECT TO HALONS. THIS APPROACH, HE STATED, WOULD COMPEL THE PRODUCING NATIONS TO ACCEPT THEIR SHARE OF THE BURDEN. AN ALTERNATIVE, HE SAID, WOULD BE TO DEAL WITH HALONS IN A RESOLUTION OUTSIDE THE PROTOCOL. IN ANY EVENT, HE LABELLED THE USG VIEW ON HALONS AS IT NOW STANDS A "PROBLEM."

6. FINALLY, BAKKEN STATED THAT IN ADDITION TO HALONS 1211 AND 1301, THE NORWEGIANS WORRIED ABOUT HALON 2402 -- A SUBSTANCE NOT COVERED BY THE PROTOCOL BUT ONE WITH A HIGH OZONE-DEPLETING POTENTIAL. HE ADMITTED, HOWEVER, THAT IT MIGHT BE BETTER TO REGULATE HALON 2402 AND OTHER HIGH-DEPLETING VARIANTS IN A SEPARATE RESOLUTION.

7. WHO MAKES THE DECISIONS

THE NORWEGIANS ALSO VOICED OBJECTIONS TO THE USG VIEW ON FUTURE DECISIONMAKING AND ENTRY INTO FORCE, COMPLAINING SPECIFICALLY ABOUT THE WEIGHTED VOTE APPROACH. THIS PROCEDURE, BAKKEN ARGUED, WOULD DIMINISH THE INFLUENCE OF THE SMALL-ENVIRONMENTALLY CONSCIOUS NATIONS (E.G., NORWAY) IN FAVOR OF THE LARGE-PRODUCING COUNTRIES (E.G., THE US AND THE EC). IN PARTICULAR, THE 60 PERCENT THRESHOLD ON THE ENTRY-INTO-FORCE QUESTION WOULD GIVE THE EC EFFECTIVE CONTROL OVER THE ADOPTION OF THE ENTIRE PROTOCOL, HE STATED. FURTHER, BAKKEN CONTINUED, ALTHOUGH ON OCCASION IT HAS STRAYED FROM THE PRINCIPLE IN THE PAST, NORWAY SUPPORTS THE BASIC U.N. PHILOSOPHY OF ONE COUNTRY, ONE VOTE. AGAIN, HE TERMED THIS ISSUE A PROBLEM FOR HIS SIDE.

8. TACTICAL SUGGESTIONS

WHILE THE GON SUPPORTED THE THRUST OF OUR VIEWS ON TRADE-IN-FORCE AND COMPLIANCE, BAKKEN SUGGESTED THAT IT MIGHT BE COUNTERPRODUCTIVE TO INTRODUCE NEW OR DETAILED PROVISIONS AT THIS LATE STAGE IN THE NEGOTIATIONS. THE DISCUSSION OF THESE PROVISIONS MIGHT MONOPOLIZE THE DEBATE, TAKING MUCH-NEEDED TIME WHICH COULD BE DEVOTED TO CRITICAL ARTICLE 2 TOPICS, HE THOUGHT. BAKKEN NOTED THAT THE US MIGHT WANT TO CONSIDER AMENDING ITS VIEW ON TRADE IN PRODUCTS TO COVER ONLY THE RELATIVELY SIMPLE QUESTION OF BULK CHEMICALS, WITH A STATEMENT OF INTENT FOR AID, TRADE, CREDIT AND NON-PARTIES. SIMILARLY, WITH REGARD TO THE PRODUCTION VS. CONSUMPTION FREEZE ISSUE, HE ARGUED THAT IT MIGHT PROVE WISE NOT TO BEGIN THE SESSION DISCUSSING THIS POINT IN ORDER TO PREVENT THE NEGOTIATIONS FROM STALLING AT THE OUTSET.

9. MINOR DIFFERENCES

(A) THE NORWEGIANS SUGGEST DELETING THE PHRASE "EXCEPT

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BY Inf, NARA, Date 12/10/02

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FOR USES FOR WHICH NO SUBSTITUTES ARE COMMERCIALY AVAILABLE" FROM ARTICLE 2, PARA 5 (ADDITIONAL REDUCTION STEPS), EXPLAINING THAT THIS WORDING IS REDUNDANT SINCE IN THE LONG RUN SUBSTITUTES CAN BE FOUND FOR ALL OZONE-DEPLETING SUBSTANCES.

(B) THEY LABEL ARTICLE 3 (CALCULATION OF CONTROL LEVELS) A MINOR ISSUE, BUT RAISE NO OBJECTION TO IT.

(C) BAKKEN COMMENTED THAT THE NEGOTIATORS MAY WISH TO FIND A BETTER WORD THAN "GRACE PERIOD" IN ARTICLE 5 TO DESCRIBE THE TIME DURING WHICH THE LOW CONSUMING COUNTRIES CAN INCREASE CONSUMPTION.

10. THE SECRETARY GENERAL'S VISIT

DR. OLAV SAETERSDAL, SECRETARY GENERAL OF THE GON MINISTRY OF ENVIRONMENT, WILL LIKELY WISH TO DISCUSS THE NORWEGIANS' REACTION TO THE US POSITION IN HIS SEPTEMBER 4 MEETING WITH DAS BENEDICK. SAETERSDAL MAY RAISE SOME OF THE POINTS OUTLINED ABOVE DURING THE DISCUSSION. STUART

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ACTION OES-09

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INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 SS-00 OIC-02
AF-00 CIAE-00 EB-00 DINT-05 DODE-00 H-01 10-19
NSCE-00 NSF-01 NSAE-00 COME-00 L-03 PM-10 EPA-01
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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, GH
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
- CHEMICALS

REF: STATE 261173

1. SUMMARY: THE GHANAIA "EXPERT" IN THESE NEGOTIATIONS WILL BE IN MONTREAL FOR THE FINAL SESSION BUT WAS UNSURE IF (WITHOUT OUR HELP) THE GOG WILL BE ABLE TO SEND SOMEONE TO SIGN THE PROTOCOL. WHILE CLAIMING MAJOR DIFFERENCES ALREADY HAVE BEEN IRONED OUT HE FORCEFULLY DEFENDED SPECIAL TREATMENT FOR THE DEVELOPING (LOWCONSUMING) COUNTRIES, ESPECIALLY ON INCREASED SCOPE FOR CONSUMPTION. THE EXPERT WAFFLED ON WHETHER THE EC SHOULD BE TREATED AS A UNIT, BUT AVERRED THE RATIFICATION TRIGGER POINT OF 60 PERCENT OF PRODUCTION IS HIGH ENOUGH TO ENDUCE EC ADHERENCE. END SUMMARY.

2. ECON/COMM OFF MET AUG. 26 WITH SETH OSAFO, SECRETARY TO THE ENVIRONMENTAL PROTECTION COUNCIL (EPC), WHO HAS SERVED ON UNEP'S GROUP OF EXPERTS DURING THESE NEGOTIATIONS AND (WITH UNDP HELP, I.E., FUNDING) EXPECTS TO PARTICIPATE IN THE SEPT. 8-11 FINAL NEGOTIATIONS. HE HOPES THE GOG WILL SEND SOMEONE TO "THE SIGNING" (I.E., THE CONFERENCE OF PLENIPOTENTIARIES), AND HAS PROPOSED SUCH TO THE MINISTRY OF LOCAL GOVERNMENT AND SOCIAL WELFARE. HOWEVER, DUE TO THE "LATENESS OF EVENTS" AND THE GOG'S TIGHT BUDGET OSAFO WAS NOT SANGUINE ABOUT ITS ABILITY TO DO SO. HE ASKED ECON/COMM OFF WHETHER THE USG COULD PROVIDE FINANCIAL ASSISTANCE; THE LATTER EXPRESSED EXTREME DOUBT THAT ANY HELP COULD BE GIVEN.

3. ECON/COMM OFF GAVE THE EPC OFFICIAL A COPY OF THE U.S. VIEWS SET FORTH IN REFTEL. (NOTE: THROUGH THE ENSUING EXCHANGE THE LATTER LARGELY USED THE TERM "DEVELOPING COUNTRIES" OR "LDC'S" IN PREFERENCE TO LOW-CONSUMING COUNTRIES (LCC'S)).

4. OSAFO BEGAN BY ASSERTING THAT "THE REAL DIFFERENCES HAVE BEEN IRONED OUT." HE NOTED THAT THE UNEP EXECUTIVE CHAIRMAN HAD HELD A MEETING OF THE "CORE GROUP" (IN WHICH OSAFO HIMSELF PARTICIPATED, "FOR THE LDC'S") TO IRON OUT THE CONTROVERSIAL PARTS. THERE WAS DISAGREEMENT, FOR EXAMPLE, ON CERTAIN PROVISIONS RELATING TO DEVELOPING COUNTRIES, E.G., AID PACKAGES TO THEM. IT WAS ARGUED THAT IF AN AID PACKAGE CONTAINED CHLOROFLUOROCARBONS (CFC'S) AND THE RECEIVING PARTY WAS NOT A SIGNATORY TO THE PROTOCOL, THE PACKAGE SHOULD NOT BE SENT. HOWEVER, DEVELOPING COUNTRIES ARGUED AGAINST SUCH RESTRICTIONS, AND THE MATTER HAS BEEN REVIEWED "MUCH

TO OUR SATISFACTION."

5. IN APPARENT CONTRADICTION TO HIS INITIAL ASSERTION, OSAFO THEN WENT ON TO NOTE THE CONTINUED CONTROVERSY CENTERING ON CONTROL MEASURES AND THE FORMULA FOR CALCULATION. ONE PROBLEM IS DETERMINING CONSUMPTION PATTERNS. HE TERMED "INADEQUATE" DATA ON HOW MUCH IS BEING USED IN DEVELOPING COUNTRIES. THUS THE BASE YEAR (1986) FIGURES FOR CONSUMPTION -- WHICH ARE TO FORM THE FUTURE CEILING -- BEING SET ARE ARBITRARY ONES. SINCE NO ONE CAN BE VERY SURE ABOUT THE FIGURES, THE DEVELOPING COUNTRIES HAVE THE RIGHT TO REJECT THEM. BOTH SIDES HAVE TO AGREE ON A CERTAIN LEVEL.

6. THE GHANAIA OFFICIAL AGREED THE MOST LOGICAL SOLUTION IS THE UNEP COMPROMISE (PARA 6, REFTEL) THAT BOTH PRODUCTION AND CONSUMPTION BE CONTROLLED. HE POOH-POOHED CONCERN (PARA 7) THAT EXISTING PRODUCTION IN DEVELOPED COUNTRIES WOULD BE REPLACED BY EXPANDED CAPACITY IN DEVELOPING ONES. OSAFO NOTED THAT THE U.S. AND EC PRODUCE 80-90 PERCENT OF CPC'S, AND THERE ARE PROVISIONS AGAINST TECHNOLOGY TRANSFER. DESPITE CONCERN THAT SOUTH KOREA (NOT TAKING PART IN THE NEGOTIATIONS) WILL DEVELOP THE TECHNOLOGY, HE DIDN'T SEE HOW IT OR ANY OTHER COUNTRY COULD DO IT. THE IMPORTANT THING, SAID OSAFO, IS TO ENSURE FULL ENFORCEMENT.

7. THE OFFICIAL CONCURRED (PARA 8) THAT THE EC WANTS TO KEEP CONTROL OF WHAT IS A "VERY LUCRATIVE AREA," AND DOESN'T WANT ANY RESTRICTIONS. WHILE THE EC MEMBERS DON'T ALWAYS AGREE AMONG THEMSELVES ON ALL THESE ISSUES, THEY HAVE BEEN NEGOTIATING AS A UNIT AND "THINK THEY STAND ALONE." HE COULD ONLY HOPE THAT THE PROBLEM CAN BE IRONED OUT.

8. THE GHANAIA EXPERT SAID SINCE HE IS A LAWYER, NOT A SCIENTIST, HE DOESN'T KNOW MUCH ABOUT THE HALONS ISSUE (PARAS 9-10). IN ADDITION, THE UNEP EXPERTS HAVEN'T TALKED MUCH ABOUT IT. HE OPINED THAT THE QUANTITIES INVOLVED ARE NOT NEARLY AS GREAT AS THOSE FOR THE CFC'S. HE BELIEVES THE CONCEPT THAT NON-PARTIES TO THE PROTOCOL NOT BE EXEMPTED (PARA 17) HAS BEEN ACCEPTED.

9. IN RESPONSE TO PARA 20'S CONCERN ABOUT LCC PRODUCERS, OSAFO STATED CATEGORICALLY "NONE OF THE LCC'S ARE PRODUCING; ALL ARE CONSUMERS." THE GRACE PERIOD IS NEEDED "TO ENSURE THAT THEIR CONSUMPTION LEVEL COMES UP TO AN ACCEPTABLE STANDARD. AT THE MOMENT THE DEVELOPED COUNTRIES ARE VIRTUALLY UNLIMITED. IF WE ARE FROZEN AT THE PRESENT POINT, WHAT SCOPE DO WE HAVE?" OSAFO CONCLUDED BY ARGUING THAT IF THE WHOLE WORLD HAS TO SACRIFICE THE DEVELOPED COUNTRIES ALSO WILL HAVE TO, IN ORDER TO COMPENSATE FOR INCREASED LCC CONSUMPTION."

10. THE EPC OFFICIAL NOTED THAT THE 60 PERCENT FIGURE FOR RATIFICATION (PARA 24) WAS AGREED TO ON THE BASIS THAT IF THE MAJOR CONSUMERS RATIFY, AND THE PROPORTION OF PRODUCTION REACHES 60 PERCENT, THE PROTOCOL COULD STILL GO AHEAD AND THE EC WILL FOLLOW. HE PERSONALLY THINKS THAT THE EC WILL ADHERE. WITH REGARD TO THE REIO'S ISSUE (PARA 26), OSAFO VIRTUALLY PARAPHRASED HIS PREVIOUS NONCOMMITAL COMMENT (SEE PARA 7 ABOVE) THAT THE EC THINKS SINCE IT HAS BEEN NEGOTIATING AS A UNIT, IT SHOULD BE TREATED AS SUCH. ONCE AGAIN HE DID NOT INDICATE HIS OPINION OF THIS POSITION.

11. THE GHANAIA OFFICIAL RESERVED COMMENT, PENDING

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BY smf, NARA, DATE 12/10/02

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STUDY, ON THE USG PROPOSAL (PARA 27) FOR A NEW
ARTICLE ON COMPLIANCE. LYNE

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NSF-01 NSAE-00 COME-00 L-03 PM-10 EAP-00 EPA-01
STR-17 INRE-00 ACDA-12 USIE-00 DOEE-00 CEQ-01 PRS-01
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5. MFA IS PREPARING A BACKGROUND PAPER FOR THE
CONFERENCE AND HAS PROMISED TO PROVIDE EMBASSY WITH A
COPY AS SOON AS IT IS COMPLETED. WE WILL CABLE THE TEXT
UPON RECEIPT. CLEVELAND

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TO SECSTATE WASHDC 9904
INFO OECD COLLECTIVE

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, NZ
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: (A) STATE 261173; (B) WELLINGTON 3144

1. SUMMARY: NEW ZEALAND IS IN BASIC AGREEMENT WITH THE
DRAFT PROTOCOL THE U.S. PLANS TO PRESENT AT THE MONTREAL
NEGOTIATIONS. ITS NEGOTIATORS DO WANT TO DISCUSS THE
COMPLIANCE AND LCC ARTICLES WITH OUR TEAM THERE, BUT
OTHERWISE ENTHUSIASTICALLY SUPPORT WHAT WE ARE PROPOSING.
END SUMMARY

2. POLOFF CALLED ON PETER AITKEN IN THE ECONOMIC
DIVISION OF THE NEW ZEALAND MINISTRY OF FOREIGN AFFAIRS
(MFA) TO PRESENT TEXT CONTAINED IN REF A. ALSO PRESENT
WAS TOM CLARKSON OF THE NEW ZEALAND OFFICE OF
METEOROLOGY, WHO HAS BEEN CONDUCTING THE TECHNICAL SIDE
OF THE NEGOTIATIONS. BOTH CLARKSON AND AITKEN WILL BE
ATTENDING THE CONFERENCE IN MONTREAL, AND LOOK FORWARD TO
WORKING WITH U.S. REPRESENTATIVES TO OBTAIN A
SATISFACTORY AGREEMENT.

3. AT THAT TIME, CLARKSON WILL BE IN A BETTER POSITION
TO GO OVER THE SPECIFIC POINTS MADE IN THE DRAFT POLOFF
PROVIDED, BUT HE DID COMMENT ON THE FOLLOWING ARTICLES:

A. COMPLIANCE. WHILE NEW ZEALAND SUPPORTS THE THRUST OF
THE ARTICLE, IT WANTS TO ENSURE THAT THE NEGOTIATIONS DO
NOT GET BOGGED DOWN IN CONTENTION OVER ITS INTRODUCTION.
ACCORDINGLY, IT WOULD LIKE TO SEE SOME BALANCE STRUCK
BETWEEN THE NEED TO DISCIPLINE NON-COMPLIANT PARTIES AND
THE DESIRE TO ATTRACT AS MANY SIGNATORIES AS POSSIBLE.
B. LOW CONSUMING COUNTRIES. NEW ZEALAND WANTS TO GIVE
LCC'S INCENTIVES TO PARTICIPATE IN THE PROTOCOL, BUT IS
OPEN TO SUGGESTIONS ON HOW BEST TO DO THIS. CLARKSON
SEES SOME MERIT IN OUR SUGGESTION THAT PROTOCOL MEMBERS
BE ALLOWED TO PRODUCE ABOVE 1986 LEVELS, BUT HAS NOT COME
TO A FIRM CONCLUSION ON THE QUESTION. FOR NEW ZEALAND,
THE OBJECTIVE OF INCLUDING AS MANY LCC'S AS POSSIBLE IN
AN AGREEMENT IS MUCH MORE IMPORTANT THAN THE SPECIFIC
MEANS USED TO GET THERE.

4. IN REF B, EMBASSY HAD REPORTED A BASICALLY NEGATIVE
REACTION TO OUR SUGGESTION THAT NEW ZEALAND CONFER WITH
EC AND OTHER INTERESTED PARTIES ON THE OZONE
NEGOTIATIONS. HOWEVER, AITKEN HAS NOW ADVISED US THAT
MFA DID BROACH THE SUBJECT TO A FEW MISSIONS WITH
GENERALLY FAVORABLE RESULTS. ENCOURAGED BY THAT
RESPONSE, HE PLANS TO DO MORE CONSULTING AND LOBBYING IN
MONTREAL TO ACHIEVE A MEANINGFUL REDUCTION IN OZONE
DEPLETION.

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ROUTING AND TRANSMITTAL SLIP

Date

9/1

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1. OES/E - RCBenedick

2.

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5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	☒ For Your Information	See Me
Comment	☒ Investigate	Signature
Coordination	Justify	

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FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

OK for
Suzanne Butcher, OES/ENV

4325 NS

Phone No.

7-9312

5041-102 ★ U.S.GPO:1985-0-461-274/20012

OPTIONAL FORM 41 (Rev. 7-76)
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INCOMING
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PAGE 01
ACTION OES-09

BONN 26653 281414Z

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-----141716 282029Z /63 38

R 281413Z AUG 87
FM AMEMBASSY BONN
TO SECSTATE WASHDC 9128

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FOR OES/ENV
PLEASE PASS EPA

E. O. 12356: N/A
TAGS: SENV, ETRD, UNEP, GE
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICAL

REF: STATE 261173

1. SCICOUNS DELIVERED LATEST U.S. POSITION CONCERNING NEGOTIATIONS FOR A PROTOCOL ON OZONE-DEPLETING CHEMICALS TO MFA DEPUTY DIRECTOR OF INTERNATIONAL ENVIRONMENTAL AFFAIRS OFFICE, LEMP, ON AUGUST 25. THE SAME MATERIALS WERE DELIVERED TO DR. GEIRKE OF THE FEDERAL MINISTRY FOR THE ENVIRONMENT ON AUGUST 26. THE OFFICIALS ULTIMATELY RESPONSIBLE FOR OZONE PROTOCOL MATTERS ARE ON VACATION AND THEREFORE UNABLE TO RESPOND TO THE DEPARTMENT'S INQUIRY BY THE AUGUST 27 DEADLINE. BOTH OFFICIALS WERE HAPPY TO RECEIVE A FULL EXPOSITION OF U.S. VIEWS AND WILL SEEK TO PROVIDE COMMENTS AS SOON AS POSSIBLE.

2. LEMP AND GEIRKE BOTH REMINDED US THAT THE FRG'S INTERESTS ARE REPRESENTED AT THE NEGOTIATIONS BY THE EC. THEY NOTED THAT THERE WAS NO FORMAL EC MEETING SCHEDULED BEFORE THE MONTREAL MEETING.
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EC INCOMING
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PAGE 01
ACTION QES-09

BRUSSE 11859 251520Z

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-----306544 251659Z /44
P 251524Z AUG 87
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC PRIORITY 4247

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E. O. 12356: N/A
TAGS: SENV, ETRD, UNEP, BE
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

L. BELGIUM WILL BE REPRESENTED IN MONTREAL BY SECRETARY OF STATE FOR THE ENVIRONMENT MIET SMET, THE DEPUTY DIRECTOR OF THE STATE SECRETARY'S OFFICE (DEPUTY CHEF DE CABINET) JOHN HUYLEBROECK AND DR. HUGO J. PEPERSTRAETE, ADVISOR TO THE STATE SECRETARY AND HEAD OF ENVIRONMENTAL PROGRAMS AT THE NUCLEAR ENERGY STUDY CENTER IN MOL, BELGIUM.

2. EMBOFF PROVIDED TEXT OF THE UNITED STATES VIEWS ON THE PROPOSED PROTOCOL ON OZONE-DEPLETING SUBSTANCES TO DR. HUYLEBROECK. HE HAD NO IMMEDIATE COMMENT BUT SAID HE WOULD LOOK OVER THE PAPER AND GIVE US HIS VIEWS EARLY NEXT WEEK. HE WILL ALSO DISCUSS THE PAPER WITH HIS COLLEAGUE AFTER DR. PEPERSTRAETE RETURNS TO BRUSSELS NEXT WEEK. HE DID INDICATE, HOWEVER, THAT THE GOB VIEWED THIS SUBJECT WITH GREAT CONCERN AND THAT THE GOB'S VIEWS WERE CLOSELY AKIN TO THOSE OF THE USG. IN DR. HUYLEBROECK'S VIEW, THE OZONE-DEPLETION ISSUE MAY BE A MORE IMPORTANT ENVIRONMENTAL PROBLEM THAN ACID RAIN. WOODS##

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PAGE 01 COPENH 06714 261528Z
ACTION OES-09

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T-01 /094 W

-----004100 262051Z /70

R 261522Z AUG 87
FM AMEMBASSY COPENHAGEN
TO SECSTATE WASHDC 1423
INFO EC COLLECTIVE
AMEMBASSY STOCKHOLM
AMEMBASSY HELSINKI
AMEMBASSY OSLO

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BRUSSELS ALSO FOR USEC

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, DA
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS - DANISH VIEWS

REFS: (A) STATE 261173
(B) STATE 219514
(C) COPENHAGEN 02720
(D) COPENHAGEN 00887

1. SCIOFF PROVIDED LATEST US PROPOSALS CONCERNING
NEGOTIATIONS FOR A PROTOCOL ON OZONE-DEPLETING CHEMICALS
25 AUGUST BOTH TO JØRGEN HARTNACK, MFA OFFICIAL
RESPONSIBLE FOR INTERNATIONAL ENVIRONMENTAL AFFAIRS, AND
TO HENRI HERON, ENVIRONMENTAL AGENCY TECHNICAL EXPERT
INVOLVED IN THE OZONE LAYER NEGOTIATIONS. (WE HAD
PREVIOUSLY PASSED HARTNACK COPY OF TALKING POINTS REF. B
BUT INTERVENING HOLIDAY PERIOD HAD DELAYED HIS RESPONSE.)

2. AT MEETING ON 26 AUGUST, HARTNACK INFORMED US THAT
HE WOULD BE THE CHAIRMAN OF THE EC DELEGATION DURING THE
FIRST WEEK OF THE MONTREAL MEETING, WHILE HERON WOULD BE
HEADING THE DANISH NATIONAL DELEGATION. THE
ENVIRONMENT MINISTER IS EXPECTED TO ATTEND THE SEPTEMBER
14-16 PLENIPOTENTIARIES CONFERENCE UNLESS 8 SEPTEMBER
DANISH PARLIAMENTARY ELECTION RESULTS IN A CHANGE OF
GOVERNMENT OR A CABINET SHUFFLE, IN WHICH CASE HARTNACK
MIGHT CONTINUE AS DANISH GOVERNMENT REPRESENTATIVE.

