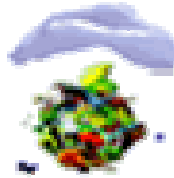




Green Customs Initiative



**REPORT OF THE GREEN CUSTOMS INITIATIVE AND JOURNALIST
WORKSHOP FOR EAST AFRICA
14 - 18 NOVEMBER, 2005
ARUSHA, TANZANIA**



Introduction

The Green Customs Initiative and Journalist Workshop for East Africa was held at the New Mount Meru Hotel, Arusha, Tanzania, from 14th to 18th November 2005. The workshop was attended by over 40 delegates comprising of National Focal Points of multilateral environmental agreements (MEAs), Customs Officers and Journalists from 5 countries of the East Africa sub-region namely Ethiopia, Kenya, Rwanda, Tanzania and Uganda.

Background to the Green Customs Initiative

Environmental crime is a big and increasingly lucrative business – a multi-billion dollar global enterprise. Local and international crime syndicates worldwide earn an estimated US\$ 22-31 billion dollars 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 (ODSs), toxic chemicals, hazardous wastes and endangered species is an international problem with serious consequences: it directly threatens human health and the environment, contributes to species loss, and results in revenue loss for governments. Moreover, illegal trade in such commodities strengthens criminal organizations that also traffic in drugs, weapons and prostitution. In the current post-September 11 context, where there is a clear nexus between customs, border control and national security, trade in certain chemical commodities may also fall into the area of environmental security.

Another serious effect of illegal trade in environmentally sensitive commodities is that it also seriously undermines the effectiveness of multilateral environmental agreements (MEAs) by circumventing rules and procedures agreed in international treaties.

National and international regimes for integrated chemical management rely on customs to monitor and control flows of regulated chemicals at borders. International agreements related to chemical management often restrict the national supply and demand of specific chemicals, and some set incentives for phase-out of the most harmful substances. If illegal trade in these chemicals occurs, the incentives set by the MEAs for control and phase out of chemicals are considerably weakened. In those countries, which have the appropriate laws or policies already in place, the national customs authorities must have the capacity to monitor and control the flow of chemicals and goods covered by MEAs.

However, customs agencies operating in isolation are not sufficient. At the national level, customs is but one element of a “compliance and enforcement chain” that includes:

- Monitoring detection, and seizure of illegal shipments by customs agencies,
- Prosecution of criminal cases involving such shipments by prosecuting attorneys
- Appropriate sentencing by the judiciary.

All three individual links in this chain must be strong for the whole to succeed. Without effective detection and seizure by customs, the criminal act cannot be identified. Without consistent prosecution by attorneys, the criminals identified by customs will not be brought to justice. Without appropriate fines and sentences levied by judges, criminals who have been successfully prosecuted will resume their illegal activity and others will not be deterred from undertaking similar activity.

UNEP's Governing Council has made the link between the need to promote cooperation between different conventions and the importance of addressing illegal trade in environmentally-sensitive commodities. Cooperation on illegal trade is an excellent opportunity for international organizations and MEA Secretariats to work together across different issue areas, as many of the problems and solutions regarding illegal trade of ODSs, toxic chemicals, hazardous waste and endangered species are similar.

The Green Customs Initiative aims at strengthening compliance and enforcement of multilateral environmental agreements through integrated capacity building for customs officers within the MEA enforcement chain. The aim is to provide customs officers with training that covers several MEAs at the same time, making it more efficient than separate training on individual agreements.

Objectives of the Green Customs Initiative workshop

- Create awareness among customs officers on their role in enforcing MEAs
- Creating awareness among customs officers of each of the specific MEAs covered
- Present the trade aspects of each of these MEAs and the impact on customs officers;
- Present the existing international setting for MEA enforcement (including MEA secretariats)
- Test the Green Customs Manual being developed by the partners so that it can be adapted to the training needs of the national customs administration
- Highlight inter-linkages and possible synergies in enforcement of the various MEAs Encourage creation of links at the national level between key MEA enforcement stakeholders: customs officers, customs training institutes, MEA national focal points, judges, prosecutors.
- Encourage bilateral as well as regional dialogues on trade-related issues related to MEAs.
- Present available resources for customs administration on MEA enforcement issues, particularly among international organisations involved in these issues.
- Discuss possibilities and relevance of expanding the training to focus also on judges and prosecutors in the next phase of work
- Prepare a second phase in which the generic training manual will be adapted to national training needs.

Participants

The primary target group is constituted by representatives from national customs administration (land and airport), especially from the national training institute in each country. The goal would be to have participants used to handle chemicals and participants having experience in dealing with CITES issues.

Expected Outcome

- Training of customs officers completed leading to a greater awareness of MEA issues, available resources and contact at national and international levels.
- Synergies created between international, regional and national stakeholders (especially customs) on the implementation of trade regulations of MEAs
- Bilateral, sub regional and regional dialogues created on combating illegal trade in environmentally-sensitive commodities

- Feedback received on Green Customs Manual and integrated for a final result which could be adapted to national needs.

MEDIA WORKSHOP

The Purpose of the workshop

The overall objective of the workshop was to further UNEP's continued support to building the capacity for environmental reporting within the African Network of Environmental Journalist (ANEJ). In addition, the workshop, in parallel with the Green customs Workshop, is designed to provide an opportunity for African media practitioners, both in the print and electronic media, to help build each others skills based on local experience and knowledge on the field and to interact with resources persons, representatives of MEA secretariats, with the help of local African resource persons.

Objectives

- Enhance the capacity of East African journalists to deal with issues related to illegal trade in environmentally-sensitive commodities such as ozone depleting substances, toxic chemicals, hazardous waste and endangered species;
- Provide extra leverage for the dissemination of information on the Green Customs Initiative in the region;
- Sensitize journalists on the need to promote compliance and enforcement of key environmental conventions and influence decision- making processes with regard to environmental policies in Africa;
- Provide a platform for the exchange of experiences and information on the role that media could play in sensitizing all the stakeholders including the general public and decision-makers on the challenges related to compliance and enforcement of multilateral environmental agreements in East Africa;
- Strengthen the African Network for Environmental Journalists in East Africa

Expected outputs

- Understanding of issues related to illegal trade in environmentally-sensitive commodities such as ozone depleting substances, toxic chemicals, hazardous waste and endangered species
- Ten (10) journalists trained and committed to disseminate information on the Green Customs initiative and key environmental conventions in East Africa
- Enhanced specialized writing skills and ethics in environmental reporting
- Essential conditions for building partnerships and collaboration between Custom officers and media identified
- Media coverage of the Green Customs Workshop
- Workshop News Journal containing stories from the workshop and the field Trip
- Workshop report and evaluation
- An operational East African Branch of the African Network for Environmental Journalists

Participants Structure

The series of UNEP training workshops for journalists is designed as a regular event for bringing together African journalists reporting environmental issues to exchange knowledge and mutually improve each others skills through interactive sessions and exercises.

The participants cut across radio, television and print media organizations with responsibilities such as field reporters, news casters, editors and producers.

This workshop targeted a total of 10 participants from 5 countries in East Africa which include Ethiopia, Kenya, Rwanda, Tanzania and Uganda.

Opening of the Workshop

The workshop was officially opened by Hon. Arcado Ntagazwa, Minister of State, Vice President's Office (Environment), Tanzania. Opening statements were also made by Dr. Gilbert Bankobeza, Senior Legal Officer of the UNEP Ozone Secretariat; Ms Elizabeth Mrema, representing UNEP.

In his opening statement, Dr. Gilbert Bankobeza recognized with appreciation the presence of not only environmental experts and representatives from Customs Authorities but also media representatives. He particularly emphasized on the role and need to involve media in environmental protection which is fundamental to the well-being of the society. He further noted with appreciation the great achievement registered in the protection of the ozone layer through the Montreal Protocol due to partially sustained publicity on the effects of continued depletion of the ozone layer by anthropogenic causes with consequential effects to human health and the environment. He said the work of the media is complementary to Government and other international efforts in reaching out to the public in protecting the environment.

Dr. Bankobeza informed that for sometime now, Parties to the Montreal Protocol have been working on strategies to deal with illegal trade in ozone-depleting substances which interferes the achievements made in phasing out of ODS under the Protocol. He revealed some of the reasons for existence of illegal trade in ODS and these include: alternatives to ODS are relatively expensive; differentiated phase out schedule of ODS between industrialized and developing countries under the Montreal Protocol; industrialized countries are still allowed to produce up to 10% from the threshold level to satisfy the basic domestic needs of developing countries and this could be diverted to local consumption through illegal trade; developing countries are allowed to continue production of ODS for ten years beyond the phase out schedule applicable to developed countries; legally produced ODS in developing countries have been exported illegally to industrialized countries; through mislabelling, new ODS have been traded as recycled ODS that are not subject to control measures of the Montreal Protocol thus increasing the levels of production and consumption of ODS; and continued demand for CFCs in developed countries beyond the phase out deadlines in 1996 due to continued use of old CFC-dependent equipment such as air conditioners and refrigerators.

Further, he outlined measures taken or required to be taken to curtail or minimize illegal trade including: amendment to the Montreal Protocol to provide for mandatory implementation of the import/export licensing system to track trade in ODS and provision of assistance from the Multilateral Fund to developing countries to implement the same; carrying out regional training workshops for Customs Officers and other stakeholders as well as national training workshops are taking place in many countries for the same purpose; encouraging international

cooperation through bilateral and regional dialogues on trade related issues; sustained awareness raising; Parties are required to report to the Ozone Secretariat incidents of illegal trade; and improved coordination at the national and international levels to prevent illegal trade through harmonized system codes for all ODS, involvement of Customs Officers in monitoring import/exports as well as coordinating within regional networks for information exchange. In concluding his statement, he emphasized for collaboration among Ozone Units of Parties to the Montreal Protocol, information exchange on illegal trade, training and public awareness raising, and creation of networks among Custom Officers of neighbouring countries.

Ms Elizabeth Mrema, expressed appreciation to the Government of Tanzania for her efforts in organizing the workshop. She pointed out that environmental crime is an increasingly lucrative business with local and international syndicates worldwide earning an estimated 22-31 billion dollars annually from hazardous waste dumping, smuggling prescribed hazardous materials, and exploiting and trafficking protected natural resources. She noted that Customs Officers are at the frontlines of every country's entry points to combat illegal trade and therefore, they must be equipped and trained to help them fulfil their role and responsibilities. Cognizant of this fact, UNEP as the Implementing Agency of the Multilateral Fund for the Implementation of the Montreal Protocol has conducted more than 90 national and regional Customs training workshops. She revealed that based on this experience, it was realized that there is great potential to achieve synergies by developing a customs training approach that involved trade-related MEAs and hence the "Green Customs" concept was conceived. She emphasized that the coordination between MEAs implementation is high on the international agenda since many of the problems and solutions are similar. She further informed that cooperation to combat illegal trade is an opportunity for international organizations and MEA Secretariats to work together across different areas which does not happen as much as it should. She therefore noted that training of Customs Officers through the Green Customs Initiative is one of those partnerships among the organizations.

Furthermore, she mentioned that besides the workshops, the partners in the Green Customs Initiative (GCI) are undertaking a number of joint activities and these are: developing draft training guide; creating Green Customs website; developing Guidelines and manual on compliance and enforcement of MEAs; establishing formal working relations between UNEP and WCO including information exchange and technical cooperation; partners are participating in each others' enforcement related meetings and Conferences of the Parties; improving coordinated intelligence gathering and developing guidance such as codes of best practices. Ms Mrema also noted that this workshop brings together people and organizations that do not necessarily have direct or regular contact. She said this is a good example of working across different environmental issues and within the compliance and enforcement chain indicating that they need others to perform their duties efficiently. She reminded that Customs Officers and Journalists need to work in partnership with MEAs Focal Points and Police in order to create synergies and partnerships for effective implementation of MEAs. She added that UNEP has realized that Customs Officers cannot work in isolation without the cooperation of the police and judiciary and therefore the need to involve other agencies to achieve the common goal. In concluding her presentation, she revealed that this is the first time journalists workshop is organized in parallel with Customs training workshop and expressed her anticipation that this interaction will be beneficial and encouraged for more media coverage of environmental issues.

The Minister of State (Environment) in the Office of the Vice President, Tanzania, Hon. Arcado D. Ntagazwa, welcomed all participants to the workshop and on behalf of the Government of Tanzania, encouraged all participants to take some time and tour the country and savour some of the world famous tourist attractions in the country including Serengeti National Park, Lake Manyara National Park, Tarangire National Park and the Ngorongoro Crater, a world heritage site. He reiterated on the fact that implementation of MEAs is a binding responsibility to all the Parties that demands actionable strategic plans that will inevitably be beneficial to the Country Party in terms of better environmental management subsequently achieving sustainable development. He pointed out that that efforts to implement MEAs have often suffered set back due to increasing incidences of illegal trade of environmentally-sensitive commodities such as ozone-depleting substances (ODS), toxic chemicals, hazardous wastes and endangered species. He therefore emphasized that this is a serious problem that requires our utmost collective global attention and action because of the potential consequences to human health and the environment in the medium to long-term. He further explained that the control of illegal trade is not an easy task since in most cases the culprits mis-label and mis-declare consignments at entry points and worse still, there is infiltration of illegal goods through porous land and sea borders of neighbouring countries. He noted with dissatisfaction that environmental crimes continue to receive low priority amongst enforcement agencies such Police and Customs Officers. In this regard, he emphasized that training and awareness raising are crucial to combat illegal trade problem.

Furthermore, he informed that environmental issues are cross-cutting thereby requiring the participation, commitment and action of and from various stakeholders. He therefore appealed to other relevant ministries, and enforcement agencies to learn and oblige to work with environment ministries across a range of environmental issues where the problems and solutions lend themselves to common approach rather than dealing with them in a fragmented manner. He further stressed for a systematic approach to be agreed upon, and a mechanism for regular consultations for exchange of information, good practices and experiences established.

The Minister, noted with appreciation the arrangement of the workshop to have full time participation of journalists since this help them make meaningful and effective coverage of environmental issues. The Minister, on behalf of the government, expressed appreciation to UNEP for financial support to organize the workshop and for choosing Tanzania to host this important meeting. He wished the meeting a fruitful deliberation and declared the meeting officially opened.

Attendance

The Green Customs Initiative and Journalist Workshop for Eastern Africa was attended by Focal Points of the MEAs, Customs Officers and Journalists of the following countries: Ethiopia, Kenya, Rwanda, United Republic of Tanzania and Uganda.

Representatives of the following United Nations bodies, bilateral and specialised bodies also attended: UNEP Ozone Secretariat, UNEP Division of Technology, Industry and Economics (DTIE), Chemical Weapon Convention Secretariat and US Department of Justice.

The following intergovernmental, non-governmental bodies and Sub-regional Organizations were also represented: World Customs Organization - Regional Intelligence Liaison Office (WCO RILO) for East and Southern Africa, Basel Convention Regional Centre based in Pretoria, South Africa, the Chairman of the Lusaka Task Force for Lusaka Agreement,

Nairobi, Kenya, South Africa Broadcasting Corporation (SABC) and invited individual experts.

Objectives and Mechanics of the Workshop

Ms Elisabeth Mrema representing UNEP-DEC highlighted on the objectives and conduct of the workshop. She pointed out that the emphasis of the workshop is to raise awareness on the operation procedures and enforcement of the trade related MEAs and pinpointing the role of Customs Officers and Journalists to enhance their work and general understanding. She informed that UNEP has developed a Training Guide for Customs Officers and it has been tested and reviewed in the previous regional training workshops and requested for input from this workshop with a view of improving the manual.

