

# Report of the 13<sup>th</sup> Green Customs Initiative Partners Meeting

*Organization for Prohibition of Chemical Weapons (OPCW), The Hague  
24-25 September 2018*



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## Executive Summary

The thirteenth Meeting of the Partners to the Green Customs Initiative (GCI) was held on 24 and 25<sup>th</sup> of September 2018 and hosted by the Organization for Prohibition of Chemical Weapons in The Hague, Netherlands. The meeting was attended by the representatives of OzonAction, the World Customs Organization, the United Nations Office on Drugs and Crime, the Organisation for the Prohibition of Chemical Weapons (OPCW), UNEP's Law Division and the Secretariat of the Convention on Biological Diversity (CBD). The Secretariat of Basel, Rotterdam and Stockholm conventions (BRS) as well as INTERPOL participated in the meeting partly through a tele-conference link. The Green Customs Initiative secretariat and Partners gave an update of their activities in 2018 and discussed their plans on customs training for 2019. Partners agreed the set of action points as the work plan for 2019.

## Summary of the sessions

### 1. Welcome

Hamza Khelif, Director of the International Cooperation and Assistance Division at OPCW welcomed the partners and indicated that this was the second time that OPCW hosts the Green Customs Initiative (GCI) Partners Meeting. Mr. Khelif said that these meetings provide excellent opportunities to coordinate actions and find ways to control illegal trade of environmentally sensitive substances while facilitating legal trade as well. He hoped that this meeting would explore how we can improve the partnership, and what could be done more to improve the collaboration and the coordination of all the partners. He suggested the possibility to explore if International Maritime Organization could become a partner and hoped that the special session by OPCW on verification regime would please the partners. He ended by thanking the OPCW colleagues and others who made the meeting happen.

### Introduction of Participants

- *World Customs Organization (WCO): Roux Raath,*
- *Organization for Prohibition on Chemical Weapons: Pavlo Byalyk, Shimelis Biru, Pilar Vitalaiglesia, Láuren Batista-Brondan & Kesrat Sukasam*
- *UN Environment Law Division (OzonAction) : Ezra Clark*
- *UN Office for Drugs and Crime (UNODC): Javier Montano*
- *Convention on Biological Diversity (CBD): Peter Deupmann*
- *UN Environment Law Division (GCI Secretariat) : Arnold Kreilhuber & Yannis Derbali*

The secretariat thanked the OPCW to host the 13<sup>th</sup> Partners Meeting. The Secretariat acknowledged the challenging times the partnership is going through, but as the customs have a unique role to play, the Secretariat is committed to continue to support the partners and the partnership and stated that this initiative is unique in bringing together many partners.

#### Adoption of agenda and organisation of meeting

The provisional agenda was adopted with one amendment. As the Secretariat of the Minamata Convention had not yet expressed their interest to become a partner of the Green Customs Initiative, the introductory session on the Minamata Convention had been cancelled.

### 2. Update of the Green Customs Initiative since last Partners Meeting (October 2017)

The Secretariat gave an update on the activities of the past year as well as on the follow-up on the action points agreed upon during the 12<sup>th</sup> Partners Meeting of October 2017. The finalization of both the website and the green customs guide were discussed (including promotion of the guide), the development of a new funding proposal (see below) and the use of e-learning tools. An overview of the use of e-learning tools was presented, thanks to the data of the WCO. The Secretariat also gave an overview of the results of the survey of the regional GCI-workshops held in 2017 in Ghana, Rwanda and the Dominican Republic. It was brought to the attention of the partners that discussions on a potential membership of the Secretariat of the Minamata Convention were ongoing.

### 3. Partners' activities in 2017-2018 and plans for 2018-2019 and discussions on possible joint activities

The following partners presented on their past activities as well as their future plans.

#### a. OPCW

OPCW gave an overview of the activities in, among other countries, Algeria, Morocco and Buthan. For OPCW it was important to attempt to institutionalize the training. Usually OPCW tries to have the National Authority attend their trainings as well. OPCW discussed that they organized different trainings for laboratories and customs officers (including a Course for Analytical Chemists from Customs Laboratories) just like the Cartagena Protocol does on Living Modified Organisms (LMOs) and Genetically Modified Organisms (GMOs).

