National Workshop
on ODS Import/Export Regulation

The Kyrgyz Republic

9-11 February 2004 – Bishkek
16-18 February 2004 – Osh

Ozone Center under the Ministry of Ecology and Emergency
Situations of the Kyrgyz Republic

United Nations Environment Programme
Participants of the seminar in Osh, February 16 – 18, 2004

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Resume


In 2000, the Kyrgyz Republic consumed 79.45 metric tonnes of ozone depleting substances (ODS) or 67.59 ODP tonnes (ozone depleting potential). The main consumption reflects substances listed in Annex A – 53.55 metric tonnes or 53.53 ODP tonnes; while substances under Annex B were not used/consumed; Annex C substances used amount to 2.9 tonnes or 0.16 ODP tonnes; Annex E substances used amount to 23.0 tonnes or 13.8 ODP tonnes.

At the moment of ratification the country was classified as acting under Article 2 of the Montreal Protocol. During the 12th Meeting of Parties in December 2000, the Kyrgyz Republic status was changed. At present, the Kyrgyz Republic is classified under Art. 5(1) of the Montreal Protocol.

By Decree No.188 dated September 9, 2002 of the Department of State Ecological Control and Environment Utilization of the Ministry of Ecology and Emergency Situations of the Kyrgyz Republic, the Ozone Center was established. The Ozone Center’s status was approved by Decree No.444 of the Ministry of Ecology and Emergency Situations. The registration was accomplished in January 2004.

The Regulation on State Control over Import and Export of ODS and ODS-containing products was approved by the Resolution of the Government of the Kyrgyz Republic on September 6, 2000.

At its 37th meeting, the Executive Committee of the Multilateral Fund approved a project proposal aimed at training Customs authorities and Other Stakeholders for the Government of Kyrgyzstan.

The actual training of the Customs officers with the objective of controlling and monitoring of ODS import/export is channeled to:

(1) rendering assistance to Customs authorities in order to establish a system of control and monitoring of refrigeration agents CFC and other ODSs import/export; and
(2) rendering assistance to the country in implementing its obligations under the schedules of gradual phase-out of ODS use subject to the Montreal Protocol and its Amendments.

The training programme applies a “train-the-trainers” approach and is executed in two phases:

Phase 1: Train-the-trainers Workshop (according to the Memorandum of Understanding it was planned, during initial stage, to organize 1 workshop to train the trainers – 1 session for approximately 30 participants). Due to geographic conditions of the regions’ location it was decided to organize two workshops to “train-the-trainers” – 15 people in the north and 15 in the south of the country;

Phase 2: Training of the remaining custom officers in the country will be organized by the trained personnel (approximately for 70 customs officers in all country regions)

Phase 3: Carrying out of monitoring and assessment of the training results will be executed by the Ozone Center’s personnel.
Apart from the participants of workshops held under Phase 1, Phase 2 workshops were attended by the workers of the controlling authorities of the Ministry of Ecology and Emergencies.

The training was conducted using a brochure developed by the Ozone Center of Kyrgyzstan called “Regulation of ODS Import/Export”, Bishkek, 2004. This leaflet mainly utilizes material that was prepared by UNEP in its manual “Customs Officer Training on Substances that Deplete the Ozone Layer”.

1. General Background

The Kyrgyz Republic signed to the Vienna Convention and the Montreal Protocol on May 31, 2000 (these documents were adopted by the Legislative Chamber of Jogorku Kenesh on November 10, 1999, by the Public Representatives Chamber on December 17, 1999, and signed by the President of the Kyrgyz Republic on January 15, 2000 – these have been in force since January 26, 2000). The Law on the Ratification of the London, Copenhagen, and Montreal Amendments to the Montreal Protocol on Substances that Deplete the Ozone Layer was adopted by the Legislation Chamber of Jogorku Kenesh of the Kyrgyz Republic on October 25, 2002, by the Public Representatives Chamber of Jogorku Kenesh of the Kyrgyz Republic on December 9, 2002 and was signed by the President of the Kyrgyz Republic on January 15, 2003 (#15). All necessary documentation for the adoption of the Draft Law on the Ratification of the Beijing Amendment to the Montreal Protocol were prepared.

At the moment of ratification, the country was classified as acting under Article 2 of the Montreal Protocol. At the 12th meeting of Parties in December 2000, the Kyrgyz Republic’s status was changed. At present, the Kyrgyz Republic operates under Art. 5(1) of the Montreal Protocol.

By Government Resolution No. 3263 dated April 29, 2002, the National Programme for ODS Phase-out was adopted.

By Decree No.188 of September 20, 2002 of the Department of State Ecological Control and Environment Utilization of the Ministry of Ecology and Emergency Situations of the Kyrgyz Republic, the Ozone Center was established. The Ozone Center’s status was approved by Decree No.c444 of the Ministry of Ecology and Emergency Situations. The registration was accomplished in January 2004.

