

**Dominican Republic regional GCI workshop (November 2009):  
Working group recommendations**

**Group 1:**

**Challenges**

- Different documentation requirements for different Conventions (e.g. no documents for Montreal Protocol or Stockholm Convention), need for more harmonized documentation;
- Customs officers do not want more responsibilities;
- Lack of appropriate or sufficient national implementing legislation exists in several countries
- Different names for chemicals (trade name versus chemical name)
- No harmonized codes and use of different versions of HS codes
- Outdate ASYCUDA systems in use and lack of funding from governments to update national system
- Implementation and enforcement of MEAs are seen as secondary to customs role – not principal role
- Lack of personnel: need more than 1 person employed as a resource for each convention
- Need to have the information in a digestible format in order to understand the basic requirements of the conventions;
- Focus of customs role is on revenue collection however there is sometimes the expectation that they should know more e.g. more technical or scientific knowledge;
- Disconnect between the focal points and customs, need for coordination and cooperation, need to train focal points in how to interact with the customs officers
- How to protect customs officers when handling dangerous goods, especially in the interim when waiting for appropriate person to intervene prior to or on opening a shipment;
- Accepted by customs that they do not have discretion in areas beyond matters of their competence;
- Role of customs is trade facilitation and there is pressure on customs to release shipments not to hold for control or inspection for too long a duration;
- Storage of substances seized when there are no facilities and under whose responsibility does such storage and disposal would fall

**Positive**

- The same systems as used for drugs (for example) can be used for detection of any contravention of conventions
- There exists expertise that can be adapted to enforce MEAs

**Recommendations**

- Need to have harmonized document 'passport' for substances, chemical, shipment etc.
- Explore the role of customs officers in tandem with the role of focal points
- Need to establish a health and safety procedures for customs when opening shipments, standard operating procedures
- Could trade customs officers in additional duties to do with the Conventions
- Each country could adapt the manual to its own use and according to each of their priorities
- Call down chart / dichotomous key with flow of who to contact (ministries, agencies etc) in the event of application of each MEA, links to websites and made available to all officers in the field.

**Other Points Raised**

- Need to consider the amount of trade in substances under each convention in developing module for national use and address according to national priorities
- Information must be provided ahead of time
- Give more thought for how to protect porous borders, either land borders or sea borders

**Group 2:****Main Obstacles/Challenges**

---

Lack of legislation to implement MEAS

Customs do not have enough exposure to materials/information on MEAs (other than Montreal Protocol)

Lack of communication with international bodies (i.e. MEAs)

Poor cooperation between customs and national focal points

When a country ratifies and MEA (or amendment/adjustment) the information is not disseminated widely. Customs are frequently not informed despite these including specific tasks/responsibilities for customs officers

Customs are not warned or consulted in advance of agreements/MEAs being signed

Environmental issues are not included in initial training of customs officers, most countries do not include environment issues in any structured way in any level of training

Environment is seen as a new issue for customs (i.e. frequently seen as low priority)

Customs do not often have the relevant or up-to-date equipment to help with detection, identification and safety of officers when making inspections

Lack of knowledge of what to do with disposal /destruction and storage of seized environmentally sensitive items (chemicals)

Problem of identification of chemicals (and species) by customs officers

Lack of knowledge as to how to handle chemical products (safety of officers and safe/secure storage)

Lack of suitable storage areas for chemicals and other commodities (e.g. live specimens)

Capacity being lost (officers being moved to other duties) – a particular problem in smaller countries

**Proposed Solutions**

---

Montreal Protocol is seen as a good example to use as a model (taking into account that many other MEAs do not have equivalent funding for capacity building)

Appoint a customs representative to sit in the relevant national committee to enhance cooperation with relevant MEAs etc

Include GCI in national training, use GCI materials (e.g. guide) to create new awareness to the wider scope of the knowledge area

The national focal points should be brought together, or create a single focal point (“one stop shop”) to make communication with customs easier

MOUs between customs and relevant Ministry (use US EPA training, information to assist)

Need to establish contact more with an established ‘office’ rather than a person, so that communication is continued even if a particular person moves from the post

Bring in stakeholders (e.g. traders, users) as including their cooperation would strengthen efforts to combat illegal trade issues

Input from other agencies (i.e. Environmental) in customs information systems

Mandatory use of pre-arrival information covering all trade under the relevant agreements with e.g. 48 hours notice

Need to identify who the contacts are in the relevant agencies, initially a directory could be created (would need to be regularly updated) with a view to developing more concrete cooperation in future

Experts from national authorities on hand to assist with identification (contact list provided to customs)

#### What a Green Customs Initiative training module should contain

The training module should contain material that focuses on:

1. Legal requirements of the MEAs
2. Country challenges
3. summary of what Agreement countries are party to
4. Identify the NCAs responsible for managing each MEA
5. Outline whether or not Customs has responsibilities in each MEA
6. Health & safety (protection from exposure)
7. Storage
8. Handling procedures (disposal)
9. How to identify items
10. Where to find links to the latest publications and training materials

11. Co-operation with key stakeholders at the national level (focal point on public information)
12. Use of technology based procedures - pre-arrival information, data elements in the single administrative document (SAD), technological/information interface

#### Some other ideas

---

Make use of existing regional networks (e.g RILO, UNEP Regional Enforcement Network, Interpol Ecomessage, ROCB, ENVIRONET, CEN),

Sharing of customs 'best practice' between countries

MEAs and Secretariats could better inform (and remind) customs of the information materials and facilities available to assist them (eg online trainings, laboratories),

Consider a Green Customs information exchange program with Cuba.

