

W'African Customs Alert on Environmental Crime

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Environmental crime, a significant and lucrative business takes the form of sale of endangered species of plants and animals, toxic substances, obsolete pesticides and chemicals. Worried by the immediate danger this criminality constitutes to present and future generations of mankind, national governments have teamed up with the United Nations for a massive onslaught on what has been termed as organised crime, writes **BENNETT OGHIFO**

The United Nations Environment Programme (UNEP) believes national and international crime syndicates worldwide earn an estimated \$20-30 billion annually from hazardous waste dumping, smuggling proscribed hazardous materials, and exploiting and trafficking protected natural resources.

Illegal international trade in “environmentally-sensitive” commodities such as ozone depleting substances (ODS), toxic chemicals, hazardous wastes, endangered species and living modified organisms is an international problem with serious consequences.

It directly threatens human health and the environment; contributes to species loss, results in revenue loss for governments and undermines the success of international environmental agreements by circumventing agreed rules and procedures.

Customs and border protection officers constitute the front line of every country's defence against trans-boundary illegal trade and the first link in the “compliance and enforcement chain” and without adequate capacity to prevent or detect illegal trade, the rest of the chain would be considerably less effective.

Building the capacity of these officers is therefore vital.

Training is a key component of capacity building, but can be time-consuming and expensive when delivered separately for the wide range of issues customs officers must cover. An effective solution is coordinated regional training such as that provided by United Nation's Development Programme (UNDP) for English speaking West African countries.

The training sessions were facilitated in collaboration with the Ozone Programme Implementation and Management Unit (OPIAMU) of the UNDP was conducted by experts, which included Mr. Hui Fu, Technical Attaché, Compliance and Facilitation, World Custom Organisation. He said “transnational environment crime is a growing problem with serious consequences, ranging from illegal trade in ODS, toxic chemicals to trans-boundary movement of hazardous waste and endangered species.”

In West Africa, according to him, the endangered species have been taken away from their natural habitat and smuggled to the rest of the world. The hazardous and other waste have been shipped from developed countries to West Africa where there are no technologies to manage them. Customs, he said have a lot of work to do, but they could not set aside the fight against transnational environment crime at the border.

“We must act immediately and effectively before it is too late. Customs crucial role to protect the environment at the border must be fully recognised. They should also be provided with adequate resources and support to allow them discharge their responsibilities,” he said.

The train the trainers workshop was conceived to enable senior Customs officers of Nigeria, Gambia, Ghana, Sierra Leone and Liberia identify harmful cross-border environmental crimes. It held on a special platform known as the Green Customs Initiative, which 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 countries.

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 commodities include: Ozone Depleting Substances (ODS); toxic chemical products; hazardous wastes; animals and plants (fauna and flora); and living modified organisms.

This is achieved through awareness- creation on all the relevant international agreements as well as provision of assistance and tools to the enforcement community. Green Customs is designed to complement and enhance existing customs training efforts under the respective agreements. As a party to the Montreal Protocol on Substances that Deplete the Ozone Layer, Nigeria is entitled to financial and technical assistance from the Multilateral Fund of the Protocol and with the assistance of UNDP, the Federal Government has since 1993 been accessing necessary funds to meet its binding obligations.

In 2002, the Protocol's executive committee approved a national CFC phase out plan for Nigeria with funding, including support costs in the amount of \$14,325.167, which was planned for release in eight tranches, to phase out about 3,352.7 ODP tones of CFCs in the aerosol, foam and refrigeration manufacturing and servicing sectors by December 31, 2009. The implementation commenced in 2004 and is being closely aligned and coordinated with the various policy, regulatory, fiscal, awareness and capacity-building actions of government is to ensure that the implementation was consistent with the nation's country programme.

The Green Customs Initiative is a win-win situation and its benefits for the Customs officers includes an increased knowledge about environmental issues, particularly those related to MEAs; enhanced skills required to enforce national environmental commitments; better recognition of the role of customs officers in environmental protection; and for countries, an increased detection of smugglers and illegally-traded commodities by national customs officers, and facilitation of legal trade; strengthened capacity for national compliance and enforcement of MEAs through monitoring of trade.

Others are increased opportunity for dialogue with regional trade partner countries on illegal trade issues; sustained capacity building through integration of Green Customs into national customs training curricula; prevention of loss of revenue from tax and duty avoidance associated with smuggling; increased integration of environment into the security agenda. For Partners, it increases the opportunity for synergies in implementation between MEAs; shared training infrastructure and experience developed by the secretariats; for the global environment, decrease in environmental crime and other environment-related offences, control of toxic chemicals and waste, better species protection, leading to a less polluted and more sustainable environment.

UNEP Ozone Action Programme, Policy and Enforcement Officer, Mr. Patrick Salifu, said environmental crime was indeed a big and increasingly lucrative business—a multi-billion dollar enterprise and the local and international syndicates worldwide earn an estimated \$20-30 billion dollars annually from hazardous waste dumping, smuggling proscribed hazardous materials, and exploiting and trafficking protected natural resources.

According to him, illegal international trade in environmentally sensitive commodities, such as, ozone depleting substances, toxic chemicals, hazardous wastes and endangered species was an international problem with serious consequences because it directly threatens human health and environment, contributes to species loss, and results in revenue loss of governments.

“Consequently, it undermines the effectiveness of multilateral environmental agreements (MEAs) by circumventing rules and procedures agreed in international treaties. Customs Officers are at the front line of every country's efforts to combat illegal trade. They must, therefore, be empowered, equipped and trained if an MEA is to be successful,” he said.

He described them as the cornerstone of the national compliance and enforcement strategy for each international agreement since they are the frontline in any control on trans-boundary movements of controlled items. “At UNEP, we have long recognised the important role played by customs officers in ensuring compliance with MEAs. As part of UNEP's role as an implementing agency of the multilateral fund for the implementation of the Montreal protocol, we have designed and delivered national and regional customs training workshops in partnership with National Ozone Units.”

To strengthen the initiative, the Green Customs concept was developed with several partners under whom integrated introductory training encompassing several MEAs would be delivered to customs officers at the same time.

The partners in the development of Green Customs Initiative include: World Customs Organisations (WCO), Interpol, The Organisation for the Prohibition of Chemical Weapons, MEAs Secretariats that have trade related provisions (Basel, CITES, Cartagena Protocol, Montreal Protocol, POPs and Rotterdam).

He observed that countries have also been quick to recognise the need for coordination between environmental issues, and many have reorganised their structures and operations to promote complimentary actions on the ground. Green Customs Initiative is responding to and reinforcing those national efforts at integration. He said “illegal trade is an issue that affects most MEAs that have trade components, and all have similar needs to work with national and regional customs agencies to combat such traffic.”