The Kyrgyz Republic does not produce and does not export ODS. The ODS consumption in the country matches its imports. According to the data provided in the National Programme, in 2000 the Kyrgyz Republic consumed 79.45 Tonnes of ODS or 67.49 ODP Tonnes. The main consumption reflects substances from Annex A – 53.55 Tonnes or 53.53 ODP Tonnes; while substances from Annex B were not used/consumed; Annex C substances used amount to 2.9 Tonnes or 0.16 ODP Tonnes; Annex E substances used amount to 23.0 Tonnes or 13.8 ODP Tonnes.

The strategy of the Government focusses on the following:

- to reduce the consumption of ODS under Annex A and B of the Montreal Protocol by 50% until by January 01, 2005, and by 85% by January 01, 2007 and complete phase out by January 01, 2010;
- to follow the phase out schedule of ODS under Annex C of the Montreal Protocol (freeze by January 01, 2016 and complete phase out of consumption by January 01, 2040);
- to follow phase out schedule of ODS under Annex E of the Montreal Protocol (freeze by January 01, 2002, reduction by 20% by January 01, 2005; complete phase out by January 01, 2015);
- if possible, to facilitate the phase out of ODS compared to deadlines established by the international agreements

The Regulation on State Control over import and export of ODS and ODS-containing products as approved by the Resolution No.552 of the Government dated September 6, 2000, the Ministry of Ecology and Emergency Situations, the Ministry of Industry and External Trade, the Department of Customs Service will coordinate the licensing system. At present, the Department of Customs Service uses the main principles of Harmonized System (HS). Starting 1996, the declaration of import and export of substances and products along codes of trade nomenclature of external economic activity has become a requirement.

Taking into account that the country does not produce any ODS or any equipment or goods containing ODS (which means that its consumption is wholly determined by its import/export), it is necessary to enhance the opportunities of Customs officers and to equip them with technical means in order to raise the effectiveness of customs control. That’s why at its 37th meeting the Executive Committee approved the project to train Customs officers and Other Stakeholders for the Kyrgyz Republic.

2. Aims

The main tasks of this project is to train Customs officers, officers of trade and standartization authorities with skills needed for monitoring and control of ODS and other products/equipment containing ODS. Detection and prevention of illegal trade is part of this task. All this will be achieved through:

1. Raising awareness on ozone issues;
2. Training and teaching Customs officers and other enforcement agencies the different types of ODS, their sectors of application and types of equipment that use ODS;
3. Training and teaching Customs officers and other enforcement agencies the regulations and ODS phase-out schedules according to the Montreal Protocol;
4. Presenting main regulations and provisions of national RMP to experts;
5. Delivering a review on ODS licensing system and its meaning for Customs officers and representatives of other stakeholder organizations;
6. Presenting modified Customs codes that identify ODS and equipment/products containing ODS
7. Enhancing and optimizing the organization of immediate actions under ODS control and monitoring system
8. Delivering a review on Customs rules and procedures
9. Training and teaching Customs officers how to use ODS detectors
10. Designing the concept, agenda, strategy and the time schedule for the training of the remaining customs officers in the country.

3. Expected results

The immediate result of the workshop will be the availability of 30 trained customs trainers and key stakeholders and the development of a training approach and recommendation
for the subsequent Phase II training of customs and enforcement officers in Kyrgyzstan. A Montreal Protocol-related training module will be included in the ongoing training programmes for customs officers. Thus the sustainability of the training programme will be ensured.

The long-term result is to enhance awareness of ozone depletion issues among customs authorities and other relevant stakeholders as well as the achievements of the objectives as stated in Section 2. 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 created. 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 and speakers

All information about participants are presented in Annex 2. 45 participants attended the train-the-trainers workshop organised in Bishkek, and 30 participants in Osh. Among all participants, 37.3% are Customs officers (28 persons) received certificates of training. They were selected as trainers for the other Customs officers to be trained under Phase 2.

6 representatives of regional branches of the Ministry of Ecology and Emergency Situations participated in both seminars. Representatives of local industrial organizations using ODS, participated in the seminar in Osh. Their participation is explained by the prospective of further cooperation with Customs.

The seminars were given ample mass media coverage by local and national TV and newspapers. 14 mass-media representatives attended the seminar in Bishkek and 6 representatives attended the seminar in Osh. Information on the seminars was published in the following newspapers: “Vechernij Bishkek”, “Chuyskie Izvestija”, “Echo Osha”, Osh Janyrygy”, “Slovo Kyrgyzstana” and have also been placed at information sites such as “Aki-press”, “Fergana.org”, “Asrushon.org”. Special information messages about the event were broadcasted by “Azattyk”, “Almaz” and “Osh-3000” radio stations and National TV and Radio Broadcasting Corporation. The interview of Mr. Amanalie was broadcasted by the television company “OSH-TV”.