#### b. UNODC

UNODC elaborated on the joint programme it implements together with WCO: the Container Control Programme (CCP). It consists of joint border control units including several agencies such as customs, police and other enforcement authorities, sometimes the forest or the port authority. The unit in Mombasa, Kenya for example includes officers from Customs, the Kenyan Police (narcotics), Kenya Wildlife Service and the Forest Authority. These officers are seconded by their institutions and so the salary and reporting lines remains. The multi-agency dimension of the programme is key against corruption. The programme is rolled out in about 50 countries and covers about 80 port control units. It was mentioned that the units are created based on non-financial basis. Drugs, arms, CITES-products are an important focus for the units 50 countries are part of the Container Control Programme.

The units get light training on BRS, CWC and two weeks of practical training. The officers are guided by two trainers to apply risk profiling and inspect containers. The units are located at ports, airports (CCP-air, border crossings), only in developing countries. One of the principles used is that the risk profiling is not fiscal based. A potential cooperation with GCI would be to invite members of the CCP-unit to trainings from the partners. (ex. CCP of Kenya will send a member of the unit to the National Ozone Unit and customs workshop in South Africa organized by OzonAction). The units are also followed by a mentor and (sometimes) can purchase additional equipment (e.g. Hasmat-ID). The majority of the training is being given by WCO. Similarly to OPCW the challenge is also to get the right nominations

#### c. INTERPOL

Despite not being able to attend the meeting physically, INTERPOL gave a presentation online on their past and future activities. The presentation elaborated on the environmental security programme which targets four crime areas (fisheries, forestry, pollution, & wildlife). This programme among others includes trainings, global meetings and operations. One of the main activities of the past year was the Operation 30 Days of Action (1-30 June 2017) that brought together 43 participating countries. In 8 of these countries the national coordination was done by the Customs Agency. The action resulted in 664 criminal and administrative violations detected and an estimated 33 Million USD of estimated economic value of illicit waste. New trends were for example that most trafficking was detected on maritime routes, the Middle East appearing as a potential export region and Latin America and the Caribbean appeared as involved in waste trafficking at the export, import, and intra-regional levels. INTERPOL also presented a Dutch case study and reported on Demeter IV, a global operation that focused on the monitoring and controlling of cross-border movements of waste, as well as the targeting of illegal waste shipments from waste producing regions/countries to destination countries/regions, especially in the Asia-Pacific and Africa regions. INTERPOL then presented on their new 30 days Operation called 30 Days at Sea, where the focus will lay on fighting maritime pollution and count on the participation of 58 countries. INTERPOL explained the different phases of the operations (preparation, operational and post-operational). INTERPOL ended with proposing their PCAA-proposal on what we can do together: Policy, Capacity-building, Analysis & Action.

#### d. World Customs Organization

WCO stated that for the Environment Programme the biggest challenge was that most of the funds are dedicated to wildlife issues. At the Enforcement Committee 2018, OzonAction gave an insight about the Green Customs Initiative. WCO also mentioned the, very practical, Environmental Manual for Frontline Officers to which the GCI Partners contributed to that and should be ready by March 2019. Besides hard copies, WCO will also publish it online on the klikc-platform.

#### e. Convention on Biological Diversity (Cartagena Protocol)

CBD gave an overview of the activities in the past year as well as the future activities. As for the past activities, the CBD reported on a series of regional workshops on 'mainstreaming biosafety' in the context of which national focal points of the Convention on Biological Diversity, national focal points of the Cartagena Protocol on Biosafety and legal and policy specialists had been trained on a range of issues, including aspects related to customs and border control. In this context, the work of the GCI had been highlighted. In addition, activities related to strengthening national capacity for the identification and detection of living modified organisms had been carried, including through a workshop for francophone African countries and through an online discussion related to the development of a training manual on the detection and identification of LMOs, which would also be relevant in a cross-border context. As for planned activities, the representative of the

Secretariat of the CBD, reported that tentatively a regional workshop on identification and detection of LMOs would be organized for Anglophone African countries in the coming year, but that this depended on the availability of resources.

