UNITED NATIONS

EP

United Nations Environment Programme

Distr.
LIMITED

UNEP/OzL.Pro/ExCom/44/12
1 November 2004

ORIGINAL: ENGLISH

EXECUTIVE COMMITTEE OF
THE MULTILATERAL FUND FOR THE
IMPLEMENTATION OF THE MONTREAL PROTOCOL
Forty-fourth Meeting
Prague, 29 November-3 December 2004

Desk Study on the Evaluation of Customs Officers Training and Licensing System Projects

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I. Background and objectives

1. The 14th Meeting of the Parties (MOP) had requested UNEP/DTIE with decision XIV/7 to report through the Executive Committee to the 16th MOP on the activities of the regional networks with regard to means of combating illegal trade. It also requested the Executive Committee to consider making an evaluation of customs officers training and licensing systems projects a priority and to report, if possible, to the 16th MOP. Responding to this decision, the Executive Committee decided at its 43rd meeting to forward the Report from UNEP DTIE on the Activities of the Regional Networks with Regard to Means of Combating Illegal Trade (Part I, Sections 1 and 2, of document UNEP/OzL.Pro/ExCom/43/58/Corr.1, as amended and updated) to the Sixteenth Meeting of the Parties, and also to report that the Committee would undertake a new evaluation of customs officers training and licensing system projects to be reported to the Seventeenth Meeting of the Parties.

2. The 22nd Meeting of the Open-Ended Working Group (OEWG) discussed, in July 2002, an extensive study on the 'Monitoring of International Trade and Prevention of Illegal Trade in ODS, Mixtures and Products Containing ODS' (UNEP/OzLPro/WG.1/22/4) which had been prepared following decision XIII/12 of the 13th Meeting of the Parties (MOP). The study provided a comprehensive analysis of the problems of illegal trade in ODS and recommended a number of actions, which, inter alia, have led to the request for this evaluation. The decision reflects a concern that the successful phase-out of large parts of ODS-consumption and production might be partly undermined by increasing volumes of illegal trade in ODS.

3. The Montreal Amendment to the Montreal Protocol adopted in 1997 at the Ninth Meeting of the Parties states in Article 4B para. 1, that all Parties shall, by 1 January 2000 or within three months of the date of entry into force, establish and implement a system for licensing the import and export of new, used, recycled and reclaimed controlled substances in Annexes A, B, C and E. Although it entered into force on 10 November 1999, 59 Article 5 countries have not yet ratified it, while 86 have done so.

4. Decision 31/48 of the Executive Committee in July 2000 increased the level of the funding for RMPs in low-volume-consuming countries (LVC) by 50% from the original level of funding, and doubled the funding for the preparation of new RMPs provided they included the commitment of the recipient countries to include the development of regulations and legislation, thus helping to create the pre-conditions for a later accelerated implementation of the RMP once approved. The existence of a licensing system, at least in draft form, is a prerequisite for customs training.

5. In addition, Decision 43/37 of the ExCom provides a further incentive to develop licensing systems, since it establishes as a prerequisite for additional funding in support of institutional strengthening in LVC and VLVC countries that i) a country assigns a full-time officer to manage the ozone unit and, ii) that a national licensing system controlling ODS imports is in place.

6. The implementation of customs training projects and the adoption of import licensing systems are usually documented by Progress Reports, Project Completion Reports and records of the respective Implementing Agencies. In the case of customs training projects important implementation delays occurred and their impact in terms of improved import controls is rarely documented.

7. The objective of this desk study is to prepare the field visits, to involve implementing and bilateral agencies in the preparation of the evaluation and to obtain feedback from the Executive Committee on the suggested evaluation issues and approach. The draft of the final evaluation report is scheduled to be presented to the 45th Meeting of the Executive Committee to enable discussion and, if need be, any amendments to it prior to submitting it to the Meeting of the Open Ended Working Group (OEWG) in July 2005.

8. In preparing the desk study, the Senior Monitoring and Evaluation Officer and two consultants reviewed project documents, Secretariat's comments, PCRs, workshop reports, training manuals, etc. to identify results and impact of the projects and, subsequently, evaluation issues for further analysis. In addition, field visits were carried out to Romania and Senegal; both country reports are available on request and on the Secretariat's Intranet site. Summaries of the findings of these visits are included in Annex IV. Comments on the draft were received from Australia, Canada, Poland, Sweden, UNDP, UNEP and UNIDO and were taken into account for finalizing the present document.

II. Licensing Systems

a) Overview

9. ODS import licensing and customs training activities were first being funded as stand-alone and as regional projects. In the last 3-4 years, there has been a major increase in such projects, and a shift from funding these activities as stand-alone projects to incorporating them into refrigerant management plans (RMPs and RMP up-dates), refrigeration servicing sector plans, and national phase-out plans. Most projects which include a licensing system also have other components (register of importers of ODS, monitoring system, quota system, training of customs officers, establishment of an association, encouraging good practices, etc.). Only 12 projects support licensing systems as such, and in these cases the average funding ranges from 10,000 to 50,000US$. Costs are low when local experts are involved (Guatemala, Peru), and on the high side when international consultants are used (e.g. PDR Lao).

10. Latin American and the Caribbean region accounts for 14 out of the 34 approved projects related to licensing systems (41%), followed by Asia and the Pacific as well as Africa, each with 7 projects (21%). UNEP leads as implementing agency with 19 out of 34 projects (56%). The following list gives an overview on implementation delays for the 16 completed projects (see Annex V, tables 10 a/b for details):

- 4 on time;
- 4 delayed one to six months;

- 2 delayed six to twelve months;
- 5 delayed thirteen to twenty four months; and,
- 1 delayed more than two years.

11. Three out of four completed projects implemented by Environment Canada had been delayed from one to 12 months, and one by 13 to 24 months. In the case of UNEP, 3 out of 8 projects were completed on time while three have been delayed by 13 to 25 months and more. (See Annex V, tables 11a/b).

12. UNEP's CAP team monitors the status of implementation of licensing systems in Article 5 countries. Although, in most cases, no details of the modalities and functioning of such systems are available, UNEP's statistics provide the most complete overview, as shown in Table 2 below.

Table 2: Current Status of Licensing Systems in Article 5 Countries*

Region	Fully Implemented	In Preparation	Submitted for Approval by Government
West Asia	7	2	1
SA/SEAP/PICS	18	8	1
LA and Caribbean	20	7	3
Africa	27	12	8
Europe and Central Asia	10	2	
Total	**82**	**13**	**31**

*Source UNEP/DTIE

b) Evaluation Issues

13. The most productive method of controlling international trade and reducing illegal trade, in addition to timely completion of phase-out projects to reduce the demand for ODS, lies in the rigorous application of import licenses. Efforts to ensure that every Party ratifies the Montreal Amendment and introduces licensing systems, together with the implementation of appropriate customs training, have been stated to be of high priority. However, most Article 5 countries in possession of a licensing system have not had them for very long and there is relatively little experience with their operation and effectiveness. In addition, legal acts regulating import licensing may reveal differing features and provisions in individual countries. In some cases, licenses are issued only for better surveillance of trade flows, while in others the licensing system is operating as an instrument for the deliberate reduction of ODS consumption. It is therefore important to analyze, in each case, the actual content of the legal acts on which the licensing system is based. In many Article 5 countries only the import of ODS is controlled under licensing systems and re-export is allowed facilitating illegal trade. In addition, in many countries, mixtures containing ODS are not controlled.

14. Without a country having adopted a licensing requirement, there are no illegal imports (unless there is an outright ban to import the substances in question, which is generally not relevant for the main ODS in Art. 5 countries yet). The challenge is to see

whether the licensing system is effectively implemented throughout the whole process chain, from the issuing of licences to customs controls.

15. This requires qualitative and quantitative information about: specific regulations on the ban of ODS and equipment containing ODS; the process for the registration of importers; the system of quota allocation to them; the conditions for issuing licenses; documentation of licenses; the sanctions or penalties imposed on violation of legal regulations; the requirements relating to monitoring and reporting on trade in ODS; the procedures applied in case of illegal imports; and, last but not least, the involvement of business companies and other stakeholders in the elaboration and application of the respective legislation. It is interesting to note that UNEP/ROAP is currently considering a comparative analysis of the effectiveness of licensing systems. Once ready, the results of this could be integrated into this evaluation.

16. Further questions on the functioning of the import licensing systems are related to:

(a) how the documents on the allocated quota are used in the administrative process (are these documents expected to be copied to customs authorities, do the forms have space to note imported quantities and deduct these from the total allocated quota, etc.)

(b) the links and collaboration between the authorities responsible for ozone issues and customs authorities, at various levels (is there any collaboration in connection with the development of forms and administrative procedures, does the NOU regularly take part in training of new customs officers, are lists on licences issued distributed to customs, is the Customs Department represented in the National Ozone Committee).