A copy of the workshop agenda is attached to the report (Annex 1). 15 lectures were presented in Bishkek and 12 – in Osh. Main lecturers were from the Ozone Center of Kyrgyzstan:

1. M. Amanalie – 3 lectures
2. Sh. Ilyasov – 5 lectures
3. N. Myrsaliev – 3 lectures
4. V. Garifulin – 3 lectures

Representatives from the Customs department had conducted only 4 lectures (E. Hodjanova, K Tokoshev)

Additional lecturers at the seminar in Bishkek:

- UNEP representative (Aisabaev Y.) – 1 lecture
- Customs Office representative of the Russian Federation (N. Lagirev) – 1 lecture
- Representative of the Coordination Center for climate changing, Kazakhstan (S. Nurgaliyev) – 1 lecture
- International consultant (Krishna Nair) – 5 lectures
The breakdown of participants is presented below.

<table>
<thead>
<tr>
<th>Participants</th>
<th>Number of participants</th>
<th>Bishkek</th>
<th>Osh</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior officers from Customs Departments</td>
<td></td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2.7</td>
</tr>
<tr>
<td>Senior officers from Ministry of Ecology and Emergency Situations</td>
<td></td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>5.3</td>
</tr>
<tr>
<td>Representatives of UNDP</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>Representatives of UNEP</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>International consultants</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>Representatives of the Ministry of External Trade and Industry</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>Representatives of industrial sector</td>
<td></td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>2.7</td>
</tr>
<tr>
<td>Trained Customs officers</td>
<td></td>
<td>15</td>
<td>13</td>
<td>28</td>
<td>37.3</td>
</tr>
<tr>
<td>Representatives of Ministry of Ecology and Emergency Situations</td>
<td></td>
<td>6</td>
<td>6</td>
<td>12</td>
<td>16</td>
</tr>
<tr>
<td>Representatives of Coordination Center for climate changing, Kazakhstan</td>
<td></td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>2.7</td>
</tr>
<tr>
<td>Representatives of Customs of the Russian Federation</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>Representatives of mass-media</td>
<td></td>
<td>14</td>
<td>6</td>
<td>20</td>
<td>26.7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>45</td>
<td>30</td>
<td>75</td>
<td>100.0</td>
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</tbody>
</table>

5. Methodology

The training programme contains three phases:
- Phase I - Train-the-trainers workshop for customs and other enforcement officers
- Phase II - Subsequent training of the remaining customs and enforcement officers in the country
- Phase III - Monitoring & evaluation
Phase I.

The train-the-trainers workshop for customs and other enforcement officers in Kyrgyzstan is a part of the national RMP. Preparation of the education programme included a joint approach wherein local specialists were involved. Some studies on contraband schemes were conducted to check the knowledge of participants: what did they get from the seminar. After the main lectures/presentations, the participants were divided into four small working groups to discuss the special topics. Each group had prepared a report with decisions and recommendations.

During the group discussions, the participants developed an implementation plan for the Phase 2 of the educational programme and prepared detailed recommendations, a preliminary concept note, an agenda and a schedule of implementation.

The practical hands-on sessions included working with different types of refrigerants, different conditions of pressures and temperature, leak detector and digital refrigerant sensor. Products and labels were also checked. For the demonstration needs the following were used: refrigerant detector, leak detector, ODS, samples of ODS package, ODS-containing products and equipment.

The review of the sessions was conducted at the end of each training day. Participants estimated the results of the seminar and accepted final variants of recommendations.

The participants from the Customs department received a certificate of training from the Government of the Kyrgyz Republic in the person of the First Deputy Minister, Ministry of Ecology and Emergency Situations, representative of UNEP and head of Customs Service Department under the Ministry of Finance. It is supposed that training and certification will be compulsory for the all Customs specialists, tied with control of ODS export/import.

The seminar report will be distributed among all participants and members of the contact group on education of Customs officers. It will be also placed on the Ozone Centre web-site www.ozonecoconv.org and UNEP web-site www.uneptie.org/ozonaction.html

Participant received the following materials:
5. Programmes of the National seminars on ODS export/import regulation.
6. List of participants.
7. Concept notice.
8. Evaluation form.
9. Programme of working groups work.

Phase II.

The remaining customs and enforcement officers in the country will be trained by the trained customs trainers who have participated in the Phase I training. Phase II of the training
programme will take into account the recommendations from the train-the-trainers workshops and will be based on the Kyrgyzstan Country Handbook.

A certain number of experienced customs officers may receive training on ozone-related issues as part of the continuous customs re-training programme.

The Customs Academy will be expected to incorporate a Montreal Protocol training module on control and monitoring of ODS in its curriculum to ensure that future customs officers are trained on this aspect. This will be done within the ongoing training activities of the Customs Academy which declared its willingness to participate actively in the Phase II of customs training.

Ministry of Ecology and Emergency Situations, Customs Service Department and Ozone Center will be responsible for the implementation of Phase II training and for reporting of progress to the UNEP.

After the end of the Phase II of training, Ozone Center will evaluate the results and the implementation of training programme and prepare a report and submit it to UNEP.

Phase III.