3. HARTNACK, WHO HAD DISCUSSED REFTEL A WITH HERON,
TOLD SCIOFF THAT DANISH VIEWS REMAIN SIMILAR TO THOSE OF
THE UNITED STATES: THE DANES WOULD LIKE TO SEE THE
STRICTEST PROTOCOL POSSIBLE IN TERMS OF TYPES OF
CHEMICALS COVERED BY THE PROTOCOL, TIMEFRAME AGREED UPON
FOR REDUCTION, COMPLIANCE, TRADE DISINCENTIVES, CONTROL
PLACED ON CONSUMPTION INSTEAD OF PRODUCTION, ETC.
DENMARK CONSIDERED IT ESSENTIAL, HOWEVER, THAT IN THE
END A PROTOCOL BE REACHED WHICH COULD BE AGREED UPON BY
AS MANY PARTIES AS POSSIBLE. NO ONE ISSUE SHOULD STAND
IN THE WAY OF AN AGREEMENT. AS AN EXAMPLE, HARTNACK
SAID THAT HE PERSONALLY WOULD NOT WANT THE EC
COMMISSION'S REQUIREMENT THAT THE EC BE TREATED AS A
SINGLE PRODUCING UNIT BE A STUMBLING BLOCK TO A FINAL
PROTOCOL. HARTNACK EMPHASIZED THAT A PROTOCOL SIGNED BY
ONLY A FEW COUNTRIES SUCH AS THE NORDICS, THE USA AND
CANADA WOULD AMOUNT TO NO PROTOCOL AT ALL. DENMARK
THEREFORE HOPED THAT ALL PARTICIPANTS WOULD REMAIN
FLEXIBLE ON "NUMBERS AND ISSUES" IN FINALIZING THE
PROTOCOL.

4. AS IN OUR PAST CONVERSATIONS (REF C AND D) HARTNACK
REITERATED TO SCIOFF THAT DENMARK'S VIEWS WERE NOT
NECESSARILY THOSE OF ALL THE EC-12 AND THAT THERE WOULD
OF NECESSITY BE MUCH COORDINATION WITH EC MEMBER
DELEGATIONS DURING THE CONFERENCE IN AN ATTEMPT TO
ARRIVE AT AN AGREEMENT. WHILE THERE HAD BEEN
CONSIDERABLE DISCUSSION AMONG THE 12, THERE REMAINED A
LONG WAY TO GO BEFORE ARRIVING AT A COMMON POSITION FOR
MONTREAL. TODMANN

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BY smf, NARA, DATE 12/10/02

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PAGE 01
ACTION OES-09 DUBLIN 03942 271609Z

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R 271606Z AUG 87
FM AMEMBASSY DUBLIN
TO SECSTATE WASHDC 8524
INFO USMISSION GENEVA
EC COLLECTIVE
AMCONSUL MONTREAL

UNCLAS DUBLIN 03942

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, EI
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

1. BRENDAN O'DONOGHUE, ASSISTANT SECRETARY, DEPARTMENT OF ENVIRONMENT ON AUGUST 26 CONFIRMED THAT IRELAND WILL NOT BE REPRESENTED AT MONTREAL AND THAT NO SIGNIFICANT IRISH CONTRIBUTION SHOULD BE EXPECTED ON THE OZONE ISSUE. LACK OF CFC PRODUCTION AND LOW VOLUME OF IMPORTS WERE CITED AS REASONS FOR RELATIVE LACK OF INTEREST.

2. EMBASSY HAS CONVEYED TO DFA AND TO O'DONOGHUE US VIEWS ON PROPOSED PROTOCOL PER REFTEL BUT DOES NOT EXPECT A DETAILED SUBSTANTIVE REPNSE.

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2. DR. LOPES CLARIFIED THIS, SAYING THAT PORTUGAL MAY SEND SOMEONE FROM OTTAWA (IF THE EMBASSY FELT THAT THEY COULD SPARE ANY OF THEIR SMALL STAFF) TO THE CONFERENCE OF PLENIPOTENTIARIES, BUT NOT TO THE FINAL NEGOTIATIONS. PORTUGAL WAS FULLY COMMITTED TO THE JOIN EC NEGOTIATING POSITION. HE WAS UNABLE TO VOICE AN OPINION ON THE PROBABLE OUTCOME OF THE NEGOTIATIONS.

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PAGE 01 LONDON 18632 271006Z
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P 271002Z AUG 87
FM AMEMBASSY LONDON
TO SECSTATE WASHDC PRIORITY 5339
INFO OECD COLLECTIVE

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BRUSSELS ALSO FOR USEC

E.O. 12356: N/A
TAGS: SENV, ETRD, KSCA, UNEP, UK
SUBJECT: OZONE NEGOTIATIONS

REF: (A) STATE 261173 (B) LONDON 15416

1. AS REQUESTED REF A, WE DELIVERED US VIEWS ON THE DRAFT OZONE DEPLETION PROTOCOL TO FIONA MCCONNELL OF THE UK DEPARTMENT OF ENVIRONMENT. MCCONNELL, AFTER REVIEWING THE PAPER, TOLD US THAT SHE FOUND IT USEFUL TO HAVE US IDEAS IN ADVANCE OF THE MONTREAL MEETING. SHE ADDED, "FOREWARNED IS FOREARMED".

2. MCCONNELL SAID THAT SHE WAS NOT "TERRIBLY HAPPY" WITH MANY OF THE VIEWS IN THE US PAPER AND THAT SHE BELIEVED IT WAS LATE IN THE GAME TO INTRODUCE NEW IDEAS. NEVERTHELESS, SHE FAILED TO IDENTIFY SPECIFIC ITEMS, SAYING THAT INDIVIDUAL EC MEMBER COUNTRIES WILL HAVE TO MEET TO DISCUSS A RESPONSE TO THE US BEFORE SPECIFIC COMMENT IS GIVEN. SHE SAID SHE DOUBTED WHETHER EC COUNTRIES WOULD BE ABLE TO DO THIS BEFORE ARRIVING IN MONTREAL.

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PAGE 01 PARIS 39276 271647Z
ACTION OES-09

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EAP-00 EPA-01 INRE-00 ACDA-12 USIE-00 DOEE-00 CEQ-01
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O 271647Z AUG 87
FM AMEMBASSY PARIS
TO SECSTATE WASHDC IMMEDIATE 3938
INFO AMEMBASSY CANBERRA
AMEMBASSY OTTAWA
AMEMBASSY OSLO
AMEMBASSY HELSINKI
AMEMBASSY STOCKHOLM
AMEMBASSY TOKYO
EC COLLECTIVE

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E. O. 12356 : N/A
TAGS: KSCA, SENV, ETRO, FR
SUBJECT: OZONE NEGOTIATIONS
REF: A. STATE 261173, B. PARIS 034107

1. ALTHOUGH FRENCH MINISTRY OFFICIALS STATE THAT THEY DO NOT CONSIDER THE PROBLEM OF OZONE DEPLETION TO BE AS "URGENT" AS THE USG INDICATES, THEY CONTINUE TO APPEAR AMENABLE TO USG PROPOSALS RE CFC REDUCTION AND OPEN TO POSSIBLE PERSUASION OF DISAGREEMENT.

2. ON AUGUST 26 IN THE ABSENCE OF PIERRE WOLTNER, SCIOFF MET WITH PATRICK LAPORTE AND HENRI LEGRAND OF THE MINISTRY OF ENVIRONMENT. MR. LEGRAND INDICATED THAT THE GOF POSITION ON THE OZONE NEGOTIATIONS HAS BEEN RE-FINED. IN CONTRAST WITH MR. WOLTNER'S EXPRESSED OPTIMISM THAT THE GOF WOULD AGREE TO THE PROPOSED 50 PERCENT REDUCTION LEVELS IN CFC PRODUCTION, MR. LEGRAND STATES THAT FOR NOW, THE GOF WILL AGREE TO A 40 PERCENT REDUCTION LEVEL OF CFC PRODUCTION IN TWO STAGES OF 20 PERCENT EACH. WITH REGARD TO THE EC STAND ON CFC PRODUCTION METHODOLOGY, MR. LEGRAND RE-ITERATED THE WILLINGNESS TO CONSIDER CFC HE BELIEVES THAT CFC PRODUCTION CONTROL WILL BE SIMPLER TO IMPLEMENT, THAT IT IS TOO DIFFICULT TO LIMIT PUBLIC CONSUMPTION OF CFC PRODUCTS, AND THAT THE GOF DOES NOT WISH TO FACE INDUSTRIAL OUTCRY.

3. MR. LEGRAND ALSO REPEATED MR. WOLTNER'S DOUBTS THAT AN AGREEMENT COULD BE REACHED ON A HALON PRODUCTION LEVEL LIMIT. HE STATED THAT THE GOF HAS TAKEN A "MODERATE VIEW" IN THAT THEY DO NOT FEEL THAT THEY HAVE ENOUGH SCIENTIFIC DATA TO DECIDE WHETHER OR NOT ANY RESTRICTIVE MEASURES SHOULD BE TAKEN. CURIOUSLY, MR. LEGRAND ASKED IF THE USG HAD SUFFICIENT SCIENTIFIC EVIDENCE TO CONVINCE THE GOF THAT HALON PRODUCTION LEVELS SHOULD BE LIMITED.

4. INCIDENTALLY, MR. LAPORTE INFORMED SCIOFF THAT THE GOF HAS NOT APPOINTED ANYONE FROM THE MINISTRY OF ENVIRONMENT TO ATTEND THE MONTREAL CONFERENCE. THIS WOULD, TO SOME EXTENT, SEEM TO INDICATE THE GOF SENTIMENT WITH REGARD TO THE OZONE DEPLETION ISSUE. RODGERS

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PAGE 01 ROME 20187 251618Z

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R 251619Z AUG 87
FM AMEMBASSY ROME
TO SECSTATE WASHDC 8353

UNCLAS ROME 20187

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, KSCA, IT
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

1. ACCORDING TO THE MFA, ITALIAN DELEGATION TO THE
SEPTEMBER 8-16 MONTREAL CONFERENCE WILL BE HEADED BY
MIN. GIAN PAOLO TOZZOLI, COORDINATOR FOR ENVIRONMENTAL
AFFAIRS, MINISTRY OF FOREIGN AFFAIRS, AND INCLUDE
PROF. MAURIZIO CIGNITTI OF THE INSTITUTE OF HEALTH.

2. U.S. VIEWS ON OZONE PROTOCOL HAVE BEEN DELIVERED
TO OFFICES OF TOZZOLI AND CIGNITTI. NO COMMENTS WILL
BE RECEIVED UNTIL NEXT WEEK, HOWEVER, SINCE BOTH ARE
OUT OF ROME ON VACATION. RABB

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PAGE 01 OF 02 STATE 271815
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APPROVED BY: OES/ENV: ADSENS:
EAP/J: WCBRETT

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P 312150Z AUG 87
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO PRIORITY

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E.O. 12356: N/A
TAGS: SENV, ENTO, UNEP, JA
SUBJECT: OZONE PROTECTION NEGOTIATIONS: JAPAN

REF: (A) TOKYO 15318 (B) STATE 261173

1. JAPANESE EMBASSY FIRST SECRETARY FOR ENVIRONMENT KOYA
ISHINO GAVE DEPTOFF GOJ RESPONSE 8/28 TO U.S. POINTS MADE
IN SMITH/SATO MEETING (REF B).

2. ISHINO SAID THE GOJ AGREES THAT CONTROL OF
CONSUMPTION (PRODUCTION PLUS IMPORTS MINUS EXPORTS TO
PARTIES MINUS AMOUNTS DESTROYED) WOULD BE PREFERABLE TO
CONTROL OF PRODUCTION OR OF BOTH PRODUCTION AND
CONSUMPTION. HOWEVER, BASED ON THE EC'S STANCE AT
EARLIER MEETINGS, THE GOJ FEELS THAT THE EC IS LIKELY TO
BE VERY RESISTANT TO CONTROLLING ONLY CONSUMPTION.
DEPTOFF NOTED THAT WE HAVE HAD INDICATIONS THAT SOME IN
THE EC UNDERSTAND THE PROBLEMS CREATED BY PRODUCTION
CONTROLS AND THAT SEVERAL COUNTRIES (E.G., CANADA, NEW
ZEALAND, AUSTRALIA) HAVE RECENTLY EXPRESSED STRONG
CONCERN THAT ONLY CONSUMPTION BE CONTROLLED, USSR
SUPPORTED CONSUMPTION CONTROLS EARLY IN THE NEGOTIATIONS,

AND IT IS IN THE INTEREST OF DEVELOPING COUNTRIES AND
OTHER IMPORTERS THAT ONLY CONSUMPTION BE CONTROLLED IN
ORDER TO AVOID SUPPLY PROBLEMS. DEPTOFF COMMENTED THAT
IF THESE COUNTRIES PLUS JAPAN AND U.S. STRONGLY SUPPORT
CONSUMPTION FORMULA, THE EC MAY BE CONVINCED THAT THE
PROTOCOL MUST CONTROL ONLY CONSUMPTION, DESPITE THE
COMMERCIAL ADVANTAGE (LOCKING IN THE EC'S VIRTUAL
MONOPOLY ON EXPORTS) WHICH THE EC WOULD OBTAIN UNDER
PRODUCTION CONTROLS.

3. GIVEN MFA'S PESSIMISM ON CONVINCING THE EC TO DROP
PRODUCTION CONTROLS, ISHINO'S INSTRUCTIONS PROPOSED THE
FOLLOWING REVISED ART. II, PARA 6:

"NOTWITHSTANDING THE PROVISION OF PARAGRAPHS 1 TO 4 OF
THIS ARTICLE, BY AGREEMENT BETWEEN TWO PARTIES CONCERNED,
PRODUCTIONS OF THE CONTROLLED SUBSTANCES UNDER THE
JURISDICTION OF ONE PARTY MAY EXCEED THE LEVEL OF
CONTROLS APPLICABLE TO THAT PARTY, PROVIDED THAT
PRODUCTIONS OF THE CONTROLLED SUBSTANCES UNDER THE
JURISDICTION OF THE OTHER PARTY ARE LESS THAN THE LEVEL
OF CONTROLS APPLICABLE TO THAT PARTY. IN SUCH CASES, THE
SUM OF THE PRODUCTIONS OF THE TWO PARTIES SHALL NOT BE
GREATER THAN THE COMBINED LEVELS OF CONTROLS OF
PRODUCTIONS APPLICABLE TO THE TWO PARTIES PURSUANT TO
PARAGRAPHS 1 TO 4. THE TWO PARTIES SHALL PROMPTLY INFORM
THE SECRETARIAT OF THE AGREEMENT BETWEEN THE TWO PARTIES."

THIS PROVISION WOULD ALLOW FOR THE INCREASE IN PRODUCTION
BY THE NEW DUPONT 113 PLANT TO REPLACE DUPONT PRODUCTION
IN THE U.S. WHICH PREVIOUSLY WAS EXPORTED TO JAPAN.
DEPTOFF NOTED THAT THE PROPOSAL WOULD NOT SIMPLY ALLOW
DUPONT TO RATIONALIZE ITS OPERATIONS (AS CONTROL OF
CONSUMPTION ONLY WOULD ALLOW) BUT WOULD REQUIRE THE U.S.
TO AGREE TO REDUCE ITS NATIONAL ALLOCATION IN ORDER TO
ALLOW JAPAN TO INCREASE ITS NATIONAL ALLOCATION, AND THAT
THIS BROAD PROPOSAL WOULD NOT APPLY JUST TO THE SPECIFIC
CASE BUT WOULD BE AN OPEN-ENDED PROVISION FOR TRADING OF
PRODUCTION RIGHTS. DEPTOFF PROMISED TO CIRCULATE THIS
PROPOSAL TO RESPONSIBLE USG OFFICIALS, BUT NOTED THE
DIFFICULT SITUATION WHICH PRODUCTION CONTROLS WOULD
CREATE FOR JAPAN'S 113 PLANT ILLUSTRATES THE IMPORTANCE
OF HAVING THE PROTOCOL CONTROL ONLY CONSUMPTION.

4. ISHINO EXPRESSED MFA'S CONCERN ABOUT GATT
COMPATIBILITY OF THE PROPOSED PROTOCOL'S TRADE
RESTRICTIONS. DEPTOFF SAID THAT USG HAD CONCLUDED THAT
UNDER GATT ART. XX EXCEPTIONS FOR THE PROTECTION OF
HEALTH AND NATURAL RESOURCES, IT WOULD NOT BE
DISCRIMINATORY FOR PROTOCOL PARTIES TO IMPOSE TRADE
RESTRICTIONS ON NATIONS WHICH DO NOT UNDERTAKE THE FULL
LONG-TERM COMMITMENT TO PROTECTION OF THE OZONE LAYER
WHICH PARTICIPATION IN THE PROTOCOL ENTAILS, EVEN IF THE
NON-PARTY'S PRODUCTION OR CONSUMPTION IN A PARTICULAR
YEAR IS BELOW THE LEVEL WHICH IT WOULD BE ALLOWED IF IT
WERE A PARTY. DEPTOFF URGED ISHINO TO DISCUSS THIS
FURTHER WITH CONCERNED OFFICIAL AT USTR.

5. RE KANEKO'S QUERY ON "CALCULATION OF CONTROL LEVELS"
REF A: "CONSUMPTION" AS ORIGINALLY PROPOSED WAS DEFINED
AS PRODUCTION PLUS IMPORTS MINUS EXPORTS TO PARTIES MINUS
AMOUNTS DESTROYED OR PERMANENTLY ENCAPSULATED. THE EC,
HOWEVER, HAS INSISTED THAT ALL EXPORTS BE SUBTRACTED,
RATHER THAN JUST EXPORTS TO PARTIES. THIS IS AN EFFORT
BY THE EC, THE MAJOR EXPORTER, TO CONTINUE UNRESTRICTED
PRODUCTION FOR EXPORT. EXPORTS TO PARTIES WOULD BE
LIMITED, BECAUSE THE IMPORTING PARTY WOULD HAVE TO COUNT
ITS IMPORTS AGAINST ITS NATIONAL ALLOCATION. BUT EXPORTS
TO NON-PARTIES WOULD HAVE NO LIMIT IF THEY ARE SUBTRACTED
FROM THE PRODUCING/EXPORTING COUNTRY'S CONSUMPTION.
THEREFORE, AND FOR THE REASONS OUTLINED IN PARA 16 OF REF
B, WE STRONGLY BELIEVE THAT ONLY EXPORTS TO PARTIES
SHOULD BE SUBTRACTED. ISHINO, WHO HAS FOLLOWED THIS
ISSUE CLOSELY, SEEMED TO UNDERSTAND THIS POINT, AND EVEN
SUGGESTED THAT PERHAPS THE JAPANESE DELEGATION SHOULD
PROPOSE REINSERTION OF THE PHRASE "TO PARTIES" IN THE
DEFINITION OF CONSUMPTION.

6. ISHINO SAID THAT MFA AND ENVIRONMENT AGENCY CONSIDER
OTHER U.S. POINTS "SOMEWHAT ACCEPTABLE," INCLUDING THE
FREEZE ON HALONS, THE 50 PERCENT REDUCTION OF CFC'S, AND THE
REQUIREMENT FOR A CERTAIN PERCENTAGE OF PRODUCTION OR
CONSUMPTION TO BE REPRESENTED FOR ENTRY INTO FORCE AND
FUTURE DECISIONS. HE SAID THEY ARE NOT MAKING A FORMAL
STATEMENT, HOWEVER, SINCE DOMESTIC NEGOTIATIONS ARE NOT
FINISHED. HE BELIEVED THE IDEA OF A COMPLIANCE PROVISION
IS ACCEPTABLE TO THE MFA AND IS NOT CONTROVERSIAL.

7. ISHINO EMPHASIZED THAT HIS INSTRUCTIONS EMPHASIZED
THAT THE GOJ WOULD APPROACH THESE NEGOTIATIONS FLEXIBLY
AND HOPED TO CONCLUDE AND SIGN AN AGREEMENT. HE NOTED
THAT IN THE PAST, JAPAN HAS BEEN SEEN AS RELUCTANT, BUT
THIS IS NO LONGER THE CASE. NOW THE APPROPRIATE
MINISTRIES ARE WORKING HARD AND POSITIVELY ON THE ISSUE,
HE SAID, AND PLAN TO SUBMIT TO THE DIET IN DECEMBER
LEGISLATION TO RATIFY THE CONVENTION AND THE PROTOCOL AND
TO IMPLEMENT THEM.

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BY sm NARA, DATE 12/10/02

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TELEGRAM

PAGE 02 OF 02

8. ISHINO SAID SIX OFFICIALS FROM TOKYO WILL PARTICIPATE IN MONTREAL, BUT THE JAPANESE AMBASSADOR TO CANADA WILL HEAD THE DELEGATION TO THE CONFERENCE OF PLENIPOTENTIARIES. DEPTOFF NOTED THAT MANY OTHER NATIONS WILL BE REPRESENTED AT THE MINISTERIAL LEVEL. WHITENHEAD

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PAGE 01 ANKARA 10429 271523Z
ACTION QES-09

4597

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-----050003 271556Z /41
O 271522Z AUG 87
FM AMEMBASSY ANKARA
TO SECSTATE WASHDC IMMEDIATE 1653
INFO AMCONSUL MONTREAL
AMCONSUL ADANA
AMCONSUL ISTANBUL
AMCONSUL IZMIR

~~CONFIDENTIAL~~ ANKARA 10429

PASS UNEP PERMREP, USEC, NNVI

E.O. 12356: DECL: OADR
TAGS: SENV, ETRD, UNEP
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS: THE PRESENT TURKISH SITUATION

REF: STATE 261173

1. ~~1st~~ ENTIRE TEXT.

2. SUMMARY: ON AUGUST 27 ECONOFF MET WITH DR. ARIF NURI TUC, HEAD OF THE EXTERNAL AFFAIRS DEPARTMENT FOR THE TURKISH ENVIRONMENTAL DIRECTORATE, TO RECEIVE THE INITIAL TURKISH RESPONSE TO THE POINTS PROVIDED REFTEL. DR. TUC NOTED THAT THERE IS PRESENTLY AN INTERNAL DEADLOCK ON WHETHER TURKEY SHOULD SIGN A PROTOCOL TO CONTROL OZONE-DEPLETING CHEMICALS AT THIS TIME, AND THAT A POLITICAL-LEVEL DECISION, IF AT ALL, WILL NOT BE POSSIBLE UNTIL SOMETIME DURING THE WEEK PRECEDING THE MONTREAL CONFERENCE. END SUMMARY.

3. DR. TUC NOTED THAT IN INTERMINISTERIAL MEETINGS TO DATE ON THIS ISSUE, THERE HAVE BEEN TWO CONFLICTING POSITIONS. ONE GROUP BELIEVES THAT TURKEY SHOULD SIGN SUCH A CONVENTION, AS THE ENVIRONMENT NEEDS THE PROTECTION WHICH IT WOULD PROVIDE. IN ADDITION, HE SAID THEY FEEL THAT SINCE TURKEY WILL BE JOINING THE EUROPEAN COMMUNITY ANYWAY, IT IS BETTER TO SIGN THIS CONVENTION SOONER RATHER THAN LATER.

4. THE OTHER GROUP, HE SAID, IS FOCUSING ON THE MONITORING REQUIREMENTS INVOLVED IN CARRYING OUT THEIR RESPONSIBILITIES UNDER ANY SUCH CONVENTION. ACCORDING TO DR. TUC, THIS SECOND GROUP IS LOOKING FOR A WAY TO POSTPONE TURKISH ACCESSION TO SUCH A CONVENTION, AS NONE OF THE TURKISH AGENCIES WHO WILL BE RESPONSIBLE HAVE EITHER THE FUNDS OR THE TECHNICAL CAPABILITIES TO CARRY OUT THE NECESSARY MONITORING.

5. DR. TUC SAID THAT RESOLUTION OF THIS ISSUE WILL REQUIRE A POLITICAL DECISION, BUT THAT THE RELEVANT POLITICAL PLAYERS ARE ALL OUT STUMPING IN PREPARATION FOR A SEPTEMBER 6 NATIONAL REFERENDUM. AFTER THE REFERENDUM IS OVER, HE HOPED THAT THEY MIGHT ADDRESS THIS PROBLEM. UNTIL THEN, HE SAID, IT IS NOT CLEAR WHETHER TURKEY WILL SEND A TEAM TO THE MONTREAL CONFERENCE IN ANY CAPACITY.
STRAUSZ-HUPE

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BY smf, NARA, DATE 12/10/02

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PAGE 01 BERN 05955 261148Z
ACTION OES-09

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-----361721 261330Z /44

R 261144Z AUG 87
FM AMEMBASSY BERN
TO SECSTATE WASHDC 2566
INFO USMISSION GENEVA

LIMITED OFFICIAL USE BERN 05955

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, SZ
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

1. POST PROVIDED SANITIZED VERSION OF TEXT CONTAINED
REFTEL TO DR. CHRISTOPH RENTSCH OF THE SWISS FEDERAL
OFFICE OF ENVIRONMENTAL PROTECTION. ECON COUNSELOR AND
ECONOMIC OFFICER SUBSEQUENTLY MET WITH RENTSCH
AUGUST 25. RENTSCH AT THAT TIME HAD, UNFORTUNATELY, NOT
YET HAD AN OPPORTUNITY TO STUDY US TEXT IN DETAIL.

2. RENTSCH TOLD EMBASSY OFFICERS THAT THE SWISS
POSITION FOR THE SEPTEMBER MEETINGS WOULD BE ESSENTIALLY
UNCHANGED FROM PREVIOUS POSITION. "THE GENERAL LINE
WILL BE THE SAME AS IN THE PAST" ACCORDING TO RENTSCH.
SWITZERLAND COULD SUPPORT THE GENERAL THRUST OF UNEP'S
SEVENTH REVISED DRAFT PROTOCOL.

