WORKSHOP REPORT

Train-the-Trainers Workshop for Customs and National Stakeholders on Monitoring & Control of Ozone Depleting Substances

Organized by the National Academy of Customs, Excise and Narcotics (NACEN), Faridabad & Ozone Cell, Ministry of Environment and Forests Government of India

In coordination with the United Nations Environment Programme

Faridabad, India, 4-8 August 2003
TABLE OF CONTENTS

Executive Summary 3
1. Background 5
2. Objectives 7
3. Expected results 8
4. Participants and speakers 8
5. Methodology 10
6. Contents and structure of the workshop 11
7. Results and lessons learned 13
8. Follow-up action plan 17
9. Evaluation by participants 17
10. Annexes 18

Annex 10.1 Workshop Agenda and resource materials 19
Annex 10.2 Lists of participants 26
Annex 10.3 List of trainers, speakers and invitees 27
Annex 10.4 Workshop recommendations 28
Annex 10.5 Evaluation by participants 31
Executive Summary

Developing countries have just started phasing out of ozone depleting substances (ODS) in line with the phase-out schedules agreed upon by the Parties of the Montreal Protocol on substances that deplete the ozone layer (MP). For the most commonly used ODS - chlorofluorocarbons (CFCs) applied mainly as refrigerants - the first control measure was freeze of production and consumption at an average level of 1995-1997 starting from 1 July 1999 and now the developing countries are preparing for 50% reduction starting from 1 January 2005. However, the process of phasing out ODS is endangered by the illegal trade in ODS and ODS-containing products which is developing due to the scarcity of controlled substances and high cost of changing to alternative technologies. Recognizing the serious threat to the smooth phase out created by illegal trade in ODS, in 1997 the parties to the MP signed the Montreal Amendment to the MP which introduced a requirement for all Parties – signatories to that amendment to establish a licensing system for ODS imports and exports.

India is one of the largest producers and consumers of ODS in the world, so phasing out CFCs in India is a serious problem which has not only local, but also global dimension. Preventing development of the illegal trade in ODS in India is then crucial for ensuring smooth ODS phase out in the Region and in the whole world.

As India ratified not only the Vienna Convention on the protection of the ozone layer and the MP, but also all amendments to the MP including the Montreal Amendment, it was obliged not only to follow the ODS phase-out schedules, but also to establish a licensing system for ODS imports and exports. Actually, the licensing system which meets the substantial requirements specified in the Montreal Amendment had been established in India well before that Amendment was introduced. Effective enforcement of the system depends on the awareness of the officers of the relevant government agencies which execute monitoring and control of ODS import and export. The crucial agency involved in control of trade in ODS is customs, so extensive training of customs officers (and other key stakeholders) is needed to ensure prevention of illegal ODS traffic. Such training activities have been envisaged as part of the Technical Assistance component of the CFCs production sector phase out in India and as part of the Refrigeration and Air Conditioning (RAC) servicing sector strategy which will be developed by India in collaboration with UNEP. Under that framework, a workshop on monitoring and control of ODS was organized in the premises of National Academy of Customs, Excise and Narcotics of India (NACEN) in Faridabad in November 2001. The participants of that workshop were senior officers from Indian customs, including in particular NACEN customs trainers, and representatives of other key Indian government agencies. It was also decided that the customs officers from the other selected countries from different regions of the world would participate in that workshop in order to create a group of well trained teachers which would be able to conduct train-the-trainers workshops in their regions. The workshop consisted of two parts: a 3 day standard training module used also at other train-the-trainers workshops and a 2 day advanced module designed specifically to extend the knowledge and skills of the participants, so that they were able to conduct the train-the-trainers courses themselves. Later on, a few customs training workshops were organized in different places in India and in some other countries with active participation of the trainers trained in Faridabad in 2001, but it was found that the number of teachers would be not enough to serve a number of courses that were planned to be conducted both in India and abroad. It has been decided by UNEP and the Government of India that NACEN will collaborate with UNEP in that respect and that more NACEN teachers are to be trained in order to gain ODS-specific knowledge and skills.
Following that approach, two train-the-trainers-of-the-trainers workshops were organized by the Indian Government in collaboration with UNEP in NACEN complex in Faridabad and in NACEN office in Chennai. The participants (ca. 20 for each workshop) were customs officers from NACEN and selected representatives of regional customs departments of India and also some key government agencies. The main instructor for the workshops was Dr. Janusz Kozakiewicz (UNEP International Consultant) and the other trainers and speakers were local persons, including Ms. Meenakshi Passi and Mr. K.M. Nair who got experience as trainers in ODS monitoring and control at the train-the-trainers workshops both in India and abroad. The lists of participants and the list of trainers, speakers and invitees are included to this report as Annexes 10.2 and 10.3, respectively. The objective of the workshops was to build the capacity of NACEN teachers and key stakeholders associated with India policy and training strategy connected with the ODS phase out on the MP related issues for subsequent training within India and possibly also abroad.

The workshops were structured in a similar way as the workshop held in Faridabad in 2001. First three days were the actual delivery of the three-day Phase I train-the-trainers for customs officers’ module of UNEP in the context of India example. The next two days were devoted to building the capacity of the participants even further by concentrating on agenda issues that need intensive interface and on the practical exercises and interactive sessions which allowed for deeper understanding of the issues related to the ODS monitoring and control and for testing the knowledge and skills of the individual participants. Because of unavoidable reasons, the workshop held in Chennai had to be compressed to four days through tightening the regime of the sessions, but contained the same material as the workshop in Faridabad. This report concerns the workshop held in Faridabad.

The agenda of the workshop held in Faridabad and the resource materials handed out to the participants are included to this report as Annex 10.1. Individual participant’s package contained the “Country Handbook on the national regulations for monitoring and controlling production and use of ODS in India” prepared by the Ozone Cell of India, the UNEP’s Customs Training Manual “Saving the Ozone Layer”, most of the presentations made for the workshops and the special binder prepared by UNEP International Consultant containing the extensive reference materials on issues related to the subjects discussed at the workshop. A CD with most of the presentations and the film recorded at the workshop was also included. The video films on ozone layer depletion and on illegal trade in ODS were shown to the participants during the workshop.

During the workshop most of the participants were very proactive and seemed very much committed to the issues presented to them. Based on extensive discussions carried out in the working groups at the Break-out session and in the plenary, the participants developed a very comprehensive set of valuable recommendations suggesting improvements to the existing system of monitoring and control of ODS in India and to the execution of that system in practice. Action plan for the Phase II and III of customs training in India was also proposed by the participants as part of the recommendations. The recommendations are included in this report as Annex 10.4.

The results of the workshop evaluation made by the participants showed that the workshop was very much appreciated by them. The overall evaluation of the workshop was excellent - all marks were “excellent” or “very good” and the “excellent” rating distinctly prevailed (“excellent” – 61% and “very good” – 39%). Very encouraging evaluation results were obtained with regard to the question concerning the usefulness of the course, and the training materials as well as to the presentations and break-out sessions which received quite high ratings.
A graphic analysis of the received evaluation questionnaires as well as the detailed comments received from the workshop participants concerning the workshop itself, the UNEP “Training Manual for Customs Officers” and to “India Country Handbook” are included in Annex 10.5.

At the end of the workshop, certificates were handed over to the participants by the Director General of NACEN, Ms. Parveen Talha.

Media coverage of the workshop was excellent. The representatives of the main Indian newspapers and radio/TV programmes were present during the opening ceremony and workshop valediction and the awareness of general public in India on problems related to ODS could be effectively raised through quite a few press releases and radio/TV broadcasts.