f. Secretariat of Basel, Rotterdam and Stockholm Convention

Despite not being able to attend the meeting physically, the Secretariat of the Basel, Rotterdam and Stockholm (BRS) Conventions gave a presentation online on customs-related work under the three conventions. This presentation included information on international cooperation activities with the UNEP/ROAP Regional Enforcement Network, the Organisation for Security and Co-operation in Europe (OSCE), the Asian network for Prevention of Illegal Transboundary Movement of Hazardous wastes, the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL), and on cooperation with WCO on Harmonized System codes. Information was also provided on technical assistance activities (see presentation) as well as on the work of the Basel Convention Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE). The BRS Secretariat also reported on the 13th meeting of the Basel Convention Committee Administering the Mechanism for Promoting Implementation and Compliance and its work aimed at preventing and combating illegal traffic, which for example included a special session on preventing and combatting illegal traffic to which the CITES Secretariat participated. It was announced that the conferences of the Parties to the BRS Conventions would next meet on 29 April-10 May 2019 and information was shared on the agenda items of relevance to preventing and combating illegal traffic and trade.

g. Ozone Action:

OzonAction provided a brief overview of the Montreal Protocol on Substances that Deplete the Ozone Layer, explaining that all countries in the world are taking targeted, time-bound actions to reduce and eliminate their production and consumption of man-made chemicals that destroy the stratospheric ozone layer, by phasing out nearly 100 industrial chemicals known as ozone depleting substances (ODS), which include hydrofluorocarbons (HCFCs), chlorofluorocarbons, halons, methyl bromide, and other substances. The treaty has already successfully phased out more than 99% of Ozone Depleting Substances (in terms of ozone depleting potential). Under the Kigali Amendment, agreed by Parties in 2016, the Montreal Protocol's goals now also include the phase-down of hydrofluorocarbons (HFCs), which are potent greenhouse gases that contribute to climate change. The amendment comes into force on 1 January 2019.

The representative explained that the OzonAction has been strengthening the capacity of governments - particularly the operational focal points for the Montreal Protocol, known as National Ozone Units – customs and enforcement officers and industry in developing countries to elaborate and enforce the policies required to implement the Protocol, OzonAction's overall goal is to enable developing countries to meet and sustain their compliance obligations under the treaty.

It was then explained that since the last GCI meeting OzonAction has held more than 26 Regional Network, thematic and other meetings. He explained that these included customs training workshops and specific Border Dialogues for Trade Coordination & Cooperation between Ozone, Customs and Enforcement Officers. He mentioned a number of collaborative activities and mutual participation in respective meetings with GCI partners such as WCO and UNODC and explained some ongoing possibilities, inviting cooperation and participation with partners as appropriate. A brief overview of planned activities for 2019 was also presented

CITES and Ozone Secretariat were not able to present during the meeting.

#### 4. Special session by OPCW

*Ensuring chemical activities for purposes not prohibited under the Chemical Weapons Convention (CWC) by Larry Denyer, Head of Industry Verification of the Verification Division*

The Industry Verification Branch works with the Inspectorate to verify that activities involving scheduled chemicals and unscheduled discrete organic chemicals at facilities and plant sites declared by States Parties, are for purposes not prohibited under the Chemical Weapons Convention (CWC). The Branch manages the technical aspects of policy, planning, oversight, support, and conclusion of inspections. These details contribute to OPCW reports related to compliance and evaluation of on-site inspection activities. The Branch also supports the work of the Industry Cluster, various training activities, efforts of National Authorities, and the work of the Scientific Advisory Board.

The presentation treated activities not prohibited, falling under article VI (Verification, non-proliferation) and the declarations made by the national authorities. The presentation brought up that OzonAction and OPCW deal with similar issues when it comes to discrepancies and that like OzonAction setting up discussions between National Ozone Officers and Customs Officers.

#### 5. Integrating Green Customs Curriculum into National Training Institutes: (session 6 and 7 combined)

The secretariat briefly presented the funding proposal that had been shared with the partners in advance. Building on the successes of the Green Customs Initiative and drawing from the lessons learned, the Initiative will increase its impact in the next phase by working closer together with the national training institutes of customs officers. The GCI proposed to develop a standardized generic curriculum on Green Customs and work together with the national training institutes for customs officers to integrate an adapted version of the standardized generic green customs curriculum into their regular training programme. The funding proposal contained 4 separate project components

1. Integrating Multilateral Environmental Agreements (MEAs) related customs curricula into National Training Institutes
2. Knowledge tools
3. Awareness Raising: The Customs as a key player in Greening International Trade
4. Other areas supported by the Secretariat of the Green Customs Initiative

