

# The Green Customs Initiative and Related International Conventions



***SAll Elvin M. Enad***

**CHIEF, ADMINISTRATIVE OFFICE ESS, NAIA,DO**



# Table of Contents

**I . Green Customs Initiative**

**II . MEAs**

**III . Illegal Trade in MEAs**

**IV . Role of Customs in implementation of MEA**



## I . Genesis of GCI

Initially grew from the capacity building -customs training developed by UNEP under its 'Compliance Assistance Programme' to implement the Montreal Protocol and capacity building that was initiated under CITES

Recognising illegal and legal trade should be considered in a more holistic way by making links, where appropriate, with other environmental conventions to provide integrated training.

Synergies and recognition of common ground between various treaties with trade-related elements was developed



## What is Green Customs?

- An unprecedented partnership of international organisations
- Its objective is to enhance the capacity of customs and enforcement officers to:
  - Detect and prevent illegal trade
  - Facilitate the legal tradein environmentally-sensitive commodities covered by the relevant conventions and **MEAs**.



# Multilateral Environmental Agreements (MEA)

- MEAs are **agreements among States committing to achieve specific environmental goals**
- MEAs are usually agreed in the form of an international treaty or protocol which is legally-binding on the participating States
- MEAs emerged as one of the best ways in the environmental arena for international cooperation requiring both international and national action to protect human health and the environment.



# Areas covered by MEAs

- Atmosphere: Vienna Convention & Montreal Protocol, UNFCCC; Convention on Long-Range Transboundary Air Pollution; ASEAN Haze Pollution Agreement
- Biodiversity – CITES; Convention on Biological Diversity and Cartagena Protocol
- Chemicals, hazardous substances and waste – Basel Convention; Rotterdam Convention; Stockholm Convention, Montreal Protocol, OPCW
- Land – United Nations Convention to Combat Desertification



# International Organisations



**Basel Convention**

**Convention on Biological  
Diversity**

**CITES**

**Montreal Protocol**

**Rotterdam Convention**

**Stockholm Convention**

**Chemical Weapons Convention**

**Interpol**

**WCO**

**UNEP**

**UN Office of Drugs and Crime**



# GCI Website

[www.greencustoms.org](http://www.greencustoms.org)

**GreenCustoms**

The Green Customs Initiative - Customs Protecting the Environment

- Home
- About Green Customs
- Partner Organisations
- Reports & Documents
- Workshops & Meetings
- News
- Calendar of Events
- Contact
- Intranet

The **Green Customs** Initiative is an unprecedented partnership of international organisations cooperating to prevent the illegal trade in environmentally-sensitive commodities and facilitation of the legal trade in these.

Its objective is to enhance the capacity of customs and other relevant enforcement personnel to monitor and facilitate the legal trade and to detect and prevent illegal trade in environmentally-sensitive commodities covered by the relevant conventions and multilateral environmental agreements (MEAs). These include ozone depleting substances (ODS), toxic chemical products, hazardous





# Capacity Building Workshop

- **Green Customs has, since 2004, delivered more than 30 regional, sub-regional and national training workshops enabling the Partners and other experts to build the capacity of more than 350 customs officers from almost 120 countries.**



## The benefits of Green Customs

- For Customs Officers
- For Countries
- For MEA Secretariats
- For the Global Environment



## II . Multilateral Environment Agreements

### Montreal Protocol





**BASEL CONVENTION**

**The Green Customs Initiative**

# The Basel Convention



**GreenCustoms**

# Basic facts

1989:  
Basel  
Convention  
adopted

1995:  
Ban  
Amendment  
adopted

1992:  
Entered into  
force

2014:  
181 Parties  
to the  
Convention

# Scope

Annex I

**Categories of Wastes to be controlled**  
Obs.: Annex VIII (List A) and Annex IX (List B) clarifies this Annex.

Annex II

**Other wastes (Household waste & fly ash)**

Annex III

**Hazardous characteristics**  
(eg. Explosive, Flammable liquids, Corrosive, etc.)

National Def.

**National Definition** (art. 1, § 1(b))  
Wastes that are not covered by Annex I but are defined as, or are considered to be, hazardous wastes by the domestic legislation (...)