She further mentioned that the regional workshop serves as a training of trainers since only a few can participate in such workshops and therefore, the workshop participants were requested to serve as ambassadors in expanding the knowledge base in national setting by organizing similar training programmes. She therefore expressed her anticipation for positive updates from the countries in the near future. She stressed that both Customs Officers and Journalists cannot work alone in the emerging world of partnerships and neighbourhoodness. She informed that the GCI began with the Customs Officers but in the process, it was obvious that they cannot work alone and for that matter journalists have been included. She revealed that in the future, more enforcement agencies will be involved such as police and judiciary. She said further that if judiciary is strengthened, it will be able to tackle environmental crime in a proper way not just like any other crime. In conclusion, she urged delegates to create networks that can work beyond the workshop.

Introduction to the Green Customs Initiative

In his presentation, Mr. Suresh Raj, representing UNEP-DTIE, Paris Office, revealed that in the free trade regime, new challenges are evolving as to the roles of Customs Officers such as national security and environmental protection particularly in combating illegal trade of environmentally-sensitive products as opposed to the traditional role of revenue collection. He pointed out that the Customs Officers should be concerned about environmental crime (illegal trade) because of threat to human health, biodiversity (wildlife, plants), and loss of revenue for Government. He said further that environmental crime is a lucrative business and has links to other organized crimes and this tends to destroy the image of the country. He informed that many environmental problems are trans-boundary and have global impacts and therefore countries have to address such problems through international cooperation. He said that several MEAs regulate cross-border movements of items that can affect the environment including ozone depleting chemicals, pesticides, hazardous wastes, and animal and plant specimens as well as products that include chemicals or wildlife parts. In this regard, he acknowledged that the task of Customs Officers is complex particularly in identifying controlled items and understanding subsequent actions but stressed that it is still important for a better and sustainable environment for our communities, countries as well as future generations. He pointed out GCI will make the Customs more environmentally friendly. He further said the GCI does not replace the specific training and awareness initiatives by MEAs but rather it complements them.

Introduction to Compliance with and Enforcement of MEAs and the Role of Customs Officers

Ms Elisabeth Mrema representing UNEP-DEC informed that when an MEA enters into force and ratified by Country, then implementation and compliance to the requirements of the MEA become mandatory for the Parties. In this regard, she indicated that Customs Officers, among other stakeholders, have a key role in the implementation of MEAs. She pointed out that there is now a global shift from development of new MEAs to implementation of existing ones due to proliferation of over 500 (global and regional) MEAs with most of them being inadequately implemented. She revealed some of the constraints attributing to general lack of or poor implementation of most of the existing MEAs including: limited awareness of the nature and content of obligations by Parties, limited human and financial resources to develop effective implementing instruments, and inadequate institutional infrastructure and capacity.

Further, Ms Mrema mentioned important tools that can help facilitate implementation of MEAs including UNEP Guidelines on Compliance with and Enforcement of Multilateral Environmental Agreements (2002), UNEP (Draft) Manual on the Guidelines on Compliance with and Enforcement of MEAs (To be completed in December 2005), Manuals and Guidelines prepared by specific MEA Secretariats for Customs Officers as well as UNEP Green Customs (Draft) Guide to MEAs. She then highlighted some specific extracts, from the UNEP Draft Manual on the Guidelines on Compliance with and Enforcement of MEAs, that are of relevance to Customs Officers. For example she said the manual elaborates how to prepare national implementation plan, national legislation and to improve coordination. She also said both the Manuals and Guidelines assist stakeholders implement the MEAs. She underscored that all tools and guidelines intend to support the work of the Customs Officers, among others, in effective implementation and enforcement of trade-related MEAs through effective regulation of legal trade, detection and interdiction of illegal trade and a better understanding of the MEAs and their relation to the Customs Officers.

Ms Mrema indicated that the overall objective of the trade-related MEAs is to reduction and/or eliminate illegal trade in environmentally-sensitive items covered by specific MEAs such as ozone depleting substances, toxic chemicals, hazardous wastes and endangered species while facilitating legal trade. She further outlined important issues to the Customs Officers in carrying out their tasks including: familiarizing themselves with existing national legislation and regulations, identifying the controlled items and techniques used, take precautionary measure to ensure their health and safety are protected, make sure storage for the seized items is safe (for the items and the public), collecting the necessary evidence (documents, etc.) and know and communicate with the relevant national authority on an ongoing basis (before and after seizure of items). She also underlined the importance of knowing key partners in undertaking their duties such as Focal Point of particular MEAs; relevant ministries, agencies, and authorities; prosecutors and judges (for cases of illegal trade); training institutes for customs; NGOs, private sector, and other relevant non-governmental institutions. In concluding, she noted that in support of the work of Customs Officers, journalists and other stakeholders, we will succeed in spite of the many challenges confronting us which we have to overcome.

Introduction to the Basel Convention on Trans-boundary Movements of Hazardous Wastes and Their Disposal

Dr. John Mbogoma, the Executive Director of the Basel Convention Regional Centre for English Speaking Countries based in Pretoria, South Africa, informed that the Basel Convention was adopted on 22 March 1989 and entered into force on 5 May 1992, with 165 Parties to the Convention as of 1 May 2005. He pointed out that the overall objective of the Basel Convention is to protect human health and the environment against the adverse effects resulting from the generation, trans-boundary movements and management of hazardous wastes and other wastes. Dr. Mbogoma further outlined the mechanisms for attaining the overall objective to include: a control system for the trans-boundary movements of wastes aiming at the reduction of trans-boundary movement of waste based on a prior consent regime; environmentally sound management of wastes aiming at the reduction of the quantity of wastes to a minimum; and prohibition to export wastes to non-Parties to the Convention unless bilateral, multilateral, or regional agreements or arrangements with non-Parties stipulate provisions which are not less environmentally sound than those provided for by the Convention.

Further, he indicated elements of the control system which are notification in writing by the State of Export to the competent authority of the State of Import as well as transit States; movement document from the point at which a trans-boundary movement commences to the point of disposal; notification by the Disposer to both the exporter and the competent authority of the State of Export of receipt by the disposer of the wastes in question and, in due course, of the completion of disposal. He also pointed out that when a trans-boundary movement cannot be completed in accordance with the terms of the contract, the State of Import shall ensure that the wastes in question are taken back into the State of Export, by the exporter, if alternative arrangements cannot be made for their disposal in an environmentally sound manner, within the deadline established by Article 9 of the Convention.

Dr. Mbogoma gave the definition of environmentally sound management of hazardous wastes or other wastes which means taking all practicable steps to ensure that hazardous wastes or other wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes. He mentioned some of the obligations to Parties at the national level to include: taking appropriate legal, administrative and other measures to implement and enforce the provisions of the Convention; and introducing appropriate national/domestic legislation to prevent and punish illegal traffic. He also said that Parties are required to transmit, through the Secretariat, to the Conference of the Parties, before the end of each calendar year, an implementation report.

Furthermore, he introduced the history, mandates and functioning of the Basel Convention Regional Centre (BCRC) for English Speaking African Countries based in Pretoria, South Africa. He informed that the Centre was established in 2000 serving all the 21 English speaking African countries whose main objective is to strengthen the capacity of the Region's participating Governments in complying with the technical, legal and Institutional requirements for environmentally sound management of hazardous waste and minimization of its generation as specified by the Basel Convention. He said that the key functions of the centre include: training, technology transfer, information, consulting and awareness-raising. He mentioned that there are 12 other similar centres worldwide. He further indicated that since 2000 to date, the Centre has conducted training to more than 1400 experts.

Dr. Mbogoma mentioned some of the future projects by the Secretariat of the Basel Convention which include: elaboration of guidelines for the implementation of the Basel Convention in the form of a checklist for the preparation of national legislation as a complement to the model national legislation; development of a pilot project aimed at strengthening the legislative, regulatory, and enforcement capacity of Least Developed Countries (“LDCs”), Landlocked Developing Countries (“LLDCs”) and Small Island Developing States (“SIDS”) to implement the Basel Convention and to comply with their international obligations under the Basel Convention; and preparation of a training manual for the enforcement of laws implementing the Basel Convention, including guidance elements for the safe and effective detection, investigation and prosecution of illegal traffic in hazardous and other wastes at the national level.

Plenary and Discussion

With reference to the UNEP Guidelines, a delegate from Kenya wanted to know as to why the guidelines should not be legally binding. In response, Ms Elisabeth Mrema representing UNEP-DEC explained that there are already so many existing legally-binding MEAs and revealed that a number of these MEAs were initially adopted as guidelines but later were upgraded to legally-binding instruments. On the basis of that experience, she said having non-binding guidelines was rather a diplomatic approach to foster ownership and facilitate implementation of the existing MEAs. In addition, Mr. Eric Mugurusi, one of the Co-chairs of the workshop, noted that the focus of the Parties to these MEAs is to achieve the ultimate objectives of the respective MEAs and therefore the approach and mode used in meeting the set objectives can be diverse.

A delegate from Uganda noted with concern on the immense tasks being mandated to Customs Officers referring to traditional role of revenue collection and the emerging responsibilities particularly environmental protection. Ms Elisabeth Mrema representing UNEP-DEC acknowledged the daunting challenges and responsibilities that the Customs Officers are being given. She said this would require customs institutional capacity building to address the emerging responsibilities as well as specialized training to Customs Officers to facilitate their day-to-day duties. She further emphasized for need to have a mechanism that would offer necessary information and assistance whenever the Customs Officers require.

Further a delegate from Kenya was of the view that a list of controlled substances by the various MEAs needs to be compiled and distributed to Customs Officers at entry points to facilitate their role and responsibilities in enforcing the MEAs in their respective national jurisdiction.

A delegate from Uganda wanted to know when the Green Customs Initiative (GCI) was started while another delegate from Kenya asked for the lessons learnt from the previous similar Green Customs Initiative Regional Workshops in Latin America and Asia. Mr. Suresh Raj representing UNEP-DTIE informed that the GCI started in 2001 but it is was until 2004 when the initiative took momentous stride in carrying out considerable activities. The reason for the slow start was the need for negotiation and consensus building on the scope and conduct of the GCI. Further, he pointed out that some of the key lessons learnt from the previous GCI workshops in other parts of the world are: need to seek high-level national support particularly from the Ministry of Finance; establishment of regional centres of excellence in GCI whereby India is hosting such a centre; conducting national

training/awareness workshops; translation of educational materials into local languages; promoting and supporting the role of media in awareness campaign; networking of Customs Institutions through meetings at least on annual basis to forge common understanding and strategies; introduction of the GCI in regional trade meetings; compilation of successful case studies of environmental crimes; and promotion of e-learning to improve accessibility of relevant information.

A delegate from Uganda asked for clarification on the link between the health problem of eye cataracts and ozone layer depletion in view of existence of other known causes such as river blindness. Dr. G. Bankobeza representing the UNEP Ozone Secretariat explained that the ozone layer is located at about 10-50 kms above the Earth's surface whose main function is to filter the harmful solar radiation from reaching the surface of the Earth. He further noted that due to thinning/depletion of the ozone layer, part of the otherwise harmful solar radiation may penetrate to the Earth's surface with potential adverse effects to human health and the environment. Such effects include eye cataracts, skin cancer, and suppression of immune system and loss of biodiversity. However, he emphasized that ozone layer depletion is not the only cause of eye cataracts. Furthermore, he revealed that the impacts of ozone layer depletion are real and there is evidence from different parts of the world such as Australia and New Zealand where people need protective clothing including glasses during sunny days.

A delegate from Tanzania raised concerns that despite much emphasis on the role of journalists in the implementation of MEAs, there is certain experience on the problematic accessibility of information by journalists from various institutions including Customs Officers and therefore requested for clarification on available means to facilitate the work of journalists. Ms Elisabeth Mrema acknowledged that the work of journalists has not been made that easy. However, she explained that the accessibility of information could be difficult depending on the timing of request for instance when investigation is not complete or offenders have not been caught. In addition, Mr. Wayne Hettenbach representing the Department of Justice, USA, clarified further that at times the Parties fear of giving inaccurate information or misunderstanding of the provided information by the media thus misleading the general public. He therefore suggested for designation of media contact points within relevant institutions to facilitate information dissemination and build relationship and understanding between the two parties. Contributing to the issue, Mr. John K. Bisonga representing World Customs Office (WCO) Intelligence Office for East and Southern Africa, emphasized on accuracy of information given to media since the nature of information can jeopardize investigation and in this regard appealed to media to exercise patience when searching for information. Ms Loicy Apollo, one of the Co-chairs of the workshop, complemented by pledging cooperation between the Revenue Authorities and the media as well as other stakeholders as this will facilitate the work of each party. She also reiterated on the need to have a comprehensive list of controlled substances by the various MEAs as this would be useful in reinforcing the role of the Customs Officers in the implementation of MEAs. Furthermore, a delegate from Uganda said that since in releasing information one has to take into consideration level of confidentiality, he stressed that there is need to have guidelines on information dissemination which, among others, will identify the information contact persons/routes.

Introduction to Bamako Convention

Dr. John Mbogoma representing the Basel Convention Regional Center based in Pretoria, South Africa and Ms. Elisabeth Mrema representing the UNEP-DEC briefly introduced the

Bamako Convention. Dr. Mbogoma outlined that the Bamako Convention is an Africa region treaty banning export of hazardous waste to Africa. Further, Ms Mrema informed that the development of the Bamako Convention was response to a particular incidence of dumping of hazardous wastes at the coast of Nigeria. It was then felt that the Basel Convention is more lenient and therefore wanted for more stringent intervention. She also mentioned that one of the main challenges to the implementation of the Bamako Convention is less ratification by Africa Member States.

A. Plenary Discussion

A delegate from Kenya expressed concern on the banning of export of hazardous waste to Africa by the Bamako Convention in view of the fact that some countries may need such waste for raw materials. Ms Elisabeth Mrema representing UNEP-DEC said that in such case, the consent of the importing country must be obtained to ensure that the waste is not meant for dumping. Dr. Gilbert Bankobeza representing the UNEP Ozone Secretariat pointed out that under the Basel Convention import and export of hazardous waste is banned, however, the Ozone Secretariat obtained special exemption for trading of recycled ozone depleting substances (ODS). He underlined the fact that the promotion of trade in recycled ODS is carried out synergistically without intervening operation of the Basel Convention.

A delegate from Uganda was of the view that the Basel Convention Regional Centre based in Pretoria, South Africa serving 21 English speaking African countries are too many and requested for possibility to have another regional centre specifically for East African countries. In response, Dr. John Mbogoma representing the Pretoria-based Basel Convention Regional Centre said the decision lies with the Member States particularly with respect to committing the necessary resources.

A delegate from Uganda requested for clarification on who meets the disposal cost of abandoned hazardous wastes. Dr. J. Mbogoma representing the Pretoria-based BCRC informed that the debate on liability and compensation associated hazardous wastes is still ongoing. Further, Ms Elisabeth Mrema representing UNEP-DEC emphasized that the issue of liability and compensation is a topical issue particularly as to who meets the cost and at what level whether maximum or minimum. She informed that from a study conducted by UNEP did suggest that a concept paper be prepared that would assess the viability (pros and cons) of having an international liability regime and also UNEP should work with countries in raising awareness on the liability issue and its complexity. She cited an example that despite the International Maritime Organization (IMO) having funds for addressing pollution problems associated with ships still there is a daunting challenge in determining the clean up cost. Furthermore, Dr. Mbogoma further explained that one of the critical debated aspect is the approach in determining the actual cost whether to be based on the amount of waste, characteristics of waste or a compost index that would take into account both amount and characteristics of waste.

A delegate from Kenya wanted to know how many countries have domesticated/translated the Basel Convention into their national legislation. Ms Elisabeth Mrema representing UNEP-DEC pointed out that she was not in a position to give exact figure, however, she noted with dissatisfaction that only a few African countries are Party to the Bamako Convention as compared to the Basel Convention. She further mentioned that she has been working with 13 African countries in implementation of chemicals and waste related MEAs mostly SADC countries as well as with East African countries in harmonization of environmental legislation.

