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Regional Office for Latin America and the Caribbean**

PROGRAMA DE LAS NACIONES UNIDAS PARA EL MEDIO AMBIENTE
PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT
PROGRAMA DAS NAÇÕES UNIDAS PARA O MEIO AMBIENTE



GreenCustoms

First Green Customs Workshop for Latin America



**Caracas, Venezuela
February 27th to 29th 2008**

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I. Introduction

1. Since the establishment of the Green Customs Initiative, several fora have been used to let it be widely known in the Latin American region. The Green Customs Initiative (GCI) and its activities have been presented in the Ozone-Customs coordination meetings of the OzonAction Networks of Central and South America, the Montreal Protocol Compliance Enforcement Network in Latin America, and in the training programme for customs officers within the countries of the Central American Commission of Environment and Development (CCAD), among others.
2. The first phase of the Green Customs workshops was focused mainly on awareness at subregional or regional levels and its objective was to test the draft of the Green Customs Training Manual. Six regional workshops were carried out, from which one of them took place in Trinidad and Tobago, on September 2005, for Caribbean countries.
3. Now the Green Customs Initiative enters a second phase where the Green Customs module must be included in the Customs' national training programme.

II. Objectives

4. Following the recommendations made in previous meetings and workshops organized in other regions, it is understood that the main objectives of the First Green Customs Workshop for Latin America are:
 - To increase in the Latin American region, through training, the capacities of Customs Officers and of other relevant enforcement officers, for monitoring and facilitating legal trade, as well as for detecting and preventing illegal trade of environmentally sensitive goods covered by the relevant conventions and multilateral environmental agreements (MEAs).
 - Awareness, according with the Green Customs Initiative objective, of Customs Officers of the region's countries that are involved in controlling goods pertinent to the Multilateral Environment Agreements (MEAs).
 - To improve cooperation between countries of the region, and to urge countries to organize Green Customs national workshops in their countries.

III. Summary of presentations and discussions

Wednesday February 27th 2008

Opening

5. The workshop started with an opening ceremony on Wednesday February 27 2008 at 9:00 in the morning, with words from the National Customs Intendant of the National Integrated Service of Customs and Taxes Administration (SENIAT), mister Rafael Mata Mirabal, from the President of the Permanent Commission of Environment, Natural Resources and Land Order of the National Assembly of the Bolivarian Republic of Venezuela, Representative Earle Herrera, from the Regional Director of the Office for Latin America and the Caribbean of the United Nations Environment Programme, mister Ricardo Sánchez Sosa, and from the representative of the General Direction of Environment Quality of the People Power's Ministry for the Environment, mister Jesús Castillo.
6. The representative from SENIAT gave a warm welcome to all participants of the workshop, as well as the representative of the National Assembly who further highlighted that the environmental management is crossed-cut in the Constitution of the Bolivarian Republic of Venezuela, Chapter IX, as of Environmental Rights, including the protection of the ozone layer, borders, education on environment issues, and the protection of indigenous people and traditional knowledge.
7. The Regional Director of UNEP/ROLAC, mister Ricardo Sánchez Sosa, thanked the presence of national authorities and called the attention on the importance of crosscutting the dimension of environment issues. He expressed that Customs have a significant role for the compliance of the different MEAs in each country and also mentioned that national implementation of said Agreements should be coherent and rational on the whole. On the other hand, he underscored that the Green Customs Manual is an instrument with which work will be jointly done with the different Agreements and Conventions, using Customs experiences in the implementation of the necessary controls.
8. The representative from the General Director of Environment Quality, mister Jesús Castillo, pointed out that it is necessary achieving initiatives to be managed in an integrated and structured manner. On the other hand, he urged participants to share their experiences with the other colleagues of the region, including weaknesses and strengths found in their work and reminded them about the responsibility officers have with people to comply with their rights contained in the Constitution.

Organization issues

9. The workshop was chaired by Ms. Virginia Negretti, Coordinator of Environment Management from the Venezuelan Customs and of their Ecological Customs of SENIAT; as well as by Artie Dubrie, Programme Officer from the Regional Office for Latin America and the Caribbean of the United Nations Environment Programme.
10. Before beginning with the presentations and discussion sessions, each participant made an introduction of him/herself for improving the group integration.
11. After the self-introduction, the different presentations were started.

Introduction to the Green Customs Initiative

12. Mister Ezra Clark, from UNEP/DTIE Paris, gave a complete explanation on the Green Customs Initiative and on the objectives of the same.
13. Mister Clark began explaining that the scale reached by environment crimes reaches between 20 to 30 billion dollars and that the same include illegal trade of ozone depleting substances, toxic chemicals, endangered species and live modified organisms. He highlighted that as consequence of said illegal trade there are income losses for governments and that it generally undermines the implementation of the different Multilateral Environmental Agreements.
14. He added that this problem can only be addressed through international cooperation because this trade involves transboundary movements and that for such reason, building capacities of Customs officers is vital in this field though it takes time and is costly. Mister Clark explained that in this context, an effective solution are these coordinated workshops wherein the Green Customs Initiative comes into action.
15. He stressed that, frequently, the different requirements from the Agreements are incorporated into national legislations, reason for which an officer may be dealing with different goods, making it more complex.
16. The UNEP/DTIE officer emphasized that this Initiative is an unprecedented partnership of international organizations and that its objective is increasing capacities of Customs and other enforcement officers for monitoring and facilitating legal trade and for detecting and preventing illegal trade of environmentally sensitive goods covered by relevant Multilateral Environmental Agreements (MEAs) and conventions.
17. He mentioned that the Agreements that are part of the Initiative are the Cartagena and Montreal Protocols, the Basel, Stockholm, and Rotterdam Conventions, CITES Convention and the Chemical Weapons Convention, as well as the organizations INTERPOL, World Customs Organization (WCO) and the United Nations Environment Programme (UNEP).
18. On the other hand, mister Clark called the attention on the existing cooperation between UNEP and WCO under which they make mutual

consultations, information exchange, reciprocal representation, specific cooperation in regions and technical cooperations, like for example, for Harmonized System's codes (HS).

19. Regarding Green Customs benefits, mister Clark underlined that for Customs officers there would be more knowledge on environmental issues, greater capabilities required to implement national environmental commitments and a greater recognition of Customs role in the environment's protection. On countries, he pointed out that there is greater smuggling detection, monitoring of MEAs enforcement, an increase in regional and international dialogs, and sustained capacity building when included in Customs training curricula.
20. Likewise, he commented that benefits for the Secretariats of the different Agreements are the strengthening of synergies and to share infrastructures for training in several issues, and that for the world there is the control of hazardous chemicals, a better protection of fauna and flora, and in general, improved sustained environment conditions.
21. Mister Clark explained that among the tools used within the Green Customs framework are found the Green Customs Manual that is being completed, training workshops and the website of the Initiative. In the same manner, he spoke about recent activities that took place in other regions like Asia and Africa, and that for example, about Meetings of National Contact Points of RILO for Eastern and Central Europe and Western Europe.
22. Regarding assistance and support, mister Clark commented that nationally there are agencies and institutions responsible of MEAs implementation and that they can help Customs officers in their work, and that international support, such as through the Green Customs Initiative on training, is also a good source of information and advice.
23. To end his presentation, the UNEP/DTIE officer called the attention on the expected results from which he highlighted an increase in awareness, information exchange, the identification of national and regional challenges as well as some of the potential solutions through the analysis of already existing structures.