3. POST WILL SOLICIT RENTSCH'S VIEWS AFTER HE HAS HAD
AN OPPORTUNITY TO DIGEST TEXT PROVIDED 8/24, AND REPORT
ACCORDINGLY.
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PAGE 01
ACTION OES-09

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-----262210 312135Z /70

R 311343Z AUG 87
FM AMEMBASSY HELSINKI
TO SECSTATE WASHDC 2754
INFO OECD COLLECTIVE

~~LIMITED OFFICIAL USE~~ HELSINKI 05316

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, FI
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: (A) STATE 261173, (B) STATE 222894

1. SCIENCE OFFICER DELIVERED TALKING POINTS OF REF A TO SATU NURMI IN THE FINNISH MINISTRY OF THE ENVIRONMENT ON AUGUST 26. REF B TALKING POINTS HAD BEEN RELAYED SEVERAL WEEKS EARLIER BEFORE THE NORDIC GROUP'S PREPARATORY MEETING IN STOCKHOLM AUGUST 25. AT THAT TIME THE FINNS HAD NO COMMENTS ON THE U. S. PROPOSALS EXCEPT FOR STATEMENT OF GENERAL SUPPORT FOR U. S. POSITION.

2. COMMENTING ON THE RESULTS OF THE STOCKHOLM MEETING, NURMI EXPRESSED NORDIC RESERVATION WITH TWO POINTS OF U. S. POSITION--ENTRY INTO FORCE AND TRADE RESTRICTIONS. THE GROUP FEELS THAT REQUIRING RATIFICATION BY COUNTRIES REPRESENTING NINETY PERCENT OF GLOBAL PRODUCTION BEFORE THE TREATY ENTERS INTO FORCE IS TOO SEVERE AND THAT SIXTY PERCENT WOULD BE MORE APPROPRIATE. THE RESTRICTION ON TRADE WITH NON-PARTIES IN THE NORDIC VIEW IS TOO COMPLICATED TO BE RESOLVED DURING THE LIMITED TIME OF THE MONTREAL CONFERENCE AND ALSO IS CONCERNED WITH MATTERS OUTSIDE OF UNEP'S DOMAIN, E. G., GATT ISSUES. INSTEAD OF THE U. S. PROPOSAL, THE NORDICS WOULD PREFER A MORE GENERAL RESTRICTION ON TRADE WITH DETAILS TO BE WORKED OUT LATER. THEIR PRIME INTEREST IS ACHIEVING AN INTERNATIONAL AGREEMENT AND NOT INCLUDING COMPLICATING DETAILS WHICH WOULD JEOPARDIZE THE TREATY'S PASSAGE.

3. NURMI WAS NOT ABLE TO COMMENT ON THE SPECIFIC POINTS OF REF A BECAUSE THE TECHNICAL EXPERTS HAVE BEEN OUT OF TOWN. EMBASSY WILL RELAY THOSE COMMENTS WHEN FINNS ARE ABLE TO PROVIDE THEM.

4. FINLAND PLACES A HIGH PRIORITY ON THE OZONE ISSUE. THIS WEEK THE FINNISH MINISTRY OF THE ENVIRONMENT AND THE AEROSOL INDUSTRY TRADE ASSOCIATION AGREED ON A VOLUNTARY BAN ON THE USE OF CFC 11 AND 12 IN AEROSOLS. THE AGREEMENT WILL BE SIGNED SEPTEMBER 11 AT WHICH TIME MORE DETAILS WILL BE MADE AVAILABLE. THE ACTION WAS TAKEN IN CONNECTION WITH THE UPCOMING MONTREAL CONFERENCE AND THE MINISTRY INDICATED PUBLICLY THAT FINLAND INTENDS TO SIGN AN INTERNATIONAL AGREEMENT ON OZONE PROTECTION. THE MINISTER OF THE ENVIRONMENT HIMSELF, KAJ BARLUND, WILL BE ATTENDING THE MONTREAL CONFERENCE. SCHNABEL

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PAGE 01 SOFIA 03664 281231Z
ACTION OES-09

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INFO	LOG-00	COPY-01	ADS-00	AID-00	INR-10	EUR-00	SS-00
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-----123025 281300Z /43

P 281200Z AUG 87
FM AMEMBASSY SOFIA
TO SECSTATE WAEHDC PRIORITY 9104
INFO AMCONSUL MONTREAL

UNCLAS SOFIA 03664

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, BU
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICALS

REF: STATE 261173

EMBASSY PROVIDED WRITTEN COMMENTS ON OZONE-DEPLETION
NEGOTIATIONS TO BORIS CHAKALOV, DEPUTY CHAIRMAN OF THE
BULGARIAN ENVIRONMENTAL PROTECTION COMMITTEE, AS
INSTRUCTED REFTEL. POLANSKY

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PAGE 01
ACTION OES-09 STOCKH 06449 281023Z

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	EPA-01	STR-17	INRE-00	ACDA-12	USIE-00	DOEE-00	CEQ-01
	PRS-01	T-01	/095 W				

-----115263 281035Z /24

P 281025Z AUG 87
FM AMEMBASSY STOCKHOLM
TO SECSTATE WASHDC PRIORITY 7972
INFO OECD COLLECTIVE

~~LIMITED OFFICIAL USE~~ STOCKHOLM 06449

E. O. L2356: N/A
TAGS: SENV, ETRD, UNEP, SW
SUBJECT: UNEP PROTOCOL TO CONTROL OF OZONE-DEPLETING
- CHEMICALS

REF: STATE 261173

L. GOS ENVIRONMENTAL OFFICIALS WELCOMED OPPORTUNITY TO REVIEW U.S. VIEWS ON PROPOSED PROTOCOL TO CONTROL OZONE-DEPLETING CHEMICALS. LIMITED TIME PREVENTS FULL ANALYSIS OF PROPOSED CHANGES AND ADDITIONS, BUT IN GENERAL, GOS ALREADY FAMILIAR WITH U.S. POSITION AND ESSENTIALLY CONCURS. SPECIFIC COMMENTS KEYED TO REFTEL BELOW:

2. (L7) QUESTIONS CONCERNING CONSUMPTION, TRADE, AND SPECIAL PROVISIONS FOR LCC SHOULD BE GIVEN ADDED CONSIDERATION.

3. (24-25) GOS DOES NOT CONCUR WITH NOTION THAT GLOBAL PRODUCTION OF SIGNATORY COUNTRIES IS EXPRESSED AS A PERCENTAGE FIGURE. PREFERS THAT RATIFICATION REQUIREMENT BE BASED ON NUMBER OF COUNTRIES CONCURRING. ALSO THERE SHOULD BE NO REQUIREMENT THAT CONCURRING COUNTRIES REPRESENT A SPECIFIC SHARE OF PRODUCTION.

4. (27) GOS HAS NOTED THAT THIS NEW ARTICLE HAS BEEN ADDED. IT SHOULD BE FURTHER DISCUSSED IN MONTREAL.
NEWELL

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1

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2. WE ALSO SENT COPIES OF THE PAPER TO MR. ERINLE, DIRECTOR OF THE ENVIRONMENT DIVISION OF THE MINISTRY OF WORKS AND HOUSING, AND ASKED FOR AN APPOINTMENT TO DISCUSS THE NEGOTIATIONS. WE SHALL REPORT ANY INFORMATION OF SUBSTANCE WE CAN DEVELOP. LYMAN

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PAGE 01
ACTION OES-09 BOGOTA II633 251935Z

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R 251925Z AUG 87
FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC 9345

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E.O. 12356: N7A
TAGS: SENV, ETRD, UNEP, CO
SUBJECT: OZONE-DEPLETING CHEMICALS - COLOMBIAN VIEWS

REFTEL: STATE 261173

1. ECONOFF SPOKE AUG 25 WITH FOMIN OFFICIAL RESPONSIBLE FOR ENVIRONMENTAL AFFAIRS AND PRESENTED TALKING POINTS GIVEN IN REFTEL. COLOMBIA HAS NOT CHOSEN DELEGATION FOR UNEP NEGOTIATIONS ON OZONE-DEPLETING CHEMICALS SEPT 8-16, BUT INTENDS TO BY SEPT. 1.

2. COLOMBIANS RAISED SEVERAL POINTS: HAS THE USG TO DATE SIGNED ANY INTERNATIONAL AGREEMENTS OR PROTOCOLS ON OZONE-DEPLETING CHEMICALS? DOES IT INTEND TO IN MONTREAL? WOULD THE USG RESPOND FAVORABLY TO A COLOMBIAN INITIATIVE TO ESTABLISH A CENTER IN COLOMBIA TO MONITOR THE EFFECTS OF OZONE-DEPLETING CHEMICALS ON TROPICAL AREAS? COLOMBIAN ARGUMENT IS THAT THE COUNTRY IS WELL SUITED FOR SUCH A CENTER, GIVEN VARIETY OF TERRAIN AND CLIMATE. POST WOULD APPRECIATE GUIDANCE ON THESE POINTS BEFORE SEPT 2, WHEN A SECOND MEETING WITH GOC IS SCHEDULED.

3. COLOMBIANS ARE PARTICULARLY CONCERNED ABOUT THE EFFECTS OF OZONE DEPLETION ON HIGH-ALTITUDE AREAS, INCLUDING BOGOTA ITSELF. MCLEAN

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PAGE 01
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O 271634Z AUG 87
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC IMMEDIATE 9244

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FOR OES/E AND OES/ENR

E.O. 12356: DECL: OADR
TAGS: SENV, ETRD, UNEP, KSCA, MX
SUBJ: PRESENTATION OF USG VIEWS ON NEGOTIATIONS ON
- OZONE-DEPLETING CHEMICALS TO GOM

REF: STATE 261173

1. SCIOFF PRESENTED WRITTEN USG VIEWS AS REQUESTED REF-TEL ON AUGUST 26 TO LIC. ROBERTO DEL CORRAL, SUBDIRECTOR OF SOCIAL ISSUES IN THE SRE OFFICE OF UNITED NATIONS AFFAIRS. HE STATED THAT MEXICO WILL ATTEND AND SIGN THE PROTOCOL. THE SUBJECT IS NOW BEING DISCUSSED AT THE MINISTERIAL LEVEL TO ASSURE THAT MEXICO WILL RATIFY THE PROTOCOL. SEDUE HAS GIVEN ITS CONSENT.
2. SUBDIRECTOR OF ECOLOGY FIS. SERGIO REYES LUJAN WILL ATTEND THE PLENIPOTENTIARY CONFERENCE TO SIGN FOR MEXICO. ARO. RENE ALTAMIRANO PEREZ OF SEDUE WILL REPRESENT MEXICO IN THE FINAL NEGOTIATIONS THE WEEK BEFORE. DEL CORRAL TOLD SCIOFF HE WOULD SEND A COPY OF THE USG VIEWS DIRECTLY TO ALTAMIRANO.
3. DEL CORRAL EXPLAINED TO SCIOFF THAT THE MEXICAN SUPPORT OF THE PROTOCOL WAS THE RESULT OF THE RECENT OFFICIAL VISIT OF UNEP EXECUTIVE DIRECTOR MOSTAFA TOLBA TO MEXICO.
4. SCIOFF ALSO CONTACTED THE OFFICE OF INTERNATIONAL AFFAIRS WITHIN SEDUE. THE STAFFER, LIC. ANA LUISA VALDEZ, SEEMED QUITE SURPRISED BY THE CALL AND REFERRED SCIOFF TO THE SRE NORTH AMERICAN DESK, EVEN THOUGH HER OFFICE IS WORKING WITH THE UNITED NATIONS GROUP (LIC. CLAUDE HELLER) AND THE DIRECTORATE FOR MULTILATERAL AFFAIRS (DR. JORGE MONTANO MARTINEZ). SHE WOULD NOT ACCEPT DOCUMENTS OR TALK ABOUT SEDUE'S POSITION. SCIOFF SUGGESTED TO DEL CORRAL THAT IT MIGHT HAVE BEEN THE FIRST CALL LIKE THIS SHE HAS EVER RECEIVED, AND HE SEEMED TO AGREE.
(DRAFTED: SCI: ASIMON) PILLIOD

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PAGE 01
ACTION OES-09 BANGKO 37594 271037Z

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	OMB-01	STR-17	INRE-00	AGRE-00	ACDA-12	USIE-00	JUSE-00
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-----065363 272113Z /64

R 271042Z AUG 87
FM AMEMBASSY BANGKOK
TO SECSTATE WASHDC 6812
INFO USMISSION GENEVA
USMISSION USVIENNA
AMCONSUL MONTREAL

UNCLAS BANGKOK 37594

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, TH
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICALS

REF: STATE 261173

PER INSTRUCTIONS REFTEL, WE HAVE DELIVERED COPY OF USG
VIEWS ON SUBJECT NEGOTIATIONS TO THE APPROPRIATE OFFICIAL
IN THE THAI MFA. HE TOLD US THAT HIS GOVERNMENT HAD NO
IMMEDIATE COMMENTS. BROWN

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PAGE 01 OF 02 CANBER 08209 00 OF 02 010700Z
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P 000410Z AUG 87
FM AMEMBASSY CANBERRA
TO SECSTATE WASHDC PRIORITY 4461
INFO AMEMBASSY OTTAWA
AMCONSUL MELBOURNE
AMCONSUL SYDNEY

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, AS
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
- CHEMICALS

REFERENCES: (A) CANBERRA 8078 (B) STATE 261173

1. FOLLOWING UP OUR AUGUST 26 MEETING WITH ASSISTANT
SECRETARY IAN CARRUTHERS (REF A), ECHOFF CALLED AGAIN
ON CARRUTHERS AUGUST 27 TO RECEIVE DETAILED RESPONSES TO
REF (B) TALKING POINTS. CARRUTHERS' SECRETARY TOOK
NOTES OF THE MEETING AND PROVIDED WRITTEN RECORD OF GOA
POSITIONS, QUOTED VERBATIM BELOW.

2. BEGIN TEXT:

PRELIMINARY COMMENTS BY AUSTRALIAN ENVIRONMENT
DEPARTMENT ON US VIEWS ON PROPOSED PROTOCOL ON
OZONE DEPLETING SUBSTANCES

THE AUSTRALIAN AUTHORITIES THANK THE US AUTHORITIES FOR
THE CONSTRUCTIVE VIEWS OFFERED IN THE PAPER RECEIVED
THIS WEEK. WE LOOK FORWARD TO A POSITIVE OUTCOME ON THE
PROTOCOL IN THE MONTREAL DISCUSSIONS.

IT IS EMPHASIZED THAT THESE ARE PRELIMINARY VIEWS IN
THAT DISCUSSIONS ARE STILL PROCEEDING IN CANBERRA IN
RELATION TO THE AUSTRALIAN POSITION ON SEVERAL MATTERS
WHICH WILL NEED TO BE ADDRESSED IN MONTREAL. HOWEVER,
THEY ARE PROVIDED AT THIS TIME IN THE INTERESTS OF
KEEPING YOU INFORMED ABOUT THE EVOLUTION OF OUR VIEWS.

TITLE

-- WE AGREE THAT THE PROPOSAL SHOULD BE TITLED IN THE
TERMS PROPOSED IN THE US PAPER.

CONTROL REGIME (ARTICLE 2)

-- AUSTRALIA AGREES WITH THE US VIEW (PAGE 2 PARA 1)
THAT THE BEST APPROACH WOULD BE FOR CONSUMPTION TO
FEATURE FROM THE OUTSET IN THE CONTROL REGIME IN
ARTICLE 2.

-- WE AGREE WITH THE COMMENTS IN PARA 2 ON PAGE 2;
HOWEVER, WE WOULD LIKE TO ADDRESS IN THE MONTREAL
DISCUSSIONS THE OPTION OF USING A SUITABLE COMBINATION
OF CONTROLS ON PRODUCTION WITH CONSUMPTION.

HALONS

-- AUSTRALIA SHARES THE VIEW THAT HALONS SHOULD BE
INCLUDED WITHIN THE SCOPE OF THE PROTOCOL. HOWEVER, WE
HAVE TWO IMPORTANT DIFFICULTIES WITH THE WAY THIS IS
HANDLED IN ARTICLE 2.

-- THE FIRST DIFFICULTY IS THE WAY IN WHICH NATIONAL
LIMITS ON HALONS ARE MADE TO STAND ALONE FROM NATIONAL
LIMITS ON CFCS. THIS WILL HAVE THE EFFECT OF LOSING
FLEXIBILITY WITH THE HALONS TO IMPLEMENT AN OVERALL
OPTIMUM CONTROL STRATEGY FOR THE RANGE OF CONTROLLED
SUBSTANCES.

-- THE SECOND CONCERN WE HAVE ARISES FROM THE FACT
THAT: --THERE IS A HIGH GROWTH RATE IN USE OF HALONS
FOR ESSENTIAL, SPECIAL FIRE PROTECTION APPLICATIONS;
AND --ALREADY INDUSTRY FOLLOWS PRACTICES WHICH LEAD TO
A VERY HIGH LEVEL OF RECOVERY OF HALONS AND THESE
PRACTICES WILL BE IMPROVED.

- THESE FACTORS IN RELATION TO OUR SECOND CONCERN LEAD
US TO CONCLUDE THAT CONTROL OF HALONS SHOULD ATTEMPT TO
FOCUS ON THE ACTUAL LEVEL OF EMISSIONS RATHER THAN ON
THE AMOUNT GOING INTO USE IN A GIVEN YEAR. OUR
PREFERRED OPTION IS FOR A CODE OF PRACTICE TO BE
PROMULGATED UNDER THE PROTOCOL COVERING FIRE PROTECTION
APPLICATIONS, FOR WHICH A THEORETICAL EMISSION LOSS
WOULD BE DETERMINED TO COVER PROBABLE LOSSES IN FIRE
SITUATIONS AND IN ROUTINE MAINTENANCE AND TESTING.

FUTURE ADJUSTMENT, ETC.

-- WE AGREE WITH US COMMENTS.

ADDITIONAL REDUCTION STEPS

-- WE ARE UNSURE THAT IT IS NECESSARY TO GO SO FAR AS
TO INDICATE A GOAL OF EVENTUAL ELIMINATION OF THE
CONTROLLED SUBSTANCES.

CALCULATION OF CONTROL LEVELS; LOW CONSUMING COUNTRIES;
TRADE AND PRODUCTS

-- WE AGREE WITH THE U.S. COMMENTS ON THESE THREE
SUBJECTS.

ENTRY INTO FORCE

-- WE CONSIDER THAT EIF OUGHT TO BE EXPRESSED
INTER ALIA IN TERMS OF THE CONSUMPTION BY COUNTRIES OF
CONTROLLED SUBSTANCES, RATHER THAN IN TERMS OF
PRODUCTION. WE DO NOT HAVE A FIXED POSITION AT THIS
TIME ON THE ACTUAL PERCENTAGE, BUT WE WOULD NOT WANT IT
SET SO HIGH AS TO UNDUL DELAY EIF.

EC PROPOSAL ON REIDS

-- THIS MATTER IS UNDER DISCUSSION AND WE DO NOT
HAVE A VIEW TO EXPRESS AT THIS TIME; HOWEVER, WE DO
NOT IMMEDIATELY REJECT THE PROPOSED CLAUSE ON REIOS.

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PAGE 02 OF 02

-- WE SUPPORT THE US PROPOSAL.

MODELLING STUDY ON CONTROL REGIME UNDER THE PROTOCOL

-- A FEW WEEKS AGO THE AUSTRALIAN AUTHORITIES TOOK UP WITH THE UNEP SECRETARIAT (PETER USHER) A SUGGESTION THAT A MODELLING STUDY BE RUN TO PREDICT THE OZONE DEPLETION CIRCUMSTANCES THAT WOULD RESULT CONSEQUENT TO APPLICATION OF THE CONTROLS PROPOSED TO BE INCLUDED IN THE PROTOCOL. (IDEALLY THIS EXERCISE WOULD ALSO ADDRESS THE RELATIVE EFFECTS OF THE VARIOUS CONTROL OPTIONS UNDER CONSIDERATION IN THE PROTOCOL NEGOTIATIONS AT THE PRESENT TIME.) THIS WOULD INVOLVE AN ANALYSIS FOR THIS SCENARIO ALONG THE LINES CONDUCTED FOR THE VARIOUS SCENARIOS ADDRESSED AT THE WURZBURG MEETING SEVERAL MONTHS AGO. USHER INDICATED THAT HE WOULD TAKE THIS UP WITH THE US AUTHORITIES. WE VERY MUCH LOOK FORWARD TO HAVING AVAILABLE FOR THE MONTREAL MEETING THE OUTCOME OF THIS PROPOSED WORK.

END TEXT.

2. COMMENT: DEPARTMENT'S ATTENTION IS DRAWN TO FINAL SENTENCE RE AUSTRALIAN EXPECTATIONS REGARDING THE MODELLING STUDY.

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PAGE 01
ACTION OES-09
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EPA-01 STR-17 INRE-00 ACDA-12 USIE-00 DOEE-00 CEQ-01
PRS-01 P-02 T-01 /096 W

P 270723Z AUG 87 ZDK UR 7585 SVC
FM AMEMBASSY CANBERRA
TO SECSTATE WASHDC PRIORITY 4417
INFO AMEMBASSY OTTAWA
AMCONSUL MELBOURNE
AMCONSUL SYDNEY

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, AS
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

1. PER PARA 3 REFTEL, ON AUGUST 26 EMBASSY PASSED
SUBSTANCE REFTEL TO ASSISTANT SECRETARY (CONTAMINANTS)
IAN CARRUTHERS, WHO WILL REPRESENT AUSTRALIA AT THE UN
ENVIRONMENT PROGRAM (UNEP) NEGOTIATIONS ON A PROTOCOL TO
CONTROL OZONE-DEPLETING CHEMICALS, TO BE HELD IN
MONTREAL SEPTEMBER 14-16. AFTER RECEIVING THE EDITED
TEXT, CARRUTHERS REMARKED CANDIDLY THAT IT WAS TOO
VOLUMINOUS TO RESPOND TO IN DETAIL DURING THE MEETING.
EMBOFF THEN BRIEFED HIM ON THE MAJOR ISSUES.

2. IN REPLY CARRUTHERS SAID THAT WHILE AUSTRALIA DOES
HAVE SOME PROBLEMS WITH UNITED STATES VIEWS ON
PARTICULAR ISSUES, AUSTRALIA SUPPORTS THE STRONG U.S.
POSITION ON OZONE CONTROLS. HE ALSO MENTIONED THAT
AUSTRALIA HAS PROBLEMS WITH THE UNEP SEVENTH REVISED
DRAFT PROTOCOL. CARRUTHERS TERMED THE ARTICLE I AND II
WORDING RUDIMENTARY AND SAID THAT THE ARTICLES MUST BE
REVISED AT THE MONTREAL MEETINGS.

3. CARRUTHERS REMARKED ALSO THAT AUSTRALIA'S JUNE 1987
POSITION PAPER ON THE OZONE PROBLEM REMAINED THE
OFFICIAL AUSTRALIAN VIEW. HE FURTHER POINTED OUT THAT
AUSTRALIA'S CONTACTS WITH MEMBER COUNTRIES WHO WILL
ATTEND THE MONTREAL MEETINGS MADE PLAIN THAT THE EC,
JAPAN, AND THE SOVIET UNION DISAGREE WITH THE STRONG
U.S. POSITION ON OZONE CONTROLS, AND THAT THOSE
COUNTRIES WILL BE RESISTING THE UNITED STATES.

4. CARRUTHERS SAID HE LOOKED FORWARD TO MEETING AND
WORKING WITH THE UNITED STATES DELEGATION IN MONTREAL.

5. WE WILL SEE CARRUTHERS AGAIN AUG 27 TO OBTAIN
DETAILED REACTIONS TO REFTEL. REPORT TO FOLLOW SEPTTEL.

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BY Amf, NARA, DATE 12/10/02

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P 270104Z AUG 87

FM AMCONSUL HONG KONG

TO SECSTATE WASHDC PRIORITY 6313

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E.O. 12356: N/A

TAGS: SENV, ETRD, UNEP

SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
- CHEMICALS
-

REF: STATE 261173
-

1. HONG KONG WILL NOT PARTICIPATE IN THE MONTREAL
CONFERENCE EITHER IN ITS OWN RIGHT OR AS PART OF THE
U.K. DELEGATION. CONGEN SCIOFF DID, HOWEVER, PASS U.S.
VIEWS OF PROPOSED PROTOCOL ON OZONE-DEPLETING SUBSTANCES
(REFTEL) TO HONG KONG GOVERNMENT OFFICIALS WHO HAD
EXPRESSED AN INTEREST IN KNOWING THE U.S. POSITION.
ANDERSON

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PAGE 01 JAKART 13329 270915Z
ACTION OES-09

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P 270912Z AUG 87
FM AMEMBASSY JAKARTA
TO SECSTATE WASHDC PRIORITY 7464
INFO AMEMBASSY MANILA
AMEMBASSY BANGKOK
AMEMBASSY SINGAPORE
AMEMBASSY KUALA LUMPUR
AMEMBASSY BANDAR SERI BEGAWAN
USMISSION GENEVA
USMISSION USVIENNA
AMEMBASSY OTTAWA
AMCONSUL MONTREAL

UNCLAS JAKARTA. 13329

E.O. 12356: N/A
TAGS: SENV, UNEP, ETRD, ID
SUBJECT: OZONE PROTOCOL NEGOTIATIONS: INDONESIA'S
- POSITION

REF: STATE 261173/01

1. POST CONVEYED U.S. VIEWS REGARDING OZONE PROTOCOL NEGOTIATIONS, PER REFTEL, TO APPROPRIATE OFFICIALS IN THE DEPARTMENT OF FOREIGN AFFAIRS (DEPLU) AND THE STATE MINISTRY FOR POPULATION AND LIFE ENVIRONMENT. ACCORDING TO MS. RAZIATY TAMZIL OF THE DIRECTORATE OF LEGAL AFFAIRS AND TREATIES, THE OFFICE HANDLING THE OZONE ISSUE IN DEPLU, THE GOI WILL NOT BE SENDING A DELEGATION TO MONTREAL FOR EITHER THE FINAL NEGOTIATIONS (SEPT. 8-11) OR THE CONFERENCE OF PLENOPOTENTIARIES (SEPT. 14-16). MS. RAZIATY INDICATED THE INDONESIAN EMBASSY IN CANADA WOULD MOST LIKELY COVER THE SESSIONS, BUT THAT INSTRUCTIONS TO DO SO AND GUIDANCE ON THE ISSUE HAVE NOT YET BEEN SENT FROM JAKARTA. POST WILL CONTINUE TO FOLLOW UP WITH DEPLU AND THE MINISTRY OF POPULATION AND LIFE ENVIRONMENT, AND REPORT ON THE GOI'S POSITION WITH REGARD TO THE PROTOCOL NEGOTIATIONS AS IT CONTINUES TO DEVELOP.

