Customs Officers Training on Monitoring & Control of Trade in ODS

(5-Day Mixed Approach)

SAMOA

Apia, Samoa, 23-27 September 2002

Organized by:

Government of Samoa
in co-operation with the
United Nations Environment Programme’s (UNEP DTIE)
OzonAction Programme
and the
World Customs Organization (WCO)

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Executive Summary

The training programme for customs officers is part of Samoa's Refrigerant Management Plan (RMP) - a comprehensive and integrated strategy to phase-out the use of ozone-depleting substances (ODS) in the refrigeration and air-conditioning sector. The main objective of the training programme is to provide the customs officers and relevant stakeholders with the skills necessary to monitor and control the imports and exports of ODS and products (including equipment) containing them as well as detecting and preventing illegal trade.

The training followed the “5-day mixed approach” developed by UNEP and consisting of a 3-day train-the-trainers workshop for local customs trainers, senior officers and relevant stakeholders, a preparatory day for selected local customs trainers and a consequent training of further customs officer by local trainers under the guidance of the international training expert. This new training approach enhances the training skills of the local trainers and initiates the Phase II training immediately after completion of the train-the-trainers phase.

The preparation of the workshop required the development of the "Samoa Handbook on ODS Legislation and Import / Export Licensing System" by the National Ozone Unit and the legal consultant. The document complements the UNEP training manual "Customs Officers Training on Substances Depleting the Ozone Layer" by providing country-specific information and data. Local presenters contributed additional training materials.

The workshop included presentations by high-level Government representatives during the opening and closing sessions. Media coverage included television interviews and coverage of the opening ceremony on the national television station.

The design of the training followed an interactive and participatory approach and involved 4 local presenters. Two case studies on smuggling schemes were presented to participants to test their knowledge of what they had learnt throughout the workshop. Furthermore, three small working groups were created during the break-out session in order to discuss specific topics. During a group discussion, the participants agreed on detailed workshop recommendations and discussed the agenda for the continued customs training (see Annex 10.4).

A practical hands-on session was included in the programme to identify different types of refrigerants, using the pressure-temperature method, leak detector and digital refrigerant identifier. Product and packaging labelling was checked.

Future challenges for customs authorities in enforcing international environmental agreements such as the Basel Convention, CITES, Kyoto Protocol, and the Rotterdam Convention were discussed and scope for synergies identified. Local presenters emphasised that special training for customs authorities is needed and that such training should be co-ordinated between the different Convention Secretariats.
Both training workshops were evaluated by the participants. The overall evaluation of the train-the-trainers was 23% excellent and 54% good. The overall evaluation of the consequent training of customs officers was 21% excellent and 57% good (see Annex 10.5).

The immediate result of the customs training is the availability of 17 trained customs trainers, senior officers and relevant stakeholders who participated in the train-the-trainers workshop and the training of additional 17 customs officers by selected local customs trainers. It is expected that the local customs trainers will continue training new customs officers as part of the training curricula of the customs department.

The long term result of the training programme is to enhance awareness of ozone depletion issues among customs officers and other relevant stakeholders and to enable customs officers to enforce the import / export licensing system for ODS and products (including equipment) containing or using them. The control of virgin ODS entering the country, following the phase-out schedules under the Montreal Protocol, will lead to increased prices of ozone depleting refrigerants and help reduce consumption.

The workshop report will be disseminated to the workshop participants and speakers as well as members of the contact group on customs training. It will also be placed on UNEP's homepage at: http://www.uneptie.org/ozonaction.html.

1. Background

Upon the discovery that CFCs and other man-made substances are leading to a depletion of the ozone layer, the international community negotiated the Vienna Convention for the Protection of the Ozone Layer in 1985. Following this, the Montreal Protocol on Substances that Deplete the Ozone layer was negotiated in 1987 with the objective of reducing and finally phasing out the production and consumption of ozone-depleting substances. Samoa acceded to the Vienna Convention and its Montreal Protocol on December 3, 1992. Samoa ratified the London and Copenhagen Amendments in July 1993 and the Montreal Amendment in February 2000.

In most developing countries the largest remaining sector in which ozone-depleting substances are still used is the refrigeration and air-conditioning servicing (RAC) sector. In 2000, Samoa consumed approximately 1.7 metric tonnes of ozone-depleting substances (ODS) corresponding to 0.76 ODP tonnes of ODS. The refrigeration and air-conditioning sector consumed an equivalent of 0.70 ODP tonnes. This accounts for 92% of the total ODP consumption in 2000. In addition, appliances containing CFCs are imported into the country either already assembled (e.g. domestic refrigerators, air-conditioning units) or in parts for local assembly.

Any abrupt non-availability of CFC refrigerants would adversely impact important sectors of the local economy. It is therefore essential for users of CFCs to be able to reduce and
subsequently phase-out their consumption in a coordinated, planned, and cost-effective manner in compliance with the commitments under the Montreal Protocol.

The Refrigerant Management Plan (RMP) of Samoa was approved by the 32nd Meeting of the Executive Committee of the Multilateral Fund to be implemented by UNEP DTIE. The RMP is a comprehensive approach to phase out the use of ozone-depleting substances in Samoa’s refrigeration and air-conditioning sector.

UNEP’s role is to coordinate the implementation of the two training elements of the RMP in cooperation with the National Ozone Action Unit:

1. The training programme on good practices in refrigeration
2. The training programme for customs officers on control and monitoring of ODS imports and exports.

One of the obligations of Samoa is to implement an ODS import / export licensing system. The Department of Lands, Surveys and Environment is the agency that will manage this licensing system, but there will be the need for enforcement of the licensing system and labeling standards by the customs authority. Therefore, the ability of customs, trade, and standards officers to enforce controls on trade in ODS and ODS products / equipment is important for a successful and planned ODS phase-out. Thus, customs training with assistance from UNEP DTIE is providing the means through which Samoa will be in a position to meet this challenge.