Specific attention was given to the first project component on integrating the green customs curriculum into national training institutes. The aim of this component would be to integrate the best practices, knowledge, experience and capacity-building modules and the guidance the GCI already provides today in its train the trainer approach and through the e-learning modules, into the regular curricula of the national training institutes for customs officers. Integrating the green customs curriculum into national customs training institutes has been driven by the need to increase sustainability, resource-efficiency as well as ownership. As the turn-over of customs officers is high, it will be more sustainable to anchor the green customs curriculum into the national training institute. Institutionalizing the green customs curricula will increase the ownership substantially. It would also be more resource efficient as there will be less need to organize costly ad hoc training workshops.

## 6. Closing Remarks:

The OPCW stated to value the partnership and was happy to host the partners meeting. The OPCW was impressed by the content of the discussions and pleased with the action points put forward. OPCW stated to be fully committed and looked forward to further build upon the activities and tools that have been developed so far. OPCW acknowledged that funding remains a challenge but was confident that the GCI would be able to secure funding to make progress in the countries. OPCW committed to report on the initiative to the higher management and to promote the initiative wherever it can.

The Secretariat thanked the OPCW to host the Partners Meeting and looks forward to come back already, acknowledging that the partnership achieved a lot in fruitful discussions and that it is now up to the partnership to go and implement the action points. UN Environment stated to be very proud of the initiative and grateful for the support of the partners and that the initiative is only as strong as the partners and their commitment.

## 7. Work plan from the 13th Meeting Work plan for 2018-2019

### **Partners Meeting**

- Secretariat will draft short version of the report (10-12) and send it out to partners for approval. Once approved, Secretariat will upload a public version on the website
- GCI-partners will send sharable presentations of the Partners Meeting to Secretariat (Secretariat will share among partners)
- Secretariat will include Funding Partners (donors) Session in next Partners Meeting

### **Funding Proposal**

- Secretariat integrates the comments made at the partners meeting (which are welcome in writing as well) of the GCI-partners into a new version and sends this new version around to the GCI-partners by the end of November for final written comments.
- Secretariat drafts one pager on potential funders/strategy (including potential Donor's meeting)
- Include all Awareness raising aspects discussed at Partners Meeting into funding proposal

### **Joint Activities**

- Partners will send their filled-out template to the Secretariat (Update Activities Template after 6 months Action Plan including a call with partners)
- Secretariat considers calendar tool on the website for relevant activities organized by GCI-partners

### **E-learning**

- GCI-partners commit to promote the e-learning platform more
- GCI-partners consider dedicated feedback session on e-learning modules in their activities/workshops
- GCI-partners update (or finalize) their e-learning modules to reflect changes and keep/make them attractive
- Secretariat will share statistics on e-learning with GCI-Partners (Partners using the modules on other platforms than WCO's Click, to provide usage statistics to GCI Secretariat) twice per year

### **Awareness-raising:**

- Secretariat checks statistics on website-use (include question on website in survey to Customs officers /participants of GCI-workshops)
- Partners to share more news and events on the website through the Secretariat
- Secretariat updates Partners pages on the website with the content of the GCI-leaflets. GCI-Partners will check the content before it's uploaded.
- GCI-Secretariat sets up Twitter account.
- GCI-Secretariat sets up LinkedIn page to connect with professionals and share information with professional enforcement community
- Secretariat will share protocol/note on use of Twitter and LinkedIn and wait for approval from GCI-partners
- GCI-award: discussion to be continued, including in the context of the funding proposal
- WCO will invite a GCI-Partner to present at the WCO Enforcement Committee in March 2019
- Partners invited to draft a paragraph on mandate, importance and link to Customs for article on GCI in WCO News. WCO compiles.

#### **GCI-guide:**

- GCI-partners will promote the Green Customs Guide as appropriate
- Secretariat checks translations that have been done for the previous version of the guide and explores costs for preparing translations of the Guide on the basis of the existing translations.

#### **Knowledge tools:**

- Secretariat makes inventory/analysis of which knowledge tools exists (including potential for GCI)

#### **Others:**

- **Minimata Convention Secretariat** is expected to confirm willingness to become a partner soon
- **Venue for next Partners' meeting:** to be confirmed.
  - Timing September 2019
  - Location: Potentially Geneva