Enforcement and compliance of Multilateral Environmental Agreements (MEAs) – Customs role

24. Ms. Andrea Brusco, from UNEP/DELIC, gave a clear presentation on MEAs as well as on their enforcement, compliance, and on the available tools for their implementation.
25. Ms. Brusco began her presentation explaining that MEAs are legally binding instruments and mentioned that when a MEA enters into force, it is responsibility of the Parties to implement it, which is carried out through a set of legislative and institutional national frameworks.
26. Ms. Brusco added that said Agreements are a historic responsibility of the Parties where common but differentiated responsibilities are observed.

27. She called the attention on the current high level of MEAs non-compliance due to the proliferation and 'congestion' of the same, reason for which now what is looked for is to optimize those that have been signed up to date.
28. LUNEP/DELIC officer made emphasis on the importance of training the different national stakeholders for the enforcement and compliance of MEAs. She expressed that said stakeholders are found at policy level, like the legislative one through the parliaments, and the enforcement one, like Customs, government attorneys and judges.
29. On the role of Customs officers, Ms. Brusco commented that it includes regulating legal trade and detecting and stopping illegal trade. On this regard, she underlined that several agreements include trade-related provisions like in CITES and Basel.
30. Ms. Brusco highlighted that Customs tasks include verifying the validity of transit documents, ensuring that the documents correspond to the goods being indeed transported, combating fraud, ensuring that restriction, assessment and collection measures for applicable taxes and fees are complied with, participating in investigations related with alleged illegal trade, and informing the public about the impacts and consequences of illegal trade and the measures for decreasing said trade.
31. On the way how Customs can carry out the tasks above, Ms. Brusco underscored the fact of becoming familiar with legislation and rulings, identifying controlled items, knowing what exceptions may exist, ensuring that their health and safety are well protected as well as on the safeness of the storage of seized items, collecting the necessary evidence, and interacting with the relevant national authority before and after the seizure of goods.
32. UNEP/DELIC officer emphasized that Customs may potentially achieve the weakening of criminal organizations as result of a greater detection and proceedings due to illegal trade and the remotion/reduction of income flows, a greater effectiveness in MEAs implementation through a better coordination at national level and a more effective use of limited resources, a better performance at national level on MEAs compliance, and protection of human health and of the environment.
33. Regarding the available help tools, Ms. Brusco commented that the same include the Green Customs Manual that is being prepared, and the lessons learned from events like the present one at national and regional levels. She added that the website is also available as well as UNEP's guidelines in the Manual on Compliance with and Enforcement of MEAs.
34. The representative from Ecuador asked the lecturer about the hierarchy of international legislation to which Ms. Brusco answered that, usually, in the national pyramid the constitution is found first and then the international agreements follow, being on top of the national legislation. She clarified that for such reason, each one of the Parties shall have to enforce them according to their constitutional reality.

35. The representative from Mexico asked for information on the Green Customs Manual, to which the UNEP/DELC officer responded that said document will be a basic instrument for all and that it would be very interesting to expand it and go into it in depth with the region's experiences.
36. Mister Ezra Clark commented that further to the Manual, there is a 'Customs Briefcase', that includes presentations of all MEAs Secretariats with links and that there will be information packs that can be used in these trainings further that regional issues may be included in the same.

Role of WCO in the Fight against Environmental Offenses

37. Mister Ezra Clark, from UNEP/DTIE, gave a presentation in the name of the World Customs Organization. He began his lecture explaining that WCO is an independent intergovernmental body established in 1952 and that it includes 171 Customs administrations Members covering 98% of world trade.
38. Mr Clark added that WCO's mission is to improve efficiency and effectiveness of Customs Administration Members, helping them to contribute with national development goals like trade facilitation, fiscal collection, community protection, and national security.
39. The UNEP/DTIE officer highlighted that Customs are very important in the fight against environmental offenses, since they are best located as they are the frontal fortress of illegal importations and the back defense of illegal exports, they have powers for physically verify goods, seize and investigate, they have awareness and training, they share experiences to deal with transboundary trade and offenders, they have a running global network of information exchange and intelligence, and they use techniques of risk assessment.
40. Regarding the support provided by WCO, Mr Clark mentioned that the organization gives support to its Members at helping with capacity building, promoting bilateral and multilateral cooperation, providing assistance, guidelines and technical support and in training, and in maintaining and exchanging enforcement data, for example, in the Customs Enforcement Network (CEN).
41. He emphasized that some of the intelligence tools that WCO has includes the Customs Enforcement Network (CEN), the Network of Regional Intelligence Liaison Offices (RILO), and the Global Information and Intelligence Strategy (GIIS) that in turn has a standardized model of risk assessment indicators/profiles (EC0149E7a).
42. He also spoke about RILO's global network as well as of the different tasks of RILO, about the national contact points and of WCO Secretariat. He added that one of the main issues is to improve Customs work wherein the key issue is CEN's database which is the only global database of Customs' seizures with

over 190,000 seizure data, including CITES and hazardous wastes, and with access to more than 155 countries and 1950 users.

43. Mister Clark underlined that there is still a huge information gap in CEN and that only with adequate reports of the Member Customs Administrations it will be possible for the CEN database to be a useful tool for Customs agents.
44. On WCO's progress, Mr Clark commented that the organization has increased its efforts in environmental issues, that 2007/08 WCO Strategic Plan orders the Secretariat to take actions including development guides, development monitoring, to organize seminars, etc., and that several activities are expected for 2008. He added that the WCO Harmonized System (HS) has been used to monitor international trade of goods covered by trade-related MEAs and that 2007 HS covers amendments of sub-codes covered by the Rotterdam Convention and the Montreal Protocol.
45. Regarding regional initiatives, Mr Clark talked about the Sky Hole Patching Project and on CEN's seizure data under CITES, highlighting that this is a very useful tool to observe trends and trade status.
46. To end his presentation, Mr Clark pointed out that Customs Officers training on how to recognize and respond to illegal shipments of environmentally-sensitive goods is critical, that awareness and thorough document controls may produce several valuable clues and may lead to successful seizures, and that cooperations with competent agencies is particularly essential.
47. He added that for CITES, enforcement in consumer countries is as important as in countries where wild life is originated, and that in the case of WEEE (Waste electrical and electronic equipment), Customs in countries where illegal shipments originate must take actions for stopping their trip around the world. He finished emphasizing that Customs should also take action for helping increasing awareness among the public.
48. The representative from Ecuador expressed that the fourth amendment does comprise some substances in the sub-codes but that not all have been included. She added that the Andean Community opened up to ten digits for controlled substances, and that it would be good that in the new revision at least six digits are considered since they are running out.
49. Ms Artie Dubrie, from UNEP/ROLAC, commented that in Central America they are also working in codes harmonization under CAFTA.