A delegate from Tanzania said that Tanzania enacted the Environmental Management Act in 2004 which came operational in July 2005. She further informed that the Act covers some of the MEAs but relevant regulations are yet to be developed. In addition, she pointed out that for the Rotterdam Convention, there exists the Industrial and Consumer Chemicals Act (2003) regulates all industrial chemicals including the PIC chemicals.

Introduction to the Rotterdam Convention on the Prior Informed Consent Procedures for Certain Hazardous Chemicals and Pesticides in International Trade

Dr. Ernest Mashimba, Chief Government Chemist of Tanzania, briefed on the Rotterdam Convention on Prior Informed Consent (PIC) Procedure with reference to its objectives, operation and benefits to its Parties. He informed that the Rotterdam Convention was adopted in 1998 and entered into force in February 2004. He mentioned that the overall objective of the Convention is to promote shared 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 and to contribute to their environmentally sound use. He further said the Convention applies to chemicals banned or severely restricted to protect human health or the environment by Parties; and severely hazardous pesticide formulations (SHPF) and currently regulates 41 chemicals including 24 pesticides, 11 industrial chemicals and 6 severely hazardous pesticide formulations (SHPF). On the other hand, he revealed that the Convention does not apply to narcotics drugs, radioactive materials, wastes, chemical weapons, pharmaceuticals, chemicals used as food additives, and food. He also pointed out that the criteria for inclusion of chemicals into PIC procedure is more related to the adverse effects of the chemicals to human health and the environment rather than number of incidents of misuse.

Dr. Mashimba pointed out the institutional elements of the Convention which include Designated National Authorities (DNAs), Conference of the Parties (COP), Chemical Review Committee (CRC), and Secretariat. The Designated National Authorities (DNAs) are responsible for the administrative functions required by the Convention; Conference of the Parties (COP) is the highest authority of the Convention and oversees the implementation of the Convention; Chemical Review Committee (CRC) is subsidiary body of the COP responsible for reviewing notifications and proposals from Parties, and making recommendations to the COP on the addition of chemicals to Annex III of the Convention; Secretariat which is formed jointly by UNEP and FAO has the function of facilitating meetings of the COP and its subsidiary bodies and liaising with the secretariats of other international bodies.

Further, he outlined some of the key provisions of the Convention including PIC procedure which provide for a national decision making process on import of hazardous chemicals in Annex III and to ensure compliance with these decisions by exporting Parties and information exchange on a broad range of potentially hazardous chemicals. He further briefed on the PIC procedure whereby the COP decides to make a chemical subject to the PIC Procedure and then Secretariat circulates a decision guidance document (DGD) to all Parties, Parties submit import response for each chemical, Secretariat circulates all import responses to all Parties through the PIC Circular, and finally Parties enforce import decision.

Dr. Mashimba highlighted some of the benefits to its Parties which include: early warning system particularly on incidents (human poisoning and environmental damage) associated with the use of severely hazardous pesticide formulations in other Parties; informed decision-

making receive a decision guidance document (DGD) for each chemical listed in Annex III of the Convention; shared responsibilities between Exporting and Importing Party to ensure that exports do not occur contrary to the import decisions of importing Parties; and networking of DNAs. He further enumerated that the Rotterdam Convention complements the activities of the Basel Convention and the Stockholm Convention and taken together the Conventions provide an overall framework to assist in the lifecycle management of chemicals and pesticides.

Furthermore, he provided some checklist that can assist Customs Officers in dealing with imports and exports. He revealed that for imports one can look for WCO Harmonized code, whether the chemical listed under Annex III of the Rotterdam Convention, properly labelling, and relevant national law requirements. On the case of export, important issues to look at include: proper labelling, safety data sheets, whether chemical is under Annex III of the Convention, and need to cross-check with respective DNA if the importing country has not requested not to receive the chemical in question.

Plenary and Discussion

Ms. Elisabeth Mrema representing UNEP-DEC underscored the fact that non-Parties to the Rotterdam Convention and other MEAs do still have ‘moral’ obligation as they are expected to take into account of international aspirations and the national efforts as described and provided for in the MEAs.

A delegate from Kenya asked for clarification on the scope of the Rotterdam Convention with respect to capacity building particularly in assisting developing countries met their obligations under the Convention. Dr. E. Mashimba, Chief Government Chemist of Tanzania, acknowledged that there is a provision for capacity building and assistance could be sought from the Secretariat of the Rotterdam Convention as well as other multilateral/bilateral organizations such as GTZ and SIDA. He also noted that UNEP could be contacted to facilitate accessing technical and financial assistance. Ms. Mrema representing UNEP-DEC informed that the issue of capacity building is a generic question can be extended to other MEAs noting that in recently adopted MEAs, capacity building and technology transfer support have been given particular emphasis.

As a point of clarification to commentary made by Dr. Mashimba in his presentation, a delegate from Uganda informed that the debate and research on the use of DDT in Uganda is still on-going and as such no decision has been reached as to whether or not to use DDT in disease vector control.

A delegate from Uganda asked whether there are any penalties to Parties that are non-compliant to the Rotterdam Convention and other MEAs in general. In response, Ms Elisabeth Mrema representing UNEP-DEC and Dr. Gilbert Bankobeza representing UNEP Ozone Secretariat explained that under international law, States should not work to frustrate the efforts by international treaties. However, all MEAs have penalties in different forms. One of them is trade sanction as practiced by CITES and Montreal Protocol once a particular Party fails to fulfil her obligations which have considerably succeeded. For instance, under the Montreal Protocol, Parties are restricted from trading ODS with non-Parties and this led to accelerated ratification and implementation of the same. Other measures cited may include suspending the offending Party from receiving financial assistance or technology transfer

support. Also, this may involve diplomatic incentives by assisting countries to achieve compliance through capacity building including technical and financial assistance.

Referring to explanation that only four African Countries are represented in the Chemical Review Committee (CRC) of the Rotterdam Convention, a delegate from Uganda wanted to know the criteria used in selecting countries for the CRC. Dr. Mashimba and Ms. Mrema explained that the experts are selected by the PIC regions. Names are then submitted to the meeting of the COP and the countries need to confirm the names.

A delegate from Uganda asked for clarification on what ought to be done when imported products has some hazardous components in it. Dr. Mashimba informed that in this case, national legislation will have to be applied irrespective of whether the said chemicals are included in any of the MEAs or not, so long they are known to have adverse effects to human health and the environment. He gave an example of Tanzania where the Industrial and Consumer Chemicals Act (2003) regulates chemicals that are not included in the Rotterdam Convention (PIC procedure).

Introduction to the Stockholm Convention on Persistent Organic Pollutants

In her presentation, Ms. Angelina Madete, Assistant Director of Environment in the Vice President's Office, Tanzania, highlighted on the Stockholm Convention on Persistent Organic Pollutants (POPs). She informed that the Convention came into force in May 17, 2004 and currently 106 countries are Party to the Convention. She pointed out that the objective of the Convention is to protect human health and the environment from persistent organic pollutants. Ms Madete said that POPs chemicals are highly toxic, persistent, and semi-volatile and therefore mobile as they can be carried long distances from the original source and bio accumulate. She revealed that currently there are 12 POPs including pesticides (Aldrin, Chlordane, DDT, Dieldrin, Endrin, Heptachlor, Toxaphene, Mirex), industrial chemicals (Hexachloro-benzene and Polychlorinated biphenyls (PCBs) and unintentional by-products (Dioxins and Furans).

She outlined some of the obligations of the Stockholm Convention including prohibition/taking measures to eliminate/restrict production, use, import and export of POPs chemicals and taking measures to ensure that POPs chemicals or imported only for environmentally sound disposal or for a specially permitted use. She mentioned that there are some permitted uses and purposes allowed for some intentionally produced POPs chemicals. The Convention allows use of Chlordane, DDT, HCB, mirex for the outlined uses in the Convention. Parties must register for a specific exemption and each exemption has an expiry date. The Convention bans production of Aldrin, Dieldrin, Endrin, Heptachlor, Toxaphene, and Polychlorinated Biphenyls. She said further that the Convention also bans any use of Toxaphene and Endrin.

Ms Madete pointed out that Article 5 of the Convention requires that each Party must take measures to reduce releases from unintentional production (incineration, open burning of waste, residential combustion, motor vehicles, destruction of animal carcasses, and promote/require use of best available techniques (BAT) and best environmental practices (BEP)). She further enumerated the roles of Customs Officers including control of import and export of intentionally produced POPs as well as information exchange and maintaining reliable data for country reporting to the Secretariat.

Plenary and Discussion

A delegate from Uganda asked for clarification as to why some countries have requested exemption for continued use of DDT and whether there are other countries apart from Tanzania and Uganda which have requested for exemption in the sub-Saharan Africa. Ms Angelina Madete, Assistant Director of Environment, Tanzania listed other countries in the Sub-Saharan Africa which have requested for exemption to use DDT including South Africa, Botswana and Lesotho, however, she acknowledged not having a comprehensive list of the countries. With regard to continued use of DDT by these countries, she explained that during negotiations of the Stockholm Convention, there was a debate as whether to ban DDT completely but in view of the malaria problem in the tropics and comparative ineffectiveness of existing alternatives to DDT, developing countries requested for DDT to be restricted to diseases vector control until when such alternatives are available. For instance, she noted that in Tanzania about 125,000 people die annually from malaria. Further, she pointed out that there is WHO Guidelines for DDT use in public health. She also revealed that currently DDT is not being used in Tanzania will be used only during malaria epidemics in endemic areas. Ms Madete added that there 25 districts in Tanzania that are likely to experience malaria epidemic.

Dr. Gilbert Bankobeza representing UNEP Ozone Secretariat complemented by noting that exemption for continued use of chemicals is not new in the chemical related MEAs. He revealed that under the Montreal Protocol, similar exemption procedure exists for critical and essential use citing methyl dose inhalers for asthma patients and methyl bromide in quarantine and pre-shipment operations respectively.

A delegate from Rwanda asked for clarification on how the Customs Officers can be facilitated in identification of controlled substances and chemicals under the various MEAs. She also wanted to know the difference in roles between the Custom Officers and the National Bureau of Standards. In response, Ms. Madete pointed out that the possible facilitation could be in terms of national legislation providing a list of controlled substances and chemicals, and training and awareness raising. With regard to differentiated roles between Custom Officers and National Bureau of Standards, she revealed that the Customs Officers have the role of providing statistical information (under both Montreal Protocol and Stockholm Convention) and inspecting and controlling imports and exports using different pieces of national legislation. On the other hand, she pointed out that the National Bureau of Standards have the role of setting product standards and inspecting imports and exports of goods to ensure they conform to national standards. She further stressed that they need to be informed on the controlled substances under the various MEAs.

Introduction to the Montreal Protocol

In his presentation, Mr. Patrick Salifu representing UNEP-DTIE started by highlighting on the basic science of the ozone layer. He mentioned that the ozone layer is located at about 10 to 50 kms above the Earth's surface whose key function is to filter harmful ultraviolet radiation (UV-B) from the sun. Penetration of the UV-B radiation principally due to thinning/depletion of ozone layer has consequential effects to both human health and the environment. With the help of satellite images, the ozone hole in the polar ends could be seen. The hole is larger in the Antarctica. The ozone thinning is mainly a result of anthropogenic activities by releasing ozone-depleting substances some of which have long atmospheric lifetimes of up to 100 years and therefore posing potential threat to the ozone layer. He explained the positive impacts of

the Montreal Protocol and the efforts of international community in phasing out ODS, by showing satellite images taken between August and October 2003 which rather indicated considerable recovery in the size of the ozone hole.

He further outlined some of the adverse effects of ozone layer depletion to human health and the environment. These include: increased incidences of sunburns and skin cancers, eye cataract (eye disorder), suppression of immune systems, reduced plant yields and nutritional value, interruption to the marine food chain (due to reduced productivity of phytoplankton, zooplankton, juvenile fish, crabs and shrimps which will in turn threaten all marine life and reduce fisheries productivity), faster degradation of certain materials including many paints and plastics, and increased global warming and climate change. He also pointed out that the impacts of ozone layer depletion are real and mentioned as an example that on a clear day in Cape Town, South Africa, the safe unprotected exposure time to sun would be about 12 minutes. He also displayed rather scary pictures of serious effects to human health that are linked to ozone layer depletion including sunburn, skin cancer and eye cataracts.

He informed that, on recognizing of the consequential effects of ozone layer, the international community adopted the Vienna Convention for the Protection of the Ozone Layer in 1985 which calls for voluntary measures to reduce emissions of ozone-depleting substances (ODS). On a step further, the Montreal Protocol on Substances that Deplete the Ozone Layer was adopted in 1987, which establishes a schedule to reduce the production and consumption of CFCs and Halons by the year 2010; and the HCFCs by 2040. He also outlined the success of the urgent actions taken by the international community by quoting a statement by the UN Secretary General, Mr. Kofi Annan who said “perhaps the single most successful international environmental agreement to date has been the Montreal Protocol, in which states accepted the need to phase out use of ozone depleting substances”

Mr Salifu also indicated that as of June 2004, only 6 countries worldwide have not yet ratified the Montreal Protocol and these are: Equatorial Guinea, Iraq, Andorra, Holy Sea, San Marino and Leste Timor. He further indicated that CFC production declined sharply following adoption of the Montreal Protocol with the global production of CFCs and Halons falling over 1 million tonnes (92%) between 1986 and 2002. Furthermore, he mentioned common use and application of ozone depleting substances as refrigerants, fire extinguishers, fumigants, pesticides, foam blowing agents, cleaning solvents and aerosol propellants. He also outlined some of the obligations by Parties to the Montreal Protocol which include meeting reduction targets for different ODS, data reporting requirements, establishment of quota and licensing system for regulating import and exports of ODS. In this regard, each Party is required to regulate bulk ODS exports and imports; equipment containing ODS and ban on trade with Non-Parties. Moreover, he said that enforcement of the Montreal Protocol is through the national policies, regulations and directives that conform to the obligations under the Montreal Protocol and all its amendments; Customs control and prevention of illegal trade and official declarations of desire not to receive specific products. Mr. Salifu indicated key roles of Customs Officers in implementing the Montreal Protocol such as the establishment of national legislation, operation of licensing system, monitoring of legal and illegal trade reporting, reporting national data in co-operation with National Ozone Unit as well as intelligence gathering about ODS trade. In concluding his presentation, he noted that regional networks and dialogue provide regular forum for Ozone Officers, Customs officers and Journalists to exchange experiences, develop skills and share ideas. He further emphasized the involvement of sub-regional trade and economic organisations such as EAC, ECOWAS, COMESA, SADC, SACU, RILO and RSG.

Introduction to Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Ms Elisabeth Mrema representing UNEP-DEC gave an overview on CITES. She informed that the overall objective of CITES is to ensure that wild fauna and flora in international trade are not exploited unsustainably to cause their extinction. She said that CITES has been in operation for 30 years now. She further pointed out that the Convention establishes an international legal framework together with common procedural mechanisms for the prevention of international commercial trade in endangered species applicable in 169 country Parties to CITES to regulate and monitor international trade in wild resources.