The workshop report will be placed on UNEP's homepage at: http://www.uneptie.org/ozonaction.html

1. Background

In the beginning of the eighties the scientists found that the ozone layer that surrounds the Earth and absorbs large part of the harmful uv-B radiation from the sun had been seriously depleted by the man-made chemicals, later called ozone depleting substances (ODS). Recognizing the threat of ozone layer depletion to the life on Earth the international community decided to sign the Vienna Convention for the Protection of the Ozone Layer in 1985 and the Montreal Protocol on Substances that Deplete the Ozone Layer (MP) in 1987. While developed countries have already phased out most of the ODS, developing countries are still using them, mostly in the Refrigeration and Air Conditioning (RAC) sector. According to the phase-out schedules agreed upon by the Parties of the MP developing countries had to freeze their production and consumption of the main ODS – chlorofluorocarbons (CFCs) – starting from 1 July 1999. The next step will be 50% reduction of production and consumption of those chemicals starting from 1 January 2005. The phase out schedules for other ODS (halons, carbon tetrachloride, methyl chloroform, methyl bromide) have already begun or will begin in the near future. Even the intermediate substitutes for CFCs – hydrochlorofluorocarbons (HCFCs) that are now widely used will have to be phased out after some time. Compliance with the ODS phase out schedules set out in the MP is a great challenge for developing countries and achieving the required levels of reduction will need much effort from developing countries and financial assistance from developed countries. Moreover, the process of phasing out ODS in both developed and developing countries has been seriously endangered by the illegal trade in ODS and ODS-containing products what increases the market demand for ODS, in particular for CFCs which are used mostly in the RAC sector. Monitoring and control of ODS traffic has become inevitable to prevent that illegal trade. In view of this, in 1997 the parties to the MP decided to sign the Montreal Amendment to the MP where the establishment of the licensing system designed to monitor and control imports and exports of ODS was included as mandatory requirement for signatories of that treaty.

India is one of the largest ODS producers and consumers in the world. In 2002 total production of ODS in India was over 33 thousand metric tones, not including transitional substances – HCFCs. Presently, India produces three main CFCs (CFC-11, CFC-12 and CFC-113), carbon tetrachloride, methyl bromide and the main substitute for CFC-12 - HCFC-22. Though a number of conversion projects has been introduced aiming at diminishing ODS use in certain sectors (aerosol, foam, R&AC, solvent etc.), demand is still very high, especially in
servicing R&AC equipment with CFC-12. Full compliance of India with the MP phase out schedules has then not only national, but also global implications. Recognizing that, India has agreed to phase out production of CFCs even earlier than set out in the MP provisions (by 2010) with financial assistance provided by the Multilateral Fund of the MP.

It should be emphasized here that the government of India has actively participated in the international negotiations that led to signature of the MP and has been always committed to follow the MP provisions related to the ODS phase out. India acceded to the Vienna Convention on 18th March 1991 and Montreal Protocol and London Amendment to the Montreal Protocol on 19th June 1992. The India Country Programme for ODS Phase-out was prepared in 1993. Recently, the government of India decided to ratify also the remaining amendments to the MP, including the Montreal Amendment. Though before ratification of the Montreal Amendment the establishment of ODS import/export licensing system was formally not mandatory for India, such system was introduced in India already in 1995 and since then several improvements to the originally designed legislation have been made. In particular, very important regulatory mechanisms were introduced by the “ODS Rules 2000”. However, the taxation system has not been changed which makes the price of legally produced CFCs quite high on Indian market while illegally imported CFCs cost much less. This may be the main reason of development of illegal trade in ODS observed recently in India. Curbing that illegal ODS traffic has become quite important for India and also for the whole South Asia Region and for the whole world.

Customs agencies and other enforcement bodies play an essential role in the effective monitoring and control of import/export licensing mechanisms, in the collection of import/export data, in the enforcement of ODS regulations and in the prevention of illegal trade. In order to effectively implement and enforce a given regulatory regime, customs agencies must be made familiar with any legislative and regulatory mechanisms that require their attention. To achieve this objective, the training programme for customs officers must be aimed at (1) enabling customs officers to control and monitor the imports and exports of CFC refrigerants as well as other ODS and (2) assisting the country to comply with the freeze and phase-out schedules for ODS under the Montreal Protocol.

The standard UNEP training programme for customs officers follows the "train-the-trainers" approach with the following key stages:

- **Phase I** is “train-the-trainers” workshop. Once the national ODS import/export licensing system is in place or ready to be put in place and a Country Handbook on ODS legislation and import-export licensing system has been prepared Phase I is conducted. A group of 20-25 selected customs trainers, senior customs officers and other stakeholders involved in the monitoring and control of ODS are trained as trainers by an international consultant.

- **Phase II**: A selected group of customs officers from the most important customs entry points are trained by the local trainers trained during Phase I.

- **Phase III** (concurent with phase I and II) is monitoring and evaluation of the results of the programme and preparation of a follow-up report.

Based on the above principle, since 1999 UNEP DTIE has been successfully organising train-the-trainers workshops on monitoring and control of ODS for customs officers in Article 5 countries. The programmes of those 3-day workshops are similar and are based on the generic agenda contained in “Training Manual for Customs Officers” published by UNEP DTIE in co-
operation with other agencies and institutions. In India the customs training programme started in November 2001 when a 5-day workshop was conducted in the premises of National Academy of Customs, Excise and Narcotics in Faridabad. The participants of that workshop were not only Indian customs officers and key stakeholders, but also selected customs officers from the other regions of the world. The main objective of that workshop was to improve skills and knowledge of the participants on ODS related issues in order to allow them to conduct train-the-trainer workshops on monitoring and control of ODS in India and in the other countries. That workshop was split into two separate modules: 3-day “standard” train-the-trainers workshop and an advanced 2-day “train-the-trainers-of-the-trainers” course. Since then a few other workshops were organized in different places in India and in some other countries. Those workshops involve active participation of the trainers trained in Faridabad in 2001. However, it was found that the number of teachers trained in ODS would be not enough to serve a number of courses that were planned to be conducted both in India and abroad. It has been decided by UNEP and the Government of India that NACEN will collaborate with UNEP in that respect and that more NACEN teachers are to be trained in order to gain ODS-specific knowledge and skills.

Following that approach, two train-the-trainers-of-the-trainers workshops were organized by the Indian Government in collaboration with UNEP in NACEN complex in Faridabad and in NACEN office in Chennai. This report relates to the first of those two workshops.

2. Objectives

The main objective of the 3-day “standard” part of the workshop was to build the participants’ capacity on Montreal Protocol related issues for subsequent training within India under the India policy and training programme.

That objective was achieved by:

I. Increasing awareness of ozone depletion issues
II. Introducing the different types of ODS being used in the particular sector and for which applications
III. Introducing the provisions and phase-out schedules of the Montreal Protocol and its Amendments and basic elements of related international conventions, in particular the synergisms and common elements with the MP
IV. Providing officers with understanding of the national obligations and response with regard to monitoring and control of ODS
V. Providing an overview on the licensing and quota system for ODS and its implications for customs officers, and other stakeholders.
VI. Presenting the revised HS customs codes for ODS and products containing them and pointing out the problems in identification of ODS/ODS-containing products by the customs codes
VII. Refining and optimizing the establishment of the operational details of the monitoring and control system for ODS in India
VIII. Providing an overview of regional context of monitoring and control system for ODS and discussing the most popular ODS smuggling schemes
IX. Training in the use of identification equipment for refrigerants
X. Designing the basic elements of the training of the remaining customs officers in the country.
Second important objective of the 3-day module was equipping the selected group of customs officers representing NACEN, customs regional departments, enforcement agencies of India and other key government institutions with basic knowledge needed for active participation in subsequent 2-day advanced course.

The detailed programme of 3-day workshop designed to meet the above objectives is given in Chapter 5 below.

The main objective of the 2-day advanced “train-the-trainers-of-the-trainers” course that followed the “standard” 3-day module was to provide the participants with knowledge and skills related to monitoring and control of ODS so as to establish the background needed for them to be able to conduct 3-days “standard” UNEP modules not only in India, but also in the other countries in the South Asia region. This would allow for fast and cost-effective spreading of the knowledge and skills needed to better monitor and control trade in ODS and to prevent and combat illegal trade in ODS in the region. This objective was achieved through the programme especially designed for that course explained in Chapter 5 below.

3. Expected results

It is expected that the immediate substantial result of the combined 5-day training would be availability of a number of knowledgeable and skilled customs officers and representatives of other key agencies in India who may be able to teach the future customs trainers both in India and in the other countries in the region on problems related to monitoring and control of ODS traffic. This will be in line with the general concept of regionalisation of the OzonAction Programme under the framework of CAP. It was thought that recommendations for the subsequent Phase II training of customs and enforcement officers in India would also be an important output from the training. It was expected that a Montreal Protocol related training module would be included in the ongoing training programmes of the customs department for new customs officers in India and that it would also be integrated in the refresher courses for experienced officers. Thus the sustainability of the training programme would be ensured.

The expected long-term result of the combined 5-day workshop is to enhance awareness of ozone depletion issues among customs authorities and other relevant stakeholders as well as the achievement of the specific training objectives as stated in Chapter 2.