# Waste Streams









## The Green Customs Initiative



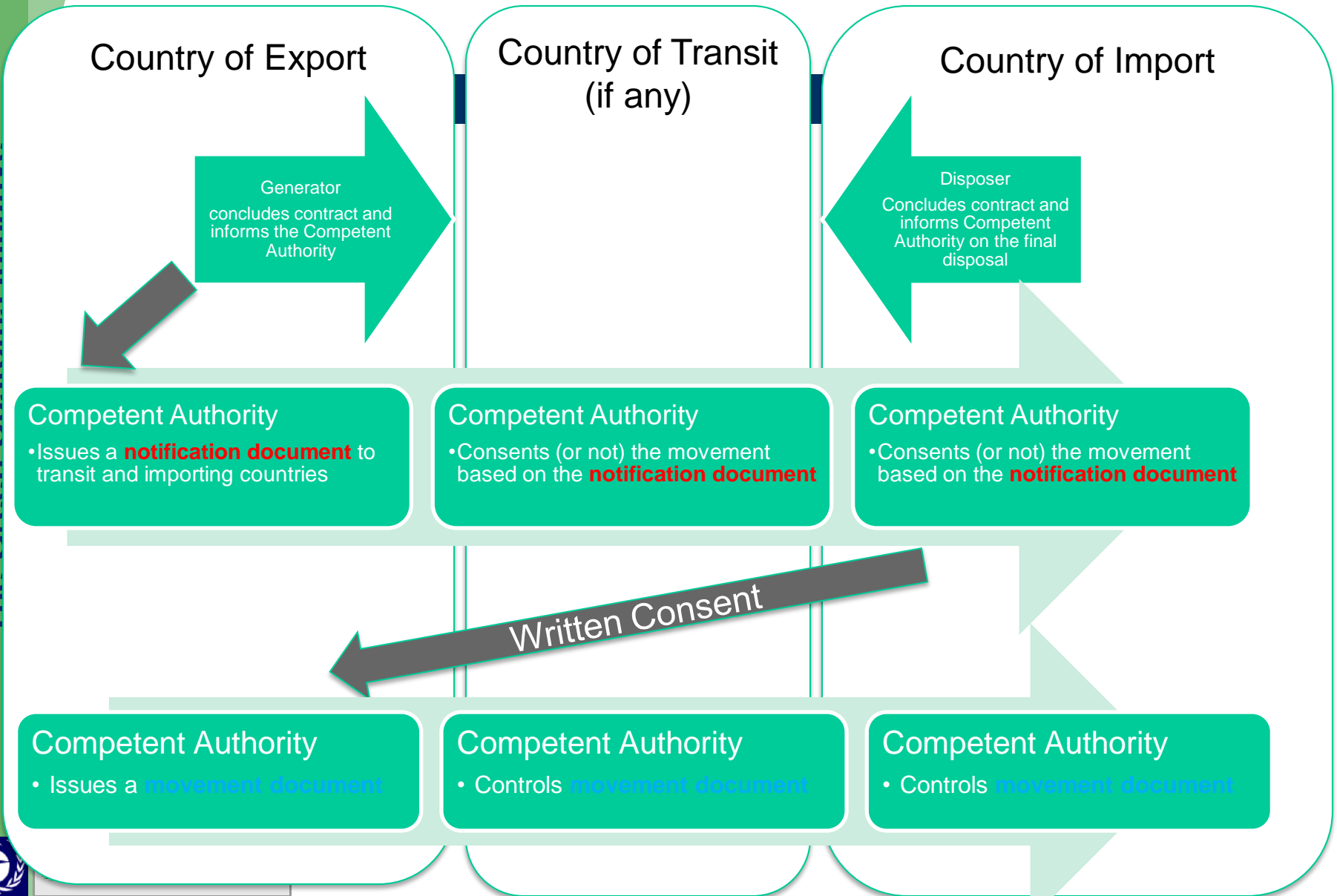


# Key provisions

- Prior Informed Consent (PIC) procedure
- Illegal Traffic
  
- Minimization
- Disposal



# Transboundary movement



# The control system of the Convention

- Responsibility to notify
- Prior written consent procedure
- Re-import obligations
- Definition and control of illegal traffic
- Documentation: notification, movement document
- Contract between the exporter and the disposer
- International transport rules and regulations
- *Environmentally sound management of wastes*



# RA6969: Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990

- “Regulates the importation, manufacture, processing, handling, storage, transportation, sale, distribution, use and disposal of chemical substances and mixtures in the Philippines including the entry, even in transit, as well as the storage and disposal of hazardous and nuclear wastes into the country for whatever purpose”

# **DAO 22 series of 2013 “*Interim guidelines in importation of recyclable materials containing hazardous substances.*”**

**Allows the importation of the following recyclable materials**

- Scrap metals (used lead acid battery, metal bearing sludge etc.)**
- Solid plastic scrap materials**
- Waste electrical and electronics equipment**
- Used oil**
- Fly ash**

# Hazardous e-Waste Constituents

- *• Toxic Metals Lead, Cadmium, Mercury, Beryllium, Selenium, Lithium, Antimony, Arsenic*
- *• Brominated Flame Retardants TBBA (tetrabromo-bisphenol-A) PBDE (polybrominated diphenyl) etc.*
- *• Other Halogenated Hydrocarbons PVC (polyvinyl chloride) CFCs (chlorofluorocarbons)*
- *• Rare Earth Elements Yttrium, Europium, Americium*