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	NASA-01	L-03	TRSE-00	PM-10	EAP-00	EPA-01	CEA-01
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P 270837Z AUG 87

FM AMEMBASSY KUALA LUMPUR

TO SECSTATE WASHDC PRIORITY 6766

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E.O. 12356: N/A

TAGS: SENV, ETRD, UNEP

SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

WE DO NOT YET HAVE ANY GOM FEEDBACK ON U.S. VIEWS ON A
PROTOCOL TO CONTROL OZONE-DEPLETING CHEMICALS
(REFTEL). THE GOM IS ITSELF IN A STATE OF MINOR
DISARRAY AND HAS NOT YET FORMALIZED ITS INTERNAL
COORDINATING PROCEDURES FOR DEVELOPING A DEFINITIVE
POSITION. WE THINK MFA WILL LIKELY GET THE LEAD
INTER-AGENCY ROLE BUT HAVE BEEN UNABLE TO CONTACT THE
RELEVANT INDIVIDUAL. IN THE MEANTIME, WE HAVE
ESTABLISHED CONTACT WITH DR ABU BAKAR OF THE MINISTRY
OF SCIENCE, TECHNOLOGY AND ENVIRONMENT, THE PROBABLE
KEY DESIGNEE ON TECHNICAL SUBSTANCE, AND WILL SEEK TO
DRAW SOME PRELIMINARY OPINIONS FROM HIM ON THE U.S.
POSITIONS OUTLINED IN REFTEL.

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PAGE 01 SEOUL 10151 310204Z

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R 310304Z AUG 87

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 3133

UNCLAS SEOUL 10151

PLEASE PASS EPA FOR INTERNATIONAL
STATE FOR OES/E

E.O. 12356: N/A

TAGS: SENV, ETRD, UNEP, KS

SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICALS

REF: STATE 261173

PER REFTEL U.S. VIEWS ON CONFERENCE ISSUES WERE PROVIDED
TO KOREA ENVIRONMENT ADMINISTRATION (KEA) IN LETTER TO
ADMINISTRATOR PARK, PAN JEI WITH REQUEST FOR COMMENTS.
STAFF OFFICIALS HAVE INFORMED US THAT KEA HAS NOT YET
DECIDED WHO WILL REPRESENT ROK AT THE CONFERENCE
SESSIONS.. WE WILL FORWARD COMMENTS AND NAMES OF ROK
DELEGATES WHEN RECEIVED. LILLEY##

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PAGE 01 TOKYO 15318 280659Z
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/077 W

P 280659Z AUG 87
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC PRIORITY 4561

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E.O. 12356: N/A
TAGS: SENV, UNEP, ETRD, JA, KSCA
SUBJECT: NEGOTIATIONS TO CONTROL OZONE DEPLETING
CHEMICALS
B

REF: (A) STATE 261173; (B) TOKYO 14622

1. SCIOFF PASSED NON-PAPER BASED ON REFTEL A AND DISCUSSED PROSPECTS FOR UPCOMING MONTREAL SESSION WITH MOFA UN BUREAU SOCIAL COOPERATION DIVISION DIRECTOR, YOSHIKAZU KANEKO, AUGUST 25. AFTER CAREFULLY EXAMINING THE PAPER, KANEKO MADE THE FOLLOWING POINTS:

- GOJ IS UNLIKELY TO OPPOSE PROPOSED CHANGES IN COVERAGE/TITLE OF THE CONFERENCE OR PROTOCOL.

- THE GOJ IS "CAREFULLY STUDYING" THE U.S. PROPOSAL TO EMPHASIZE CONSUMPTION RATHER THAN PRODUCTION DATA WHEN IMPOSING CONTROLS UNDER ARTICLE 2. KANEKO POINTED OUT THAT THIS ISSUE WAS RAISED PROMINENTLY IN WASHINGTON DURING THE AUGUST 14 SMITH/SATO MEETING (REFTEL A). KANEKO EXPRESSED CONCERN ABOUT AN ONGOING JAPAN-U.S. JOINT VENTURE INVOLVING DUPONT CORPORATION IN THE CONSTRUCTION OF A CFC-113 PLANT. HE SEEMED PRETTY CONFIDENT SOME SORT OF COMPROMISE COULD BE REACHED REGARDING A FORMULA TO DECIDE UNDER WHICH COUNTRY'S TOTALS THE OUTPUT OF THIS PLANT WOULD BE CHARGED UNDER ARTICLE 2 CONTROLS.

- GOJ HAS LITTLE SYMPATHY WITH THE EC'S ATTEMPT TO BE TREATED AS A SINGLE PRODUCING UNIT. KANEKO OPINED THAT THIS COULD BE ONE OF THE MOST CONTENTIOUS ISSUES TO BE RESOLVED IN MONTREAL.

- THE GOJ CAN "GO ALONG" WITH A FREEZE ON HALON PRODUCTION AT 1986 LEVELS AS LONG AS ANY DECISION ON REDUCTIONS IS POSTPONED PENDING FURTHER SCIENTIFIC STUDY. KANEKO SAID THAT ONE OF THE HARDEST CHORES FOR THE GOJ HAS BEEN CONVINCING THE HALON PRODUCERS TO ACCEDE TO A FREEZE, AND THAT TRYING TO GET THEM TO AGREE TO REDUCTIONS WOULD BE PROBLEMATIC AT THIS POINT.

- KANEKO WAS UNCLEAR AS TO WHAT EXACTLY WAS BEING PROPOSED UNDER "CALCULATION OF CONTROL LEVELS" (ARTICLE 3). HE REQUESTED FURTHER CLARIFICATION. SCIOFF WAS NOT SUFFICIENTLY WELL-VERSED ON THE EVOLUTION OF THIS ISSUE TO PROVIDE A COGENT EXPLANATION. REQUEST DEPT PROVIDE FURTHER CLARIFICATION ON THE ESSENCE OF THIS PROPOSAL.

- KANEKO FELT THAT THE USSR WOULD HAVE PROBLEMS WITH THE U.S. PROPOSALS REGARDING COMPLIANCE.

2. COMMENT: KANEKO SEEMED MUCH MORE OPTIMISTIC THAN IN THE PAST (REFTEL B) THAT AGREEMENT WOULD BE REACHED AT THE UPCOMING SESSIONS IN MONTREAL. WE ATTRIBUTE THIS

MOOD SHIFT IN LARGE MEASURE TO THE POSITIVE OUTCOME OF THE SMITH/SATO MEETING IN WASHINGTON. IN HIS COMMENTS, KANEKO REFERRED FREQUENTLY TO A REPORT ON THIS MEETING THAT HE HAD RECEIVED FROM THE JAPANESE EMBASSY IN WASHINGTON.

3. IN OTHER COMMENTS OF SPECIAL NOTE, KANEKO SAID DIRECTLY WHAT WE HAVE LONG SURMISED, I.E., THAT AN IMPLACABLE EC POSITION IN MONTREAL WOULD GIVE JAPAN "AN EXCUSE" TO DELAY GIVING ITS OWN CONSENT TO THE AGREEMENT. WITH RESPECT TO THE RATIFICATION PROCESS WITHIN JAPAN, KANEKO POINTED OUT THAT SOME DELAY WOULD BE UNAVOIDABLE IF JAPANESE DOMESTIC LAWS HAD TO BE CHANGED AS A RESULT OF THE PROTOCOL. WHILE STRESSING THAT ANY DELAY WOULD ONLY BE THE RESULT OF THE BUREAUCRATIC NECESSITY OF GETTING LAW CHANGES IMPLEMENTED THROUGH THE DIET, HE ADDED THAT IT WAS NOT POSSIBLE TO PREDICT HOW THIS PROCESS WOULD EVOLVE. END COMMENT.

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P 251517Z AUG 87
FM AMEMBASSY ALGIERS
TO SECSTATE WASHDC PRIORITY 8375
INFO AMCONSUL MONTREAL

UNCLAS ALGIERS 05172

E.O. 12356: N/A
TAGS: SENV, UNEP, AG
SUBJECT: ALGERIAN DELEGATION TO MONTREAL OZONE
- CONFERENCE

REF: STATE 261173

1. ECONOFFS MET AUGUST 25 WITH MFA OFFICIAL RESPONSIBLE FOR MULTILATERAL RELATIONS, TO PASS HIM A COPY OF U.S. POSITION ON THE SEVENTH DRAFT PROTOCOL (REF). THE MFA OFFICIAL SAID THAT ALGERIA HAD CONSIDERABLE INTEREST IN THE PROTOCOL, EVEN THOUGH HE CHARACTERIZED IT AS A MATTER PRIMARILY CONCERNING DEVELOPED NATIONS. HE SAID THAT THE HEAD OF THE ALGERIAN DELEGATION PROBABLY WILL BE SUB-DIRECTOR FOR THE ENVIRONMENT OF THE MINISTRY OF HYDRAULICS, ENVIRONMENT AND FORESTRY. FINAL DECISION ON THE DELEGATION WILL NOT BE MADE UNTIL THE HYDRAULICS MINISTER RETURNS FROM OVERSEAS NEXT WEEK.

2. EMBASSY HOPES TO PROVIDE FURTHER INFORMATION ON COMPOSITION OF THE ALGERIAN DELEGATION AND ITS POSITION ON THE PROTOCOL IN A WEEK'S TIME.

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PAGE 01
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P 271230Z AUG 87
FM AMEMBASSY CAIRO
TO SECSTATE WASHDC PRIORITY 2493

UNCLAS CAIRO 20310

E.O. 12356: N/A
TAGS: KSCA, SENV, ETRD, UNEP
SUBJ: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
- CHEMICALS.

REF: (A) STATE 261173
- (B) CAIRO 17442
- (C) CAIRO 18161

1. SCIOFF HAS PROVIDED VIEWS OUTLINED IN REF A TO MFA
IO DIRECTOR AMBASSADOR ESSAM EL-DEEN HAWWAS IN WRITING,
AS REQUESTED.

2. AMBASSADOR HAWWAS SAID HE GAVE HIS COMMENTS ON
COMPLIANCE (ITEM 27, REF A) TO THE U.S. REPRESENTATIVE
AT THE LAST MEETING IN SALZBURG. HE WILL STUDY THE
DOCUMENTS AT LENGTH AND MAY HAVE FURTHER COMMENT IN A
FEW DAYS.
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E.O. 12356: N/A
TAGS: OSCI, SENV, ETRD, UNEP, IN
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

1. SCICOUNS MET MR. K. MADHAV SHARMA, JOINT SECRETARY, MINISTRY OF ENVIRONMENT AND FORESTS (MOEF) ON AUGUST 25, 1987 TO INQUIRE ABOUT GOI PARTICIPATION AT FINAL NEGOTIATION MEETING AT MONTREAL AND GOI STAND ON THE VARIOUS ISSUES. THE U.S. VIEWS ON THE REVISED PROTOCOL PROVIDED IN REFTEL WERE HANDED OVER TO MR. SHARMA.

2. MR. SHARMA STATED THAT THE GOI HAD SENT OBSERVERS FROM THEIR MISSIONS TO THE VARIOUS NEGOTIATION MEETINGS AND WOULD BE DOING THE SAME FOR THE MONTREAL MEETING. AS INDIA PRODUCES AROUND 8000 T.P.A. OF OZONE DEPLETING CHEMICALS WHICH IS A FRACTION OF GLOBAL PRODUCTION, GOI DOES NOT ACCORD THE ISSUE ANY PRIORITY, AND THEREFORE DOES NOT SEE ANY NEED TO ACTIVELY PARTICIPATE.

3. IN RESPONSE TO SCICOUNS EXPLANATION OF THE GLOBAL IMPORTANCE OF THE PROBLEM, SHARMA RESPONDED THAT GOI IS AWARE OF THE NEED FOR SUCH A PROTOCOL. THEY HAVE ALREADY HAD A MEETING OF SCIENTISTS IN MAY TO OUTLINE AREAS OF POSSIBLE COLLABORATIVE RESEARCH ON OZONE LAYER DEPLETION WITH THE U.S. AND OTHER COUNTRIES AND SOME DOCUMENTS ARE UNDER PREPARATION. ANOTHER MEETING OF POLICY MAKERS AND SCIENTISTS IS PLANNED FOR NOVEMBER WHERE THEY WILL DISCUSS THE FINAL PROTOCOL AND ITS IMPLICATIONS AND COME TO SOME DECISION ON BEING A PARTY TO THE PROTOCOL.

4. SCICOUNS WILL KEEP IN TOUCH WITH GOI OFFICIALS AND ADVISE IF THERE ARE ANY FURTHER DEVELOPMENTS. HOWEVER, WE FEEL INDIA IS NOT WILLING TO GET INVOLVED AT ALL AT THIS STAGE. DEAN

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E. O. 12356: N/A
TAGS: SENV, ETRD, UNEP
SUBJ: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICALS

REF: STATE 261173

1. PURSUANT TO REF INSTRUCTIONS CONCERNING UN ENVIRONMENT PROGRAM (UNEP) NEGOTIATIONS ON PROTOCOL TO CONTROL OZONE-DEPLETING CHEMICALS, SCHEDULED MID-SEPTEMBER IN MONTREAL, ECONOMIC OFFICER CALLED ON ABDELATIF NACIF, DIRECTOR ON MINISTRY OF FOREIGN AFFAIRS OFFICE OF INTERNATIONAL COOPERATION. NACIF RECEIVED REF VIEWS ON PROPOSED PROTOCOL AND COMMENTED THAT HE WANTED TO REVIEW DOCUMENT PRIOR TO PASSING IT ALONG TO MINISTRY OF INTERIOR (MOI) BUREAU RESPONSIBLE FOR ENVIRONMENTAL AFFAIRS. HE SAID THAT, WHILE COMPOSITION OF MOROCCO'S DELEGATION TO UNEP NEGOTIATIONS IN MONTREAL HAD YET TO BE DETERMINED, DIRECTOR OF THE BUREAU OF NATIONAL DEVELOPMENT IN MOI MRS. BANI LAYACHI AND CHIEF OF THE ENVIRONMENTAL DIVISION M' HAMED MALITI WOULD MOST LIKELY BE AMONG PARTICIPANTS. NACIF SAID HE PLANNED TO DISCUSS PROPOSED PROTOCOL WITH BOTH INDIVIDUALS ONCE THEY RETURNED FROM LEAVE CIRCA 1 SEPTEMBER.

2. EMBOFF STRESSED IMPORTANCE OF PROTOCOL AND ISSUES TO BE COVERED AT MONTREAL CONFERENCE AND EXPRESSED HOPE THAT MOROCCAN AND AMERICAN POSITIONS ON THE PROPOSALS WOULD BE COMPATIBLE. SUBSEQUENT MEETINGS WITH MALITI OR LAYACHI IN ADDITION TO NACIF SHOULD FURNISH ADDITIONAL DETAILS CONCERNING MOROCCAN POSITION AND DELEGATION'S COMPOSITION.

HAWES

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E. O. 12356: N/A
TAGS: SENV, ETRD, UNEP, TS
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
- CHEMICALS

REF: STATE 261173

1. ECON COUNS CONTACTED JAQUIDA TNANI, DIRECTOR OF INTERNATIONAL ORGANIZATIONS AND CONFERENCES, MINISTRY OF FOREIGN AFFAIRS, TO RELAY DETAILS OF U.S. POSITION ON OZONE LAYER PROTOCOL (REFTEL). TNANI INDICATED HER AWARENESS OF MONTREAL MEETINGS BUT COULD PROVIDE DETAILS NEITHER OF TUNISIAN POSITION NOR LEVEL OF GOT ATTENDANCE. SHE SAID THAT MEETING WOULD BE ATTENDED BY DELEGATION EITHER FROM TUNISIA'S OTTAWA EMBASSY OR FROM TUNIS.

2. TNANI EXPRESSED APPRECIATION ABOUT HAVING BEEN KEPT ABREAST OF OZONE LAYER NEGOTIATIONS. HOWEVER, SHE OBSERVED THAT PREVIOUS DOCUMENTS WE PROVIDED TO GOT WERE NOT SUCCESSFUL IN EDUCATING OFFICIALS IN TECHNICAL MINISTRIES DIRECTLY INVOLVED. THIS WAS BECAUSE DOCUMENTATION WAS IN ENGLISH. SHE INVITED ECON COUNS TO MEET WITH HER SEPTEMBER 2 AND TO PROVIDE A FRENCH SUMMARY OF MAIN ELEMENTS OF U.S. POSITION. ECON COUNS GAVE TNANI ENGLISH TEXT CONTAINED IN REFTEL AND SAID AN EFFORT WOULD BE MADE TO PROVIDE A ROUGH SKETCH OF U.S. POSITION IN FRENCH. PELLETREAU

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EPA/OAR: ECLAUSSEN
NOAA: JRSRADLEY
NOAA: DALBRITTON (SUBS)
DOI: SMITH (SUBS)
DOE: WILLIAMS

USTR: RREINSTEIN
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AMEMBASSY KUALA LUMPUR PRIORITY
AMEMBASSY KUWAIT PRIORITY
AMEMBASSY LAGOS PRIORITY
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AMEMBASSY MEXICO PRIORITY
AMEMBASSY MONTEVIDEO PRIORITY
AMEMBASSY MOSCOW PRIORITY
AMEMBASSY NAIROBI PRIORITY
AMEMBASSY NEW DELHI PRIORITY
AMEMBASSY OUAGADOUGOU PRIORITY
AMEMBASSY RABAT PRIORITY
AMEMBASSY SANTIAGO PRIORITY
AMEMBASSY SEOUL PRIORITY
AMEMBASSY SINGAPORE PRIORITY
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ALSO FOR UNEP PERHREP, USEC, USOECD/WALLIS

E.O. 12356: N/A
TAGS: SENV, UNEP
SUBJECT: U.S. DELEGATION REPORT: THIRD SESSION OF UNEP
NEGOTIATIONS ON OZONE LAYER PROTOCOL (APRIL 27-30, GENEVA)

REF: (A) GENEVA 4835, (B) GENEVA 4744, (C) GENEVA 4742

1. SUMMARY: DIFFICULT BUT PRODUCTIVE PROTOCOL
NEGOTIATING SESSION ENDED WITH PARTICIPATING NATIONS IN
REACH OF FINAL AGREEMENT BY SEPTEMBER DIPLOMATIC
CONFERENCE IN MONTREAL. AD HOC "CHAIRMAN'S GROUP",

AIDED BY HARD-DRIVING AND EFFECTIVE LEADERSHIP OF UNEP
EXECUTIVE DIRECT TOLBA, MADE CONSIDERABLE PROGRESS IN
NARROWING DIFFERENCES ON CONTROL STRINGENCY AND
TIMING. BASED ON HIS DISCUSSIONS WITH SMALLER
SUB-GROUP OF THIS GROUP, TOLA DEVELOPED A COMPROMISE
CONTROL ARTICLE TEXT WITH STRINGENCY AND TIMING LEVELS
BETWEEN THAT OF INITIAL (DEC. 1986) EC AND U.S.
NEGOTIATING POSITIONS, WHICH HE INTENDS TO USE AS
NEGOTIATING TEXT FOR SUBSEQUENT MEETING OF SUB-GROUP
(SEE PARA. 111).

-- PRODUCTIVE DISCUSSIONS WITHIN TRADE GROUP RESULTED
IN PROPOSAL FOR COMPROMISE PRODUCTION/CONSUMPTION
"FORMULA" FOR DEFINING WHAT IS TO BE CONTROLLED.
HOWEVER, GROUP WAS UNABLE TO RESOLVE SUBSTANTIVE
DIFFERENCES ON CONTROL OF TRADE BETWEEN PARTIES AND
NON-PARTIES. SIMILARLY, NO AGREEMENT EMERGED ON
REATMENT OF DEVELOPING COUNTRIES.

-- SCIENTIFIC GROUP, DRAWING ON RESULTS OF RECENT
UNEP-SPONSORED MEETING OF SCIENTISTS TO COMPARE
OZONE-DEPLETION UNDER ALTERNATIVE CONTROL STRATEGIES,
GAVE STRONG SUPPORT FOR THE NEED FOR BROAD CHEMICAL
COVERAGE. THE GROUP ALSO CONFIRMED THAT A FREEZE WOULD
NOT PREVENT LONG-TERM DEPLETION, STRENGTHENING THE VIEW
THAT FURTHER REDUCTIONS WERE NECESSARY TO ADEQUATELY
PROTECT THE OZONE LAYER.

-- SESSION CONCLUDED WITH PLANS FOR FURTHER INFORMAL
MEETINGS IN JUNE AND JULY, A FORMAL WORKING GROUP
SESSION SEPTEMBER 8-11 AND DIPLOMATIC CONFERENCE IN
MONTREAL SEPTEMBER 14-16. END SUMMARY.

2. PARTICIPATING COUNTRIES: ARGENTINA, AUSTRALIA,
AUSTRIA, CANADA, COLOMBIA, BELGIUM, DENMARK, EGYPT,
FINLAND, FRANCE, FRG, GHANA, HUNGARY, ITALY, JAPAN,
KENYA, LUXEMBOURG, MALAYSIA, MEXICO, NETHERLANDS, NEW
ZEALAND, NIGERIA, NORWAY, POLAND, QATAR, SWEDEN,
SWITZERLAND, USSR, UK, US, VENEZUELA.

3. STRINGENCY AND TIMING: CHAIRMAN LANG'S (AUSTRIA)
GROUP, WHICH INITIALLY CONSISTED OF ALL HEADS OF
DELEGATIONS WITH ADVISORS, WAS SUPPLANTED BY A SMALLER
AD HOC GROUP CONSISTING ONLY OF HEADS OF DELEGATION FOR
THE U.S., EC (UK, DENMARK, BELGIUM, AND THE

COMMISSION), CANADA, NORWAY, USSR, AND JAPAN. TOLA
TOOK OVER CHAIRMANSHIP OF THIS GROUP ON WEDNESDAY,
AFTER LANG WAS UNEXPECTEDLY CALLED BACK TO VIENNA.
WITH THE ASSISTANCE OF THE SMALLER GROUP, TOLBA
PRODUCED A COMPROMISE TEXT FOR USE IN SUBSEQUENT
NEGOTIATIONS. TEXT CALLS FOR:

-- (A) A FREEZE AT 1986 LEVELS WITHIN TWO YEARS OF
PROTOCOL'S ENTRY INTO FORCE (EIF) (TOLA STRONGLY URGED
THAT PROTOCOL BE RATIFIED BY 1988, SO THAT THE FREEZE
WOULD TAKE EFFECT BY 1990);

-- (B) A 20 PERCENT REDUCTION WITHIN FOUR YEARS OF EIF;

-- (C) A FURTHER REDUCTION OF 30 PERCENT, FOLLOWING A
PERIODIC SCIENTIFIC/TECHNICAL/ECONOMIC REVIEW, FOR
WHICH TWO OPTIONS WERE PROVIDED: (1) WITHIN SIX YEARS
AFTER ENTRY INTO FORCE IF A MAJORITY OF THE PARTIES SO
DECIDE; (2) WITHIN EIGHT YEARS AFTER ENTRY INTO FORCE
UNLESS TWO-THIRDS OF THE PARTIES OTHERWISE DECIDE;

-- (D) A FUTURE DECISION (BASED ON
SCIENTIFIC/TECHNICAL/ECONOMIC ASSESSMENT) REGARDING
FURTHER ACTIONS, WHICH COULD BE PUT INTO EFFECT BY

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EITHER A MAJORITY OR TWO-THIRDS VOTE OF THE PARTIES
(BOTH ALTERNATIVES STILL IN BRACKETS).

-- NONE OF THE DELEGATIONS REPRESENTED AT GENEVA GAVE FORMAL ASSENT TO THE CONTROL PACKAGE, WITH SOME (CANADA, NORDICS, SWITZERLAND, NEW ZEALAND) INDICATING THAT IT MIGHT BE "TOO WEAK", AND OTHERS (EC, USSR, JAPAN) THAT IT MIGHT BE "TOO STRONG". U.S. STATED THAT WE WOULD CAREFULLY STUDY THE DETAILS, NOTING, INTER ALIA, THAT TEXT MAY NEED FURTHER REFINEMENT TO ENSURE PROPER SYNCHRONIZATION BETWEEN SCIENTIFIC ASSESSMENT AND CONTROL DECISIONS. NEVERTHELESS, THERE WAS GENERAL AGREEMENT AMONG DELEGATIONS THAT THE TEXT REPRESENTS THE CLOSEST TO A CONSENSUS YET ATTAINED ON THE CONTENTIOUS ISSUE OF CONTROL STRINGENCY AND TING.