In addition, synergies for the enforcement of other relevant international environmental agreements such as the Basel Convention, Rotterdam Convention, Kyoto Protocol and CITES will be encouraged. It is expected that the lessons learnt from two workshops held in Faridabad and in Chennai will serve as a basis for designing the other customs training workshops that are to be conducted in India soon.

4. Participants and speakers

In total, 18 participants attended the 5-day workshop in Faridabad (see the table below for participants’ composition).
<table>
<thead>
<tr>
<th>Participants</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior officers from NACEN</td>
<td>9</td>
<td>50</td>
</tr>
<tr>
<td>Senior customs or excise officers from outside NACEN</td>
<td>3</td>
<td>17</td>
</tr>
<tr>
<td>Senior officers from other enforcement agencies</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>Senior officers from the Ministries</td>
<td>4</td>
<td>23</td>
</tr>
</tbody>
</table>

As it can be seen from the table, the majority of participants were senior officers from NACEN what is quite understandable in view of the fact that NACEN is supposed to organize future trainings in India. On 26.08.2003 NACEN signed a MOU with UNEP to conduct training workshops in the other countries. Among the remaining participants there were 3 senior customs and excise officers (from Central Excise, Customs Inspection Unit and Inland Container Depot), One officer from the Ozone Cell in the Ministry of Environment and Forests, 3 senior officers from other Ministries (Commerce and Industry, Small Scale Industries) and three senior officers from key enforcement bodies, other than customs (Border Security Force, Central Industrial Security). On the request of Ms. Parveen Talha, Director General of NACEN, the names of a few participants who would be considered by NACEN as trainers for the first round of the workshops that are to be organized in Phase II of the training programme in India and for the national train-the-trainers workshops to be organized in the other countries were selected by the UNEP International Consultant based on their activity during the course. The participants of the workshops to be organized in India will be selected from the remaining customs officers in the country.

The complete list of participants is attached as Annex 10.2.

The main instructor and speaker for the 5-day combined workshop was Dr. Janusz Kozakiewicz, Industrial Chemistry Research Institute, Poland (UNEP International Consultant) who also represented UNEP at the workshop. He was assisted by Ms. Meenakshi Passi, Additional Commissioner from Mysore Central Excise who had good experience in training in ODS monitoring and control from the previous customs training workshops held in India and abroad.

Additional instructors and speakers for 3-day and 2-day modules were:
<table>
<thead>
<tr>
<th>Name</th>
<th>Institution</th>
<th>3-day module</th>
<th>2-day module</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. K.M. Nair</td>
<td>NACEN, Centre for Excellence, Chennai</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Mr. Ashok Mehta*</td>
<td>NACEN, Faridabad</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ms. Usha Chandrasekhar</td>
<td>Ozone Cell, Ministry of Environment and Forests of India</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Dr. S. Sathpathy</td>
<td>Project Management Unit Ministry of Environment and Forests of India</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Mr. O.P. Hisaria</td>
<td>Directorate General of Foreign Trade, India</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Mr. S.C. Wadhwa</td>
<td>Gujarat Fluorochemicals Ltd, India</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

*Mr. Ashok Mehta presented the objectives and outline of the course at the Opening Ceremony and was also the official Course Director.

It should be emphasised here that Ms. Parveen Talha (Director General of NACEN) added much to the workshop presenting a very encouraging speeches at the opening ceremony and at the course valediction and taking active part in the Break-out session and in the discussion of recommendations. Her proactive approach to the workshop undoubtedly gave much inspiration to participants which resulted in development of excellent recommendations that would assist the Ozone Cell of India to improve the present regulations on ODS and strengthen their enforcement.

The details of all trainers/speakers and invitees are attached as Annex 10.3.

5. Methodology

As it was mentioned in Chapter 1, the workshop consisted of two modules: 3-day “standard” train-the-trainers module and an advanced 2-day “train-the-trainers-of-the-trainers” course. The workshop was conducted in English. The methodology used in both modules is described below in detail.

5.1. The 3-day module

The general idea of the 3-day train-the-trainers module was to build up the capacity and skills of customs trainers from India to carry on training on issues related to monitoring and control of ODS in India and in the other countries.
Actually, the 3-day module can be considered as the first stage of the customs training programme in India which is supposed to be implemented in three phases:

Phase I: 3-days train-the-trainers workshop
Phase II: Subsequent training of the selected other customs officers in the country
Phase III: Monitoring & evaluation (concurrent with Phase I and II)

The training materials for the three days module consisting of UNEP’s Customs Training Manual “Saving the Ozone Layer”, copies of all presentations and break-out session forms as well as UNEP and EIA brochures dealing with illegal trade in ODS were distributed to the participants at the workshop. Apart from presentations, the three days module contained interactive session involving discussion on the case studies on illegal trade, the Break-out session where discussion in groups was carried out and a special “hands-on” session where practical demonstration of ODS identification was made. Two video films: a UNEP film presenting the threat of ozone depletion to the life on Earth and an EIA film describing the cases of illegal trade in ODS were shown to the participants.

5.2. The 2-day advanced module

The 2-day advanced train-the-trainers-of-the-trainers course that followed the 3-day “standard” customs training module was oriented on more interactive participation of the audience and was designed specifically to provide to the participants extended information on issues related to the Montreal Protocol and allow them to exercise their skills through discussing specific questions concerning ozone layer depletion and the Montreal Protocol, problem of illegal trade in ODS from India perspective and customs classification of ODS, and solving practical problems of identification of ODS.

At the beginning of the course the participants received a special booklet designed by the UNEP International Consultant and containing detailed resource study materials that would help them in preparations for conducting the train-the-trainer workshops on monitoring and control of ODS for customs officers in the other countries. Contents of that booklet are given in Annex 10.1

6. Contents and structure of the workshop

6.1. The 3-day module

The 3-day train-the-trainers module included the following sessions:

Session 1: Ozone layer depletion
Session 2: National obligations and response
Session 3: International response
Session 4: National import / export licensing system
Session 5: Global & regional context of trade in ODS
Session 6: Identification of ODS and ODS-containing equipment and goods (including presentation on HS classification of ODS)
Session 7: Problem of illegal trade in ODS and possible means to solve it
Session 8: Role of customs officers and other stakeholders and checking papers, forms and permits
Session 9: Case studies
Session 10: Safe handling, transport and storage of ODS
Session 11: Practical exercises on identification of ODS
Session 12: Related international conventions
Session 13: Breakout Session on effective operation of ODS import / export licensing system and enforcement of ODS regulations
Session 14: Discussion on workshop recommendations

3 working groups were created during the break-out session in order to discuss specific topics in the area of operation of the ODS import/export licensing system and of the enforcement of ODS regulations. The groups discussed, respectively, the following topics: “Effective operation of the ODS import/export licensing system”, “Enforcement of ODS regulations” and “Action Plan for Phase II and III of customs training”. Each group prepared reports with their findings and recommendations that were then discussed in the plenary and became the basis for formulating the final workshop recommendations. Based on results of discussion held in the working groups and in the plenary not only the general recommendations, but also a detailed suggestions for executing further customs training was developed – see Annex 10.4.

It was recommended that NACEN would take the lead in training of the remaining customs and enforcement officers in the country and that both experienced and newly employed customs officers would receive training on ozone-related issues. More train-the-trainers workshops would be carried out to spread the knowledge in Customs Commissionerates and other enforcement agencies in India. Ozone Cell would be responsible for monitoring the training progress.

6.2. The 2-day advanced module

The 2-day advanced train-the-trainers-of-the-trainers module included the following sessions:

Session 15: Teasers in Montreal Protocol
Session 16: Lessons learned from the other train-the-trainers courses conducted by UNEP in the other countries
Session 17: Panel discussion on 8 digit HS coding
Session 18: Global and regional trade agreements
Session 19: Problem of illegal trade in ODS from regional perspective
Session 20: Illegal trade in ODS (round table discussion)
Sessions 21-24: Identification of ODS (practical group exercise)
Session 25: ODS (Rules and regulations), 2000
Session 26: Panel discussion: Efforts required to meet the MP obligations with reference to ODS trade in India

The sessions contained in the 2-day advanced module (specifically “Teasers in the Montreal Protocol”) were conducted as seminars with active participation of the audience. E.g. the participants were asked to answer the questions related to ozone layer depletion or to discuss the specific problems of interpretation of the MP provisions. Round table discussion on illegal trade was combined with the presentation on illegal trade from the regional perspective what allowed for discussing in detail the issues that were considered the most important by the participants. Panel discussions on efforts required to meet the MP
obligations in India and on 8 digit coding of ODS were combined with general plenary discussion on workshop recommendations what helped in pointing out what is to be improved.