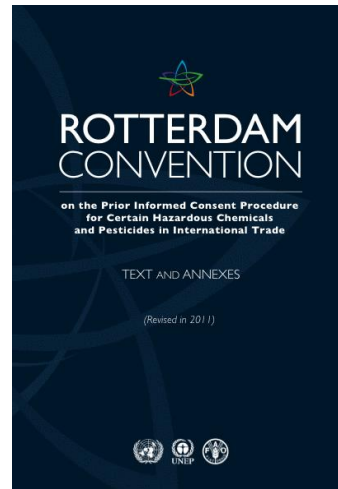




ROTTERDAM CONVENTION

The Green Customs Initiative

# The Rotterdam Convention



GreenCustoms

# Basic facts

1998:  
Rotterdam  
Convention  
adopted

2004-2013:  
New  
chemicals  
added to  
Annex III

2004:  
Entered into  
force

2014:  
154 Parties  
to the  
Convention

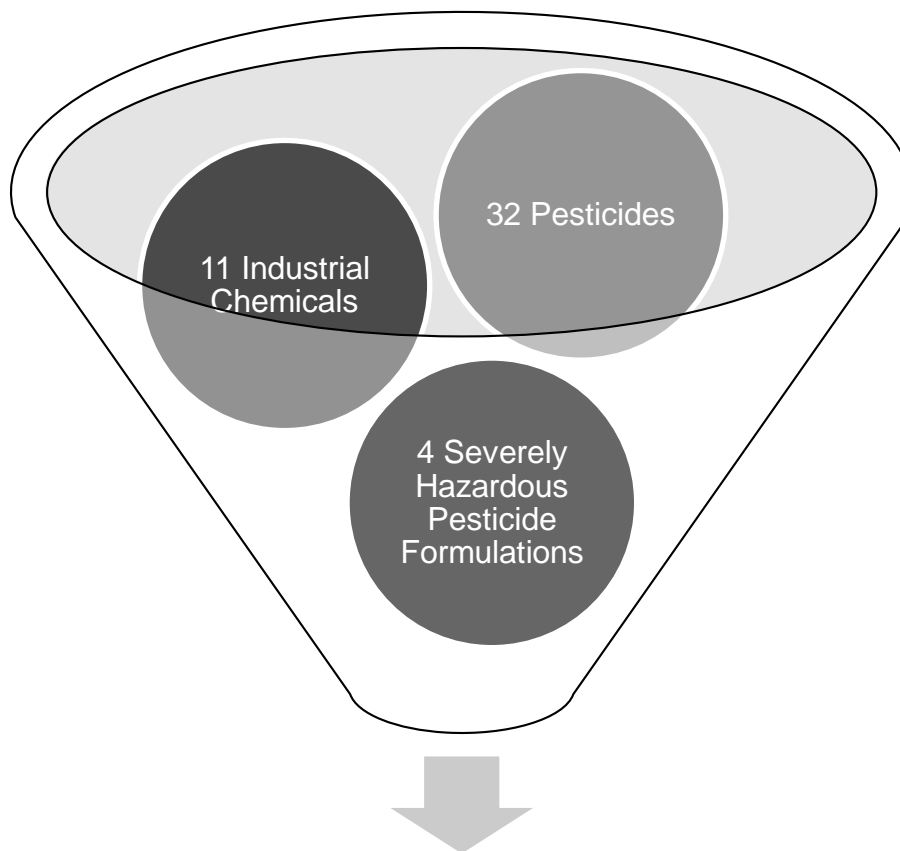


# Rotterdam convention

- to promote responsibility and cooperative efforts among parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm.
- to contribute to the environmentally sound use of those hazardous chemicals, by facilitating information exchange about their characteristics, by providing for a national decision making process on their import and export and by disseminating these decision to parties



# Scope



# Examples of chemicals in the Rotterdam convention

- Asbestos
- Endosulfan
- Hexachlorobenzene
- DDT
- Polybrominated Biphenyls

# The Prior Informed Consent Procedure

## STEP 1

Decision to make a chemical subject to the PIC and list in Annex III (**COP**)

Circulation of a decision guidance document to all parties (**Secretariat**)

## STEP 2

Import responses regarding future import of each PIC chemical (**Parties**)

Circulation of import responses to all Parties (**Secretariat**)

## STEP 3

Follow up on importing Party responsibilities (**Parties**)

Follow up on exporting Party responsibilities (**Parties**)



# Obligations of Parties

- Designating National authorities to be responsible for the implementation of the Convention
- Notifying the Secretariat of actions taken at the national level to ban or severely restrict chemicals and ensuring that chemicals listed under annex III of the Convention are not exported to any Party without that Party's prior informed consent.
- Implementing appropriate legislative and administrative measures;
- Building and strengthening national infrastructures and institutions.
- Information exchange

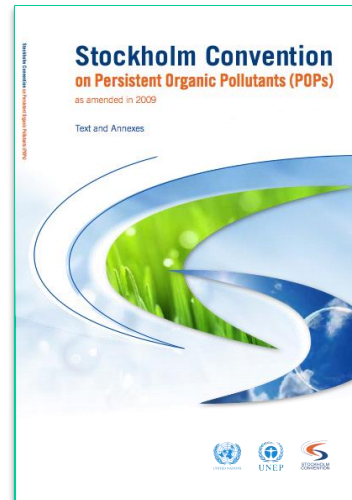




STOCKHOLM CONVENTION

The Green Customs Initiative

# The Stockholm Convention



GreenCustoms



# Stockholm convention

- Key elements of the Convention include the requirement that developed countries provide new and additional financial resources and measures to eliminate production and use of intentionally produced POPs, eliminate unintentionally produced POPs where feasible, and manage and dispose of POPs wastes in an environmentally sound manner. Precaution is exercised throughout the Stockholm Convention, with specific references in the preamble, the objective, and the provision on identifying new POPs



# Basic facts

2001:  
Convention  
adopted

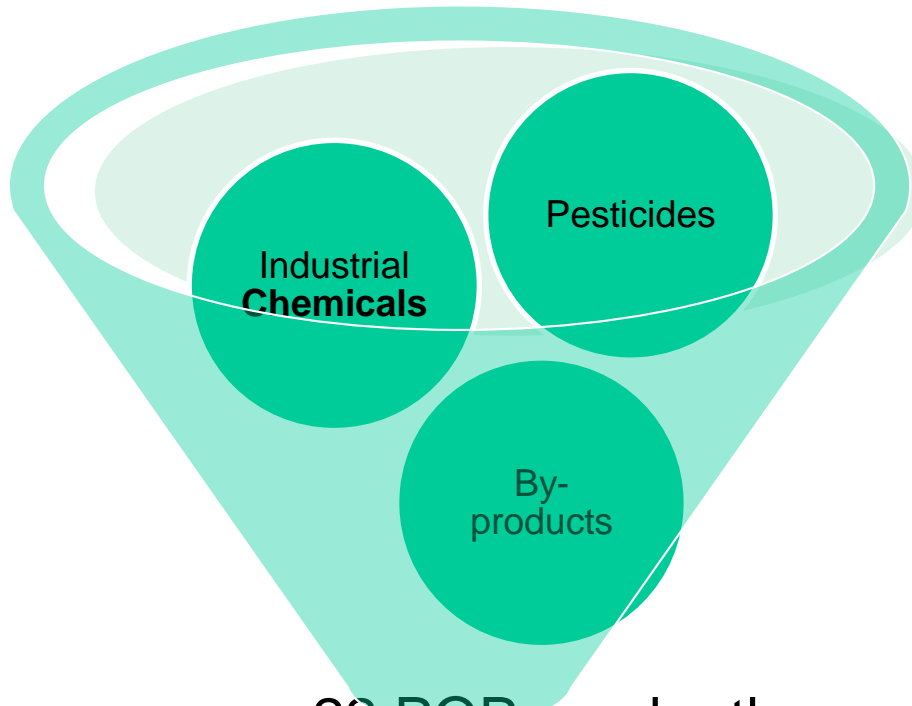
2009:  
Nine new  
POPs were  
added

2014:  
179 Parties  
to the  
Convention

2004:  
Entered  
into force

2011:  
Endosulfan  
was added

# Scope



22 POPs under the  
Stockholm Convention

# Examples : POP's

- **Annex A Elimination**

aldrin

dieldrin

chlordane

mirex

endosulfan

toxaphene

endrin

heptachlor

- **Annex B restriction**

- DDT

- Perflourooctane sulfonic acid

- **Annex C unintentional production**

- PCB

- Penta chlorobenzene

- PCDD

- HCB



# General obligations of the parties

- Designating National authorities to be responsible for the implementation of the Convention
- Parties must implement measures to reduce or eliminate POPs releases as called for in the Convention.
- National Implementation Plan
- Report the measures.
- May nominate chemicals for addition to the Convention