Environmental Management of Venezuelan Customs and Ecological Customs

50. Ms Virginia Negretti, Environmental Management Coordinator of the Venezuelan Customs and of its Ecological Customs from SENIAT, presented this issue and began by explaining that the Ecological Customs train officers in international environmental agreements but that the same go beyond the Green Customs Initiative since the Ecological Customs' function is focused in the implementation of the Environmental Management in Customs, where

Green Customs Initiative is implicit, but with an Integral Management point of view starting from the strategic location of the Customs point, its environment requiring high degree of preservation and conservation, as well as the joint work with other national and international bodies.

51. Regarding the Environmental Management in the Venezuelan Customs, Ms Negretti commented that the same consist in legislation enforcement, that each Customs point has a district, for preservation and conservation of natural resources and of the control of environmental impact caused by the exchange of goods of the international trade. She added that it is developed and adapted to the zone's identity, depending of its location and culture.
52. Ms Negretti emphasized that in a Ecologic Customs there is a Unit of Ecological Support in charge of developing the Environmental Management of said Customs through team and multidisciplinary work. She also showed a map with the locations of the Ecological Customs and highlighted that the main ones are located at the south of the country, in Santa Elena de Uairén and in Puerto Ayacucho.
53. SENIAT's representative explained that the concept was developed by the Institutional Technical Committee of SENIAT, which is multidisciplinary and that becomes operative at Customs level. She stressed that they practically formed a national network, called Inter-institutional Committee, to solve environmental problems, within the Customs legal authority, and that they have also carried out inspection operations at national level.
54. On the concrete actions of the Environmental Management, Ms Negretti underlined that they are part of the Presidential Commission of Chemical Security, coordinated by the Popular Power Ministry of Environment, and that in such form SENIAT directly contributes to the National Plan for the compliance of the Stockholm Convention, and to the strengthening at national level of MEAs, and of the operations in search of controlled or banned chemicals.
55. She added that there is a project for the creation of a software applications called System of the Venezuelan Customs Environmental Management designed for the ecological customs staff and further principal and sub-alternative Customs points of the country that enforce the environmental management. She clarified that its objective is to carry out automatically the process of registration and information control related with significant environmental features associated to the Customs activity, as part in the environmental management process in the Venezuelan Customs. She further explained that it offers an interaction module among the other State's institutions that articulate the environmental management. She also commented that at this moment information is still being inputted in the same.
56. The representative from Ecuador asked about the legal framework and the parameters within which the laboratory is, to which Ms Negretti answered that, on analysis, Ecological Customs do not have a laboratory inside them but that it is the Customs Central Laboratory that must respond for the analysis.

She added that work will be done in cooperation with other laboratories that are part of the Laboratories' Institutional Network supporting Customs, and that normally each one of the laboratories comply with international standards. She finished clarifying that the Ecological Customs are qualified as such due to their environmental importance and that through them they want to reinforce the co-responsibility aspect they have in this sense within the Nation's plans.

57. The representative from Paraguay expressed that in his country they have protected tariff codes, jointly with other involved institutions and depending on the substance, for detecting anomalies in their trade.
58. Ms Negretti made a recommendation on the need for customs officers to have at their availability practical and immediate helps that would allow to recognize substances *in situ* and to know how their handling should be.

Role of INTERPOL in the enforcement of Multilateral Environmental Agreements (MEAs)

59. Mister Edgardo Martínez, representative from INTERPOL, began his presentation explaining the backgrounds of the organization and highlighting that further to the six sub-regional offices worldwide, there are national central offices in 186 countries.
60. Mister Martínez pointed out that there is information exchange between offices and that each central office has relationships with a number of institutions at national level such as Customs, migration, etc.
61. Mister Martínez mentioned that the main functions of INTERPOL are to sustain and maintain the Global Communications System I24/7, police databases, to maintain the operative support services, and training.
62. On the other hand he stressed that each national central office has access to the Interpol's Criminal Information System (ICIS) for information exchange. He added that I24/7 is not limited only to central offices but that the idea is to expand such information to more involved parties. He also explained that the system deals with nominal data, vehicles, art works, lost documents, drugs, etc., and that authorization is required which in turn will depend on the user's specialty.
63. The representative from Interpol spoke about the types of notices issued by the organization and that they are classified by color depending on the alert.
64. Regarding environmental offenses, Mr Martínez explained that in March 2006 an office was created only for this issue and that its functions are to promote the eco-message and produce information on strategic and operative analysis. He likewise underscored that the organization's projections in this issue include increasing the information in the website and a purple notice for environmental crimes.

65. Mister Martínez emphasized that these crimes have been considered as organized crime since there has to be a whole structure for the trade of chemicals or endangered species, like documents falsification, transport, etc.
66. On regional cooperation, he mentioned that the objective is to have a regional information center but that at regional or subregional level, Customs can get in contact with the different national or subregional central offices.
67. Likewise, INTERPOL's officer underlined that the organization published a manual on environmental offenses and that they are at a new phase where the organization has made itself available for enforcement officers for exchanging information.
68. Mr Martínez finished his lecture stressing that the information required by Customs can be requested directly to the national central offices.

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

69. Ms Jacqueline Álvarez, from the Basel Center, gave a complete presentation about the Basel Convention, explaining first that the block of international agreements on chemicals is formed by the Basel, Stockholm and Rotterdam conventions, which regulate different parts of the same substances in their different stages.
70. On Basel Convention, Ms Álvarez mentioned that the main objective is the protection of human health and the environment regarding the generation and handling of hazardous wastes, that its negotiation arose in the 80's and that 170 countries are signatories of the same. She added that internationally, the maximum authority is the Meeting of the Parties (COP) that make decisions and give the respective recommendations. She also highlighted that the convention has national focal points and a competent authority.
71. Ms Álvarez clarified that controlled wastes are substances or objects that no longer complies with the aim it originally had, and that the conventions tries to mention them in its annexes. She emphasized that this information is in the Convention Secretariat's website and that it is also important what each country defines as waste.
72. On illegal trade, she explained that the same refers to any transboundary movement not having a notice of the involved countries, not having the consent of one of the involved countries, having the consent of the involved countries but having been obtained by falsification, wrong interpretation or fraud, not in accordance by any form with the documents, or as result of a deliberate disposal of hazardous wastes contravening the Convention or general principles of law.
73. The Basel Center representative described graphically the Convention rules from origin to destination of the transboundary movement, emphasizing that first there is notification step to the importer country of the movement as well as to the transit ones, that secondly there is consent and issuance of the

Movement Document, that afterwards the transboundary movement takes place and that lastly, the disposal is confirmed.