At the session on practical identification of ODS the participants were split into 3 groups. Each group had to identify the disguised material (ODS or not ODS gas) delivered in two cylinders based on the information contained in customs declaration and displayed on the cylinders, present their findings in the plenary and then check the actual contents of the cylinders using refrigerant identifier without any assistance from the instructors. The experiments were designed by the UNEP International Consultant and the disguised containers were prepared by the representative of the organisation of Indian ODS producers REGMA.

The workshop was opened by Shri S.K. Bhardwaj, Member, Central Board of Excise and Customs of India. The key-note address was delivered by Ms. Parveen Talha, Director General of NACEN. The opening ceremony included also introduction of faculty and participants and presentation of the objectives and outline of the course by the course director, Mr. Ashok Mehta from NACEN and linking the course to the world’s situation by Ms. Meenakshi Passi, Additional Commissioner of Mysore Customs and Excise Board.

The Course Valediction that closed the workshop contained the ceremony of handing out the participation certificates to the participants, closing statements by : Ms. Parveen Talha, Director General of NACEN, Mr. Ashok Mehta, Director of the Course and UNEP International Consultant (on behalf of UNEP), and Vote of Thanks by the representative of participants. Giving her valedictory address, Ms Talha stressed the need of training the customs officers and national stakeholders and applauded the efforts made by UNEP, PMU and Ozone Cell in that respect. She assured that NACEN is committed to proliferate the knowledge gained by the participants through the workshop to all officers in India and in the Region. While commending the excellent quality of the faculty of the workshop, she hoped that the trainees shall also provide to be outstanding trainers for the future workshops.

Media coverage of the workshop was excellent. The press and radio/TV journalists were present at the opening ceremony and at the Course Valediction. The workshop was covered in the popular Indian papers: “The Indian Express”, “The Times of India”, “Amar Ujala”, “Dainik Jagaran”, Hindustan Hindi”, “Punjab Kesari”. Zee News, the international news channel has also carried the news item on the inauguration of the workshop highlighting the importance of the ozone layer to the mankind and the efforts being made in India to combat the smuggling of ODS into/from India and also the role of NACEN in bringing about the awareness of the ozone layer depletion problem and in imparting training to the customs officers and other national stakeholders.

Detailed Workshop Agenda containing both 3-day and two-day modules is attached in Annex 10.1

7. Results and lessons learned

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

<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 Session 1 and the video film</td>
</tr>
<tr>
<td>II. Familiarizing enforcement officers with the different types of ODS being used in different sectors and for different applications</td>
<td>Through Sessions 1, 2, 3, 6</td>
</tr>
<tr>
<td>III. Familiarizing enforcement officers with the provisions and phase-out schedules of the Montreal Protocol and its Amendments and with related international conventions,</td>
<td>Through Sessions 3, 12</td>
</tr>
<tr>
<td>IV. Providing officers with understanding of the national obligations and response with regard to monitoring and control of ODS</td>
<td>Through Session 2</td>
</tr>
<tr>
<td>V. Providing an overview on the national licensing and quota system for ODS and its implications for customs officers</td>
<td>Through Session 4</td>
</tr>
<tr>
<td>VI. Presenting the revised HS customs codes for ODS and products containing them and pointing out the problems in identification of ODS/ODS-containing products</td>
<td>Through Sessions 6, 7</td>
</tr>
<tr>
<td>VII. Refining and optimizing the operational details of the monitoring and control system for ODS in India</td>
<td>Through Sessions 4, 8</td>
</tr>
<tr>
<td>VIII. Providing an overview of regional context of monitoring and control system for ODS and discussing the most popular ODS smuggling schemes</td>
<td>Through Sessions 5, 7, 9</td>
</tr>
<tr>
<td>IX. Training in the use of identification equipment for refrigerants</td>
<td>Through Session 11</td>
</tr>
<tr>
<td>X. Designing the basic elements of the training of the remaining customs officers in the country.</td>
<td>Through Session 13</td>
</tr>
</tbody>
</table>

In addition, the following specific outcomes were achieved:

- Successful training and certification of 18 participants on monitoring and controlling of imports and exports of ODS and ODS products/equipment. This, followed by the further training of the selected remaining customs officers in the country should be a major help in preventing the illegal trade in ODS in the region.
- Providing the participants with skills and knowledge needed to attend the subsequent advanced part of the course
- Explaining and demonstrating methods of identification of ODS refrigerants and suggesting the right approach to checking freight papers and permits.
- Demonstrating the photos of various ODS containers and the smart methods used to smuggle ODS
- Exchange of information and experiences between the participants and development of a network of personal contacts
- Development of suggestions for amendments to the proposed 8-digit coding system for ODS that is supposed to be applied in India
- Development of suggestions for rationalisation of tax structure in India to ensure that the price disparity between the regional prices of ODS are brought down
- Detailed workshop recommendations by the participants containing, inter alia, a detailed draft plan for further customs training in India and suggestions for increasing public awareness and participation in phasing out ODS in India (see Annex 10.4)
- Valuable comments on the workshop itself, “India Country Handbook” and UNEP “Customs Training Manual” given by the participants (see Annex 10.5).
- Certification of the participants by the Government of India

The objective of the advanced course was met through careful design of the sessions and resource study materials that were closely related to the subjects discussed during the sessions and helped the participants to think over the problems addressed by the course. In general, the sessions were:

- dealing more deeply with the issues already briefly discussed at the “standard” 3-day module in order to point out the most sensitive elements and to release participants’ own initiative in approaching the problems set out by the instructor (sessions on Teasers in the Montreal Protocol and on Illegal Trade in ODS)
- introducing entirely new information needed for supplementing the knowledge of future trainers-of-the-trainers (sessions on Global and Regional Trade Agreements and on Teasers in the Montreal Protocol)
- allowing participants to practice the skills needed for being future instructors for the others (Practical Exercise on Identification of ODS)

The following lessons were learned from the two workshops held in Faridabad and in Chennai:

- As in the 5-day combined workshop conducted in Faridabad in 2001, the similar workshops held in Faridabad and in Chennai clearly demonstrated how important the proper selection of the participants can be for the success of the workshop. Good proportion between NACEN teachers and officers from the other agencies as well as the proper selection of their representatives (usually they were at the level of Joint Director) enabled the discussions to be really focused on the most important issues. However, great differences in the ability of the participants to absorb and deeply understand the material given to them were observed when their skills and knowledge was checked by the instructors at the interactive sessions. This could result both from the different background of the participants and from their individual skills. It should be emphasised here that though it is anticipated by UNEP that all participants of the train-the-trainers courses will be the trainers in the future, it will obviously never happen because not all people have got the teaching skills and unless the selection of participants is made after preliminary tests showing those skills, only very few of the trainees can be good trainers themselves. Therefore, the request of Director General of NACEN to identify the most promising group of future trainers was definitely right. It is suggested that in the future workshops the participants will be requested to give very short presentations on the topics discussed at the workshop. Two possible approaches are possible here. One is that the topics would be randomly drawn by the participants, so nobody would know in advance which topic he/she is going to talk about. In that case, time for a talk should be very short – max. 3 minutes. This approach would give the instructor the idea of level of understanding the topics discussed at the workshop, but would not allow for judgement of the teaching skills of the participant. Another approach can be that the participants know about their topics in advance and have some time for preparing their presentations. In that case, the presentations can be longer – 5-7 minutes. That approach would give the instructor the
idea of teaching skills of the participants, but would not allow for testing the level of understanding the material. The suggestions presented here can be implemented only in the combined (5-day) workshops because otherwise time for such test would not be available in the agenda.

- It should be emphasised that the activity of the participants of both workshops measured by number of questions asked and proactive approach to discussions in the plenary and in the break-out session was really outstanding. This was general impression of the instructors, but obviously the activity of the individuals was not equal – see the observations presented above.

- The recommendations developed at both workshops were really excellent because they touched the most important problems of monitoring and control of ODS in India. Guidance given to the participants of Faridabad workshop by the Director General of NACEN in her speech at the opening ceremony and during the discussions on recommendations should be highlighted here.