(c) the existence and character of collaboration between NOUs in neighbouring countries, in particular through the regional networks (e.g. exchange of information on importers who have import licences, controlling that the importer has an import licence before an export licence is approved, collaboration on training material, exchange of information on identified or suspected illegal trade and methods used as well as on regional demand and supply scenarios, etc.). The related activities of the networks were described and assessed by UNEP in its interim report submitted to the 43rd Meeting of the Executive Committee (document 43/58, Annex I).

17. Some countries have introduced special enforcement measures to reduce ODS consumption. They imposed import or environment taxes on ODS, or subsidized alternative substances thus trying to balance prices of controlled and ozone-friendly substances. Economic incentives such as taxes or import duties to raise the relative price of ODS (or to reduce the price of non-ODS alternatives) are a double-edged instrument since, due to widening price differentials, this might constitute an incentive for illegal trade. Therefore, artificial changes in market price relations may contribute to the

reduction of ODS consumption only if accompanied by strict and efficient import controls. Successfully combating illegal trade depends on the capacities of enforcement authorities such as customs, police and environment agencies, which are closely correlated with political will and also with the level of the political and economic development of the countries concerned. The analysis and assessment of enforcement measures introduced and applied is an important issue to be examined by the evaluation.

18. Close co-operation with the private sector in preparing and implementing licensing systems appear to be important. The evaluation should, therefore, take due account of the existing contacts and co-operation schemes between the national authorities responsible for ozone issues on the one hand, and the private companies affected on the other. The question of how far and in which form importers, industry and professional associations in the refrigeration sector are involved in the preparation and the implementation of regulations and to what extent they are ready to cooperate (e.g. by regular reporting, participation in training activities, purchasing own R&R equipment, etc.) should be looked into.

III. Customs Training Projects

a) Overview

19. So far 159 customs training, licensing systems and related projects have been approved. 127 are training and licensing projects, 51 of which have been completed and 41 PCRs have been received. In addition, 7 annual tranches of 32 on-going national phase-out plans have been completed, which also include customs training and licensing activities.

Table 1: Customs Training/Licensing Systems and Related Projects

Category	No. of Projects Approved	No. of Projects Completed	PCRs Received
Customs Training Stand-Alone Projects	6	2	2
Individual Customs Training Projects that are part of RMPs	58	24	24
Customs Training and Licensing Training integrated in RMP Projects	23	5	5
Regional Customs Training Projects	6	4	3
Licensing System Stand-Alone Projects	4	2	1
Regional Licensing System Projects	8	7	1
Individual Licensing Systems that are part of RMP Projects	22	7	5
Customs Training, Licensing System and ODS Monitoring in National Phase-Out Plans	32	7	0
Total	**159**	**58**	**41**

20. The majority of customs training projects are implemented by UNEP (51), followed by UNIDO (13), Canada (11) and Australia (8). The rest are divided almost equally between Finland, France, and Germany, while Poland and UNDP have so far

implemented only a few projects. Some licensing and training activities are also carried out as part of national phase-out plans implemented by the World Bank. Most customs training projects are in Africa (33) followed by Asia and the Pacific (29) and the LAC region (22). (See Tables 2 and 3 in Annex V).

21. National training programmes for customs officers implemented by UNEP are using a Country Handbook on ODS Legislation and Import/Export Licensing System, in addition to the Training Manual for Customs Officers developed by UNEP. This country handbook, developed before training commences, is a compendium of country specific regulations and offers background information on ODS issues including an overview of the MP, its amendments and national phase-out strategies and is, therefore, used as the main teaching material. It also provides in-depth information on the national legislation and licensing system, revised customs codes, monitoring and control system for ODS and ODS containing products and the implications for customs officers.

22. Training takes place in two phases. In Phase I, workshops are held for customs trainers and other stakeholders, to "train the trainers". In Phase II, the trained customs trainers are expected to train other customs officials from offices in major ports of entry and environment inspectors, as appropriate, and to prepare a training module to be included in the curriculum of customs schools. Participants of these workshops are also trained on how to use ODS identifiers.

23. Other agencies such as GTZ and Environment Canada follow the same approach, with some modifications. They also use UNEP's Training Manual. UNIDO's seminar in Romania was shorter and follow-up relied mostly on the NOU; activities in other countries have not been analyzed yet. The customs training activities in national phase-out plans implemented by the Bank and other agencies are very recent and need further study.

b) Implementation Delays

24. Thirty two percent of the projects based on original completion dates and 23% of the projects based on revised completion dates have been delayed for more than two years, and only 3% and 1% respectively have been completed in time. (See Annex V, Tables 5a and b). One reason is that phase I of the customs training projects may not start before the national import licensing system is in place, and the preparation of the relevant legal acts is generally a rather lengthy process. Another reason for the delays may be the difficulty in following up on Phase I (train the trainers) with Phase II (train customs officers).

25. Six out of 7 projects (86%) implemented by Environment Canada, partly with UNEP, have been delayed by 13 to 25 months or more, based on original dates of completion and 5 out of 7 projects (71%), when based on revised dates of completion. In the case of UNEP, 14 out of 18 projects (77%) have been delayed by 13 to 25 months or more, based on original approved dates of completion, and 11 out of 18 (61%), based on revised dates of completion. (See Annex V, tables 6a and b). When provided, the most frequent explanation for delays is related to delays in implementing the licensing system.

c) Evaluation Issues

26. It is essential that the training strategy should be incorporated into the existing institutional, national and/or sub-regional framework to ensure that training continues after the contribution of the MLF is finalized. While in most instances the total number of participants trained in workshops funded under completed MLF projects is available, this is not so with regard to follow-up and ongoing training. The pertinent question is: does the train the trainers approach actually serve that purpose i.e. to train other customs officers in Phase II of the projects and after their completion? From the information available, this is not always the case, and it appears moreover, that only for a small minority of countries the inclusion of a training module in the curricula of the customs training institutes has been realized. (See Annex Ib).

27. According to information collected from the analysis of documents and during the field visits conducted for this desk study and for the earlier evaluation of RMPs in 10 LVC countries, as well as from discussions with UNEP staff and trainers, it appears that the preparation and implementation of customs training projects has shown some difficulties due to the following factors:

(a) In many countries, ODS-related controls are not among the priorities of Customs, which generally focus on tax collection and the seizure of more immediately dangerous products such as arms, drugs, forbidden foods and seeds, etc.;
(b) As mentioned above, the preparation and approval of the licensing system as pre-condition for conducting customs training has often taken more time than foreseen, in some cases, because of the lack of national expertise for such drafting, but also due to lengthy processes of political coordination with the relevant ministries other than Environment, that means Finance, Commerce and Industry, and the commercial interest groups involved;
(c) The control of imports of chemical substances, and, in particular of mixtures, is complex due to varying trade names, packaging, and chemical formulas;
(d) Customs officers are generally lacking expertise in chemical sciences and do not always use the identifiers provided, for reasons which need to be further explored;
(e) Customs administrations, particularly in small countries, are sometimes reluctant to send larger number of customs officers to a training seminar, especially if it is for more than one day;
(f) A workshop of 2-3 days does not always give trainers enough information and confidence to organize and conduct training seminars on their own;
(g) The rotation of personnel in customs is high, resulting sometimes in the unavailability of trainers trained for conducting workshops as foreseen;
(h) A continuous follow-up by way of integrating Ozone-related issues into the regular curriculum and classes of national customs schools has rarely been reported; the reasons need further analysis.

28. In view of these problems, the evaluation has to analyse not only the effectiveness of projects already completed and the best ways to complete the on-going customs training projects but also to consider possible alternatives and supplementary activities, such as:

(a) A modified 5 day mixed approach (UNEP), combining the 3-day training of trainers with a one–day practical preparation of the trainers for another one-day workshop for customs officers. This allows the know-how acquired by the trainers to be applied in the same week and in presence of the international trainer who can give further advice if needed. It was first successfully implemented in Samoa in 2002 and is currently being tested again in the Caribbean. (See Annex VI).

(b) Awareness raising of all customs officers with regard to ODS issues and the simultaneous building up of a specialized team in customs to deal with environmental problems (e.g. ODS, CITES, other Conventions) and to support customs officers at main points of entry at their request.

(c) The strengthening of local/provincial Environment Authorities to actively support the control procedures in case of doubt by Customs. In addition, cooperation with other enforcement agencies might need to be further developed;

(d) To rely on private sector technicians, university staff or Government laboratories to assist customs in identifying suspicious shipments;

(e) To combine training on the application of various Multilateral Environment Agreements (Basel, Stockholm, Rotterdam) in one training seminar (Green Customs Initiative).

29. Starting point for the evaluation is to develop an insight into the actual functioning of the licensing system and the practice of customs controls and to understand how customs proceed in controlling imports of ODS. Customs officers handle loads of goods every day and have to take quick decisions on each paper presented to them. As stated by experts on customs controls: “the main part of illegal imports comes in through the front door”. The tools used by an illegal importer can be anything from the grey zone of a legally correct declaration (e.g. on mixtures) that the importer hopes will be overlooked by the customs officers, non-transparent information such as trade names or false information for instance on destination (e.g. transit) or quality (e.g. recycled) to the more classical frauds of mislabelled or hidden goods.