The Ozone Center of Kyrgyzstan will co-ordinate, monitor and follow-up on the Phase I and II trainings and report progress in project implementation to the Ministry of Environment and UNEP DTIE. After completion of Phase II of the training programme, the NOU, in collaboration with the Customs Department, will evaluate the results of the training programme and prepare a follow-up & evaluation report.

6. Contents and structure of the workshop

The training materials are described in Section 5 of this report.

The workshops included the following sessions:

**Session 1:** Opening of the seminar, greetings. Projection of the video “Every action has significance”. Problems of ozone layer protection. International treaties on ozone layer protection. Country programme on ODS usage cessation.


**Session 3:** The role of Customs officers and other interesting counterparts in ODS export/import control. Checking of documents, forms and permits. ODS trading in global and regional aspects. Definition of ODS, ODS-containing equipment and goods. Illegal trade of ODS and ODS-containing equipment and goods. Projection of the video “ODS contraband”.

**Session 4:** Safety measures, transportation and storage of ODS. Practical training to define ODS.

**Session 5:** Work in groups: effective operation of ODS import / export licensing system and enforcement of ODS regulations.

**Session 6:** Workshop evaluation and development of workshop final conclusions and recommendations

**Closing Session.** Conclusion and summary. Presentation of Certificates. Final wishes.
7. Results of training

The objectives set out for the workshops were fully met through the appropriate design of the workshop agenda during which the 7 workshop sessions addressed all relevant issues.

<table>
<thead>
<tr>
<th>OBJECTIVES SET OUT</th>
<th>RESULTS ACHIEVED</th>
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<tbody>
<tr>
<td>I. Increasing awareness of ozone depletion issues</td>
<td>Through Sessions 1</td>
</tr>
<tr>
<td>II. Familiarizing enforcement officers with the different types of ODS being used in the country and for which applications</td>
<td>Through Sessions 1, 3</td>
</tr>
<tr>
<td>III. Familiarizing enforcement officers with the provisions and phase-out schedules of the Montreal Protocol and its Amendments</td>
<td>Through Session 1</td>
</tr>
<tr>
<td>IV. Providing officers with an understanding of the national Country Programme and Refrigerant Management Plan</td>
<td>Through Sessions 1</td>
</tr>
<tr>
<td>V. Providing an overview on the newly established licensing system for ODS and its implications for customs officers</td>
<td>Through Sessions 2</td>
</tr>
<tr>
<td>VI. Presenting the revised HS customs codes for ODS and products containing them and pointing out the problems in identification of ODS/ODS-containing products by the customs codes and by other means</td>
<td>Through Session 3</td>
</tr>
<tr>
<td>VII. Refining and optimizing the operational details of the monitoring and control system for ODS in Kyrgyzstan</td>
<td>Through Sessions 3</td>
</tr>
<tr>
<td>VIII. Providing information on customs regulations and monitoring and control systems for ODS in the other countries</td>
<td>Through Session 2</td>
</tr>
<tr>
<td>IX. Training officers how to use ODS detectors.</td>
<td>Through Session 4</td>
</tr>
<tr>
<td>X. Creation of concept, agenda, strategy and schedule of the training of the remaining customs officers in the country.</td>
<td>Through Session 5, 6</td>
</tr>
</tbody>
</table>

In addition, the following specific outcomes were achieved:

- Successful training and certification of 28 participants on monitoring and controlling of imports and exports of ODS and ODS products/equipment in Kyrgyzstan.
- Demonstrating the methods for the identification of ODS refrigerants and ODS-containing RAC equipment and for the checking of freight papers and permits. The practical demonstrations included the use of digital refrigerant identifiers
- Demonstrating the photos of various ODS containers as well as smart methods used to smuggle ODS and ODS smuggling schemes
- Exchange of information and experiences between the participants and development of a network of personal contacts
- Development of suggestions for improvement of ODS import/export legislation in Kyrgyzstan
- Development of suggestions for the improvement of the seminars and materials.
- Recommendations by the participants on improvement of regulations dealing with ODS and a draft plan for Phase II of customs training (see Annex 3).
The following lessons were learned from the workshop:

- The workshop a created a unique opportunity to discuss national legislation concerning ODS in Kyrgyzstan and, in particular, the national ODS import/export licensing system. Based on those discussions and further explanations provided by the International Consultant, the need for specific amendments to the existing legislation has become clear. The possible amendments discussed concerned introducing export controls, issuing permits for import of ODS-containing products, treating ODS-containing mixtures in the same way as ODS, differentiating between virgin and used ODS. In that context, the presentation by the International Consultant of the ODS licensing system in Poland which was introduced in 1994 and since that time has been quite developed was welcomed by the participants. The workshop organized in Kyrgyzstan distinctly proved that creating awareness on the importance of improving ozone protection-related legislation among both customs officers and government officials should be considered one of the key outputs of the customs training workshops.