2. Objectives

The main objective of this training programme is to provide the customs, trade, and standards officers in Samoa with the skills necessary to monitor and control the imports and exports of CFCs and other ODS and ODS products / equipment. The detection and prevention of illegal trade is part of this training.

The training objectives were achieved by:

I. Increasing awareness of ozone depletion issues
II. Introducing the types of ODS being used in the sector and for which applications
III. Introducing the provisions and phase-out schedules of the Montreal Protocol and its amendments
IV. Providing an understanding of the national Refrigeration Management Plan
V. Providing an overview of the newly established licensing system for ODS and its implications for customs officers and other stakeholders
VI. Presenting the revised customs codes that allow for the identification of ozone-depleting refrigerants and products containing them
VII. Refining and optimizing the establishment of the operational details of the monitoring and control system for ODS in Samoa

VIII. Providing an overview of customs regulations and monitoring and control systems for ODS in other Pacific countries

IX. Training on the use of identification equipment for refrigerants

X. Designing the concept, agenda, strategy, and time schedule for the training of the remaining customs officers in the country.

3. Expected results

The immediate result will be the availability of trained customs trainers, key stakeholders and customs officers. The long-term result is to enhance awareness of ozone depletion issues among customs authorities and other relevant stakeholders as well as the achievement of the training objectives as stated in Section 2.

A Montreal Protocol-related training module will be included in the ongoing training programmes of the customs department for new customs officers. It will also be integrated in the refresher courses for experienced officers. Thus the sustainability of the training programme will be ensured.

In addition, synergies for the enforcement of other relevant international environmental agreements such as the Basel Convention, CITES, Rotterdam Convention and the Kyoto Protocol will be encouraged. The success of most international environmental agreements will depend on the continued support of the world’s customs authorities and other key stakeholders.

4. Participants

In total, 17 participants attended the train-the-customs-trainers workshop. They included 11 customs officers from the various sections of the customs department around the country, as well as 6 key stakeholders from national agencies whose involvement and support is necessary for the successful implementation of the import/export licensing system.

The 6 stakeholders came from Police Department, Samoa Refrigeration Engineering Association, BOC Gases Samoa Ltd., Inland Revenue Department, Siosiomaga Society, Samoa Polytechnic, MAFFM.

For subsequent customs training, there were 17 participants in total, 9 from customs and 8 stakeholders from the following organisations: Kooline Refrigeration Samoa Ltd., Consumer Rights Association, and the Department of Lands Survey and Environment.

The list of workshop participants is attached as Annex 10.2.
The resource persons for the train-the-trainers workshop were:

Brittany Whiting – UNEP trainer
Filomena Nelson – Ozone Officer
Meapelo Maiai - Senior Sustainable Development Officer
Leilani Vaa-Tamati – Attorney General

The resource persons for the subsequent training of customs officers were:

Filomena Nelson, Ozone Officer
Uili Isara, Customs
Iosua Matuu, Customs
Richard Heather, Customs
Nanai Malaeliu Sua, Customs
Siaosi Peseta – Technical Advisor, Samoa Polytechnic
Brittany Whiting – UNEP trainer

Additional speakers during the opening and closing sessions included:

Faumuina S.V.P. Liu, Assistant Director, Division Environment & Conservation
Tu’u’u Dr. Ieti Taule’alo, Director Lands, Surveys & Environment
Fuimaono Poufa Te’o, Comptroller, Customs Department
Fiu Mataese - Participant

The details of the resource persons is attached as Annex 10.3 and the agenda is attached as Annex 10.1.

5. Methodology

The training followed the “5-day mixed approach” developed by UNEP and consisting of a 3-day train-the-trainers workshop for customs officers and relevant stakeholders, a preparatory day for selected local customs trainers and a consequent training of further customs officer by local trainers under the guidance of the international training expert. This new training approach enhances the training skills of the local trainers and initiates the Phase II training immediately after completion of the train-the-trainers phase.

The preparation of the workshop required the development of the "Samoa Handbook on ODS Legislation and Import / Export Licensing System" by the National Ozone Unit and the legal consultant. The document complements the UNEP training manual "Customs Officers Training on Substances Depleting the Ozone Layer” by providing country-specific information and data. Local presenters contributed additional training materials.
The workshop included presentations by high-level Government representatives during the opening and closing sessions. Media coverage included television interviews and coverage of the opening ceremony on the national television station.

The design of the training followed an interactive and participatory approach and involved 4 local presenters. Two case studies on smuggling schemes were presented to participants to test their knowledge of what they had learnt throughout the workshop.

Furthermore, three small working groups were created during the break-out session in order to discuss specific topics. During a group discussion, the participants agreed on detailed workshop recommendations and discussed the agenda for the continued customs training (see Annex 10.4).

The UNEP customs training manual, the “Samoa Handbook,” and other relevant resource documents were handed out to the participants. Additional documents and examples of ODS-containing products and equipment were displayed at the conference centre. The UNEP video "Every Action Counts" was shown to the participants.
A practical hands-on session was included in the programme to identify different types of refrigerants, using the pressure-temperature method, leak detector and digital refrigerant identifier. Product and packaging labelling was checked.

Wrap-up sessions concluded the day's discussions. The participants conducted a workshop evaluation and agreed a final set of recommendations (see Annex 10.4).

Each participant received a “Certificate of Participation” from the Government of Samoa and was registered at the end of the workshop. It is proposed that this training and certification should become mandatory for all customs officers.

The workshop report will be disseminated to all participants and members of the contact group on customs training. It will also be placed on UNEP's homepage at: http://www.uneptie.org/ozonaction.html.

6. Contents and structure of the training

The training materials were designed to ensure that the objectives set out for the workshop (see Section 2) were achieved.