30. Paper controls are the route to more detailed controls, and answers to the following would be helpful:

(a) Which information will trigger customs officers to ask for a licence?

(b) When HS codes are used, are these up-to-date with regard to ODS (including mixtures)? Who inserts the HS-codes in the declaration – customs officers, the importer or a broker? – and based on what information?

(c) What other information is used to trigger a request for a licence?

31. How do custom officers react to non-transparent information such as trade names?

(a) Do the front line officers have back-up assistance by officers with experience on ODS?

(b) How are imports in small quantities in personal cars or small vans (e.g. of bottles of refrigerants imported by service enterprises) handled at border check points?

32. Further questions are: Do controls, for example, take place at the border points or at special customs offices inside the country? How do customs officers proceed in case of suspicious shipments possibly containing ODS? What is the role of customs brokers and environmental inspectors (if any) in the process of the control of shipments? What sort of sampling methods are applied? In which cases do customs notify the NOU or other agencies, e.g. local environmental agencies or the importers themselves? When, or with regard to which characteristics does a container or cylinder appear suspicious? In which cases do customs consider that a chemical analysis is needed? It is also significant to know whether identifiers have been supplied by the MLF, and to what extent they have proven to be adequate and useful for the identification of imported substances. Have customs actually detected illegal imports since the legislation and the import licensing system had been in place? If so, which forms and routes for illegal trade were taken? Reliable information regarding all these issues may enable for a conclusion on whether combating illegal trade by customs has actually contributed to the prevention of illegal trade and, ultimately, to the reduction of ODS consumption.

IV. Quantity and Quality of Reports Available and Used for the Desk Study

33. For individual customs training projects, which are part of an RMP but have a separate project number, 100% of PCRs due have been received. The same is true for customs training projects integrated in RMPs and for stand alone projects. 50% of PCRs have been received for completed stand alone licensing projects and 71% and 75% respectively for licensing projects as part of an RMP and for regional customs training projects. No PCRs have been received for activities within national phase-out plans which are still ongoing and provided reports on completed annual tranches. Only 14% of PCRs due have been received for completed regional licensing system projects.

34. An analysis of the 34 PCRs received relating to customs training shows the following (See Annex Ib):

(a) The actual number of participants in phase I is provided in 88% of reports;
(b) The actual number of participants in phase II is given in 67% of reports;
(c) References to continuing training seminars for customs officers (after completion of Phase II) are available in only 3% of the cases;
(d) References to training as a module in the training schools curricula, are available in 40% of cases;
(e) Information on whether a computerized customs database system is in place is available in 12 % of cases;
(f) On legislative framework, only little information is given as to whether or not a framework is in place, with no details on modalities and functioning.
(g) for technical equipment, information is available in 73% of the cases on the numbers of identifiers supplied, but no information is provided on whether they are used for customs controls.

35. On average there is a 12 month gap from project completion to submission of a PCR. The high end is 36 months, the best is 6 months. When taken in terms of average by agency Sweden, although based only on one project, was the longest (20 months), followed by Canada (18 months), Finland (11 months), UNEP (11 months) and UNIDO (8 months).

36. While in most PCRs reasons for delays are succinctly explained, in some they are not addressed at all and even with significant delays the project is described as "satisfactory and as planned". This seems to be a characteristic amongst the most recently received PCRs prepared by UNEP.

37. UNEP is currently in the process of evaluating its own documents, including the training manual, in a joint effort with RMP/CAP Officers, national partners and regional training institutes in order to determine the best way to proceed in future workshops. For example, the preparation of a CD Rom with the customs training manual has been considered and on-line training is currently being developed for China. Once this is up and running, UNEP might make it available to other countries as well.

38. While workshop reports include an evaluation section, this provides only limited insight into the level of satisfaction of the participants with regard to the quality and quantity of information received. The answers given at the end of workshops are generally in the "Excellent" to "Good" categories and provide little information as to the actual quality of the materials used and to the application of lessons learnt into daily practices which could be evaluated only at a later time.

39. With the documentation at hand, there is not enough reliable information to accurately determine the effectiveness of implementation and the results and impact of training projects.

40. As can be seen in the overview of PCRs for licensing projects in Annex Ia little information has been provided on the modalities of licensing systems in place, and most importantly, no information is to be found relating to the actual implementation and effectiveness of the system.

41. While in some draft TPMPs or requests for RMP updates descriptions of licensing systems exist, the actual results derived from the implementation of these systems are generally not provided and the descriptions are mostly very brief. This may be due to the fact that they are recent, or that reporting on such results is not considered to be mandatory.

42. In order to properly evaluate a licensing system's effectiveness, factual information on its administrative proceedings, modalities of operation and immediate effects, i.e. seizures, fines, disposal of seized goods, etc. is required. From this information, conclusions can be drawn with regard to its contribution to limit illegal trade and to reduce ODS consumption.

V. Evaluation Approach

43. Evaluating the effectiveness of licensing systems and customs training projects will first require information on the legal and administrative systems put in place given that customs training projects are preceded by the development of a handbook on the country specific regulations, these handbooks have to be carefully studied before each field visit.

44. Secondly, the documents available on the customs training (workshop reports, PCRs) need to be analyzed and complemented with results from interviewing trainers and participants. Thirdly, the views and experiences of the NOU, senior custom officers, representatives of Ministries of Finance, Trade and Industry as well as importers need to be collected and discussed. This should include interviews with customs officers and environmental inspectors, who actually undertake the physical controls of shipments and with those officers (e.g. customs brokers) which, in many countries, actually check customs documents. Such interviews are needed to assess the effectiveness of customs training and draw correct conclusions for the future approach to training projects.

45. The key question is whether all these measures and instruments introduced and applied (training, licensing system, customs codes, legislation and enforcement) have effectively proven to be adequate and sufficient to improve the control of trade flows and, accordingly, to detect, discourage and prevent illegal trade transactions. To check this, a system's analytical approach is needed to assess actual effectiveness.

46. The assessment of the actual impact of the legal, technical and training measures taken will be a fairly complex task because there is no direct causal link between customs training, import licensing, or technical identifier equipment on the one hand, and the extent of reducing ODS consumption and preventing illegal trade on the other. It should be kept in mind that if no illegal shipments were detected, this may be due to customs inefficiency or to the fact that there was no illegal trade at all. The actual volume of illegal trade can never be exactly quantified. Consequently, special attention must be

given to overall set up and functioning of the licensing system and to the concrete performance of customs, sampling methods applied by them, quality of verification and reporting, etc.

47. The system to be analyzed can tentatively be described as follows:

Main evaluation issues

	Areas of action	**Issues to analyze**	
1.	Background information	(a)	Share of sub-sectors in ODS consumption, recent trends and prospects
		(b)	Number of registered importers, service shops, technicians
		(c)	Projects funded and implemented
		(f)	National phase-out strategy and status of compliance
2.	Legislation and import licensing system	(a)	Ratification of Montreal Amendment
		(b)	Main characteristics of import licensing system (if in place), including whether they cover all ODS
		(c)	Specific regulations on the ban of ODS and equipment containing ODS
		(d)	System of quota allocations to registered importers
		(e)	Conditions of issuing licenses
		(f)	Administrative procedures and documentation
		(g)	Collaboration between the authorities responsible for ozone issues and customs officers at various levels
		(h)	System of monitoring and reporting on trade in ODS
		(i)	Sanctions or penalties imposed on violation of legal regulations
		(j)	Mechanisms and capacities for prosecution and enforcement
		(k)	Involvement of the private sector in elaborating and implementing rules and regulations
		(l)	Support received by CAP team for developing licensing system
3.	Customs procedures	(a)	Control taking place at border points or inside the country
		(b)	Introduction of a national system of customs codes in addition to the HS to identify substances and mixtures
		(c)	Documents (licenses, trade names, code number, labelling, etc.) to be presented to customs by importers of ODS
		(d)	Procedure applied in case of suspicious shipments
		(e)	Sampling or other identification methods used
		(f)	Characteristics making a shipment suspicious
		(g)	Instance to be addressed in case of suspicious shipments
		(h)	Illegal imports detected since import licensing system in place

	Areas of action	Issues to analyze
		(i) Electronic monitoring system in place and effectively used by customs
4.	Customs training	(a) Number of customs training courses conducted and officers trained (under stand-alone, RMP, regional or sectoral phase-out projects) (b) Establishment of in-country customs training capacity (c) Continuity (follow-up, refreshment) of training activities (d) Curricula and material used in customs training (e) Identification equipment supplied (f) Adequacy and sufficiency of identifiers available to customs (g) Effective use of identifiers (h) Existence of backstopping mechanisms for customs (i) Priority attributed to Ozone issues by customs
5.	Additional enforcement measures to reduce ODS consumption	(a) Establishment of local (or regional) environmental agencies responsible for inspection among companies and end-users (b) Measures influencing relative prices (import taxes, environmental levies on ODS, or subsidies for alternatives) (c) Application of other financial or fiscal incentives for technological reconversion
6.	Co-operation with national stakeholders and regional co-operation	(a) Involvement of the companies and professional associations (if in place) in the strategy and the operative procedures of the ODS phase-out process (b) Regular reporting by importers (and the servicing sector) and the system of checks to assess the reliability of data (c) Usefulness of the communication and co-operation with neighbouring countries in the Regional Networks (d) Common efforts and exchange of experience between Network members to combat illegal trade in ODS, including sub-regional cooperation

48. Information collected on the issues mentioned above should be further elaborated to draw conclusions with regard to the comparison of operative efficiency by country or region and measures introduced. This would be based on an analysis of experiences reported by customs and other stakeholders regarding the proper functioning of the system or, where available, the self-evaluations of customs and other stakeholders in terms of success, shortcomings, bottlenecks, problems observed in practice. Results of such analyses may be presented in the form of a matrix comparing the information on measures, experiences so far, strengths and weaknesses sorted by countries visited.