Ms Mrema described that species subject to CITES regulations are provided under three Appendices. Appendix I deals with species threatened with extinction and therefore international (commercial) trade is generally prohibited and includes almost 530 animal species and some 300 plant species. Appendix II covers species not necessarily threatened with extinction, but for which international trade is permitted but regulated and contains more than 4,400 animal species and more than 28,000 plant species. Appendix III deals with species for which a country is asking Parties to help with its protection whereby international trade is permitted but regulated (less restrictive than Appendix II) and includes some 255 animal species and 7 plant species. She mentioned that CITES regulates the export, re-export and import of live and dead animals and plants and their parts and derivatives (for listed species only) through a system of permits and certificates. All countries that join the Convention must adopt legislation for its implementation and designate Management Authority and Scientific Authority. On one hand, the Management Authority has two basic roles: communicating with the CITES Secretariat and other Parties and granting permits and certificates under the terms of the Convention. On the other hand, the Scientific Authority provides advice to the Management Authority does scientific identification of specimens and determines the national status of CITES species.

Ms Mrema noted that although no role is specified for Customs in the Text of the Convention, the Convention specifies that trade requires the presentation of valid permits or certificates, which usually involves Customs, especially at points of entry. She pointed out that Customs Officers, and other responsible agencies involved in border inspection, are usually the first (and sometimes the only) level of inspection of shipments of CITES specimens. She was therefore of the view that this places a great burden on Customs to verify that trade is in accordance with CITES, detect fraud and illegal trade where it occurs, and inform the Management Authority. Customs Officers face challenges such as specimens are not always easy to identify, identifying invalid documents and forgeries, seizures can pose challenges, and handling of specimens can be dangerous to safety. In this regard, she emphasized that inter-agency cooperation and partnerships at the national level are essential among CITES National Authorities, Customs, Police, Judiciary, Media and relevant Sector Ministries.

Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora

Mr. Stephen Kisamo, Director of the Lusaka Agreement Task Force based in Nairobi, Kenya, gave an overview of the Lusaka Agreement. He informed that illegal trade in wildlife is on the increase and more sophisticated, ranking as the third largest business after drugs and weapon in international trafficking with estimated earnings at US\$ 5-10 billion per annum. He further

observed that many law enforcement officers have lost their lives trying to protect these important natural resources. The difficulties by individual countries in the sub-region to fight the illegal trade in isolation prompted the development and adoption of the Agreement.

He mentioned that Lusaka Agreement is a co-operative enforcement instrument assisting the implementation of CITES and other biodiversity agreements at regional level. The Agreement was adopted in Lusaka on September 1994 and entered into force on December 10th 1996 with 6 Parties (Congo, Kenya, Lesotho, Uganda, Tanzania, and Zambia) and 3 Signatories (Ethiopia, Swaziland and South Africa). To facilitate implementation of the Agreement, operational Task Force was launched in June 1999. He said the objective of the Agreement is to reduce and ultimately eliminate illegal trade in wildlife and is based on the principle that Parties are to undertake activities aimed at reducing and eliminating illegal trade. He enlightened that unlike CITES, the Lusaka Agreement, without providing any list of species, strives to reduce and ultimately eliminate illegal trade in wild fauna and flora. He pointed out that the Lusaka Agreement operates under a three-tier institutional arrangement which includes Governing Council, Task Force and National Bureaus. In the Governing Council, Parties are represented at Ministerial level (Ministers responsible for the wildlife) and is the decision and policy-making organ. National Bureaus includes national enforcement and implementing body (CITES Management Authority and Scientific Authority) is a designated government entity to coordinate with the Task Force in implementation of the Agreement. The Task Force serves as the Secretariat and operational enforcement arm to the Agreement. He noted that the Task Force is unique in that it is composed of seconded Field Officers who retain their law enforcement powers and are able to undertake law enforcement operations including undercover operations.

Mr. Kisamo mentioned some of the obligations to Parties include: individually and/or jointly taking appropriate measures to investigate and prosecute cases of illegal trade; adopting and enforcing legislative measures for purpose of reducing and ultimately eliminating illegal trade; and facilitating provisions for return of confiscated specimen and scientific matters. He also indicated under the Agreement, Parties conduct joint law enforcement operations including intelligence gathering missions and national, cross-border and international investigations which has resulted into arrests of illegal traders, recovery of over 8 tonnes ivory and 40 metric tonnes of timber and assorted wildlife specimen. He further pointed out that other joint activities include: strengthening institutional capacity of the National Bureaus in terms of training programs whereby 27 training sessions in wildlife investigations and intelligence have been conducted, development of a Training Manual on Wildlife Investigations and sensitisation of stakeholders on the need of cooperation to fight wildlife crime whereby 8 seminars/workshops have been held. Furthermore, Mr. Kisamo enumerated that other activities include: development of investigative techniques to curtail wildlife crime in collaboration with U.K based company to develop ivory detector as well as collaboration with local and international institutions to promote the use of modern forensic techniques (such as DNA/Isotope) in investigating wildlife crime.

Mr. Kisamo informed that wildlife crime and the chain of the trade can be categorized into four broad areas of activities including poaching for bush meat, animal trophy trafficking (elephant ivory, rhino horns, and skins/fur), illegal trade in timber and plants and trafficking of live animals. He also identified some of the tactics and routes used which include: concealment by hiding in baggage or large shipments, misdeclaration (incorrect information on customs export documents), permit fraud (forging and recycling of legal documents); diplomatic baggage or porous borders; and Postal/courier routes which are most common

system especially for less active animals, plants and inert derivatives. He noted that Customs Officers are at the frontline and therefore have a significant role to play in protecting species from smugglers/traffickers. In concluding, Mr. Kisamo pointed out that more animal and plant species are bound to join the list of the endangered wild flora and fauna if the fight is only left to the conservationists. He was of the view that the current scenario in fighting wildlife crime demands adequate exchange of information among law enforcement agencies, well trained and equipped personnel alongside updated wildlife legislation.

Trade Measures Including Licensing System under the Montreal Protocol and Effects of Illegal Trade in Ozone-Depleting Substances

Dr. Gilbert Bankobeza, Senior Legal Officer from the UNEP Ozone Secretariat informed that the Montreal Protocol bans trade in ozone-depleting substances between Parties and non-Parties to the Montreal Protocol and as of to date there are only 6 States in the world which are not yet Party to the Montreal Protocol (only Equatorial Guinea in the African region). He pointed out that the Protocol provides for each Party to establish and implement a system for licensing the import and export of ozone-depleting substances by 1 January 2000 or within three months of becoming a Party. The licensing system should control imports and exports as well as a system of quotas for ODS consumption reduction. To implement this obligation Parties are required to ratify the Montreal Amendment (1997) to the Montreal Protocol, adopt relevant legislation and regulations to provide for licensing production, import and export of ODS with requirement to monitor trans-boundary shipments of ozone-depleting substances, training of Customs Officers and other enforcement agents and promotion of awareness programmes in illegal trade of ODS, cooperation among Parties (including national ozone units, national environmental enforcement agencies and customs officials) in monitoring imports and exports of ODS, promotion of delivery of information from users and industry on key sources of ODS to help track illegal trade. He informed that Uganda is the only country in East and Southern Africa sub-region that has operational licensing system.

Referring to Decision XIV/7 of COP on monitoring of trade in ODS and prevention of illegal trade, Dr. Bankobeza indicated that the decision, among others, encourages Parties to exchange information and intensify joint efforts to improve means of identification of ODS and prevention of illegal trade; and invites the Secretariat of the Montreal Protocol to facilitate exchange of information on illegal trade received from Parties and to disseminate it to them. He further pointed out that two recent decisions by Parties restricts trade in export of products and equipment whose continuing functioning relies on Annex A and Annex B substances (decisions IX/9 and X/9). Furthermore, he mentioned that each Party to report to the Secretariat if it does not wish to receive imports of products and equipment that are dependent on substances in Annexes A and B to the Protocol (Decision X/9). He informed that among the Parties represented at this workshop only Uganda has so far notified the Secretariat that it does not wish to receive equipment that are dependent on ODS in response to decision X/9. In concluding his presentation, Dr. Bankobeza mentioned that during the upcoming COP-MOP to the Montreal Protocol in December 2005 to be held in Senegal, Parties will consider a draft decision on developing an international system of tracking the movement of ODS and cost implications.

B. Plenary and Discussion

A delegate from Ethiopia informed that his country is preparing its Principal Environmental Legislation that will take into account her obligations under various MEAs to which the country is a Party.

A delegate from Kenya asked for the nature of intervention to be taken under the auspices of CITES when one country donates wildlife to another country. Ms Mrema explained that donations would fall under exemptions subsequent to abiding by proper procedures. Further, another delegate from Kenya asked as to why CITES focuses specifically on wildlife and what ought to be done when a particular national policy endangers wildlife such as de-gazetting a national park and handing over to an incompetent authority. Ms. Mrema clarified that the decision for CITES to focus solely on wildlife was reached by Parties the Convention on the basis of the existing challenges in the wildlife sector and the need for an international instrument to monitor and regulate the same. Further, she described that the case refers to internal transactions and for that matter national legislation will need to be referred and not CITES which solely deals with trans-boundary trade in wildlife.

A delegate from Uganda raised concerns on conflicting scope between CITES and the Lusaka Agreement. In response, Ms Mrema pointed out that CITES allows Parties to adopt stricter bilateral, regional or sub-regional Agreements to conserve endangered wild flora and fauna. On the other hand, Lusaka Agreement deals with illegal trade of wildlife in the East and Southern Africa sub-region and it is worth noting that the Lusaka Agreement Task Force is comprised of seconded Field Officers from the respective National Bureaus who retains their enforcement power as they can go to the field to combat illegal trade. She described this to be a distinctive institutional setting when compared to other Secretariats of MEAs which rely more on information exchange with National Focal Points.

With reference to implementation of CITES, a delegate from Kenya raised concerns on the responsibility for the disposal of seized specimens. Ms Mrema confirmed that there has been such concerns of confiscated specimens before and after adoption of CITES and Parties agreed on procedures to deal with such concerns. Mr. Kisamo representing the Lusaka Agreement Task Force revealed that both CITES and the Lusaka Agreement is silent on the return of seized specimen to the country of origin. In this regard, he stressed that action to be taken has to rely on the national legislation and urged countries to promote community involvement in wildlife conservation as this may help to minimize illegal trade.

A delegate from Kenya asked for clarification on how tracking of ODS is actually done. In response, Dr. Bankobeza explained the tracking being referred is not in the context of physical tracking but rather in terms of documentation to track movement of ODS from the point of export to the point of import so as at least to minimize potential for illegal trade.

A delegate from Tanzania asked for a universal definition of waste in view of the significant amount of second-hand refrigerators and other items exported to developing countries which rather reflect the used items are simply meant for dumping into the developing countries. Dr. Bankobeza acknowledged the lack of such a universal definition.

A delegate from Uganda wanted to know the size of the ozone hole and what is likely to happen to the hole after total phase out of ODS by the year 2010. To add to that, another delegate from Rwanda asked as to how long does it take for the ozone layer to full recovery. Dr. Bankobeza clarified that the size of the ozone hole is significantly big in size and referred to measurements made in September 1998, which revealed the ozone hole measuring 25

million square meters in the Antarctica. However, he noted that the size of the hole fluctuates because it is influenced by different factors including weather patterns. The hole has considerably decreased primarily due to efforts by the international community in phasing out ODS. He further enlightened that recovery of the ozone layer would take from 50 -100 years from now provided that the current momentum in phasing out ODS, with the exception of some critical and essential uses and HCFCs to be phased out in 2040, is maintained. A delegate from Kenya complemented that increased coldness makes the ozone layer more vulnerable to and this justifies for the ozone hole in the Antarctica.

Ms Linda Kalimba from Rwanda who chairs the WCO Regional Steering Group (RSG) for the East and Southern Africa sub-region highlighted on the background and functions of the RSG. She said the Regional Steering Group (RSG) is responsible for policy development and for giving strategic direction for the Customs administrations in the East and Southern Africa sub-region. She further informed delegates that the Customs Capacity Building Centre (CCBC) for East and Southern Africa has been established in Nairobi since September 2005 facilitates implementation of RSG decisions and links with similar initiatives. She further pointed out the Green Customs Initiative is one of the focus areas of the Centre and therefore pledged for future cooperation and collaboration in this regard.

Crosscutting Issues across MEAs

Cross Cutting Enforcement Issues in Environment Related Smuggling

In his presentation, Mr. Wayne Hattenback from the US Department of Justice, gave an overview on importance of international cooperation and introduced different phases in conducting investigation, inspection and smuggling techniques and how to detect it. He informed that international environmental crime is one of the most profitable and fastest growing new areas of international criminal activity with illegal wildlife trade second only to drugs in profitability with estimated US\$ 22-31 billion per annum of illegal profits. Linking environmental crime to traditional crime such as trafficking in drugs, persons and weapons, he noted there are similarities in terms of the organizations involved, smuggling routes, and instruments of concealment.

Mr. Hattenback indicated that key aspects in monitoring and detecting environmental crime are documentation (such as import manifest / export declaration, additional documentation, hazardous waste tracking document, evidence of consent, material safety data sheets (MSDS)) and visual inspection (such as container characteristics, sampling and analysis; taxonomic identification, inspector safety). He also highlighted that laundering schemes involves falsification of hazardous v. non-hazardous waste; origin of species; mislabelling; false declarations; and obfuscating true nature of shipment by taking advantage of free zones and transit or transshipment countries, or variations, and confusing exemptions and ambiguity in national laws.

He briefly described three investigation phases which include evidence gathering, evidence evaluation and enforcement response. In evidence gathering, he advised that often, requires information beyond the four corners of the shipment e.g. about the source of the shipment or, the destination, may require technical agency assistance, or may require taking of evidence abroad. Evaluating the evidence has to be related to the existing international and national laws and regulations and this may require the assistance of technical agencies and other law enforcement authorities to determine if violation has in fact occurred and if evidence is

sufficient to support enforcement response. It is also important to establish whether it is an isolated incident through investigation and interagency communication which could reveal larger criminal operation. In choosing appropriate response, Mr. Hattenbach explained that this could involve administrative, civil judicial or criminal but emphasized that penalties should be effective for deterrence to culprits. He also stressed on the importance of enforcement cooperation at the national level primarily due to complexity of the regulatory schemes requiring specialized expertise, overlapping jurisdiction and therefore success depend on cooperation among customs, environmental, other law enforcement emergency response, animal quarantine authorities, and other relevant national authorities. At the international level (trans-boundary) or between neighbouring countries cooperation is necessary since a violation in one country is likely a violation in another country, or involves evidence found in another country and the whole is sometimes greater than the sum of its parts.

Mr Hattenback highlighted on inspection techniques which includes: random spot checks which is generally most practical though unpredictable; profiling individuals and country of origin; and “blitz” which bases on country of origin, type of import/export and intelligence. He also indicated different customs situations where smuggling occurs such as passenger arrival/departure, cargo arrival/departure particularly bulk shipment, mail and express mail arrival/departure and border crossing. Mr. Hattenback identified extensive examples of methods of concealment common to many situations such as wildlife parts are not declared or are mis-declared, i.e. jewellery, artwork, stone; false labelling makes it hard to track down the sender or receiver; fraudulent or altered documents or permits; reused or altered tags or seals; and concealed wildlife in false compartments, crates or boxes; sea turtle eggs smuggled in boxes layered below bread dough balls; refrigerant containers with a hidden compartment containing R-12 with access valves connected to a small compartment with R-1341 (non-ODS); and smuggling of protected live fish in a false gas tank. He further mentioned smuggling techniques including: concealed within other items in the package, inside a trophy or a piece of furniture, reptiles mixed in with tropical fish, mixing closely related species or look alike species, use another person to carry or receive the smuggled items.