74. On the other hand, Ms Álvarez pointed out that illegal trade activities may occur in any of the steps mentioned before and therefore, Customs verifications in border control procedures in exporting, importing and transit countries are of utmost importance. She added that in border controls it is fundamental to take into account if there have been transport changes or if other containers or sacks with hazardous wastes have been added and which destiny is the same disposer.
75. The representative from Paraguay asked about the situation when the transit country wants to check the goods, to which the Basel Center representative responded that it is a very difficult situation because the movement would be interrupted but that if the country wants to do it, it can.
76. Ms Álvarez stressed that Customs should always thoroughly check the shipments of hazardous wastes or other wastes, and to be very alert of any possibility of illegal trade, as well as knowing who to contact for obtaining the necessary information because it is essential to look for advice. She added that in case is found, they must be sure who to contact.
77. Regarding the response that must be given in face of a suspicious shipment, Ms Álvarez underlined that in first place the situation must be evaluated, then the substance must be identified, afterwards the scene must be secured and not modified, and lastly the incident must be notified to whom it corresponds, either the sanitary or the environmental authorities.
78. Likewise, she presented a case study of a movement with the aim of letting the participants see more concretely the points to be taken into account if such a case happens in their countries.
79. Lastly, she underscored that in cooperation for the compliance of the Convention it is essential to take into account at national level the Customs Officers and control officers, Focal Points, Competent Authorities, Ministries of Justice and Prosecutors Services; at regional level the inter-regional cooperation and information exchange; and internationally, the different authorities and information of the Basel Convention, the World Customs Organization, Green Customs, and Interpol.
80. On tariff codes, Ms Álvarez commented that they are working in the issue but that certain cases cannot be identified, and that for such reason it is important to have data sheets to be able to identify such substances as well as the training for doing so.

Case study – Venezuela – Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

81. Ms Tamara Soto, from the General Direction of Environmental Quality of the Popular Power Ministry of Environment, gave a lecture on the Convention

implementation overview in her country as well as the different experiences on the same.

82. Firstly, she explained the legal frame in which the Convention is found, including the Constitution, the Environment Organic Law and the Law on Hazardous Substances, Materials and wastes, together with the different decrees and pertinent resolutions. She added that the Convention entered into force in 1998 and that the competent authority is the Ministry of Environment through the General Direction of Environmental Quality.
83. Ms Soto explained the process carried out in the Ministry for the exportation of hazardous wastes by several graphs. She commented that the procedure takes place before the transboundary movement, in which an office action is submitted to whom requested the importation which involves different bodies or companies and that a certificate is issued declaring that what is being exported corresponds to the documentation, and that lastly the shipment is specially sealed and afterwards, the authorization from the General Direction of Environmental Quality. She also mentioned that these two documents accompany all further documentation.
84. Regarding importations, Ms Soto highlighted that it is done only for recoverable hazardous materials like acid/lead batteries. She underlined that the companies making the recovery must be registered and must have the authorizations as handling company.
85. On the implementation's experience, the representative from the General Direction of Environmental Quality stressed that among the strengths found are the legal frame, the Presidential Commission of Chemical Safety and the national experience but that they do have weaknesses in the necessary capacities of human resources for implementing the convention and the lack of promotion of international agreements.
86. Ms. Soto explained that the task of the Presidential Commission of Chemical Safety is to advise the National Executive in the orientation and formulation of policies and strategies allowing the inter-sectorial cooperation and integration, for the control of production, use, distribution, handling and final disposal of hazardous chemical products, in a rational and sustainable manner.
87. Ms Soto finished her lecture pointing out that among the goals achieved are the contacts done with Customs for addressing regional and local issues and the support provided for training Customs officers.

Thursday February 28 2008

Convention on International Trade in Endangered Species of Wild Fauna and Flora - CITES

88. Mister Jesús Ramos, from the Popular Power Ministry of Environment, began his presentation explaining that the convention has been in use for 30 years and that its objective is to harmonize wild life's international trade through binding obligations and ensure that said trade does not affect fauna's and flora's sustainability.
89. Mr Ramos said that not all species are included in CITES but that it does list 32,000 from which 800 are considered to be endangered by international trade. He stressed that listed species are divided in three categories: in Appendix I are those endangered species and its commercialization is banned, in II are found those that can be trade but with strong regulation and in III are those that have been included in the Convention upon request of the Parties.
90. Mr Ramos highlighted that CITES controls all movements through permits and certificates and that maintains communication between CITES authorities for information verification. He also underlined that one of its strengths is that all procedures are almost the same in all countries since they have been harmonized.
91. On the Customs role, he emphasized that the interaction with the same is necessary due that the last one checking the shipments is the Customs officer, and that the same have among their tasks to check documentation, goods, to know the restricted trade goods, etc., and that said officers are the executors so that the convention's provisions are complied with.
92. Mr Ramos also underscored that the synergy and communication between involved authorities is very important and that the expertise is crucial for the control of species as well as to know well what to do with seizures, case for which the national competent authority is appointed.
93. Lastly, he mentioned some examples of illegal trade like woods, animals and flora, and commented that CITES has alliances with different associations to try that the convention's objectives are achieved, like joint Custom Officers training, speed up of annual reports, legislation enforcement and harmonization, etc.
94. The representative from Ecuador expressed that if the convention is not express on the Customs officers role, its coordination will be very difficult and that it would be adequate to amend it in such sense. She added that on the other hand, the last amendment of the harmonized system does not include six digit tariff codes for the species of Appendix I and that there are no advances from WCO and CITES. She further mentioned that at the Andean level 8 and 10 digit codes have been considered for including species and

scientific names and in such manner, Customs will have facts for controlling and recognizing offenses.

95. Mr Ramos clarified that it is indeed a concern and that he expects the workshop is useful to take the concern before their governments and try to coordinate better between the involved authorities. He added that it is necessary to open fast communication and response channels between environmental authorities and Customs as well as to look for the necessary synergies.
96. Ms Carmelina Flórez from FONDOIN of Venezuela, commented that it is very difficult to handle this convention for Customs officers, above all derived products such as leather, textiles, etc., due that they have very few tools to identify them.
97. The representative from Peru spoke about a case in her country where a specialist identified crocodile teeth in the airport's duty free. The national competent authority verified it and it was indeed of an endangered specie. On this respect, she stressed that though the convention establishes guidelines on importations and exportations, it should include globally the operations in the tax-free areas and further areas beyond Customs revisions.
98. One of the Venezuela's representatives expressed that the fast response is also very important as well as counting on with specialists or persons with wide knowledge of the convention in the different Customs points and not only in the ecological Customs. Mr Ramos agreed but clarified that sometimes this cannot be achieved, reason for which fast response channels are fundamental for this convention.

