

# Montreal Protocol on Substances that Deplete the Ozone Layer

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**Workshop on strengthening the effective  
implementation and enforcement of the Montreal  
Protocol**  
Bangkok, 2 July 2023

## Concept note and programme (updated on 30 June 2023)

The workshop on strengthening the effective implementation and enforcement of the Montreal Protocol on Substances that Deplete the Ozone Layer is being convened pursuant to paragraph 4 (c) of decision XXXIV/8, adopted by the Thirty-Fourth Meeting of the Parties to the Montreal Protocol.

The one-day workshop will provide an opportunity for informed discussion of key issues relating to further strengthening the effective implementation and enforcement of the Montreal Protocol, as well as the approaches available to address those issues.

In addition to the parties to the Montreal Protocol, the workshop will involve wide stakeholder participation, including representatives of institutions and associations as well as experts in the implementation and enforcement of the Montreal Protocol and related multilateral environmental agreements, such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants. The outcomes of the workshop will be presented to the forty-fifth meeting of the Open-ended Working Group for further consideration and discussion by the parties.

### I. Background

1. At the forty-fourth meeting of the Open-ended Working Group of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, parties considered institutional processes to further strengthen the effective implementation and enforcement of the Montreal Protocol. The discussion was based on the information prepared by the Secretariat for the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol in 2019, at the request of the Committee, on possible ways of dealing with illegal production of and trade in controlled substances.<sup>1</sup>

2. Participants in the forty-fourth meeting of the Open-ended Working Group produced a non-exhaustive list of ideas for areas of improvement,<sup>2</sup> which was forwarded to the Thirty-Fourth Meeting of the Parties. In paragraph 4 (c) of decision XXXIV/8 on strengthening Montreal Protocol institutions, including for combating illegal trade, the Thirty-Fourth Meeting of the Parties requested the Secretariat to organize a one-day workshop on further strengthening effective implementation and

<sup>1</sup> Possible ways of dealing with illegal production of and illegal trade in controlled substances under the Montreal Protocol, identifying potential gaps in the non-compliance procedure, challenges, tools, ideas and suggestions for improvement (UNEP/OzL.Pro.WG.1/44/3). The note was originally issued as annexes II and III to the report of the Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol on the work of its sixty-third meeting (UNEP/OzL.Pro/ImpCom/63/6). The same document was subsequently issued as document UNEP/OzL.Pro.34/8 for the consideration of the Thirty-Fourth Meeting of the Parties under item 7 of the agenda, institutional processes to strengthen the effective implementation and enforcement of the Montreal Protocol.

<sup>2</sup> List of ideas for areas for improvement related to institutional processes for strengthening the effective implementation and enforcement of the Montreal Protocol (UNEP/OzL.Pro.WG.1/44/4, annex II).

enforcement of the Montreal Protocol, back to back with the forty-fifth meeting of the Open-ended Working Group.

3. Pursuant to that request, the Secretariat is convening the requested workshop at the United Nations Conference Centre in Bangkok on Sunday, 2 July 2023. The workshop will be held immediately prior to the forty-fifth meeting of the Open-ended Working Group, which will take place at the same venue from 3 to 7 July 2023.

## **II. Objective**

4. The objective of the workshop is to provide a forum for discussion of the key issues relating to further strengthening the effective implementation and enforcement of the Montreal Protocol based on the background documentation prepared by the Secretariat and the presentations at the workshop. The outcomes of the workshop will be discussed at the forty-fifth meeting of the Open-ended Working Group, together with any other relevant issues that may not have been adequately addressed at the workshop.

## **III. Workshop structure and format**

5. Participants in the workshop will attend in person. The working language of the workshop will be English. Workshop sessions will include presentations and panel discussions with opportunities for contributions by all participants. The workshop will comprise five sessions:

- (a) Session I – Combating illegal trade;
- (b) Session II – Licensing and quota systems;
- (c) Session III – Implementation and enforcement of the Montreal Protocol (including in relation to illegal consumption and production);
- (d) Session IV – Other considerations (e.g., “exemptions”, value and limitations of tools for detection and monitoring of unexpected emissions of controlled substances);
- (e) Session V – Wrap-up.

6. Each session will be supported by a facilitator and a rapporteur.

7. Sessions I–IV will be supported by a facilitator, four to six panellists and a rapporteur. Each session will begin with an overview presentation to frame the discussion for the session. The overview presentation will be followed by a panel discussion, with a brief presentation by each panellist. After each panel discussion, the facilitator will open the floor for discussion.