He outlined some of the important strategies to detect passenger smuggling which include: checking the passenger (determine purpose of visit, items purchased; identify travel movements; occupation; items of clothing or adornment worn; abnormal or unusual posture or movements; shifting clothing/inappropriate clothing); inspect passenger baggage (physical search, X-Ray and detection dogs). He then cited typical examples of smuggling techniques that have been used in the past such as snakes carried on the body, Macaws (birds) smuggled in a suitcase, and radio with false back used to smuggle birds. He then enumerated some of the important inspection techniques of air or ocean cargo shipments such as manifest review, document review, target country, species, trader, time, x-ray and detection dogs, false compartments or concealment, live animal distraction, mixing legal and illegal, and courier companies.

Mr. Hattenback mentioned that the other important step in curbing illegal trade is documentation analysis which may include CITES permits or Certificates, invoices/packing lists, transportation documents, Other Government Agency documents, Health/Veterinary/Sanitary documents and affidavits. He emphasized that CITES documents are standardized in terms of format, language and terminology used, information required, duration of validity, issuance procedures and the clearance procedures. He pointed out that there are four types of CITES documents and these are: export permits, import permits, re-export certificates and other certificates. He said that the validity of CITES documents can be verified by matching

with the sample document on file, language used on the form itself (English, French or Spanish), issuing authority matches the authority in the CITES directory, the issuing authority has signed the document with an original signature and whether the issuing authority's stamp or seal is on the document. Mr. Hattenback gave a quick guide as what to look out for with documentation including: invalid CITES documents (expired, altered, fake, incomplete, copy, false issuing authority); no match between contents and documents, substitution before shipping; re-export of contents different than imported; Appendix I commercial purpose; false captive breeding certificate; false pre-convention claim; false origin/fake issuing authority; false marking system; and improper shipments to/from non-party country.

He also provided some guidance on safety measures that Customs Officers need to observe such as not opening drums without protective gears, avoiding and/or isolating leaking drums to a remote storage, consulting hazardous material response personnel whenever necessary and observing key storage parameters for material. He further outlined a list of important inspection tools including: I.D. materials, notebook and pen, phone or radio, bags and boxes, evidence tags & inventory sheets, knife, hammer, pry bar, and camera. Mr Hattenback further pointed out some of the necessary protective gears including clothing such as gloves (leather/latex), uniform, coveralls, foot wear (leather/rubber); respirators and shields; and environmental suits.

Wildlife Smuggling: U.S. Case Studies

Mr. Wayne Hattenbach from the US Department of Justice presented two case studies on ivory smuggling and trans-boundary smuggling of undersized lobsters. He started describing the case study on ivory investigation case study which involved smuggling of African elephant ivory tusks and carved handicrafts from Nigeria to US. The case was jointly investigated by Service Agents and the U.S. Customs Service. He said that the import of a shipment of handicrafts and furniture arrived at the Port of Los Angeles, California. Following the discovery of the raw ivory, the Inspector each of the pieces was put on the X-ray machine revealing ivory hidden inside the fabric of the furniture items, are numerous tusks of elephant ivory. When the fabric was cut-open, the Inspectors found little pillow padding. As the search of the shipment continued, pieces of ivory were discovered in each of the items that were examined. As the investigation A second shipment of ivory was again imported into Los Angeles, California from Nigeria with ivory smuggled inside statues. This second shipment of statues was X-rayed and ivory was detected. These statues were opened up and the ivory seen. However, he explained that the statue shipment was resealed to its original condition upon import and returned to the air cargo facility. Agents further discovered that the importer of this shipment was associated with the previous shipment of furniture. Agents search addresses and previous import records which show both of the smugglers in this case had made many trips and imports into the U.S. from Nigeria.

Mr. Hattenback indicated that the airline notified the importer that the shipment belonging to him had arrived at the airport and the Agents planned for a "controlled delivery" of the items knowing what was inside. He noted that knowledge of the unlawful activity, while not always required, helped to build the prosecution of the case. The subject arrived at the cargo facility to pick up the shipments while Agents were watching. After the shipment was picked up, Agents followed the subject to a storage facility and watched him unloading the shipment into his storage unit. Agents watched the storage facility 24 hours a day for the next several days. The subjects were observed loading and manipulating the shipments. Ivory and pieces of the

shipments were being loaded for apparent transport. The inspectors found the ivory inside of the furniture.

Mr. Hattenbach informed that Fish and Wildlife Service Inspectors were trained to be able to identify the characteristics of ivory as well as to determine whether the ivory belongs to elephant, marine mammal, or made of some synthetic material. He lamented that business cards of potential buyers of the smuggled ivory were found in the search and it indicated that the ivory would most likely be re-sold for a very large profit. Business notes and invoices were discovered clearly showing the commercial nature of the smuggling. Mr. Hattenbach explained that on April 17, 2001, Agents executed a search warrant and the ivory discovered was not from the statue shipment clearly showing the commercial nature of the ivory business. Agents went in to the units with legal documents signed by a Judge and ordering them to search the contents of the areas for more evidence of the illegal activity. He further enlightened that on April 18, 2001; Agents executed a search warrant and discover 66 pieces of ivory which were confirmed to be ivory which was concealed in the statue shipment. Packing material and air waybill for the statue shipment was discovered in the dumpster at the store. Both subjects arrived at the air cargo complex to pick up the shipments and Agents followed them to the same storage facility. Once there, the subjects were observed by Agents to be manipulating the shipments and the contents inside the van. While searching the areas, Agents discovered the original copies of the airway bill and the invoice that accompanied the shipment of ivory. A search incident to the arrest revealed additional invoice evidence. Search warrant on van and apartment revealed 131 pieces of ivory are discovered in the van which included 14 carved tusks. On April 19, 2001, Agents executed search warrants on one of the subject's apartment and additional invoices and checks were discovered in the apartment. A search of records revealed a prior ivory importation by subject in November 1999. Agents were alerted through passport and name targets that one of the subjects was returning from Gambia. His suitcases were searched, but no ivory was discovered but still he was arrested for prior ivory smuggling activity, unlawful importation and possession of 17 elephant tusks and 49 pieces of raw and worked ivory.

Mr. Hattenbach illustrated another case study that involved illegal trans-boundary smuggling of lobster from Honduras to the United States and was prosecuted based on Lacey Act which states that a Person or Corporation Cannot break a foreign Country's Fisheries or Wildlife Laws and sell or import the product into the United States. He indicated that money or other assets (including vessels) forfeited to the United States may be shared with foreign governments that have substantially assisted in the investigation. However, fines assessed as penalties under the Lacey Act may not be shared. He explained that under the Lacey Act those who may generally be prosecuted include both individuals and business organizations such as the illegal wildlife taker/fishermen, the illegal wildlife or fish processors, the illegal importers and exporters, and the US buyer and distribution chain. Mr. Hattenbach pointed out that lobster are shipped in freezer unit trucking containers, typically packed in 40 lb "master boxes" with markings on side indicate lobster tail sizes in ounces (example 8 oz). Typically each frozen tail is individually wrapped. Tails are uniform in size within each 10 lb box and the product is transported to a cold storage facility.

He revealed that authorities received anonymous tip that a vessel contained illegal lobster originating from Honduras which arrived in Alabama port in February 1999 with 72,000 lbs of frozen lobster tails. The exportation of unprocessed seafood is a violation of Honduran law. McNab owns the largest lobster fleet in Honduras. Honduran fishermen transfer lobster bags at-sea to freighter brings unprocessed lobster to US. He noted that preliminary dockside

investigation in Alabama revealed that lobster shipment not reported to Honduran government, lobster tails not sent to Honduran seafood processing plant, frozen lobster bags contained unknown quantity of undersized tails, and lobster was purchased by a Florida seafood company named SEAMERICA. He further indicated that 72,000 lbs of seized lobster was sorted, measured, and inspected by US Officials. More importantly, he revealed that Honduran law prohibits the harvest and sale of tails less than 5.5". In summary, he pointed out that international investigation revealed that McNab's freighter made 40 voyages to Alabama that contained illegal lobster amounting to 1.6 million pounds worth more than \$ 17.6 million (US Dollars). He further informed that unprocessed lobster sent to US was never reported to Honduran officials and the defendants had knowledge that the shipments contained undersized lobster tails and profited from their sale. He concluded his presentation by pointing out that the success of the Lacey Act investigation often depends on the international cooperation of the countries involved.

Plenary and Discussion

Based on the presented case studies on combating illegal trade in US presented by Mr Wayne Hattenbach, Ms. Elisabeth Mrema representing UNEP-DEC stressed that it is important to empower not only the Customs Officers but also other enforcement agents such as police and judiciary and she further indicated this to be the focus and approach to be used by UNEP in its capacity building programme to ensure effective implementation of the MEAs. Further Mr. John K. Bisonga representing WCO-RILO raised concerns on the weak status of the legislation in the sub-region and in this context, he was of the opinion that law makers (parliamentarians) should also be taken on board in the on-going capacity building programme by UNEP.

A Representative of the South Africa Broadcasting Corporation (SABC) requested for clarification on the social or general acceptance by the community in US of illegal items such as ivory as this may attribute to illegal activities taking place in developing countries. Mr. Wayne noted the demand is varied since on one hand there increased demand particularly as such trade transactions take place using internet whereas on the other hand, the demand might not be that considerable in some other parts of US.

A delegate from Uganda alleged that there was considerable number of smuggled rhinos from the country to US during the 1970's, however; Mr. Wayne acknowledged having no such data or knowledge of the allegations. However, he pointed out that to his knowledge, the major market particularly for rhino horns is in Asia, mainly used for cultural rituals.

A delegate from Tanzania raised concerns as to what action should be taken if it happens that a controlled product/item under a particular MEA to which the country is a Party is seized but the MEA has not been incorporated/translated into national legislation. In this regard, Mr. Wayne clarified that it would be difficult to proceed with prosecution, as there is no legal basis for such action. He therefore emphasized on countries to domesticating the MEAs into their national legislation. Complementing on the response provided, Dr. Bankobeza revealed that it depends on national legal regime since in some countries, once it has ratified MEA it becomes automatically domesticated into national legislation. On the other hand, he pointed out that in some countries, ratification of MEAs has to be approved by the Parliament and then incorporated into national legislation. In her complementary remarks, Ms Mrema representing the UNEP-DEC pointed out that invariably MEAs calls for Parties to strengthen national legislation so that it complies with requirements and obligations under respective MEA. She

said some of the MEAs have gone a step forward by preparing checklist to guide Parties key elements that need to be considered in their national legislation. She further raised concern that in often cases than not, development of legislation constitutes a comprehensive consultative process but from her experience she has noticed lack of involvement of Customs Officers in such important processes. In this regard, she stressed for full involvement of the Customs Officers in such processes for effective and meaningful implementation of MEAs.

A delegate from Kenya raised concerns on the sincerity of US in addressing environmental pollution in view of its opposition to ratify a number of MEAs including the Kyoto Protocol. Mr. Wayne pointed out that US has effective and strict national environmental legislation, however, he was of the opinion that opposition to ratify some of the MEAs has political influence on one hand and possibly inadequate/questionable scientific evidence behind the said MEAs.

The same delegate from Kenya asked for clarification as what does US do with the seized specimens under the umbrella of CITES. Mr. Wayne pointed out that some of the specimens are used for education and research purposes or may be donated to non-profit organizations and at times the specimens are destroyed to in an attempt to disrupt the demand-supply chain of the illegal trade in spite of the requirement by CITES to return seized specimens to the countries of origin.

Dr. Gilbert Bankobeza was curious to know whether the on-going efforts to counter terrorism by US particularly increased cross-border exchange of information have benefited illegal trade of environmentally sensitive products. Mr. Hattenbach confirmed this fact by indicating that increased inspection by Customs Officers has led to increased success in curbing illegal trade. He particularly pointed out that in US; increased attention is placed on transportation of hazardous wastes as the wastes can easily end up in terrorist activities.

A delegate from Uganda asked for clarification when a Customs Officers unintentionally fails to intercept illegal shipments whether is liable for prosecution. Mr Hattenbach explained that unless it is proved beyond doubt that the Custom Officer unknowingly facilitated shipment of the illegal goods, the Officer remains legally innocent. However, he indicated that there are incidences where Customs Officers had received bribes and therefore prosecuted for their misconduct.

A delegate from Rwanda asked for availability of capacity building assistance to equip the Customs Officers with the necessary skills and knowledge to curb illegal trade. Mr. Hattenbach indicated that there are considerable opportunities for capacity building particularly for enforcement agencies from various multilateral and bilateral organizations as well as Secretariats of MEAs. He also expressed the willingness by US Government to offer manpower for this purpose.

Ms Mrema informed that debate on the level of penalties for illegal trade of wildlife is still ongoing as to whether the cost should be related to the size/quantity or market value of the seized specimen.

Panel Discussion on Cross-cutting Issues across MEAs

Dr. Gilbert Bankobeza from the UNEP Ozone Secretariat led plenary discussion on cross-cutting issues across the MEAs that negatively affect contribution of Customs Officers in the

implementation of the MEAs. The group identified some issues and recommendations of the workshop were centred on those issues

WCO-RILO Perspective on Environmental Crime

In his presentation, Mr. John K. Bisonga from WCO-RILO for the East and Southern Africa sub-region gave an overview on the role of WCO in combating illegal trade of environmentally sensitive products and chemicals. He pointed out that the objective of WCO is to promote various types of international instruments to encourage harmony and uniformity among its Members and noted that one of the most practical instruments for securing the highest degree of harmonization is the WCO Recommendations. Mr. Bisonga indicated that WCO Members, members of the United Nations and its specialized institutions, and Customs or Economic Unions may adopt any of those recommendations. However, he revealed that WCO recommendations are not legally binding as Conventions normally are. He said that a Member, Customs or Economic Union which accepts a recommendation does so with the condition for application that they are implicitly committed, insofar as possible, to implementing its provisions. In this regard, he explained that objectives of WCO Recommendations are to promote co-operation between Customs administrations, facilitate and expedite the implementation of international Conventions, and harmonize Customs documents among others. He noted that WCO and its organs recognize that the use of the nuclear and hazardous products is essential to meet countries' social and economic goals. However, he pointed out that WCO recognizes the potential threat of illicit movement of ODS, nuclear and hazardous material and their wastes to people, the environment and property. He informed that WCO has developed a Customs Communications Network (Cen). He underscored that Customs detection capability in this area could be improved through specialized training, provision of detection equipment, employment of modern enforcement techniques, and close co-operation with the relevant agencies and communication of information and intelligence.

He revealed that WCO through its Regional intelligence Liaison Offices (RILOs) recognizes the need for the prevention, detection and repression of illicit movement of such materials and substances and continues to examine the possibility of identifying potential traffickers. In this regard, he to afford the necessary attention to the formulation and implementation of appropriate legislation, regulations and administrative guidelines to deal with all aspects of the illicit trafficking. He indicated that the key responsibility of RILOs is to facilitate formulation and implementation of appropriate legislation, regulations and administrative guidelines to deal with all aspects of the illegal trade. He informed that WCO and UNEP have jointly initiated coordinated Technical assistance activities including: Train the Trainer courses on MEAs; training on intelligence and investigations; and cargo control techniques including risk assessment, profiling and targeting, search techniques, gathering and preserving evidence, international cargo documentation etc. Mr. Bisonga said that the Green Customs initiative provides the opportunity to increase our efforts to co-operate on a bilateral, regional and multilateral basis in facing these challenges. Further, he informed that has launched WCO E-learning.

