Customs Officers Training on Monitoring & Control of Trade in ODS

(5-Day Mixed Approach)

The Bahamas

Nassau, The Bahamas
22nd – 26th August, 2005

Organized by:

The National Ozone Unit
in the Department of Environmental Health Services
of the Ministry of Health & Environment
& The Bahamas Customs Department
in co-operation with the
United Nations Environment Programme’s (UNEP DTIE)
OzonAction Programme
Funded by

Multilateral Fund for the Implementation of the Montreal Protocol

Multilateral Fund for the Implementation of the Montreal Protocol
UNEP DTIE
The Commonwealth of The Bahamas
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Executive Summary

The training programme for customs officers is part of The Bahamas' 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 a modified version of the 5-day mixed approach developed by UNEP. It consisted of a 3-day train-the-trainers workshop for local customs trainers, senior officers and relevant stakeholders followed by the training of two additional groups of Customs officers by local trainers under the guidance of the international training expert on days 4 and 5 (See Appendix 1 for the programme of the train the trainers component). The 3-day programme included a preparatory session during which a one day programme, incorporating the key elements of the 3 day workshop were brought together into a programme for the Phase 2 training (See Appendix 2 for the one day Programme). This 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 "The Bahamas National Handbook for the National Training Programme for Customs Officers" 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, including a keynote address by Senator the Honourable Dr. Marcus Bethel, Minister of Health and Environment at the opening ceremony and closing remarks by Mr. Ron Pinder, Parliamentary Secretary, Ministry of Health and Environment. Media coverage included television interviews and coverage of the opening and closing ceremonies on the national television station and by the local print media.

The design of the training followed an interactive and participatory approach and involved five local presenters. Two working groups were created during the break-out session to discuss and make recommendations on operational and enforcement issues related to the Montreal Protocol Bill, which is currently before the Senate for final adoption and the Montreal Protocol Regulations which will be debated in Parliament when it reconvenes later this year. During a group discussion, participants agreed on detailed workshop recommendations and discussed the agenda for Phase 2 of the Customs Training. The recommendations included some changes to
the text of the Regulations which are intended to make enforcement easier. (See Appendix 3 for Workshop recommendations).

A practical hands-on session was included in the programme to identify different types of refrigerants through the use of refrigerant identifiers, leak detection techniques and methods for determining the refrigerant in equipment. Trainees also examined the labelling on cylinders of refrigerants to identify key information such as the chemical names, ASHRE, CAS or UN numbers, name and contact information of manufacturers etc.

Future challenges for customs authorities in enforcing international environmental agreements such as the Basel Convention, CITES, the Stockholm Convention and the Rotterdam Convention were discussed and opportunities for synergies identified. Local presenters emphasised that special training for customs authorities is needed and the UNEP CAP representative alluded to the upcoming Green Customs Initiative workshop in the Caribbean, which will help to build synergies among the various conventions that have implications for the work of customs officers.

Both training workshops were evaluated by the participants. The overall evaluation of the train-the-trainers was a score of 4.24 out of a maximum of 5, while the overall evaluation of the consequent training of customs officers was 4.08 (see Appendix 4).

The immediate result of the customs training is the availability of twenty seven (27) trained customs trainers, senior officers and relevant stakeholders who participated in the train-the-trainers workshop and the training of additional twenty six (26) customs officers by selected local customs trainers. (See Appendix 5 for the list of trainees). It is expected that the local customs trainers will continue training new customs officers as part of the training curricula of the customs department as well as for refresher courses that are held from time to time.

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. This will greatly assist The Bahamas in meeting the accelerated phase out schedule agreed to in the Terminal Phase out Management Plan which is funded by the Multilateral Fund with technical assistance from the World Bank.

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. The Bahamas acceded to the

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 2004 The Bahamas consumed approximately 110.66 metric tonnes of ozone-depleting substances (ODS) corresponding to 23.79 ODP tonnes of ODS. The refrigeration and air-conditioning sector consumed an equivalent of 23.79 ODP tonnes, accounting for 100% of the total ODP consumption in 2004.

Any abrupt non-availability of CFC refrigerants would adversely impact on important sectors of the local economy, including the tourism sector, which is the main driver 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 country’s commitments under the Montreal Protocol.