# **PRIORITY CHEMICAL LIST (PCL)**

## **Sec. 19 of RA 6969**

- **List of new and existing chemicals that DENR has determined to potentially pose unreasonable risk to public health, workplace and the environment.**
- **Adding new additional 20 chemicals listed on the Revised PCL (DAO 2005- 27) in reference to international regulated chemicals and/or with international commitment to have total 48 chemicals based on:**
  - Primary Criteria - Persistence, Bioaccumulation and Toxicity**
  - Secondary Criteria - Quantity/volume of chemicals' importation ( Quantity of chemicals manufactured and used)**





# REVISED PRIORITY CHEMICAL LIST

Chemical Abstract Services No.	Philippine Inventory of Chemicals and Chemical Substances (PICCS) Name	Chemical Abstract Services (CAS) INDEX Name
75-21-8	ETHYLENE OXIDE	Oxirane
111-30-8	GLUTARALDEHYDE	Pentanedial
50-00-0	FORMALDEHYDE	Formaldehyde
9002-83-9	HALONS**	Ether, chlorotrifluoro-homopolymer
118-74-1	HEXACHLOROBENZENE	Benzene, hexachloro
67-72-1	HEXACHLOROETHANE	Ethane, hexachloro
302-01-2	HYDRAZINE	Hydrazine
7439-92-1	LEAD COMPOUNDS	Lead
149-30-4	MBT	2(3H)-Benzothiazolethione
594-42-3	MERCAPTAN, PERCHLOROMETHYL	Methanesulfonyl chloride, trichloro-
7439-97-6	MERCURY COMPOUNDS*	Mercury
74-87-3	METHYL CHLORIDE	Methane, chloro
75-09-2	METHYLENECHLORIDE	Methylene, dichloro
2386-85-5	MIREX	
87-86-5	PENTACHLOROPHENOL	Phenol, pentachloro
127-18-4	PERCHLOROETHYLENE	Ethene, tetrachloro
108-95-2	PHENIC ACID	Phenol
75-44-5	PHOSGENE	Carbonyl chloride/ Carbonicdichloride
85-44-9	PHTHALIC ANHYDRIDE	1,3-Isobenzofurandione
59536-65-1	POLYBROMINATED BIPHENYLS	Fire Master BP6
1336-36-3	POLYCHLORINATED BIPHENYLS*	1,1-Biphenyl chloroderivatives
	1,1,1-TRICHLOROETHANE**	
79-01-6	TRICHLOROETHYLENE	Ethene, trichloro
	TRIBUTYL TIN	
7782-49-2	SELENIUM	Selenium
75-01-4	VINYL CHLORIDE	Chloroethylene



# REVISED PRIORITY CHEMICAL LIST

Chemical Abstract Services No.	Philippine Inventory of Chemicals and Chemical Substances (PICCS) Name	Chemical Abstract Services (CAS)/ INDEX Name
108-90-7	1,4-CHLOROENZENE	Benzene, chloro-
106-93-4	1,2-DIBROMOETHANE	Ethane, 1,2-dibromo
95-50-1	0-DICHLOROENZENE	Benzene, 1,2-dichloro
106-46-7	1,4-DICHLOROENZENE	Benzene, 1,4-dichloro-
107-06-2	1,2-DICHLOROETHANE	Ethane, 1,2-dichloro-
122-66-7	1,2 DIPHENYLHYDRAZINE	Hydrazobenzene
108-46-3	3-HYDROXYPHENOL	1,3-Benzenediol
7647-18-9	ANTIMONY PENTACHLORIDE	Antimony chloride
7440-38-2	ARSENIC COMPOUNDS	Arsenic
1332-21-4	ASBESTOS*	Asbestos
71-43-2	BENZENE	Benzene
7440-41-7	BERYLLIUM COMPOUNDS	Beryllium
7440-43-9	CADMIUM COMPOUNDS	Cadmium
56-23-5	CARBON TETRACHLORIDE**	
General Name	CHLORINATED ETHERS	
General Name	CHLOROFLUORO CARBONS**	
67-66-3	CHLOROFORM	Trichloromethane
76-06-2	CHLOROPICRIN	Methane, trichloronitro
18540-29-9	CHROMIUM COMPOUNDS	Chromium
57-12-5	CYANIDE COMPOUNDS*	Cyanide
64-67-5	DIETHYL SULFATE	Sulfuric acid, diethyl ester
106-93-4	ETHYLENE DIBROMIDE	1,2 Dibromoethane

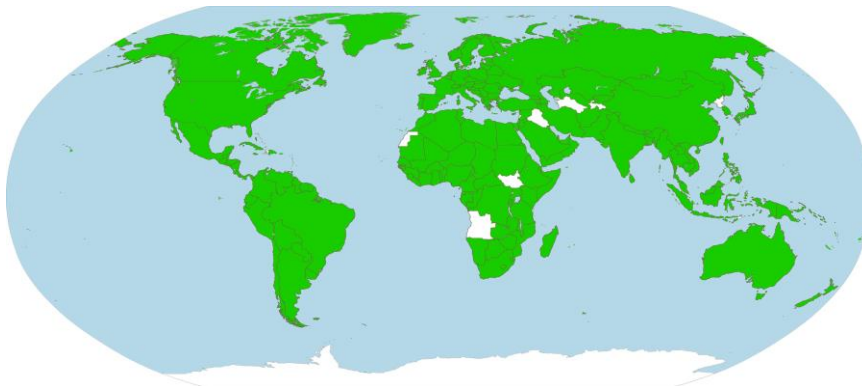


# Introduction to CITES



# What is CITES?

- Convention on International Trade in Endangered Species of Wild Fauna and Flora.
- Agreed in 1973
- 180 member countries.
- >35,000 listed species of animals and plants.