- The opportunity of providing clarifications of some controversial issues given by the customs training workshops should also be pointed out. At the Kyrgyzstan workshop doubts concerning possible conflict between the provisions of the MP and WTO/GATT free trade principle were removed after the International Consultant informed the participants on the special provisions of GATT which allow introduction of import/export bans and other barriers to trade if it is justified by environmental reasons. This explanation seemed to convince the representatives of decision makers present at the workshop to accept the idea of introducing a ban on imports of R&AC equipment containing CFCs.

- The other problem that was undoubtedly revealed at the Kyrgyzstan workshop was the lack of actual enforcement of ODS licensing system. This led to important recommendations dealing with enforcement, in particular, the recommendation which pointed out that the import licence/permit must be shown to the customs officer before the goods cross the border and another which requested special penalties for infringement of ODS import/export legislation.

- In that context, the need for discussing at the workshop the original import/export documentation related to ODS which is routinely checked by the customs in the country should again be stressed. During the Kyrgyzstan workshops, the original filled customs documents could not be discussed since the real documents will only be available for inspection after the practical enforcement of the licensing system suggested at the workshop is implemented.

- The crucial role of the customs training workshops in establishing routine contacts between the government agencies involved in ODS monitoring and control was proven during the Kyrgyzstan workshops. The break-out session allowed for free exchange of views on that subject between the participants from different institutions what resulted in some recommendations dealing with that important issue.

8. Follow-up action plan

This workshop is part of the Kyrgyzstan’s RMP. As such it will be accompanied by other training and policy related activities as defined in the RMP. The Ozone Center and Customs Service Department 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 Ozone Center will consider and ensure, as much as possible, the implementation of the workshop recommendations as adopted by the workshop participants (see
Annex 4). The recommendations should also be communicated to the relevant decision-makers and politicians.

9. Evaluation by participants

The overall evaluation of the workshops was quite satisfactory. Majority of the marks was excellent – 263, good – 233, others – 59. The average mark on all questions on the seminars is 4.35. The average mark of the course in both seminars (Q1) is 4.45. The difference between the marks is not very high and relatively plain which indicate a satisfactory organization of the seminars. It should be noted that the seminar in Osh received higher marks than in Bishkek. Graphic analysis of evaluation forms is included in Annex 4 (see also Annexes 4.1, 4.2, 4.3).
ANNEX 1.

National Workshop on Controlling Import/Export of ODS

organized by

The Ozone Center
under the Ministry of Ecology and Emergency Situations of the Kyrgyz Republic (MEES)

in collaboration with

United Nations Environment Programme

9-12 February, 2004

“Issyk-Kul” Hotel
Bishkek

February 9, Monday

Meeting 1

9:30 Registration of participants

10:00 Opening of meeting
   - Mr. M. Amanaliev, ODS Officer, Ozone Center, Ministry of Ecology and Emergency Situations of the Kyrgyz Republic
   - meeting participants and organizers
   - goals and objectives
   - Mr. T. Bootayev, Head, Division of Customs Control, Department of Customs Service under Ministry of Finance of the Kyrgyz Republic

10:30 Distribution of information papers to participants for preliminary review

February 10, 2004, Tuesday

Meeting 2

10:00 Welcome speeches
   - Mr. B. Aidaraliev, First Deputy Minister, Ministry of Ecology and Emergency Situations of the Kyrgyz Republic, Chairperson of Interdepartmental Ozone Commission
   - Mr. Yerzhan Aisabayev, Programme Manager, UNEP DTIE
- Mr. T. Bootayev, Head, Division of Customs Control, Department of Customs Service under Ministry of Finance of the Kyrgyz Republic
- Mr. Adilet Abdybekov, Programme Associate, GEF Coordinator

10:40 Demonstration of “Every Action Counts” video

10:50 Problems of the ozone layer preservation (representative of Ozone Center, Mr. Sh. Ilyasov)
   Discussion

10:30 Coffee-break

11:45 International agreements on ozone layer protection (representative of Ozone Center, Mr. M. Amanaliev)
   Discussion

12:15 State Programme of the Kyrgyz Republic for ODS Phase-out (representative of Ozone Center, Mr. Sh. Ilyasov)
   Discussion

13:00 Lunch

Meeting 3

14:00 National import/export license system (representative of Ozone Center, Mr. N. Myrsaliev)
   Discussion

15:00 Coffee-break

15:15 UNEP “Green Customs” Initiative (representative of UNEP, Mr. E. Aisabayev)
   Discussion

16:00 Structure and functioning of ODS import/export license system in the Russian Federation (representative of Customs Department of the Russian Federation)

16:30 Role played by specialists of Customs Service and other key stakeholder parties (Ms. E. Khodjanova)
   Discussion

17:00 Discussion Checking documents, formats and permission forms (Mr. K. Tokoshev – Department of Customs Service)
   Discussion

17:30 General discussion

February 11, 2004, Wednesday

Meeting 4
09:00  National import/export license systems in other countries (Dr. Krishna Nair)