The Montreal Protocol and Customs Officers

99. Ms Artie Dubrie, OzonAction Programme Officer of UNEP/ROLAC, gave a complete presentation on the Protocol and its relationship with Customs. She began explaining the Protocol's backgrounds and on the ozone layer protection, and highlighted that it is maybe the only successful MEA to date.
100. Ms Dubrie stressed that the ozone layer depletion causes serious problems to health and environment, like cataracts, skin cancer, weakened immune systems, harm to land plant life, and harm to aquatic ecosystems.
101. Regarding the Montreal Protocol, Ms Dubrie pointed out that it includes controls for the production and consumption of ozone depleting substances as well as reduction and phase out according with the agreed schedules. She added that the ratification of this Protocol is almost universal and that it has a Multilateral Fund for Project funding.
102. On the main compliance objectives, UNEP's officer made emphasis on the reduction objectives for different ODS, the requirement of data reporting, the establishment of licensing systems and other monitoring and reporting requirements.

103. About enforcement, she underlined that the same is directed to national policies, rulings and guidelines related with the Montreal Protocol and its Amendments, and to Customs controls and prevention of illegal trade.
104. Ms Dubrie explained that in ODS trade control, the Protocol establishes that each Party shall regulate bulk ODS exports and imports, ODS-containing equipments, and the prohibition on trade with non-Parties, that imports/exports licensing systems, quotas and imports prohibitions are required, as well as the possibility of issuing official declarations wishing not to receive specific products.
105. On the other hand Ms Dubrie emphasized that licensing systems are fundamental for compliance since they ease the control of supply and data gathering for ODS monitoring in the country, they help to identify final users, and are part of the strategy for reducing illegal importations, further that the licensing system is a pre-requirement for Customs trainings.
106. Regarding Customs, she mentioned that the same must actively participate in the Country Programme development, in the establishment of national legislation, in the operation of licensing systems, in monitoring ODS legal trade, in the prevention of ODS illegal trade, in reporting national data in cooperation with the National Ozone Unit and in intelligence collection about ODS trade.
107. Ms Dubrie also stressed that Customs training within the OzonAction Programme framework provides Customs officers with the necessary capabilities for monitoring and controlling ODS imports and exports and products/equipments containing them further to building capacities for detecting and minimizing illegal trade. She further mentioned that training has a 'Train-the-Trainer' approach and that its sustainability is basic as its methodology should be included to the training curriculum.
108. The UNEP's officer explained that safety of Customs officers handling chemicals, the challenges on ODS identification, the cooperation with other stakeholders in the enforcement of the Montreal Protocol and the inclusion of training modules in the national curriculum, are important points to be taken into account by Customs.
109. Likewise, Ms Dubrie mentioned that UNEP has worked with WCO to include ODS-specific codes and that the Montreal Protocol Parties have also directly requested to WCO the inclusion of national codes for HCFCs. She added that UNEP can also provide tools such as information, posters, awareness material and the chemical products database.
110. On regional initiatives, Ms Dubrie underscored that regional networks and for a have been carried out, thus achieving connected and facilitated dialogues, that linking has been done with Regional Commercial Organizations, that there are informal procedures of Prior Informed Consent, and that in Asia the 'Sky Hole Patching' has been implemented.
111. On the other hand, Ms Dubrie spoke about the regional networks, highlighting that the same are a regular forum for Ozone Officers to exchange experiences,

develop capabilities, share ideas with counterparts of developed and developing countries and commented that Ozone and Customs officers have met in joint regional workshops.

112. Lastly, UNEP's officer spoke about the accumulated experiences in the work with Customs, stressing among them that the first contact for Customs nationally is the National Ozone Unit and the need to assess if there is cooperation between the Ozone Unit and Customs at national level. She further mentioned the importance of evaluating if there is already a licensing system and if there is experience and practice in data reporting.
113. The representative from Ecuador expressed that their relationship with the Ozone Unit of her country began in 2004 when they had knowledge of the established quotas and that they had problems for not having sub-codes and the names of the chemical substances. She commented that in several cases, they have been able to identify ODS illegal trade with identifiers provided by the World Bank, which always coincided by their origin from China, and that in a number of cases they have adulterated mixtures and are not really those that are permitted. She pointed out that a gas chromatograph was provided and that they built a Customs laboratory that will be inaugurated soon in their first step towards Green Customs.
114. On the other hand, the representative from Ecuador underlined that when a seizure has been done and all the procedure has been carried out for returning the seized goods to the exporter, the origin companies disappear and that they do not know what to do with the seized material. She called the participants to do something regarding the storage of seized chemicals and their final disposal, not only for the Montreal Protocol, but also for the other conventions. She finished also stressing the importance of having an adequate procedures manual for keeping the Customs officers' safety.

Implementation of the Montreal Protocol in the Bolivarian Republic of Venezuela, in the international trade of Ozone Depleting Substances

115. Mister Fresnel Díaz, Air Quality Director of the General Direction of Environmental Quality, spoke about this topic showing first the regulations in force in Venezuela for the protection of the ozone layer, and showed the consumption levels in the country.
116. Mister Díaz highlighted that in the country they have carried out several actions like the development of the legal frame, training programmes for government and private sectors, and industrial conversions for the reductions of ozone depleting substances' production and consumption. He also pointed out that one of the most important initiatives has been the interactive education programme of science and games for the protection of the ozone layer, that is developed in the Museum for the Children in Caracas, which has achieved to date the participation of nearly 100 thousand kids of all the country.

117. The representative from the General Direction of Environmental Quality also mentioned that they have carried out inspections to ODS importer and exporter companies, that they have handed over ODS identifier devices, that they have carried out workshops and lectures on the issue and that they edited the Manual on Good Practices on Refrigeration.
118. On the other hand, Mr Díaz commented that the Venezuelan Customs legislation provides for the presentation of importation permits for certain goods that, according with their nature, need them and that said permits are necessary for taking out the goods in the Customs procedure. He added that the Customs Code specifies the permits corresponding to each product if applicable for importation and that ODS are subject to the Legal Regime 1 and 10.
119. He finished his lecture emphasizing that communication with Customs is constant between them and that they have had illegal trade cases that have been dealt with jointly. He showed a case that happened in 2005 with a CFC-12 shipment in San Antonio del Táchira, in cylinders labeled as HFC-134a.
120. The representative from Mexico expressed his wish to share the experiences of the Customs laboratory of his country. He began explaining that the relationship between Customs and the Environment Secretariat SEMARNAT started three years ago and that firstly, several meetings took place and afterwards, the trainings were carried out. He commented that then came the step of handing over identifiers where they certainly had limitations but he clarified that it is a useful tool for identifying offenses though due to the border's length it is not easy to have devices in all points. He added that in 2006 they renewed trainings due to the great number of new Customs officers and that they already have an agreement between Customs and SEMARNAT where responsibilities have been extended but also the Customs' rights.
121. Regarding the Customs laboratory's experience, the Mexican representative stressed that it is a very complete laboratory in view of the trade dimension in the country. He added that there is the possibility of doing internships in the laboratory for those interested and for all the participants to ask him on this issue. He underscored that among the strengths they have people with experience and an engineering area for checking finished product, and that among the weaknesses they have the great number of samples that causes delays, and that budgets are sometimes cut and there is lack of human resources.