The train-the-trainers workshop included the following sessions:

- Session 1: Ozone layer depletion
- Session 2: International response
- Session 3: National obligations and response
- Session 4: National import / export licensing system
- Session 5: Checking papers, forms and permits
- Session 6: Related international conventions
- Session 7: Global & regional context
- Session 8: Role of customs officers and other key stakeholders
- Session 9: Illegal trade in ODS and ODS-containing equipment and goods
- Session 10: Identification of ODS and ODS-containing equipment
- Session 11: Practical exercises on identification of ODS
- Session 12: Safe handling, transport and storage of ODS
- Session 13: Breakout Session on effective operation of ODS import / export licensing system and enforcement of ODS regulations
- Session 14: Action planning for Phase II of the customs training
- Session 15: Workshop evaluation
7. Results and lessons learned

The objectives set out for the workshop were fully met through the appropriate design of the workshop agenda during which the 15 workshop sessions addressed all relevant issues. A detailed evaluation of the most relevant issues is included in Annex 10.5.

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<th>OBJECTIVES SET OUT</th>
<th>RESULTS ACHIEVED</th>
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<tr>
<td>I. Increasing awareness of ozone depletion issues</td>
<td>Through Sessions 1, 8 and UNEP video “Every Action Counts”</td>
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<td>II. Familiarizing enforcement officers with the different types of ODS being used in the sector and for which applications</td>
<td>Through Sessions 1, 3, 4, 10, 11, 12</td>
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<tr>
<td>III. Familiarizing enforcement officers with the provisions and phase-out schedules of the Montreal Protocol and its Amendments</td>
<td>Through Sessions 2, 3, 4.</td>
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<tr>
<td>IV. Providing officers with an understanding of the national Refrigerant Management Plan</td>
<td>Through Sessions 3, 4</td>
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<tr>
<td>V. Providing an overview on the newly established licensing system for ODS and its implications for customs officers</td>
<td>Through Sessions 4, 5, 8</td>
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<tr>
<td>VI. Presenting the revised customs codes which allow for the identification of ozone-depleting refrigerants and products containing them</td>
<td>Through Session 10</td>
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<tr>
<td>VII. Refining and optimizing the operational details of the monitoring and control system for ODS in Samoa</td>
<td>Through Session 13</td>
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<tr>
<td>VIII. Providing an overview of customs regulations and monitoring and control systems for ODS in other Caribbean countries</td>
<td>Through Session 7</td>
</tr>
<tr>
<td>IX. Training enforcement officers in the use of identification equipment for refrigerants</td>
<td>Through Sessions 10, 11, 12</td>
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<tr>
<td>X. Designing the concept, agenda, strategy and the time schedule for the training of the remaining customs officers in the country.</td>
<td>Through Session 13</td>
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In addition, the following specific outcomes were achieved:

- Successful training and certification of 34 participants on monitoring and controlling of imports and exports of ODS and ODS products / equipment in Samoa.
- Demonstrating methods for the inspection of imported refrigerators, motor vehicles, compressors, the identification of refrigerants and the checking of freight papers and labelling.
- The practical demonstrations included the use of a leak detector, a digital refrigerant identifier and the temperature/pressure method.
- Exchange of information and experiences between the participants and development of a network of personal contacts.
- The "Samoa Handbook" will be used for the further training of customs officers.
- Detailed workshop recommendations by the participants (see Annex 10.4).
- Certification of the participants by the Government of Samoa.
The following lesson was learned from the train-the-customs-trainers workshop:

- The issue of export licensing is extremely important in Samoa, as it exports to many other countries in the region. It is imperative that the licensing system be approved and that end users are notified about the 2005 phase out.
- Many recommendations came out of the session on the ODS regulations and the licensing system. It will be important for the national ozone committee to review these recommendations and give further recommendations to the government. The recommendations from the participants are included as Annex 10.4.

8. Follow-up action plan

This training programme is part of the RMP for Samoa. As such it will be accompanied by other training and policy related activities as defined in the RMP and Samoa’s Country Programme.

The NOU will establish a monitoring mechanism to ensure that the objectives of the training programme are met and will produce a follow-up report on the status of implementation of the training programme.

The National Ozone Unit will consider and, as far as possible, implement the workshop recommendations as adopted by the workshop participants (see Annex 10.4). The recommendations will also be communicated to the relevant decision-makers and politicians, and their support requested.

9. Evaluation by participants

For the train-the-customs-trainers workshop, the overall evaluation by participants was good. Thirteen of 17 participants (76%) returned the evaluation questionnaire. Out of the 13 evaluations, 7 participants rated the workshop as “good” (54%) and 3 as “excellent” (23%).

For the subsequent customs training, the overall evaluation of the workshop was also good. Fourteen of 17 participants (82%) returned the evaluation questionnaire. Out of the 14 evaluations, 8 participants rated the workshop as “good” (57%) and 3 as “excellent” (21%).

A graphic analysis of the received evaluation questionnaires is included in Annex 10.5.

The following section includes feedback and suggestions received from the workshop participants concerning (a) the train-the-trainers workshop, (b) subsequent customs training, (c) the UNEP customs training manual and (d) the “Samoa Handbook”:
(a) **Train-the-trainers workshop**

- The content of workshop was rather interesting and a follow-up workshop would be useful.
- The lecturer should speak Samoan.
- The subject matter was well addressed and participants were very creative in their opinions and recommendations.
- There should be more focus on the regulations.
- More time would be required to cover all course materials in detail.
- The course has been very useful in understanding the process, substances, and expectations.
- Other stakeholders should have been involved, i.e. Inland Revenue Department in order to increase their interest ozone protection and to explore how their department could help in phasing out ODS.
- More practical exercises using refrigerant identifiers and more equipment for testing ODS would be useful.
- The course was well conducted and informative.
- The course was quite informative and contains technical terminology that was difficult to understand. Perhaps more time allocated to issues will improve future courses.
- The course was well co-ordinated and well delivered.
- A participant from the Health Department should have attended.