- Not only the final recommendations as such, but also the way the partial recommendations from the working groups were presented in the plenary by the rapporteurs was outstanding, in particular in Chennai where the rapporteurs made very nice power point presentations. It may be then suggested that in the future workshops computers are available for the working group discussions at the break-out sessions, so that the rapporteurs could make good looking presentations in the plenary. The positive role of interactive way of conducting the workshop sessions was clearly demonstrated at both workshops. However, it should be noted that such approach was possible only after the participants had been equipped with knowledge by listening to standard presentations delivered in the first part of the workshop. It means that at the standard 3-day workshop such approach cannot be used. It again proves that elongation of the duration of standard UNEP customs training module is needed.

- Presentation of audiovisual aids (vide films, real pictures of seized containers etc.) at the workshop helped much in absorbing the attention of the audience and in understanding the issues discussed at the workshop. It is then recommended that such approach is always taken in the future workshops. Also it should be pointed out that a thoughtful design of the contents of individual participant’s package is very important for the success of any customs training workshop. The choice of materials prepared for workshops held in Faridabad and in Chennai was appreciated by the participants, in particular they liked the idea of including a CD with the presentations and films and a booklet with resource study materials that would help them in their future service as trainers.

- Discussions on illegal trade in ODS from regional perspective seem to be very important for the success of any customs training workshop. At the workshops held in Faridabad and in Chennai it was possible to have those discussions because of the presence of the representative of Indian Association of ODS producers who had all data on illegal trade in the region. Presentation by the customs officer who seized a number of illegal ODS shipments at the India-Nepal border was also very useful. At the workshops conducted in the other countries such data were not available. This situation may change since after implementation of Decision X/14 of the Parties to the MP the countries will be more open in revealing illegal trade cases.

- Introducing the panel discussion on ODS customs codes to the workshop programme appeared to be very useful since the discussion revealed some inconsistencies in the current customs classification of ODS in India thus assisting in its improvement. For example, it was noticed that the code for methyl bromide in Indian classification was not consistent with the HS system since it was classified there as pesticide. At the workshop held in Chennai it was explained by the representative of CBEC that this was because of
the decision of Supreme Court of India. Since it seems to be a very strange approach taken by the Supreme Court, it was agreed that the new proposal in that regard which will be consistent with HS rules will be presented by CBEC.

8. Follow-up action plan

India is implementing a major project in collaboration with UNEP on training enforcement bodies in India and preparing a strategy for policy and customs officers training. The objective of this project is to assist Government of India formulate a strategy and an action plan for implementation and enforcement of all the policies and regulations related to ODS phase-out including a strategy for customs officers training in India. This project, as part of the RAC servicing sector strategy, is presently being considered by the Executive Committee of the MP. The participation of NACEN trainers, senior customs officers and other key stakeholders from India at the workshop gave India an insight into preparing the Phase I and the subsequent phases of training of customs officers in the country. It has been recommended that NACEN will take a lead in organisation of the training. It is planned that more train-the-trainers workshops will have to be organised in order to spread the knowledge wider in Customs Commissionerates. Moreover, on the basis of the MOU that is to be signed soon between UNEP and NACEN, the trainers for conducting the national train-the-trainers workshops in the other countries will be selected from the workshop participants. However, based on the earlier experiences it seems rational that, in the beginning, one or two workshops will be delivered by each newly identified customs trainer together with UNEP International Consultant or NACEN trainer already experienced in conducting workshops on ODS monitoring and control. UNEP will assist in organisation of the training of customs officers outside India.

It has also been suggested that the NOU and other agencies involved will consider and, as far as possible, take care of implementation of workshop recommendations for further training and also of the other 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 overall evaluation of the workshop (Q1) was excellent - all marks were “excellent” or “very good” and the “excellent” rating distinctly prevailed (“excellent” – 61% and “very good” – 39%). Very encouraging evaluation results were obtained with regard to the question concerning the usefulness of the course (Q2, Q6) and the training materials (Q7). Also the presentations and break-out sessions received quite high ratings. The highest number of “excellent” marks was given to the following issues: ozone layer depletion and role of customs officers and other stakeholders (both received 78% excellent marks), identification of ODS and ODS-containing equipment and other goods (67%) and international response to ozone layer depletion (61%). Based on the comments given in the evaluation questionnaires it is clear that the participants appreciated very much the workshop organisation and the way the training was conducted. This should be especially emphasised taking into account the teaching experience of most of the participants and their good background in the issues related to prevention of illegal trade in general.
A graphic analysis of the received evaluation questionnaires as well as the detailed comments received from the workshop participants concerning the workshop itself, the UNEP “Training Manual for Customs Officers” and to “India Country Handbook” are included in Annex 10.5.

10. Annexes

Annex 10.1   Workshop Agenda and resource materials
Annex 10.2   List of participants
Annex 10.3   Lists of trainers, speakers and invitees
Annex 10.4   Workshop recommendations
Annex 10.5   Evaluation by participants
ANNEX 10.1 Workshop Agenda and resource materials

WORKSHOP AGENDA - Faridabad

Day 1

9:30  Registration of participants

10:00 Opening ceremony by Shri S.K. Bhardwaj M (P&V), CBEC

11:00 Key-note address
    Ms. Parveen Talha, Director General, NACEN
    - Introduction of faculty and participants
    - Objective of the Course
    - Outline of the Course
    Mr. Ashok Mehta, Course Director
    - Linking course to the world situation
      - UNEP Video – Every Action Counts
    Ms. Meenakshi Passi, Addl. Commissioner, Mysore

11:45 TEA

12:00 Session 1: Ozone layer depletion
    Dr. Janusz Kozakiewicz
    - Environmental and human health consequences
    - Ozone layer science
    - Discussion

12:45 Session 2: National obligations and response
    Ms. Usha Chandrasekhar, Ozone Cell, Ministry of Environment and Forests
    - Overview of national ODS consumption pattern
    - National phase-out and reporting obligations
    - National response - Refrigerant Management Plan
    - Discussion

13:30 LUNCH

14:30 Session 3: International response
    Dr. Janusz Kozakiewicz – UNEP International Consultant (on behalf of Ms. Lud Coppens- UNEP Programme Officer)
    - International response - the Montreal Protocol and its Amendments
    - Phase-out schedules and strategies for Article 2 and Article 5 countries
    - Discussion

15:15 TEA

1530: Session 4: National import/export licensing system
    Dy. DGFT and Dr. S. Sathpathy, PMU
    - Institutional framework
- 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

1630  Session 5: Global and regional context of trade in ODS

Mr. K. M. Nair, Additional Director General, NACEN Chennai

- Global production and trade with ODS and ODS-containing products
- Regional and global trade agreements
- Transhipment harbours, production, disposal, reclaim facilities in the region
- Impact on trade and economy
- Discussion

Day 2

9:30  Session 6: Identification of ODS and ODS-containing equipment and goods

Dr. J. Kozakiewicz and Mr. K. M. Nair

- Harmonized System codes for pure ODS, ODS-containing mixtures and ODS-containing products, Mr. K. M. Nair
- Common trade names for ODS and ODS-containing mixtures, Dr. J. Kozakiewicz
- Other means of identification of ODS (labelling, ASHRAE/CAS Numbers, colour codes, etc.) and detection of mislabelled containers, Dr. J. Kozakiewicz
- Identification of ODS-containing equipment and goods, Dr. J. Kozakiewicz
- Examples of ODS containers and cylinders and ODS-containing equipment and goods, Dr. J. Kozakiewicz
- Discussion

10:45  TEA

11:00  Session 7: Problem of illegal trade in ODS and possible means to solve it

Ms. Meenakshi Passi

- Global dimension of illegal trade in ODS
- Causes and trends of illegal trade in ODS
- Problems in monitoring and control of trade in ODS by the customs
- Methods of illegal trade in ODS
- Detecting legal and illegal trade in ODS
- Involvement Of International Agencies And NGOs In Monitoring And Combat Of Illegal Trade Of ODS
- Video on illegal trade

12:15  Session 8: Role of customs officers and other stakeholders and checking papers, forms, permits

Mr. K.M. Nair

- 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)
- Reporting legal and illegal trade with ODS and ODS-containing products
- Enforcing ODS legislation
- Checklist for customs officers
- Checking papers, forms, permits
- Discussion
13:00 LUNCH