The Refrigerant Management Plan (RMP) of The Bahamas was approved by the 23rd Meeting of the Executive Committee of the Multilateral Fund and is being implemented by UNEP DTIE. The Bahamas also has a Terminal Phase out Management Plan (TPMP) which was approved by the 35th Meeting of the Executive Committee, under which the country has committed to an accelerated phase out of Annex A CFCs by 1 January 2008. The RMP and TPMP together form a comprehensive approach to phasing out the use of ozone-depleting substances in The Bahamas’ 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 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 The Bahamas is to implement an ODS import/export licensing system. The relevant legislation to create the import/export licensing system is in an advanced stage. It was debated in the House of Assembly on May 6, 2004. In fact, it is expected that the Montreal Protocol Bill will come before the Senate for final adoption and will be forwarded to the Governor General to become law by the end of this year. Under the Bill, the Regulations make provisions for the Ministry of Health and Environment to manage the licensing system, but there will be the need for enforcement of the licensing system and labelling standards by the customs authority and other enforcement agencies. Therefore, the ability of the Bahamas Customs Department, the Royal Bahamas Police Force, The Royal Bahamas Defence Force, the Ministry of Trade & Industry, and other 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 The Bahamas 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 other officers in The Bahamas with the skills necessary to monitor and control the imports and exports of ODS and ODS-based products and 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, 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 proposed 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 systems for ODS in The Bahamas;
viii. Providing an overview of customs regulations and monitoring and control systems for ODS in other countries;
x. 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 Stockholm Convention 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, 27 participants attended the train-the-customs-trainers workshop. They included 11 senior customs officers from the various sections of the customs department around the country, including the Customs Training Department, as well as 17 key stakeholders from national agencies such as The Bahamas Technical and Vocational Institute, the College of the Bahamas, the Royal Bahamas Police Force, the Royal Bahamas Defence Force, the Forensic Science Laboratory, the Department of Statistics, the Attorney General Office and the National Ozone Unit, the Steering Committee for the Montreal Protocol and the Environmental Monitoring and Risk Assessment Division of the Department of Environmental Health Services (DEHS) whose involvement and support will be necessary for the successful implementation of the import/export licensing system.

For subsequent customs training, there were 17 participants on Day 4 and an additional 9 on Day 5. These participants were exposed to the one day training programme developed and delivered by the “trainers” who participated in the train the trainers workshop on days 1 – 3

The resource persons for the train-the-trainers workshop were:

- Mr. Bishnu Tulsie: International trainer
- Ms. Artie Dubrie: UNEP DTIE CAP Programme
- Mrs. Coral Miller: National Ozone Officer
- Mr. Francis Wilson: Chief Counsel, Attorney General Office
- Mrs. Rochelle Newbold: Assistant Geologist, BEST Commission
- Mr. Roland Saunders: Superintendent, Bahamas Customs Department
- Mr. Jonathan Bodie: National Consultant, NOU

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

- Mr. Jonathan Bodie: National Consultant to the NOU
- Mr. Joseph Bain: Sr. Customs Officer
- Mr. Vernon Chandler: Sr. Customs Officer
- Ms. Bernadette Ferguson: Sr. Customs Officer
- Mr. Kenneth Flowers: Sr. Customs Officer
- Mr. Elseworth Rolle: Sr. Customs Officer
- Mr. Ronald Saunders: Superintendent, Customs Department
- Mr. Gary Smith: Superintendent, Customs Department, and
- Mr. Alfred Stubbs: Sr. Customs Officer

Additional speakers during the opening and closing sessions included:

- Senator the Honourable Dr. Marcus Bethel: Minister of Health and Environment
- Mr. Ron Pinder: Parliamentary Secretary
- Mr. Michael Turner: Undersecretary, Ministry of Health & Environment
- Mrs. Elma Garraway: Permanent Secretary, Ministry of Health & Environment
- Mr. John Rolle: Comptroller, Bahamas Customs Department
5. Methodology

The training followed a modified version of the 5-day mixed approach developed by UNEP and consisting of a 3-day train-the-trainers workshop for customs officers and relevant stakeholders, which included a preparatory session for the Phase 2 training for selected local customs trainers. This was followed by the training of two additional groups of customs officer by local trainers under the guidance of the international training expert on days 4 and 5 respectively. 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 (See Figure 1).