4. SCOPE OF CHEMICAL COVERAGE: THE CHAIR'S GROUP MOVED CLOSER TO CONSENSUS ON WHICH CHEMICALS TO INCLUDE FOR CONTROL. U.S., CANADA, AND NORDICS PUSHED FOR INCLUSION ON CFC 11, 12, 113, 114, 115, AND HALONS 1211 AND 1301 FOR AT LEAST THE FREEZE, PERHAPS WITH ONLY 11, 12, AND 113 INCLUDED FOR SUBSEQUENT REDUCTION PHASES. THE EC'S OPENING POSITION WAS TO INCLUDE ONLY 11 AND 12, BUT THEY SUBSEQUENTLY ADDED 113 AND -- WHILE NOT CONSENTING -- AGREED TO CONSIDER INCLUSION OF OTHERS. BY CONTRAST, AT THE OUTSET OF DISCUSSIONS, JAPAN ACTIVELY OPPOSED INCLUSION OF 113. BY END OF WEEK, HOWEVER, GOJ DELEGATION HAD AGREED TO TAKE QUESTION BACK TO TOKYO FOR RECONSIDERATION IN LIGHT OF "BROAD CONSENSUS" AT THE MEETING (PORTANT ELEMENT FOR JAPAN WAS AGREEMENT BY OTHER DELEGATIONS TO AGGREGATED EMISSIONS, WITH EACH CHEMICAL WEIGHTED BY ITS OZONE DEPLETION POTENTIAL). USSR STILL OPPOSED INCLUDING HALONS, DUE TO LEGAL QUESTIONS OF WHETHER INCLUSION IS ALLOWED BY WORKING GROUP'S FORMAL MANDATE. HOWEVER, SOVIETS APPEARED MORE SYMPATHETIC TO THE SCIENTIFIC RATIONALE FOR INCLUDING HALONS, AND TOLBA AGREED TO SEEK ENLARGEMENT OF THE MANDATE AT THE UNEP GOVERNING COUNCIL IN JUNE. OVERALL, MOVEMENT TOWARD U.S. POSITION ON THIS ISSUE WAS FACILITATED BY CONCLUSIONS OF SCIENTIFIC GROUP EMPHASIZING NEED FOR BROAD CHEMICAL COVERAGE (SEE PARA. 9).

5. FURTHER, IT WAS AGREED THAT THE CHEMICALS WOULD BE GROUPED TOGETHER AND WEIGHTED ACCORDING TO THEIR OZONE-DEPLETION POTENTIAL (SEE PARA. 9). THIS WOULD ENABLE INDIVIDUAL COUNTRIES TO "TRADE OFF" FREEZE OR REDUCTIONS AMONG INDIVIDUAL CHEMICALS WITHIN THE BASKET, SO LONG AS THE WEIGHTED TOTAL FOR THE ENTIRE BASKET MET THE PROTOCOL FREEZE/REDUCTION TARGET. THIS FLEXIBILITY WAS CRITICAL IN MOVING JAPAN TO AT LEAST CONSIDER INCLUSION OF CFC 113.

6. CONTROL FORMULA: THE QUESTION OF THE CONTROL "FORMULA" (I.E., WHETHER TO FREEZE AND REDUCE NATIONAL PRODUCTION, ADJUSTED PRODUCTION, OR SOME HYBRID FORMULATION) WAS TAKEN UP BY THE TRADE SUB-GROUP. U.S., CANADA, NORDICS, AND NEW ZEALAND SUPPORTED ADJUSTED PRODUCTION (AP) FORMULA (PRODUCTION IMPORTS - EXPORTS TO PARTIES - AMOUNT DESTROYED). WITH MAIN OPPOSITION TO IT COMING FROM THE EC. EC'S STATED REASONS FOR OPPOSING AP FORMULA WERE: (A) IT WOULD BE DIFFICULT TO IMPLEMENT AND ENFORCE; (B) ADEQUATE DATA TO CALCULATE BASE YEAR LEVEL MIGHT NOT BE AVAILABLE FOR MANY COUNTRIES (THEY PROPOSED USING 1990 FOR BASE YEAR); (C) SUBTRACTING ONLY EXPORTS TO PARTIES MIGHT PUT THE EC AT A DISADVANTAGE, SINCE THEY COULD NOT ENSURE THAT THEIR EXISTING EXPORT MARKET WOULD BECOME PARTIES; (D) SUBTRACTING EXPORTS MIGHT CREATE AN INCENTIVE FOR SOME PARTIES TO MAINTAIN OR INCREASE PRODUCTION. BASED ON A SWEDISH PROPOSAL TO COMBINE BOTH APPROACHES, TRADE GROUP

DEVELOPED AN AD REFERENDUM DRAFT TEXT, WHICH CALLS FOR INITIALLY FREEZING PRODUCTION AND IMPORTS SEPARATELY, AND THEN REDUCING BOTH PRODUCTION AND CONSUMPTION IN PARALLEL (WITH THE LATTER DEFINED AS ADJUSTED PRODUCTION BUT WITH ALL EXPORTS SUBTRACTED). PARTIES WOULD SUBSEQUENTLY ASSESS TREATMENT OF THE EXPORT TERM (E.G., WHETHER IT WOULD APPLY FOR EXPORTS TO PARTIES ONLY). TEXT REMAINS BRACKETED, HOWEVER, BECAUSE NORDICS, NEW ZEALAND, AND SOME LDCS INSISTED ON A PROVISION TO ALLOW NON-PRODUCING COUNTRIES TO PRODUCE UP TO THEIR ALLOCATED LEVEL OF IMPORTS, PROVIDING THAT IMPORTS ARE REDUCED BY AN EQUAL AMOUNT. JAPAN PROPOSED A SECOND ALTERNATIVE ALLOWING FOR INTER-PARTY TRANSFER OF PRODUCTION CAPACITY, PROVIDING THAT TOTAL GLOBAL PRODUCTION DOES NOT INCREASE. EC OPPOSED BOTH PROPOSALS. BEYOND THESE SUBSTANTIVE DIFFERENCES, FULL CONSENSUS ON THIS COMPROMISE FORMULATION WAS NOT REACHED, BECAUSE MANY DELEGATIONS EXPRESSED NEED TO ASSESS IMPLICATIONS OF COMPROMISE FORMULA IN MORE DETAIL.

-- IN ADDITION, THE TRADE GROUP AGREED THAT THE PROTOCOL SHOULD PROVIDE CREDIT TO A PARTY FOR THE AMOUNT OF THE CONTROLLED SUBSTANCES DESTROYED, PROVIDED THAT DESTRUCTION IS BY TECHNIQUES APPROVED BY THE PARTIES. THIS PRESERVED U.S. INTEREST IN CREATING AN INCENTIVE FOR THE DEVELOPMENT OF CFC DESTRUCTION TECHNOLOGIES, WHILE ALLAYING PRIOR USSR CONCERN THAT THE AMOUNTS REPORTED FOR SOME COUNTRIES MIGHT NOT BE RELIABLE UNTIL THE TECHNOLOGIES ARE KNOWN AND WIDELY ACCEPTED.

7. TRADE BETWEEN PARTIES AND NON-PARTIES: EC INSISTANCE THAT GATT REPRESENTATIVE BE PRESENT BEFORE TRADE GROUP COULD TAKE UP DISCUSSIONS OF TRADE ARTICLE PREVENTED TRADE GROUP FROM DEVOTING ADEQUATE TIME FOR DISCUSSION OF TRADE ARTICLE. HOWEVER, THIS TACTIC BACKFIRED SOMEWHAT WHEN GATT LEGAL ADVISOR APPEARED AND (CONTRARY TO EXPECTATIONS OF UK AND EC REPS) STATED THAT IN HIS OPINION NON-PARTY IMPORT RESTRICTIONS WOULD BE SUPPORTABLE UNDER ARTICLE 20 OF THE GATT (ALTHOUGH FINAL DETERMINATION WOULD BE BY GATT MEMBERS). WHEN TRADE GROUP TOOK UP CONSIDERATION OF SUBSTANTIVE ELEMENTS OF TRADE ARTICLE, IT BECAME CLEAR THAT THE EC COMMISSION (AT LEAST AT THE STAFF LEVEL) AND THE UK ARE OPPOSED TO ANY RESTRICTIONS (EXPORT OR IMPORT) EXCEPT FOR BULK CHEMICALS. THEIR OSTENSIVE REASONS WERE: (A) INCREASED POSSIBILITY OF BEING CHALLENGED WITHIN THE GATT, AND (B) POSSIBLE CONFLICT WITH BILATERAL TRADE AGREEMENTS. OTHER THAN CANADA, WHICH SUPPORTED U.S. OUT OF PRINCIPLE, OTHER PARTICIPANTS WERE NON-COMMITTAL ON TRADE ISSUE. OTHER THAN AGREEMENT TO REMOVE EXEMPTION FOR NON-PARTY COMPLIANCE (WHICH WAS REPLACED WITH A MORE RESTRICTIVE PROVISION FOR DEVELOPING COUNTRIES) RESULT WAS LITTLE MOVEMENT SINCE LAST MEETING, A HEAVILY BRACKETED TEXT, WITH SUBSTANTIAL DIFFERENCES IN POSITIONS OF U.S. AND EC, AND POSITIONS OF OTHER KEY PLAYERS AS YET UNARTICULATED.

8. DEVELOPING COUNTRIES: VERY LITTLE TIME WAS SPENT ON THE LDC ISSUE, DESPITE SOMEWHAT GREATER NUMBER OF LDC REPRESENTATIVES PRESENT AND MORE VOCAL PARTICIPATION. ONLY SUBSTANTIVE PROPOSAL, BY CANADA (AND AMENDED BY OTHERS), WOULD EXEMPT PARTIES WITH PER CAPITA CONSUMPTION LESS THAN 0.1 - 0.2 KG/YR FROM THE CONTROLS FOR THE FIRST 5 - 10 YEARS OF THE PROTOCOL, AFTER WHICH THEY BE SUBJECT TO THE CONTROLS IN A MANNER "PARALLEL" TO OTHER PARTIES. ALTHOUGH THERE APPEARED TO BE SENTIMENT FOR CANADIAN APPROACH OF ONLY ALLOWING LDCS TO BE EXEMPTED FOR A PERIOD OF YEARS (RATHER THAN INDEFINITELY), GROUP

CONCLUDED THAT CANADIAN PROPOSAL, AS WELL AS PROPOSALS FROM PREVIOUS SESSIONS, BE ASSESSED FURTHER PRIOR TO NEXT NEGOTIATING SESSION. LACK OF DATA ON CURRENT LEVELS OF

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DEVELOPING COUNTRY CONSUMPTION CONTINUES TO HAMPER
RESOLUTION OF THIS ISSUE.

9. SCIENTIFIC GROUP: SCIENTIFIC GROUP ISSUED VERY STRONG REPORT WHICH SUPPORTED USG POSITIONS ON: (A) THE NEED FOR BROAD CHEMICAL COVERAGE OF ALL FULLY-HALOGENATED COMPOUNDS, AND (B) THE NEED FOR REDUCTION STEPS BEYOND A FREEZE. LATTER POINT WAS BUTTRESSED BY THE GROUP'S HIGHLIGHTING THE IMPORTANCE OF POTENTIAL CHANGES IN THE VERTICAL DISTRIBUTION OF OZONE AND LATITUDINAL GRADIENTS IN ESTIMATES OF TOTAL COLUMN OZONE DEPLETION. GROUP ALSO AGREED ON OZONE DEPLETION POTENTIAL VALUES FOR ALL OF THE CHEMICALS UNDER DISCUSSION, WHICH WERE RECOMMENDED FOR USE IN THE PROTOCOL FOR CALCULATING WEIGHTED EMISSIONS. IN ADDITION, SCIENTIFIC GROUP REAFFIRMED NEED FOR MAJOR SCIENTIFIC ASSESSMENT EVERY FOUR YEARS, AND THE NEED TO DEVELOP AN IMPROVED GROUND-BASED STRATOSPHERIC MONITORING SYSTEM.

10. FUTURE WORK: CANADA CONFIRMED THAT THE DIPLOMATIC CONFERENCE WILL BE HELD IN MONTREAL SEPTEMBER 14-16, TO BE PRECEDED BY A FOURTH WORKING GROUP SESSION SEPTEMBER 8-11. PRIOR TO THAT, TWO INFORMAL MEETINGS HAVE BEEN SCHEDULED: THE CHAIR'S GROUP WILL MEET JUNE 29-30 IN BRUSSELS AND A LEGAL DRAFTING GROUP WILL MEET JULY 6-8 IN THE HAGUE. TOLBA REQUESTED THAT DELEGATIONS SUBMIT TO HIM, BY JUNE 19, COMMENTS ON THE CONTROL ARTICLE TEXT.

11. NEXT STEPS: THE U.S. DELEGATION RECOMMENDS THAT:

-- (A) LOW-KEY AND CAREFULLY PLANNED BILATERAL CONTACTS WITH THE OTHER COUNTRIES IN THE CHAIR'S GROUP BEGIN AS SOON AS POSSIBLE, IN ORDER TO MAXIMIZE THE LIKELIHOOD OF AN OUTCOME FAVORABLE TO USG OBJECTIVES (SPECIFIC GUIDANCE WILL FOLLOW FOR RELEVANT POSTS);

--- (B) TIMING OF CONTROL ARTICLE STEPS SHOULD BE REVIEWED TO ENSURE THAT THEY ARE PROPERLY SYNCHRONIZED WITH THE PERIODIC SCIENTIFIC ASSESSMENTS;

-- (C) THE RELEVANT USG AGENCIES ASSESS THE COMPROMISE CONTROL "FORMULA" DEVELOPED BY THE TRADE GROUP, TO SEE WHETHER IT PROTECTS U.S. INTERESTS, WHETHER IT IS FEASIBLE FROM A DOMESTIC REGULATORY STANDPOINT (INCLUDING THE QUESTION OF DATA AVAILABILITY), AND WHETHER THERE ARE ANY SIMPLER ALTERNATIVES WHICH ACCOMPLISH THE SAME THING;

-- (D) CONSIDERATION BE GIVEN TO HOW THE REMAINING SUBSTANTIVE AREAS FOR WHICH CONSENSUS HAS NOT BEEN REACHED (E.G., NON-PARTY TRADE, LDCS) MIGHT BE MOVED TOWARD RESOLUTION PRIOR TO THE SEPTEMBER WORKING GROUP SESSION; IN PARTICULAR, WHETHER IT WOULD BE USEFUL TO GAUGE THE INTEREST OF OTHER COUNTRIES IN: (1) AN ADDITIONAL INFORMAL MEETING TO DISCUSS TRADE ISSUES, AND (2) INFORMAL DISCUSSIONS OF THE LDC ISSUE DURING THE UNEP GOVERNING COUNCIL (LATTER WAS ALREADY DISCUSSED WITH PETER USHER, UNEP SECRETARIAT).
WHITEHEAD

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UNCLAS GENEVA 04835

STATE FOR OES/NEGROPONTE; PASS EPA FOR THOMAS AND GREEN;
 PASS DEPT OF INTERIOR.

WHITE HOUSE FOR DPC
 NAIROBI FOR UNEP PERM REP

E.O. 12356: N/A
 TAGS: SENV, ETRD
 SUBJECT: OZONE PROTOCOL NEGOTIATIONS (SECOND DAY
 SUMMARY)

1. FOLLOWING SUMMARIZES PROGRESS OF OZONE PROTOCOL
 NEGOTIATIONS DURING SECOND DAY CARRIED OUT THROUGH (A)
 CHAIRMAN'S GROUP ON CONTROL MEASURES; (B) WORKING
 GROUP ON TRADE; AND (C) WORKING GROUP ON SCIENCE.

2. CHAIRMAN'S GROUP: DISCUSSIONS ADDRESSED SCOPE,
 STRINGENCY AND TIMING OF CFC CONTROL STRATEGY. THERE
 WAS GENERAL AGREEMENT THAT NOT ALL CHEMICALS SHOULD BE
 INCLUDED ON SAME REDUCTION SCHEDULE. USDEL PROPOSED
 AN IMMEDIATE FREEZE ON CFC'S 11, 12, 113, 114, 115 AND
 HALONS 1211 AND 1301; TO BE FOLLOWED BY REDUCTION
 STEPS COVERING CFC'S 11, 12 AND 113. OTHER CHEMICALS,
 INCLUDING HALONS FOR WHICH PRODUCTION DATA IS
 CURRENTLY QUITE LIMITED, WOULD BE TREATED SEPARATELY
 WITHIN PROTOCOL. THIS WAS SUPPORTED BY MANY, ALTHOUGH
 NOT ALL, DELEGATIONS. DISCUSSIONS ON STRINGENCY AND
 TIMING COVERED A WIDE RANGE OF POSSIBLE REDUCTIONS
 OVER THE SHORT AND MEDIUM TERM (UP TO 10 YEARS). THE
 CHAIRMAN'S TEXT (INTRODUCED IN PREVIOUS ROUND OF
 NEGOTIATIONS) WAS MODIFIED TO INCLUDE AN AUTOMATIC
 REDUCTION STEP OF 20 PERCENT IN A PERIOD OF 2-6
 YEARS. ALSO, PROVISION MADE FOR FURTHER REDUCTION OF
 ADDITIONAL 20-40 PERCENT IN AN UNSPECIFIED NUMBER OF
 YEARS WHICH WOULD TAKE EFFECT UNLESS PARTIES BY
 TWO-THIRDS MAJORITY DECIDE OTHERWISE IN LIGHT OF
 SCIENTIFIC-ECONOMIC-TECHNOLOGICAL ASSESSMENT. EC,
 JAPAN AND USSR STRONGLY OPPOSED THIS SECOND STEP
 REDUCTION. REDUCTION LEVELS AND YEARS REMAIN IN
 BRACKETS AND WILL BE SUBJECT TO FURTHER DELIBERATION
 BY CHAIRMAN'S GROUP, AND LATER BY PLENARY. IN
 ADDITION, USDEL PLANS TO WORK FOR ELABORATION OF
 PROPOSED FINAL STEP IN CONTROL ARTICLE WHICH CALLS FOR
 FURTHER DECISION BY PARTIES ON QUOTE NEW SUBSTANCES TO
 BE INCLUDED AND FURTHER REDUCTIONS OF 1986 LEVELS
 UNQUOTE.

3. TRADE WORKING GROUP: FOCUS WAS ON ALTERNATIVE
 FORMULAS FOR CALCULATING EMISSIONS (E.G., ADJUSTED
 PRODUCTION, EC PRODUCTION/IMPORTS APPROACH). SOME

MOVEMENT TOWARD A CONSENSUS WAS CATALYZED BY SWEDISH
 PROPOSAL TO CONTROL BOTH PRODUCTION AND CONSUMPTION.
 AS REVISED, CURRENT VERSION OF SWEDISH PROPOSAL WOULD
 FIRST FREEZE PRODUCTION AND IMPORTS, AND THEN FOR
 SUBSEQUENT STEPS REDUCE PRODUCTION AND CONSUMPTION IN
 PARALLEL. EC HAS INDICATED GENERAL SUPPORT FOR THIS
 APPROACH, BUT OPPOSITION TO DEFINING CONSUMPTION AS
 PI-E AT THIS TIME. GROUP AGREED TO INCLUDE A -D TERM
 (AMOUNT DESTROYED) IN DEFINITION OF PRODUCTION, FOR
 ALL DESTRUCTION TECHNIQUES APPROVED BY THE PARTIES.

4. SCIENCE WORKING GROUP: CHEMICALS IN QUESTION WERE
 DIVIDED INTO THREE GROUPS, EACH TO BE TREATED AS
 SEPARATE CLASS, BASED ON OZONE DEPLETION POTENTIAL AND
 1986 GLOBAL EMISSION RATES. GROUP NOTED UNCERTAINTIES
 WHICH EXIST REGARDING REDUCTION LEVELS FOR HALONS AND
 CFC'S 114 AND 115. CFC 22 AND METHYL CHLOROFORM WERE
 VIEWED AS PART OF SOLUTION RATHER THAN AS PROBLEM, AT
 LEAST OVER NEAR TERM. GROUP REEMPHASIZED PREVIOUS
 SUPPORT FOR A 4-YEAR SCIENTIFIC ASSESSMENT SCHEDULE,
 AND TO DEVELOP AN IMPROVED GROUND-BASED MONITORING
 SYSTEM. IT ALSO NOTED THE IMPORTANCE OF PAYING
 INCREASED ATTENTION TO VERTICAL REDISTRIBUTION OF
 OZONE AND LATITUDINAL GRADIENTS UNDER OZONE DEPLETION
 SITUATIONS, NOT ONLY TO TOTAL COLUMN OZONE CHANGE.
 BASED ON A REVIEW OF THE FINDINGS OF THE RECENT UNEP
 SCIENCE PANEL ON MODELLING AND CONTROL STRATEGIES
 (WURZBURG, FRG), IT AGREED THAT ALL MODEL SCENARIOS
 USING CURRENT RATES OF GROWTH FOR CFC'S METHANE,
 CARBON DIOXIDE AND NITROUS OXIDE REVEAL THAT CHLORINE
 CONCENTRATIONS IN THE ATMOSPHERE CONTINUE TO INCREASE.
 5. FUTURE WORK: CHAIRMAN'S GROUP AND TRADE WORKING
 GROUP WILL RECONVENE ON WEDNESDAY, ALONG WITH
 DEVELOPING COUNTRY WORKING GROUP WHICH WILL MEET FOR
 FIRST TIME, TO BE FOLLOWED BY LATE AFTERNOON PLENARY.
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INFO OECD CAPITALS

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UNCLAS GENEVA 04744

STATE FOR OES/NEGROPONTE; PASS EPA FOR THOMAS AND GREEN;
PASS TO DEPT OF INTERIOR

NAIROBI FOR UNEP PERM REP

WHITE HOUSE PASS USTR AND OMB

E.O. 12356: N/A

TAGS: SENV, ETRD

SUBJECT: OZONE PROTOCOL NEGOTIATIONS (OPENING DAY
PLENARY)

1. SUMMARY: FOLLOWING ARE HIGHLIGHTS OF OPENING DAY
(MONDAY, 27 APRIL) PLENARY SESSION OF UNEP AD HOC
WORKING GROUP ON STRATOSPHERIC OZONE PROTOCOL BEING
HELD IN GENEVA (APRIL 27-30). EMPHASIS WAS ON
PROPOSALS ENUNCIATED BY NATIONAL DELEGATIONS, AND
RECOMMENDED BY UNEP, ON CONTROL STRATEGY FOR EMISSIONS
OF OZONE-DEPLETING SUBSTANCES. SIGNIFICANTLY, ALL
PROPOSALS FOLLOW U.S. CONTROL STRUCTURE OF INITIAL
FREEZE FOLLOWED BY REDUCTIONS. TEXT OF U.S.
STATEMENT, AS DELIVERED BY HEAD OF USDEL RICHARD
BENEDICK, TRANSMITTED SEPTEL. END SUMMARY.

2. UNEP: IN STRONG OPENING STATEMENT, UNEP EXECUTIVE
DIRECTOR TOLBA DREW ON RECENT SCIENTIFIC EVALUATION OF
OZONE DEPLETION MODELS (WURZBURG, FRG) TO EMPHASIZE
THAT QUOTE GOVERNMENTS CAN NO LONGER HIDE BEHIND
ACCUSATIONS OF SCIENTIFIC UNCERTAINTY UNQUOTE, AND TO
CALL FOR QUICK ACTION TO CONCLUDE PROTOCOL BECAUSE
QUOTE SO LONG AS THERE IS A PRIMA-FACIE CASE AGAINST A
CHEMICAL, WE MUST URGE CAUTION UNQUOTE. SPECIFICALLY,
TOLBA RECOMMENDED FOLLOWING CONTROL MECHANISMS (BASED
ON HIS EXPECTATION THAT PROTOCOL WILL ENTER INTO FORCE
IN 1988): (A) COMPLETE FREEZE AT 1986 LEVELS IN 1988,
TWO YEARS AFTER ENTRY INTO FORCE; (B) 20 PERCENT
REDUCTION EVERY TWO YEARS THEREAFTER, LEADING TO
COMPLETE PHASEOUT IN YEAR 2000; (C) RIGOROUS
SCIENTIFIC REVIEW EVERY FOUR YEARS FOLLOWING ENTRY
INTO FORCE TO CONFIRM REDUCTION SCHEDULE. SCOPE OF
COVERAGE WOULD BE ALL CFC'S PLUS THE HALONS.
REGARDING DEVELOPING COUNTRIES, TOLBA STATED
(AMBIGUOUSLY) THAT QUOTE PROVISION SHOULD BE MADE TO
REGULATE THIRD WORLD PRODUCTION IF IT TOO BECOMES A
MAJOR ELEMENT IN THE OZONE EQUATION UNQUOTE. HE ALSO
STRESSED, BOTH PUBLICLY AND PRIVATELY, THE NECESSITY
OF REACHING AGREEMENT AT THIS SESSION ON VIRTUALLY ALL
ELEMENTS OF THE PROTOCOL.