VI. Evaluation Work Plan

49. Taking into account the comprehensive character of this approach, attention will have to be paid to the duration of the field visits. Such an inquiry into statistics, monitoring, customs codes, operation of the import licensing system, attitudes of business companies, etc., cannot be carried out via interviews of 30 minutes per stakeholder. Documents, some available only in situ, would need to be collected and reviewed in order to obtain a comprehensive knowledge about the particular conditions and problems in a given country. About ten countries should be selected for field visits to provide a representative picture, and the duration of the visits may need to be 4-5 days (depending on the size of country), taking into account the need for direct interviews with customs officers at the main entry points.

50. A checklist has been elaborated (Annex III) which will be modified, complemented or abridged according to the special conditions or additional requirements in the individual countries. The items are to be addressed with different sources of information including the following:

(a) The National Ozone Unit;
(b) Other government departments involved in ozone/environmental issues;
(c) Customs Department;
(d) Selected customs control points;
(e) Importers of ODS;
(f) Associations for Refrigeration Technicians, if in place.

51. The travel plans of the evaluation missions will be established by the Multilateral Fund Secretariat, in consultation with the Ozone Units of the countries to be visited and the Implementing and Bilateral Agencies concerned. The CAP Team could also provide proposals. Final selection of the countries should depend on the results of these consultations. The selection should use the following criteria to provide a balance of information:

(a) Countries in compliance and others in non-compliance;
(b) Countries with and others without an import licensing system in place;
(c) Countries that reported and others having not reported incidences of illegal trade with ODS;
(d) Countries with different customs training programmes (stand-alone, regional, or as part of RMP or phase-out plan);
(e) Countries of different sizes and regions;
(f) Projects implemented by various Implementing and Bilateral Agencies.

Annexes

Annex Ia: Information in PCRs on Licensing Projects

Country	Project Number	Title of project	Implementing Agency	Funds Approved	Legislation/ Regulations	Workshop related information	Equipment	Computerized System in place (database)	National coordinating agency/ Implementing agency	Implementation delays	Months from completion to PCR submission
Burkina Faso	BKF/SEV/1/TRA/04	Workshop on monitoring and control of ODS consumption	UNEP	14,500	Enacted	13 representatives from government, 9 representatives from customs and 2 from industry + 8 representatives from neighbouring countries, October 1994				No	62
Gambia	GAM/REF/29/AS/08	Policy development and related information dissemination	UNEP	22,000	Implemented.	One day wsop to define a policy framework to help Gambia establish a mecanism to control export/import			Gambia National Environment Agency/UNEP	Yes, 22 months, no explanation povided	5
Georgia	GEO/SEV/27/TAS/06	Promoting compliance with trade and licensing provisions of the MP in CEIT	Canada	33,900	Implemented	38 participants from 10 countries in the region participated in the Regional workshop			Ministry of Environment and Natural Ressources, protection of Georgia/UNEP on behalf of Canada	Yes, 7 months, country took longer than planned to develop legislation	12
Guatemala	GUA/REF/27/TAS/20	Implementation of RMP: Licensing system	UNEP	10,000	Implemented			Data collected/Annual ODS report	Ministry of Environment and Natural Ressources, National Ozone Unit/UNEP	Yes, 22 months. Delay to establish the importers register. Reluctance from importers to comply with the licensing process and from customs officers to legitimize the process	9
Mali	MLI/REF/29/TAS/06	RMP: Assistance in drafting ODS related legislation	UNEP	10,980	Implemented			Quota system is working well		Yes, 13 months. Several internal reasons in the country	13
Peru	PER/REF/27/TAS/25	Implementation of RMP; Support for a licensing system	UNEP	10,000	Implemented, 2001	reference to this being completed included in PCR			Ministerio de Industria, Turismo, Integracion y Negociaciones Comerciales Internacionales, Oficina Tecnica de Ozono/UNEP	Yes, 16 months. Establishment of licensing system required relevant coordination with importers and customs officers	17
Uruguay	URU/REF/27/TAS/31	Implementation of a licensing/quota system	Canada	11,300	Implemented		Yes		Ministerio de vivienda, ordenammiento territorial y medio ambiente/UNEP on behalf of Canada	Yes, 8 months, due to the institutional nature of the project	11

Annex Ib: Information in PCRs on Customs Training Projects

Country	Project Number	Title of project	Implementing Agency	Funds Approved	Legislation/ Regulations	Country handbook status	Phase I	Phase II	Equipment	Ongoing training?	Module included in curricula?	Computerized System in place (database)	National coordinating agency/implementing agency	Implementation Delays	Comments	Months from completion to PCR submission
El Salvador	ELS/REF/25/TRA/08	RMP Implementation: customs training	UNEP	38,000	Yes		30 Customs officers trained, September 2001	109 Customs officers trained	8 identifiers purchased					Yes, 55 months, legislation in place 22 months after project approval. Slow progress after phase I due to lack of identifiers	Project is described as "satisfactory and as planned"?	7
Samoa	SAM/REF/32/TRA/03	Implementation of the RMP: Training of customs officials and NOU staff	UNEP	53,500	Implemented	Prepared by the ozone officer	10 customs officers + 7 stakeholders trained and certified September 2002	9 customs officers + 8 stakeholders trained and certified, September 2002. An additional 11 customs officers were trained in September 2003	Yes				Planning and Urban Management Agency, Ministry of Natural Ressources and Environment/UNEP DTIE	Yes, delays in establishing licensing framework, change of ozone officer, unavailability of consultant to draft handbook	mixed 5 day approach tried for the first time, successfully	2
South East Asia and the Pacific	ASP/ASP/SEV/29/TRA/31	Regional workshop on control and monitoring of ODS	Sweden	55,000										2 months	Three network countries were able to design a licensing system after rceiving inputs from the workshop and after sustained follow up by RNC	14
Sudan	SUD/REF/28/TRA/11	RMP: training of customs oficers and development of criteria for ODS and ODS consuming equipment	UNIDO	38,250	Implemented		26 officers in customs depertment and customs offices trained. 10 were planned					Database was established before the training	Ministry of Industry, NOU/UNIDO	Yes, underestimation of time required for preparation of training		14
Uruguay	URU/REF/27/TRA/29	Customs officers training programme	Canada/UNEP	71,190			27 customs officers trained, November 2001	94 customs officers trained, June 2003	Yes		Yes, included within regular customs training programmes		Ministerio de vivienda, ordenammiento territorial y medio ambiente/UNEP on behalf of Canada	Yes, 38 months, project execution delayed until legislation was passed		6