Discussion

09:30  National import/export license system in Kazakhstan (Ozone Office in Kazakhstan)

10:00  ODS trade in global and regional contexts (Dr. Krishna Nair)

Discussion

10:30  Demonstration of “Smuggling of ODS” video

10:50  Illegal trade in ODS and ODS containing equipment (Dr. Krishna Nair)

Discussion

11:30  Coffee-break

12:00  Detection of ODS and ODS containing equipment and products (Dr. Krishna Nair)

Discussion

13:00  Lunch

Meeting 5

14:00  Safety measures, ODS transportation and storage (National consultant of Ozone Center, Mr. V. Garifulin)

Discussion

15:00  Coffee-break

15:15  Practical exercises for ODS detection (Dr. Krishna Nair)

16:15  By groups: effective functioning of ODS import/export license system and putting into force of regulative normative documents

Participants may offer additional theme for discussion:
- Theme 1: What is important for effective operation of ODS import/export license system;
- Theme 2: How to effectively apply regulation on ODS;
- Theme 3: Planning process for phases 2 and 3 of training workshops aimed at customs officers;
- Theme 4: Is offered by participants

The group coordinators will coordinate meetings held along groups. Coordinators will ensure development of brief report and presentation of their decisions including recommendations made by groups.

17:30  General discussion
February 12, 2004, Thursday

Meeting 6

09:00  **Presentation of working groups decisions at plenary meeting**
- Presentation of group recommendations at plenary meeting (10 min for each group)
- Discussion and adoption of recommendations from groups (5 min for each group)

Feedbacks from groups on workshop

10:45  **Workshop assessment and development of final decision and recommendations**
- assessment questionnaires
- general comments of organizers and participants
- discussion of decisions and recommendations

11:45  Closing meeting
- final conclusions, Mr. Y. Aisabayev, M. Amanaliev
- certificates
- final precatory words
- closure of workshop

13:00 Lunch

Meeting 6

14:00  **Assessment of workshop and development of final decision and recommendations of workshop**
- Completion of assessment questionnaires
- General statements and comments by participants and organizers
- Discussion of decisions and recommendations

15:00 Coffee-break

15:15  **Final meeting**
- Conclusions (Mr. Yerzhan. Aisabayev, Mr. Mars Amanaliev)
- Granting certificates of attendance
- Closure statements (Mr. T. Bootayev)
- Closure of workshop
## ANNEX 2

List of participants, Bishkek
(including speakers and invitees)

<table>
<thead>
<tr>
<th>#</th>
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List of participants, Osh

(including speakers and invitees)

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ANNEX 3

Conclusions and Recommendations, Bishkek

The Ozone Center under the Ministry of Ecology and Emergencies in collaboration with the United Nations Environment Programme organized a national workshop for ODS Import/Export Regulation on February 9-11, 2004. In the course of the meetings of working groups, the participants answered the proposed questions and presented a number of recommendations.

Theme 1: Effective functioning of ODS Import/Export system
Participants: Ilyasov Sh., Chendeyev K., Subanbekov T., Boshkoyeva D., Ismailov A.

Question 1: What is the way to effectively introduce the system?
- banning of importation of equipment with R-12
- inventory and registration of old equipment
- agreement with export-country on ban of old refrigeration equipment

Question 2: Should there be a control over licensing?
It should be present. The need for simplification of the licensing system, control on behalf of Ministry of Ecology and Emergency Situations.

Question 3: How will the system’s assessment be implemented?
- There is a need for statistical data collection (number of licenses) as well as a computerized system of registration.

Question 4: What difficulties should be expected?
- material difficulties

Question 5: Interaction within the system, information exchange process with relevant agencies:
- the need for a computerized system

Recommendations:

- regular training sessions
- increasing the training period
- training on contractual basis
- communication between the training outcomes and fees for services
- supply of identifiers on MB
- toughening of international control
- ODS production control
- Handouts for Phase 2
- Introduction of training programmes into higher education institutions
- Training on the spot
- Increasing the duration of sessions
- Training using state language
Theme 2: Introduction of ODS regulation
Participants: Garifulin V., Moiseyeva R., Sarbagyshev K., Sariev E., Muratov U.

Question 1: The strategies of the Department of Customs Control aimed at detection of illegal ODS:
- absence of unified computerized network and software
- absence of equipment for ODS detection and trained personnel
- absence of certain transition points (ODS substances) through customs stations
- uncontrolled activity of ODS equipment repair workshops and uncontrolled sales of ODS to physical persons

Question 2: Collection of evidences
- absence of license, customs declaration and other documents
- indications of identifiers

Question 3: Seized ODS handling
- the need to create specially equipped stations for seized ODS storage
- appointment of an officer among the most trained who will be responsible for monitoring and storage of seized ODS

Question 4: Prevention of bribes
- the need of incentive payments for seizure of illegal ODS in percentage to the goods costs

Question 5: Are punishments strong?
- a fine at 100-300% of the goods costs with confiscation or not
- criminal case, if the costs are higher than 100 000 som

