A RESOLUTION

Ratifying the London, Copenhagen, Montreal and Beijing Amendments to the Montreal Protocol on Substances that Deplete the Ozone Layer.

WHEREAS, the FSM is a Party to the Vienna Convention for the Protection of the Ozone Layer, which entered into force on September 22, 1988, and which has as its objective the protection of the earth's ozone layer through precautionary measures to control global emissions of substances that deplete the ozone layer; and

WHEREAS, the FSM is a Party to the Montreal Protocol to the Vienna Convention, which entered into force on January 1, 1989, and which regulates the production and use of chlorofluorocarbons (CFCs), halons and carbon tetrachloride as gases known to deplete the ozone layer; and

WHEREAS, amendments to the Montreal Protocol were adopted on June 29, 1990, at the Second Meeting of the Parties to the Montreal Protocol in London, and entered into force on August 10, 1992 (the "London Amendment"); and

WHEREAS, the London Amendment includes controls on ten other fully-halogenated CFCs as well as carbon tetrachloride and methyl chloroform under the Montreal Protocol, strengthens provisions on the transfer of technology and funding to enable developing countries to comply with the Protocol, and establishes schedules for the phasing out of production and consumption of these substances.
controlled substances; and

WHEREAS, further amendments to the Montreal Protocol were adopted at the Fourth Meeting of the Parties to the Montreal Protocol in Copenhagen, and entered into force on June 14, 1994 (the "Copenhagen Amendment"); and

WHEREAS, the Copenhagen Amendment includes controls on hydrochlorofluorocarbons (HCFCs), hydrobromofluorocarbons (HBFCs) and methyl bromide under the Montreal Protocol, and establishes schedules for the phasing out of production and consumption of these controlled substances; and

WHEREAS, further amendments to the Montreal Protocol were adopted at the Ninth Meeting of the Parties to the Montreal Protocol in Montreal, and entered into force on November 10, 1999 (the "Montreal Amendment"); and

WHEREAS, the Montreal Amendment incorporates new provisions requiring that:

(1) if after the phase-out date for a certain controlled substance, a Party cannot comply with its obligations under the Protocol, it shall cease domestic production, other than for essential uses, and ban the export of used, recycled and reclaimed quantities of that substance;

(2) each Party shall establish and implement a system for licensing the import and export of new, used and recycled and reclaimed controlled substances; and
(3) there shall be a trade ban on the import and export of methyl bromide to non-Parties to the Copenhagen Amendment beginning November 10, 2000; and

WHEREAS, further amendments to the Montreal Protocol were adopted at the Eleventh Meeting of the Parties to the Montreal Protocol in Beijing, which have not yet entered into force (the "Beijing Amendment"); and

WHEREAS, the Beijing Amendment introduces new controls on the production of HCFCs, and introduces new controls on bromochloromethane, including a phase-out of both production and consumption by January 1, 2002; and

WHEREAS, the continued availability to the Federated States of Micronesia of substances that are controlled by the Protocol is currently necessary for certain applications, such as the use of methyl bromide for quarantine control fumigation; and

WHEREAS, the FSM supports the goals of the London, Copenhagen, Montreal and Beijing Amendments to the Montreal Protocol, and through accession will maintain certain importation privileges and other benefits available only to Parties that have acceded to these Amendments; now, therefore,

BE IT RESOLVED by the Twelfth Congress of the Federated States of Micronesia, Second Regular Session, 2001, that pursuant to article IX, section 2(b) of the Constitution of the Federated States of Micronesia, the Congress hereby ratifies the London, Copenhagen, Montreal and Beijing Amendments to the Montreal Protocol.
1 Protocol; and
2   BE IT FURTHER RESOLVED that certified copies of this
3 resolution be transmitted to the President of the Federated States
4 of Micronesia, to the Secretary of Foreign Affairs for the
5 preparation and deposit of an appropriate instrument of accession
6 pursuant to the provisions of the Montreal Protocol and its
7 amendments, to the Secretary of Economic Affairs, to the Secretary
8 of Health, Education and Social Affairs, to the Secretary of
9 Finance and Administration, to the Governor of each State and to
10 each State Environmental Protection Agency or duly designated
11 State entity responsible for environmental protection.
12
13 Date: 10/11/01_____ Introduced by: /s/ Joseph J. Urusemal_____
14 (by request)
15