Sky-Hole Patching Project

122. Mister Ezra Clark, from UNEP/DTIE, gave a presentation on this project, which he commented it was an initiative in the Asia Pacific region due that this zone certainly suffers from illegal trade of ozone depleting substances.
123. Mister Clark explained that the project was launched two years ago by China's government and Asia Pacific RILO and that its objective is to conform a unite front against environmental crime in the Asia Pacific region for curbing ODS

and hazardous wastes illegal trade. He added that the project has two phases in which the first phase deals with ODS and the second one with hazardous wastes, and that further to RILO, twenty countries are participating.

124. On this initiative's mechanism, he highlighted that the same comprises a monitoring system, an immediate system of seizure notification and mutual assistance in investigations and processes.
125. Regarding the monitoring system, Mr Clark underlined that the objectives of the same are to identify suspicious exportation shipments of high risk importers/exporters to be monitored, to maintain movements follow up of suspicious shipments, to ensure that suspicious shipments are in the right path and to take immediate follow up action if anomalies are found. He emphasized that follow up is important because there is usually transit between countries and it must be observed if shipments follow the established routes.
126. Mister Clark finished the presentation showing different achievements reached among which he underscored the international media attention, the awareness increase of regional Members, an increase of understanding and mutual cooperation between Customs members and having more alert border customs officers.
127. Afterwards UNEP/DTIE's officer displayed the video 'Under the Counter' from EIA related with CFC illegal trade in China.

The Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

128. Ms Jacqueline Álvarez, from the Basel Center, gave a complete presentation on the Rotterdam Convention beginning to clarify that the convention is applicable to chemicals and pesticides.
129. Ms Álvarez explained that the convention was signed in 1998 and that its aim is to promote shared responsibility and cooperation efforts between the Parties in international trade of certain hazardous chemical products for protecting the human health and the environment from potential hazards and to contribute to their environmentally adequate use.
130. She commented that the objectives are achieved by providing early alerts of potentially hazardous chemical products and the bases for decision making regarding the future importation of chemical products (PIC procedure), and cooperating in the control of these decisions.
131. Ms Álvarez highlighted that the convention covers 39 products, divided in 24 pesticides, 11 industrial chemicals and 4 severely hazardous pesticide formulations (SHPF). She added that the convention has six annexes and that the most important one is the third one which covers the chemical products subjected to PIC procedure.

132. She explained that the key involved stakeholders are the designated national authority, the conference of the Parties, the review committee of chemical products, the Secretariat, the focal points of other conventions and other bodies at national level.
133. Ms Álvarez mentioned that the key provisions are the PIC procedure, which provides the national process of decision making on the importation of hazardous chemical products listed in Annex III and guarantees the compliance of these decisions by the exporting Parties and the information exchange that allows having knowledge on a wide number of potentially hazardous chemical products.
134. She underlined that one of the weaknesses of the convention is that it is applicable to the correct use of a chemical product but not to derived uses and that the importation response of a country is sent to the Secretariat such that there is a list of what products are prohibited in which countries.
135. Ms Álvarez also explained the PIC procedure as well as on the importation responses, emphasizing that the same refer to if a country accepts or not a product and that each six months the PIC circular is issued which provides to all Parties with the information established in the Convention, including all importation responses, list update of designated national authorities and contains the key document comprising the bases to enforce the importation decisions.
136. Ms Álvarez clarified that further to the respective exportation notification, it is also required that the product is labeled and to annex its safety data sheet. She added that the operative of the convention regulates international trade but that it is not a recommendation to limit or ban trade, that it requires of bidirectional information flow and that always there has to be a response from the importer country.
137. Regarding the benefits, Ms Álvarez stressed that it is an early alert system, that allows country to make informed decisions, that there is shared responsibility between the exporter and importer Parties, that there is additional information accompanying the exportation and that a network of designated national authorities has been created.
138. The representative from the Basel Center underscored that the convention complements the activities of the Basel and Stockholm Conventions, and the Montreal Protocol, and that working with the conventions in an integrated manner permits giving a general frame to assist in the handling of chemical products and pesticides during all their life cycle. She informed that at least nine listed products are handled in an integrated form under the chemicals block.
139. On the Customs role, Ms Álvarez suggested that imports must be verified to look if WCO harmonized codes are reflected, if the chemical product is listed in Annex III, if it complies with labeling requirements, if safety data sheets are submitted and to check with the designated national authorities if the importer country has requested not to receive such chemical product.

140. Ms Álvarez explained that the Rotterdam Convention Secretariat is discussing with WCO the best way to incorporate the Convention in the Customs training programmes and that the relevant information about the Convention is also available through the WCO training centers and of the Customs Enforcement Network (CEN).
141. To end her lecture, she mentioned that two case studies have been prepared by the designated national authority of Jamaica and Switzerland, which reflect their Customs experiences and their linking with the Rotterdam Convention. She added that the information on the convention will continue to be available in national and regional meetings and workshops for the implementation of the Green Customs Initiative through the available staff.
142. The representative from Peru asked the lecturer if the convention provides for the final disposal of hazardous chemicals to which she answered negatively. The Peruvian representative highlighted that it is an additional problem since they do not know what to do with these products, the same as with those covered by the Montreal Protocol and that they have Customs warehouses full of seized products.
143. The Basel Center representative commented that they are handling the extended responsibility concept and pursuing the importer. She added that it is necessary to assess if there is national destruction capacity before seizing, reason for which it is better to immobilize only.
144. The representative from Ecuador expressed that they will probably have a mid term solution through a project funded by FAO for chemicals destruction, in which they will pick up chemicals from warehouses and an European company will be in charge of their destruction.

