Train-the-Trainers Workshop for Customs Officers

Monitoring & Control of ODS Imports/Exports

ESTONIA
Tallinn, Estonia, 5-7 November 2003

Division of Technology, Industry and Economics
OzonAction Programme
Train-the-Trainers Workshop for Customs Officers

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Tallinn, Estonia, 5-7, November 2003

Organized by:

United Nations Environment Programme’s (UNEP DTIE) OzonAction Programme

and the

Estonian Ministry of the Environment, Estonian Environmental Research Centre and Estonian Customs Board.

in co-operation with the

World Customs Organization (WCO)

with financial support from the

Global Environmental Facility
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Executive Summary

Estonia is considered an Article 2 country under the Montreal Protocol and is also categorised as a Country with Economy in Transition (CEIT). Despite its CEIT status, Estonia has fully ratified the Montreal Protocol and is working diligently toward full compliance with its provisions, amendments, and adjustments.

The training programme for customs officers is part of Estonia's Refrigerant Management Plan (RMP) - a comprehensive and integrated strategy to phase-out the use of ozone-depleting substances (ODS) in the refrigeration and air-conditioning sector.

The programme is designed to provide the Customs Board, the Environmental Inspectorate and other stakeholders with skills necessary to monitor and control the imports and exports of ODSs and products (including equipment) containing ODS as well as detecting and preventing illegal trade.

The programme consists of three phases: Phase I-train-the-customs-trainers; Phase II- train-the-customs-officers and other stakeholders, and Phase III- monitoring & evaluation. The Custom Board and Environmental Inspectorate personnel trained in Phase I are expected to train 25 customs officers and 15 environmental inspectors in Estonia within 12 months.

The train-the-customs-trainers workshop in Estonia is the 26th workshop of its kind in the world to be implemented as part of a national RMP. Similar workshops will be held in more than 40 Article 5 countries and in other CEITs.

The preparation of the workshop required the development of the “ODS Handbook for Customs and Environmental Inspectors. Estonia pursued a unique course by including the following key stakeholder agencies in drafting the handbook: The Customs Board, The Ministry of the Environment, the Environmental Inspectorate, and the National Ozone Unit (as a structural unit of the Environmental Research Centre). Including these agencies should help promote maximum participation in the overall training programme. The handbook provides country-specific information and data, and complements the more generic information in UNEP’s training manual "Customs Officers Training on Substances Depleting the Ozone Layer". The table of contents for Estonia’s handbook is included as Annex 10.8 to this report, and the full text of the handbook in the Estonia language is available on Estonia’s Ozone Unit website: http://www.klab.ee/Osoonibyroo/KasiraamatTolli_KeskkInsp2003.pdf.

The immediate result of the workshop are 14 trained customs trainers, 16 trained environmental inspectors, one trained border guard, as well as recommendations for a Montreal Protocol training module that can be used to train Estonia’s customs officers and other stakeholders.

The long term result of the training programme is enhanced awareness of ozone depletion issues among customs officers and other relevant stakeholders and more effective enforcement of Estonia’s import/export licensing system for ODS and products (including equipment) containing or using ODS. The workshop included presentations by high-level Government
representatives during the opening and closing sessions. Media coverage included radio interviews with Estonia’s National Ozone Officer, nari Truumaa, and a senior officer with the Ministry of Environment, Valentina Laius. There was also television coverage of the actual training programme.

The workshop format included an opening day devoted to standard classroom instruction on the basics of ozone depletion, the relevant international and national law, and the role of the Customs Board. The ensuing session followed an interactive and participatory approach. On day two, participants were shown cylinder labels and other identifying information and were asked to positively identify the product in the cylinders. Participants were also shown counterfeit cylinders and labels and were asked to distinguish between the counterfeits and authentic cylinders. After completing these exercises, the class split into two groups and worked on two smuggling case studies that examined ODS smuggling problems in Estonia. The two groups presented their finding during a plenary session.

