

WORKSHOP
2 JULY 2023
BANGKOK

Compliance with phaseout/phasedown obligations

Role of the Implementation
Committee under the Non-
compliance Procedure of the
Montreal Protocol (“ImpCom”)

ImpCom Mandate

Article 8

- “Parties ... shall consider and approve procedures and institutional mechanisms for ... determining non-compliance with the provisions of this Protocol and treatment of Parties found to be in non-compliance.”

Common Protocol provisions reviewed

- Control measures, a.k.a. phasedown/phaseout (Articles 2 and 5)
- Data reporting (Article 7)
- Licensing systems (Article 4B)

Decision IV/5: Potential measures to address non-compliance

- Facilitation, including assistance and information
- Issuance of cautions
- Suspension of rights/obligations under the Protocol

Role in Enforcement of Protocol Obligations vs. Domestic Laws

Protocol Obligations → *Direct Role*

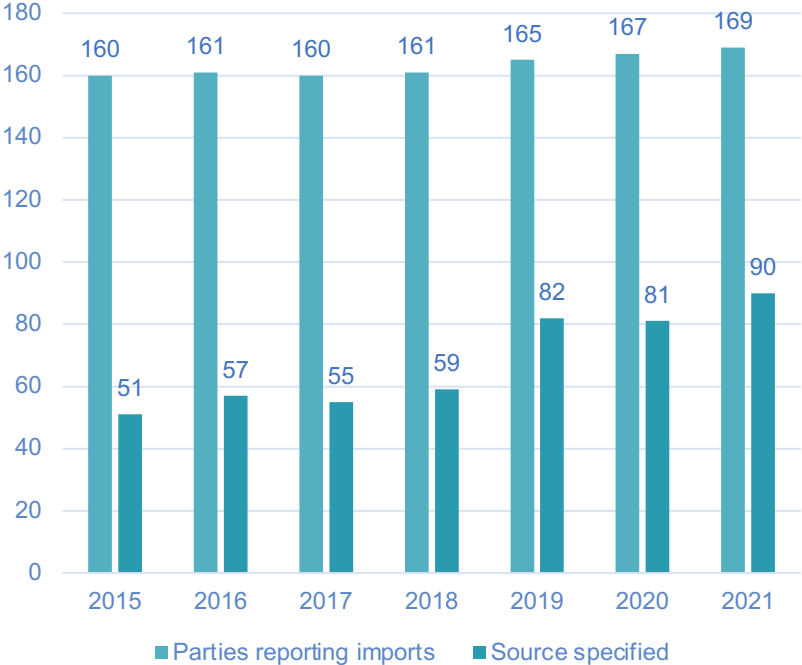
- ImpCom makes non-compliance determinations
- ImpCom recommends measures to MOP to address non-compliance

Domestic Laws → *Indirect Role*

- Protocol obligation to take domestic enforcement action
 - E.g., Article 4B: Establish and implement licensing system
- Discrepancies in Article 7 reporting of imports vs. exports
 - Decisions XVII/16 and XXX/12: Reporting of export destinations
 - Decisions XXIV/12 and XXX/12: Reporting of import sources

Reporting of Export Destinations and Import Sources

Imports Reporting



Exports Reporting

