



II-12081 der Beilagen zu den Stenographischen Protokollen
des Nationalrates XVIII. Gesetzgebungsperiode

DIE BUNDESMINISTERIN
für Umwelt, Jugend und Familie
MARIA RAUCH-KALLAT
GZ. 70 0502/194-Pr.2/93

A-1031 WIEN, DEN 23. Dezember 1993
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5450 IAB

1993-12-29;

zu 554610

An den
Herrn Präsidenten
des Nationalrates

Parlament
1017 Wien

Die Abgeordneten zum Nationalrat Langthaler, Freunde und Freundinnen haben am 10. 11. 1993 an mich eine schriftliche Anfrage mit der Nr. 5546/J betreffend Ozonschichtzerstörung /Montrealer Protokoll gerichtet, die folgenden Wortlaut hat:

1. Welche Position nimmt Österreich in der Frage der Förderungsrichtlinien des Multilateralen Fonds ein?
2. Wird Österreich dem jetzt vorgelegten OEWG-Vorschlag bei der nächsten Sitzung in Bangkok zustimmen?
 - Wenn ja, warum?
 - Wenn ja, halten Sie dies aus ökologischen, ökonomischen und entwicklungspolitischen Gründen wirklich für vertretbar?
 - Wenn nein, was wird Österreich konkret tun? (Bitte um detaillierte Auflistung!)

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Vorweg darf ich darauf hinweisen, daß grundsätzlich auch seitens Österreichs die Bereitschaft besteht, zum multilateralen Fonds beizutragen. Die Sinnhaftigkeit dieses Fonds wird keinesfalls angezweifelt.

Zu den in der Anfrage angeführten Zitaten möchte ich folgendes anmerken:

Aus der englischen Version des Handbuchs (3. Auflage, August 1993, S.11) ist ersichtlich, daß die Zitate in den Fußnoten 2 und 3 die "Nicht-Artikel 5"-Vertragsstaaten auffordern, ab 1.1.1996 die teilhalogenierten FCKW, wo möglich, nicht mehr zu verwenden bzw. deren Einsatz so auszuwählen, daß der Ozonabbau minimiert wird. Dabei sollen ökologische, sicherheitsbezogene und ökonomische Kriterien berücksichtigt werden (Beilage 1).

Fußnote 1 gibt das Zitat, das sich unter den Decisions zu Artikel 6 (Assessment and Review of Control Measures) auf S.44 befindet (Beilage 2) nur teilweise richtig wieder. Es sagt im wesentlichen aus, daß weiterhin der Fonds für den Umstieg der Entwicklungsländer von vollhalogenierten FCKW auf teilhalogenierte FCKW unter Berücksichtigung der relevanten Regelungen auf dem Gebiet der teilhalogenierten FCKW zuständig sein soll.

ad 1

Österreich setzt zwar große Hoffnungen in den multilateralen Fonds und begrüßt die Tatsache, daß dieser nunmehr in vermehrtem Ausmaß zu arbeiten beginnt, vertritt jedoch die Meinung, daß in zahlreichen Einsatzbereichen der Ersatz vollhalogenierter FCKW ohne Verwendung teilhalogenierter FCKW oder FKW erfolgen kann. Dies sollte auch in der zukünftigen Förderungsstrategie des Fonds berücksichtigt werden.

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ad 2

Anlässlich der 5. Vertragsstaatentagung in Bangkok, die vom 15. bis 19. November 1993 stattfand, wurde seitens der österreichischen Delegation, wie auch von anderen Delegationen, auf die Einseitigkeit der derzeitigen Förderungsstrategie hingewiesen:

"Let me, however, express some concern about the fact that HCFCs or HFCs are for the time being recommended as substitutes for CFCs. Some of these partly halogenated hydrocarbons are, like the CFCs, long-lived substances with a high global warming potential and therefore pose a substantial threat to our climate. Austria therefore urges that this aspect should be considered very carefully".

Die im Bericht des Exekutivkomitees ('Proposed Three-Year Plan and Budget of the Multilateral Fund (1994-1996)') vom 5. Juli 1993 angegebene Substitutionsmöglichkeit von R 12 durch R 134a in Kühlschränken fand daher nicht allgemeine Zustimmung.