Overview on WCO Regional Centre for Capacity Building (ROCB)

Mr. John K. Bisonga representing WCO-RILO for the East and Southern Africa sub-region highlighted on the establishment and functions of the ROCB based in Nairobi, Kenya. He started by describing the current situation in the sub-region characterized by least developed and developing countries, armed conflicts, re-building/re-construction, terrorism, globalization, and emergence of trading blocks e.g COMESA, EAC, SADC. He reiterated on the extended roles of Customs Officers which include revenue collection to ensure economic security; facilitation of trade; and protection of society and social, environmental and national security concerns. He noted that in view of the changing environment and taking cognizance of the role of Customs Officers there is need to undertake practical capacity building initiatives. He underscored the need for a regional approach in capacity building initiatives which facilitates for more accurate diagnosis and analysis of regional capacity building needs; better management, implementation, monitoring and evaluation; greater co-ordination in activities and approaches; and cost-effective utilization of resources. He stressed that regional customs capacity building should be needs based and based on best practices in design and implementation derived from WCO (Diagnostic Tool), be driven by recipient administration and requires high-level commitment, and be based on contemporary customs practices.

In concluding his presentation, Mr. Bisonga described the institutional elements of Customs Regional Framework which consists of Regional Heads of Administration, Regional Steering Group (RSG), Regional Office for Capacity Building (ROCB) and National Focal Point for Capacity Building. He indicated that Regional Customs Heads provides he strategic direction for regional capacity building activity and identify regional priorities. He pointed out that the Regional Steering Group (RSG) has the function as a policy commission, managing the development and effective implementation of capacity building strategy, providing strategic advice to Regional goals by identification of priorities, advising Regional Office of Capacity Building, and discussing strategic issues and capacity building with other stakeholders and regional customs grouping. He said the recently established ROCB is be responsible for managing coordination of activities, assisting recipient administrations and liaison with development partners on implementation issues; advising best-practice standards to recipient administrations; developing a strategic partnership with donors and delivery agents; coordinating delivery with regional bodies including the United Nations and its organs; assisting administrations implement, monitor and evaluate capacity building activity including identification of appropriate experts where the private sector cannot provide expertise; and collaborating with UN and other agencies in developing capacity building programmes at the National and Regional level. He further revealed that each administration has to appoint a National contact point that is responsible for capacity building activities.

Plenary and Discussion

A delegate from Kenya raised concerns on the confidentiality of intelligence information and culprits involved in illegal trade despite availability of several reports on illegal trade for instance in South Africa. Mr. John Bisonga representing the WCO-RILO pointed out that WCO operates within the framework of Nairobi Convention, which restricts from releasing specific intelligence information that could interfere with national interest. However, he explained that with the adoption of the Johannesburg Convention, more flexibility has been instituted in the information dissemination and sharing regime in the sub-region. In a complementing commentary, Mr. Wayne Hattenbach pointed out that sharing intelligence information is critical to prevent illegal trade but it has to be in an appropriate manner and time so as not to interfere with investigation or prosecution of on-going legal cases. In this regard, he emphasized for improved formal and informal relations in information sharing to

facilitate combating illegal trade. Further, Ms Loicy Apollo, one of the Co-chairs of the workshop, cited that in Tanzania, there are on-going negotiations and consultations as whether to publish the names of culprits but only when consensus and final decision has been reached can such action can be taken.

Overview of the Chemical Weapons Convention

Introduction to the Chemical Weapons Convention (CWC)

Mr. Sandor Laza representing the Organization for the Prohibition of Chemical Weapons based in Hague, the Netherlands highlighted on the history and fundamental provisions of the Chemical Weapons Convention. He informed that the use of chemicals started way back in 1000 B.C. China with the use of arsenical smokes. He noted that modern chemical warfare has its genesis on the battlefields of World War I. July 1917 blister agent Mustard gas first used. He indicated that by the end of World War I there were 90,000 fatalities and 1.3 million casualties due to chemical weapons whereby over 100,000 tonnes of chemical weapons were used. He informed that in 1936, German discovered the first nerve gas Tabun; however, it was never used during World War II. Mr. Laza said it after World War II that there were several allegations of the use of chemical weapons. He cited a number of case studies that involved chemical weapons worldwide including use of tear gas in Vietnam (1968-75); Iran-Iraq war (1980-88) during which Iraq used chemical weapons and around 100,000 Iranian soldiers and civilians were affected; Halabja, Iraq (1988) where Iraq used mustard gas and nerve agents against Kurdish residents in Northern Iraq, in 1988 resulting in about 5000 deaths; and Japan where the Aum Shinrikyo cult released the chemical agent sarin in a terrorist attack on the Tokyo subway in 1995 where about 5,000 people became sick and a dozen were killed.

Mr. Laza informed that Chemical Weapons Convention (CWC) opened for signature on 13 January 1993 in Paris and entered into force on 29 April 1997, 180 days after the 65th State ratified the CWC. As of now, there are 175 State Parties to the CWC, 11 Signatory States and 8 Non-signatory States. The Organization for the Prohibition of Chemical Weapons (OPCW) is the implementing body of the Chemical Weapons Convention (CWC) meets once a year, as well as in special session if necessary. He indicated that the CWC comprises of three key institutions namely the Conference of the State Parties (CSP), Executive Council and the Technical Secretariat. Mr. Laza explained that the CSP is the main policy-making organ of the OPCW and is composed of the representatives of all Member States of the OPCW and meets once a year, as well as in special session if necessary. He said also said that the Executive Council is made up of the representatives of 41 Member States and meets at least four times a year and takes the actions necessary to guide the OPCW's operations during the year. He further pointed out that the functions of the Technical Secretariat which has a staff of about 500 people include advising the Conference and the Executive Council; carrying out the day-to-day work of implementing the CWC including the conduct of inspections for which around 200 inspectors are employed; and supports Member States in undertaking the national measures required to implement the CWC in their own countries.

He also highlighted on the substantive provisions of the CWC. He said that States Parties are obliged to declare and destroy all their chemical weapons (CW) and CW production facilities under strict international verification; ensure that toxic chemicals and their precursors are only used for legitimate purposes (national implementation measures, declarations and international verification); provide assistance and protection through the OPCW in case of use of CW against a State Party; and facilitate international cooperation in the peaceful application

of chemistry for permitted purposes. Mr. Laza pointed out key prohibitions by the CWC which include: developing, producing, otherwise acquiring, stockpiling or retaining CW, or transferring directly or indirectly CW to anyone; using chemical weapons; engaging in any military preparations to use CW; assisting, encouraging or inducing anyone, in any way, in any activity prohibited to a State Party under the Convention; and use of riot control agents as a method of warfare.

Mr. Laza under CWC the phase out (destruction) of the existing chemical weapons stocks is planned by 2007. He said that as of September 2005, 64 chemical weapon production facilities were declared in 12 State Parties and all have been deactivated with 37 having been destroyed (5 still to be destroyed), 14 converted for peaceful purposes (8 still to be converted), and in summary, he indicated that more than 75% of the declared chemical weapons production capability has already been eliminated. Mr. Laza mentioned that Member States are obligated to make contributions to the OPCW to support protection and assistance, either to a voluntary fund for assistance or a donation of equipment and materials. These contributions make it possible for the OPCW to respond to a request for assistance from any Member State that is attacked or threatened with a chemical weapons attack. The OPCW has established a network of experts to advise the Organisation and Member States on how best to protect people and the environment from chemical weapons.

Plenary and Discussion

A delegate from Uganda requested on clarification on the difference between chemical and biological weapons. Mr. Laza explained that biological weapons involves infectious viruses and bacteria whereas chemical weapons rather involves toxic/poisonous chemicals and the toxicity and physical characteristic are important since this reduces the amount to be applied. He further explained that usually the quantities used for biological weapons are relatively small when compared to chemical weapons.

A delegate from Kenya raised concerns that tear gas is declared as a chemical weapon in some countries while in others it is used for riot control and wanted to know the position of the CWC. Mr. Laza clarified that tear gas is not necessarily a chemical weapon. Under the CWC it is considered as riot control agent and for this case the Convention prohibits its use as a chemical weapon with the view of avoiding its stockpiling by countries but instead maintain only reasonable stocks for specific purposes.

A delegate from Kenya wanted to know if a country is suspected to possess weapons of mass destruction including chemical weapons but upon inspection none of the weapons are found then how is this implied in the context of the Convention. Further, a delegate from Kenya requested for clarification on the nature of penalties for Parties in breach of the Chemical Weapons Convention such as producing or using chemical weapons. Mr. Laza explained that there are four types of inspections for chemicals that are conducted. These include: routine inspection for industrial facilities, stockpiles and their destruction in the normal course of CWC implementation; challenge inspection whereby if any Member State doubts that another member country is complying with the CWC, it can request a special inspection which can be conducted anytime, anywhere, a Member State does not have the right to refuse a challenge inspection or to block access to the challenged site; and inspection of alleged use of chemical weapons. Mr. Laza informed that as of 31 August 2005, a total of 2195 routine inspections has been conducted in 72 State Parties. He further said that if a country is found in breach of the

Convention, the matter will be forwarded to the Conference of the Parties to the CWC that will forward the matter to the United Nations Security Council for guidance and follow-ups.

A delegate from Uganda wanted to know who meets the destruction cost of chemical weapons. Mr Laza pointed out that destruction of chemical weapons is a cost intensive undertaking in view of the fact that the cost of destructing chemical weapons is generally higher than production cost. He further explained that the cost of destruction/disposal of chemical weapons can be met by the same country provided it has the necessary technical and financial capacity as is the case with most of the developed countries. However, he indicated that even in the absence of such capacity, there are considerable opportunities to receive assistance and many developed countries are willing to assist in this issue.

The same delegate from Uganda asked for clarification on whether it is possible using chemical weapons for other industrial purposes. Mr. Laza informed that the Convention prohibits use of chemical weapons for other industrial purposes with a view of avoiding stockpiling of the chemicals weapons which might then be difficult to control. However, he indicated that the Convention allows chemical weapons production facilities to be converted for other purposes such pharmaceutical industries and revealed that there are such plans in Russia.

Chemicals to be monitored by the Chemical Weapons Convention

Mr. Sandor Laza representing the Organization for the Prohibition of Chemical Weapons based in Hague, the Netherlands started his presentation by defining a chemical weapon. He said it refers to all together or separately: toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention; munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in paragraph; and any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in paragraph. Mr. Laza emphasized that the general purpose criterion is defined by purpose and not by properties.

He informed that Article VI of the CWC establishes the right of State Parties to manufacture and use toxic chemicals and precursors for activities not prohibited under the Convention and simultaneously creates the legal bases for the declaration, verification and transfer regimes related to such chemicals, facilities and activities. The specifics of these regimes are set forth in Parts VI to IX of the Verification Annex.

Mr. Laza pointed out that Article VI relates to activities not prohibited under the Convention. Article VI is thus a consequence of the very nature of chemicals having dual-use. Toxic chemicals can be used as chemical weapons or in the chemical industry. According to Article II, activities not prohibited under the Convention including: industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes; protective purposes; military purposes not related to chemical weapons and not dependent on toxic properties; and law enforcement including riot control purposes.

He mentioned that Schedule 1 covers chemicals that are developed, produced, stockpiled or used as a chemical weapon; or those which poses a high risk by virtue of high potential for use in prohibited activities; and toxic chemicals and their precursors with very limited or no commercial use, that have been developed or used as chemical weapons. It is composed of 12 entries – families or individual chemicals whereby Schedule 1A covers toxic chemical such as

sarin, soman, tabun, VX and sulfur mustard whereas Schedule 1B includes key precursors. He also elaborated the uses of schedule 1A and schedule 1B chemicals. For example, Nitrogen Mustard is used in small experimental quantities for skin cancer treatment; Sarin – Sulfur and Mustard – VX are used in small quantities used for developing protection and detection methods.

Mr. Laza indicated that Schedule 2 includes toxic chemicals and their precursors which have limited commercial uses and with some degree of warfare potential thus could be used as Chemical Weapon. They are immediate precursors for production of Schedule 1 or 2A chemicals and poses a significant risk due to importance in the production Schedule 1 or 2A chemicals. He particularly explained that these are not produced in large commercial quantities for non-prohibited purposes. Schedule 2 constitutes 14 families or individual chemicals grouped as toxic chemicals and precursors. Some of the chemicals are Methylphosphonyl dichloride (CAS No.: 676-97-1) Dimethyl methylphosphonate (CAS No.: 756-79-6). Mr. Laza further elaborated on examples of the commercial uses of schedule 2 chemicals including: pesticides (Amiton) in the past currently withdrawn due to its toxicity; pharmaceuticals and for medical research (BZ: 3-Quinuclidinyl benzilate); viscosity depressants, fire retardants and foam agents (B4 family).

Further, Mr. Laza highlighted Schedule 3 chemicals which includes 17 individual chemicals toxic chemicals and their precursors produced in large volumes for industrial activities. These are produced, stockpiled or used as a chemical weapon and could be used as a chemical weapon. They may be produced in large commercial quantities for non-prohibited purposes and pose a risk due to importance in the production Schedule 1 chemicals. Schedule 3 toxic chemicals include Phosgene: Carbonyl dichloride (CAS NO: 75-44-5), Cyanogen chloride (CAS NO: 506-77-4), Hydrogen cyanide (CAS NO: 74-90-8) and Chloropicrin: Trichloronitromethane (CAS NO: 6-06-2). Schedule 3 Precursors include: Phosphorus oxychloride (CAS NO: 10025-87-3); Phosphorus trichloride (CAS NO: 7719-12-2); Phosphorus pentachloride (CAS NO: 10026-13-8); and Triethanolamine (CAS NO: 102-71-6). Examples of schedule 3 chemicals use include production of polyurethanes, polycarbon, drugs for phosgene; Herbicides, Dyes, Vitamins, Rubber vulcanization, Laboratory reagent for Cyanogen chloride; and Fumigants, Rodenticides, Antioxidants for Chloropicrin

In concluding, Mr. Laza pointed out that in general Schedule 1 - 12 families or approx 760 individual chemicals and 27 traded in very small amounts, Schedule 2 - 14 families or approximately 110 individual chemicals and 30 are regularly traded in moderate volume whereas Schedule 3 has 17 individual chemicals and 15 are regularly traded - some very large volume. The only Schedule 3 chemicals not declared for transfer are cyanogen chloride (3A2) and hydrogen cyanide (3A3) because they are very toxic and transport is problematic since bulk transport banned in many countries hence are consumed/destroyed where produced.

Plenary and Discussion

A delegate from Kenya raised concerns as to why the focus has been more on chemical weapons and very little covered on biological weapons and whether this implied that the latter is a relatively insignificant field. Mr. Laza responded by pointing out that biological weapons are control under the Biological Weapons Convention.

Referring to the fact that there have been statistically considerable discrepancies in information between exporting and importing countries on chemical weapons, a delegate from Kenya asked on the measures in place to address this problem, as there may be some linkage to illegal trade. Similarly, Ms Elisabeth Mrema representing UNEP-DEC queried on the link between chemical weapons to those chemicals controlled or restricted by the chemical-related MEAs. Mr. Laza indicated that there is proposal underway to establish a common database on chemicals regulated by all MEAs and this may help address such challenges.

A delegate from Tanzania wanted to know how chemical weapons are classified or included under the controlled list of chemicals under the CWC. Mr. Laza explained that the inclusion of chemicals under CWC is based on the definition of a chemical weapon provided by the Convention.

A delegate from Kenya raised concerns that mislabelling is a common technique used in illegal trade, however, in most developing countries there is no readily available laboratory capacity to reconfirm the identification of suspected consignments and therefore asked for available opportunities for such assistance. Mr. Laza noted that there are considerable opportunities for assistance in chemical analysis such as laboratory personnel training and laboratory equipment exchange programme.

A delegate from Tanzania was of the opinion that precursors are not chemical weapons in themselves but can be used for production of chemical weapons and in this regard he wanted to know measures undertaken to ensure that also precursors are well controlled. In response Mr. Laza pointed out that precursors are still considered as chemical weapons under the CWC in terms of legal definition of a chemical weapon and controlled chemicals under the schedules of the Convention which comprises precursors as well.