Participants also viewed an interactive video entitled “Environmental Crimes at the Border”. The video and accompanying material provided an introduction to illegal trade issues under the Montreal Protocol and two other important Multilateral Environmental Agreements (MEAs) with trade restrictions: The Basel Convention on Transboundary Movement of Hazardous Waste (The Basel Convention) and the Convention on International Trade in Endangered Species (CITES). The participants were shown video re-creations of smuggling schemes under the Montreal Protocol and the Basel Convention and were asked how they might approach the situation had they been the customs inspector investigating the matter. On day three, working groups view ODS cylinders, ODS containing products, and ODS sampling equipment. Instructors explained safety precautions for handling ODS cylinders and demonstrated proper ODS sampling techniques. Finally, during a group discussion, participants began planning Phase II of the training programme, making detailed recommendations, and devising a schedule of activities.

The participants conducted a workshop evaluation (see Annex 10.5). The overall evaluation of the workshop was “excellent” (60%), “very good” (32%), and “good” (8%). The workshop report will be disseminated to the workshop participants and speakers as well as members of the contact group on customs training. The workshop report will also be placed on UNEP’s homepage at: http://www.uneptie.org/ozonaction.html.

1. Background

The ozone layer in the Earth’s Stratosphere serves as a protective shield against the sun’s harmful UVB radiation. Excess UVB radiation can cause skin cancer, cataracts and other ailments. In the 1970s, scientists became increasingly concerned that certain chemical products such as chlorofluorocarbons were responsible for depletion of ozone in the stratosphere. The international community first took action to address this problem in 1985 through an agreement known as the Vienna Convention for the Protection of the Ozone Layer. This agreement acknowledged the severity of the ozone problem, but did not impose obligations upon nations.
Building on the first agreement, in 1987, 24 countries signed a second agreement known as the Montreal Protocol on Substances that Deplete the Ozone Layer. This landmark agreement, for the first time, imposed limits on the production and use of the most harmful group of ozone-depleting substances. The Protocol has been amended and adjusted several times to add new substances and to adjust timetables for the phase-out of ODS. The treaty has now 187 Parties and is widely recognized as one of the world community’s most successful multilateral environmental agreements.

Estonia was part of the Soviet Republic when the Montreal Protocol was first ratified. In 1991, Estonia became an independent state and thereafter, the Parties to the Montreal Protocol recognized it as a Country with an Economy in Transition (CEIT).

The economic and political transition in Estonia and the other CEITs caused difficulties in ratifying and subsequently complying with the Montreal Protocol and its Amendments. Obstacles include a lack of funding and institutional capacity, inadequate information and training, lack of technical alternatives to ozone-depleting substances, and unfamiliarity in working within the international environmental system.

In spite of these obstacles, Estonia has made significant progress toward ratifying the treaty and complying with its obligations. A major compliance step was preparation of a refrigerant management plan (RMP). The RMP provided a comprehensive approach to ODS phase-out in Estonia’s largest remaining consumption sector: the refrigeration and air conditioning service sector (RAC). The RMP’s comprehensive approach includes three training elements:

1. The training programme on good practices in refrigeration
2. The training programme on Halon Banking
3. The training programme for Customs Officers on control and monitoring of ODS imports and exports.

With assistance from the United Nations Environmental Programme, each of the training programmes has now been completed except for Phase II and III of the Customs training, which Estonia is now well positioned to complete.

Estonia has also complied with other important treaty obligations. It reduced its consumption of ODS from 131 ODP tones of Annex A and B substances in 1995 to 36.5 in 1996, to 0 in 2002. Further, on October 17, 1996, it formally ratified the Montreal Protocol and has since ratified the London and Copenhagen Amendments (April 12, 1999) and the Montreal Amendments (April 11, 2003) and also the latest Beijing Amendment (October 15, 2003).