14:00 Session 9: Case-Studies
   Dr. Janusz Kozakiewicz

14:45 Session 10: Safe handling, transport and storage of ODS
   Ms. Meenakshi Passi
   - ODS Chemical information relevant to customs officers
   - Safe handling of ODS and ODS-containing products
   - Safe transport and storage of ODS and ODS-containing products
   - Safe sampling of ODS - who is allowed to take samples and to use refrigerant identifiers
   - Discussion

15:15 TEA

15:30 Session 11: Practical exercises on identification of ODS
   Dr. Janusz Kozakiewicz, Ms. Meenakshi Passi, Mr S.C. Wadhwa, REGMA
   - Use of refrigerant identifiers (theory)
   - Hands-on work with CFC detection equipment if available
   - Identification of ODS-containing equipment and goods if available

Day 3

09:30 Session 12: Related International Conventions
   Dr. Janusz Kozakiewicz
   - Kyoto Protocol (global warming)
   - Basel Convention (hazardous waste)
   - Rotterdam/Stockholm Convention (hazardous pollutants)
   - CITES and Lusaka Agreement (illegal trade in wild fauna and flora)
   - Common features related to the control of trade and synergies for customs authorities for effective enforcement
   - Discussion

10:15 Introduction to break-out Session 13: Effective operation of ODS import / export licensing system and enforcement of ODS regulations
   Ms. Meenakshi Passi
   - In addition to three key topics, participants may suggest 1 additional topic of interest:
     • Topic 1: How to effectively operate ODS import / export licensing systems
     • Topic 2: How to effectively enforce ODS regulations
     • Topic 3: Action Planning for further Customs Training and training of other stakeholders
     • Topic 4: To be suggested by participants

10:45 Break-out Session 13: Effective operation of ODS import / export licensing system and enforcement of ODS regulations/ Action Planning for further Customs Training, Dr. Janusz Kozakiewicz and Ms. Meenakshi Passi
   Group moderators will co-ordinate the break-out sessions.
   They will ensure the preparation of a short report and presentation of their findings including the group recommendations.

Tea (during the break-out session)

12:00 Break-out Session 13: Presentation of findings of the group work to the plenary, Ms. Meenakshi Passi
   - Hand-over of reports to the lead consultant
- Presentation of group recommendations to the plenary (10 min per group)
- Discussion and adoption of group recommendations (5 min per group)
- Feedback on the break-out session

13:00 Lunch

14:30 Session 14: Discussion on workshop recommendations
Dr J. Kozakiewicz, Mr. K.M. Nair, Ms. Meenakshi Passi, Mr. Ashok Mehta, Mr. S.C. Wadhwa

Day 4

9:30 Session 15: Teasers in the Montreal Protocol
Dr. Janusz Kozakiewicz
- Frequently asked questions related to Ozone Layer Depletion
- Further clarification of substantive terms and definitions contained in MP (Party vs. non-Party, ODS, ODS-containing product, recovery/recycling/reclamation, feedstock, process agent, essential use/critical use, quarantine and pre-shipment, laboratory and analytical uses)

10:45 Session 16: Lessons learnt from other Train-the-Trainers courses conducted by UNEP in the other countries
Dr. J. Kozakiewicz

11:45 TEA

12:00 Session 17: Panel Discussion on eight digit HS coding
Introduction: Recent WCO recommendation on new HS codes for mixtures containing ODS
Dr. J. Kozakiewicz
Panelists
Dr. J. Kozakiewicz and the Faculty

13:00 LUNCH

14:00 Session 18: Global and Regional Trade Agreements
Mr. K.M. Nair
- WTO and environment
- ASEAN and environment
- NAFTA and environment
- SAARC and environment

14:45 Session 19: Problem of illegal trade in ODS from regional perspective
Mr. S.C. Wadhwa

15:45 TEA

16:00 Session 20: Illegal trade in ODS – Round Table Discussion
Moderators: Dr. J. Kozakiewicz, Ms. Meenakshi Passi, Mr. S.C. Wadhwa
Introduction: Recent MP decision on illegal trade in ODS
Dr. J. Kozakiewicz

Day 5

9:30 Session 21: Identification of ODS
Dr. J. Kozakiewicz, Ms. Meenakshi Passi
- Group activity: identification of three gas cylinders
(A) based on information provided that was supposed to be included in customs documents and on information displayed on the label attached to the container

10:30 : Session 22 : Reporting the group findings of (A) to the plenary

10:45 : TEA

11:00 Session 23 : Group activity : Identification of three gas cylinders (B) using ODS identifier

11:30 Session 24 : Reporting the group findings of (B) to the plenary, explanation of the results of the exercise and discussion

Dr. J. Kozakiewicz

12:30 LUNCH

13:30 Session 25 : ODS (Rules and Regulations), 2000

Dr. S. Sathpathy

14:30 Panel discussion : Efforts required to meet the MP obligations with reference to ODS trade in India

Faculty and participants (this session was combined with development of final workshop recommendations)

16:00 Course Valediction and Vote of Thanks

Resource materials for 3-day module :

- UNEP „Training Manual For Customs Officers”
- India “Country Handbook”
- Photocopies of all presentations
- Special UNEP brochure devoted to illegal trade in ODS “Is there a hole in the MP”
- EIA Brochure „Unfinished Business” devoted to illegal trade in ODS

Resource study materials for the 2-day advanced course

(contained in the specially prepared folder handed over to the participants)

1. Session on Teasers in Montreal Protocol
   1.1. List of frequently asked questions related to Ozone Layer Depletion, possibly supplemented with a brochure “Twenty Questions and Answers about the Ozone Layer”
   1.2. Main text of the Montreal Protocol as adjusted and amended, supplemented with :
      (a) letter of the Ozone Secretariat containing corrected summary of the control measures under the MP – Document : OZ.Sec/UNEP/Ozl.Pro/WG1/20/INF/2/Rev.1
      (b) letter of the Ozone Secretariat containing explanation of classification of CFC-113a as a controlled substance – Document OzL/ODS/MG/1m
      (c) list of Parties that don’t wish to receive products and equipment whose continuing functioning relies on Annex A and B substances (Decision X/9)
   1.3. Recent list of Parties to the MP/Amendments
   1.4. Selected Decisions of the Parties ( on definitions, on restrictions on trade with non-Parties, on control of trade with Parties, on licensing, on transhipment, on customs codes, on illegal trade, on essential uses)
   1.5. Annex VII to the Report to IX MP dealing with reporting requirements
2. Session on Illegal Trade in ODS
   2.2. Recent decision of the Parties to the MP dealing with monitoring the international trade in ODS and prevention of illegal trade in ODS (Decision XIV/7)
   2.3. Report of the Ozone Working Group to the Plenary Meeting of the Workshop on Enforcement of and Compliance with MEAs (Geneva 1999)
   2.4. Selected fragments of the “ODS Antismuggling Group – Survey Results and Update” (paper presented at XII MOP in Beijing – 2000)
   2.5. UNEP OzonAction brochure: Illegal trade in ozone depleting substances – is there a hole in the Montreal Protocol?*
   2.7. other EIA leaflets (if available)*

Note: The leaflets/brochures marked * have not been included in this booklet, but will be displayed during the first (3 days) part of the workshop or included in Individual Participant’s Package for that part of the workshop

3. Session on Practical Exercises in Identification of ODS
   3.1. Paper by J. Kozakiewicz on Identification of ODS (presentation prepared for the customs workshops)**
   3.2. Paper by K.M. Nair on HS classification of ODS, ODS-containing mixtures and ODS-containing products (presentation prepared for the customs workshops)**
   3.3. Basic information on identification of pure ODS, ODS-containing mixtures and products under the HS System
   3.4. Recommendation of WCO of 15 July 1999 concerning ODS
   3.5. Draft Recommendation of WCO of 23 June 2003 concerning ODS-containing mixtures
   3.6. Information on Chinese regulation concerning labelling of recycled ODS (sample label included)

Papers marked** will be included in the Individual Participant’s Package prepared for the first (3 days) part of the workshop

4. Session on Case Studies
   4.1. List of case studies for customs officers

5. Additional resource materials
   5.1. EU Regulation 2037/2000 + 2 amendments
   5.2. UNEP Customs Training Manual – will be included in the Individual Participant’s Package prepared for the first (3 days) part of the workshop
   5.3. India Country Handbook - will be included in the Individual Participant’s Package prepared for the first (3 days) part of the workshop
   5.4. Other relevant UNEP brochures – depending on availability

6. Diskette containing the revised power point slides included in UNEP Customs Training Manual that may be used for national customs trainings.