(b) **Subsequent customs training**

- The quality of the course was good and relevant information was provided related to the nature of customs work. More training on this issue would be useful.
- This course was very useful to us for the protection of our community.
- I thought that having a one day course would not have given me the benefit of understanding it thoroughly, but with the handouts given I will be reading a lot to understand more.
- More practical exercises like checking forms, etc. in the customs department would be required - not just inside the conference room.
- More discussion on legislation and effect of its endorsement of all concerned.
- Informative and well presented, covered most topics adequately.
- More time for participants to go through the regulation and refrigerant management plan.
- Presentation by local instructors will improve greatly if regular practice has taken place.
- More video tapes should be used
(c) **UNEP customs training manual**

- It covers all issues as far as Samoan Customs is concerned.
- Civil society should be engaged in the process.
- Brochure on effects of ozone depletion and ODS would be useful.
- More examples of difficulties facing the customs during their inspections and investigations from developing countries would be needed.
- Instructions on the use of the commercial refrigerant detectors should be provided.

(d) **Samoa Handbook on ODS Legislation**

- The Samoa Handbook should be printed in Samoan language.
- The manual of procedures as a ready reference for the officers.
- Information and public awareness campaigns are required.
- The Samoa Handbook is targeting government and operators. Other materials should target the civil society.
- Montreal Protocol related information should be incorporated as part of the education system.
- Review quota allocation to respective companies to ensure that all companies importing CFC gases and products are given fair quota allocation annually.
- An public awareness programme should be prepared to support the phase out.
- Profile of companies which import ODS with customs computer system.
- A reward type system given in return to those abiding or helping to achieve objectives of the phase-out program.
- Clear translation of "labelling etc" on all good containing CFCs/ODS in Samoan so people can understand as well as provide a clear channel of communication with customs and public if queries arise, so people understand and abide by the rules.
- Legislation needs to be passed to be able to enforce.
- The local specification must adhere and follow the guidelines by Global Manual, but the Samoan ways and culture will tend to deviate principles.

10. **Annexes**

| Annex 10.1 | Agenda |
| Annex 10.2 | List of participants |
| Annex 10.3 | List of trainers / speakers |
| Annex 10.4 | Workshop recommendations |
| Annex 10.5 | Evaluation by participants |
ANNEX 10.1 Three-Day Agenda of Train-the-Trainers Workshop

Day 1

8:30 Registration of participants

9:00 Opening ceremony
   - Welcoming, Filomena Nelson, Ozone Officer
   - Prayer
   - Workshop address, Ms. Brittany Whiting, UNEP trainer
   - Official address, Faumuina S.V.P. Liu
     Assistant Director – Division Environment & Conservation
   - UNEP DTIE’s OzonAction Programme
     The training team and workshop approach
   - Answers and questions by the media

10:00 Morning Tea

10:15 Introduction - Ms. Brittany Whiting - UNEP trainer
   - Expected output of the training programme for customs officers
   - Training materials and display
   - Self-introduction of participants including questions & answers

10:45 Session 1: Ozone layer depletion – Filomena Nelson – Ozone Officer
   - Environmental and human health consequences
   - UNEP video: Every Action Counts
   - Ozone layer science
   - Discussion

11:30 Session 2: International response – Filomena Nelson – Ozone Officer
   - International response - the Montreal Protocol and its Amendments
   - Phase-out schedule and strategies for Article 2 and Article 5 countries
   - Discussion

12:00 Session 3: National obligations and response- Filomena Nelson – Ozone Officer
   - Overview of national ODS consumption pattern
   - National phase-out obligations
   - National response - Refrigerant Management Plan and the National Compliance Action Plan
   - Data Reporting
   - Discussion

13:00 Lunch
14:00 **Session 4: National import/export licensing system - Leilani Vaa-Tamati – Attorney General**
- Institutional framework
- National Policy for the Protection of the Ozone Layer and draft Ozone Layer Protection Regulation
- Structure of national import/export licensing system
- Institutional arrangements and procedures to manage the system
- Import quotas and application for permits and allowances
- Information to importers, wholesalers and end-users
- Handling of seized ODS and ODS-containing equipment and goods
- Enforcement and penalties
- Forms introduced by the licensing system
- Discussion

15:45 **Break**

16:00 **Session 5: Checking papers, forms and permits- Brittany Whiting – UNEP Trainer**
- Logistics and data management
- Application forms, permit forms, freight papers, retrofit certificates etc.
- Practical exercise on checking freight papers and permits
- Data reporting
- Discussion

17:00 **Wrap-up sessions and workshop recommendations**

**Day 2**

9:00 **Session 6: Related International Conventions: Meapelo Maiai – Senior Sustainable Development Officer**
- CITES (endangered species)
- Kyoto Protocol (global warming)
- Basel Convention and Waigani Convention (hazardous waste)
- Rotterdam Convention (prior informed consent)
- Lusaka Agreement (illegal trade in wild fauna and flora)
- Common features related to the control of trade and synergies for customs authorities for effective enforcement
- Discussion

9:30 **Session 7: Global and regional context- Ms. Brittany Whiting– UNEP Trainer**
- Global production and trade with ODS and ODS-containing products
- Transhipment harbours, production, disposal, reclaim facilities in the region
- Regional and global trade agreements
- Implementation of revised HS codes in the region (customs representative)
- Impact on trade and economy (trade representative)
- Discussion

9:45 **Session 8: Role of customs officers and other key stakeholders**- Ms. Brittany Whiting-UNEP Trainer
- Key players in monitoring and control imports / exports of ODS and ODS-containing equipment and goods (customs, coast guard, police, court, chemistry laboratory, importers/wholesalers, end-users, NOU etc)
- Reporting legal and illegal trade with ODS and ODS-containing products
- Enforcing ODS legislation
- Checklist for customs officers
- Discussion

10:15 **Break**

10:30 **Session 9: Illegal trade with ODS and ODS-containing equipment and goods** - Ms. Brittany Whiting-UNEP Trainer
- Legal and illegal trade with Parties and non-Parties
- Detecting legal and illegal trade at local, regional and international level
- Trade with recycled, recovered, reclaimed or contaminated refrigerants
- Causes and trends of illegal trade
- Methods of smuggling
- Prevention of illegal trade
- Case study on illegal trade
- Discussion