Finally, Estonia plans to join the EU on April 1, 2004, and thereafter expects to comply with EU regulations, which will bring about stricter restrictions on the use of ODS compared to the Montreal Protocol.

Estonia, like most other CEITs and Art. 2 countries, is still in the process of phasing out its use of Annex C chemicals, primarily HCFCs. In order to meet the continuing demand for HCFCs in
the RAC sector, Estonia set a 2003 Annex C import quota of 106 tonnes. Compliance with this quota will require an effective licensing system particularly since Estonia relies exclusively on imports to meet demand. Estonia’s Ministry of the Environment is responsible for managing this licensing system, but will need significant enforcement assistance from the Customs Board. The ability of the Customs Board and the Ministry of the Environment to work cooperatively is paramount to the effective operation of the licensing system. The Phase I workshop provided a forum for greater inter-agency cooperation and should help guide Estonia’s future compliance and enforcement efforts.

2. Objectives

The main objective of this training programme was to provide the Customs Board, the Environmental Inspectorate, and other key stakeholders with the skills necessary to monitor and control the imports and exports of CFCs and other ODS and ODS products/equipment. The detection and prevention of illegal trade is part of this training.

The training objectives were achieved by:

I. Increasing awareness of ozone depletion issues.
II. Introducing the different types of ODS being used in the various sectors of the economy. Introducing the provisions and phase-out schedules of the Montreal Protocol and its amendments.
III. Providing an understanding of the national Refrigeration Management Plan.
IV. Providing an overview on the newly established licensing system for ODS and its implications for customs officers and other stakeholders.
V. Presenting the revised customs codes which allow for the identification of ozone-depleting refrigerants and products containing them.
VI. Refining and optimizing the establishment of the operational details of the monitoring and control system for ODS in Estonia.
VII. Providing an overview of customs regulations and monitoring and control systems for ODS in other countries.
VIII. Training in the use of identification equipment for refrigerants.
IX. Designing the concept, agenda, strategy and the time schedule for the training of the remaining customs officers, environmental inspectors, and other stakeholders in the country.

3. Expected results

The immediate result of the train-the-customs-trainers workshop are 14 trained customs trainers, 16 trained environmental inspectors, one trained border guard, and recommendations for the subsequent Phase II training of customs officers in Estonia.
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 and CITES was created through introduction of the “Green Customs” training curriculum. This curriculum provided an overview of the common elements of MEAs that have trade provisions. Use of the video “Environmental Crimes at the Border” provided participants with re-creation of actual smuggling scenarios under the Montreal Protocol and Basel Convention and gave them practical experience on proper enforcement techniques.

4. Participants

In total, 26 participants attended the train-the-customs-trainers workshop. They included 10 customs officers from the various sections of the customs department around the country, 16 inspectors from the environmental inspectorate and a border guard representative.

The list of workshop participants is attached as Annex 10.2.

The participants in Phase II of the training programme will be the remaining customs and enforcement officers of the country as well as the Environmental Inspectorate and the border guard.

The instructor for the workshop was:

Mr. Bruce Pasfield of the U.S. Department of Justice

Additional resource persons were:

Mr. Yerzhan Aisabeyev, Programme Officer, Ozone Action Programme, United Nations Environmental Programme
Mr. Juri Truusa, Leading specialist, Environmental Management and Technology Department, Estonia Ministry of the Environment
Mr. Neeme Kass, Chief Expert, Customs Enforcement Department, Estonian Customs Board
Toomas Liidja, Leading Inspector, Central Department, Environmental Inspectorate, Estonia Ministry of the Environment
Mr. Inari Truuma, National Ozone Officer, Ozone Unit, Estonia Environmental Research Centre
Mr. Mardo Litmaa, Vice Director, Estonian Environmental Research Centre
Mr. Hugo Tang, Estonian Environmental Research Centre
Additional speakers during the opening and closing sessions included:

- Mr. Harry Liiv, Deputy Secretary General, Estonia Ministry of the Environment.
- Mr. Marek Helm, Deputy Director General, Estonia Customs Board
- Mr. Thomas Sansonetti, Assistant Attorney General, U.S. Department of Justice
- Ms. Valentina Laius, Senior Officer, Environment Management and Technology Department, Estonia Ministry of the Environment

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

5. Methodology

The training programme is being implemented in three phases:

- **Phase I:** Train-the-customs-trainers workshop
- **Phase II:** Subsequent training of the remaining customs officers and other stakeholders in the country
- **Phase III:** Monitoring & evaluation

**Phase I: Train-the-customs-trainers workshop**

The train-the-customs-trainers workshop in Estonia is the 26th workshop of its kind in the world to be implemented as part of a national RMP. Similar workshops will be held in more than 40 Article 5 countries and in other CEITs.

The preparation of the workshop required the development of the "ODS Handbook for Customs and Environmental Inspectors." Estonia pursued a unique course by including the following key stakeholder agencies in drafting the handbook: The Customs Board, The Ministry of the Environment, the Environmental Inspectorate, and the National Ozone Unit (as a structural unit of the Environmental Research Centre). Including these agencies should help promote maximum participation in the overall training programme. The handbook provides country-specific information and data, and complements the more generic information in UNEP’s training manual "Customs Officers Training on Substances Depleting the Ozone Layer". The table of contents for Estonia’s handbook is included as Annex 10.8 to this report, and the full text of the handbook in the Estonia language is available on Estonia’s Ozone Unit website: [http://www.klab.ee/Osoonibyroo/KasiraamatTolli_KeskkInsp2003.pdf](http://www.klab.ee/Osoonibyroo/KasiraamatTolli_KeskkInsp2003.pdf).

In addition to the handbook, participants received the UNEP information paper “Inventory of Trade Names of Chemical Products Containing Ozone Depleting Substances and their Alternatives and a poster on compliance with the Montreal Protocol for display in customs stations.
The long term result of the training programme is enhanced awareness of ozone depletion issues among customs officers and other relevant stakeholders and more effective enforcement of Estonia's import/export licensing system for ODS and ODS products.

The workshop included presentations by high-level Government representatives during the opening and closing sessions. Media coverage included radio interviews with Estonia’s National Ozone Officer, Inari Truumaa, and a senior officer with the Ministry of the Environment, Mrs. Valentina Laius. There was also television coverage of the actual training programme.

The UNEP customs training manual, the “Estonia Handbook” and other relevant resource documents were handed out to the participants. Additional documents and examples of ODS-containing products and equipment were displayed at the conference centre. The UNEP video "Nothing to Declare, Good Customs to Save the Ozone Layer" was also shown to the participants.

The workshop format included an opening day devoted to standard classroom instruction on the basics of ozone depletion, the relevant international and national law, and the role of the Customs Board. The ensuing session followed an interactive and participatory approach. On day two, participants were shown cylinders labels and other identifying information and were asked to positively identify the product in the cylinders. Participants were also shown counterfeit cylinders and labels and were asked to distinguish between the counterfeits and authentic cylinders. After completing these exercises, the class split into two groups and worked on two smuggling case studies that examined ODS smuggling problems in Estonia. The two groups presented their findings during a plenary session.

Participants also viewed an interactive video entitled “Environmental Crimes at the Border”. The video and accompanying material provided an introduction to illegal trade issues under the Montreal Protocol and two other important Multilateral Environmental Agreements (MEAs) with trade restrictions: The Basel Convention on Transboundary Movement of Hazardous Waste (The Basel Convention) and the Convention on International Trade in Endangered Species (CITES). The participants were shown video re-creations of smuggling schemes under the Montreal Protocol and the Basel Convention and were asked how they might approach the situation had they been the customs inspector investigating the matter. On day three, working groups view ODS cylinders, ODS containing products, and ODS sampling equipment. Instructors explained safety precautions for handling ODS cylinders and demonstrated proper ODS sampling techniques. Finally, during a group discussion, participants began planning Phase II of the training programme, making detailed recommendations, and devising a schedule of activities.