![Figure 1: Schedule of 5-day mixed approach of The Bahamas customs training](image)

The preparation of the workshop required the development of the "The Bahamas National Handbook for the National Training Programme for Customs Officers” by the National Ozone Unit and the legal consultant. This 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 and closing ceremonies by the national television station and the print media.

The design of the training followed an interactive and participatory approach and involved 5 local presenters. During the workshop two working groups were created during the break-out session in order to discuss operational and enforcement requirements for the effective implementation of the regulations. The groups also developed the agenda for the Phase 2 training and agreed on an approach to complete the phase 2 training (see Appendix 2).

The UNEP customs training manual, The Bahamas 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 training centre. The UNEP videos "Celebrating Our Successes Renewing Our Commitment”, “Protecting the Ozone Layer: Every Action Counts and “Ozzie Ozone”, as well as the EIA Video “Combating the Illegal Trade in Ozone Depleting Substances” were shown to the participants. In addition, a number of publications relevant to ozone depletion issues were on display in the workshop venue and some of these were distributed to participants (see Appendix 6).

A practical hands-on session was included in the programme to identify different types of refrigerants, using refrigerant identifiers and leak detection techniques using leak detectors and soap bubbles. Product and packaging labelling were also checked.

Wrap-up sessions concluded the day's discussions. The participants conducted a workshop evaluation (see Appendix 5) and agreed a final set of recommendations (see Appendix 3).

Each participant received a “Certificate of Participation” from the Government of The Bahamas. It is proposed that this training and certification 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
Through these sessions participants were exposed to a range of interconnected experiences structured to equip them to enforce the licensing system soon to become law as well as to prepare for the Phase 2 training of the remaining Customs officers and other enforcement personnel.
7. Results and lessons learnt

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. The relationship between the workshop sessions and the objectives they were designed to achieve is laid out in the Table below:

<table>
<thead>
<tr>
<th>OBJECTIVES SET OUT</th>
<th>RESULTS ACHIEVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Increasing awareness of ozone depletion issues</td>
<td>Through Sessions 1 and the UNEP videos</td>
</tr>
<tr>
<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 &amp; 12</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 Sessions 2, 3 &amp; 4.</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 4, 5 &amp; 8</td>
</tr>
<tr>
<td>vi. Presenting the revised customs codes which allow for the identification of ozone-depleting refrigerants and products containing them</td>
<td>Through Sessions 5 &amp; 10</td>
</tr>
<tr>
<td>vii. Refining and optimizing the operational details of the monitoring and control system for ODS in The Bahamas</td>
<td>Through Session 13</td>
</tr>
<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 &amp; 12</td>
</tr>
<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 &amp; 14</td>
</tr>
</tbody>
</table>

In addition, the following specific outcomes were achieved:

- Successful training and certification of 52 participants on monitoring and controlling of imports and exports of ODS and ODS products/equipment in The Bahamas.
- Exchange of information and experiences between the participants and development of a network of personal contacts.
- Certification of 52 participants by the Government of The Bahamas.

In addition, the following outcomes of discussions among participants are noteworthy:

- The issue of export licensing is extremely important in The Bahamas, as there is an active export trade in other goods to many other countries in the region.
- It is imperative that the licensing system be approved and that end users are reminded about the 2008 phase out.
- It will be important for the Steering Committee for the Montreal Protocol to review these recommendations and give further recommendations to the government. The recommendations from the participants are included as Annex 6.

8. Follow-up action plan

This training programme is part of the RMP for The Bahamas. As such it will be accompanied by other training and policy related activities as defined in the RMP and The Bahamas’ 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. The recommendations will also be communicated to the relevant decision-makers and politicians, and requests will be made for their support.

9. Evaluation by participants

For the train-the-customs-trainers workshop, the overall evaluation by participants was excellent (4.24 out of a maximum score of 5). Thirty nine percent (39%) of evaluators rated the workshop as excellent, 49% rated it as very good, 11% as good and 1% thought that it was average.