12:00 **Lunch**

13:00 **Session 10: Identification of ODS and ODS-containing equipment and goods**- Ms. Brittany Whiting- UNEP Trainer
- Harmonized System codes for pure and mixed ODS
- Common trade names for ODSs, including CFCs, HCFCs, methyl bromide, halons, solvents, foams, aerosols etc.)
- CAS numbers, ASHRAE numbers, UN numbers etc.
- Examples of labelling for ODS and colour codes
- Examples of labelling of ODS-containing equipment and goods
- Detection of mislabelled ODS containers, cylinders etc.
- Identification of ODS-containing equipment and goods
- Use of refrigerant identifiers (theory)
- Discussion

15:00 **Break**
15:15 Session 11: Practical exercises on identification of ODS - Ms. Brittany Whiting – UNEP Trainer
- Examples of ODS containers and cylinders and ODS-containing equipment and goods
- Hands-on work with CFC detection equipment if available
- Identification of ODS-containing equipment and goods

16:45 Introduction to break-out Session 13: Effective operation of ODS import / export licensing system and enforcement of ODS regulations - Brittany Whiting – UNEP Trainer
- In addition to two key topics, participants may suggest 2 additional topics of interest:
  • Topic 1: How to effectively operate ODS import / export licensing systems
  • Topic 2: How to effectively enforce ODS regulations
  • Topic 3: To be suggested by participants
  • Topic 4: To be suggested by participants

17:00 Wrap-up session and workshop recommendations

Day 3

9:00 Session 11: Safe handling, transport and storage of ODS - Brittany Whiting – UNEP Trainer
ODS Chemical information relevant to customs officers
- Safe handling of ODS and ODS-containing products
- Safe transport and storage of ODS and ODS-containing products
- Safe sampling of ODS - who is allowed to take samples and to use refrigerant identifiers
Discussion

9:45 Break-out Session 12: Effective operation of ODS import / export licensing system and enforcement of ODS regulations
- Group moderators will co-ordinate the break-out sessions.

11:15 Break
- Group moderators will ensure the preparation of a short report and presentation of their findings including the group recommendations.

11:45 Break-out Session 13: Presentation of findings of the group work to the plenary
- Hand-over of reports to the lead consultant
- Presentation of group recommendations to the plenary (10 min per group)
- Discussion and adoption of group recommendations (5 min per group)
- Feedback on the break-out session

13:00 Lunch
14:00 **Session 14: Action planning for Phase II and III of the customs training**

**Brittany Whiting – UNEP Trainer**

- How to design Phase II of the customs training (approach, duration, agenda, schedule, trainers, participants etc.)
- Which training materials should be used for Phase II of the customs training and what should be the key contents of the training
- How to ensure timely implementation, monitoring and reporting during Phase II and III
- Discussion

15:00 **Session 15: Workshop evaluation**

- Completion of evaluation questionnaires
- General feedback and comments from participants and organisers

16:00 **Closing session**
ANNEX 10.2: One-Day Agenda for Subsequent Customs Training

8:30  Registration of participants

9:00  Introduction
- Expected output of the training programme for customs officers
- Training materials and display

9:15  Session 1: Ozone layer depletion
- UNEP video: Every Action Counts
- Environmental and human health consequences
- Ozone layer science
- Discussion

9:30  Break

10:00 Session 2: International & national response
- International response - the Montreal Protocol and its Amendments
- Related international conventions
- Overview of national ODS consumption pattern
- National phase-out obligations
- Discussion

11:00 Session 3: National import/export licensing system
- Institutional framework
- National Policy for the Implementation of the Licensing System and the draft Ozone Layer Protection Regulation.
- Structure of national import/export licensing system
- Institutional arrangements and procedures to manage the system
- Import quotas and application for permits and allowances
- Information to importers, wholesalers and end-users
- Handling of seized ODS and ODS-containing equipment and goods
- Enforcement and penalties
- Forms introduced by the licensing system
- Customs obligations to other agencies (e.g. reporting)
- Discussion

12:30  Lunch

13:30 Session 4: Global and regional context
- Global production and trade with ODS and ODS-based products
- Transhipment harbours, production, disposal, reclaim facilities in the region
- Discussion

13:45 **Session 5: Illegal trade with ODS and ODS-based products**
- Legal and illegal trade with Parties and non-Parties
- Detecting legal and illegal trade at local, regional and international level
- Trade with recycled, recovered, reclaimed or contaminated refrigerants
- Causes and trends of illegal trade
- Methods of smuggling
- Prevention of illegal trade
- Checklist for customs officers
- Discussion

15:00 **Session 6: Local case studies on illegal trade**

15:30 Break

15:45 **Session 7: Identification of ODS and ODS-based products**
- Harmonized System codes for pure and mixed ODS
- Common trade names for ODSs
- CAS numbers, ASHRAE numbers, UN numbers etc.
- Examples of labeling for ODS and color codes
- Examples of labeling of ODS-containing equipment and goods
- Detection of mislabeled ODS containers, cylinders etc.
- Identification of ODS-containing equipment and goods
- Use of refrigerant identifiers (theory)
- Discussion

16:45 **Session 8: Safe handling, transport and storage of ODS**
- ODS chemical information relevant to customs officers
- Safe handling of ODS and ODS-containing products
- Safe transport and storage of ODS and ODS-containing products
- Safe sampling of ODS - who is allowed to take samples and to use refrigerant identifiers
- Discussion

17:15 **Session 9: Practical exercises on identification of ODS**
- Examples of ODS containers and cylinders and ODS-containing equipment and goods
- Hands-on work with CFC detection equipment if available
- Identification of ODS-containing equipment and goods