The participants conducted a workshop evaluation (see Annex 10.5) and received a “Certificate of Participation” from the Government of Estonia. The overall evaluation of the workshop was “excellent” (60%), “very good” (32%), and “good” (8%). The workshop report will be disseminated to the workshop participants and speakers, as well as members of the contact group on customs training. The workshop report will also be placed on UNEP's homepage at: http://www.uneptie.org/ozonaction.html.
Phase II: Training of the remaining customs officers in the country

The trained-customs-trainers will train the remaining customs and enforcement officers in the country. In addition, experienced customs officers will receive training on ozone-related issues as part of the continuous customs re-training programme.

The National Ozone Unit will, in close collaboration with the Customs Board, be responsible for the definition of a specific timetable for the training of the remaining customs officers in the country and take into account the recommendations from the train-the-trainers workshop.

Phase II of the training programme will be concluded within 12 months after completion of Phase I - by November 2004.

Phase III: Monitoring & evaluation

The National Ozone Unit will co-ordinate, monitor and follow-up on the training activities during Phase II of the training programme and report progress in project implementation to UNEP.

Immediately after completion of Phase II of the training programme, the NOU will evaluate the results of the training programme and prepare a follow-up and evaluation report. This report will be submitted to UNEP.

6. Contents and structure of the train-the-trainers workshop

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

The workshop included the following sessions:

- Session 1: International Response, Non-compliance procedure
- Session 2: Ozone Layer, Montreal Protocol and EU Regulations
- Session 3: National obligations and response
- Session 4: National import/export licensing system
- Session 5: Checking papers, forms and permits
- Session 6: Role of Environmental Inspectors
- Session 7: Role of customs officers and other key stakeholders
- Session 8: Illegal trade in ODS and ODS-containing equipment and goods
- Session 9: Identification of ODS and ODS-containing equipment
- Session 10: Practical exercises on identification of ODS
- Session 11: Introduction to Other Multilateral Environmental Agreements
Session 12: Green Customs Practical Exercise: Environmental Crimes at the Border.
Session 13: Break out Session on investigation of ODS smuggling in Estonia
Session 14: Safe sampling, handling, transportation and storage of ODS
Session 15: Practical Demonstration of ODS testing equipment
Session 16: Action Planning for Phase II and III of the Customs Training
Session 17: Workshop evaluation

7. Results and lessons learned

The objectives set out for the workshop were fully met through the appropriate design of the workshop agenda during which the 18 workshop sessions addressed all relevant issues. (A detailed evaluation of the most relevant issues is included in Annex 10.5.)

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<tr>
<th>OBJECTIVES SET OUT</th>
<th>RESULTS ACHIEVED</th>
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<td>I. Increasing awareness of ozone depletion issues</td>
<td>Through Sessions 1 and 2</td>
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<td>II. Familiarizing enforcement officers with the different types of ODS being used in the sector and for which applications</td>
<td>Through Sessions 1, 2, 7, 8, 9, 10, 14, 15</td>
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<td>III. Familiarizing enforcement officers with the provisions and phase-out schedules of the Montreal Protocol and its Amendments</td>
<td>Through Sessions 1, 2, 3, 8</td>
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<td>IV. Providing officers with an understanding of the national Refrigerant Management Plan</td>
<td>Through Session 4</td>
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<tr>
<td>V. Providing an overview on the newly established licensing system for ODS and its implications for customs officers</td>
<td>Through Sessions 4, 6</td>
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<tr>
<td>VI. Presenting the revised customs codes which allow for the identification of ozone-depleting refrigerants and products containing them</td>
<td>Through Sessions 9, 10</td>
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<tr>
<td>VII. Refining and optimizing the operational details of the monitoring and control system for ODS in Estonia</td>
<td>Through Sessions 4, 16</td>
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<tr>
<td>VIII. Providing an overview of customs regulations and monitoring and control systems for ODS in other countries</td>
<td>Through Sessions 1, 4, 16</td>
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<tr>
<td>IX. Training enforcement officers in the use of identification equipment for refrigerants</td>
<td>Through Sessions 9, 10, 16</td>
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<tr>
<td>X. Designing the concept, agenda, strategy and the time schedule for the training of the remaining customs officers in the country.</td>
<td>Through Session 16</td>
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In addition, the following specific outcomes were achieved:

- Successful training and certification of 31 participants on monitoring and controlling of imports and exports of ODS and ODS products/equipment in Estonia.
- Demonstrating methods for the inspection of imported ODS products, the identification of refrigerants, and the checking of freight papers and labelling. The practical demonstrations included the use of a leak detector, a digital refrigerant identifier, and the temperature/pressure method.
- Exchange of information and experiences between the participants and development of a network of personal contacts.
- The "Estonia Handbook" will be used for the further training of customs officers.
- Detailed workshop recommendations by the participants (see Annex 10.4).
- Certification of the participants by the Government of Estonia.

The following lesson was learned from the train-the-customs-trainers workshop:

- Co-operation between the various agencies and stakeholders involved in controlling and monitoring ODS will be essential to enforcement. The workshop helped establish the framework for this co-operation.

8. Follow-up action plan

This training programme is part of the RMP for Estonia. As such, it will be accompanied by other training and policy related activities as defined in the RMP such as the training programme on good practices in refrigeration and the recovery and recycling 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. If Phase II of the training programme is not completed 12 months after the train-the-trainers workshop, an intermediate follow-up report will to be prepared, following the UNEP standard format.

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

9. Evaluation by participants

The participants conducted a workshop evaluation (see Annex 10.5) and made final recommendations (see Annex 10.4). The overall evaluation of the workshop was “excellent” (60%), “very good” (32%), and “good” (8%).

A graphic analysis of the received evaluation questionnaires is included in Annex 10.5.
The following section includes feedback and suggestions received from the workshop participants concerning (a) the workshop itself, (b) the UNEP customs training manual and (c) the “Estonia Handbook”.

(a) Phase I customs training

- One of the most useful training programs attended
- Describe discovered cases of violations and the legal process that followed.
- Conduct practical training for inspectors (concrete inspection, document control, sampling

(b) UNEP customs training manual

Include more information on first aid measures in cases of ODS emissions that are likely to damage human health

(c) Estonia Handbook on ODS Legislation

- Include a training module on ODS for the trainees of the Public Service Academy (this is where customs inspectors get trained)
- Prepare a new edition of the handbook addressing the new requirements stemming from EC regulation 2037/2000
- Precisely describe the role of environmental inspectors

10. Annexes

Annex 10.1 Agenda
Annex 10.2 List of participants
Annex 10.3 List of trainers/speakers
Annex 10.4 Workshop recommendations
Annex 10.5 Evaluation by participants
ANNEX 10.1 Agenda

Train-the-Trainers Workshop for Customs Officers in Monitoring and Control of ODS Imports/Exports