For the subsequent customs training, the overall evaluation of the workshop was also excellent (a score of 4.04 out of a maximum score of 5). Twenty nine percent (29%) of evaluators rated the workshop as excellent, 53% rated it as very good and 18% thought that it was good. This excellent evaluation of the first two Phase 2 workshops means that the local trainers are well equipped to continue with the rest of the training.

A graphic analysis of the received evaluation questionnaires is included in Appendix 4.

In addition, the following feedback and suggestions were 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 Bahamas handbook:

(a) **Train-the-trainers workshop**

- More examples of how other countries are dealing with their issues relating to the various topics should be covered.
- The material covered was adequate to meet the objectives.
- More information on health and safety issues should be included.
- C.D copies of the presentations would assist with the subsequent training.
• A small “Desk Reference Handout” should be prepared for front line customs officers
• The normal forms and technique used to detect smuggling of goods should be applied.
• The course was very good. It needs no changes.
• Some more practice in the use of ODS identification equipment would be useful.
• More local participation is needed.
• Perhaps an additional day would allow more group discussion and dialogue.
• Objectives were achieved.

(b) Subsequent customs training

• There should be more focus on the regulations.
• More time would be required to cover all course materials in detail.
• The course was very useful in understanding the process, substances, and expectations.
• Other stakeholders should have been involved in order to increase their interest ozone protection and to explore how they could help in phasing out ODS.
• More practical exercises using refrigerant identifiers and more equipment for testing ODS would be useful.
• A participant from the Health Department should have attended.
• This course was very useful for the protection of our community.
• Presentation by local instructors will improve greatly if regular practice has taken place.
• More video tapes should be used

(c) Comments on UNEP customs training manual

• It covers all issues as far as The Bahamas 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) The Bahamas Handbook on ODS Legislation

• The Bahamas 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.
• Public awareness programme should be prepared to support the phase out.
• Profile of companies which import ODS should be incorporated in the with customs computer database.
• The Legislation process needs to be accelerated for the Bill to be enforced.
• The local specification must adhere and follow the guidelines by Global Manual, but The Bahamas ways and culture will tend to deviate from the principles.
10. APPENDICES

Appendix 1: Training Programme for the Train the Trainers Workshop

National Train-the-Trainers Workshop for Customs Officers
Organised by the United Nations Environment Programme and the National Ozone Unit, in the Department of Environmental Health Services, Ministry of Health & Environment & The Bahamas Customs Department
Nassau, The Bahamas
August 22nd – 26th, 2005

Agenda

Day 1

8:30 Registration of Participants

9:00 Introduction: Bishnu Tulsie, UNEP Trainer
- Workshop objectives
- Training materials and display
- Self-introduction of participants including questions & answers

9:30 Session 1: Ozone Layer Depletion: Bishnu Tulsie, UNEP Trainer
- Ozone layer science
- Environmental and human health consequences
- UNEP video: Every Action Counts
- Discussion

10:00 Session 2: International Response: Artie Dubrie, UNEP
- International response - the Montreal Protocol and its Amendments
- Phase-out schedule and strategies for Article 2 and Article 5 countries
- Impact of the Protocol
- Discussion

10:30 Session 3: National obligations and response: Mrs. Coral Miller, Ozone Officer for The Bahamas, National Ozone Unit, DEHS
- National phase-out obligations
- National response – Key Elements of the Refrigerant Management Plan
- Status of Projects
- Overview of National ODS consumption pattern
- Status of Compliance
- Data Reporting
- Discussion

11:15  Break

11:30  Session 4: National import/export licensing system: Mr. Francis Wilson,
Chief Counsel, Attorney General Office
- National ODS regulations
- 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

12:30  Lunch

13:30  Session 5: Related International Conventions: Mrs. Rochelle Newbold, Assistant Geologist,
BEST Commission
- Kyoto Protocol
- Basel Convention
- Rotterdam Convention
- Stockholm Convention on Persistent Organic Pollutants
- Common features related to the control of trade and synergies for customs authorities for effective
  enforcement
- Discussion

14:15  Break

14:30  Session 6: Global and regional context: Bishnu Tulsie, UNEP Trainer;
Mr. Roland Saunders, Superintendent, Bahamas Customs Department,
- 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
- Impact on trade and economy
- Discussion