7. Session on Teasers in Montreal Protocol
   7.1. List of frequently asked questions related to Ozone Layer Depletion
   7.2. Main text of the Montreal Protocol as adjusted and amended supplemented with:
       (d) letter of the Ozone Secretariat containing corrected summary of the control measures under the MP, Document: OZ.Sec/UNEP/Ozl.Pro/WG1/20/INF/2/Rev.1
       (e) letter of the Ozone Secretariat containing explanation of classification of CFC-113a as a controlled substance – Document Ozl/ODS/MG/Im
       (f) list of Parties that don’t wish to receive products and equipment whose continuing functioning relies on Annex A and B substances (Decision X/9)
   7.3. Recent list of Parties to the MP/Amendments
7.4. Selected Decisions of the Parties (on definitions, on restrictions on trade with non-Parties, on control of trade with Parties, on licensing, on transhipment, on customs codes, on illegal trade, on essential uses)

7.5. Annex VII to the Report to IX Meeting of the Parties dealing with reporting requirements

8. Session on Illegal Trade in ODS
   8.1. Background paper by J. Kozakiewicz “Problem of illegal trade in ODS and possible means to solve it”
   8.2. Recent decisions of the Parties to the MP dealing with monitoring the international trade in ODS and prevention of illegal trade in ODS (Decisions XII/10 and XIII/12)
   8.3. Report of the Ozone Working Group to the Plenary Meeting of the Workshop on Enforcement of and Compliance with MEAs (Geneva 1999)
   8.4. Selected fragments of the “ODS Antismuggling Group – Survey Results and Update” (paper presented at XII MOP in Beijing – 2000)
   8.5. EIA Briefing Leaflet displayed at XXI OEWG in Geneva (2001)
   8.7. Fragments of Greenpeace leaflet dealing with illegal trade in ODS

9. Session on Identification of ODS
   9.1. Paper by J. Kozakiewicz on Identification of ODS (presentation prepared for the customs workshops)
   3.7. Paper by J. Kozakiewicz on HS classification of ODS, ODS-containing mixtures and ODS-containing products (presentation prepared for the customs workshops)
   3.8. Basic information on identification of pure ODS, ODS-containing mixtures and products under the HS System
   3.9. Recommendation of WCO of 15 July 1999 concerning ODS
   3.10. Information on Chinese regulation concerning labeling of recycled ODS (sample label included)

10. Session on Case Studies
    4.1. List of case studies for customs officers

11. Additional resource materials
    11.1. EU Regulation 2037/2000 + 2 amendments
    11.2. UNEP Customs Training Manual (supplied to participants at 3-day course)
    11.3. Other relevant UNEP brochures – depending on availability

12. Diskette containing the revised power point slides for use by the participants at the train-the-trainers courses
## ANNEX 10.2  List of participants

<table>
<thead>
<tr>
<th>S.N o</th>
<th>Name of the Officer S/Sh.</th>
<th>Designation and name of Sponsoring Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Atul Dixit</td>
<td>Additional Commissioner of Customs, Inland Container Depot, Tughalakabad, New Delhi</td>
</tr>
<tr>
<td>2.</td>
<td>D.P. Dash</td>
<td>Additional Commissioner of Customs, Inland Container Depot, Patparganj, Delhi</td>
</tr>
<tr>
<td>3.</td>
<td>Himanshu Gupta</td>
<td>Additional Director, National Academy of Customs, Excise and Narcotics, Regional Training Institute, Mumbai</td>
</tr>
<tr>
<td>4.</td>
<td>Jaikant Singh</td>
<td>Joint Director General of Foreign Trade, DGFT, Calcutta</td>
</tr>
<tr>
<td>5.</td>
<td>M. Dwivedi,</td>
<td>Commissioner, Customs &amp; Central Excise, Coimbatore</td>
</tr>
<tr>
<td>6.</td>
<td>Mayank Kumar,</td>
<td>Joint Director, National Academy of Customs, Excise and Narcotics, Regional Training Institute, Kanpur</td>
</tr>
<tr>
<td>7.</td>
<td>P.C. Tripathi</td>
<td>Joint Directorate General of Foreign Trade DGFT, New Delhi</td>
</tr>
<tr>
<td>8.</td>
<td>Rajesh Puri</td>
<td>Additional Director, National Academy of Customs, Excise and Narcotics, Regional Training Institute, Vadodara</td>
</tr>
<tr>
<td>9.</td>
<td>R.K. Anand,</td>
<td>Assistant Director, National Academy of Customs, Excise and Narcotics, Faridabad</td>
</tr>
<tr>
<td>10.</td>
<td>S.C. Rohatgi</td>
<td>Additional Director, National Academy of Customs, Excise and Narcotics, Faridabad</td>
</tr>
<tr>
<td>11.</td>
<td>S.K. Sinha,</td>
<td>Assistant Director, National Academy of Customs, Excise and Narcotics, Regional Training Institute, Hazaribagh</td>
</tr>
<tr>
<td>13.</td>
<td>Mohd. Rashid Ayub</td>
<td>Joint Director (Ozone Cell), Ministry of Environment and Forests, New Delhi</td>
</tr>
<tr>
<td>14.</td>
<td>S.S. Dhillon,</td>
<td>Deputy Director (IC&amp;C), Ministry of Small Scale Industries</td>
</tr>
<tr>
<td>15.</td>
<td>V.M. Govila</td>
<td>Joint Director, National Academy of Customs, Excise and Narcotics, Faridabad</td>
</tr>
<tr>
<td>16.</td>
<td>Ali Mustafa</td>
<td>Assistant Director, National Academy of Customs, Excise and Narcotics, Faridabad</td>
</tr>
<tr>
<td>17.</td>
<td>C.L. Dogra,</td>
<td>Assistant Director, National Academy of Customs, Excise and Narcotics, Regional Training Institute, New Delhi</td>
</tr>
<tr>
<td>18.</td>
<td>Ved Prakash</td>
<td>Senior Commandant, Central Industrial Security Force, Vasundhara, Ghaziabad</td>
</tr>
<tr>
<td>S.NO.</td>
<td>NAME AND DESIGNATION</td>
<td>ADDRESS</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1.</td>
<td>Shri S.K. Bhardwaj</td>
<td>Central Board of Excise and Customs, Government of India North Block, New Delhi</td>
</tr>
<tr>
<td>2.</td>
<td>Ms. Parveen Talha</td>
<td>National Academy of Customs, Excise and Narcotics (NACEN), Sector-29, Faridabad, Haryana</td>
</tr>
<tr>
<td>3.</td>
<td>Dr. Janusz Kozakiewicz</td>
<td>Associate Professor, Director’s Plenipotentiary for Ozone Layer Protection Affairs, Head of Ozone Layer Protection Unit, POLAND</td>
</tr>
<tr>
<td>4.</td>
<td>Ms. Meenaksi Passi</td>
<td>National Academy of Customs, Excise and Narcotics (NACEN), Mysore, Bangalore</td>
</tr>
<tr>
<td>5.</td>
<td>Mr. K.M. Nair</td>
<td>National Academy of Customs, Excise and Narcotics (NACEN), Chennai</td>
</tr>
<tr>
<td>6.</td>
<td>Mr. Ashok Mehta</td>
<td>National Academy of Customs, Excise and Narcotics (NACEN), Faridabad, Haryana</td>
</tr>
<tr>
<td>7.</td>
<td>Mrs. Usha Chandrasekhar</td>
<td>Ozone Cell (MOEF), Core IVB, 2nd Floor, India Habitat Centre Lodhi Road, New Delhi-110003</td>
</tr>
<tr>
<td>8.</td>
<td>Dr. S. Satapathy</td>
<td>Ozone Cell (MOEF), Core IVB, 2nd Floor, India Habitat Centre Lodhi Road, New Delhi-110003</td>
</tr>
<tr>
<td>9.</td>
<td>Mr. S. C. Wadhwa</td>
<td>Gujarat Fluorochemicals Ltd. New Delhi</td>
</tr>
</tbody>
</table>
ANNEX 10.4 Workshop recommendations

RECOMMENDATIONS OF THE WORKSHOP ON OZONE DEPLETING SUBSTANCES HELD AT FARIDABAD FROM THE 4TH TO THE 8TH OF AUGUST 2003

LICENSING:

1. A System of verification of license to be introduced:
   a) Online verification by Customs, of all relevant material particulars of import license through the issuing authority before clearance of goods should be introduced by DGFT and the MoEF.
   b) Verification of export license from the exporting country before clearance by the customs should be made obligatory by DGFT.