Case study – Venezuela - The Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

145. Ms Tamara Soto, from the General Direction of Environmental Quality of the Popular Power Ministry for the Environment, talked about the overview of the Convention implementation in her country as well as on the different experiences about the same.
146. Ms Soto explained that the convention entered into force in her country in 2005 and that within the identification process for national main stakeholders, further to the Popular Power Ministry of Environment, the Popular Power Ministry for Agriculture and Lands through the Autonomous Service of Agriculture Health (SASA) and the Popular Power Ministry for Health.
147. Ms Soto further explained which is the proposed internal process for the convention implementation and operation at national level.
148. On the other hand, the officer from the General Direction of Environmental Quality highlighted that among the weaknesses found in the process is the

lack of legal framework but that they do have strengths like the Presidential Commission of Chemical Safety and the inter-institutional coordination.

149. On enforcement, Ms Soto mentioned that actions have already been taken like the submission of a questionnaire for making a diagnosis on the convention application, the establishment of import taxes and a national consultation on the convention implementation.

The Stockholm Convention on Persistent Organic Pollutants

150. Ms Jacqueline Álvarez, representative from the Basel Center, began her presentation pointing out that the convention entered into force in May 2004, that the same covers twelve chemical substances and that she considers it will be in a few years the most successful agreement.
151. Likewise, she stressed that the convention has a funding mechanism and that the first Conference of the Parties took place in Punta del Este in 2005. She added that it is a very young agreement and that up to date, it counts on with 130 Parties.
152. Ms Álvarez explained that POPs are chemical substances, which are highly toxic since they have been related with serious chronic diseases in fish, birds, mammals, and even humans; they are persistent since a lot of years pass before they decompose; they are mobile because they are transported long distances by air and water; and they are bio-accumulative since they concentrate in the animals' fat tissues.
153. Afterwards, Ms Álvarez showed which are the substances covered by the convention and mentioned that there are POPs of intentional production and of non-intentional generation.
154. Regarding the commerce limitation on intentional POPs, she clarified that imports of POPs listed in Annex A and Annex B are only allowed if its destination is the environmentally adequate disposal or if they are for their use as a specific exemption.
155. On exports of POPs listed in Annex A or Annex B, for which there is a specific exemption, Ms Álvarez explained that they are only allowed if their destination is the environmentally adequate disposal; a Party has a use exemption; or if it is a non-Party that certifies it will comply with the storage and disposal provisions established in the Stockholm Convention and that it will take all the necessary measures to minimize emissions.
156. Ms Álvarez also spoke about the exemptions and allowed uses, underlining that Parties must be registered for a specific exemption and that each exemption has a due date. She mentioned that PCB has a permitted use as anti-flammable product in transformers, for which they can only be exported for their environmentally adequate disposal, must be handled appropriately when they are already in use and must be disposed or destructed by 2028.
157. On DDT, the Basel Center representative informed that it has a special annex and that its use is permitted for humanitarian purposes since it can be

produced and used for vectors control. She added that Parties requiring to use DDT must be registered and obtain in that manner a specific exemption and that Parties wishing to have an exemption must provide the information indicating their need, use and handling of DDT in their country.

158. Ms Álvarez also mentioned that Parties must take measures to reduce emissions coming from non-intentional production, as for example, incineration, open burning of wastes, residential combustion, vehicle motors, and destruction of animal carcasses, and that must promote or require the use of the best available techniques and best environmental practices.
159. Regarding implementation plans and reports, Ms Álvarez pointed out that the convention requires emission control though zero levels are not required, through the elaboration of national implementation plans.
160. She further mentioned that other requirements considered in the convention are the exchange information between Parties; information to public, awareness and education including the development of education and training programmes at national and international levels; research, development and monitoring; and technical assistance for developing countries.
161. The Basel Center representative said that the Customs role must be active in controlling intentional POPs imports and exports as well as in the information exchange and reports elaboration. She further commented that Customs laboratories are crucial for this control as well as the linking with the different chemicals conventions.
162. Ms Álvarez finished the presentation showing physical-chemical data of heptachloride which is classified as POP, with the aim that participants could observe the different aspects to be taken into account when finding this type of substances.
163. The representative from Mexico told he had heard that it is very complicated to monitor dioxins and furanes for being traces and asked the lecturer if the Convention Secretariat could support some initiative for their destruction. Ms Álvarez informed that Mexico is going to have a laboratory for dioxins and furanes and that it has been postulated to be a center for final chemicals disposal for countries of the region but that up to date dioxins and furanes cannot be destroyed though research is being performed on this issue.
164. Ms Negretti from SENIAT underlined that efforts must be oriented towards developing a detailed elaboration plan for a sample taking protocol, as well as to guarantee a good interpretation of the results, aspects that if not taken into account, then even the most instrumentally modern laboratories will not be of use for anything.

Case Study – Venezuela – Stockholm Convention on Persistent Organic Pollutants

165. Ms Ester Monroy, from the Popular Power Ministry for Environment, explained to the participants that the convention entered into force in Venezuela in 2005

and that the work scheme for its implementation was divided into five stages within which they are already in the formulation stage of the National Implementation Plan.

166. She underscored that the Ministry of Environment is not the sole responsible though it is leading the process, since its inputs come from the different observation made by the other involved institutions.
167. Ms Monroy mentioned that in the elaboration of the national inventory they tried to involve the whole country though the same was a preliminary inventory, resulting that PCB is the product that is found in most of the equipment throughout the country. She added that afterwards they carried out a specific training on the convention issue, having already trained 300 officers and involved persons in the NIP.
168. On the other hand, Ms Monroy explained that as result of the national inventory they observed that the implementation of the National Plan would require, among others, of more diffusion and support from the institutions, of an amendment and strengthening of the legislation, of training and support to the development and acquisition of technologies for POPs control and disposal, not existing in Venezuela, and development of laboratory analysis capacity.
169. About the difficulties found, the officer from the Ministry of Environment highlighted that there is distrust of the information, particularly from the private sector; the long response time by the State's institutions; that it is required greater diffusion in some sectors and in the general population; and that time is needed to continue searching new potentially polluted sites.
170. Regarding strengths, Ms Monroy underlined that they are, among others, the initial handling of the POP issue in involved sectors; the interest and commitment from big companies for performing their inventory and comply with the Stockholm Convention; the effective information exchange between institutions through the Presidential Commission of Chemical Safety; the reactivation of the Regional Pesticide Commissions and others; and the addition of the POP issue in the budget of some involved institutions in POP management together with the Ministry of Environment.
171. One of the Venezuelan representatives expressed that the public does not know the effects of the exposure to these hazardous chemical products. The lecturer agreed with the participant and further mentioned that awareness is the best way to cooperate and to let know the problematic and that even important efforts have been made in the issue, there is still work to do in the implementation plan since the campaign should be broader.

Cartagena Protocol on Biosafety

172. Ms Amanda Gálvez, from the University Food Programme of Universidad Nacional Autónoma de México, began her presentation clarifying that it is different a living modified organism (LMO) from a genetically modified organism (GMO) since the LMO is a 'living' GMO and do not comprise all.