Ein Versuch, der von seiten der Schweiz in diese Richtung unternommen wurde, wurde von Österreich unterstützt. Wesentlicher Inhalt der Forderung war:

- Kritik am Bericht des Exekutivkomitees, speziell an den allgemeinen Empfehlungen von teilhalogenierten FCKW und FKW für die Substitution von vollhalogenierten FCKW.
- Hinweis auf das Treibhauspotential dieser Alternativen.
- Hinweis darauf, daß zahlreiche andere Alternativen, wie CO₂, Kohlenwasserstoffe oder Ammoniak in vielen Anwendungsbereichen bestehen.

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- Hinweis darauf, daß diese halogenfreien Alternativen nicht nur umweltverträglicher, sondern oft auch ökonomisch günstiger sind.

Das Exekutivkomitee sollte weiters aufgefordert werden, diese Tatsachen als Grundlage für die zukünftige Vergabe von Projekten zu verwenden und im Einzelfall zu entscheiden, ob nicht andere Stoffe oder Verfahren ökonomisch und ökologisch günstiger zu beurteilen wären als teilhalogenierte FCKW oder FKW.

Alle Versuche, die derzeitigen Richtlinien des Fonds zu ändern, stoßen zur Zeit jedoch auf massiven Widerstand der Herstellerländer und auch der Entwicklungsländer. Vor allem eine Aufnahme von Substanzen wie R 134a, die nicht ozonabbauend und daher nicht Gegenstand des Protokolls sind, ist zur Zeit in Decisions nicht möglich.

Die Bemühungen fanden schließlich ihren Niederschlag in **Decision V/8** in abgeschwächter Form (Beilage 3), wobei wesentlich erscheint, daß dadurch auch ein zukünftiger Handlungsbedarf festgeschrieben wurde. Konkret angesprochen werden nur die teilhalogenierten FCKW, das Technology and Economic Assessment Panel wird jedoch ersucht, der allgemeinen Substitutionsproblematik im Rahmen der Reports besondere Aufmerksamkeit zu widmen.

Daher wird in Zukunft noch mehr als bisher die ökologische Bewertung der Substitute im Vordergrund stehen. Weiters bleiben auch die Beschlüsse der 4. Vertragsstaatenagung, insbesondere Punkt 7 in Beilage 1 und Punkte (2)-(4) in Beilage 2, die sich mit den teilhalogenierten FCKW beschäftigen, wirksam.

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Im Rahmen der Rede des österreichischen Delegationsleiters wurde die Substitutionsproblematik ebenfalls angesprochen sowie das **Memorandum der Umweltminister Deutschlands, Liechtensteins, der Schweiz und Österreichs** vom August 1993 präsentiert. Darin wurde vor allem ein schnellerer Ausstiegsplan für teilhalogenierte FCKW als der in Kopenhagen beschlossene gefordert. Weiters wurden alle Vertragsstaaten aufgefordert, alle Maßnahmen für einen möglichst frühen Ausstieg zu ergreifen. Dieses Memorandum wurde auch dem Report des Meetings zur Information aller Vertragsstaaten beigegeben (Annex V, Beilage 4). Infolge des erheblichen Echos dieser Erklärung kam es im Verlauf dieser Tagung zu einer **gemeinsamen Erklärung von 17 Staaten** die erklärten, spätestens bis 2015 oder wenn möglich früher, aus der Verwendung dieser Stoffe auszusteigen (Annex VI, Beilage 5).

Mania Bauer-Kokal

(ARTICLE 2F: HYDROCHLOROFLUOROCARBONS)

1. Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, the sum of:

(a) Three point one per cent of its calculated level of consumption in 1989 of the controlled substances in Group I of Annex A; and

(b) Its calculated level of consumption in 1989 of the controlled substances in Group I of Annex C.

2. Each Party shall ensure that for the twelve month period commencing on 1 January 2004, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, sixty-five per cent of the sum referred to in paragraph 1 of this Article.

3. Each Party shall ensure that for the twelve-month period commencing on 1 January 2010, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, thirty-five per cent of the sum referred to in paragraph 1 of this Article.

4. Each Party shall ensure that for the twelve-month period commencing on 1 January 2015, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, ten per cent of the sum referred to in paragraph 1 of this Article.

5. Each Party shall ensure that for the twelve-month period commencing on 1 January 2020, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed, annually, zero point five per cent of the sum referred to in paragraph 1 of this Article.

6. Each Party shall ensure that for the twelve-month period commencing on 1 January 2030, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed zero.

7. As of 1 January 1996, each Party shall endeavour to ensure that:

(a) The use of controlled substances in Group I of Annex C is limited to those applications where other more environmentally suitable alternative substances or technologies are not available;

(b) The use of controlled substances in Group I of Annex C is not outside the areas of application currently met by controlled substances in Annexes A, B and C, except in rare cases for the protection of human life or human health; and

(c) Controlled substances in Group I of Annex C are selected for use in a manner that minimizes ozone depletion, in addition to meeting other environmental, safety and economic considerations.