Annex Ib: Information in PCRs on Customs Training Projects

Country	Project Number	Title of project	Implementing Agency	Funds Approved	Legislation/ Regulations	Country handbook status	Phase I	Phase II	Equipment	Ongoing training?	Module included in curricula?	Computerized System in place (database)	National coordinating agency/implementing agency	Implementation Delays	Comments	Months from completion to PCR submission
Antigua	ANT/REF/26/TRA/04	Training of customs	Canada/UNEP	44,000	In place	finalized	One 3 day wsop, 12 Customs officers and 10 key stakeholders trained July 2001 (planned=22)	5 wsops, 81 Customs officers including 1 coast guard and 1 police department (planned=100)	provided as part of UNEP project "Global enabling activity"		yes, in customs and excise training curricula of training school, and also in refresher courses for experienced customs officers	ASYCUDA computerized system in place. Duty free concesions to imports containing non ODS substances and 500% tax to CFC's	Ministry of Commerce, Industry and Business Development/UNEP on behalf of Canada	Yes, 23 months due to implementation of legislation and ressource/personnel and coordination problems	NOU reports licensing system needs to be improved?	12
Bahrain	BAH/REF/26/TRA/06	RMP: Customs training	NOU/UNEP	30,000	Yes, in place in 1999	Completed	3 day wsop January 2001, 30 participants trained	Training of 12 customs officers. Additional training of over 200 customs officers trained in Phase II, end of 2001	3 refrigerant identification kits				Environmental Affairs, Ministry of States, Municipalities Affairs & Environmental Affairs/UNEP	24 months, the regulatory framework was not in place until 1999		10
Belize	BZE/REF/29/TAS/03	RMP Implementation: monitoring and control of ODS and training program for customs and other officers	UNEP	28,000	Implemented		18 participants March 2002,	over 75 key persons trained July 2003					Ministry of natural ressources and environment/Canada with assistance from UNEP	Yes, 30 months due to lenghth in establishing policy legislation component. Project described as "satisfactory and as planned"	two imports stopped pending Belize's NOU approval	8
Burkina Faso	BKF/REF/29/TRA/09	Trining of Customs Officials	Canada/UNEP	48,025	Enacted		20 Customs trainers, senior customs officials and relevant stakeholders, August 2001	120 Customs officials trained	Yes, 5 refrigerant identifiers		Yes		Ministere de l'Environnement et de l'Eau/UNEP on behalf of Canada	14 months, NOU busy with implementation of RMP + difficulty of coordinating training of 120 Customs officers		14
Burundi	BDI/REF/26/TRA/03	Training of customs officers	UNEP	30,000	Implemented 03/2000		20 customs officers trained, 14-16 November 2001. (25 mentioned in remarks of MFS)	29 customs officers trained, 17-19 April 2002	yes				National Ozone Unit/UNEP	26 months, establishment of MOU, pb w/translation. Also pb w/signed expenditure report	"Control and monitoring of CFCs is intensified"	14
Chad	CHD/REF/29/TRA/06	Training programme for customs officers	UNEP	75,000	Implemented	available	29 custom trainers, senior customs officials and relevany stakeholders trained. Two day wsop, November 2001	322 customs officials trained	17 refrigerant identifiers		Yes, included in customs and excise training curricula of training school		Ministere de l'Environnement et de l'Eau/UNEP	Yes, due to set up of legislation		6
Comoros	COI/REF/35/TRA/08	Training of customs officers in identification and control of ODS	UNEP	39,000			25 customs officers trained, September 2003	30 customs officers trained	Yes				Bureau national ozone/UNEP	Yes 17 months, no explanation?	Project is described as "satisfactory and as planned"	
Congo	PRC/REF/32/TRA/09	Customs training programme	UNEP	69,400			25 customs officers trained, May 2002	170 customs officers trained, June, October 2003	Yes		Yes, included in customs and excise training curricula of training school		Bureau national ozone/UNEP	No		8
Croatia	CRO/REF/28/TRA/12	RMP: Customs training	UNIDO	32,250	Implemented 1999 by-law	Croatian handbook was made	34 officers trained 923 from 12 customs points, 10 from customs district, 1 from department of prevention of illegal trade. 40 were planned		12 identifiers, (10 road, 1 ship). 30 were planned				Ministry of Finance, Customs Directorate/UNIDO	12 months, intra Ministerial negotiations took "a long time"to complete. Also un-readiness of Customs directorate for training on ODS issues		4

Annex Ib: Information in PCRs on Customs Training Projects

Country	Project Number	Title of project	Implementing Agency	Funds Approved	Legislation/ Regulations	Country handbook status	Phase I	Phase II	Equipment	Ongoing training?	Module included in curricula?	Computerized System in place (database)	National coordinating agency/implementing agency	Implementation Delays	Comments	Months from completion to PCR submission
Dominican Republic	DOM/REF/25/TR/14	Customs Training	UNEP	53,000	Implemented, 12 August 1999. Official agreement signed between General Customs Office and Environemnt and natural Resources Secretariat	Yes, disseminated during follow up training wsop and being used as reference document	36 participants, 30 of them experts	96 Customs officers trained	Yes, as planned		Yes, MP related training module included	Yes, created upon 2nd customs training course. Now in use allowing the reporting on imoprted ODS final year reports.	Ministry of Agriculture, Governmetal Ozone Committee/UNDP, UNEP	Yes, in finalization of phase II due to country local situation. Coordination with local customs office was not good. NOU undertook active efforts to develop effective links.	Further training of environmental police officers should be planned, follow up on support measures for enforcement of licensing system should also be planned. Database system should be improved. Follow up training required due to large number of entry points in the country.	8
Gabon	GAB/REF/26/TRA/05	Customs training	UNEP	31,000			27 customs officers trained, August 2002	60 Customs officers trained, June 2003			Yes, included in customs and excise training curricula of training school		Bureau national ozone/UNEP	Yes, 43 months. Only reference is that phase 1 training was pending on establishment of legislation	Project described as "satisfactory and as planned"?	8
The Gambia	GAM/SEV/19/TRA/03	Training programme for customs officers	UNEP	12,598	Implemented	Prepared	66 customs officers trained, two day wsop March 2001	40 customs officers trained, February 2002	5 refrigerant identifiers		Yes, inclusion of training programme into the customs training curriculum		Gambia National Environment Agency/UNEP	Yes, 22 months, no explanation provided		5
Guinea	GUI/REF/30/TRA/06	Training for customs officers	UNEP	42,500			27 Customs officers trained, December 2002	56 customs officers trained	yes				Bureau national ozone/UNEP	No		18
Ghana	GHA/REF/32/TRA/13	Customs training programme	UNEP	81,000			30 officers trained, June 2002	150 Customs officers trained, October to December 2002			Yes, included in customs and excise training curricula of training school		Ministry of finance and economic planning, Environmental protection agency/UNEP			21
Global	GLO/SEV/27/TRA/184 and 180	Customs Training Manual	UNEP in cooperation with Canada and Finland	60,000									Environment Canada and the Ministry of Foreign Affairs of Finland in cooperation with UNEP DTIE	Complexity of the subject and need to consult with many stakeholders resulted in longer project duration		11
Global	GLO/SEV/32/TRA/218	Global enabling activity for customs training	UNEP	164,400					identifiers were provided to 19 countries					Yes, 19 months, due to time requitred to identify consultant firms		1
Guatemala	GUA/REF/27/TAS/18	Customs officers training programme	UNEP	34,000	Implemented		36 participants trained (October 2001)	122 customs officers trained (July 2002)	16 refrigerant identifiers purchsed					25 months, customs agreement delayed for over a year, and two years to complete imports register		6
Honduras	HON/REF/28/TRA/05	RMP Implementation: customs training	UNIDO				378 officers trained	?	Yes 26 Refrigerant identifiers delivered				Unidad tecnica de ozono/UNIDO	Yes, 29 months. Long time for the contractor to understand the program for their signature on the UNIDO contract		9

Annex Ib: Information in PCRs on Customs Training Projects

Country	Project Number	Title of project	Implementing Agency	Funds Approved	Legislation/ Regulations	Country handbook status	Phase I	Phase II	Equipment	Ongoing training?	Module included in curricula?	Computerized System in place (database)	National coordinating agency/implementing agency	Implementation Delays	Comments	Months from completion to PCR submission
India	IND/SEV/30/TAS/253	Develop policy and customs training strategies	UNEP	50,000			yes	?					Ozone Cell, Ministry of Environement and forests/UNEP	Yes, due to ressource constraints and difficulties in coordinating project to include relevant stakeholders in large size country like India		8
Jamaica	JAM/REF/27/TRA/12	Implementation of RMP: Customs officers training programme	Canada	54,240	Implemented, July 1999	Yes	23 participants trained, completed, June 2000	118 customs officers trained by November 2000, with an additional 75 trained in mini sessions at 11 customs ports through 2001	Yes	Customs training department is continuing training with UNEPs Customs training manual in assistance with Canada and Finland	Yes, Training module on monitoring of imports and exports containing ODS incorporated into Scholarship programme for new recruits (August 2001)		National Environment and Planning Agency/Canada	Yes, 32 months. In part due to delays with legislation, and also to inability of trainers to leave their regula duties	Reduction in imports of equipment containing ODS of approx 60% during last quarters of 2000-2001	3
Jordan	JOR/REF/28/TRA/48	RMP: Customs training	UNIDO	38,003	Implemented		15 customs officers trained	25 customs officers trained	Yes, 8 sets				GCEC, NOU/UNIDO	Yes, 11 months	Project is described as having been smoothly implemented with no significant problems. "satisfactory as planned"	12
Macedonia	MDN/REF/28/TRA/15	RMP: Training of customs officers	UNIDO	30,159		Yes, in Macedonian	299 Customs officers were trained and certified. Original plan called for 32.		Yes, 7 identifiers			Database was created	Agency for Development and Investment, Ministry of Environment and Physical Planning, Ozone Unit/UNIDO	Yes, 12 months, change of government component		5
of Mali	MLI/REF/29/TRA/07	Customs training programme	UNEP	60,000			20 customs officers trained, September 2002	40 customs officers trained, October 2002 to December 2003			Yes, included in customs and excise training curricula of training school			Yes, 30 months, no explanation	Project described as "satisfactory and as planned"?	8
Mongolia	MON/REF/32/TRA/04	Implementation of the RMP: Training of customs officers	UNEP provisional	77,200	Implemented	Yes	33 customs officers and national stakeholders trained. June 2001	259 trained customs officers, enforcement and environmental officers trained. September 2001-May 2003			Yes, for new customs officers and environmental inspectors		National Ozone Unit, Ministry of Environment of Mongolia/UNEP DTIE	Yes, 17 months, in view of training a large number of trainees	Mongolian customs officer participated as lead trainer in Uzbekistan. South/South cooperation model	4
Niger	NER/REF/27/TAS/05	Customs officers training programme	UNEP	63,000			17 Customs officers trained, February 2002	110 customs officers trained, July 2002 to June 2003	Yes		Yes, included in customs and excise training curricula of training school		Bureau national ozone/UNEP	Yes, 38 months, project execution delayed until legislation was passed	"Satisfactory and as planned"?	6
Oman	OMA/REF/34/TRA/04	RMP: Customs training programme	UNIDO	42,000			22 customs officers and officials trained		Yes, 8 identifiers provided				NOU/UNIDO	Yes, 4 months. Signature of agreement took longer than originally foreseen		9
Qatar	QAT/REF/34/TRA/04	RMP: training of customs and ozone unit in monitoring and control of ODS	UNIDO	50,000			40 customs officers trained in addition to NOU staff	15 officers trained	12 identifiers provided				NOU/UNIDO	Yes, 4 months . More officers were identified that required trainig		9
Romania	ROM/REF/28/TRA/17	RMP: training of customs oficers and development of criteria for ODS and ODS consuming equipment	UNIDO	21,000	implemented		31 officers in customs department and 12 staff of district environmental protection agencies were trained		5 refrigerant identifiers					Yes training wsop delayed more than two years due to lower priority set in customs department		10

