**Decision XIX/22: Non-compliance with the Montreal Protocol by Paraguay**

Noting that Paraguay ratified the Montreal Protocol and its London Amendment on 3 December 1992, the Copenhagen and Montreal Amendments on 27 April 2001 and the Beijing Amendment on 18 July 2006, is classified as a Party operating under paragraph 1 of Article 5 of the Protocol and had its country programme approved by the Executive Committee in February 1997,

Noting also that the Executive Committee has approved $1,787,030 from the Multilateral Fund for the Implementation of the Montreal Protocol in accordance with Article 10 of the Protocol to enable Paraguay’s compliance,

1. That Paraguay has reported annual consumption for the controlled substances in Annex A, group I, (CFCs) for 2005 of 250.7 ODP-tonnes, which exceeds the Party’s maximum allowable consumption of 105.3 ODP-tonnes for those controlled substances for that year, and was therefore in non-compliance with the consumption control measures under the Montreal Protocol for CFCs in 2005,

2. That Paraguay has reported annual consumption of the controlled substance in Annex B, group II, (carbon tetrachloride) for 2005 of 0.7 ODP-tonnes, which exceeds its maximum allowable consumption of 0.1 ODP-tonnes for that controlled substance for that year, and was therefore in non-compliance with the consumption control measures under the Montreal Protocol for carbon tetrachloride in 2005,

3. To record with appreciation the submission by Paraguay of a plan of action to ensure its prompt return to compliance with the Protocol’s CFC and carbon tetrachloride control measures, under which, without prejudice to the operation of the financial mechanism of the Protocol, Paraguay specifically commits itself:

   (a) To reducing CFC consumption to no greater than:

      (i) 31.6 ODP-tonnes in 2007, 2008 and 2009;

      (ii) Zero ODP-tonnes in 2010, save for essential uses that may be authorized by the Parties;

   (b) To reducing carbon tetrachloride consumption to no greater than:

      (i) 0.1 ODP-tonnes in 2007, 2008 and 2009;

      (ii) Zero ODP-tonnes in 2010, save for essential uses that may be authorized by the Parties;

   (c) To monitoring its import licensing and quota system for ozone-depleting substances and to extending that system to carbon tetrachloride;
(d) To monitoring the implementation of its ban on the export of all ozone-depleting substances and the import of refrigeration and air-conditioning equipment, whether new or used, which use CFC-11 or CFC-12;

4. To urge Paraguay to work with the relevant implementing agencies to implement its plan of action to phase out consumption of CFCs and carbon tetrachloride;

5. To monitor closely the progress of Paraguay with regard to the implementation of its plan of action and the phase-out of CFCs and carbon tetrachloride. To the degree that the Party is working toward and meeting the specific Protocol control measures, it should continue to be treated in the same manner as a Party in good standing. In that regard, Paraguay should continue to receive international assistance to enable it to meet those commitments in accordance with item A of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance;

6. To caution Paraguay in accordance with item B of the indicative list of measures that may be taken by a Meeting of the Parties in respect of non-compliance that, in the event that it fails to remain in compliance, the Parties will consider measures consistent with item C of the indicative list of measures. Those measures may include the possibility of actions available under Article 4, such as ensuring that the supply of the CFCs and carbon tetrachloride that are the subject of non-compliance is ceased so that exporting Parties are not contributing to a continuing situation of non-compliance;