15:00  Wrap-up sessions and workshop recommendations

17:30  Opening Reception: Foyer

Day 2

9:00  Welcome and Review of Day 1
Session 7: Role of customs officers and other key stakeholders: Bishnu Tulsie, 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

Session 8: Checking Papers, Forms and Permits: Mr. Roland Saunders, Superintendent, Bahamas Customs Department
- Application forms, permit forms, freight papers, retrofit certificates etc.
- Logistics and data management
- Practical exercise on checking freight papers and permits
- Data management and reporting
- Discussion

Break

Session 9: Illegal Trade with ODS and ODS-containing Equipment and Goods: Bishnu Tulsie, 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 (Honeywell)
- Discussion

Session 10: Identification of ODS and ODS-containing Equipment and Goods: Bishnu Tulsie, UNEP Trainer
- Harmonized System codes for pure and mixed ODS
- Common trade names for ODS, 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

Lunch

Session 11: Practical exercises on identification of ODS: Mr. Jonathan Bodie, National Consultant, National Ozone Unit
- 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

Session 12: Safe handling, transport and storage of ODS: Bishnu Tulsie, 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

16:30 Wrap up of Day 2 and Workshop Recommendations

Day 3

9:00 Welcome and Review of Day 2

9:15 Session 13: Introduction to break-out Session 14: Effective operation of ODS import / export licensing system and enforcement of ODS regulations: Bishnu Tulsie, 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)

9:45 Session 14: Break-out Session: Effective operation of ODS import / export licensing system and enforcement of ODS regulations: (Group Work)
- Group moderators will co-ordinate the break-out sessions.
- Group moderators will ensure the preparation of a short report and presentation of their findings including the group recommendations.

11:00 Break

11:15 Session 15: Presentation of findings of the group work to the plenary: Group Leaders
- Presentation of group recommendations to the plenary
- Discussion and adoption of group recommendations
- Feedback on the break-out session
- Hand-over of reports to the lead consultant

13:00 Lunch

14:00 Session 16: Action planning for Phase II of the customs training: Bishnu Tulsie, 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 17: Workshop evaluation
- Completion of evaluation questionnaires
- General feedback and comments from participants and organisers
- Wrap-up and Workshop Recommendations

17:30 Closing Ceremony and media briefing: Foyer
Appendix 2: Training Programme for Phase 2 Training

THE BAHAMAS CUSTOMS TRAINING:
MONITORING AND CONTROL
OF
TRADE IN OZONE DEPLETING SUBSTANCES
(PHASE 2)

Agenda

9:00 am: Opening, Welcome and self introduction of participants

9.15 am: Session 1: Introduction - Workshop objectives, overview and Introduction of presenters

9.30 am: Session 2: The Ozone
  - UNEP videos: “Every Action Counts” and “Ozzie Ozone”
  - Review videos
  - What is the ozone layer
  - Ozone Formation and Depletion
  - Effects of ozone layer depletion
  - Some common ODS

10.30: am Session 3: Responses to Ozone Layer Depletion
  - International Response
  - Regional Response
  - National Obligations and Response

11.00 am Break

11.15 am: Session 4; The National Import/Export Licensing System
  - Key Players in the Import/Export Licensing System
  - Overview of Steps in the Licensing System

11:45a.m. Session 5: Illegal Trade
  - EIA Video: Combating Illegal Trade in ODS
  - Discussion: Overview of Illegal Trade

12.50 pm: Lunch

1.50p.m. Session 6: Role of Customs Officers
  - Enforcement of Act and Regulations
  - Data Management

2.30p.m. Session 7: Identification of ODS & ODS containing Equipment
• HS tariff classification
• HS codes for ODS and equipment
• ODS Names and products
• Labelling
• Refrigerant identifiers

3:30p.m.   **Session 8: Checking Papers**
• Customs Declarations
• Licences

4.00p.m.   **Session 9: Health and Safety**

4.30p.m.   **Session 10: Practical Session**
• Examination of labels
• Use of identifiers and leak detectors
Appendix 3: Workshop Recommendations

Group 1 Report: How to effectively operate the import/export licensing system

NOU (National Ozone Unit) is responsible for granting and denying applications for a license to import/export ODS.
The NOU falls under the Ministry of Health with responsibility given to The Department of Environmental Health Services.

