

# The Montreal Protocol's non-compliance procedure

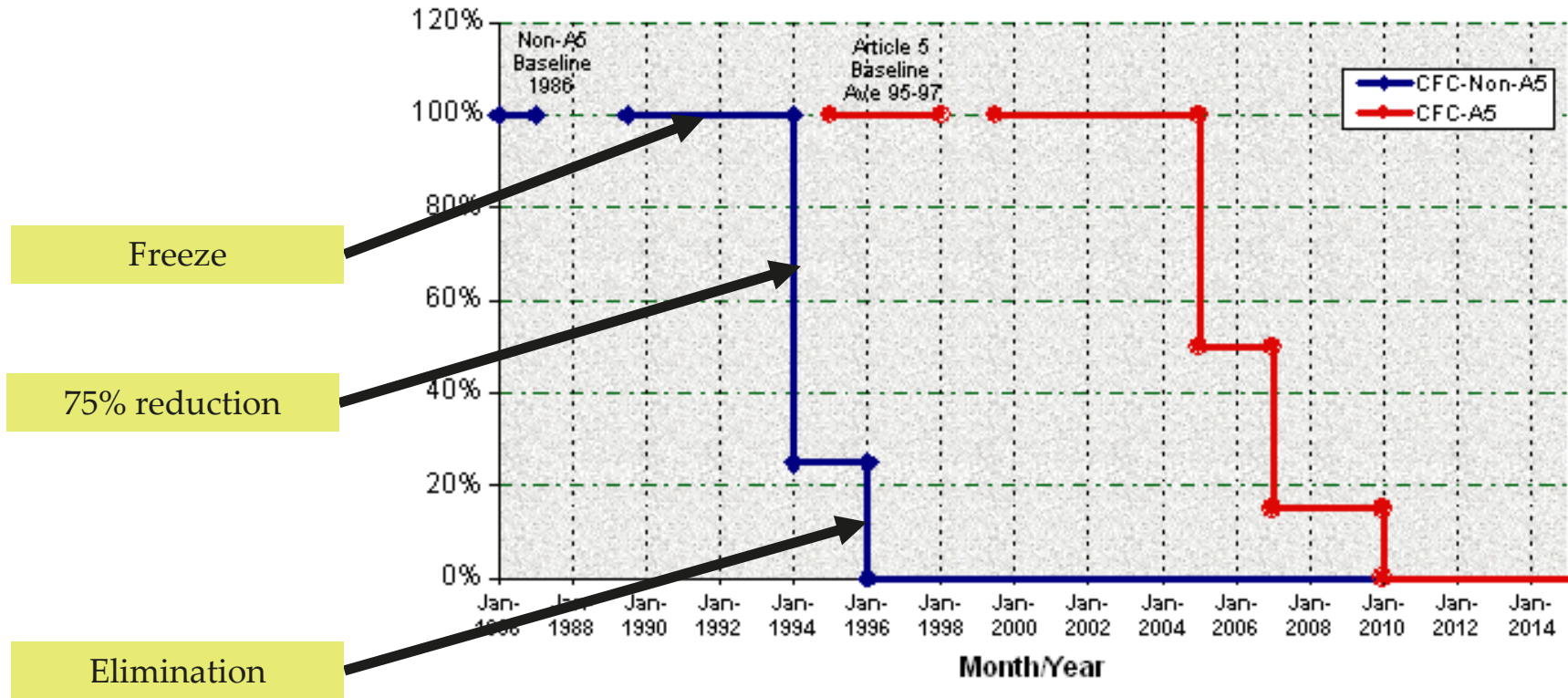
# The Montreal Protocol in brief



- Universal participation
- Coverage includes CFCs, halons, HCFCs, methyl bromide, HFCs
- Control measures:
  - Restrictions in production and consumption
  - Trade measures: bans and other restrictions for non-Parties
- Multilateral Fund, technology transfer and ‘grace period’ to help developing countries
- New chemicals added over time (five amendments; six adjustments)