# Legal, sustainable, and traceable

Legal trade can be beneficial for conservation of wild species, livelihoods and economies



Illegal trade can pose a serious risk to the species, people and business

# What does CITES cover?

- Animals and plants (live, dead, parts and derivatives)
- Permits and certificates under certain conditions
- Legal acquisition, non-detrimental to their survival in the wild



# CITES Appendices

- **Appendix I:** Species threatened with extinction.
  - No Commercial Trade, Im/Export Permit
- **Appendix II:** Species not necessarily threatened with extinction, but for which trade must be controlled to avoid their becoming so
  - Export permit, Non-detriment finding
- **Appendix III:** Species for which a country is asking Parties to help with its protection. International trade is permitted but regulated
  - Export permit, Country of Origin

# CITES Permits and Certificates

- *CITES regulates the export, re-export, import and introduction from the sea of the listed species **through a system of permits and certificates.***
- *These permits or certificates may only be issued if certain conditions are met and must be presented when CITES listed specimens enter or leave a country.*
- *For Appendix I and II species, the most important conditions are legal acquisition and that international trade must not be detrimental to their survival in the wild.*

## CITES permits and certificates provides:

- *Scientific information (non-detrimental findings)*
- *Trade data*
- *Legal origin & sourcing*
- *Purpose of the trade*
- *Duration of validity*

CITES CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA		FORM/CERTIFICATE No.		Original	
		<input type="checkbox"/> EXPORT <input type="checkbox"/> RE-EXPORT <input type="checkbox"/> IMPORT <input type="checkbox"/> OTHER:		2. Valid until	
3. Exporter (name and address)		4. Expeditioner (name, address and country)			
6a. Quantity of export		Signature of the applicant			
5. Special conditions		8. Name, address, national authority and country of Management Authority			
<small>For link records, this permit is applicable only when it is presented in support of the Certificate for Import or Link Record No. of the case of an Import, and the C.I.T. Link Record Regulations.</small>					
7a. Purpose of the transaction (see annex)		7b. Security stamp no.			
6A. Scientific name (genus and species) and common name of animal or plant		6. Description of specimens, including quantity, weight or number (Appendix I and II)		7c. Appendix no. will issue (see annex)	
6B. <input type="checkbox"/> CITES <input type="checkbox"/> Non-CITES		7d. Quantity (packing unit)		7e. Total export/Quota	
A		7f. Country of origin <sup>1</sup> Permit no. Date		7g. Country of last receipt Certificate no. Date	
6B. <input type="checkbox"/> CITES <input type="checkbox"/> Non-CITES		7f. Country of origin <sup>1</sup> Permit no. Date		7g. Country of last receipt Certificate no. Date	
B		7f. Country of origin <sup>1</sup> Permit no. Date		7g. Country of last receipt Certificate no. Date	
6B. <input type="checkbox"/> CITES <input type="checkbox"/> Non-CITES		7f. Country of origin <sup>1</sup> Permit no. Date		7g. Country of last receipt Certificate no. Date	
C		7f. Country of origin <sup>1</sup> Permit no. Date		7g. Country of last receipt Certificate no. Date	
6B. <input type="checkbox"/> CITES <input type="checkbox"/> Non-CITES		7f. Country of origin <sup>1</sup> Permit no. Date		7g. Country of last receipt Certificate no. Date	
D		7f. Country of origin <sup>1</sup> Permit no. Date		7g. Country of last receipt Certificate no. Date	
6B. <input type="checkbox"/> CITES <input type="checkbox"/> Non-CITES		7f. Country of origin <sup>1</sup> Permit no. Date		7g. Country of last receipt Certificate no. Date	
<small>1. Countries in which the specimens were taken from the wild, bred in captivity or otherwise propagated (see Annex I and II)  <small>2. Date of acquisition of Appendix I species bred or captured in captivity (propagated for commercial purposes)  <small>3. For Appendix I specimens</small> </small> </small>					
9. The permit/certificate is issued to:					
Place		Date		Security stamp, signature and seal of issuer	
14. Export endorsement		15. Not to be filled for valid copies.			
16a. <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D		Permit or export		Date	
		Signature		Official stamp and seal	

# Types of Fraud

- **Fraud occurs when trading without any CITES documents (smuggling)**
- **Fraud also occurs with CITES documents, such as cases involving:**
  - **non-valid CITES document**
  - **no correspondence between the shipment and the CITES document**
  - **re-export of specimens different from those imported**

# RA 9147 “Wildlife resources conservation and protection act”

- Protected Areas and Wildlife Bureau (PAWB)
- New name Biodiversity Management Bureau (BMB)





**Biodiversity Management Bureau** is a government agency mandated by EO 192 to establish and manage protected areas; conserve wildlife; promote and institutionalize eco tourism; manage coastal biodiversity and wetlands ecosystems; conserve caves and cave resources; information and education on biodiversity and nature conservation; manage ninoy aquino parks and wildlife center and hinulugan tatak national park; negotiate biodiversity related multilateral environmental agreements and monitor national implementation.



## III. Illegal Trade in MEAs



# Magnitude of ODS smuggling



## Global ODS smuggling in 1990s

- 20 thousand tonnes per year
- 150-300 thousand USD per year

## Global ODS smuggling in 2000s

- 7-14 thousand tonnes per year
- 25-60 million USD per year

## Operation "Sky Hole Patching" in 2006-2007

- 27 seizures with 155 tonnes of ODS in Asia

## Operation "Sky Hole Patching II" in 2010

- 28 seizures with 64 tonnes of ODS
- 728 items of ODS-containing equipment seized
- From 2006 – 2010, 55 cases, 219 tons ÷ seizure rate(5%)



# HCFC illegal trade

## DRI's record seizure of ozone-depleting gas gets UN praise

New Delhi, 31 Mar 2014

The Directorate of Revenue Intelligence (DRI) has seized a record over 2.4 lakh kg [2400 tonnes] of ozone-depleting restricted refrigeration gas 'R-22', which was being smuggled into the country.