Question 6: Are there enough resources and equipment to introduce an ODS regulation system?
- insufficient financial resources
- lack of ODS detecting equipment

Recommendations:
- the need to raise awareness on ODS Import/Export Regulation at stations and points of international communication (development of leaflets, information brochures in points of international communication)
- compilation of a list of the most spread ODS imported to the country with their characteristics
- creation of data bank on the major ODS importers
- the need to train personnel on the spot
- more broad highlighting of issues related to transit, re-export and the complex measures applied in the Kyrgyz Republic when national legislation is violated during illegal import of ODS
- increasing the duration of sessions
Theme 3: Action Plan for Phase 2  
Participants: Khodjanova E., Osmonkulova B., Sarymsakova Sh., Imankulov J., Alimov N.

Recommendations:
- the need to train inspectors directly at customs stations
- hold training workshops twice a year
- carry out monitoring of progress of training sessions by Ozone Center in collaboration with Department of Customs Service; collection and compilation of data to be carried out by the Ozone Center
- ensure the availability of handouts and additional means
- increasing the duration of training up to 6 days

Theme 4: Enhancement of statistics system  
Participants: Tokoshev K., Abduldayev M., Abakirov T., Alyshbayev R.

Recommendations:
- insufficient communication with Customs Services of the country regarding ODS import
- weak control over ODS import by Customs authorities due to lack of devices for ODS control and insufficient training of customs personnel
- amendments to the Resolution of the Government of the Kyrgyz Republic # 552 dated September 6, 2000, particularly, with respect to Annex 2, list D along codes of trade nomenclature
- perfection of codes, adoption of unified code system
- technical equipment of customs stations for establishment of unified data base
- development of instructions as per separate ODS types imported to the Kyrgyz Republic for Customs Department
- exchange of statistics data of Customs Service with data provided by importers
- dissemination of information through the Ozone Center and mass media on ozone issues
- distribution of leaflets and brochures in schools and higher education institutions on ODS effects
- participation of Customs Department representatives from developed countries working directly at customs points, experience exchange
- enhancement of material and technical equipping of Customs personnel

Conclusions and Recommendations, Osh

In addition to recommendations, worked out in Bishkek, participants of the seminar in Osh had proposed the following:
1. To create specialized customs stations for custom registration of the ODS.
2. To create tide interaction with technical experts (refrigeration specialists or fumigators in the regions) to investigate intricate contraband.
3. To create special ODS storehouses at some customs stations.
4. To define main importers and consumers of ODS in advance. Then their actions should be controlled. Customs services must have information about main ODS producers and ODS trade marks in China, Russia, Ukraine and India.
5. To recommend to create rewards for custom inspectors for detection of the contraband.
6. To organize inter-regional meetings with custom services of contiguous states to share experience.
7. Customs points have to be supplied with posters and other visual materials explaining the rules of ODS transfer and the danger of ODS for the environment.
8. To use the Ozone Center web-site (www.ozoneecoconv.org) as information base to control ODS export/import licenses. Exchange of information about ODS licenses should be established between ministry of ecology and emergency situations, ministry of foreign trade and industry, department of custom service and the Ozone Center. Special page should be created in the Ozone Center web-site. This will allow customs officers to compare importer license with Database of Ozone Center. If there is no computer or e-mail, the officer can get the information from regional custom center by phone.
9. To control methyl bromide imports, the customs stations should be equipped with special/appropriate devices.
10. To create special point for sale of confiscated ODS, taking into consideration market prices. There must be conditions for replacement of old refrigerators with ODS to new ODS-free refrigerators.
11. To propose to the Ozone Secretariat the prohibition of importation of used equipment with ODS or recycled ODS.

The following was proposed for Phase 2:

1. Every week all customs officers must have training on ODS problems. About half of them must be fully-educated about ODS problems, because of personnel drain.
2. To control knowledge of custom officers, it is recommended to insert questions on ODS to the test for annual attestation.
3. The national consultant of the Ozone Center with the Teaching and Methodical Center of Custom Service Department must participate at the monitoring of the trainings’ progress.
4. To distribute at the second phase books with detailed information, including presentations given during the seminars.

On the question of ODS export/import functioning effectiveness increase, participants had proposed the following:

1. In addition to the Government decrees, there must be an internal order in the customs system on ODS export/import licensing, including control terms on selected substances.
2. The control on licensing system effectiveness must be realized by the Government through inter-departmental commission on ozone.
3. Licensing system is expected to have such difficulties as shortage of finance of key elements and extra centralization of civil service in the Republic.
ANNEX 4

4.1 Marks at the seminar in Osh
4.2 Marks at the seminar in Bishkek
4.3 Average marks of both seminars
ANNEX 5 - About the UNEP DTIE OzonAction Programme

Under the *Montreal Protocol on Substances that Deplete the Ozone Layer*, countries worldwide are taking specific, time-targeted actions to reduce and eliminate the production and consumption of man-made chemicals that destroy the stratospheric ozone layer, Earth’s protective shield. Over 180 governments have joined this multilateral environmental agreement and are taking actions to phase out ozone depleting substances (ODS), which include CFCs, halons, methyl bromide, carbon tetrachloride, methyl chloroform, and HCFCs.