Annex II: Documents reviewed

MLF inventory of approved projects.

Annual project progress reports submitted by the implementing agencies.

Workshop reports and project completion reports.

Evaluations of training projects and RMP's, including the country case studies prepared in this context.

UNEP customs training handbook, customs training handbooks for various countries and general publications on policy formulation, in particular on licensing systems.

Decisions and reports of the Meeting of the Parties concerning the subject, especially the Study on Monitoring of International Trade and Prevention of Illegal Trade in ODS Mixtures and Products containing ODS (Dec. XIII/12), Doc. UNEP/OzL.Pro/WG.1/22/4.

Document UNEP/OzL.Pro/ExCom/43/58 on Monitoring of Trade in ODS and Prevention of Illegal Trade in ODS (Dec. X Monitoring of International Trade and Prevention of Illegal Trade in ODS, Mixtures and Products containing ODS (Dec. XIV/7), and its two annexes.

Licensing Systems under the Montreal Protocol and Training of Customs Officers, prepared by UNEP/DTIE, June 2004, revised August 2004.

Status overview of UNEP projects as at August 2004. Prepared by UNEP/DTIE

Annex III: Checklist of Questions for Field Visits

1. General information

Issue	Source of information		
	NOU	Industry	Customs
1. Consumption of ODS (recent data):	X		
2. Sources of ODS consumption data and their reliability	X		
3. Estimated share of sectors in ODS consumption:	X		
4. Status of CP and RMP implementation	X		
5. Import licensing system in place since _____	X		

2. Import licensing system (ILS)

Issue	Source of information		
	NOU	Industry	Customs
6. Authority responsibility for operating the ILS	X		
7. Support received by Multilateral Fund: (a) Through project funding under RMP (b) Through project funding under institutional strengthening (c) Through networking/CAP team	Text		
8. Main regulations and prescriptions of the legal act governing the ILS: (a) Surveillance: _____ (b) Measures to reduce consumption: _____	Text		
9. Any delays in developing and approving the licensing system? If yes, what are the reasons?	X		
10. Specific prescriptions of legislation: (a) Ban of ODS: _____ (b) Ban of equipment containing ODS: _____ (c) Notification requirement: _____ (d) Labeling requirement: _____ (e) Registration of importers compulsory? (f) List of registered importers	X		
11. Mechanism of quota allocations to registered importers	X		
12. Quotas allocated in conformity with the phase-out timetable?	X	X	
13. End user control taking place? (a) Ban for certain applications? _____ (b) Control of ODS emission? _____ (c) Restriction on rights to handle ODS to certified technicians? _____	X		

Issue	Source of information		
	NOU	**Industry**	**Customs**
(d) Inspection of distributors or servicing workshops? (e) Surveys conducted among importers/distributors/wholesalers?			
14. Are licenses coupled with certain conditions? (a) Regular reporting to NOU: _____ (b) Record keeping: _____ (c) Restriction on sales: _____ (d) Clearance before shipments:_____ (e) Restrictions on re-export: _____ (f) Labeling: _____	X	X	
15. Imports from non-Parties regulated? (a) If so, how? _____	X		X
16. Sanctions/penalties imposed on violation of legal prescriptions? (a) If so, specify: _____ (b) Mechanisms and capacities for prosecution and enforcement	X	X	X
17. How to deal with illegal imports? (a) Sending back? _____ (b) Auction/selling? _____ (c) Destruction? _____ (d) Storage? _____	X		X
18. Regulations concerning ODS containing applications (e.g. 2nd hand refrigerators, cars, etc.)? Specify: _____ _____	X		X
19. Regulations regarding imports and exports of recovered, recycled and reclaimed ODS?	X		
20. Are imports of ODS containing equipments controlled although they are not controlled under the Montreal Protocol (like cars with MAC using CFC or halon fire extinguishers)?	X		X
21. Effective registered imports of ODS since the introduction of ILS	Figures		
22. Form and frequency of cooperation with stakeholders, especially registered importers. Please give details and assessment.	X	X	

3. Customs procedures

Issue	Source of information		
	NOU	Industry	Customs
23. How do customs proceed in controlling imports of ODS or ODS based equipment? (Checking import licenses, permits, customs codes, i.e. all relevant documents): _____			X
24. How do customs proceed in case of suspicious shipments containing possibly ODS? (a) Sampling of containers/cylinders: _____ (b) What sampling method is applied: _____ (c) Physical check with identifiers: _____ (d) Sending shipment to chemical analysis: _____ (e) Notifying NOU or other department: _____			X
25. Some mixtures are difficult to identify through conventional identifier kits. How do customs proceed in such cases to detect the content of such shipments? 26. When does a container/cylinder appear as suspicious? 27. Is every suspicious shipment subject to analysis, or sampling is applied? _____ 28. In which cases do you consider that a chemical analysis is needed? _____			X
29. Did identifier supplied prove to be adequate to detect controlled substances? - Please, specify experience so far: _____			X
30. Which authority is designated within the customs to ensure that import control procedures are followed? ___ _____			X
31. Does a national code system additional to the WCO-HS exist to identify different ODS substances (2 more digits)? _____			X
32. Main problems or difficulties (if any) registered in controlling ODS imports			X
33. What kind of forms are used to monitor imports? _____ _____	X		X
34. Can import figures of ODS substances be made available by customs authority?			X
35. Does customs collect statistical data on every ODS import, or does it use a sort of sampling method? _____ _____			X

Issue	Source of information		
	NOU	Industry	Customs
36. In case of suspicious or clearly illegal imports of ODS, to whom customs authorities have to report to get feedback on how to handle the detained product?	X		X
37. Have customs actually detected illegal imports since legislation and import licensing system is in force? (a) If so, provide quantity of ODS import for a given period of time, e.g. last year: _____			X
38. If illegal imports have effectively been detected, which routes for illegal trade were practiced: (a) Unmonitored crossing point: _____ (b) Concealment of ODS in the midst of legitimate cargo: _____ (c) Mislabeling: _____ (d) Diversion of good in transit: _____			X
39. Is there some evidence that combating illegal trade by customs has contributed to the reduction of ODS consumption in recent years?	X	X	X

4. Customs training

Issue	Source of information		
	NOU	Industry	Customs
40. Has Phase I (train the trainers) been completed? (a) Date of completion: _____ (b) Trainers trained (numbers): _____ (c) Trainers active at present: _____ (d) Reasons for delays, if applicable: _____	X		X
41. Training of customs officers: (a) Training courses completed (numbers): _____ (b) No. of customs officers trained: _____ (c) Number of customs officers in the country: _____ (d) Turnover rate (average): _____ (e) Other stakeholders trained? _____	X		X
42. Is customs training ongoing (e.g. for newcomers, follow-up, etc)? (a) If so, please provide details: _____ _____	X		X
43. Which training materials were used in Phase I and II and what is their usefulness? (a) Country handbook: _____ (b) UNEP customs training material: _____ (c) Other training materials: _____	X		X

44. Did NOU or/and Customs Dept. receive more reports from customs check-points on attempts of illegal ODS import (chemicals or ODS based equipment) after completion of the training courses? (a) If so, specify: _____	X		X
45. Has communication between customs and NOU or other responsible authorities improved after completion of the training courses? (a) If so, specify: _____ (b) Does the NOU regularly take part in training of new customs officers? _____ (c) Are lists on licenses issued distributed to customs? _____			
46. Were identifiers supplied to customs under the RMP? (a) Total no. of identifiers received: _____ (b) No. of customs check-points in the country: ____ (c) No. of identifiers to individual check-points: ____ (d) What sort of identifiers provided? _____ (e) Were other identifiers supplied by national authorities? _____	X		X
47. Did NOU or Customs Dept. receive any reports on using the identifiers by customs? _____	X		X
48. Is your country a member of a: (a) Customs union? _____ (b) Free trade zone? _____ (c) Preferential trade area? _____	X		X
49. Who are the main suppliers of your imports of ODS? _____	X	X	X