# ODS illegal trade

- In 2003, 2 X 20' containers declared as R22(HCFC 22) were seized by the Bureau of Customs. During examination, concealment of CFC 12 cylinders were found after 3 layers of HCFC 22 cylinders.
- In 2004, 1 X 20' container declared as R 134a were seized by the Bureau of Customs. Upon checking by the use of the refrigerant identifier it was found to contain adulterated refrigerants/mixtures .



# Warrant of Seizure and Detention

REPUBLIC OF THE PHILIPPINES

1300 Pasay City

SEIZURE IDENTIFICATION NO. 091-2019 (NAIA)

-versus-

Four (4) cylinders containing TETRAFLUOROMETHANE, covered By AWB No. NNRHKG285229/MAWB No. 160-1389 5140, and consigned To CYPRESS MANUFACTURING LTD.

X-----X

**WARRANT OF SEIZURE AND DETENTION**

TO: The District Commander  
ESS-CPD, NAIA District Office

GREETINGS :

WHEREAS, the subject shipment arrived on October 23, 2019 on flight CX 901, Registry No. CXA2068-19, and was inbounded at the Paircargo Warehouse, CBW No. 83;

WHEREAS, on October 23, 2019, consignee, thru its broker, filed Transshipment Entry No. T-535485, declaring the shipment as "1 pkg Tetrafluoromethane with total customs value of \$7,500.00", under Tariff Heading 28269000 at 0% rate of duty and estimated customs duty and tax in the amount of P88,379.00;

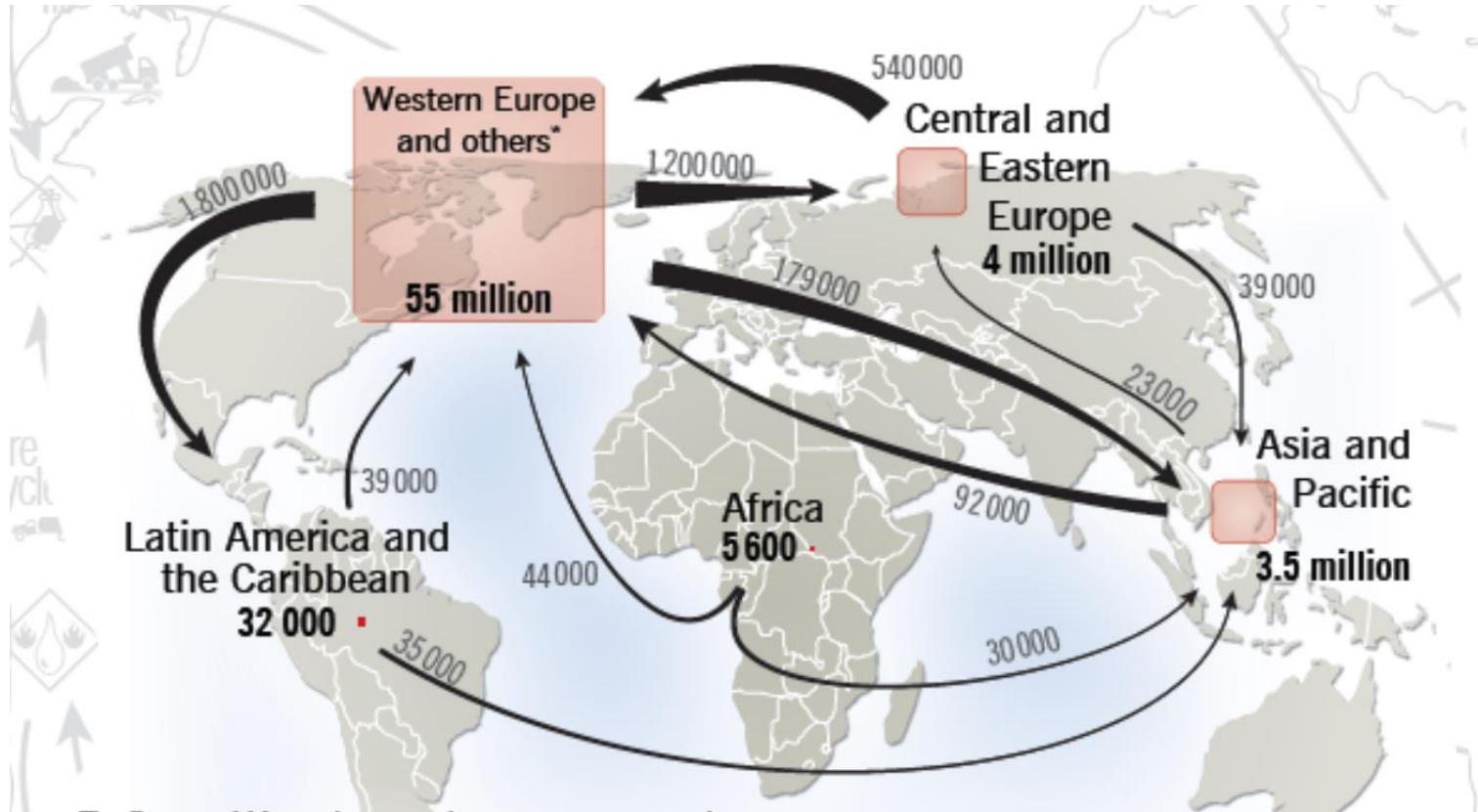
WHEREAS, while the Transshipment Entry was being processed at the Office of the Deputy Collector for Operations, SA II Marcelino Cruz, and point person for Environmental Protection Compliance Division, in a Memorandum dated October 25, 2019 reported to the District Commander, ESS-CPD, NAIA District Office, that the subject shipment is the subject of a derogatory information from the Environmental Management Bureau of the Department of Environment and Natural Resources (EMB-DENR);

WHEREAS, in a Memorandum dated October 25, 2019, Sp/Capt Pedro Irineo D. Gutierrez, District Commander, ESS-CPD, NAIA District Office, forwarded the Incident Report of SA II Marcelino Cruz, and recommended for the issuance of an Alert Order against the subject shipment for being imported without the required Pre-shipment Import Clearance from the EMB-DENR, in violation of EMB Memorandum Circular No. 2005-03 issued on April 19, 2005, and Section 117 in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA);