Offer similar training to other trade stakeholders from a single resource platform.

#### Group 3:

##### **Main Objective:**

- ▶ To train the customs officers and to raise their awareness on the complying with and enforcement for the MEAs.

##### **Current Situation:**

- ▶ Partial agreements among the different agencies that enforce and protect the MEAs (The Ministry of Environment, Ministry of Health, Ministry of Agriculture, The Army, etc).
- ▶ The personnel are not well trained and skilled on the different MEAs.
- ▶ No clear procedures that guide the work of the officers.

##### **We do have:**

- ▶ The goodwill of our authorities for the realization of the GCI.
- ▶ There is a RTC for the multiplication of knowledge acquired during this workshop.
- ▶ A modern and robust automated system.
- ▶ The Ministry of Environment already delivered a training on the Montreal Protocol for customs officers.

##### **Recommendations and Challenges:**

- ▶ That the Environmental Agencies dictate the guidance necessary for good customs control on the illegal trade of environmental sensitive goods.
- ▶ The training should be delivered to all the levels of personnel and it should be informative for the highest levels and operational for the lower
- ▶ To raise the awareness of customs officers on the importance of the MEAs.
- ▶ To establish inter-institutional agreements among the national authorities that have the responsibilities of administering the different MEAs, with the intention of learning from their experiences and acquired knowledge.
- ▶ It is necessary to draw a list of the different products and substances controlled by the MEAs

- ▶ That the authorities in charge of the enforcement of the conventions and protocols identify the necessary legislations for an effective enforcement at the customs level.
- ▶ It should be made clear which procedures to follow and to which authority to resort when illegal trade in environmental sensitive goods is detected.
- ▶ The establishment of a specialized laboratory that respond to the customs policy on the enforcement of the MEAs.

#### **Group 4:**

##### **Strengths:**

- Ratification of the MEAs in the Region.
- There are designated authorities in each country plus a Customs Network.
- There is an institutional goodwill.
- The Harmonized System is used as customs tool to enforce the MEAS.
- There is information available, and the information exchange is a reality.
- Interpol has a public website, which includes a database with environmental themes. All the customs officers can access the eomessages in the Interpol website.
- There is a previous experience with training on environmental themes, specifically on the prevention of illegal trade in
- Officers can resort to the Green Customs Guide for the MEAs.

##### **Weaknesses:**

- Availability of Resources (qualified human and economical resources, etc.)
- Mobility of the personnel (loss of trained personnel).
- No inter-institutional coordination.
- In many cases the capability of national authorities to enforce the MEAs is not good.
- No public diffusion.
- 

##### **Opportunities /Threats previous to the Training:**

###### **Internal Organization**

- To coordinate the national institutions.
- To identify the internal institutional arrangements and the requirements, such as qualified human resources, equipments and economical resources, etc.
- To create an efficient coordination (By forming a National Committee integrated by representatives of all the parties involved in the GCI).
- Identifying the responsible persons to participate in the committee work, sent by each institution.
- The committee should have periodical (every three months), for a coordinated work.
- **Regional / International Organizations**
- Focal points in each country should be permanently updated.
- A strategic line for the international cooperation should be established.

###### **Information Exchange System:**

- That the Regional Agreements help to promote the exchange of information and intelligence among the countries.
- To integrate and link all the existing automated systems, giving User ID and Passwords to the parties involved.
- To adapt the technology to internal situation of each country (For example, no to the internet connection).

###### **Procedure:**

- There should be a list with all the substances, products, wild species (parts and derivatives) controlled by the MEAs.
- This should be approved by each country.
- There should be a standardized certification (known and approved by all the countries).
- When a MEA includes the implementation of system, a procedures on the functioning of that system should be issued, this will help to t standardize the procedures of all the countries.
- To adapt the Green Customs Guide to the national legislation of country, standardizing definitions and concepts (nomenclature).

The Green Customs Initiative Guide for the National Training Manual should include:

- The internal procedures of each country, identifying the responsibilities of the national environmental agencies.
- National legislation and the internal procedures:
  - Role and responsibilities of the officers of each institution
  - To include specific procedures to identify what should be done when a controlled substance, product or species is found.
  - Requirements to be fulfilled by the importers and exporters

#### **Training:**

- The training should be directed to the following:
  - The policy makers (authorities, directors and managers, etc.)
  - Professionals and analysts.
  - Operational for the officers of the institutions.
- To adapt the program to each of this target groups.
- The proposal of specialized training for specific institutions, because the procedures are not the same for all the parties (Agriculture Authorities, Local Police, Customs Service, Health Ministry and all competent authorities).
- To train the private sector (importers, exporters, customs brokers) so that they understand and know the procedures that are applied to them.
- To benchmark the experiences and functions of other institutions.

#### **Content of the training:**

- 1. Integrity for the customs officers.
- 2. Environmental awareness of the different MEAs.
- 3. The regulation of each MEAs (for the country focal point)
- 4. Science of the substances (Chemistry, Security card, wrapping or packaging, label, etc.)
- 5. The national legislation and the internal procedures (role of the officer of each institution). To identify clearly what should be done in the case a substance, product, or specie, environmentally sensitive, is found.
- 6. To do a practical activity. Realizar una actividad práctica
- 7. Assessment: It should be done with real or practical cases. If the officer approve the accorded procedure, then he or she can be given the certificate or approval..

#### **Public difussion:**

- Citizens should be informed of the new procedures.