Estonian Public Servant Academy,
Tallinn, 5-7 November, 2003

5th November

9.30 Registration
10.00 Opening Ceremony
10.00-10.10 Mr. Harry Liiv, Deputy Secretary General: Ministry of the Environment
10.10-10.20 Mr. Yerzhan Aisabayev: Programme Officer (IS/RMP/NCAP), OzonAction Programme, United Nations Environment Programme
10.20-10.40 UNEP video "Every Action Counts"
10.40-11.00 Break
11.40-12.00 UNEP video “Nothing to Declare: Good Customs to Save the Ozone Layer”
12.00-13.00 Lunch
13.00-14.00 Mr. Jüri Truusa: Ministry of the Environment, Department of Environmental Management and Technology: Introduction, Ozone layer, Montreal Protocol, EC Regulation 2037/2000
14.00-14.15 Break
14.15-14.45 Mr. Jüri Truusa: Ministry of the Environment: National legislation, country programme, ODS licensing system
14.45-15.00 Mr. Neeme Kass: Customs Board: Introduction and role of customs inspectors. Checking papers, forms and permits, Country handbook
15.00-15.15 Mr. Toomas Liidja: Environmental Inspectorate: Introduction and role of environmental inspectors: Country handbook

15.15-16.00 Mr. Bruce Pasfield: U.S. Department of Justice: Introduction and role of customs officers and environmental inspectors in the Unites States. Cooperation mechanisms

16.00 End of the day
6th November

9.30-11.15 Mr. Bruce Pasfield: Illegal Trade in ODS and ODS-based products

11.15-11.30 Break

11.30-12.30 Mr. Bruce Pasfield: Green Customs-Introduction to other International Environmental Agreements that require Customs enforcement i.e.:

- Montreal Protocol
- Basel Convention on Transboundary Movement of Hazardous Waste
- Convention on International Trade in Endangered Species (CITES)

12.30-13.30 Lunch

13.30-16.00 Mr. Bruce Pasfield: Green Customs Practical Exercise: Environmental Crimes at the Border

Interactive video of re-creations of actual environmental crimes that took place along the U.S. Mexican border.

- ODS smuggling
- Hazardous waste

The audience will be asked a series of questions about the video re-creations and how they might investigate the crimes.

16.00 End of the day
7th November

9:00-9.30 Mr. Inari Truumaa: Estonian Environmental Research Centre, Ozone Office: Practical Exercise on identification of ODS:

Mr. Bruce Pasfield: Sampling and analyses in the United States.

The class will be divided into two

9.30-10.00 Groups are exchanged

10.00-10.15 Break

10.15-10.40 Mr. Inari Truumaa: Safe sampling, handling, transport and storage of ODS.

10.40-11.15 Mr. Inari Truumaa and Mr. Hugo Tang: Estonian Environmental Research Centre: Practical demonstration: sampling, filling in paperwork, packaging of samples, transport to laboratory, legal framework (contract between Estonian Customs Board and the Estonian Environmental Research Centre (EERC), contract between Environmental Inspectorate and EERC and production of test results.

11.15-12.00 Questions and discussion

12.00-13.00 Lunch

13.00-14.00 Break-out session on investigating ODS smuggling in Estonia

14:00-14.30 Action planning for Phase II and III of the customs training

14.30-14.45 Break

14:45-15.30 Presentation of proposed Action Plan for Phase II

15:30-15.45 Break

15:45-16.15 Closing Ceremony and completion of evaluations. Mr. Thomas Sansonetti, Assistant Attorney General for the Environment and Natural Resources Division in the U.S. Department of Justice Mr. Harry Liiv, Deputy Secretary General: Ministry of the Environment Mr. Marek Helm, Deputy Directors General of the Customs Board will address the group and distribute diplomas

16:15-17.00 End of Training

17:00 Reception
ANNEX 10.2   List of participants

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ANNEX 10.4 Workshop recommendations

1. The following workshop recommendations were made during the workshop.

   Expert’s Recommendation: Customs officers should be given information on quotas from the NOU. They should be able to compare the companies or individuals who have quotas to those that are actually importing ODS. Likewise, the Custom’s Board should provide the NOU with the names of companies or individuals importing ODS. Unless this information is exchanged on a regular basis, “front-door smuggling” will remain a real threat.

   Student’s Recommendations:

   - prepare a new edition of the country handbook addressing the new requirements stemming from EC regulation 2037/2000

   - Precisely describe the role of environmental inspectors.

   - Conduct practical training for inspectors (concrete inspection, document control, sampling)

   - Describe discovered cases of violations and the legal process that followed.