5. Additional measures to reduce ODS consumption

Issue	Source of information		
	NOU	**Industry**	**Customs**
50. Market prices for: (a) CFC-11 (b) CFC-12 (c) R-134a (d) HCFC (e) HC	X	X	
51. Trend in price relations. Has a relevant change in prices been observed? _____	X	X	
52. Have direct measures been introduced to change price relations? (Economic incentives/disincentives) (a) Import duties (b) Taxes (c) Tax exemptions for substitutes	X	X	

Issue	Source of information		
	NOU	Industry	Customs
53. Other measures introduced to reduce ODS consumption: _____	X	X	
54. Have surveys, inspections (at the level of importers, distributors, service shops or end-users) taken place?	X	X	
55. Any other comments and suggestions: _____ _____	X	X	X

6. Regional co-operation

Issue	Source of information		
	NOU	Industry	Customs
56. Do you believe that improving communication and cooperation on ODS trade between neighboring countries has helped your country to prevent and combat illegal trade in ODS? (a) Please, specify experience: _____ _____	X		X
57. Has the Regional Network facilitated such contacts? Please specify: _____			
58. Has there been sub-regional cooperation with neighbouring countries?			

Annex IV: Summary of Findings during Field Visits to Romania and Senegal

(a) Romania

1. In compliance with the Montreal Amendment of the MP, Romania has introduced an import licensing system by which annual quotas for the import of ODS are established. Any registered company importing ODS and in possession of a certification issued by the Ministry of Economy and Trade can apply for a license which in Romania is called 'environmental permit'. Such permits are issued for one year. At present time, 7 companies are benefiting from permits for importing CFCs. It was reported that the allocated quotas have not been fully used. CFC consumption had been reduced to 190 ODP tonnes in 2001 (28 % of the baseline of 675,8 ODP tonnes) but increased again to 362 ODP tonnes in 2003 (53 % of the baseline), due to stockpiling in anticipation of anticipated import limitations.

2. As far as the impact of the import licensing system on the prevention or reduction of illegal imports is concerned, no exact answer is possible. It remains unclear whether a negative record is due to the non-existence or the non-detection of illegal imports. Nevertheless, the introduction of the licensing system has had several important beneficial effects:

(a) It enables the NOU to acquire an improved control of import and consumption of ODS,
(b) It provides a basis of calculability for the industry,
(c) It creates, through control mechanisms and penalties, disincentives to import illegally,
(d) It produces transparency and thereby a safer feeling for competing business companies,
(e) It improves monitoring and thereby the reliability of statistics,
(f) It facilitates better communication and co-ordination with registered importers.

3. Under the RMP one training programme for customs officers was implemented with the participation of 31 customs officers and 12 staff members of Local Environment Protection Agencies. The project was approved and the scheduled date of completion was October 2001 but actual completion was delayed to August 2002 due to administrative problems and, according to the Project Completion Report, possibly also "to the lower priority set in the customs department in the Government". The PCR qualifies this training project as "satisfactory, though not as planned". Apart from the training project implemented under the RMP, the NOU also organized two customs training workshops with the assistance of UNEP and the European Commission. The Central Customs Authority participated in these workshops; nevertheless it made clear that, due to insufficient preparation and the lack of human and financial resources, it is not in a situation to build up an in-country capacity for performing subsequent training activities. It was, therefore, the unanimous opinion of all resource persons interviewed during the field visit that more efforts for further customs training activities are needed.

4. Under the RMP, 6 identification kits (5 for customs, 1 for the training of technicians) were supplied to customs. They are being used mostly for training purposes and only in

exceptional cases for the identification of the content of shipments. While the Customs Department has excluded the incidence of illegal ODS imports, some importers reported that they cannot discard some smuggling through the Black Sea or some border control points, but the volume might be small.

(b) Senegal

5. In compliance with the Montreal Amendment of the MP Senegal has introduced an import licensing system by which annual quotas for the import of ODS are established. The NOU has the responsibility of distributing quotas between prospective importers. To be valid, importation requests need to be stamped by the Environment Directorate as well as by the National Trade Directorate. Currently 5 companies benefit from permits for importing CFC-12. In 2003, 40 MT were allocated and this has dropped to 30 MT in 2004. It was reported that the allocated quotas have been fully used. Senegal is largely ahead of the 50 % reduction required in 2005, the consumption in 2003 was according to Art. 7 data 32.7 % of the baseline.

6. The licensing system which works with full cooperation of the importers and association of refrigeration technicians has contributed to this achievement. Traders and workshops maintain only short term stocks in order to limit related financing cost. No seizures of CFCs at customs points of entry have been reported. However, according to the NOU and refrigeration technicians, some quantities of illegally imported ODS are available in a number of workshops.

7. The customs training component under the RMP (project SEN/REF/33/TAS/15 implemented by UNEP) was reported to be satisfactory. However, after the initial seminar was conducted to train senior customs officers as trainers, only two of four planned follow-up training courses for customs officers in the regions were organized, as only cooperation with regional and not with central customs authorities could be established for the organization of such seminars. The identifiers delivered are kept in a central customs warehouse and are not being used for customs controls. One trainer occasionally is called in from his duty station outside Dakar to help in identifying doubtful shipments arriving in the Port of Dakar.

8. Frequent rotation of officers trained as trainers has seriously affected continuation of training activities and no ODS related module has been included in the curriculum of the customs school so far. Alternative models discussed include specialization of a small nucleus of customs officials dedicated to ODS control or the support of private sector technicians to be called upon once a suspicious shipment has been spotted. A number of issues have to be addressed for such alternatives to function but they are relatively minor compared to the problems created by rotation of trained trainers and their subsequent unavailability.

Annex V:
Statistical Overview of Approved and Completed Projects

Table 1: Customs Training/Licensing Systems and Related Projects

Category	No. of Projects Approved	No. of Projects Completed	Total Funds Approved (US$)*	Total Funds Disbursed (US$)*	PCRs Received
Customs Training Stand-Alone Projects	6	2	630,900	238,885	2
Individual Customs Training Projects that are part of RMPs	58	24	3,058,116	1,348,505	24
Customs Training and Licensing Training integrated in RMP Projects	23	5	3,455,961	583,359	5
Regional Customs Training Projects	6	4	1,137,429	1,047,429	3
Licensing System Stand-Alone Projects	4	2	2,203,900	2,006,570	1
Regional Licensing System Projects	8	7	5,025,411	4,793,166	1
Individual Licensing Systems that are part of RMP Projects	22	7	995,210	332,167	5
Customs Training, Licensing System and ODS Monitoring in National Phase-Out Plans	32	7	51,650,407	5,608,917	0
Total	**159**	**58**	**68,157,334**	**15,958,998**	**41**

* When no separate project numbers are available, the total budget for the RMP or NPP is given which is used only to a small extent for customs training and import licensing activities.

Table 2: Customs Training Projects Approved by Agency

Category	Australia	Canada	Finland	France	Germany	Poland	UNDP	UNEP	UNIDO	Total
Customs Training Stand-Alone Projects		1						5		**6**
Individual Customs Training Projects that are part of RMPs		7	1	2		1	1	41	5	**58**
Customs Training and Licensing Training integrated in RMP Projects	8	1		1	2			3	8	**23**
Regional Customs Training Projects		2	1		1			2		**6**
Total	**8**	**11**	**2**	**3**	**3**	**1**	**1**	**51**	**13**	**93**

Table 3: Customs Training Projects Approved by Region

Category	Africa	Asia and the Pacific	Europe	Latin American and the Caribbean	Global	Total
Customs Training Stand-Alone Projects	1	2		3		**6**
Individual Customs Training Projects that are part of RMPs	23	16	2	17		**58**
Customs Training and Licensing Training integrated in RMP Projects	9	11	1	2		**23**
Regional Customs Training Projects					6	**6**
Total	**33**	**29**	**3**	**22**	**6**	**93**

Table 4: Customs Training Projects Approved by Country

Country	Customs Training Stand-Alone Projects	Individual Customs Training Projects that are part of RMPs	Customs Training in RMP Projects	Regional Customs Training Projects	Total
Algeria			3		**3**
Angola			1		**1**
Antigua and Barbuda		1			**1**
Argentina	1				**1**
Bahrain		1			**1**
Bangladesh		1			**1**
Belize			1		**1**
Benin		1			**1**
Bolivia		1			**1**
Burkina Faso		1	1		**2**
Burundi		2			**2**
Cambodia		1			**1**
Cameroon			1		**1**
Central African Republic		1			**1**
Chad		1			**1**
Colombia	1				**1**
Comoros		1			**1**
Congo		1			**1**
Congo, DR		1			**1**
Costa Rica		1			**1**
Cote D'Ivoire			1		**1**
Croatia		1			**1**
Cuba		1			**1**
Djibouti		1			**1**
Dominica		1			**1**
Dominican Republic		1			**1**
El Salvador		1			**1**
Fiji		1			**1**
Gabon		2			**2**
Gambia	1				**1**
Ghana		1			**1**
Global				6	**6**
Grenada		1			**1**
Guatemala		2			**2**
Guinea		1			**1**
Guinea-Bissau		1			**1**
Haiti		1			**1**
Honduras		1			**1**
India	1				**1**
Jamaica		1			**1**
Jordan		1			**1**
Kiribati			1		**1**
Korea, DPR			1		**1**
Kuwait		1			**1**
Kyrgyzstan		1			**1**
Lao, PDR		1			**1**