ARTICLE 2G: HYDROBROMOFLUOROCARBONS

Each Party shall ensure that for the twelve-month period commencing on 1 January 1996, and in each twelve-month period thereafter, its calculated level of consumption of the controlled substances in Group I of Annex C does not exceed zero. Each Party producing the substances in Group I of Annex C shall ensure that its calculated level of production of the substances does not exceed zero. This paragraph will apply to those Parties that do so permit the production of substances that are essential to the production of goods or services that are essential to the health, safety or well-being of the population of the Party.

Beilage 2

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(b) to identify other applications for HCFCs, if any, whose other more environmentally suitable alternatives or technologies are not available; and

(c) to submit its findings to the Open-ended Working Group of the Parties to the Montreal Protocol no later than 31 March 1994;

(2) to request the Open-ended Working Group to consider the report of the Technology and Economic Assessment Panel with respect to HCFCs; to consider the possible need for specific provisions for the implementation of the regulation on the applications for HCFCs, taking into account the special circumstances of Parties operating under paragraph 1 of Article 5 of the Protocol; and to make any appropriate recommendations for consideration by the Parties at their Meeting in 1994 and following subsequent reviews taking place under Article 6 of the Protocol;

(3) to ensure that, notwithstanding the new status of HCFCs as controlled substances, the incremental costs to Parties operating under paragraph 1 of Article 5 of the Protocol of making the transition from CFCs to HCFCs consistent with the regulation on the applications for HCFCs will continue to be met by the Fund and to request the Executive Committee to function in the light of this decision;

(4) to request the Executive Committee to estimate, on an ongoing basis, the amount of HCFCs required by Parties operating under paragraph 1 of Article 5 of the Protocol and to recommend the methods of meeting such needs in full, simultaneously with the exercise to estimate the amounts of controlled substances needed, as well as to estimate the production available to meet those needs, as requested by the Open-ended Working Group at its seventh meeting.

ARTICLE 7: REPORTING OF DATA

The First Meeting of the Parties decided in Dec. I/11 with regard to report and confidentiality of data:

(a) that each Party is required to report its annual production, imports and exports of each individual controlled substance;

(b) that Parties submitting data on controlled substances deemed to be confidential by that Party shall, in submitting the data to the Secretariat, require a guarantee that the data will be treated with professional secrecy and maintained confidential;

(c) that the Secretariat in preparing reports on data of controlled substances shall aggregate the data from several Parties in such a way as to ensure that data from Parties deemed to be confidential is not disclosed. The Secretariat shall also publish total data aggregated over all Parties for each individual controlled substance;

(d) that Parties wishing to exercise their rights under Article 12, paragraph b of the Protocol may have access from the Secretariat to confidential data from other Parties, provided that they send an application in writing guaranteeing that such data will be treated with professional secrecy and not disclosed or published in any way;

(e) that data submitted under Article 7 shall when necessary be made available on a confidential basis to resolve disputes under Article 11 of the Convention.

The Second Meeting of the Parties decided in Dec. II/9:

to establish an ad hoc group of experts to consider the measures leading to the difficulties faced by some countries in providing data required by Article 7 of the Protocol and to recommend special provisions to the Parties concerned and to report on its progress to the Third Meeting of the Parties; and

with the terms of reference of the Multilateral Fund for the Implementation of the Montreal Protocol, that:

(a) Continued improvements are made to the implementation processes for country programmes, workplans and projects with the aim of ensuring their speedy implementation and, in particular, the disbursement of funds;

(b) The Fund Secretariat, implementing agencies and the Parties concerned develop implementation processes to avoid duplication of effort, working within their respective areas of expertise;

4. Also to request the Executive Committee to ensure that its annual reports cover the achievements of the operation of the Fund in accordance with its terms of reference, paying particular attention to priorities set, actions taken and progress made;

Decision V/18. Consideration of alternatives

1. That each Party is requested, as far as possible and as appropriate, to give consideration in selecting alternatives and substitutes, bearing in mind, *inter alia*, Article 2F, paragraph 7, of the Copenhagen Amendment regarding hydrochlorofluorocarbons, to:

- (a) Environmental aspects;
- (b) Human health and safety aspects;
- (c) The technical feasibility, the commercial availability and performance;
- (d) Economic aspects, including cost comparisons among different technology options taking into account:
 - (i) All interim steps leading to final ODS elimination;
 - (ii) Social costs;
 - (iii) Dislocation costs, etc.
- (e) Country-specific circumstances and due local expertise;