2. Expansion of ITC(HS) codes for ODS i.e. sub-entry for each item separately should be brought in. in specific for HCFCs and 1,1,1-trichloroethane (methyl chloroform). The classification of methyl bromide should be correctly done in chapter 29 and those of mixtures containing methyl bromide in the appropriate subheadings in 38 chapter. For classification of ODS containing mixtures, the recent recommendation of WCO of June 2003 should be implemented by DGFT.

3. License issued for ODS should include the condition that the packaging should contain the standard codes/color-codes as agreed to by contracting parties to MP. This should be made obligatory under the Montreal Protocol.

ENFORCEMENT:

4. A system of introducing tracers/odorizers ODS should be made obligatory by a Decision of parties under Montreal Protocol to bring in effective enforcement. As a beginning, it can be implemented at the national level in India.

5. A multi-agency approach involving all enforcement stakeholders is recommended. (Customs and Central Excise, Police, Paramilitary forces, Coast Guard etc, Prosecutors offices): Action Ozone Cell.

6. The nodal office for enforcement data collection, intelligence and maintenance as well as dissemination of information should be the Directorate of Revenue Intelligence.

7. A special unit in Directorate of Revenue Intelligence of Customs should be developed for gathering intelligence and investigation in environmental crimes. Action: CBEC.

8. An arrangement for temporary storage facility should be made at the land customs stations from which the seized goods can be later taken over by the notified ODS manufacturers for safe storage. Action CBEC in conjunction with REGMA.

9. A reward scheme for officers of all enforcement agencies and for informers should be brought in. Action MoEF as well as respective Enforcement agencies.

10. Enhanced funding from the MF and GEF should be given to countries who are seizing illegal ODS and reporting the seizures to the Ozone Secretariat. Action MF.

11. Bilateral meetings of the enforcement officers with their counterparts should include illegal trade in ODS as one of the points of the agenda. Action all enforcement agencies.
12. SAARC should have an ODS desk. *Action UNEP and SAARC.*

13. Training for enforcement officers of a region should be done together to enhance co-operation and communication between them. *Action MoEF.*

14. ODS Identification kits should be provided to the land customs stations. *Action MoEF.*

15. Testing labs should be available near the most vulnerable stations. *Action MoEF and CBEC.*

16. Forfeiture of property of the kingpin’s should be made a part of the scheme. *Action MoEF*

17. The ODS contained in products on a ship coming for shipbreaking should be inventorized, and recovered and disposed to the notified manufacturers only. *Action MoEF*

18. ODS ship-stores should be allowed to be imported/exported on the basis of an import/export license. *Action MoEF*

19. The recent circular given by the Chief Controller of Explosives allowing sale of seized ODS for re-export also should be amended to allow such sale only on the basis of export licenses, to avoid misuse. *Action MoEF*

20. Complete review of provisions of the EPA and the Ozone Depleting Substance Rules 2000, by a high level committee having member from the concerned Enforcement agencies and the MoEF should be done for incorporating provisions for effective enforcement. *Action MoEF*

21. There should be export and import licenses for ODS consignments for ship chandeliers. *Action MoEF and DGFT*

22. A tracking system of cylinders of ODS should be brought in by the suitable amendments in the ODS Rules 2000 to avoid misuse of cylinders of ODS. *Action MoEF*

**TRAINING:**

1. Officers of the Customs, concerned Central Police Organizations (CPO), police, Coast guards, DGFT, Department of Industries, NGOs and industry should be trained.

2. Media awareness campaigns should be conducted. Special awareness programmes also to educate service providers and school children. *Action MoEF*

3. Training should be conducted both to the supervisory level (5 from each organization and 20 per batch) and at the cutting edge level by the respective trainers of the concerned organizations -20 per batch once a quarter.) *Action MoEF*

4. Training should be done by a centralized pool of trainers under the overall supervision of NACEN and the MoEF. For the initial trainings at phase II level, the training should be under the direct observation of internationally recognized trainers. *Action MoEF and NACEN*

5. Standardized materials in the shape of slides, CDs, identifiers, videos, posters, etc. should be made available to all trainers by NACEN subject to availability of funds.

6. Training should start with startling effects of the ill effects of Ozone Depletion with authentic data and source of date, posters etc and visuals etc. to drive home the point effectively.

7. Separate materials for senior level officers and more case studies and modus operandi for the cutting edge level officers with more visual aids should be used.

8. A task force of trainers should be established and should meet once a quarter to review the progress of training. Meetings of the task force should be under the aegis of NACEN. Feedback from the training should be given to Ozone Cell.
9. The monitoring should be done through reporting data on the number of personnel trained, number of cases detected and the detections by which organization and which zone/ area.

10. Identification of trainers from amongst the trainees should be done and they should be co-opted along-with other trainers during future courses.

11. The country handbook should be amended to include the safety measures specific to India too. The modus operandi of smuggling related to India and also some other important methods of concealment detected may be made a part of the country handbook. The salient features of EPA should be also included in the Country Handbook.

12. A checklist of procedures to be followed while checking ODS documents and consignments in the form of a diagram should be included in the country handbook.

13. After three months of this training, there should be a short refresher session of a day or two only for brainstorming session of the same group who were given the five-day training.

14. The e-mail ids of all trainees as in the report of this workshop should be used by UNEP/ Ozone Cell and NACEN so that regular materials/updates could be sent to the participants on e-mail as mailers.

15. For train the trainers’ courses, a session where the trainees present how they would teach further should be made mandatory. This should now be made a part of the second stage re-furbisher; A person/trainer from UNEP may be invited as a resource person and observer.

Accepted on this day the 8th of August 2003 at NACEN Faridabad.
ANNEX 10.5 Evaluation by the participants

This annex concerns evaluation of the workshop by the participants summarised based on the evaluation questionnaires received.

Evaluation Questionnaire for the workshop

The following questionnaire was given to participants to evaluate the workshop. The responses are tabled in a graph at the end of this Annex. 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) Problem 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 and penalties

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 “India Country Handbook on National Regulations and Import / Export Licensing System for Phasing out of ODS” 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.

The following section includes feedback and suggestions received from the workshop participants concerning (a) the workshop itself – Q10, (b) The India Country Handbook – Q9 and (c) the UNEP Customs Training Manual” - Q8:
(a) General evaluation of and possible improvements to Phase I customs training

- The quality of the course was excellent. It has filled us with a lot of useful information on ODS which will enable us to conduct effective training programmes in the future. It was very well conducted. The Faculty was excellent. It has been a mind-stretching exercise. It has been a great learning experience for me. It would be a great idea if more video presentations are included as they help in fixing the ideas in the mind.
- The course was excellent and it should be given to maximum number of officers and also to other concerned agencies. Materials should be updated frequently.
- The course was organised very well
- A “refresher” course should be conducted for the participants of the present training after two months
- There should be a “questions and answers” session at the end of the workshop
- Special training to be organised for DGFT officers
- More audiovisual materials should be included
- The programme was excellent but it could be restricted to three days instead of five
- Representatives of more enforcement agencies should attend the course
- The study materials should be posted to the participants in advance
- Field visits to the ODS user and service centres should be organised

(b) Comments to India Country Handbook

- The contents of Country Handbook are sufficient
- Country Handbook is quite compile and exhaustive. However, some case studies on ODS smuggling should be presented
- Salient features of the Environmental Protection Act should be included
- The whole text of the Act should be included
- A list of important check points needs to be developed, so that the field staff who have not attended such course could detect cases of misdeclaration. This can then be given by the trainers in the future courses
- Recent folders, stickers etc. should be included
- State details of production and consumption of ODS should be tabulated and given
- A shortened version of the Handbook (max. 4 pages) designed for customs officers standing at the posts should be developed
- Statistical data on seizures should be included

(c) Comments to the UNEP Customs Training Manual

- The contents of the Manual are sufficient
- It should be updated as frequently as possible to give latest developments in customs-related international regulations concerning ODS
- CDs for audio-visual presentations and CD with video films should be included
- It should include the names of major manufacturers of important ODS with the names of the substances manufactured. This would help in detection of mislabelled containers.
- Resource references and addresses should be included.

CUSTOMS WORKSHOP EVALUATION - FARIDABAD, INDIA 2003
(18 of 18 questionnaires returned)