18:00 **Session 10: Workshop evaluation**
- General feedback and comments from participants and organisers
16:30 **Closing Ceremony**  
Welcoming Guests, Filomena Nelson, Ozone Officer  
Closing Address, Tu’u’u Dr. Ieti Taule’alo, DIRECTOR  
Distribution of Participation Certificates, Fuimaono Poufa Te’o, Comptroller  
Vote of thanks on behalf of the participants, Fiu Mataese, Participant  
Closing Statement, Brittany Whiting, UNEP Trainer  
Answers and Questions by the Media  
Reception
ANNEX 10.3  List of participants and trainers

Participants of the three-day train-the-trainers workshop

<table>
<thead>
<tr>
<th>NO</th>
<th>NAME</th>
<th>ORGANISATION</th>
<th>DESIGNATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Richard Heather</td>
<td>Customs Dept.</td>
<td>Principal Customs Officer</td>
</tr>
<tr>
<td>2</td>
<td>Fepuleai Joe Fepuleai</td>
<td>Customs Dept.</td>
<td>Principal Customs Officer</td>
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<tr>
<td>3</td>
<td>Laupaoo Albert Lamositele</td>
<td>Customs Dept.</td>
<td>Principal Customs Officer</td>
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<td>4</td>
<td>Tuilaepa Robert Kamu</td>
<td>Customs Dept.</td>
<td>Senior Customs Officer</td>
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<tr>
<td>5</td>
<td>Segi Usufono Tauaaanae</td>
<td>Customs Dept.</td>
<td>Senior Customs Officer</td>
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<tr>
<td>6</td>
<td>Nanai Malaeliu Sua</td>
<td>Customs Dept.</td>
<td>Senior Customs Officer</td>
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<tr>
<td>7</td>
<td>Iosua Matuu</td>
<td>Customs Dept.</td>
<td>Senior Customs Officer</td>
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<td>8</td>
<td>Pepe Asi</td>
<td>Customs Dept.</td>
<td>Senior Customs Officer</td>
</tr>
<tr>
<td>9</td>
<td>Sina Laumea</td>
<td>Customs Dept.</td>
<td>Senior Customs Officer</td>
</tr>
<tr>
<td>10</td>
<td>Uili Isara</td>
<td>Customs Dept.</td>
<td>Training Manager</td>
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<tr>
<td>11</td>
<td>Sui Simi Pahetogia</td>
<td>Police Department</td>
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<tr>
<td>12</td>
<td>Niualave Ropati Ioane</td>
<td>Samao Refrigeration</td>
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<td></td>
<td></td>
<td>Engineering Assoc.</td>
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<td>13</td>
<td>Keneti Saufoi Ioane</td>
<td>BOC Gases Samoa Ltd.</td>
<td>Importer – ODS</td>
</tr>
<tr>
<td>14</td>
<td>George Mariner</td>
<td>Inland Revenue Department</td>
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<tr>
<td>15</td>
<td>Fiu Mataese</td>
<td>Siosiomaga Society</td>
<td>Director</td>
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<tr>
<td>16</td>
<td>Siaosi Peseta</td>
<td>Samoa Polytechnic</td>
<td></td>
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<tr>
<td>17</td>
<td>Tofa Eteuati Siitia</td>
<td>MAFFM</td>
<td>Principal Quarantine Officer</td>
</tr>
</tbody>
</table>

Trainers and speakers of train-the-trainers workshop

1. Filomena Nelson (Co-Trainer / Ozone Officer)
2. Leilani Vaa-Tamati (Legal Consultant)
3. Meapelo Maiai (Senior Sustainable Development Officer)
4. Siaosi Peseta (Technician)
5. Brittany Whiting, UNEP trainer
   Tel: (1202)-312-2941
   Fax: (1202)-312-2925
   Email: britw@yahoo.com
Participants of the subsequent one-day customs training

<table>
<thead>
<tr>
<th>NO</th>
<th>NAME</th>
<th>ORGANISATION</th>
<th>DESIGNATION</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Peter Tofilau</td>
<td>Customs Department</td>
<td>Senior Statistician</td>
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<tr>
<td>2</td>
<td>Lafoia Ah Ching</td>
<td>Customs Department</td>
<td>Customs Officer</td>
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<tr>
<td>3</td>
<td>Sia Luaiva Vaaulu</td>
<td>Customs Department</td>
<td>Customs Officer</td>
</tr>
<tr>
<td>4</td>
<td>Junior Tapu</td>
<td>Customs Department</td>
<td>Customs Officer</td>
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<tr>
<td>5</td>
<td>Pemerika Tafafao</td>
<td>Customs Department</td>
<td>Customs Officer</td>
</tr>
<tr>
<td>6</td>
<td>Leoo Alaese</td>
<td>Customs Department</td>
<td>Assistant Customs Officer</td>
</tr>
<tr>
<td>7</td>
<td>Fili Chu Ling</td>
<td>Customs Department</td>
<td>Assistant Customs Officer</td>
</tr>
<tr>
<td>8</td>
<td>Leata Saumani</td>
<td>Customs Department</td>
<td>Customs Assistant</td>
</tr>
<tr>
<td>9</td>
<td>Junior Tapu</td>
<td>Customs Department</td>
<td>Customs Assistant</td>
</tr>
<tr>
<td>10</td>
<td>Stephen Cleverley</td>
<td>Koline Refrigeration</td>
<td>General Manager - Importer</td>
</tr>
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<td></td>
<td></td>
<td>Samoa Ltd.</td>
<td>of ODS</td>
</tr>
<tr>
<td>11</td>
<td>Faamausili Lauina</td>
<td>Consumer Rights Assoc.</td>
<td>Vice-President</td>
</tr>
<tr>
<td>12</td>
<td>Saolotoga Fasavalu</td>
<td>DLSE</td>
<td>Media/IT Officer</td>
</tr>
<tr>
<td>13</td>
<td>Mikaele Teofilo</td>
<td>DLSE</td>
<td>Senior External Services Officer</td>
</tr>
<tr>
<td>14</td>
<td>Cordelia Ale</td>
<td>DLSE</td>
<td>Senior Waste Management Officer</td>
</tr>
<tr>
<td>15</td>
<td>Sinei Fili</td>
<td>DLSE</td>
<td>Senior Capacity Building Officer</td>
</tr>
<tr>
<td>16</td>
<td>Siosinamele Lui</td>
<td>DLSE</td>
<td>Biodiversity Officer</td>
</tr>
<tr>
<td>17</td>
<td>Aseta Tafao</td>
<td>DLSE</td>
<td>Assistant POPs Officer</td>
</tr>
</tbody>
</table>