# Phase-out schedules

CFCs (Annex A/I) Production/Consumption Reduction Schedule



# Ozone regime structure

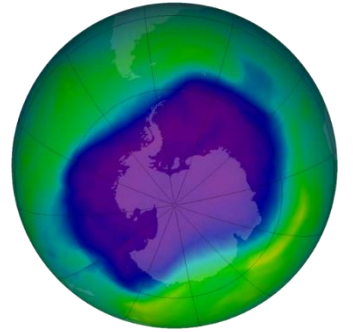


Source: UNEP/Ozone Secretariat

# The MP non-compliance procedure in brief

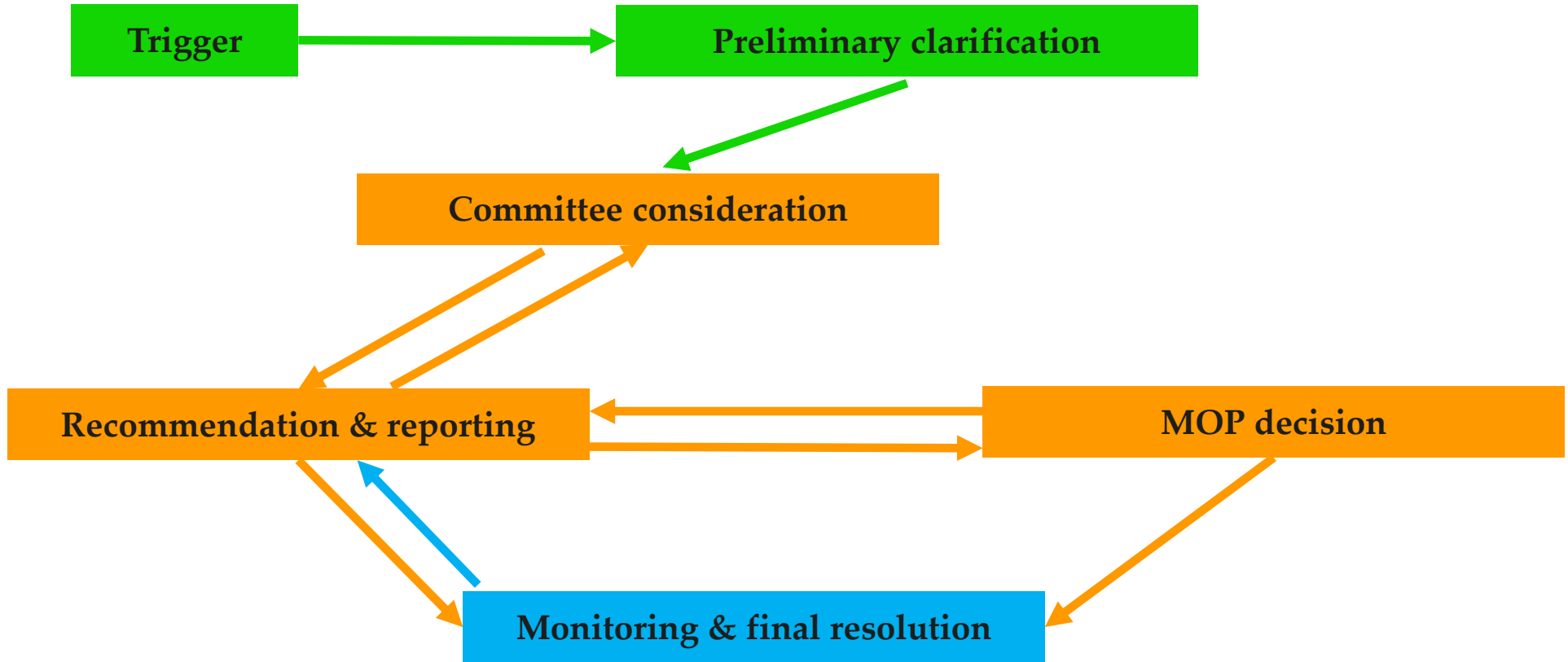
- Adopted in 1992, revised in 1998 (Decision X/10)
- Managerial approach
- Implementation Committee
  - 10 Parties, 2 from each UN region
  - Meets twice a year
  - Supported by Secretariat, which provides data on reporting

# Key compliance obligations



- Annual, base year and baseline data reporting
- Phase out of consumption and production of ozone-depleting substances
- Import/export licensing system and bans on trade with non-Parties

# Overview of the non-compliance procedure



# Triggers

- Party/Parties-to-Party
- Self-trigger
- Secretariat
  - Data reporting to Committee





# Recommendations by Impcom

- Can name Parties, but also refer to systemic issues
- Can include:
  - Requests for information
  - Proposals for MOP to endorse compliance action plan
  - Acknowledgments of a Party's progress in implementing compliance action plan
- Usually includes draft decision for MOP
  - Parties can respond before MOP

# Indicative list of measures

- Assistance:
  - For the collection and reporting of data
  - Technical assistance
  - Technology transfer and financial assistance
  - Information transfer and training
- Cautions
- Suspension of specific rights and privileges

# The non-compliance procedure in practice

- Almost all cases involve developing countries
  - Initially (mid-1990s) also economies in transition
  - Leading to review of assistance to Article 5 Parties by Multilateral Fund and implementing agencies
- Party-to-Party trigger not used; Secretariat main trigger
- Assistance the main measure; cautions hardly issued; suspensions of rights never used
- 100% compliance rate for Parties initially found in non-compliance
  - Fewer cases in recent years