8. The rapporteurs of sessions I–IV will record key discussion points and will subsequently present them at session V (wrap-up), summarizing the outcomes of the workshop.

9. The summary of the workshop outcomes will be forwarded to the Open-ended Working Group at its forty-fifth meeting for consideration by the parties.

10. Parties are encouraged to invite actors responsible for the implementation and enforcement of the Montreal Protocol in their countries to participate in the workshop and contribute actively to the discussion.

## **IV. Background material**

11. In paragraph 4 (d) of decision XXXIV/8, the parties requested the Secretariat to prepare a background information paper outlining issues to be discussed at the workshop and reflecting discussions at the forty-fourth meeting of the Open-ended Working Group and the Thirty-Fourth Meeting of the Parties for consideration at the forty-fifth meeting of the Open-ended Working Group. In paragraph 4 of the same decision, the parties requested the Secretariat to compile and regularly summarize the practices of illegal trade reported under paragraph 3 of decision XXXIV/8, as well as the approaches taken by national authorities to identify and address such cases (para. 4 (a)) and to identify common features of licensing systems to assist parties wishing to improve their national licensing systems for controlled substances (para. 4 (b)).

12. In response to those requests, the Secretariat is preparing the following documents, which will be made available in advance of the workshop:

- (a) A background information paper (UNEP/OzL.Pro/Workshop.11/2–UNEP/OzL.Pro.WG.1/45/5);

(b) A note summarizing illegal trade practices reported in accordance with paragraph 3 of decision XXXIV/8, as well as approaches taken by national authorities to identify and address such cases (UNEP/OzL.Pro/Workshop.11/2/Add.1–UNEP/OzL.Pro.WG.1/45/5/Add.1);

(c) A note on the common features of licensing systems (UNEP/OzL.Pro/Workshop.11/2/Add.2–UNEP/OzL.Pro.WG.1/45/5/Add.2).

13. The provisional workshop programme is annexed to the present note.

## Annex

### Programme

*Sunday, 2 July 2023*

#### 9–9.15 a.m. Opening of the workshop

Welcoming remarks and introduction of the workshop's objectives, Meg Seki, *Executive Secretary, Ozone Secretariat*

Presentation on the structure of the workshop and overview of the issues to be discussed at the workshop, Maria Socorro Manguiat, *Deputy Executive Secretary, Ozone Secretariat*

#### 9.15–10.45 a.m. Session I: Combating illegal trade

Illegal activities undermine the successful implementation of the Montreal Protocol. To promote the exchange of information and the strengthening of joint efforts to improve means of identification, and to prevent and combat the illegal trade in controlled substances,<sup>3</sup> session I will be devoted to a discussion of the key types of activities that constitute illegal trade in different countries and means employed by national authorities to detect and prevent those activities.

The session will begin with an eight-minute presentation by the Secretariat of the summary of illegal trade practices reported by parties including under paragraph 3 of decision XXXIV/8, as well as approaches taken to identify and address such cases. It will be followed by a panel discussion that will focus on the experiences of parties in the handling and reporting of cases on illegal trade and on platforms and tools for exchanging information on imports and exports of controlled substances that can assist in the detection and prevention of illegal trade. The panel discussion will be followed by a floor discussion.

**Facilitator:** Anderson Alves (*Regional Coordinator for Asia-Pacific, United Nations Development Programme*)

**Rapporteur:** Mary Ellen Foley (*Senior Environmental Specialist, World Bank*)

<i>Overview presentation (8 minutes)</i>	
<i>Presentation</i>	<i>Presenter</i>
Summary of illegal trade practices reported under paragraph 3 of decision XXXIV/8, as well as approaches taken by national authorities to identify and address such cases	Liazzat Rabbiosi, <i>Programme Officer, Ozone Secretariat</i>
<i>Brief presentations by panellists (5 minutes each) and discussion</i>	
<i>Presentation</i>	<i>Presenter</i>
A whole-of-government approach to HFC phase-down: the work of the United States Interagency Task Force on Illegal HFC Trade	Cindy Newberg, <i>Director, Stratospheric Protection Division, Office of Atmospheric Protection, United States of America Environmental Protection Agency</i>
The licensing of foreign-flagged fishing vessels in relation to controlled substances under the Montreal Protocol	Alisi A. Kamaiwaqa, <i>Principal Environment Officer, ODS Unit (NOU), Department of Environment, Ministry of Environment, Fiji</i>
The Advance Cargo Information procedure and reflections on free zones	Anna Ewa Kobylecka, <i>Environment Programme Manager, World Customs Organization</i>
The Informal Prior Informed Consent (iPIC) mechanism	Pipat Poopeerasupong, <i>Programme Management Officer, OzonAction</i>

#### 10.45–11.15 a.m. Coffee break

<sup>3</sup> Decision XXXIV/8, para. 2.