Trainers and speakers of the subsequent training of customs officers

1. Filomena Nelson
2. Uili Isara
3. Iosua Matuu
4. Richard Heather
5. Nanai Malaeliua Sua
6. Siaosi Peseta (Technical Advisor)
7. Brittany Whiting, UNEP trainer
   Tel: (1202)-312-2941
   Fax: (1202)-312-2925
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ANNEX 10.4  Workshop recommendations

The following workshop recommendations were discussed and approved by all participants during the train-the-trainers workshop.

1. License approval panel to work with Department of Lands, Surveys & Environment
   • Engineer License
   • National Ozone Committee
2. Samoa Refrigeration Engineering Association - $500 tala for license is too expensive – re-discuss cost of license with National Ozone Committee
3. Engage Civil Society in National Ozone Committee
4. Establish Monitoring Committee
5. Customs to receive quota list of importers each year
6. Set up database for ODS importers (Customs), types of ODS and ODS-based equipment
7. Involve Department of Statistics
8. Request funding from Multilateral Fund to assist end users in purchasing new refrigerators, disposal and storage set up etc.
9. Impact of trade agreements on ODS phase-out
10. Insert a clause to regulate virgin and recycled ODS
11. Establish investigative Committee
12. Provide Customs with safety equipment
13. Overseas Training for Customs in this area of specialty
15. A special area to store seized ODS (with special settings)
16. Update training
17. Funds for maintenance of equipment
18. Rewards for discovery of illegal trade based on recommendation from DLSE and NOC
19. Cooperation with SREA / Samoa Polytechnic/Customs / DLSE / Importers
20. Sharing of information
21. Set up ODS taskforce (enforcement)
22. Feedback from initial consultant on illegal trade

COMMENTS:

- Review of Importer of ODS
- Storage of ODS – SREA asked Government for land for storage facility
- Issue of Double Counting
- Representation and voice of civil society

LEGISLATION/REGULATION

- Issue of recycled, reclaimed, recovered ODS being imported
- Labeling in Samoan – is this applicable
- Storage of seized ODS and ODS-based equipment
- Replacements
- Code of practice – especially for technicians
- Definitions of officer in regulation doesn’t include Customs – But Customs Act gives customs new power – expand the definition of “officers”
- List of restricted goods for customs for ODS
- MOU between Customs and DLSE regarding implementation of the regulation
- Export of ODS
- Air conditioner – include vehicle air conditioners
- Public Awareness about 2005 phase – out.
- Issue of proper equipment i.e. recovery machines in Samoa
- Set up recovery centers for all technicians to use
- Samoa Refrigeration Engineer Association to meet and discuss license fees
- National Color Code for ease of identification
- Invent Samoan words for ODS
- Involve motor vehicle engineers on dismantle
- Regulation 15 – elect someone for authorized supplier
- Need authorized transporter
- Provide an incentive for those who return ODS for storage or disposal
- Need to extend phase out date for fire extinguishers
- Costing system for the application fees
- Amend regulation 17 and insert “exempted use under the Montreal Protocol”
- Need a warrant to search a person, aircraft or vessel
- Procedures in searching an aircraft or vessel
- National Code of Practice
- Remittances

The following recommendations have been made by the different working groups during the break-out session:

**GROUP 1  Procedures/Streamline Systems/DLSE responsibilities**

- Identify importer, types of ODS, quantity of ODS, country of origin
- Disclose/submit license
- If “Yes”, check CFC quota then proceed with normal clearance
- If “No”, seize ODS and investigate (recommend to have task force to carry out investigation)
- If illegal trade then forfeit, then Court procedures (decide on penalty), forfeited ODS/ODS-based equipment – up to discretion of Director of DLSE (either return to country of origin/store)
- Briefing regarding all aspects of search
- Who will be searching each compartment of an aircraft/vessel
- Identify area containing ODS
- Use specialized equipment to detect ODS (leak detector or refrigerant identifier)
**Group 2 Database Enforcement/Control/Monitoring**

Key Issues/Problem identification
- Non existent of a national database resulted in ineffective intelligence thus making it difficult to carry out enforcement
- Unclear database producer responsibilities – importation, selling, purchasing, distributing, handling, etc…

Recommendation
- Ozone Unit to set up national database
- Customs to collect data on import ODS while ozone officer collects the rest of required information from local agents.
- Regular reporting (monthly)
- Intelligence from national database will assist with customs profiling

**Group 3 PUBLIC EDUCATION**

Public Awareness
- Target (different levels of information users)
- Public (schools, villages,
- Operators (importers, wholesalers)
- Technicians (advisors)
- 2 x Public Awareness Committees – ODS/Unit
- Inland Revenue (tax deduction)
- Savaii/Upolu/Pulenuu
- Schools/Youths/Churches

Issues
- ODS replacements – operators/technicians/target chemistry curriculum in education system
- Cost Implications – planning/cost of replacing ODS with new alternatives
- Reasons for change – why is it necessary to make a change
- Impacts on health of ozone depletion
- Law – different licenses and their purposes
- DLSE responsibilities and the linkages to following departments
- Customs
- MAFFM
- Private Sector
- Pilot / Test Period
- Modem of Delivery
- 2AP / FM / Sumeo – talk back
- TV (govt. subsidy – free)
- Song competition / poster / poem
The following recommendations have been agreed for the subsequent training of customs officers:

- Use simple language/easier explanations and ODS terms
- Focus workshop on awareness and the law & linkages to other departments
- Video – reinforce via presentations (ozone depletion basics then video)
- Materials – gases (chart) in Samoa (ODS)
- Safety measures when handling ODS
- Brief introduction to why Samoa is involved / national responses
- Law presentation
- Timed presentations
- Identification through equipment and labels
- Role of each relevant stakeholders
- Importance of public awareness
- More time on practical component