Country	Customs Training Stand-Alone Projects	Individual Customs Training Projects that are part of RMPs	Customs Training in RMP Projects	Regional Customs Training Projects	Total
Liberia		1			**1**
Macedonia		1			**1**
Maldives		1			**1**
Mali		1			**1**
Marshall Islands			1		**1**
Mauritania		1			**1**
Micronesia			1		**1**
Mongolia		1			**1**
Niger		2			**2**
Oman		1			**1**
Pakistan			1		**1**
Palau			1		**1**
Panama		1			**1**
Paraguay			1		**1**
Peru		1			**1**
Philippines	1				**1**
Qatar			1		**1**
Romania			1		**1**
Rwanda		1			**1**
Sierra Leone		1			**1**
Solomon Islands			1		**1**
Sri Lanka		1			**1**
Sudan			1		**1**
Suriname		1			**1**
Swaziland			1		**1**
Syria		1			**1**
Togo		1			**1**
Tonga			1		**1**
Tuvalu			1		**1**
Uruguay		1			**1**
Vanuatu			1		**1**
Venezuela	1				**1**
Vietnam		1			**1**
Western Samoa		1			**1**
Yemen		1			**1**
Total	**6**	**58**	**23**	**6**	**93**

Table 5a: Implementation Delays for Different Types of Completed Customs Training Projects

(Based on Original Approved Planned Dates of Completion)

Category	Delays (in Months)						
	Early Completion	On Time	1-6	7-12	13-24	25 and More	Total
Customs Training Stand-Alone Projects					1	1	2
Individual Customs Training Projects that are part of RMPs	1	1	1	4	8	9	24
Customs Training and Licensing Systems integrated in RMP Projects	1		1	1	1	1	5
Regional Customs Training Projects			1	1	2		4
Total	**2**	**1**	**3**	**6**	**12**	**11**	**35**

Table 5b: Implementation Delays for Different Types of Completed Customs Training Projects

(Based on Revised Approved Planned Dates of Completion for Implementation Delays)

Category	Delays (in Months)						
	Early Completion	On Time	1-6	7-12	13-24	25 and More	Total
Customs Training Stand-Alone Projects					1	1	2
Individual Customs Training Projects that are part of RMPs	4	2	2	6	4	6	24
Customs Training and Licensing Systems integrated in RMP Projects	1		1	1	1	1	5
Regional Customs Training Projects			2	1	1		4
Total	**5**	**2**	**5**	**8**	**7**	**8**	**35**

Table 6a: Customs Training
Implementation Delays for Completed Projects by Agency[1]

(Based on Original Approved Planned Dates of Completion)

Agency	Delays (in Months)						
	Early Completion	**On Time**	**1-6**	**7-12**	**13-24**	**25 and More**	**Total**
Canada				1	4	2	7
Finland					1		1
Poland		1					1
UNEP	2		1	1	6	8	18
UNIDO			2	4	1	1	8
Total	**2**	**1**	**3**	**6**	**12**	**11**	**35**

Table 6b Customs Training
Implementation Delays for Completed Projects by Agency[2]

(Based on Revised Approved Planned Dates of Completion for Implementation **Delays)**

Agency	Delays (in Months)						
	Early Completion	**On Time**	**1-6**	**7-12**	**13-24**	**25 and More**	**Total**
Canada	1			1	3	2	7
Finland			1				1
Poland		1					1
UNEP	4	1	2	3	3	5	18
UNIDO			2	4	1	1	8
Total	**5**	**2**	**5**	**8**	**7**	**8**	**35**

Table 7: Licensing Systems Projects Approved by Agency

Category	Canada	Finland	France	Germany	Japan	Sweden	UNDP	UNEP	UNIDO	Total
Licensing System Stand-Alone Projects	1							2	1	**4**
Regional Licensing System Projects					2	1		5		**8**
Individual Licensing Systems that are part of RMP Projects	4	1	2	1		1	1	12		**22**
Total	**5**	**1**	**2**	**1**	**2**	**2**	**1**	**19**	**1**	**34**

[1] Seven completed tranches of National Phase-out Plans, which include the development of Customs Training, are not included here, as the plans are still on-going.
[2] Ditto.

Table 8: Licensing Systems Projects Approved by Region

Category	Africa	Asia and the Pacific	Europe	Latin American and the Caribbean	Global	Total
Licensing System Stand-Alone Projects		1	1	2		**4**
Regional Licensing System Projects		3			5	**8**
Individual Licensing Systems that are part of RMP Projects	7	3		12		**22**
Total	**7**	**7**	**1**	**14**	**5**	**34**

Table 9: Licensing Systems Projects Approved by Country

Country	Licensing System Stand-Alone Projects	Regional Licensing System Projects	Licensing Systems that are part of RMP Projects	Total
Argentina	1			**1**
Barbados			1	**1**
Benin			1	**1**
Chile			1	**1**
China	1			**1**
Costa Rica			1	**1**
Cote D'Ivoire			1	**1**
Cuba			1	**1**
Djibouti			1	**1**
Egypt			1	**1**
Gambia			1	**1**
Georgia	1			**1**
Global		5		**5**
Guatemala			2	**2**
Guyana			1	**1**
Lao, PDR			1	**1**
Madagascar			1	**1**
Mali			1	**1**
Nepal			1	**1**
Nicaragua			1	**1**
Peru			2	**2**
Region: ASP		3		**3**
Suriname			1	**1**
Uruguay			1	**1**
Venezuela	1			**1**
Yemen			1	**1**
Total	**4**	**8**	**22**	**34**

Table 10a: Implementation Delays for Different Types of Completed Licensing System Projects

(Based on Original Approved Planned Dates of Completion)

Category	Delays (in Months)						
	Early Completion	**On Time**	**1-6**	**7-12**	**13-24**	**25 and More**	**Total**
Licensing System Stand-Alone Projects		1		1			2
Regional Licensing System Projects		3	3			1	7
Individual Licensing Systems that are part of RMP Projects			1	1	5		7
Total	**0**	**4**	**4**	**2**	**5**	**1**	**16**

Table 10b: Implementation Delays for Different Types of Completed Licensing System Projects

(Based on Revised Approved Planned Dates of Completion for Implementation Delays)

Category	Delays (in Months)						
	Early Completion	**On Time**	**1-6**	**7-12**	**13-24**	**25 and More**	**Total**
Licensing System Stand-Alone Projects		1		1			2
Regional Licensing System Projects		3	3			1	7
Individual Licensing Systems that are part of RMP Projects			1	1	5		7
Total	**0**	**4**	**4**	**2**	**5**	**1**	**16**

Table 11a: Licensing Systems Implementation Delays for Completed Projects by Agency[3]

(Based on Original Approved Planned Dates of Completion)

Agency	Delays (in Months)						
	Early Completion	On Time	1-6	7-12	13-24	25 and More	Total
Canada			1	2	1		4
Japan			2				2
Sweden			1				1
UNEP		3			4	1	8
UNIDO		1					1
Total	**0**	**4**	**4**	**2**	**5**	**1**	**16**

Table 11b: Licensing Systems Implementation Delays for Completed Projects by Agency[4]

(Based on Revised Approved Planned Dates of Completion for Implementation Delays)

Agency	Delays (in Months)						
	Early Completion	On Time	1-6	7-12	13-24	25 and More	Total
Canada			1	2	1		4
Japan			2				2
Sweden			1				1
UNEP		3			4	1	8
UNIDO		1					1
Total	**0**	**4**	**4**	**2**	**5**	**1**	**16**

[3] Seven completed tranches of National Phase-out Plans, which include the development of licensing systems, are not included here, as the plans are still on-going.
[4] Seven completed tranches of National Phase-out Plans, which include the development of licensing systems, are not included here, as the plans are still on-going.

New 5-day mixed approach

Monday Phase I	Tuesday Phase II	Wednesday Preparation	Thursday Phase II	Friday Phase II
Deliver of Phase I training by UNEP staff		Preparation of local trainers	Phase II training group 1	Phase II training group 2
10 trained trainers 10 trained stakeholders		Training skills	40 trained customs officers	

- Immediate output of up to 50 trained customs officers and 10 stakeholders
- Immediate initiation of Phase II training
- Improved training skills of local customs trainers
- Supervision and monitoring of Phase II training
- Evaluation of local trainer's performance
- Flexibility to adapt to country needs
- Demanding logistics for NOU to invite 60 participants