A delegate from Kenya suggested that a comprehensive list of all countries involved in the export of chemical weapons to help Customs Officers in risk assessment. Mr. Laza pointed out that most developed countries such as USA, Germany, Switzerland, Japan, Russia, Netherlands and Finland are involved in chemical weapons related trade. However, he emphasized that knowing the countries alone might not be helpful but also third party and importing/exporting companies need to be assessed. Further, he said the Convention has established a risk assessment database but due to random inspection it becomes difficult to detect illegal movements of chemicals by readily available means.

Legal Rights and Obligations of the Chemical Weapons Convention

Mr. Sandor Laza representing the Organization for the Prohibition of Chemical Weapons based in Hague, the Netherlands highlighted on legal right and obligations of the State Parties under the Chemical Weapons Convention. He informed that each State Party has the right, subject to the provisions of this Convention to transfer toxic chemicals and their precursors for purposes not prohibited under this Convention. He said further that implementation of the CWC shall be undertaken in a manner which avoids hampering the economic or technologic development of State Parties and international cooperation in the field of chemical activities. Mr. Laza pointed out that Article I of the Convention prohibits development, production, or otherwise acquiring, stockpiling or retaining chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone; using chemical weapons; engaging in any military preparations to use chemical weapons; assisting, encouraging or inducing, in any way, anyone

to engage in any activity prohibited to a State Party under this Convention. He further mentioned that the Convention does allow use of riot control agents as a method of warfare.

Mr. Laza informed that under Schedule 1 of the Convention State Parties shall not transfer Schedule 1 chemicals outside its territory except to another State Party. He mentioned that transfers to another State Party can only be for research, medical, pharmaceutical or protective purposes and shall not be re-transferred to a third State. He noted that all transfers must be individually declared by notifying the Technical Secretariat of the CWC 30 days before transfer with few exceptions for transfers of relatively smaller quantities of chemicals such as those found in test kits for detection of paralytic shellfish poisoning (PSP) syndrome.

He further pointed out that Schedule 2 declarations include quantities imported and exported (produced, processed, consumed) by chemical and a quantitative specification for the previous calendar year. Further, he added that the quantities produced, processed, consumed, imported and exported ought to be declared for each industrial facility. Mr. Laza revealed that chemicals mixtures containing 30% or less of Schedule 2B chemicals are not subject to any declarations obligations. However, he informed that guidelines for mixtures containing Schedule 2A are still pending. Mr. Laza informed further that Schedule 3 declaration include quantities imported and exported (produced) by chemical and a quantitative specification by country for the previous calendar year whereas plant site declarations involves quantities only produced (not imported and exported) for the previous calendar year. He added that chemicals mixtures containing 30% or less of a Schedule 3 chemical are not subject to any declarations obligations. He further indicated that for Schedule 3, only End-use Certificates for transfers to States not Party are used, however, additional measures are under consideration.

Mr. Laza informed that the Chemical Weapons Convention only stipulates the activities prohibited to States Parties, not individuals and therefore, States Parties shall prohibit natural and legal persons anywhere on its territory or in any other place under its jurisdiction from undertaking those activities, and to enact penal legislation in that respect. He also made reference to the International Law and Observance of Treaties which stipulates that “A party may not invoke the provisions of its internal law as justification for its failure to perform a treaty”. In concluding his presentation, Mr. Laza indicated that States Parties required, by November 2005, to take steps leading to: establishing National Authority; enacting legislation; adopting administrative measures; submitting full text of the national legislation to the Technical Secretariat of the CWC; and reviewing trade regulations to be consistent with CWC.

Plenary and discussion

A delegate from Tanzania asked for clarification as to whether when a country does not have a specific legislation on chemical weapons it will still be appropriate to use existing legislation such as those related to industrial and consumer chemicals. In response, Mr. Laza pointed out that different countries have different approaches in legal systems. This may include enacting a new legislation, emending the existing legislation to comply with the requirements of particular Convention or some countries apply automatic domestication once they have ratified the MEAs. In addition, he said chemical weapons are regulated under various principal legislation including public health, trade legislation or environmental legislation. In summary, he stressed that the important aspect is to have effective and enforced legislation.

A delegate from Uganda noted that chemical weapons have linkage to environmental issues as well as national security and therefore wanted to know which ministries/departments which usually house National Authorities responsible for Chemical Weapons. In addition, he wanted to know whether the CWC provide standardized permit forms to each State Party. In response, Mr. Laza noted that the placement of the National Authority has much less influence on its effectiveness and general functioning. He pointed out that some countries have their National Authorities under Ministry of Defence for those handling chemical weapons, or under the Ministries of Trade/Industry/Commerce for those not handling chemical weapons, or some countries have National Committee/Commission of few experts with the opportunity to co-opt additional experts from other relevant ministries when the need arises. He was of the opinion that the last setting is more practical particularly in terms of resource requirements. With regard to provision of standard permit forms, Mr. Laza explained that the OPCW does not provide such forms; however, the Secretariat of the CWC can provide guidelines when requested.

Referring to the reporting requirements by the CWC, a delegate from Kenya wanted to know whether a company handling chemical weapons is required to report directly to the Secretariat of the CWC. Mr. Laza explained that with reference to the Convention, companies are required to report to the National Authority which will then transmit the information to the Secretariat of the CWC.

A delegate from Kenya asked on what punitive measures are imposed onto a State Party that is non-compliant to the CWC. Mr. Laza informed that compliance has different levels including typos, unintentional wrong declaration, and technical breaches or at times could involve exportation of chemical weapons from non-Parties. In addition, he pointed out that at times States do not intentionally breach the Convention but rather individual companies. However, he indicated that if a State Party is established to be breaching the Convention, the matter will be reported to the Executive Council of the Convention, then transmitted to the Conference of the Parties and finally to the United Nations Security Council for guidance and final decision.

Customs Related Issues

Mr. Sandor Laza representing the Organization for the Prohibition of Chemical Weapons based in Hague, the Netherlands highlighted on the key roles of Customs Officer in the implementation of the Chemical Weapons Convention (CWC). He underscored the fact that Customs Officers are in a unique position to detect illegal trafficking in chemical weapons (CW) at borders. He noted that with faster and free trade, there are a few opportunities for meaningful inspection of goods. He said that it is estimated that less than 2% of imported cargo is inspected in many ports and borders. Moreover, Customs Officers are charged with enforcing many laws regulating trade and have focused their resources on illegal narcotics and goods that produce revenue through tariffs and security threats. In this regard, he stressed that training Customs Officers in how to recognize and respond to illegal shipment of CW is critical for the implementation of the CWC and for the national implementation of the Convention.

Mr. Laza informed that the CWC Contains no overt Customs requirements, but State Parties are obliged to: prevent shipments of Schedule 1 chemicals to non-States Parties and to third States; report shipment of Schedule 1 chemicals in declarations; prevent shipments of Schedule 2 chemicals above specified concentration limits to non-States Parties; prevent

shipments of Schedule 3 chemicals to non-State Parties without assurance that said chemicals will only be used for purposes not prohibited by the Convention; and report imports and exports of Schedule 2 and Schedule 3 chemicals by State.

Mr. Laza acknowledged that in most cases Customs is the only resource available for detailed import/export data for compiling CWC declarations. He said that even if there are other sources of information, Customs are frequently being used to validate information from such sources. He further indicated that national regulations (e.g. CWC implementing legislation) may require the issuance of import/export licences for transfer of controlled chemicals and Customs can then confirm that such trade did or did not take place. Mr. Laza revealed that the Technical Secretariat of the CWC is aware of instances where close cooperation between National Authorities and Customs has enabled the resolution of discrepancies in declarations from State Parties that are trading partners (through the extensive international Customs network). He informed that in 2004, transfers made include 24 Schedule 2 chemicals and 15 Schedule 3 with more than 500 Schedule 2 transfers and more than 1300 Schedule 3 transfers. He pointed out that about 1400 transfers did not match (exporting vs importing Party report) and 844 chemicals were declared from only one State Party.

Mr. Laza mentioned said that discrepancies in the declarations of imports and exports are resulting for various reasons including clerical mistakes (such as typing errors, incorrect unit of measure or Incorrect information from traders and manufacturers), different calculation methods (such as absence of national legislation, different sources of information used, different concentration limits applied, different sites are taken into consideration, different aggregation methods used or different weight limits applied) and Customs related difficulties (such as use of different identification coding system – HS vs CAS, free trade areas, trade names, shipment in transit or mixtures of chemicals). In concluding his presentation, Mr. Laza emphasized that the resolution of these problems is a key precondition if the State Parties wish to see the implementation of a credible verification regime with the capacity to effectively monitor trade in scheduled chemicals under the CWC.

Plenary and Discussion

A delegate from Kenya asked whether there is a tracking system for chemical weapons and another delegate from Uganda raised concerns as to what measures are in place when only exporting country declares chemical weapons and there is no declaration by the importing State Party. In response, Mr. Laza informed that practically there is no tracking of chemical weapons but instead OPCW receives one set of declaration per year for each State Party on the type and amount of chemicals imported and exported to other states. However, he pointed out that OPCW intends to start publishing the discrepancies in reporting between importing and exporting Parties and would then require the concerned Parties to consult each other and provide to the OPCW the correct figure. Still he admitted that this approach might not be that smooth logistically and trade secrets.

A delegate from Uganda raised concern that the controlled chemicals under CWC includes also families of chemicals and was of view that a comprehensive list of chemical weapons be prepared to help identify chemical weapons. Mr. Laza pointed out that there is already a database and Handbook of chemicals which includes most of the known chemical weapons but there are some difficulties in accessing them due to copyright reasons. However, he stressed that it may be more useful developing relevant/practical list of chemicals that are mostly traded rather than a comprehensive list which can prove to be tedious for Customs

Officer in making reference. He also revealed other options for reference of chemical weapons such e-mail which free of charge as well as the website of OPCW.

A delegate from Kenya raised concerns on allowing chemical weapons to be entering trade free zones/ports as it may be difficult recoding such transaction as there might lack control or reporting mechanism in such particular settings. Mr. Laza shared the same sentiment that such challenges do exist in free trade zones and this depends on the national legal setting. In this regard he suggested the need for consistent legislation in these zones. Mrs Apollo, one of the Co-chairs, informed that in Tanzania there are free trade zones but still Customs controls these areas and imported goods are identified and accounted for to have entered the country though taxes are paid once the goods are collected.

RECOMMENDATIONS

The Green Customs Initiative and Journalist Workshop for East Africa was held from 14-18 November, 2005 at the Mount Meru Hotel, Arusha, Tanzania. The following issues across the MEAs were identified as hampering effective implementation of the MEAs by Customs Officers:

- Environmental crime or illegal trade of environmentally-sensitive products such as ozone depleting substances, hazardous waste and endangered species is complicated and difficult to detect;
- Lack of regulatory measures to regulate legal trade in environmentally-sensitive products;
- Lack or limited capacity to address illegal trade in terms of financial resources, equipment, tools and human resources;
- Low level of awareness to the general public on illegal trade across all MEAs;
- Ineffectiveness of compliance and enforcement measures of all MEAs including:
 - Lack of harmonization of some elements such as investigation and prosecution approach;
 - Lack international cooperation in investigation;
 - Lack of inter-agency cooperation particularly at the national level;
 - Lack of monitoring system to track illegal trade from the point of source to the end user; and
 - Lack of clarification of roles and responsibilities of key players;
- Lack of monitoring, evaluation and feedback systems on the implementation of MEAs control measures to gauge/measure the effectiveness of control measures and magnitude of the illegal trade problem;
- Non existence of networks and linkages to assist sharing and exchange of information on illegal trade/ smuggling schemes and tricks;
- Poor good governance to tackle the issue of corruption which undermines efforts to effectively combat illegal trade across MEAs;

- Lack of legislation that are punitive enough at national and sub-regional levels to act as deterrent to environmental crimes;
- Restricted access/confidentiality of intelligence information and culprits involved in illegal trade;
- Lack of Harmonisation and co-ordination (co-operation) of National Focal Points and other relevant stakeholders for the various MEAs;
- Bureaucracy and confidentiality in sharing and exchanging information among the relevant enforcement agencies;
- Lack of clarity from MEAs Secretariats on requirements and obligations of the parties;
- High turn over of MEAs trained and skilled human resources to non MEAs activities;
- In availability of information in local languages and simplified versions for easy reference and use;
- Weak partnerships with international, regional and sub-regional trade and economic organisations and other relevant organisations; and
- Lack of follow up training activities at national level.

The workshop made the following recommendations to the issues identified as hampering effective implementation of MEAs by Customs Officers:

- Countries or parties to MEAs need to enact new laws or incorporate the MEAs in their existing laws and establish regulations and guidelines to effectively address and enforce the issues of illegal trades.
- Review and update the penalties to be punitive enough to deter the illegal trade.
- Encourage net working and exchange of information through quarterly meetings, websites, newsletters, etc, at national, sub-regional, regional and international levels.
- Customs officers should be provided with the necessary training to enable them acquire proper skills for implementation of the MEAs e.g. detection, investigations, prosecution and risk analysis approaches.
- Customs officers need to be provided with appropriate testing equipment (e.g. Identifiers for ODS) and other protective and performance gear in order to effectively implement the various MEAs.
- Engage on awareness raising campaign through the media and training workshops for policy/decision makers, legislators, judiciary, the media and general public on issues of Green Customs and MEAs in general;

- Promote Capacity building through continuous training and workshops for other stakeholders e.g. the media, chemical industries, Police etc.
- There is need for creation of data base for chemicals that are restricted for each country.
- Parties should make provisions in their budgets to support the implementation of MEAs activities.
- Noting that developing countries have limited capacity and capabilities to effectively implement programs, technical and financial assistance from the secretariats of the MEAs should be provided to national agencies which are implementing the conventions to enable them to acquire necessary equipment and tools to control and monitor movement.
- Future similar meetings should involve representation from the Police, Port and Boarder Authorities,
- Strengthen National Focal Points by providing them with necessary incentives.
- Harmonization of databases across all related MEAs to facilitate movement of regulated goods and tracking of illegal trade .The database should contain information on the goods, chemicals, mixtures of chemicals and their precursors controlled under the relevant conventions.
- The secretariats of the conventions should promote collaborations among the conventions and the focal points should promote inter agencies co-operations at national level;
- The secretariats should be proactive in assisting countries that have difficulties with compliance.
- In order to measure effectiveness of compliance under each convention, a baseline data should be established followed by targets and indicators. Regular monitoring should be institutionalized.
- Intelligence and information sharing should be promoted. This can be done along the lines of the World Customs Organization's Regional Intelligence Liaison Offices whereby the Global Customs Enforcement Network (CEN) is used. For this to succeed, National and Focal points should be strengthened and provide them with necessary equipments such as computers and internet connectivity.
- Good governance and transparency should be promoted to reduce instances of illegal trade. This can be achieved through collaboration with the media, NGOs, civil society. However, confidentiality of intelligence information should be maintained in order not to jeopardize investigations.
- Efforts should be done to prepare promotional materials in languages which can be understood by the wider public.
- Strengthen partnerships with international, regional and sub-regional trade and economic organizations, intergovernmental organizations in order to enhance movement of goods and services under the conventions. Efforts should be made to include representatives of the secretariats in the training activities and other forums organised by the other organisations

- To Create strong partnerships between the National Focal Points (NFPs) and the respective Customs Authorities through:
 - Dissemination of relevant information on materials pertaining to MEAs
 - Training through joint workshops and sensitization seminars
 - Integration of environmental issues in the customs training modules particularly the induction courses
 - Partnership with MEAs secretariats through the WCO
 - Enhancement of developing the trainers of trainers (TOTs)
- Developed countries should be discouraged from dumping of obsolete equipment to developing countries;
- Need to harmonize national focal points so that there is less bureaucracy for effective management and decision making.
- Enhance exchange of information within the region among customs authorities on green customs initiatives.
- Appropriate utilization of customs officials trained in the identified skills to fully derive value.
- MEA issues should be permanent agenda items of discussion within the regional groupings in the ESA.
- Regular meetings of TOTs.
- Regular meeting forums for continuous skills acquisition and exchange of experiences.
- Information dissemination by MEAs secretariats on requirements and obligations of the parties is required;
- A simple booklet listing the prohibited/restricted chemicals/goods needs to be developed for circulation to all enforcement agencies.
- Free trade zone should be encouraged but they should be administered by the customs officers under clear guidelines

Recommendations from the Journalists

The Journalists observed that:

- The workshop was so relevant in providing insights on different Green Customs Related Conventions
- There was very good interaction with the resource persons and experts
- The presentations allowed the journalists to see trade issues through international legal frameworks and provided orientations for story writing and further action at national level
- As a result, a media Action plan to promote the Green Customs Initiative has been developed

However there were some challenges that were observed by the Journalists as follows:

- There has been weak flow of communication between the Media and Customs Officials resulting in each group working in isolation and lack in access to relevant and timely information – Both journalists and customs officials are not well equipped in terms of knowledge on MEAs, and especially illegal trade of environment commodities.
- Corruption and lack of political will in implementing and enforcement of the MEAs, and controlling illegal trade of these commodities remain a challenge and we feel that these factors together with poverty could have been given more attention during presentations, to strengthen our analysis of these issues which usually get a lot of attention.