**Recommendations from the subsequent customs training**

- Involve the Ministry of Transport, have them propose regulation to retrofit motor vehicle air conditioning or disable it if it contains R-12
- AID donations of vehicles and vessels containing ODS is a problem
- Regulation 19 is in conflict with the Customs Act, only customs can board vessels. The regulation needs to be more clear, the word aircraft needs to be removed.
- Draft legislation need to be passed ASAP to initiate the licensing system.
- Awareness Programs should be started now in preparation for the 2005 phase out.
ANNEX 10.5  Evaluation by the participants

Evaluation Questionnaire

The following questionnaire was given to participants to evaluate the training course. The responses are tabled in a graph in the following page. The rating “1” stands for poor performance and the rating “5” for excellent performance.

1. What is your overall evaluation of the course?
2. Did the course provide the information you expected?
3. Was the communication between participants possible and useful?
4. Was the composition of the audience adequate?
5. As far as the contents of the presentation are concerned, did you find them adequate in explaining the following issues:

   a) Environmental and human health consequences of ozone layer depletion?
   b) International response to ozone layer depletion (Montreal Protocol)?
   c) National obligations and phase-out strategy (RMP)?
   d) Regulatory framework for the national import/export licensing system?
   e) Prevention of illegal trade of ODS?
   f) Role of customs officers in enforcing the import/export licensing system?
   g) Role of other stakeholders in implementing the import/export licensing system?
   h) How to identify ODS and equipment containing ODS and the use of ODS identifying equipment?
   i) Issues relating to safe storage and handling of ODS?
   j) Data reporting requirements and procedures?
   k) Enforcement, penalties and prevention of illegal trade

6. Did the training course provide you with adequate information regarding the subsequent training of the remaining customs officers?
7. Did the training course provide appropriate training material as the basis for the subsequent training of the remaining customs officers?
8. Can you think of any additional material that should be included in the "UNEP Customs Training Manual" to enable it to better achieve its goals?
9. Can you think of any additional material that should be included in the “Samoa Handbook on ODS Legislation and Import / Export Licensing System" to enable it to better achieve its goals?
10. Please give additional comments about the quality of the course and how similar courses could be improved.
EVALUATION OF THREE-DAY TRAIN-THE-TRAINERS WORKSHOP IN SAMOA
(13 of 17 questionnaires returned)
ANNEX 10.6 Further references

[2] ARI Guideline N
[16] Inventory of Approved Projects, Access Database, Multilateral Fund Secretariat, 2000
[19] Ozone Depleting Substances Regulations: A Refresher Course for Canada’s Customs Inspectors, Environment Canada
[26] Saving the Ozone: Every Action Counts (video & booklet), UNEP, 1996
ANNEX 10.7  OzonAction Programme

Nations around the world are taking concrete actions to reduce and eliminate emissions of CFCs, halons, carbon tetrachloride, methyl chloroform, methyl bromide and HCFCs. When released into the atmosphere these substances damage the stratospheric ozone layer — a shield that protects life on Earth from the dangerous effects of solar ultraviolet radiation. Nearly every country in the world — currently 170 countries -- has committed itself under the Montreal Protocol to phase out the use and production of ODS. Recognising that developing countries require special technical and financial assistance in order to meet their commitments under the Montreal Protocol, the Parties established the Multilateral Fund and requested UNEP, along with UNDP, UNIDO and the World Bank, to provide the necessary support. In addition, UNEP supports ozone protection activities in Countries with Economies in Transition (CEITs) as an implementing agency of the Global Environment Facility (GEF).

Since 1991, the UNEP DTIE OzonAction Programme has strengthened the capacity of governments (particularly National Ozone Units or “NOUs”) and industry in developing countries to make informed decisions about technology choices and to develop the policies required to implement the Montreal Protocol. By delivering the following services to developing countries tailored to their individual needs, the Programme has helped promote cost-effective ODS phase-out activities at the national and regional levels:

**Information Exchange** provides information tools and services to encourage and enable decision makers to make informed decisions on policies and investments required to phase out ODS. Since the 1991, the Programme has developed and disseminated to NOUs over 100 individual publications, videos, and databases that include public awareness materials, a quarterly newsletter, a web site, sector-specific technical publications for identifying and selecting alternative technologies and guidelines to help governments establish policies and regulations.

**Training** builds the capacity of policy makers, customs officials and local industry to implement national ODS phase-out activities. The Programme promotes the involvement of local experts from industry and academia in training workshops and brings together local stakeholders with experts from the global ozone protection community. UNEP conducts training at the regional level and also supports national training activities (including providing training manuals and other materials).

**Networking** provides a regular forum for officers in NOUs to meet to exchange experiences, develop skills, and share knowledge and ideas with counterparts from both developing and developed countries. Networking helps ensure that NOUs have the information, skills and contacts required for managing national ODS phase-out activities successfully. UNEP currently operates 4 regional and 3 sub-regional Networks involving more than 109 developing and 8 developed countries, which have resulted in member countries taking early steps to implement the Montreal Protocol.
**Refrigerant Management Plans (RMPs)** provide countries with an integrated, cost-effective strategy for ODS phase-out in the refrigeration and air conditioning sectors. RMPs have evolved to meet the specific need to assist developing countries (especially those that consume low volumes of ODS) to overcome the numerous obstacles to phase out ODS in the critical refrigeration sector. UNEP DTIE is currently providing specific expertise, information and guidance to support the development of RMPs in 40 countries.

**Country Programmes and Institutional Strengthening** support the development and implementation of national ODS phase-out strategies especially for low-volume ODS-consuming countries. The Programme is currently assisting more than 90 countries to develop their Country Programmes and more than 75 countries to implement their Institutional Strengthening projects.

**For more information about these services please contact:**

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