



UNODC
United Nations Office on Drugs and Crime



GreenCustoms

Multilateral Fund
for the Implementation of the Montreal Protocol



Ministry of the Environment
of the Czech Republic



ECA REGIONAL GREEN CUSTOMS WORKSHOP & ECA ENFORCEMENT NETWORK MEETING ASHGABAT, TURKMENISTAN, 11-15 OCTOBER 2010

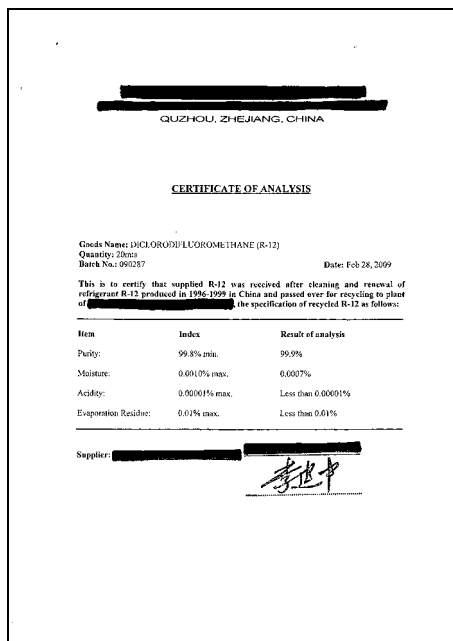
MEDIA BRIEFING

Gold and Silver for Customs Saving the Planet

Ashgabat, Turkmenistan, 15 October 2010 – as part of UNEP’s Enforcement Network for Europe and Central Asia (ECA), gold and silver medals were awarded to participants from Armenia, China, Croatia, European Union, Kazakhstan, Kyrgyzstan, Russian Federation and Serbia for their efforts to prevent illegal trade in ozone-depleting substances (ODS) and second hand refrigeration equipment. In addition, representatives of Turkmenistan and Uzbekistan received certificates of appreciation for their enforcement efforts and capacity building initiatives.

The awardees presented their case studies and lessons learned which will allow improved risk profiling and enhanced inspection techniques in the future. Key findings included:

- Several hundreds of tonnes of virgin (new) ozone-depleting chlorofluorocarbon (CFC) are illegally traded every year in the ECA region and mis-declared as recycled substance. When issuing an import license for recycled ODS, the proof of origin and certificate as to the quality of the recycled ODS should be verified with the Montreal Protocol focal point of the exporting country.



Picture 1: False document certifying that the CFCs have been recycled

- Several hundred used refrigerators originating from the European Union (Germany) and containing ozone-depleting CFCs were seized in Central Asia. Their export from the European Union is illegal and most countries in the ECA region have banned their import. Therefore, no trade licenses should be issued and any shipment of used equipment containing or relying on CFCs or other ODS should be considered suspicious and investigated.



Picture 2: Seized CFC-containing refrigerators originating from Europe

- Labelling of refrigerant cylinders and cans is a major issue in many countries whose legislation does not yet require a clear indication of the chemicals they contain. In several cases, such cylinders are labelled “Replacement for ...” without indicating the actual chemicals contained. Relevant countries should consider amending their national legislation and require the mandatory labelling of chemicals in English or the local language.



Picture 3: Refrigerant can labelled “Replace for 134a” but actually containing CFC-12



Picture 4: Refrigerant cylinder labelled “Replace for 502” but actually containing R502

- Mislabelling was detected during the practical exercise of using refrigerant identifiers to test the actual chemicals contained in the refrigerant cylinders purchased in the host country of the meeting. The testing of a refrigerant cylinder labelled CFC-12 revealed that it contained only 16% CFC-12 in addition to 62% HCFC-22, 19% HFC-134a and 3% hydrocarbon. Another cylinder labelled HFC-134a contained 100% CFC-12. Both refrigerant cylinders were locally purchased and not specifically prepared for the training.

Therefore, Customs Officers (as well as wholesalers and end-users) should be encouraged to use refrigerant identifiers and to test not only substances declared as ODS but also their alternatives.



Picture 4: Use of refrigerant identifiers to test the cylinder contents

- One country reported a seizure of hydrochlorocarbons (HFCs) which are not ozone depleting but are powerful global warming gases. The reason for the seizure was the lack of accompanying shipment papers and the fact that the importer was not registered. Both are required by national law. In addition, shipments of ODS alternatives should be considered suspicious event if shipment papers and import license seems to be correct because in several cases ODS (CFCs, HCFCs) was mislabelled as non-ODS (HFCs).



Picture 5: Seizure of HFC cylinders hidden in baggage compartment

- Illegal trade in ODS has been prevented in several cases as a result of the application of the informal Prior Informed Consent (iPIC) mechanism where the Montreal Protocol focal points consult each other before issuing export or import licenses. Additionally a number of cases of illegal trade in ODS could have been prevented if the iPIC mechanism was applied. Twelve countries in the ECA region already apply the iPIC mechanism and the remaining countries should consider joining the initiative.
- A key lesson of the meeting was that communication and cooperation with regional stakeholders should be improved. Information on suspicious cases and ongoing investigations should be shared through electronic Customs Enforcement Network (CEN) of World Customs Organization (WCO), be informed to the relevant Regional Intelligence Liaison Offices (RILOs) as well as trade partners involved e.g. competent authorities of the exporting countries. Confirmed seizures and court cases should be informed to the Ozone Secretariat, UNEP OzonAction and shared through the electronic “Environet” communication platform of the WCO.
- Customs Officers identified the disposal of seized ODS, as well as equipment and products containing or relying on ODS as a major problem and this applies equally to shipments of hazardous waste, persistent organic pollutants and endangered species. In some countries, national legislation foresees a procedure of return of the shipment without imposing any fines or penalties but the disadvantage is that there is zero risk for the smuggler and it is likely that the goods may cross the border another day or at another checkpoint. Most countries cannot fund the destruction of chemicals which cannot be placed legally on the local market nor can they fund the re-export of seized goods to the country of origin. Some countries recommended that all costs of re-export or destruction should be borne by the smuggler.
- Customs Offices also identified training needs for prosecutors, police and judges since several countries found it difficult to initiate court cases, to collect the necessary evidence and to impose appropriate fines or penalties to the smugglers.
- The majority of the participating countries requested UNEP to continue the activities of the ECA enforcement network and to organize ECA enforcement network meetings in 2011 and 2012 (subject to funding availability). These activities should closely be coordinated and integrated with Green Customs activities in the ECA region.
- The majority of countries recommended to extend the scope of the ECA Ozone Protection Award to all trade-related Multilateral Environmental Agreements (MEAs) of the Green