3. NEW ZEALAND: THIS WAS THE FIRST TIME THAT NEW
ZEALAND HAS MADE A SPECIFIC PROPOSAL. CALL (WITH

SCOPE OF COVERAGE UNSPECIFIED) WAS FOR FREEZE TWO
YEARS AFTER ENTRY INTO FORCE, AT 1986 LEVELS; 25
PERCENT REDUCTION FOUR YEARS LATER (I.E., SIX YEARS
AFTER ENTRY INTO FORCE); ADDITIONAL 30 PERCENT
REDUCTION FOUR YEARS THEREAFTER (I.E., TEN YEARS AFTER
ENTRY INTO FORCE), WITH REVIEW OF CHEMICAL COVERAGE
AND REDUCTION LEVELS IN FOURTH AND EIGHTH YEARS AFTER
ENTRY INTO FORCE.

4. EC: POSITION PRESENTED ON BEHALF OF THE COMMUNITY
WAS AS EXPECTED: INITIAL FREEZE AT 1986 LEVELS,
WITHIN TWO YEARS OF ENTRY INTO FORCE, ACCOMPANIED BY
BAN ON CFC IMPORTS FROM COUNTRIES WHICH HAVE NOT
SIGNED OR IMPLEMENTED THE PROTOCOL; AUTOMATIC 20
PERCENT REDUCTION OF PRODUCTION AND IMPORTS WITHIN SIX
YEARS AFTER ENTRY INTO FORCE; REGULAR REVIEW PROCEDURE
EVERY FOUR YEARS TO DETERMINE NEED, EXTENT, AND TIMING
OF FURTHER REDUCTIONS, USING SCIENTIFIC, TECHNICAL,
AND ECONOMIC DATA AS BASIS FOR DECISION. IT IS
NOTEWORTHY THAT EC PROPOSED THAT FIRST REVIEW TAKE
PLACE BEFORE INITIAL REDUCTION QUOTE IN CASE REDUCTION
NEEDS TO BE STRENGTHENED UNQUOTE. SCOPE OF CHEMICAL
COVERAGE UNSPECIFIED, AND EC POSITION ON EMISSIONS
CALCULATION FORMULA UNCLEAR. REPRESENTATIVE
EMPHASIZED THAT EC WOULD HAVE TO BE TREATED AS SINGLE
UNIT FOR PURPOSES OF THE PROTOCOL.

5. SWITZERLAND: PROPOSAL CALLS FOR FREEZE AT 1986
LEVELS FOR FULL RANGE OF CFC'S AND HALONS, TWO YEARS
AFTER ENTRY INTO FORCE, FOLLOWED BY 50 PERCENT
REDUCTION FIVE YEARS THEREAFTER. FURTHER REDUCTIONS
WOULD DEPEND ON PERIODIC SCIENTIFIC REVIEWS.

6. USSR: SOVIET PROPOSAL WAS FOR FREEZE AT 1986 (OR
MAYBE 1987) LEVELS; THEN DETERMINATION OF REDUCTION
STEPS BASED ON SCIENTIFIC REVIEWS ON FOUR-YEAR
CYCLES. SCOPE OF CHEMICAL COVERAGE IS UNCLEAR.

7. JAPAN: INTERVENTION AVOIDED SPECIFICS OF CONTROL
STRATEGY, EMPHASIZING INSTEAD GENERAL CALL FOR QUOTE
REALISTIC UNQUOTE APPROACH TO ENSURE BROAD
PARTICIPATION IN PROTOCOL, AND NEED FOR INTERNATIONAL
COMMUNITY TO EXPEDITE QUOTE SHARING AND EQUAL ACCESS
UNQUOTE BY PARTIES TO SUBSTITUTE TECHNOLOGIES. (FYI:
IN CHAIRMAN'S WORKING GROUP (SEE PARA 10), JAPANESE
DELEGATE MADE CLEAR STATEMENT THAT JAPAN COULD NOT
SIGN PROTOCOL IF CFC 113 WERE INCLUDED. U.S.
RESPONDED BY INDICATING OUR INABILITY TO AGREE TO
CONTROL MEASURES WHICH FAIL TO INCLUDE ALL PRINCIPAL
OZONE DEPLETERS, INCLUDING CFC 113. ENO FYI.)

8. FRG: CALLED FOR TOTAL BAN ON CFC EMISSIONS,
WITHOUT SPECIFYING REDUCTION STEPS AND TIMING, IN
CAREFULLY CRAFTED STATEMENT INDICATING BREAK FROM EC
POSITION, QUOTE GREAT INTEREST UNQUOTE IN SWISS AND
NEW ZEALAND PROPOSALS; AND WILLINGNESS TO MOVE
UNILATERALLY WITH MORE AGGRESSIVE CONTROLS.

9. NORWAY: CALLED FOR SKIPPING INITIAL FREEZE
(MAKING IT VOLUNTARY-EVEN BEFORE PROTOCOL ENTERS INTO
FORCE) AND BEGINNING WITH REDUCTION STEPS.

10. ARGENTINA AND EGYPT: ONLY TWO DEVELOPING
COUNTRIES SPOKE IN PLENARY, EMPHASIZING NECESSITY FOR
PROTOCOL TO TAKE ACCOUNT OF THIRD WORLD REQUIREMENTS
TO MEET THEIR ESSENTIAL DEVELOPMENT NEEDS.

11. FUTURE WORK OF SESSION: PLENARY BROKE INTO
WORKING GROUPS IN LATE AFTERNOON ON (1) FORMULA AND
TRADE; (2) CHAIRMAN'S CONSULTATIONS (TO CONSIDER
REDUCTION PROCESS); (3) SCIENTIFIC ISSUES. ADDITIONAL

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PAGE 02 OF 02
GROUPS ON DEVELOPING COUNTRIES AND LEGAL/FINANCIAL
ASPECTS CONVENE ON WEDNESDAY. PETRONE

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FOR OES/E AND OES/ENR

E. O. 12356: DECL: OADR
TAGS: SENV, ETRD, UNEP, KSCA, MX
SUBJ: PRESENTATION OF USG VIEWS ON NEGOTIATIONS ON
- OZONE-DEPLETING CHEMICALS TO GOM

REF: STATE 261173

1. SCIOFF PRESENTED WRITTEN USG VIEWS AS REQUESTED REF-TEL ON AUGUST 26 TO LIC. ROBERTO DEL CORRAL, SUBDIRECTOR OF SOCIAL ISSUES IN THE SRE OFFICE OF UNITED NATIONS AFFAIRS. HE STATED THAT MEXICO WILL ATTEND AND SIGN THE PROTOCOL. THE SUBJECT IS NOW BEING DISCUSSED AT THE MINISTERIAL LEVEL TO ASSURE THAT MEXICO WILL RATIFY THE PROTOCOL. SEDUE HAS GIVEN ITS CONSENT.
2. SUBDIRECTOR OF ECOLOGY FIS. SERGIO REYES LUJAN WILL ATTEND THE PLENIPOTENTIARY CONFERENCE TO SIGN FOR MEXICO. ARO. RENE ALTAMIRANO PEREZ OF SEDUE WILL REPRESENT MEXICO IN THE FINAL NEGOTIATIONS THE WEEK BEFORE. DEL CORRAL TOLD SCIOFF HE WOULD SEND A COPY OF THE USG VIEWS DIRECTLY TO ALTAMIRANO.
3. DEL CORRAL EXPLAINED TO SCIOFF THAT THE MEXICAN SUPPORT OF THE PROTOCOL WAS THE RESULT OF THE RECENT OFFICIAL VISIT OF UNEP EXECUTIVE DIRECTOR MOSTAFA TOLBA TO MEXICO.
4. SCIOFF ALSO CONTACTED THE OFFICE OF INTERNATIONAL AFFAIRS WITHIN SEDUE. THE STAFFER, LIC. ANA LUISA VALDEZ, SEEMED QUITE SURPRISED BY THE CALL AND REFERRED SCIOFF TO THE SRE NORTH AMERICAN DESK, EVEN THOUGH HER OFFICE IS WORKING WITH THE UNITED NATIONS GROUP (LIC. CLAUDE HELLER) AND THE DIRECTORATE FOR MULTILATERAL AFFAIRS (DR. JORGE MONTANO MARTINEZ). SHE WOULD NOT ACCEPT DOCUMENTS OR TALK ABOUT SEDUE'S POSITION. SCIOFF SUGGESTED TO DEL CORRAL THAT IT MIGHT HAVE BEEN THE FIRST CALL LIKE THIS SHE HAS EVER RECEIVED, AND HE SEEMED TO AGREE.
(DRAFTED: SCI: ASIMON) PILLIOD

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EC COLLECTIVE

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E.O. 12356 : N/A
TAGS: KSCA, SENV, ETRO, FR
SUBJECT: OZONE NEGOTIATIONS
REF: A. STATE 261173, B. PARIS 034107
1. ALTHOUGH FRENCH MINISTRY OFFICIALS STATE THAT THEY DO NOT CONSIDER THE PROBLEM OF OZONE DEPLETION TO BE AS "URGENT" AS THE USG INDICATES, THEY CONTINUE TO APPEAR AMENABLE TO USG PROPOSALS RE CFC REDUCTION AND OPEN TO POSSIBLE PERSUASION OF DISAGREEMENT.
2. ON AUGUST 26 IN THE ABSENCE OF PIERRE WOLTNER, SCIOFF MET WITH PATRICK LAPORTE AND HENRI LEGRAND OF THE MINISTRY OF ENVIRONMENT. MR. LEGRAND INDICATED THAT THE GOF POSITION ON THE OZONE NEGOTIATIONS HAS BEEN RE-FINED. IN CONTRAST WITH MR WOLTNER'S EXPRESSED OPTIMISM THAT THE GOF WOULD AGREE TO THE PROPOSED 50 PERCENT REDUCTION LEVELS IN CFC PRODUCTION, MR. LEGRAND STATES THAT FOR NOW, THE GOF WILL AGREE TO A 40 PERCENT REDUCTION LEVEL OF CFC PRODUCTION IN TWO STAGES OF 20 PERCENT EACH. WITH REGARD TO THE EC STAND ON CFC PRODUCTION METHODOLOGY, MR. LEGRAND RE-ITERATED THE WILLINGNESS TO CONSIDER CFC HE BELIEVES THAT CFC PRODUCTION CONTROL WILL BE SIMPLER TO IMPLEMENT, THAT IT IS TOO DIFFICULT TO LIMIT PUBLIC CONSUMPTION OF CFC PRODUCTS, AND THAT THE GOF DOES NOT WISH TO FACE INDUSTRIAL OUTCRY.
3. MR. LEGRAND ALSO REPEATED MR. WOLTNER'S DOUBTS THAT AN AGREEMENT COULD BE REACHED ON A HALON PRODUCTION LEVEL LIMIT. HE STATED THAT THE GOF HAS TAKEN A "MODERATE VIEW" IN THAT THEY DO NOT FEEL THAT THEY HAVE ENOUGH SCIENTIFIC DATA TO DECIDE WHETHER OR NOT ANY RESTRICTIVE MEASURES SHOULD BE TAKEN. CURIOUSLY, MR. LEGRAND ASKED IF THE USG HAD SUFFICIENT SCIENTIFIC EVIDENCE TO CONVINCE THE GOF THAT HALON PRODUCTION LEVELS SHOULD BE LIMITED.
4. INCIDENTALLY, MR. LAPORTE INFORMED SCIOFF THAT THE GOF HAS NOT APPOINTED ANYONE FROM THE MINISTRY OF ENVIRONMENT TO ATTEND THE MONTREAL CONFERENCE. THIS WOULD, TO SOME EXTENT, SEEM TO INDICATE THE GOF SENTIMENT WITH REGARD TO THE OZONE DEPLETION ISSUE. RODGERS

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AMCONSUL ADANA
AMCONSUL ISTANBUL
AMCONSUL IZMIR

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E. O. 12356: DECL: OADR
TAGS: SENV, ETRD, UNEP
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS: THE PRESENT TURKISH SITUATION

REF: STATE 261173

1. ~~1~~ ENTIRE TEXT.

2. SUMMARY: ON AUGUST 27 ECONOFF MET WITH DR. ARIF NURI TUC, HEAD OF THE EXTERNAL AFFAIRS DEPARTMENT FOR THE TURKISH ENVIRONMENTAL DIRECTORATE, TO RECEIVE THE INITIAL TURKISH RESPONSE TO THE POINTS PROVIDED REFTEL. DR. TUC NOTED THAT THERE IS PRESENTLY AN ~~INTERNAL DEADLOCK ON WHETHER TURKEY SHOULD SIGN A~~ PROTOCOL TO CONTROL OZONE-DEPLETING CHEMICALS AT THIS TIME, AND THAT A POLITICAL-LEVEL DECISION, IF AT ALL, WILL NOT BE POSSIBLE UNTIL SOMETIME DURING THE WEEK PRECEDING THE MONTREAL CONFERENCE. END SUMMARY.

3. DR. TUC NOTED THAT IN INTERMINISTERIAL MEETINGS TO DATE ON THIS ISSUE, THERE HAVE BEEN TWO CONFLICTING POSITIONS. ONE GROUP BELIEVES THAT TURKEY SHOULD SIGN SUCH A CONVENTION, AS THE ENVIRONMENT NEEDS THE PROTECTION WHICH IT WOULD PROVIDE. IN ADDITION, HE SAID THEY FEEL THAT SINCE TURKEY WILL BE JOINING THE EUROPEAN COMMUNITY ANYWAY, IT IS BETTER TO SIGN THIS CONVENTION SOONER RATHER THAN LATER.

4. THE OTHER GROUP, HE SAID, IS FOCUSING ON THE ~~MONITORING REQUIREMENTS INVOLVED IN CARRYING OUT THEIR RESPONSIBILITIES UNDER ANY SUCH CONVENTION.~~ ACCORDING TO DR. TUC, THIS SECOND GROUP IS LOOKING FOR A WAY TO POSTPONE TURKISH ACCESSION TO SUCH A CONVENTION, AS NONE OF THE TURKISH AGENCIES WHO WILL BE RESPONSIBLE HAVE EITHER THE FUNDS OR THE TECHNICAL CAPABILITIES TO CARRY OUT THE NECESSARY MONITORING.

5. DR. TUC SAID THAT RESOLUTION OF THIS ISSUE WILL REQUIRE A POLITICAL DECISION, BUT THAT THE RELEVANT POLITICAL PLAYERS ARE ALL OUT STUMPING IN PREPARATION FOR A SEPTEMBER 6 NATIONAL REFERENDUM. AFTER THE REFERENDUM IS OVER, HE HOPED THAT THEY MIGHT ADDRESS THIS PROBLEM. UNTIL THEN, HE SAID, IT IS NOT CLEAR WHETHER TURKEY WILL SEND A TEAM TO THE MONTREAL CONFERENCE IN ANY CAPACITY.
STRAUSZ-HUPE

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E.O. 12356: N/A

TAGS: SENV, UNEP, ETRD, JA, KSCA

SUBJECT: NEGOTIATIONS TO CONTROL OZONE DEPLETING
CHEMICALS

REF: (A) STATE 261173; (B) TOKYO 14622

1. SCIOFF PASSED NON-PAPER BASED ON REFTEL A AND DIS-
CUSSED PROSPECTS FOR UPCOMING MONTREAL SESSION WITH
MOFA UN BUREAU SOCIAL COOPERATION DIVISION DIRECTOR,
YOSHIKAZU KANEKO, AUGUST 25. AFTER CAREFULLY
EXAMINING THE PAPER, KANEKO MADE THE FOLLOWING POINTS:

- GOJ IS UNLIKELY TO OPPOSE PROPOSED CHANGES IN COVERAGE/
TITLE OF THE CONFERENCE OR PROTOCOL

- THE GOJ IS "CAREFULLY STUDYING" THE U.S. PROPOSAL TO
EMPHASIZE CONSUMPTION RATHER THAN PRODUCTION DATA WHEN
IMPOSING CONTROLS UNDER ARTICLE 2. KANEKO POINTED OUT
THAT THIS ISSUE WAS RAISED PROMINENTLY IN WASHINGTON
DURING THE AUGUST 14 SMITH/SATO MEETING (REFTEL A).
KANEKO EXPRESSED CONCERN ABOUT AN ONGOING JAPAN-U.S.
JOINT VENTURE INVOLVING DUPONT CORPORATION IN THE
CONSTRUCTION OF A CFC-113 PLANT. HE SEEMED PRETTY
CONFIDENT SOME SORT OF COMPROMISE COULD BE REACHED
REGARDING A FORMULA TO DECIDE UNDER WHICH COUNTRY'S
TOTALS THE OUTPUT OF THIS PLANT WOULD BE CHARGED
UNDER ARTICLE 2 CONTROLS.

- GOJ HAS LITTLE SYMPATHY WITH THE EC'S ATTEMPT TO BE
TREATED AS A SINGLE PRODUCING UNIT. KANEKO OPINED THAT
THIS COULD BE ONE OF THE MOST CONTENTIOUS ISSUES TO
BE RESOLVED IN MONTREAL.

- THE GOJ CAN "GO ALONG" WITH A FREEZE ON HALON PRODUCTION
AT 1986 LEVELS AS LONG AS ANY DECISION ON REDUCTIONS IS
POSTPONED PENDING FURTHER SCIENTIFIC STUDY. KANEKO SAID
THAT ONE OF THE HARDEST CHORES FOR THE GOJ HAS BEEN
CONVINCING THE HALON PRODUCERS TO ACCEDE TO A FREEZE,
AND THAT TRYING TO GET THEM TO AGREE TO REDUCTIONS WOULD
BE PROBLEMATIC AT THIS POINT.

- KANEKO WAS UNCLEAR AS TO WHAT EXACTLY WAS BEING PROPOSED
UNDER "CALCULATION OF CONTROL LEVELS" (ARTICLE 3). HE
REQUESTED FURTHER CLARIFICATION. SCIOFF WAS NOT
SUFFICIENTLY WELL-VERSED ON THE EVOLUTION OF THIS ISSUE
TO PROVIDE A COGENT EXPLANATION. REQUEST DEPT PROVIDE
FURTHER CLARIFICATION ON THE ESSENCE OF THIS PROPOSAL.

- KANEKO FELT THAT THE USSR WOULD HAVE PROBLEMS WITH THE
U.S. PROPOSALS REGARDING COMPLIANCE.

2. COMMENT: KANEKO SEEMED MUCH MORE OPTIMISTIC THAN IN
THE PAST (REFTEL B) THAT AGREEMENT WOULD BE REACHED AT
THE UPCOMING SESSIONS IN MONTREAL. WE ATTRIBUTE THIS

MOOD SHIFT IN LARGE MEASURE TO THE POSITIVE OUTCOME OF
THE SMITH/SATO MEETING IN WASHINGTON. IN HIS COMMENTS,
KANEKO REFERRED FREQUENTLY TO A REPORT ON THIS MEETING
THAT HE HAD RECEIVED FROM THE JAPANESE EMBASSY IN
WASHINGTON.

3. IN OTHER COMMENTS OF SPECIAL NOTE, KANEKO SAID
DIRECTLY WHAT WE HAVE LONG GURMISED, I.E., THAT AN
IMPLACABLE EC POSITION IN MONTREAL WOULD GIVE JAPAN
"AN EXCUSE" TO DELAY GIVING ITS OWN CONSENT TO THE
AGREEMENT. WITH RESPECT TO THE RATIFICATION PROCESS
WITHIN JAPAN, KANEKO POINTED OUT THAT SOME DELAY WOULD
BE UNAVOIDABLE IF JAPANESE DOMESTIC LAWS HAD TO BE
CHANGED AS A RESULT OF THE PROTOCOL. WHILE STRESSING
THAT ANY DELAY WOULD ONLY BE THE RESULT OF THE BUREAU-
CRATIC NECESSITY OF GETTING LAW CHANGES IMPLEMENTED
THROUGH THE DIET, HE ADDED THAT IT WAS NOT POSSIBLE TO
PREDICT HOW THIS PROCESS WOULD EVOLVE. END COMMENT.

KANSFIELD

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PAGE 01 STOCKH 06449 281023Z
ACTION OES-09

9396

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FM AMEMBASSY STOCKHOLM
TO SECSTATE WASHDC PRIORITY 7972
INFO OECD COLLECTIVE

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, SW
SUBJECT: UNEP PROTOCOL TO CONTROL OF OZONE-DEPLETING
- CHEMICALS

REF: STATE 261173

L. GOS ENVIRONMENTAL OFFICIALS WELCOMED OPPORTUNITY TO REVIEW U.S. VIEWS ON PROPOSED PROTOCOL TO CONTROL OZONE-DEPLETING CHEMICALS. LIMITED TIME PREVENTS FULL ANALYSIS OF PROPOSED CHANGES AND ADDITIONS, BUT IN GENERAL, GOS ALREADY FAMILIAR WITH U.S. POSITION AND ESSENTIALLY CONCURS. SPECIFIC COMMENTS KEYED TO REFTEL BELOW:

2. (L7) QUESTIONS CONCERNING CONSUMPTION, TRADE, AND SPECIAL PROVISIONS FOR LCC SHOULD BE GIVEN ADDED CONSIDERATION.

3. (24-25) GOS DOES NOT CONCUR WITH NOTION THAT GLOBAL PRODUCTION OF SIGNATORY COUNTRIES IS EXPRESSED AS A PERCENTAGE FIGURE. PREFERS THAT RATIFICATION REQUIREMENT BE BASED ON NUMBER OF COUNTRIES CONCURRING. ALSO THERE SHOULD BE NO REQUIREMENT THAT CONCURRING COUNTRIES REPRESENT A SPECIFIC SHARE OF PRODUCTION.

4. (27) GOS HAS NOTED THAT THIS NEW ARTICLE HAS BEEN ADDED. IT SHOULD BE FURTHER DISCUSSED IN MONTREAL.
NEWELL

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PAGE 01 LISBON 08456 280958Z
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9387

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P 280959Z AUG 87
FM AMEMBASSY LISBON
TO SECSTATE WASHDC PRIORITY 7802
INFO EC COLLECTIVE
USMISSION GENEVA
AMCONSUL MONTREAL

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ALSO FOR UNEP PERMREP, USEC

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, PO
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS - PORTUGUESE VIEWS

REF: STATE 261173

1. ON AUGUST 27, ECON/SCIOFF CONTACTED ENG. FRANCISCO BARRACHA, THE ATMOSPHERIC EXPERT AT THE ENVIRONMENTAL DIVISION OF THE MINISTRY OF PLANNING AND INTERNAL ADMINISTRATION, AND DR. RUI LOPES ALEIXO OF THE MULTILATERAL SERVICES DIRECTORATE OF THE MFA. ENG. BARRACHA, WHO HAD PREVIOUSLY BEEN FURNISHED A NONPAPER BASED ON REFTEL, CONFIRMED ONCE AGAIN THAT, WHILE PORTUGAL AGREED WITH THE U.S. POSITION, IT WOULD NOT SEND A TECHNICAL REPRESENTATIVE TO THE NEGOTIATIONS. PORTUGAL WAS COMMITTED TO SUPPORT THE JOINT POSITION REACHED AMONG THE EC MEMBERS. HE HAD BEEN TOLD BY MFA OFFICIALS, HOWEVER, THAT A MEMBER OF PORTUGAL'S EMBASSY OTTAWA STAFF MIGHT ATTEND.

2. DR. LOPES CLARIFIED THIS, SAYING THAT PORTUGAL MAY SEND SOMEONE FROM OTTAWA (IF THE EMBASSY FELT THAT THEY COULD SPARE ANY OF THEIR SMALL STAFF) TO THE CONFERENCE OF PLENIPOTENTIARIES, BUT NOT TO THE FINAL NEGOTIATIONS. PORTUGAL WAS FULLY COMMITTED TO THE JOINT EC NEGOTIATING POSITION. HE WAS UNABLE TO VOICE AN OPINION ON THE PROBABLE OUTCOME OF THE NEGOTIATIONS.
EGAN

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PAGE 01 MANILA 27397 310941Z
ACTION OES-09

9354

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R 310940Z AUG 87
FM AMEMBASSY MANILA
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AMCONSUL MONTREAL
AMEMBASSY SINGAPORE
AMEMBASSY JAKARTA
AMEMBASSY KUALA LUMPUR
AMEMBASSY BANGKOK
AMEMBASSY BANDAR SERI BEGAWAN

UNCLAS MANILA 27397

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, RP
SUBJECT: UNEP NEGOTIATIONS ON A PROTOCOL TO CONTROL
- OZONE DEPLETING CHEMICALS

REF: STATE 261173

1. EMBOFF CALLED ON MRS. BETA BALAGOT, DEPUTY EXECUTIVE DIRECTOR OF THE PHILIPPINE NATIONAL ENVIRONMENTAL PROTECTION COUNCIL. HE LEFT A COPY OF THE U.S. POSITION ON THE PROTOCOL TO CONTROL OZONE DEPLETING CHEMICALS, DRAWN FROM REFTEL, AND EMPHASIZED THE DESIRE OF THE U.S. DELEGATION FOR A SUBSTANTIVE EXCHANGE OF VIEWS ON THE ISSUES WITH PHILIPPINE OFFICIALS.

2. MRS. BALAGOT SAID THAT UNDERSECRETARY FOR THE ENVIRONMENT DR. CELSO R. ROQUE WILL HEAD THE PHILIPPINE DELEGATION IN MONTREAL. THE GOP WAS PRESENTLY WORKING ON ITS POSITION FOR THE NEGOTIATIONS, SO THE U.S. VIEWS WERE TIMELY. MRS. BALAGOT TOLD EMBOFF. SHE SAID SHE WOULD TRY TO CONTACT EMBOFF WITH GOP REACTION/COMMENTS ON U.S. VIEWS BEFORE THE END OF THIS WEEK.