**11.15 a.m.–12.15 p.m. Session II: Licensing and quota systems**

Parties have highlighted the centrality of effective licensing systems to ensuring the successful implementation of the Montreal Protocol.<sup>4</sup> While a quota system is not required under the Montreal Protocol, the establishment of import quotas can contribute to compliance with the control measures under the Protocol. Session II is aimed at providing an opportunity for parties to learn from each others' domestic licensing and quota systems. It will begin with a short presentation by the Secretariat on the common features of licensing systems, highlighting key aspects of an enforceable licensing system that will enhance its role in strengthening domestic implementation of the Montreal Protocol. The presentation will be followed by a panel discussion on the domestic licensing and quota systems of selected parties, with a focus on good practice and lessons learned. The presentations will be followed by a floor discussion.

**Facilitator:** Tatiana Terekhova (*Programme Management Officer, Secretariat of the Basel, Rotterdam and Stockholm Conventions*)

**Rapporteur:** Fukuya Iino (*Industrial Development Officer, United Nations Industrial Development Organization*)

<b>Overview presentation (8 minutes)</b>	
<b>Presentation</b>	<b>Presenter</b>
Common features of licensing systems	Maud Barcelo Martinez, <i>Legal and Compliance Officer, Ozone Secretariat</i>
<b>Brief presentations by panellists (5 minutes each) and discussion</b>	
<b>Presentation</b>	<b>Presenter</b>
China's licensing/quota system and use of iPIC	Xiaolin Guo, <i>Deputy Director, Foreign Environmental Cooperation Center, Ministry of Ecology and Environment, China</i>
The European Union's licensing system	Cornelius Rhein, <i>Policy Officer, Directorate-General for Climate Action, European Union</i>
A quota system for HFCs: the experience of Kuwait	Yaqoub Almatouq, <i>Head, Ozone Section, Follow-Up and Air Quantity Monitoring Department, Environment Public Authority, Kuwait</i>
Ghana's licensing system	Emmanuel Osae-Quansah, <i>Director, Climate Change and Ozone Department, Environmental Protection Agency, Ghana</i>

**12.15–1 p.m. Session III: Implementation and enforcement of the Montreal Protocol (including in relation to illegal production and consumption) – part I**

Strengthening the implementation and enforcement of the Montreal Protocol requires an evaluation of the relevant institutions and processes at the international and domestic levels. Session III will tease out the opportunities and challenges relating to institutions and mechanisms at the international level as well as those relating to domestic implementation of the Protocol. Discussions on this topic will be kicked off by two overview presentations of eight minutes each. The first presentation will focus on what can be done at the international level. The second presentation will summarize the key elements of domestic implementation of the Protocol, with a focus on the Kigali Amendment. The presentations will be followed by a panel discussion focusing on challenges to the implementation of the Montreal Protocol and its Kigali Amendment (including with regard to illegal production and consumption) and key strategies and tools to strengthen domestic enforcement. Presentations will begin before lunch and continue into the afternoon, as required. The panel discussion will be followed by discussion from the floor.

**Facilitator:** Jim Curlin (*Head, OzonAction, UNEP*)

**Rapporteur:** Viraj Vithoontien (*independent consultant*)

<sup>4</sup> Possible ways of dealing with illegal production of and illegal trade in controlled substances under the Montreal Protocol, identifying potential gaps in the non-compliance procedure, challenges, tools, ideas and suggestions for improvement (UNEP/OzL.Pro.34/8, para. 35).

