

Fund aimed at assisting developing countries in meeting the phase-out and other related obligations of the Protocol.⁷

Accelerations (called "adjustments") of the phase-out schedules for substances previously listed in the Protocol took effect almost immediately following approval in the London and Copenhagen Meetings of Parties, for those countries that had already accepted the former version of the schedules. On the other hand, amendments of the schedules in those same two Meetings which expanded the list of substances have required formal ratification. The relevant London Amendment (which included several other fully halogenated CFCs, carbon tetrachloride, and methyl chloroform) achieved minimum adherences and entered into force in August 1992 (65 countries had ratified by mid 1993). The relevant Copenhagen Amendment (which included hydrochlorofluorocarbons, hydrobromofluorocarbons, and methyl bromide) is scheduled to enter into force in January 1994 if there are at least twenty states which have ratified this latest amendment by that time.

One of the more controversial features of the Montreal Protocol is the different treatment meted out to non-Parties. Put simply, the Protocol as drafted finds non-Parties guilty by the mere fact of being a non-Party (the purest form of expedited dispute settlement!) and obliges Parties to ban two-way trade with non-Parties in many of the controlled substances.⁸ Moreover, provision is made to ban imports of products containing certain controlled substances. The first stage in this process was reached in June 1991 with the adoption of a list of products containing certain CFCs and halon gases, the importation of which from non-Parties could be prohibited. The products include air conditioning units, refrigerators and other related home appliances, most aerosol products and some additional goods.⁹ The Protocol anticipates a further broadening of this kind of prohibition by 1996 and 1998. Parties may also determine¹⁰ the feasibility of banning or restricting imports from non-Parties of goods produced with, but not containing certain controlled substances identified in the Protocol, although the recent Fifth Meeting of Parties in Bangkok decided that it is not feasible to impose a ban or restriction on the importation of such goods produced with certain CFCs and halons under the Protocol "at this time". Finally,

⁷ See the Decisions made in all four Meetings of the Parties, Handbook, pp. 29-57.

⁸ The dates range from a January 1990 start-up of the ban on imports of certain CFCs and halons from non-Parties, to January 1995 for two-way trade in hydrobromofluorocarbons.

⁹ Annex D to the Protocol, Handbook, p. 28.

¹⁰ See Articles 4.4, 4.4bis, 4.4ter.