WHEREAS, in a Memorandum dated November 5, 2019, Amir Marlo M. Caliwag, Customs Operations Officer III, Office of the Deputy Collector for Operations, submitted his After-Examination Report after he conducted a 100% examination of the subject shipment. He further stated in his report that Tetrafluoromethane is a Refrigerant CF4 which is classified as an Ozone Depleting Substances in the EMB Memorandum Circular No. 2005-03 dated April 19, 2005;



# Transboundary movement under Basel Convention



## However, Illegal trade is still a problem facing the world



- In July 2009, More than 1,400 tonnes of potentially hazardous waste, including medical waste and other household waste was found in Brazil and waste was proved to come from Britain
- Several companies from Brazil and Britain were involved in this incidents
- Britain has taken back the wastes from Brazil

■ China Customs **uncovered 64 groups that engaged in smuggling waste, seized more than 847.6 thousand tons wastes; filed 156 criminal cases, arrested 423 suspects, and filed 644 administrative cases** related transboundary shipments of wastes and chemicals.





## However, Illegal trade is still a problem facing the world



- In Sept 2013, 20 x 40' containers consigned to Urrutia Trading containing plastics scraps were seized by the Bureau of Customs.
- In January 2014, 50X40' containers consigned to Chronic Plastics containing heterogenous plastic waste from Canada were seized by the Bureau of Customs.

- In January 2014, 20X 20' containers consigned to Daerouk Inc. containing used lead acid battery were seized by the Bureau of Customs



# Wildlife illegal trade

- In 2009, 2 X 20' containers declared as "Plastic Waste" were seized by the Bureau of Customs. Upon checking it was found to contain "Elephant Tusk".
- In 2013, Nido birds nest were seized at Ninoy Aquino International Airport terminal 3.
- Lizards, Spiders, Scorpions and Snakes were seized at the Central Mail Exchange Center in Pasay.
- A shipment coming from Africa said to contain "Mineral Ore" was seized PAL/PSI warehouse. It was later found to contain "Elephant Tusk".



Illegal trade is still a serious problem facing the world especially in AP region

Legal and systemic loopholes

The lack of environmental protection  
Sense in developing countries

profit

**Illegal Trade**

# Global Approach

There are many international organizations and global initiatives are involved in combatting environmental crime

- Green Customs Initiative (GCI)
- International Consortium on Combatting Wildlife Crime (ICWC)
- World Customs Organization
- INTERPOL
- UNODC
- EIA
- INECE



# REN Project

Regional Enforcement Networking to improve compliance with MEAs

- (MEA-REN) achieved remarkable results in the Asia and Pacific Region
- Initiated an integrated regional cooperation between countries in North East, South and South East Asia
- Enabled the participating countries to gain better control over their import and export of chemicals covered by the Montreal Protocol, and Basel, Rotterdam, Stockholm and Conventions.

Key words

Cooperation

Network

Mechanism



# General Description of REN



## Partners

- Secretariat of BRS Conventions and Ozone Secretariat
- UNODC, WCO/RILO/ROCB,
- INECE...

- The Regional Enforcement Network for Chemicals and Waste (REN) is a project financed by the Swedish International Development Cooperation Agency (SIDA) and implemented by UNEP in 25 countries in Northeast Asian, South Asia and Southeast Asia



# World Customs Organizations (WCO)

- The WCO has long been involved in efforts to combat the illegal trade in environmentally sensitive goods, with its Council – the Organization’s highest decision-making body – having adopted several recommendations on environmental crime.
- The WCO Recommendation on actions against environmental offences in June 2008 calls for increased efforts to cooperate and exchange information among all players responsible for implementing the MEAs.