<b>Overview presentations (8 minutes each)</b>	
<b>Presentation</b>	<b>Presenter</b>
Strengthening the effectiveness of the Protocol's monitoring, reporting, verification and enforcement mechanisms to sustain the achievements of the Montreal Protocol	Tina Birmbili, <i>Chief Officer, Multilateral Fund Secretariat</i>
Key strategies to strengthen domestic implementation and enforcement of the Montreal Protocol	Renée Gift, <i>Legal Officer, Law Division, UNEP</i>
<b>Brief presentations by panellists (5 minutes each) and discussion</b>	
<b>Presentation</b>	<b>Presenter</b>
Operation Demeter	Anna Ewa Kobylecka, <i>Environment Programme Manager, World Customs Organization</i>
UNODC-WCO Container Control Programme	Ioana Cotutiu, <i>Programme Coordinator, Unwaste, United Nations Office on Drugs and Crime</i>
New challenges relating to HFC phase-down and reporting	Clare Perry, <i>Head of Climate Campaign, Environmental Investigation Agency</i>
Capacity-building and training	Shontelle Wellington, <i>National Ozone Officer, National Ozone Unit, Ministry of Environment and National Beautification, Barbados</i>
The role of industry in creating a culture of compliance	Kevin Fay, <i>Executive Director, Alliance for Responsible Atmospheric Policy</i>
Compliance with phase-out/phase-down obligations and sustaining phase-out/phase-down	Gene Smilansky, <i>President, Implementation Committee</i>

**1–2.30 p.m. Lunch break**

**2.30–3.30 p.m. Session III: Implementation and enforcement of the Montreal Protocol (including in relation to illegal production and consumption) – part II**

<b>Recap by facilitator, followed by reactions from parties (5 minutes each) and discussions</b>
Samuel Paré, <i>Ozone Country Programme Coordinator, Burkina Faso</i>
Aditya Narayan Singh, <i>Additional Director, Ozone Cell, Ministry of Environment, Forest and Climate Change, India</i>
Arno Kaschl, <i>Policy Officer, CLIMA.A2, Climate Finance, Mainstreaming, Montreal Protocol, European Union</i>
Annie Gabriel, <i>Assistant Director, Ozone and Climate Protection Section, Department of Climate Change, Energy, the Environment and Water, Australia</i>

**3.30–4 p.m. Coffee break**

**4–5.30 p.m. Session IV: Other considerations**

Session IV will cover other important considerations that do not fall under any of the previous sessions but are nevertheless relevant to efforts to strengthen the implementation and enforcement of the Montreal Protocol. These include detection and verification of unexplained emissions of controlled substances, trade in equipment, environmentally sound management of banks of ozone-depleting substances, uses excluded from the calculation of production and consumption under the Montreal Protocol, and “exemptions”. A snapshot of these considerations will be set out in a short overview presentation. The subsequent panel discussion will zero in on some of these matters from the point of view of different actors. The panel discussion will be followed by a floor discussion.

**Facilitator:** Bernhard Siegele (*Technical Adviser, on behalf of the Ministries of Economic Cooperation and Development (BMZ) and Environment (BMUV) of Germany*)

**Rapporteur:** Federico San Martini (*Senior Programme Management Officer, Multilateral Fund Secretariat*)

<b>Overview presentations (8 minutes)</b>
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<i><b>Presentation</b></i>	<i><b>Presenter</b></i>
Other considerations	Patrick McInerney, <i>Director, Ozone and Climate Protection Section, Department of Climate Change, Energy, the Environment and Water, Australia</i>
<i><b>Brief presentations by panellists (5 minutes each) and discussion</b></i>	
<i><b>Presentation</b></i>	<i><b>Presenter</b></i>
“Detecting unexpected emissions of controlled substances with atmospheric measurements”	Stephen Montzka, <i>Senior Scientist, Global Monitoring Laboratory, National Oceanic and Atmospheric Administration, United States of America</i>
Trade in equipment and the prior informed consent procedure	Tatiana Terekhova, <i>Programme Management Officer, Secretariat of the Basel, Rotterdam and Stockholm Conventions</i>
Implementation of end-of-life ODS/HFC management	Bella A. Maranion, <i>Co-Chair, Technology and Economic Assessment Panel</i>
Various “exemptions” under the Montreal Protocol and opportunities for reducing emissions	Jianxin Hu, <i>Professor of Environmental Sciences, College of Environmental Sciences and Engineering, Peking University, China</i>

**5.30–6 p.m.                      Session V: Wrap-up**

The rapporteurs will present a summary (5 minutes each) of the key outcomes of their session, after which the facilitator will close the workshop.

**Facilitator:** To be determined

**6 p.m.                              Closure of the workshop**

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