PLATT

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PAGE 01 RABAT 08337 311509Z
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1569

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E. O. 12356: N/A
TAGS: SENV, ETRD, UNEP
SUBJ: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICALS

REF: STATE 261173

1. PURSUANT TO REF INSTRUCTIONS CONCERNING UN ENVIRONMENT PROGRAM (UNEP) NEGOTIATIONS ON PROTOCOL TO CONTROL OZONE-DEPLETING CHEMICALS, SCHEDULED MID-SEPTEMBER IN MONTREAL, ECONOMIC OFFICER CALLED ON ABDELATIF NACIF, DIRECTOR ON MINISTRY OF FOREIGN AFFAIRS OFFICE OF INTERNATIONAL COOPERATION. NACIF RECEIVED REF VIEWS ON PROPOSED PROTOCOL AND COMMENTED THAT HE WANTED TO REVIEW DOCUMENT PRIOR TO PASSING IT ALONG TO MINISTRY OF INTERIOR (MOI) BUREAU RESPONSIBLE FOR ENVIRONMENTAL AFFAIRS. HE SAID THAT, WHILE COMPOSITION OF MOROCCO'S DELEGATION TO UNEP NEGOTIATIONS IN MONTREAL HAD YET TO BE DETERMINED, DIRECTOR OF THE BUREAU OF NATIONAL DEVELOPMENT IN MOI MRS. BANI LAYACHI AND CHIEF OF THE ENVIRONMENTAL DIVISION M'HAMED MALITI WOULD MOST LIKELY BE AMONG PARTICIPANTS. NACIF SAID HE PLANNED TO DISCUSS PROPOSED PROTOCOL WITH BOTH INDIVIDUALS ONCE THEY RETURNED FROM LEAVE CIRCA 1 SEPTEMBER.
2. EMBOFF STRESSED IMPORTANCE OF PROTOCOL AND ISSUES TO BE COVERED AT MONTREAL CONFERENCE AND EXPRESSED HOPE THAT MOROCCAN AND AMERICAN POSITIONS ON THE PROPOSALS WOULD BE COMPATIBLE. SUBSEQUENT MEETINGS WITH MALITI OR LAYACHI IN ADDITION TO NACIF SHOULD FURNISH ADDITIONAL DETAILS CONCERNING MOROCCAN POSITION AND DELEGATION'S COMPOSITION.

HAWES

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TO ANEMBASSY TOKYO PRIORITY

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E.O. 12356: N/A
TAGS: SENV, ENTD, UNEP, JA
SUBJECT: OZONE PROTECTION NEGOTIATIONS: JAPAN

REF: (A) TOKYO 15318 (B) STATE 261173

1. JAPANESE EMBASSY FIRST SECRETARY FOR ENVIRONMENT KOYA ISHINO GAVE DEPTOFF GOJ RESPONSE 8/28 TO U.S. POINTS MADE IN SMITH/SATO MEETING (REF B).

2. ISHINO SAID THE GOJ AGREES THAT CONTROL OF CONSUMPTION (PRODUCTION PLUS IMPORTS MINUS EXPORTS TO PARTIES MINUS AMOUNTS DESTROYED) WOULD BE PREFERABLE TO CONTROL OF PRODUCTION OR OF BOTH PRODUCTION AND CONSUMPTION. HOWEVER, BASED ON THE EC'S STANCE AT EARLIER MEETINGS, THE GOJ FEELS THAT THE EC IS LIKELY TO BE VERY RESISTANT TO CONTROLLING ONLY CONSUMPTION. DEPTOFF NOTED THAT WE HAVE HAD INDICATIONS THAT SOME IN THE EC UNDERSTAND THE PROBLEMS CREATED BY PRODUCTION CONTROLS AND THAT SEVERAL COUNTRIES (E.G., CANADA, NEW ZEALAND, AUSTRALIA) HAVE RECENTLY EXPRESSED STRONG CONCERN THAT ONLY CONSUMPTION BE CONTROLLED, USSR SUPPORTED CONSUMPTION CONTROLS EARLY IN THE NEGOTIATIONS,

AND IT IS IN THE INTEREST OF DEVELOPING COUNTRIES AND OTHER IMPORTERS THAT ONLY CONSUMPTION BE CONTROLLED IN ORDER TO AVOID SUPPLY PROBLEMS. DEPTOFF COMMENTED THAT IF THESE COUNTRIES PLUS JAPAN AND U.S. STRONGLY SUPPORT CONSUMPTION FORMULA, THE EC MAY BE CONVINCED THAT THE PROTOCOL MUST CONTROL ONLY CONSUMPTION, DESPITE THE COMMERCIAL ADVANTAGE (LOCKING IN THE EC'S VIRTUAL MONOPOLY ON EXPORTS) WHICH THE EC WOULD OBTAIN UNDER PRODUCTION CONTROLS.

3. GIVEN MFA'S PESSIMISM ON CONVINCING THE EC TO DROP PRODUCTION CONTROLS, ISHINO'S INSTRUCTIONS PROPOSED THE FOLLOWING REVISED ART. 11, PARA 6:

"NOTWITHSTANDING THE PROVISION OF PARAGRAPHS 1 TO 4 OF THIS ARTICLE, BY AGREEMENT BETWEEN TWO PARTIES CONCERNED, PRODUCTIONS OF THE CONTROLLED SUBSTANCES UNDER THE JURISDICTION OF ONE PARTY MAY EXCEED THE LEVEL OF CONTROLS APPLICABLE TO THAT PARTY, PROVIDED THAT PRODUCTIONS OF THE CONTROLLED SUBSTANCES UNDER THE JURISDICTION OF THE OTHER PARTY ARE LESS THAN THE LEVEL OF CONTROLS APPLICABLE TO THAT PARTY. IN SUCH CASES, THE SUM OF THE PRODUCTIONS OF THE TWO PARTIES SHALL NOT BE GREATER THAN THE COMBINED LEVELS OF CONTROLS OF PRODUCTIONS APPLICABLE TO THE TWO PARTIES PURSUANT TO PARAGRAPHS 1 TO 4. THE TWO PARTIES SHALL PROMPTLY INFORM THE SECRETARIAT OF THE AGREEMENT BETWEEN THE TWO PARTIES."

THIS PROVISION WOULD ALLOW FOR THE INCREASE IN PRODUCTION BY THE NEW DUPONT 113 PLANT TO REPLACE DUPONT PRODUCTION IN THE U.S. WHICH PREVIOUSLY WAS EXPORTED TO JAPAN. DEPTOFF NOTED THAT THE PROPOSAL WOULD NOT SIMPLY ALLOW DUPONT TO RATIONALIZE ITS OPERATIONS (AS CONTROL OF CONSUMPTION ONLY WOULD ALLOW) BUT WOULD REQUIRE THE U.S. TO AGREE TO REDUCE ITS NATIONAL ALLOCATION IN ORDER TO ALLOW JAPAN TO INCREASE ITS NATIONAL ALLOCATION, AND THAT THIS BROAD PROPOSAL WOULD NOT APPLY JUST TO THE SPECIFIC CASE BUT WOULD BE AN OPEN-ENDED PROVISION FOR TRADING OF PRODUCTION RIGHTS. DEPTOFF PROMISED TO CIRCULATE THIS PROPOSAL TO RESPONSIBLE USG OFFICIALS, BUT NOTED THE DIFFICULT SITUATION WHICH PRODUCTION CONTROLS WOULD CREATE FOR JAPAN'S 113 PLANT ILLUSTRATES THE IMPORTANCE OF HAVING THE PROTOCOL CONTROL ONLY CONSUMPTION.

4. ISHINO EXPRESSED MFA'S CONCERN ABOUT GATT COMPATIBILITY OF THE PROPOSED PROTOCOL'S TRADE RESTRICTIONS. DEPTOFF SAID THAT USG HAD CONCLUDED THAT UNDER GATT ART. XX EXCEPTIONS FOR THE PROTECTION OF HEALTH AND NATURAL RESOURCES, IT WOULD NOT BE DISCRIMINATORY FOR PROTOCOL PARTIES TO IMPOSE TRADE RESTRICTIONS ON NATIONS WHICH DO NOT UNDERTAKE THE FULL LONG-TERM COMMITMENT TO PROTECTION OF THE OZONE LAYER WHICH PARTICIPATION IN THE PROTOCOL ENTAILS, EVEN IF THE NON-PARTY'S PRODUCTION OR CONSUMPTION IN A PARTICULAR YEAR IS BELOW THE LEVEL WHICH IT WOULD BE ALLOWED IF IT WERE A PARTY. DEPTOFF URGED ISHINO TO DISCUSS THIS FURTHER WITH CONCERNED OFFICIAL AT USTR.

5. RE KANEKO'S QUERY ON "CALCULATION OF CONTROL LEVELS" REF A: "CONSUMPTION" AS ORIGINALLY PROPOSED WAS DEFINED AS PRODUCTION PLUS IMPORTS MINUS EXPORTS TO PARTIES MINUS AMOUNTS DESTROYED OR PERMANENTLY ENCAPSULATED. THE EC, HOWEVER, HAS INSISTED THAT ALL EXPORTS BE SUBTRACTED, RATHER THAN JUST EXPORTS TO PARTIES. THIS IS AN EFFORT BY THE EC, THE MAJOR EXPORTER, TO CONTINUE UNRESTRICTED PRODUCTION FOR EXPORT. EXPORTS TO PARTIES WOULD BE LIMITED, BECAUSE THE IMPORTING PARTY WOULD HAVE TO COUNT ITS IMPORTS AGAINST ITS NATIONAL ALLOCATION. BUT EXPORTS TO NON-PARTIES WOULD HAVE NO LIMIT IF THEY ARE SUBTRACTED FROM THE PRODUCING/EXPORTING COUNTRY'S CONSUMPTION. THEREFORE, AND FOR THE REASONS OUTLINED IN PARA 16 OF REF B, WE STRONGLY BELIEVE THAT ONLY EXPORTS TO PARTIES SHOULD BE SUBTRACTED. ISHINO, WHO HAS FOLLOWED THIS ISSUE CLOSELY, SEEMED TO UNDERSTAND THIS POINT, AND EVEN SUGGESTED THAT PERHAPS THE JAPANESE DELEGATION SHOULD PROPOSE REINSERTION OF THE PHRASE "TO PARTIES" IN THE DEFINITION OF CONSUMPTION.

6. ISHINO SAID THAT MFA AND ENVIRONMENT AGENCY CONSIDER OTHER U.S. POINTS "SOMEWHAT ACCEPTABLE," INCLUDING THE FREEZE ON HALONS, THE 50 PERCENT REDUCTION OF CFC'S, AND THE REQUIREMENT FOR A CERTAIN PERCENTAGE OF PRODUCTION OR CONSUMPTION TO BE REPRESENTED FOR ENTRY INTO FORCE AND FUTURE DECISIONS. HE SAID THEY ARE NOT MAKING A FORMAL STATEMENT, HOWEVER, SINCE DOMESTIC NEGOTIATIONS ARE NOT FINISHED. HE BELIEVED THE IDEA OF A COMPLIANCE PROVISION IS ACCEPTABLE TO THE MFA AND IS NOT CONTROVERSIAL.

7. ISHINO EMPHASIZED THAT HIS INSTRUCTIONS EMPHASIZED THAT THE GOJ WOULD APPROACH THESE NEGOTIATIONS FLEXIBLY AND HOPED TO CONCLUDE AND SIGN AN AGREEMENT. HE NOTED THAT IN THE PAST, JAPAN HAS BEEN SEEN AS RELUCTANT, BUT THIS IS NO LONGER THE CASE. NOW THE APPROPRIATE MINISTRIES ARE WORKING HARD AND POSITIVELY ON THE ISSUE, HE SAID, AND PLAN TO SUBMIT TO THE DIET IN DECEMBER LEGISLATION TO RATIFY THE CONVENTION AND THE PROTOCOL AND TO IMPLEMENT THEM.

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8. ISHINO SAID SIX OFFICIALS FROM TOKYO WILL PARTICIPATE
IN MONTREAL, BUT THE JAPANESE AMBASSADOR TO CANADA WILL
HEAD THE DELEGATION TO THE CONFERENCE OF
PLENIPOTENTIARIES. DEPTOFF NOTED THAT MANY OTHER NATIONS
WILL BE REPRESENTED AT THE MINISTERIAL LEVEL. WHITEHEAD

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291626 KWO55

:CFC:

Controls on Ozone-depleting Substances Likely+

WASHINGTON, Aug. 28 Kyodo - The likelihood has grown that the production and consumption of chlorofluorocarbon (CFC) and other ozone-depleting substances may be reduced by 50 percent within eight to 10 years.

Richard Benedick, Deputy Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, said he was convinced that over 20 countries, including the U.S. and Canada, would sign a draft protocol on the issue at an international conference in Canada in mid-September.

The United Nations Environment Program's (UNEP) secretariat worked out the draft after the treaty was adopted with the support of 50 countries in March 1985.

CFC, better known as fluorine gases, are used in sprayers, refrigerators and semiconductor chips as a electric resistant, cooling medium or cleansing agent.

UNEP convened an international conference in Vienna after American scientists warned the gases generated by these substances are destroying the ozone layer of the stratosphere, and thereby exposing humans to excessive amounts of ultraviolet rays from the sun which could lead to skin cancer.

==More

291629 KWO56

:CFC 2 WASHINGTON:

Reduction in crops resulting from the "greenhouse effect," which stems from climatic changes brought on by damage to the earth's ozone layer, is another grave concern of environmental scientists.

Twenty-eight countries have signed the international treaty, and 10 to them have ratified it, but differences regarding concrete steps to control the chemicals has stalled its implementation.

The United States has taken the lead in curtailing these substances except those for medical use.

Japan has yet to ratify the treaty because it contains no concrete control measures and because the cause-effect relationship between dissipation of fluorine gases into the air and the alleged destruction of the ozone layer has not been scientifically established.

Japan is ready, however, to support the draft protocol which will be submitted to the three-day ambassadorial conference opening in Montreal, Canada, September 14.

Prime Minister Yasuhiro Nakasone expressed the nation's readiness to cooperate with other countries to protect the ozone layer and to take domestic steps in this connection at a parliamentary panel meeting set for August 25.

Japan has already informed the U.S. of this policy shift, Hirotoshi Goto of the Environment Agency's Air Quality Protection Bureau said.

==More

291632 KW058

1CFC 3 WASHINGTON:

According to the draft of the protocol, agreement has been reached to reduce by 50 percent the output and consumption of five environmentally destructive strains of fluoric gases: fluoride-11, 12, 113, 114, and 115 within eight to 10 years after the protocol goes into effect.

Views differ among the treaty signatory countries, however, on the standard year for setting controlled production and the restricting of such chemical trade, as well as the way to decide on stiffened controls in future, the draft shows.

The draft was obtained by Kyodo News Service from the U.S. government.

However, Benedick, who is representing the U.S. government at the ambassadorial conference, said 20 to 25 treaty nations are expected to sign the draft.

This number accounts for 75 to 80 percent of the world's output of fluoric gases, he said.

For diplomatic reasons he did not name which countries support or oppose the draft.

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1195

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, FI
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: (A) STATE 261173, (B) STATE 222894

1. SCIENCE OFFICER DELIVERED TALKING POINTS OF REF A TO SATU NURMI IN THE FINNISH MINISTRY OF THE ENVIRONMENT ON AUGUST 26. REF B TALKING POINTS HAD BEEN RELAYED SEVERAL WEEKS EARLIER BEFORE THE NORDIC GROUP'S PREPARATORY MEETING IN STOCKHOLM AUGUST 25. AT THAT TIME THE FINNS HAD NO COMMENTS ON THE U.S. PROPOSALS EXCEPT FOR STATEMENT OF GENERAL SUPPORT FOR U.S. POSITION.
2. COMMENTING ON THE RESULTS OF THE STOCKHOLM MEETING, NURMI EXPRESSED NORDIC RESERVATION WITH TWO POINTS OF U.S. POSITION-ENTRY INTO FORCE AND TRADE RESTRICTIONS. THE GROUP FEELS THAT REQUIRING RATIFICATION BY COUNTRIES REPRESENTING NINETY PERCENT OF GLOBAL PRODUCTION BEFORE THE TREATY ENTERS INTO FORCE IS TOO SEVERE AND THAT SIXTY PERCENT WOULD BE MORE APPROPRIATE. THE RESTRICTION ON TRADE WITH NON-PARTIES IN THE NORDIC VIEW IS TOO COMPLICATED TO BE RESOLVED DURING THE LIMITED TIME OF THE MONTREAL CONFERENCE AND ALSO IS CONCERNED WITH MATTERS OUTSIDE OF UNEP'S DOMAIN, E.G., GATT ISSUES. INSTEAD OF THE U.S. PROPOSAL, THE NORDICS WOULD PREFER A MORE GENERAL RESTRICTION ON TRADE WITH DETAILS TO BE WORKED OUT LATER. THEIR PRIME INTEREST IS ACHIEVING AN INTERNATIONAL AGREEMENT AND NOT INCLUDING COMPLICATING DETAILS WHICH WOULD JEOPARDIZE THE TREATY'S PASSAGE.
3. NURMI WAS NOT ABLE TO COMMENT ON THE SPECIFIC POINTS OF REF A BECAUSE THE TECHNICAL EXPERTS HAVE BEEN OUT OF TOWN. EMBASSY WILL RELAY THOSE COMMENTS WHEN FINNS ARE ABLE TO PROVIDE THEM.
4. FINLAND PLACES A HIGH PRIORITY ON THE OZONE ISSUE. THIS WEEK THE FINNISH MINISTRY OF THE ENVIRONMENT AND THE AEROSOL INDUSTRY TRADE ASSOCIATION AGREED ON A VOLUNTARY BAN ON THE USE OF CFC 11 AND 12 IN AEROSOLS. THE AGREEMENT WILL BE SIGNED SEPTEMBER 11 AT WHICH TIME MORE DETAILS WILL BE MADE AVAILABLE. THE ACTION WAS TAKEN IN CONNECTION WITH THE UPCOMING MONTREAL CONFERENCE AND THE MINISTRY INDICATED PUBLICLY THAT FINLAND INTENDS TO SIGN AN INTERNATIONAL AGREEMENT ON OZONE PROTECTION. THE MINISTER OF THE ENVIRONMENT HIMSELF, KAJ BARLUND, WILL BE ATTENDING THE MONTREAL CONFERENCE. SCHNABEL

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NLS F00-013 #39

BY Smf, NARA, DATE 12/10/02

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INCOMING
TELEGRAM

PAGE 01 OF 02 CANBER 08209 00 OF 02 010700Z
ACTION DES-09

3773

HALONS

INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 EUR-00 SS-00
DIC-02 CIAE-00 EB-00 DINT-05 DODE-00 H-01 IO-19
NSCE-00 NSF-01 NSAE-00 COME-00 L-03 PM-10 EAP-00
EPA-01 STR-17 INRE-00 ACDA-12 USIE-00 DOEE-00 GEO-01
PRS-01 P-02 T-01 /096 W

-----304624 010703Z /24 21

P 000410Z AUG 87
FM AMEMBASSY CANBERRA
TO SECSTATE WASHDC PRIORITY 4461
INFO AMEMBASSY OTTAWA
AMCONSUL MELBOURNE
AMCONSUL SYDNEY

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E.O. 12356: N/A
TAGS: ENV, ETRD, UNEP, AS
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
- CHEMICALS

REFERENCES: (A) CANBERRA 8078 (B) STATE 261173

1. FOLLOWING UP OUR AUGUST 26 MEETING WITH ASSISTANT
SECRETARY IAN CARRUTHERS (REF A), ECONOFF CALLED AGAIN
ON CARRUTHERS AUGUST 27 TO RECEIVE DETAILED RESPONSES TO
REF (B) TALKING POINTS. CARRUTHERS' SECRETARY TOOK
NOTES OF THE MEETING AND PROVIDED WRITTEN RECORD OF GOA
POSITIONS, QUOTED VERBATIM BELOW.

2. BEGIN TEXT:

PRELIMINARY COMMENTS BY AUSTRALIAN ENVIRONMENT
DEPARTMENT ON US VIEWS ON PROPOSED PROTOCOL ON
OZONE DEPLETING SUBSTANCES

THE AUSTRALIAN AUTHORITIES THANK THE US AUTHORITIES FOR
THE CONSTRUCTIVE VIEWS OFFERED IN THE PAPER RECEIVED
THIS WEEK. WE LOOK FORWARD TO A POSITIVE OUTCOME ON THE
PROTOCOL IN THE MONTREAL DISCUSSIONS.

IT IS EMPHASIZED THAT THESE ARE PRELIMINARY VIEWS IN
THAT DISCUSSIONS ARE STILL PROCEEDING IN CANBERRA IN
RELATION TO THE AUSTRALIAN POSITION ON SEVERAL MATTERS
WHICH WILL NEED TO BE ADDRESSED IN MONTREAL. HOWEVER,
THEY ARE PROVIDED AT THIS TIME IN THE INTERESTS OF
KEEPING YOU INFORMED ABOUT THE EVOLUTION OF OUR VIEWS.

TITLE

-- WE AGREE THAT THE PROPOSAL SHOULD BE TITLED IN THE
TERMS PROPOSED IN THE US PAPER.

CONTROL REGIME (ARTICLE 2)

-- AUSTRALIA AGREES WITH THE US VIEW (PAGE 2 PARA 1)
THAT THE BEST APPROACH WOULD BE FOR CONSUMPTION TO
FEATURE FROM THE OUTSET IN THE CONTROL REGIME IN
ARTICLE 2.

-- WE AGREE WITH THE COMMENTS IN PARA 2 ON PAGE 2;
HOWEVER, WE WOULD LIKE TO ADDRESS IN THE MONTREAL
DISCUSSIONS THE OPTION OF USING A SUITABLE COMBINATION
OF CONTROLS ON PRODUCTION WITH CONSUMPTION.

-- AUSTRALIA SHARES THE VIEW THAT HALONS SHOULD BE
INCLUDED WITHIN THE SCOPE OF THE PROTOCOL. HOWEVER, WE
HAVE TWO IMPORTANT DIFFICULTIES WITH THE WAY THIS IS
HANDLED IN ARTICLE 2.

-- THE FIRST DIFFICULTY IS THE WAY IN WHICH NATIONAL
LIMITS ON HALONS ARE MADE TO STAND ALONE FROM NATIONAL
LIMITS ON CFCS. THIS WILL HAVE THE EFFECT OF LOSING
FLEXIBILITY WITH THE HALONS TO IMPLEMENT AN OVERALL
OPTIMUM CONTROL STRATEGY FOR THE RANGE OF CONTROLLED
SUBSTANCES.

-- THE SECOND CONCERN WE HAVE ARISES FROM THE FACT
THAT: --THERE IS A HIGH GROWTH RATE IN USE OF HALONS
FOR ESSENTIAL, SPECIAL FIRE PROTECTION APPLICATIONS;
AND --ALREADY INDUSTRY FOLLOWS PRACTICES WHICH LEAD TO
A VERY HIGH LEVEL OF RECOVERY OF HALONS AND THESE
PRACTICES WILL BE IMPROVED.

- THESE FACTORS IN RELATION TO OUR SECOND CONCERN LEAD
US TO CONCLUDE THAT CONTROL OF HALONS SHOULD ATTEMPT TO
FOCUS ON THE ACTUAL LEVEL OF EMISSIONS RATHER THAN ON
THE AMOUNT GOING INTO USE IN A GIVEN YEAR. OUR
PREFERRED OPTION IS FOR A CODE OF PRACTICE TO BE
PROMULGATED UNDER THE PROTOCOL COVERING FIRE PROTECTION
APPLICATIONS, FOR WHICH A THEORETICAL EMISSION LOSS
WOULD BE DETERMINED TO COVER PROBABLE LOSSES IN FIRE
SITUATIONS AND IN ROUTINE MAINTENANCE AND TESTING.

FUTURE ADJUSTMENT, ETC.

-- WE AGREE WITH US COMMENTS.

ADDITIONAL REDUCTION STEPS

-- WE ARE UNSURE THAT IT IS NECESSARY TO GO SO FAR AS
TO INDICATE A GOAL OF EVENTUAL ELIMINATION OF THE
CONTROLLED SUBSTANCES.

CALCULATION OF CONTROL LEVELS; LOW CONSUMING COUNTRIES;
TRADE AND PRODUCTS

-- WE AGREE WITH THE U.S. COMMENTS ON THESE THREE
SUBJECTS.

ENTRY INTO FORCE

-- WE CONSIDER THAT EIF OUGHT TO BE EXPRESSED
INTER ALIA IN TERMS OF THE CONSUMPTION BY COUNTRIES OF
CONTROLLED SUBSTANCES, RATHER THAN IN TERMS OF
PRODUCTION. WE DO NOT HAVE A FIXED POSITION AT THIS
TIME ON THE ACTUAL PERCENTAGE, BUT WE WOULD NOT WANT IT
SET SO HIGH AS TO UNDUL DELAY EIF.

EC PROPOSAL ON REIOS

-- THIS MATTER IS UNDER DISCUSSION AND WE DO NOT
HAVE A VIEW TO EXPRESS AT THIS TIME; HOWEVER, WE DO
NOT IMMEDIATELY REJECT THE PROPOSED CLAUSE ON REIOS.

COMPLIANCE

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PAGE 02 OF 02

-- WE SUPPORT THE US PROPOSAL.