Beilage 3

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2. To note that the Executive Committee is taking the above considerations into account as far as information is available;
3. To request the Technology and Economic Assessment Panel and its Technical Options Committees in the context of finalizing its report, to provide information on which alternatives and substitutes best satisfied the above considerations, and to update this information on an annual basis;

*Decision V/9. Executive Committee of the Multilateral Fund
for the Implementation of the Montreal Protocol*

1. To adopt the budget for 1994-1996 of US\$ 510,000,000 for the Multilateral Fund for the Implementation of the Montreal Protocol with the understanding that US\$ 55,000,000 of that sum will be provided by funds unallocated during the 1991-1993 period;
2. To urge all Parties to pay their outstanding contributions promptly and also to pay their future contributions promptly and in full, in accordance with the formula for contributions as set out in Annex II to the report of the Fifth Meeting of the Parties;
3. To adopt the scale of contributions for the Multilateral Fund based on the replenishment of US\$ 455,000,000 as set out in Annex II in the report of the Fifth Meeting of the Parties; US\$ 151,666,666 for 1994, US\$ 151,666,667 for 1995 and US\$ 151,666,667 for 1996;
4. To endorse the selection of Australia, Denmark, France, Japan, Norway, Poland and the United States of America as members of the Executive Committee representing Parties not operating under paragraph 1 of Article 5 of the Protocol, and the selection of Algeria, Argentina, Brazil, Cameroon, India, Malaysia, Venezuela as members representing Parties operating under paragraph 1 of Article 5, for one year;
5. To endorse the selection of Malaysia to act as Chair and of Australia to act as Vice-Chair of the Executive Committee for one year;

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Annex V

MEMORANDUM ISSUED BY THE MINISTERS RESPONSIBLE FOR ENVIRONMENTAL MATTERS
IN GERMANY, LIECHTENSTEIN, SWITZERLAND AND AUSTRIA ON FURTHER
MEASURES TO PROTECT THE OZONE LAYER FROM PARTLY
HALOGENATED CHLOROFLOUROCARBONS (HCFCs)

In the face of the decisions reached by the Parties to the Montreal Protocol on 25 November 1992 at Copenhagen, and

Being concerned about the most recent measurements indicating once again a clear reduction in the protective ozone layer above the northern hemisphere, and

Being aware of the great progress being made in the development of alternative technologies that are less harmful to the environment

The Ministers of the Environment of Germany, Liechtenstein, Switzerland and Austria declare the following:

- In many areas complete substitution of fully halogenated CFCs can already be achieved today without using partly halogenated chloroflourocarbons (HCFCs);
- The phase-out schedule for HCFCs as agreed upon in Copenhagen should start immediately instead of in 2004; and
- The phase-out programme for HCFCs should be completed earlier than by the year 2030. The target of the year 2015 set by the European Community for the phase-out of HCFCs is an absolute minimum.

The Parties to the Montreal Protocol are therefore called upon to undertake all measures to phase out all ozone-depleting substances as quickly as possible.

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Annex VI

DECLARATION ON HYDROFLUOROCARBONS (HCFCs)

DECLARATION BY AUSTRIA, BELGIUM, BOTSWANA, DENMARK, EUROPEAN ECONOMIC
COMMUNITY, FINLAND, GERMANY, ICELAND, ITALY, LIECHTENSTEIN,
MALTA, NETHERLANDS, NORWAY, SWEDEN, SWITZERLAND,
UNITED KINGDOM AND ZIMBABWE

*The above Parties present at the Fifth Meeting of the Parties to
the Montreal Protocol,*

Concerned about the continuing depletion of the ozone layer of both the
northern and southern hemispheres,

being aware that reductions in the emissions of HCFC will have a
beneficial effect on the ozone layer, especially in the coming 10 years
where chlorine concentrations in the atmosphere will reach a critical
maximum,

being also aware that more environmentally sound alternative substances
and technologies are already existing or are rapidly being developed and
that in various areas a complete substitution of CFCs can already be
achieved today without using HCFCs,

stress the need to strengthen further the control measures decided at the
Fourth Meeting of the Parties to the Protocol,

declare their firm determination to take all appropriate measures to
limit the use of HCFC to absolute necessary applications and to phase out
the consumption of HCFCs as soon as possible but not later than the
year 2015.

Bangkok, 17-19 November 1993