The Parties to this agreement established a Multilateral Fund that provides developing countries with the technical and financial assistance needed to comply with the Protocol. UNEP, UNDP, UNIDO and the World Bank are the Fund’s Implementing Agencies.

The objective of UNEP’s OzonAction Programme is to assist developing countries and Countries with Economies in Transition to achieve compliance with the control measures of the Montreal Protocol. Since 1991, the Programme has met this goal by strengthening National Ozone Units (NOUS) and facilitating regional and international responses to the ozone depletion challenge by providing the following need-based services:

- **Information Clearinghouse**, which provides need-based information services that help decision-makers take informed decisions on policies and technologies required to phase out ODS. The clearinghouse has provided over 100 publications and other information aids, including guidelines, videos, CD-ROMs, public awareness materials, a newsletter, sector-specific publications, and a web site.

- **National and Regional Training**, which builds the capacity of policy-makers, customs officers and local industry to implement national ODS phase-out activities. UNEP 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. To date, OzonAction has conducted 70 training programmes for customs officers and 62 for refrigeration technicians.

- **Regional Networking of ODS Officers**, which provides a regular forum for those officers to exchange experiences, develop skills, and share ideas with counterparts from both developing and developed countries. Networking helps ensure that NOUs have the information, skills and contacts required to successfully manage their national ODS phase-out strategies. UNEP currently operates 8 regional/sub-regional Networks involving 115 developing and 9 developed countries.

- **Refrigerant Management Plans**, which provide countries with integrated, cost-effective strategies for ODS phase out in the refrigeration and air conditioning sectors. RMPs assist developing with overcoming the numerous obstacles to phase out ODS in the critical refrigeration sector. UNEP currently provides specific expertise, information and guidance to support the development of RMPs in 67 countries.

- **Country Programmes** and **Institutional Strengthening**, which support the development and implementation of national ODS phase-out strategies, especially for low-volume ODS-consuming countries. The Programme has assisted about 100 countries to develop their CPs and 96 countries to implement their IS projects.

In 2002, UNEP restructured OzonAction to better respond to the evolving needs of developing countries during the compliance period. Its overall vision and work strategy was reoriented into
the Compliance Assistance Programme (CAP). A major feature of the CAP strategy is to move away from a disparate project management approach towards integrated and direct implementation of the programme using a team of professionals with appropriate skills and expertise. UNEP has now regionalised the delivery of the programme and services by placing its Regional Offices at the forefront to assist the countries in the region.

Primarily funded by the Multilateral Fund, the OzonAction Programme also receives support from the Global Environment Facility, the Government of Sweden, the Government of Finland, and other bilateral sources.

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About the UNEP Division of Technology, Industry and Economics

The mission of the UNEP Division of Technology, Industry and Economics is to help decision-makers in government, local authorities, and industry develop and adopt policies and practices that:

- are cleaner and safer;
- make efficient use of natural resources;
- ensure adequate management of chemicals;
- incorporate environmental costs;
- reduce pollution and risks for humans and the environment.

The UNEP Division of Technology, Industry and Economics (UNEP DTIE), with the Division Office in Paris, is composed of one centre and five branches:

/ The International Environmental Technology Centre (Osaka), which promotes the adoption and use of environmentally sound technologies with a focus on the environmental management of cities and freshwater basins, in developing countries and countries in transition.

/ Production and Consumption (Paris), which fosters the development of cleaner and safer production and consumption patterns that lead to increased efficiency in the use of natural resources and reductions in pollution.

/ Chemicals (Geneva), which promotes sustainable development by catalysing global actions and building national capacities for the sound management of chemicals and the improvement of chemical safety world-wide, with a priority on Persistent Organic Pollutants (POPs) and Prior Informed Consent (PIC, jointly with FAO).

/ Energy and OzonAction (Paris), which supports the phase-out of ozone depleting substances in developing countries and countries with economies in transition, and promotes good management practices and use of energy, with a focus on atmospheric impacts. The UNEP/RISØ Collaborating Centre on Energy and Environment supports the work of the Branch.

/ Economics and Trade (Geneva), which promotes the use and application of assessment and incentive tools for environmental policy and helps improve the understanding of linkages between trade and environment and the role of financial institutions in promoting sustainable development.

/ Coordination of Regional Activities Branch (Paris), which coordinates regional delivery of UNEP DTIE’s activities and ensures coordination of DTIE's activities funded by the Global Environment Facility (GEF).

UNEP DTIE activities focus on raising awareness, improving the transfer of information, building capacity, fostering technology cooperation, partnerships and transfer, improving understanding of environmental impacts of trade issues, promoting integration of environmental considerations into economic policies, and catalysing global chemical safety.

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