   - Include a training module on ODS for the trainees of the Public Servant Academy (this is where customs inspectors get trained)

   - Include first aid measures in case of ODS emissions that are likely to damage human health

2. The following recommendations were made for Phase II & III of the training programme for customs officers:

   Duration: 1 day

   Agenda: Ozone Layer Depletion, International and National Response, National import/export licensing system, HS codes, ODS producers, ODS use sectors, Illegal Trade, Safe handling, sampling and testing. The consensus was largely to follows the generic agenda from the UNEP training manual.

   Schedule: May-December 2004 (There was general agreement that Phase II should wait until the EU regulations went into effect. The group believed that it would be counterproductive to conduct the training before then as the regulations will change considerably after April 1, 2004.)

   Trainers: Estonia Custom Board, Ministry of Environment, Estonia Environmental Research Centre, [expert’s recommendations - customs brokers, refrigeration technicians]
Participants: Customs Board - 50  
Environmental Inspectorate - 30  
Border Guard - 15  

Training materials: List of trade names of ODS  
Country Handbook  

General Recommendations:  

• [Expert’s recommendation] Businesses with technical expertise in refrigeration should be included in Phase II training. Businesses can provide valuable hands-on training for safe and proper handling and testing of ODS and ODS containing equipment.  
• [Expert’s recommendation] The NOU should work with the Customs Board to develop ODS enforcement training for new customs officers.  
• The training needs to reach as many people as possible because specialist may not always be available.  
• Phase II should be carried out locally-the trainers should go to various ports.  
• The curriculum should be consistent, but should also account for local variations. For example, border crossings that are primarily land based should be given greater instruction on land based smuggling techniques rather than air or sea based smuggling techniques.  
• The trainers from Phase I should form into several groups of trainers that would provide the Phase II training.  
• The NOU should act as the primary focal point for facilitating training throughout the country.  
• Participants should receive the e-mail addresses of the instructors and other participants of the course.  
• The final workshop report should be circulated to the trainers attending Phase I.  
• Each region should map the companies and individuals that are in the refrigeration business. The Customs Board can use this information to profile the risk of smuggling in a particular region. The more detailed (localized) the mapping the more effective the enforcement.  
• Prior to Phase II, the trainers who attended Phase I should get together and finalize plans for Phase II. This should be done after the Phase I trainers have some practical experience with ODS imports. Six months was a suggested time frame. It was noted that six months would roughly correspond to when the new EU regulations go into effect.  
• The training should include practical exercises at the ports. Customs inspectors should see how samples are taken on-site.  
• The training must include specific information about what substances and products can come over the border. For example, the Customs Board needs to know whether a person will need a permit to import a particular type of refrigerator.  
• The Environmental Inspectorate needs training on Customs documents. One participant explained that an environmental inspector might have difficulty enforcing the licensing system if he or she did not understand a company’s import and export documents.
ANNEX 10.5 Evaluation by the participants

Evaluation Questionnaire

The following questionnaire was given to participants to evaluate the training course. The responses to questions one through five 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 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. Can you think of any additional material that should be included in the “Training Manual for Customs Officers” to enable it to better achieve its goals?
7. Can you think of any additional material that should be included in the “Country Handbook” to enable it to better achieve its goals?
8. Please give additional comments about the quality of the course and how similar courses could be improved:
ANNEX 10.6 Further references

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

Nations around the world are taking concrete actions to reduce and eliminate emissions of CFCs, halons, carbon tetrachloride, methyl chloroform, methyl bromide and HCFCs. When released into the atmosphere, these substances damage the stratospheric ozone layer — a shield that protects life on Earth from the dangerous effects of solar ultraviolet radiation. Nearly every country in the world -- currently 170 countries -- has committed itself under the Montreal Protocol to phase-out the use and production of ODS. Recognising that Art. 5 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 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.

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