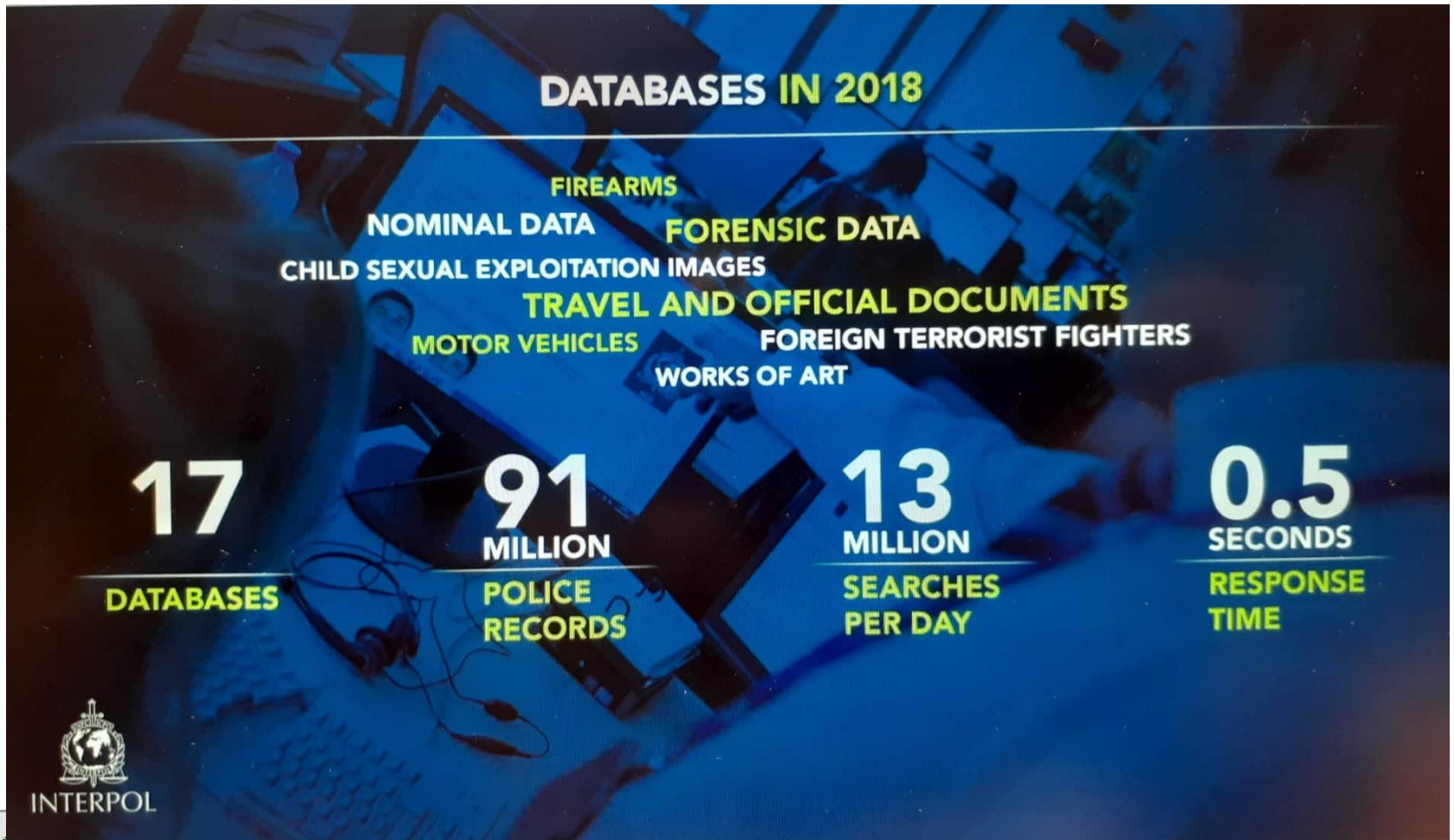
# INTERPOL

**194 MEMBER COUNTRIES CONNECTED THROUGH A SECURE NETWORK**





# INTERPOL



# INTERPOL

**INTERPOL NOTICES**

- RED NOTICE**  
WANTED PERSONS
- YELLOW NOTICE**  
MISSING PERSONS
- BLUE NOTICE**  
ADDITIONAL INFORMATION
- BLACK NOTICE**  
UNIDENTIFIED BODIES
- GREEN NOTICE**  
WARNINGS AND INTELLIGENCE
- ORANGE NOTICE**  
IMMINENT THREAT
- PURPLE NOTICE**  
MODUS OPERANDI
- INTERPOL-UN SECURITY COUNCIL SPECIAL NOTICE**  
ENTITIES AND INDIVIDUALS SUBJECT TO UNSC SANCTIONS



## IV. The role of Customs in MEAs



# Montreal Protocol

- Most developing countries do not produce ODS and are completely dependent on imports.
- They are becoming targets for illegal trade. The control of legal trade and prevention of illegal trade is crucial to achieving phase-out of ODS.
- The most important is the establishment of an import-export licensing system covering all ODS controlled by the Protocol. A ban is to be implemented once a specific ODS is phased-out.

**The successful implementation of any licensing system depends on properly trained Customs and enforcement officers. They must be able to:**

- Identify the controlled substances
- Facilitate their legal entry and
- Curtail their illegal trade.



# Basel Convention

Under the **Basel** Convention:

- ❑ The TBM of the **Basel** Convention wastes not following the appropriate notification and consent procedures or resulting in a deliberate dumping of wastes constitute illegal traffic.
- ❑ Customs is encouraged to check the legitimacy of the shipment and conduct a risk profiling.
- ❑ In case of a TBM deemed to be illegal traffic as the result of conduct on the part of the exporter or generator, the State of export shall ensure that the wastes in question are:
  - (a) taken back by the exporter or the generator or, if necessary, by itself into the State of export, or, if impracticable,
  - (b) are otherwise disposed of in accordance with the provisions of this Convention (i.e. environmentally sound management).
- ❑ Contact the national CA.



# Rotterdam Convention

- The Rotterdam Convention contains two key trade related provisions: the prior informed consent (PIC) procedure and information exchange:
- **The Prior Informed Consent (PIC) procedure** – Parties are required to inform other Parties of each domestic ban or severe restriction on a chemical. A Party that plans to export such a chemical must inform the importing Party of such export. The PIC procedure assists countries in rejecting unwanted trade;
- **Information Exchange** -When a chemical that is banned or restricted within a Party is exported, that Party is obliged to provide importing Parties with all necessary information.

•The successful identification of chemicals covered by the Convention as well as a clear understanding on where to go for more information are key elements to the success of Customs work.

•Good communication and coordination with designated national authorities (DNAs) are equally important.



# Stockholm Convention

- The Stockholm Convention protects human health and the environment from Persistent Organic Pollutants (POPs).
- Import and export of POPs under in the Convention are allowed only for the purpose of environmentally sound disposal or for use which is permitted under the Convention for the importing Party. Export is also allowed to a State non-Party to the Convention in case this State provides an annual certification. All other import and export are prohibited.
- The role of the Customs of Parties to the Convention is to **ensure application of the obligations concerning international trade under the Convention at national level and thus participate in national efforts to ensure compliance with the Convention.**



# CITES

- Verification of the validity of CITES documentation
  - import, export and re-export permits and certificates of CITES controlled species
- Inspection of consignments
- Confiscation or return to the State of export of prohibited species/specimens



# Wildlife Related MEAs

- Illegal trade in wildlife undermines the conservation efforts of developing countries, affects the income of rural populations and has driven some species to the brink of extinction. Added to this is the alarming rise in virulent wildlife diseases, such as SARS and avian influenza, crossing species lines to infect humans and endanger public health.

- Customs is tasked with checking the validity of documents (permits, certificates, etc.), and
- Ensuring that they correspond to the actual goods or articles.
- Customs also combats fraud, checks that prohibition and restriction measures are complied with, and collects duties and taxes.



- “Evil triumphs when good men do nothing” – Edmund Burke





Thank you po...



**UNEP Regional Office for Asia and the Pacific  
2F, B-wing, UN Building, Rajdamnern Nok Avenue,  
Bangkok 10200, Thailand**