The licensing System was:
• designed to control trade in ODS and related technologies; and
• passed in the House of Parliament on May 6th, 2005 and is awaiting approval by the Senate.

Pre-requisites for licensing:
• Persons must register (individuals/company) at NOU;
• NOU decides who can apply for license (based on classification if they are service provider or importer etc.);
• Form 1A – Application to registration for equipment containing ODS (This application would be denied a license except in special circumstances);
• Form 1B – Application to register as importer/exporter of ODS;
• Form 2 – History of previous imports/exports of CFCs and Halons;
• Form 3 – Information of previous imports/exports of solvents such as: carbon tetrachloride etc;
• Form 4 – History of previous imports of HCFCs; and
• Licensees will be given a quota in the license.

Key players and their roles:
• NOU/DEHS – implementation/licensing/approval/disapproval/disposal and reporting to UN.
• Shipping Agents – proper documentation/labelling etc.
• Customs Officers – enforcement/data collection.
• Brokers – preparation of documents/clearance of goods.
• Importers- Knowledge of procedures.
• Exporters- Knowledge of procedures.
• Technicians – professional assistance (recovery/recycle).

Unique requirements of the Montreal Protocol regulations

The Customs Management Act gives the Comptroller of Customs certain powers to deal with all goods coming into the country. The Montreal Protocol regulations add to his powers.
Other requirements to consider are as follows:
• Ensuring a place is reserved to store seized goods;
• Ensuring a technician is in place to test gases;
• Goods that are in non-compliance with the Act shall not be released until retrofitting is complete at owner’s expense;
• The buyer may agree to have the ODS equipment retrofitted at his/her expense.

**Procedures to be used and/or introduced for the effective operation of the licensing system**

• Accessibility of documents relative to all imports and exports to the Customs Officer at the importer’s place of business;
• A list of legal importers/exporters along with the annual quotas be supplied to Customs by the NOU on January 1st of each year;
• Current upkeep of shared database between Customs and NOU;
• A bi-annual report of importers/exporter inventory be submitted to NOU;
• A random physical inspection of inventory be conducted by NOU and Customs at importers/exporters place of business;
• The procedures to be followed for site inspections to be developed. These should include health and safety guidelines for the handling of ODS;
• Sanctions should be imposed on persons who are unable to provide to inspectors, the records required under the regulations; and
• A handbook containing guidelines for customs officers during inspections should be developed by the NOU.

**Group 2 Report: How to effectively Enforce the ODS Regulations**

**The following recommendations relate to the Text of the Regulations:**

1. The phrase “Without a valid import licence” should be added to Regulation 3-(3);
2. Replace “applies to be” with the word “is” in Regulation 5-(1)(b); and
3. Section 3 (e) (ii): Add the words “or any other recognized training institution” after the word “Institute”.

**Additional recommendations**

1. All Customs officers, Customs brokers and the general public are to be sensitized about the ODS regulations;
2. There should be equal strength to enforce the regulations at all ports of entry;
3. Each port of entry should be provided with the tools and equipment, including leak detectors and identification equipment to enable effective enforcement; and
4. Employ the Trade Information Management System to flag items listed at Regulation 3-(1) of the Montreal Protocol.
Appendix 4: Workshop Evaluations:

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 “The Bahamas 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.

Sixteen participants completed evaluations for the Train the Trainers workshop and the results were as follows:

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Customs Officer Training on Monitoring & Control of Trade in ODS (5-Day Mixed Approach)
The Bahamas, 22 – 26 August, 2005

Frequency Distribution of Scores

For the Phase 2 training, only 11 participants completed the questionnaires, and the results are as follows:

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APPENDIX 5: List of Trainees