MODELLING STUDY ON CONTROL REGIME UNDER THE PROTOCOL

-- A FEW WEEKS AGO THE AUSTRALIAN AUTHORITIES TOOK UP WITH THE UNEP SECRETARIAT (PETER USHER) A SUGGESTION THAT A MODELLING STUDY BE RUN TO PREDICT THE OZONE DEPLETION CIRCUMSTANCES THAT WOULD RESULT CONSEQUENT TO APPLICATION OF THE CONTROLS PROPOSED TO BE INCLUDED IN THE PROTOCOL. (IDEALLY THIS EXERCISE WOULD ALSO ADDRESS THE RELATIVE EFFECTS OF THE VARIOUS CONTROL OPTIONS UNDER CONSIDERATION IN THE PROTOCOL NEGOTIATIONS AT THE PRESENT TIME.) THIS WOULD INVOLVE AN ANALYSIS FOR THIS SCENARIO ALONG THE LINES CONDUCTED FOR THE VARIOUS SCENARIOS ADDRESSED AT THE WURZBURG MEETING SEVERAL MONTHS AGO. USHER INDICATED THAT HE WOULD TAKE THIS UP WITH THE US AUTHORITIES. WE VERY MUCH LOOK FORWARD TO HAVING AVAILABLE FOR THE MONTREAL MEETING THE OUTCOME OF THIS PROPOSED WORK.

END TEXT.

2. COMMENT: DEPARTMENT'S ATTENTION IS DRAWN TO FINAL SENTENCE RE AUSTRALIAN EXPECTATIONS REGARDING THE MODELING STUDY.

LANE

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PAGE 01 BONN 26653 281414Z
ACTION OES-09

2069

INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 EUR-00 SS-00
OIC-02 CIAE-00 EB-00 DINT-05 DODE-00 H-01 IO-19
NSCE-00 NSF-01 NSAE-00 COME-00 L-03 PM-10 EPA-01
STR-17 INRE-00 ACDA-12 USIE-00 DOEE-00 CEQ-01 PRS-01
T-01 /094 W

-----141716 282029Z /63 38

R 281413Z AUG 87
FM AMEMBASSY BONN
TO SECSTATE WASHDC 9128

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FOR OES/ENV
PLEASE PASS EPA

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, GE
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICAL

REF: STATE 261173

1: SCICOUNS DELIVERED LATEST U.S. POSITION CONCERNING NEGOTIATIONS FOR A PROTOCOL ON OZONE-DEPLETING CHEMICALS TO MFA DEPUTY DIRECTOR OF INTERNATIONAL ENVIRONMENTAL AFFAIRS OFFICE, LEMP, ON AUGUST 25. THE SAME MATERIALS WERE DELIVERED TO DR. GEIRKE OF THE FEDERAL MINISTRY FOR THE ENVIRONMENT ON AUGUST 26. THE OFFICIALS ULTIMATELY RESPONSIBLE FOR OZONE PROTOCOL MATTERS ARE ON VACATION AND THEREFORE UNABLE TO RESPOND TO THE DEPARTMENT'S INQUIRY BY THE AUGUST 27 DEADLINE. BOTH OFFICIALS WERE HAPPY TO RECEIVE A FULL EXPOSITION OF U.S. VIEWS AND WILL SEEK TO PROVIDE COMMENTS AS SOON AS POSSIBLE.

2. LEMP AND GEIRKE BOTH REMINDED US THAT THE FRG'S INTERESTS ARE REPRESENTED AT THE NEGOTIATIONS BY THE EC. THEY NOTED THAT THERE WAS NO FORMAL EC MEETING SCHEDULED BEFORE THE MONTREAL MEETING.
BURT

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PAGE 01 OUAGAD 05324 281216Z
ACTION OES-09

0068

INFO	LOG-00	COPY-01	ADS-00	AID-00	INR-10	EUR-00	SS-00
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-----121511 281256Z /43

P 281209Z AUG 87
FM AMEMBASSY OUAGADOUGOU
TO SECSTATE WASHDC PRIORITY 4247
INFO AMCONSUL MONTREAL

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNNEP, UV
SUBJ: NEGOTIATIONS ON OZONE-DEPLETING CHEMICALS

REFS: (A) STATE 261173 (B) OUAGADOUGOU 1112

EMBOFF MADE DEMARCHE REQUESTED REFTEL. GOB OFFICIAL
INDICATED FRANKLY THAT HIS GOVERNMENT IS SIMPLY NOT
INVOLVED IN THIS MATTER AT THIS TIME. UNLESS A
BURKINABE MAKES HIS OWN DECISION TO ATTEND THE MONTREAL
MEETING FROM BURKINA'S MISSION IN NEW YORK, THERE ARE NO
KNOWN PLANS HERE FOR ANY BURKINABE PARTICIPATION IN IT.
TWINING

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PAGE 01 SOFIA 03664 281231Z
ACTION QES-09

0084

INFO	LOG-00	COPY-01	ADS-00	AID-00	INR-10	EUR-00	SS-00
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P 281200Z AUG 87
FM AMEMBASSY SOFIA
TO SECSTATE WAEHDC PRIORITY 9104
INFO AMCONSUL MONTREAL

UNCLAS SOFIA 03664

E.C. 12356: N/A
TAGS: SENV, ETRD, UNEP, BU
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICALS

REF: STATE 261173

EMBASSY PROVIDED WRITTEN COMMENTS ON OZONE-DEPLETION
NEGOTIATIONS TO BORIS CHAKALOV, DEPUTY CHAIRMAN OF THE
BULGARIAN ENVIRONMENTAL PROTECTION COMMITTEE, AS
INSTRUCTED REFTEL. POLANSKY

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PAGE 01 MADRID 10364 011601Z

6095

ACTION OES-09

INFO	LOG-00	COPY-01	ADS-00	AID-00	INR-10	EUR-00	SS-00
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P 011557Z SEP 87
FM AMEMBASSY MADRID
TO SECSTATE WASHDC PRIORITY 6736

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, KSCA, SP
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING CHEMICALS -
SPANISH VIEWS

REF: STATE 261173

1. ON AUGUST 28, WE DELIVERED REFTEL TALKING POINTS TO FERNANDO MARTINEZ SALCEDO, DIRECTOR GENERAL FOR THE ENVIRONMENT, MINISTRY OF PUBLIC WORKS. ALTHOUGH HE COULD NOT COMMENT ON THE CONTENTS OF NON-PAPER, HE NOTED THAT HE WOULD RESPOND FORMALLY "WITHIN THE WEEK." BARTHOLOMEW

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PAGE 01 BOGOTA 12005 011825Z
ACTION OES-09

INFO	LOG-00	COPY-01	ADS-00	AID-00	INR-10	SS-00	OIC-02
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	NSF-01	ARA-00	NSAE-00	COME-00	L-03	PM-10	EPA-01
	STR-17	INRE-00	ACDA-12	USIE-00	DOEE-00	CEQ-01	PRS-01
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FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC 9525

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E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, CO
SUBJECT: OZONE CONFERENCE -- COLOMBIAN VIEWS

REF: (A) BOGOTA 11633, (B) STATE 261173

1. COLOMBIA WILL BE REPRESENTED AT THE UNEP CONFERENCE ON OZONE-DEPLETING CHEMICALS BY JAIME VIDAL PERDOMO, COLOMBIA'S AMBASSADOR TO CANADA, AND MARIO AVELLANEDA OF INDERENA, THE COLOMBIAN EPA.

2. AVELLANEDA IS WELL-VERSED AND SYMPATHETIC TO STRONG CONTROLS ON OZONE-DEPLETING CHEMICALS. HE WOULD LIKE TO MEET WITH MEMBER OF THE US DELEGATION IN MONTREAL TO CLARIFY A NUMBER OF POINTS. POST WOULD APPRECIATE DELEGATION'S RECEIVING HIM SHOULD HE REQUEST ASSISTANCE.

3. AVELLANEDA AND MIRIAM BELTRAN DE FORERO OF THE FOREIGN MINISTRY'S OFFICE OF INTERNATIONAL ORGANIZATIONS SAID COLOMBIA INTENDED TO SIGN THE CONVENTION AND HOPED TO SIGN THE PROTOCOL AS WELL. MCLEAN

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(X)

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PAGE 01 OF 02 BRUSSE 12219 00 OF 03 011611Z
ACTION OES-09

6071

INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 EUR-00 SS-00
OIC-02 AF-00 CIAE-00 EB-00 DINT-05 DODE-00 H-01
IO-19 NEA-06 NSCE-00 NSF-01 ARA-00 NSAE-00 COME-00
L-03 STRE-01 PM-10 EAP-00 EPA-01 STR-17 INRE-00
ACDA-12 USIE-00 DOEE-00 CEQ-01 PRS-01 P-02. T-01
/103 W

P 011421Z SEP 87
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC PRIORITY 4418
INFO OECD COLLECTIVE
AMCONSUL MONTREAL

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FROM USEC

STATE PASS USTR/REINSTEIN

STATE PASS EPA/LOSEY

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, EEC
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: STATE 261173

1. SUMMARY. FROM A QUICK READING OF THE PAPER IN REFTEL, COMMISSION STAFF OFFICIAL EXPRESSED DISAPPOINTMENT WITH THE BALANCE IN THE DISCUSSION OF CONSUMPTION AND PRODUCTION CONTROLS. HE AGREED WITH THE NEED TO DEVELOP A MECHANISM FOR DEALING WITH THE PROBLEM OF LOW CONSUMING COUNTRIES (LCCS) AND OFFERED IDEAS FOR A POSSIBLE WAY OF DEALING WITH THE ISSUE. HE ALSO EXPLAINED THE NEED FOR TREATING THE EC AS A SINGLE UNIT, NOTING THIS POSITION HAD BEEN MANDATED BY THE COUNCIL. MOREOVER, THE ALTERNATIVE MIGHT BE SOME MEMBER STATES WOULD NOT JOIN THE PROTOCOL. END SUMMARY.

2. MISSION OFFICER DELIVERED TEXT OF REFTEL TO COMMISSION DG XI (ENVIRONMENT) STAFF ON AUGUST 31, DELAY BEING DUE TO ABSENCE OF OFFICIALS ON VACATION LAST WEEK. STAFF OFFICIAL GLANCED THROUGH THE PAPER AND OFFERED THAT IT CONTAINED NO GREAT SURPRISES. HE WAS A LITTLE DISAPPOINTED, HOWEVER, WITH THE EMPHASIS ON TWO ITEMS -- (1) THE BALANCE BETWEEN CONSUMPTION AND PRODUCTION CONTROLS AND (2) THE QUESTION OF THE EC BEING TREATED AS A SINGLE UNIT.

3. CONSUMPTION AND PRODUCTION CONTROLS

STAFF MEMBER SAID IN APRIL A POSSIBLE COMPROMISE WAS IDENTIFIED INVOLVING CONTROLS OF LIMITING CONSUMPTION AND PRODUCTION IN THE LONGER TERM. IF THE U.S. PAPER IS TRYING TO SAY THAT THAT COMPROMISE IS NOT ACCEPTABLE AND THAT THE U.S. IS INSISTING ON CONSUMPTION CONTROLS ALONE, THEN THE APPARENT DRAWING BACK FROM A COMPROMISE WORKED OUT IS NOT LIKELY TO BE CONDUCTIVE TO REACHING AGREEMENT IN MONTREAL.

4. IF, HOWEVER, THE PAPER IS MERELY SAYING WE NOTE COMPROMISE IS THERE, BUT THE U.S. STILL HAS A BASIC PREFERENCE FOR CONSUMPTION CONTROLS ALONE, AND THE COMPROMISE COULD BE ACCEPTED, THAT'S UNDERSTANDABLE. THE OTHER SIDE OF THE COIN IS THAT THE EC STILL HAS A STRONG PREFERENCE FOR PRODUCTION ALONE, BUT IS PREPARED

TO ACCEPT A COMPROMISE. ANY ATTEMPT TO RENOUNCE THAT COMPROMISE WOULD DEFINITELY BE COUNTERPRODUCTIVE.

5. LOW CONSUMING COUNTRIES

STAFF MEMBER ALSO DREW ATTENTION TO THE FOLLOWING SENTENCE IN PARAGRAPH 21 ON LOW CONSUMING COUNTRIES (LCCS): "IF THE EC CONTINUES TO REJECT CONTROLLING CONSUMPTION ALONE, WE WILL NEED TO DEVELOP A MECHANISM FOR MEETING LCC NEEDS BY ALLOWING EXEMPTION FROM PRODUCTION CONTROLS FOR EXPORTS TO LCC'S." IF THE IMPLICATION OF THAT SENTENCE IS THAT WE CAN FIND A SOLUTION TO THE LCC PROBLEM, THAT CONTROLS ON PRODUCTION AND CONSUMPTION WOULD BE ACCEPTABLE, THAT IS NOT SOMETHING THE COMMUNITY WOULD DISAGREE WITH. THE COMMISSION RECOGNIZES THE LCC PROBLEM AS A VERY DIFFICULT ONE AND IS THINKING ABOUT IT. "ALLOWING EXEMPTION FOR PRODUCTION CONTROLS" IS ONE WAY OF DOING IT. DEALING WITH THE PROBLEM WILL REQUIRE COOPERATION FROM ALL PARTIES IN MONTREAL.

6. HE SAID HE DISAGREES ENTIRELY, HOWEVER, WITH THE PAPER'S ARGUMENT THAT TO CONTROL CONSUMPTION ALONE WOULD SOLVE THE PROBLEM OF THE LOW CONSUMING COUNTRIES (LCCS). BASICALLY, IF AS HAS BEEN SUGGESTED THERE IS CONTROL ON CONSUMPTION ONLY AND THE LCCS ARE EXEMPT FROM THAT CONTROL, THEN THERE IS NOTHING TO STOP PRODUCTION FROM INCREASING, ALL THE INCREASE GOING TO THE LCCS. LCCS USE CFCs TO MANUFACTURE DOWNSTREAM PRODUCTS AND EXPORT THEM TO THE DEVELOPED COUNTRIES. HE IS DISAPPOINTED WITH THE VIEW THAT CONSUMPTION CONTROL IS A SOLUTION BECAUSE HE SAYS IT IS RECOGNIZED THAT IT WILL NOT SOLVE THE PROBLEM.

7. STAFF OFFICIAL AGREED WE NEED TO DEVELOP A MECHANISM FOR MEETING LCC NEEDS. HE OFFERED HIS PERSONAL THOUGHTS

ON A POSSIBLE MECHANISM THAT MIGHT BE A WAY AROUND THE PROBLEM (WITH THE CAVEAT THAT THESE WERE SIMPLY IDEAS THAT HAD NOT YET BEEN DISCUSSED WITHIN THE COMMISSION). HE VIEWED THE CURRENT SITUATION AS FOLLOWS. TO TAKE A 20 PERCENT REDUCTION AS AN EXAMPLE, THE U.S. PREFERRED POSITION APPEARS TO BE THAT THE DEVELOPED COUNTRIES SHOULD REDUCE THEIR CONSUMPTION ONLY BY 20 PERCENT, AND THAT THE DEVELOPING COUNTRIES SHOULD BE EXEMPT. THE COMPROMISE POSITION IS THERE SHOULD BE IN GENERAL A REDUCTION OF 20 PERCENT ON BOTH PRODUCTION AND ON CONSUMPTION, EXCEPT THAT THE DEVELOPING COUNTRIES SHOULD BE EXEMPT FROM CONSUMPTION CONTROLS. HE SAID THE SUGGESTION IN THE PAPER SEEMS TO BE SPECIFIC EXEMPTION FOR SPECIFIC AMOUNTS OF EXEMPTED PRODUCTS, WITH A REQUIREMENT TO SHOW THE PRODUCTS WENT TO THE LCCS.

8. HIS ALTERNATIVE PROPOSAL FOR DEALING WITH THE ISSUE WOULD BE: (1) A 20 PERCENT REDUCTION IN CONSUMPTION IN THE DEVELOPED COUNTRIES; (2) AN EXEMPTION FROM CONSUMPTION CONTROLS IN DEVELOPING COUNTRIES; (3) A 15 PERCENT REDUCTION IN PRODUCTION IN DEVELOPED COUNTRIES; (4) AND A FREEZE ON PRODUCTION IN DEVELOPING COUNTRIES. THIS WOULD MEAN THE DEVELOPED COUNTRIES WOULD BE ABLE TO PRODUCE 85 PERCENT OF WHAT THEY PRODUCED IN 1986, BUT COULD ONLY CONSUME 80 PERCENT OF WHAT THEY CONSUMED IN 1986. THE DEVELOPED COUNTRIES COULD THEREFORE PRODUCE A SURPLUS WHICH THE DEVELOPING COUNTRIES COULD COMPETE FOR IN THE MARKET. HE DOESN'T KNOW WHAT IT WOULD MEAN IN FIGURES. IT WOULD DEPEND ON WHAT PRODUCTS HAVE BEEN CONSUMED IN DEVELOPED COUNTRIES. PRODUCTION WOULD FALL IN DEVELOPED COUNTRIES AT A LOWER RATE THAN CONSUMPTION, AND SURPLUS WOULD MORE THAN MEET POSSIBLE INCREASED DEMAND FROM THE DEVELOPING COUNTRIES. THE OVERWHELMING

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ADVANTAGE WOULD BE THAT IT WOULD STILL HAVE A SPECIFIC LIMIT ON THE AMOUNT OF CFCS THAT CAN BE PRODUCED IN THE WORLD WITH NO LOOPHOLES. COMMENT. THE FIGURES USED IN THE EXAMPLE WERE FOR ILLUSTRATIVE PURPOSES ONLY. END COMMENT.

PEOPLE FROM LEGAL SERVICES, DG III (INDUSTRIAL AFFAIRS), AND THE SECRETARIAT OF THE COUNCIL, BUT THE NAMES OF SPECIFIC INDIVIDUALS WERE NOT AVAILABLE.

KINGON

9. EC AS A SINGLE UNIT

STAFF OFFICIAL ALSO EXPRESSED DISAPPOINTMENT AT THE INTEREST THE US IS TAKING IN THE PAPER REGARDING THE COMMUNITY'S PLANS TO IMPLEMENT THE PROVISIONS OF THE PROTOCOL, EXPLAINING THAT ALL OF THESE QUESTIONS, I.E., WITH REGARD TO THE EC AS A SINGLE UNIT AND THE CONTROLS ON CONSUMPTION AND PRODUCTION, ARE INTER-RELATED. IT IS BECAUSE OF THE COMPROMISE -- THE REQUIREMENT TO CONTROL CONSUMPTION -- THAT THIS ISSUE BECAME SO IMPORTANT TO THE EC.

10. HE SAID THE ISSUE OF JUST WHAT THE CONVENTION MEANS FOR THE EC, DEPENDING ON HOW IT IS TREATED, IS OCCUPYING A GREAT DEAL OF EFFORT IN THE COMMISSION AND WITHIN MEMBER STATES, AND IS RECEIVING A GREAT DEAL OF CONSIDERATION BY LEGAL PEOPLE AS WELL. ONE VIEW EXPRESSED HAS BEEN THAT IF THE EC IS NOT TREATED AS A SINGLE UNIT, THEN THE COMMUNITY'S OBLIGATIONS UNDER THE PROTOCOL MIGHT ONLY APPLY TO CONSUMPTION AND PRODUCTION WITHIN THOSE MEMBER STATES WHO HAVE BECOME PARTIES. IF THE COMMUNITY'S RIGHTS WERE LIMITED IN THAT WAY, THEN THERE IS AN ARGUMENT THAT ITS OBLIGATIONS WOULD ALSO BE LIMITED.

11. WHILE AVOIDING SPECULATION AS TO WHICH MEMBER STATES WOULD OR WOULD NOT RATIFY, HE SAID THAT NOT TREATING THE EC AS A SINGLE UNIT WOULD HURT SMALLER MEMBER STATES. FOR EXAMPLE, HE NOTED THAT THERE IS A BRAND NEW FACILITY IN LUXEMBOURG THAT USES BUT DOES NOT PRODUCE CFCS. WHILE IT IS ON STREAM NOW, IT WAS NOT IN 1986. IF LUXEMBOURG WERE REQUIRED UNDER THE PROTOCOL TO LIMIT ITS CONSUMPTION OF CFCS TO 1986 LEVELS, IT WOULD HAVE NO OPTION BUT TO CLOSE THE NEW FACILITY. SOME SMALL STATES WOULD FIND IT VERY DIFFICULT TO SIGN UNDER THE CIRCUMSTANCES. HE OPINED THAT IT WAS PROBABLY BECAUSE OF THIS AND SIMILAR CONSIDERATIONS THAT THE COUNCIL'S MANDATE TO THE COMMISSION IS THAT THE EC HAS TO BE TREATED AS A SINGLE UNIT.

12. THUS, IF THE EC IS NOT TREATED AS A SINGLE UNIT, THERE ARE PROBLEMS. FIRST, THE COMMISSION WOULD HAVE FAILED THE COUNCIL'S MANDATE. SECOND, IT COULD BE ARGUED THAT IF ONLY SOME MEMBER STATES BECAME PARTIES, THE COMMUNITY WOULD ONLY HAVE TO IMPLEMENT WITH RESPECT TO THOSE STATES, AND THEREFORE THERE MIGHT BE NO CONTROLS WITH RESPECT TO OTHER MEMBER STATES.

13. COMMISSION OFFICIAL CONCEDED THAT IT MIGHT BE POSSIBLE TO A MINOR EXTENT TO LOWER EMISSIONS SLIGHTLY IN THE EC AS A WHOLE IF EVERY MEMBER STATE WERE TO IMPLEMENT INDIVIDUALLY. BUT THAT ASSUMES THAT IS THE ONLY ALTERNATIVE TO TREATING THE EC AS A SINGLE UNIT. ANOTHER ALTERNATIVE IS THAT NOT ALL MEMBER STATES JOIN THE PROTOCOL.

14. MONTREAL CONVENTION

DIRECTOR GENERAL BRINKHORST, GOFFREDO DEL BINO, AND STEVE LEE BAPTY OF DGXI WILL BE ON THE COMMUNITY'S DELEGATION TO MONTREAL. IN ADDITION, THERE WILL BE

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INCOMING
TELEGRAM

PAGE 01 HELSIN 05375 020931Z
ACTION OES-09

1485

EXPERTS AND CAN ELABORATE TECHNICAL POINTS IF NECESSARY.
SCHNABEL

INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 EUR-00 SS-00
OIC-02 CIAE-00 EB-00 DINT-05 DODE-00 H-01 IO-19
NSCE-00 NSF-01 NSAE-00 COME-00 L-03 PM-10 EPA-01
STR-17 INRE-00 ACDA-12 USIE-00 DOEE-00 CEQ-01 PRS-01
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TO SECSTATE WASHDC 2770
INFO OECD COLLECTIVE

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DEPT PASS EPA

E.O. 12356: N/A
TAGS: SENV, ETRD, UNEP, FI
SUBJECT: NEGOTIATIONS TO CONTROL OZONE-DEPLETING
CHEMICALS

REF: (A) STATE 261173, (B) HELSINKI 5316

1. FINNISH MINISTRY OF THE ENVIRONMENT, IN THE PERSON
OF STAFF ENGINEER MARKKU HEITOMAKI, HAS RESPONDED IN
DETAIL TO U.S. VIEWS ON PROPOSED PROTOCOL ON OZONE-
DEPLETING SUBSTANCES (REF A) AS PROMISED EARLIER
(REF B). HEITOMAKI PREFACED HIS COMMENTS WITH THE
GENERAL OBSERVATION THAT THE MONTREAL CONFERENCE'S
FOUR WORKING DAYS ALLOW VERY LITTLE TIME TO DISCUSS
NEW IDEAS. THE FOLLOWING COMMENTS ARE KEYED TO
PARAGRAPH NUMBERS IN REF A:

PARA 5 DO NOT FAVOR CHANGE IN PROTOCOL NAME;
PARA 9 HALONS SHOULD BE DEALT WITH IN THE PROTOCOL IN
- ONE WAY OR ANOTHER. OTHER MECHANISMS BESIDES
- U.S. PROPOSAL ARE POSSIBLE;
PARA 12 AGREE WITH U.S. POSITION;
PARA 13 "OBJECTIVE OF EVENTUAL ELIMINATION" PROVISION
- NOT NEEDED;
PARA 17 FINNISH GATT EXPERTS DISAGREE WITH U.S. THAT
- TRADE BAN FOR NON-PARTIES IS CONSISTENT WITH
- GATT. FINLAND FEARS THAT NON-PARTIES WOULD
- SUE;
PARA 18 AS A SMALL COUNTRY WITH HEAVY DEPENDENCE ON
- TRADE, FINLAND CANNOT SUPPORT CONTROL OF TRADE,
- AND DOES NOT HAVE LEGISLATION TO IMPLEMENT IT;
PARA 21 BASICALLY, ARE NOT IN FAVOR OF THIS
- PROPOSAL, WHICH THEY SEE AS VERY NEW AND WHICH
- RISKS CREATING A MONOPOLY SITUATION;
PARA 24 SEE REF B REGARDING FINNISH VIEWS ON ENTRY
- INTO FORCE REQUIREMENTS;
PARA 26 HAVE NO VIEWS ON U.S. AND EC DIFFERENCES ON
- THIS POINT;
PARA 27 A RADICAL AND PROFOUNDLY NEW PROPOSAL WHICH
- CANNOT BE DISCUSSED ADEQUATELY DURING THE
- CONFERENCE.

2. HEITOMAKI IS IN DIRECT CONTACT WITH EPA TECHNICAL

not great!

DECLASSIFIED / RELEASED

NLS FOO-013 #42

BY omf, NARA, DATE 12/10/02

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