Customs Initiative and to conduct such competition for Customs and Enforcement Officers at the global level.



Picture 6: ECA Ozone Protection Award 2010 for Customs & Enforcement Officers

- The meeting allowed the establishment of new partnerships with the United Nations Conference on Trade & Development (UNCTAD) and the Organization for Security & Cooperation in Europe (OSCE). UNCTAD offered to test the ASYCUDA multi-agency risk-management function and certification module in a selected pilot country prior to next year's meetings. These tools would initially be applied to ODS but the scope could be extended to other environmentally sensitive goods in future. OSCE expressed interest in coordinating their training and capacity building initiatives in Central Asia with the Green Customs Initiative.

Customs & Enforcement Officers play a key role in preventing illegal trade in environmentally sensitive goods and environmental crime. Such crimes risk jeopardizing the achievements of UNEP's trade-related Multilateral Environmental Agreements. Illegal trade in ozone-depleting substances, persistent organic pollutants, hazardous waste and endangered species contributes to irreversible loss of ecosystems, biodiversity and directly impacts on human health. Recently, USEPA estimated that the Montreal Protocol amendment of 1997 will avoid more than 22 million additional new eye cataract cases for Americans born between the years 1985 and 2100.

The Ministry of Nature Protection of Turkmenistan and the OzonAction Programme of UNEP's Division on Technology, Industry & Economics organised the Enforcement Network and back-to-back regional Green Customs meetings in Ashgabat, Turkmenistan, 11-15 October 2010. The meetings were opened by Hon. Mr. Jumamurad Saparmuradov, Deputy Minister of Nature Protection of Turkmenistan. Hon. Mr. Atakuliev Bayramgeldi, State Customs Service of Turkmenistan and Hon. Mr. Lenni Montiel, UNDP Resident Representative of Turkmenistan welcomed the 70 participants from 20 countries in Europe & Central Asia as well as China. The participants included Customs and Ozone Officers, resource persons representing the Montreal Protocol (ozone-depleting substances), Stockholm Convention (persistent organic pollutants), Rotterdam Convention (prior informed consent), Basel Convention (hazardous waste), CITES (endangered species) as well as the international organizations WCO, OSCE, UNODC, SECI, UNCTAD.

The meetings were co-funded by the Multilateral Fund for the Implementation of the Montreal Protocol (MFS), Czech Republic, Global Environment Facility (GEF), OSCE and Green Customs.

The meeting documents and presentations will shortly be made available through the website:
http://fr1.estis.net/sites/ecanetwork/default.asp?site=ecanetwork&page_id=A78A0571-E3CC-413A-B276-F68066D5EC15

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Regional Ozone Network in Europe & Central Asia (ECA)

The Regional Ozone Network in Europe and Central Asia was created in 2003 with the technical and financial support from the Multilateral Fund, the Czech Republic, Hungary and the Slovak Republic. It is now part of UNEP DTIE's OzonAction Compliance Assistance Programme and includes the following 12 member countries: Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Kyrgyzstan, Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia, Turkey and Turkmenistan.

The ECA network is a dynamic group of countries spread over three sub-regions (Caucasus, Balkan, Central Asia). The following Countries with Economies in Transition (CEIT countries) participate in selected network activities as part of their GEF-funded institutional strengthening projects: Azerbaijan, Kazakhstan, Tajikistan, Uzbekistan. Other CEIT countries are involved in selected activities subject to funding availability.

Several former ECA network countries have already acceded to the European Union and have been reclassified as Article 2 countries. Candidate countries include Croatia, Macedonia (FYR) and Turkey and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia.

The network is supported by implementing agencies (UNDP, UNIDO, World Bank) and bilateral partners (Czech Republic, European Union, Hungary, Poland) as well as the Multilateral Fund and Ozone Secretariats. Additional partners include the World Customs Organization's Regional Intelligence Liaison Offices (RILOs), South Eastern Cooperation Initiative (SECI), Green Customs partners, United Nations Conference on Trade & Development (UNCTAD), Organization on Security & Cooperation in Europe (OSCE), the Air-conditioning and Refrigeration European Association (AREA), the International Institute of Refrigeration (IIR) as well as industry, TEAP and TOC experts.

Regional networking provides a regular interactive forum for Ozone Officers from the region to exchange experiences, develop skills, and share knowledge and ideas with counterparts from both developing and developed countries in order to meet compliance, the provisions of the Montreal Protocol and its amendments. Through regular network and thematic meetings and on-going dialogues, networking helps ensure that Ozone Officers have the information, skills and contacts required for managing national ODS phase-out activities successfully. Specific compliance assistance is provided to countries with compliance issues.

In 2009 and 2010, activities related to the ECA Enforcement Network and Green Customs initiative were implemented by the ECA Regional Ozone Network and similar activities are planned for 2011 and 2012 subject to funding availability.