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

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<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Ms. Myrtle Armstrong</td>
<td>Sr. Customs Officer</td>
<td>Bahamas Customs Department</td>
</tr>
<tr>
<td>Mr. Joseph Bain</td>
<td>Sr. Customs Officer</td>
<td>Bahamas Customs Department</td>
</tr>
<tr>
<td>Mr. Jonathan Bodie*</td>
<td>National Consultant</td>
<td>The National Ozone Unit</td>
</tr>
<tr>
<td>Ms. Gina Burnside</td>
<td>Central Detective Unit</td>
<td>Royal Bahamas Police Force</td>
</tr>
<tr>
<td>Mr. Vernon Chandler</td>
<td>Sr. Customs Officer</td>
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<tr>
<td>Mr. Marcello Charlow</td>
<td>Leading Mechanic</td>
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</tr>
<tr>
<td>Ms. Bernadette Ferguson</td>
<td>Sr. Customs Officer</td>
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<tr>
<td>Mr. Bjorn Ferguson</td>
<td>Central Detective Unit</td>
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<tr>
<td>Mr. Kenneth Flowers</td>
<td>Sr. Customs Officer</td>
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</tr>
<tr>
<td>Mr. Mark Francis</td>
<td>Central Clearing Agency</td>
<td>Royal Bahamas Police Force</td>
</tr>
<tr>
<td>Mr. Leonard Johnson</td>
<td>Forensic Science Laboratory</td>
<td>Royal Bahamas Police Force</td>
</tr>
<tr>
<td>Mrs. Coral Miller*</td>
<td>National Ozone Officer</td>
<td>The National Ozone Unit</td>
</tr>
<tr>
<td>Mrs. Neromanie Nezamudeen</td>
<td>Chemist</td>
<td>The College of The Bahamas</td>
</tr>
<tr>
<td>Mr. Ryan Perpall*</td>
<td>Assistant Ozone Officer</td>
<td>The National Ozone Unit</td>
</tr>
<tr>
<td>Ms. Valencia Roberts</td>
<td>Detective</td>
<td>Royal Bahamas Police Force</td>
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<tr>
<td>Mr. Alexious Rolle</td>
<td>Statistician</td>
<td>Department of Statistics</td>
</tr>
<tr>
<td>Mr. Elseworth Rolle</td>
<td>Sr. Customs Officer</td>
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<tr>
<td>Mr. Ronald Saunders</td>
<td>Superintendent</td>
<td>Bahamas Customs Department</td>
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<tr>
<td>Mr. Robert Simmons</td>
<td>Inspector</td>
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<td>Mr. Gary Smith</td>
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<tr>
<td>Mr. Alfred Stubbs</td>
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<tr>
<td>Ms. Sharmilla Symonette*</td>
<td>Administrative Assistant</td>
<td>National Ozone Unit</td>
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<tr>
<td>Ms. Lisa Taylor</td>
<td>Laboratory Technologist</td>
<td>The Environmental Monitoring &amp; Risk Assessment Division, Department of Environmental Health Services</td>
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<tr>
<td>Ms. Virginia Thompson</td>
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<tr>
<td>Ms. Naomi Williams</td>
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<td>Ms. Shanell Williams</td>
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<tr>
<td>Mr. Francis Wilson*</td>
<td>Chief Counsel</td>
<td>Attorney General Office</td>
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(*Members of the Steering Committee for the Montreal Protocol)
Participants of the subsequent one-day customs training

**Thursday, August 25th, 2005**

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<td>Margarita</td>
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### Friday, August 26th, 2005

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<tr>
<td>Mr.</td>
<td>Juan</td>
<td>Customs Officer Grade II</td>
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Appendix 6: Further References

The following additional materials were available for reference and/or distribution during the training workshops:

1. ODS Import/Export Resource Module
2. Inventory of trade names of chemical products containing ozone depleting substances and their alternative.
3. ODS import/Export licensing systems resource module
4. Glossary of ozone protection terms
5. National training on good practices in refrigeration
6. Avoiding a double phase out
7. How small and medium sized enterprises in developing countries can protect the ozone layer.
8. How the hotel and tourism industry can protect the ozone layer
9. Data reporting under the Montreal protocol
10. Protecting the ozone layer
11. Two challenges one-solution case studies of technologies that protect the ozone layer and mitigate climate change
12. Study on the potential for hydrocarbon replacements.
13. Networking Counts
14. Planning, designing and implementing policies to control ozone-depleting substances under the Montreal protocol.
15. 2003 activity report division of technology, industry
17. Saving the Ozone: Every Action Counts (video & booklet), UNEP, 1996
Appendix 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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