The Journalists noted the importance of the Green Customs Initiative in relating to the MDG for the purpose of coherence as it is important that all these initiatives be streamlined, for a better perception.

In order to effectively disperse messages/support the initiative, the following recommendations were formulated:

The Green Customs Initiative and the Secretariats of the related Conventions as well as UNEP should:

- Support the Production of a hand book for journalists on the Green Customs Initiative, including highlights of all the related conventions as part of the follow-up to this workshop
- Further facilitate capacity building for the media (Editors/Media policy makers and Media Gatekeepers, regional media networks, etc.)
- Share information materials including publications, updated information, reports with journalists on a regular basis
- Support the implementation of activities under the media action plan for the promotion of the Green Customs Initiative, when and if requested

Customs and other resource bodies should:

- Be available to Media and facilitate timely access to information

Governments should:

- Guarantee freedom to the media especially as the illegal trade in Environmental commodities have far reaching ramifications

Journalists should:

- Develop a comprehensive contact list of resource persons with regard to the Green Customs-related conventions and other stakeholders
- In fighting poverty, continue to highlight issues affecting communities
- Link environmental stories to advocacy journalism
- Report objectively to attract attention, interest
- Point out gaps in legislations that hinder customs off from performance to the best of their ability
- Highlight case studies where communities have benefited
- Advocate for payment of ecosystem services
- In fighting corruption, Journalists should stick to professional ethics and advocate for a better pay

The African Network of Environmental journalists (ANEJ) should:

- Build effective alliance with all the relevant stakeholders and other journalist networks in the field of the environment in order to promote the Green customs initiative.
- Lead campaigns against dumping of obsolete equipments

- Organize sustained campaigns on corruption
- Promote networking with editors to influence editorial policy and other regional/sub-regional journalists networks and encourage them to give due attention to environment-issues in their media

Closing of the Meeting

2. Mr. Suresh Raj representing UNEP-DTIE gave a closing statement on behalf of UNEP. He expressed his impression that it has been an interesting and stimulating workshop. He also expressed his appreciation to the organizers of the workshop and to the Government of Tanzania for hosting this important workshop. He expressed his delight on the clarity and purposefulness of the recommendations that were drawn by the workshop participants. He pointed out that this was the first time to be privileged to be with journalists in the Green Customs Initiative workshop. He was pleased with the level of interaction among delegates and the sound recommendation on how to utilize media in combating illegal trade in the context of the trade-related MEAs. He expressed gratitude to all Resource Persons for contributing to the success of the workshop. He thanked delegates for their participation in the workshop which has enriched the workshop. He indicated to have taken note of the workshop recommendations and pledged that UNEP will work on them. However, he apologized for not utilizing fully the experience of the delegates as much as wished to do but indicated that in future workshops this will be considered. He urged delegates to keep in touch with each other and to share the knowledge and information from this workshop with their colleagues. He also requested them to convince their government commit resources to MEAs implementation. In concluding his statement, he urged journalists convince Editors to give greater coverage on environmental issues.

Mr. John K. Bisonga representing WCO-RILO for East and Southern Africa expressed his appreciation to the Government of Tanzania for hosting the workshop and commended for the delightful organization of the workshop. He pointed out to the participants that this is a new beginning of cooperation to bring issues of MEAS to the forefront. He reiterated that the World Customs Organization (WCO) continues to support and will give assistance to Customs administration facing difficulties in implementing the trade-related MEAs. He noted that this workshop is an opportunity to share experience. He informed that WCO is in the process of encouraging regions around the world to actively engage in capacity building initiatives. He mentioned that WCO has supported establishment of a regional capacity building centre and encourage UNEP and other intergovernmental organizations to work closely with the centre being set up for customs building capacity initiatives. He indicated that there are two institutions which WCO has recognized as regional training centres for Customs Officer, one in South Africa and Mombasa, Kenya. He particularly encouraged the inclusion of MEAs materials in the training institutes that are available in respective countries in the sub-region.

In his statement, Mr. Bisonga informed on the media policy of WCO that accurate information should be given freely to media when events occur or are about to occur. He particularly emphasized on accurate information in the sense that it should not put anybody at risk and in view of the fact information given could have serious consequence when in the wrong hands. He appreciated the presence of media and for having raised the issue of corruption which he acknowledged that corruption permit all levels of society. In this regard, he informed that WCO has developed an Integrity Development Guide which provides global best practices and for that matter he encourages countries in the sub-region to implement the provisions as provided for in the guide. He further urged delegate to adopt most if not all workshop

recommendations on MEAs. He was pleased with the clarity of recommendation from working groups and assured delegates to work closely with UNEP in complementing each other so that the implementation of the MEAs a reality.

Mr. Luseno Simon representing WCO East and Southern Africa Customs Capacity Building Centre based in Nairobi Kenya and Mr. Gerald Tenywa from Uganda gave vote of thanks on behalf of Customs delegates and journalists respectively. Mr. Luseno Simon thanked the Government of Tanzania for creating enabling environment for conducting the workshop. He expressed his gratitude to UNEP and its offices including DTIE (Paris Office) and the Africa Regional Office for supporting the workshop. He further appreciated the Facilitators for ably educating on a rather unfamiliar subject of MEAs. He acknowledged the presence of journalists and for partnering with Customs in building new alliances in implementing MEAs within the sub-region. However, he recalled on the first days of the workshop during which journalists alleged Customs Officers for hiding information. In this regard, he emphasized that Customs Officer work in a transparent manner as long as the information being requested is authentic and accurate. He noted on the role of Customs Officers in the East and Southern Africa sub-region bringing sustenance to national economies and therefore he stressed that the workshop should serve as a platform to build partnership and exchange information frequently. He concluded his statement by extending his gratitude to the New Mount Meru Hotel management for the enjoyable facilities and services offered.

Mr. Gerald Tenywa from Uganda expressed his appreciation for the opportunity extended to journalists to participate in the workshop. He acknowledged that it has been a great learning experience and wealth of experience to share since rarely Journalists and Customs Officers can be seen in the same room. He thanked for the good facilities and services offered and expressed his appreciation to the Tanzanian community for the humility and hospitality extended. He urged delegates that the networking which has just began should be strengthened. He indicated his expectation that the workshop recommendations will be implemented. He affirmed that journalists have been motivated to play their role in combating illegal trade so long as they are furnished with accurate and timely information. In this regard, he pledged that the network of environmental journalist would implement relevant recommendations of the workshop.

Mrs. Loicy Apollo, Deputy Director of Compliance and Enforcement, Tanzania Revenue Authority (TRA) gave closing remarks. She recognized the presence of National Focal Points of MEAs, Customs Officers and Journalists from five countries of the sub-region namely Ethiopia, Kenya, Rwanda, Uganda and United Republic of Tanzania. She expressed her appreciation to UNEP for honouring Tanzania to host this important workshop. She pointed out that although enforcement and compliance regime vary from country to country, issues that are crucial for effective implementation of the trade-related MEAs for the sub-region are:- effective regulatory measures to regulate legal trade of environmentally sensitive products and chemicals; capacity building to address illegal trade in terms of financial resources, equipment, tools and skilled human resources; awareness raising to the general public on illegal trade across MEAs; harmonization of some elements of enforcement and compliance such as investigation and prosecution approaches; inter-agency cooperation both at the international, regional, sub-regional and national levels; monitoring, evaluation and feedback systems on the implementation of MEAs; and strengthening networks and linkages on sharing and exchange of information on illegal trade.

Mrs Apollo revealed that the main challenge ahead as to strengthen synergy among the relevant MEAs and hence maximize resource use in an attempt to achieve environmental sustainability. She advised that this will require sustained and joint efforts to make this goal a reality. She said that the Green Customs Initiative is an important step towards this direction but there is a need to widen the spectrum of stakeholders and translating the initiative into a national context. She also noted that from the workshop discussions, it was evident that the level of awareness by the key stakeholders and the general public on MEAs in the sub-region is generally low. In this regard, she stressed the role of awareness creation in addressing the challenges in implementing MEAs in the sub-region, particularly illegal trade should not be undermined. She revealed that initially when the Division of Environment (Vice President's Office) organized the seminar and invited Customs to participate she had thought of sending junior staff because of the notion that Customs Officers are revenue collectors and have nothing to do with the environment. However, after attending the workshop and having gone through the trade-related MEAs she has come to appreciate the role of Customs Officers in the whole chain.

She informed the delegates that they will visit the Ngorongoro Crater in Arusha, one of the world heritage sites, however, she pointed out that the tour should remind ourselves of the challenges in combating environmental crime which can frustrate social, economic and environmental values in our endeavours for environmental conservation. She conclude her closing remarks by thanking UNEP for making it possible for us to organize this very important workshop and the management and the media for their coverage and expressed her anticipation for more coverage in environmental issues.

AGENDA FOR THE WORKSHOP

C. MONDAY 14 NOVEMBER 2005	
8.00 – 9.00	REGISTRATION OF PARTICIPANTS
9.00 – 10.00	<p>OFFICIAL OPENING OF THE WORKSHOP <i>Chairman: Director of Environment</i></p> <ul style="list-style-type: none"> ▪ Welcome address by chairman ▪ Statement by Representative of UNEP ▪ Statement by Representative of WCO ▪ Statement by Representative of CWC ▪ Statement by Representative of DJO- USA ▪ Official Opening Statement by the Guest of Honour <p>GROUP PHOTOGRAPH</p> <ul style="list-style-type: none"> ▪ Introductions ▪ Objectives and Mechanics of the Workshop by <i>DEC</i>
10.00 – 10.30	TEA / COFFEE BREAK
10:30 – 11.00	<p>D. INTRODUCTION TO THE GREEN CUSTOMS INITIATIVE BY <i>DTIE</i></p> <ul style="list-style-type: none"> • Introduction to the Initiative • Objectives • Discussion

11.00 – 12.00	INTRODUCTION TO COMPLIANCE WITH AND ENFORCEMENT OF MEAs AND THE ROLE OF CUSTOMS OFFICERS BY DEC <ul style="list-style-type: none"> • Questions and Discussion
12.00 – 13.00	CROSS-CUTTING ISSUES IN COMPLIANCE AND ENFORCEMENT FOCUSING ON : ENVIRONMENTAL CRIMES BY DJO <ul style="list-style-type: none"> ▪ National legislation ▪ Identification and Seizures ▪ Investigation ▪ Prosecution Discussions
13.00- 14.30	LUNCH BREAK
E. F. 14.30-15.00	CASES OF ENVIRONMENTAL CRIMES BY DJO <ul style="list-style-type: none"> ▪ From seizure to sentencing.
15.00-16.00	BASEL CONVENTION BY BASEL SECRETARIAT <ul style="list-style-type: none"> ▪ Presentation and facilitated discussion BAMAKO CONVENTION <ul style="list-style-type: none"> • Presentation and facilitated discussion on Bamako Convention
16.00-16.30	TEA/COFFEE BREAK
16.30-17.30	G. ROTTERDAM CONVENTION BY ROTTERDAM SECRETARIAT <ul style="list-style-type: none"> • Presentation and facilitated discussion on Rotterdam Convention
H. TUESDAY 15 NOVEMBER 2005	
9.00 – 10.00	STOCKHOLM CONVENTION BY STOCKHOLM SECRETARIAT <ul style="list-style-type: none"> ▪ Presentation and Facilitated Discussion

I. 10.00 – 11.00	MONTREAL PROTOCOL BY DTIE AND OZONE SECRETARIAT <ul style="list-style-type: none"> ▪ Implementation of Montreal Protocol Control Measures in Africa ▪ Trade measures including licensing systems under the Montreal Protocol and effects of illegal trade in ozone-depleting substances
J. 11.00-11.30	TEA/COFFEE BREAK
K. L. 11.30 – 12.30	CITES BY CITES SECRETARIAT on... <ul style="list-style-type: none"> ▪ Presentation and Facilitated Discussion LUSAKA AGREEMENT <ul style="list-style-type: none"> ▪ Presentation and Facilitated Discussion
M. N. 12.30 – 13.30	CROSS-CUTTING ISSUES ACROSS MEAs <ul style="list-style-type: none"> • Panel Discussion facilitated by DJO
O. 13.30-15.00	LUNCH BREAK
P. Q. R. 15.00-16.00	STRENGTHENING CAPACITY OF CUSTOMS OFFICERS IN THE REGION BY CUSTOMS CAPACITY BUILDING CENTRE, RILO, EAC AND COUNTRY REPRESENTATIVES <ul style="list-style-type: none"> ▪ Group discussions on institutionalizing Green Customs capacity building, enhancing coordination with regional and international organizations, and implementation and enforcement in free-trade zones, and other issues
S. 16.00-16.30	TEA/COFFEE BREAK
T. 16.30- 17.30	Plenary session

U. WEDENS DY 16 NOVEMBER 2005	
9.00 – 11.00 Hrs	INTRODUCTION TO THE CHEMICAL WEAPONS CONVENTION (CWC) <ul style="list-style-type: none"> ▪ Link with the Green Customs Initiative
V. 11.00 – 11.30 Hrs	TEA / COFFEE BREAK
W. 11.30 – 13.30 Hrs	TRAINING FOR CUSTOMS ON CWC <ul style="list-style-type: none"> ▪ Organized by the Organization for the Prohibition of Chemical Weapons
X. 13.30 – 15.00 Hrs	LUNCH BREAK
Y. 15.00 – 18.00 Hrs	TRAINING FOR CUSTOMS ON CWC (Cont'd)

Z. THURSDAY 17 NOVEMBER 2005		
AA. 9.00 – 11.00 Hrs	Session 13	GROUP DISCUSSION ON LESSONS, FEEDBACK, WAYFORWARD AND RECOMMENDATIONS FROM THE GREEN CUSTOMS TRAINING
BB. 11.00 – 11.30 Hrs		TEA / COFFEE BREAK
CC. DD. 11.30 – 13.00 Hrs		Plenary
EE. 13.00 – 14.30		LUNCH BREAK
FF. 14.30 – 16.00		Adoption of workshop recommendations
FRIDAY 18 NOVEMBER 2005		
GG. 9.00- 15.00		FIELD VISIT : ORGANISED BY THE GOVERNMENT OF TANZANIA
HH. II. 15:00-14.00		CLOSING CEREMONY

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