173. Ms Gálvez explained that the Cartagena Protocol was adopted in 2000, that it entered into force in 2003 and that up to date it has 143 Parties. She added that this Protocol is the only international instrument that exclusively deals with LMOs.
174. Ms Gálvez highlighted that the objective of this agreement is contributing to guarantee an adequate protection level in the field of safe transfer, handling and use of living modified organisms resulting from modern biotechnology, that may have adverse effects for the conservation and sustainable use of biologic diversity, also taking into account the risks for the human health and concretely centered in transboundary movements, according to the precautionary principle.
175. Regarding the application scope, she highlighted that it mostly refers to LMOs transboundary movements but that it does not include human vaccines though it does for animals. She further mentioned that the Protocol is very important for LMOs for direct use of food since is in this area where transboundary movements concentrate.
176. UNAM's researcher mentioned that the Parties need to take legal and administrative measures, among others, to implement the Protocol, that the Parties may take stricter measures to protect their biodiversity, being consistent with the Protocol's objective and its provisions and that Parties have the right to subject all LMOs to risk evaluations before making the decision to import them.
177. Ms Gálvez made emphasis in the importance of the BCH (Biosafety Clearing House), which is a database with all the information about LMOs and their identifying code.
178. On the procedures for LMOs transboundary movements, Ms Gálvez explained that the Protocol establishes rules and procedures to ease the safe transfer, handling and use of LMOs, including the Advanced Informed Agreement (AIA) procedure, procedures for LMOs for direct use as food or feed, or processing (LMOs-FFP), a simplified process and bilateral, regional and multilateral agreements and arrangements.
179. Ms Gálvez also mentioned that in the food's direct use procedure, a decision (authorization) of domestic use and commercialization of an LMO-FFP is registered in the BCH and that on the other hand, the Party may subject LMO-FFP importations to its laws, regulations and guidelines, if consistent with the Protocol's objective and to give copies of the same for the BCH.
180. She highlighted that other measures to promote the safe transfer, handling and use of LMOs are the appropriate handling, transportation, packing and identification of LMOs shipments, the information exchange through the BCH, capacities building and public awareness, the compliance with procedures and mechanisms, and responsibility and compensation.
181. Ms Gálvez pointed out that Customs officers must ensure that LMOs importation authorizations are adequate, with written or BCH-published decisions; to ensure that LMOs shipments are accompanied of the proper

documentation; to detect illegal LMOs importations and be able to take the adequate measures.

182. Likewise, Ms Gálvez underlined that it is very important to identify who is the national competent authority to know who to turn to in cases of doubt or suspicion. Further, she emphasized that Customs officers must become familiar with the identification requirements for different LMOs categories adopted by the Conference or Meeting of the Parties, with any additional documentation or identification requirement from the national regulatory framework and with the access to and use of the BCH.
183. As general comments, UNAM's researcher expressed that the Protocol recognizes the biotechnology's potential if developed and used with the adequate safety measures, that it was established to ensure LMOs safety but not to ban its trade, that not all LMOs can pose potential risks to the environment and that evaluations must be done in a case-by-case basis, that Customs officers play a central role in the Protocol's implementation and that it is important to obtain the relevant information and be updated with new developments.
184. Lastly, Ms Gálvez spoke about Mexico's experience in the Protocol's framework and particularly, related to maize. She stressed that there are more than 40 maize transformation events from which some of them are not authorized for their use or commercialization in Mexico and that most of them come from the USA. Likewise, she mentioned that the Biosafety Inter-Secretarial Commission has research funds and that it established a project between the Health Secretariat and UNDP for knowing how many and which are the GM maize varieties found in national importations and to implement methodologies for their laboratories in Veracruz.

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Montreal Protocol's Enforcement Network Project

185. Ms Artie Dubrie, programme officer from UNEP/ROLAC, began her lecture highlighting that the project was approved by Ex. Com 51, with funds for only one year without prejudice for the following two years, that the implementing agencies are Environment Canada and UNEP/ROLAC and that the project includes 20 countries from Latin America.
186. On the other hand, Ms Dubrie informed that the officers to which the project is addressed are the Customs officers and the Ozone officers of the OzonAction Latin American Network and that participants from other regions will be invited that can exchange experiences with the Latin American region as well as other regional and implementing agencies related with the ODS trade issue.
187. Regarding the objectives for period 2007- 2010, Ms Dubrie pointed out the following:

- To begin regional cooperation between countries of the South and Central America Networks allowing participant countries to improve controls and handling of ODS imports and exports data;
 - To promote regional cooperation for controlling ODS transboundary movements;
 - The project will established improved communications channels for the informal exchange of information at national level between Customs and Ozone officers within the Latin American region;
 - It will develop common tools for managing, reporting and cooperation regarding data;
 - It will help participant countries to improve and share existing tools on ODS trade data; and
 - To ensure that ODS consumption data in the region are reliable aiming to ease the compliance and implementation of phase out strategies.
 - Control and prohibition of ODS illegal trade in the region.
188. On the objectives of the first year, UNEP/ROLAC officer highlighted that the network already has the necessary commitments to sustain its future operation and that focal points for the project are being appointed at this time.
189. The UNEP/ROLAC officer put into consideration of the participants some points regarding the work of the project's first year and underscored that it looks for the awareness of key national and regional stakeholders; the establishment of national Focal Points defined in each country to diffuse the information and coordinate the implementation of enforcement strategies nationally; data preparation based on available infrastructures and resources at level of participant countries; the definition and agreement achievement of the modalities for the information exchange and informal regional Networks and at least 2-3 developed tools for enforcement support, since in this first year the Network has to develop the necessary commitments to sustain its future operation.
190. Likewise, she explained that the expected results at mid and long term include the effective use by the participants of the modalities for information exchange and informal regional networks, the implementation and use by the participants of the support tools, more reliable data on ODS consumption in the region and an increase in the detection of ODS illegal trade in the region.
191. Ms Dubrie also stressed among the objectives at mid and long term, a better control on ODS offer in the participant countries, a more efficient surveillance of ODS importation controls and the decrease of ODS illegal trade cases in the region, as well as making the decision of extending the resources to other Multilateral Environmental Agreements (Stockholm, Rotterdam and Basel) and the Strategic Approach to International Chemicals Management (SAICM).
192. The UNEP officer explained that the steering group is formed by Nicaragua, Mexico, Paraguay and Colombia and that the task of such group includes

defining the agendas, identifying experts, proposing the work plan for this year and the following one, defining the terms of reference of potential studies understood as necessary for the success of ODS illegal trade control in the region, implementing the work plan and carry out monitoring, documentation and revision of the project.

193. On the other hand, Ms Dubrie pointed out that the challenges in the region to homogenize the project's implementation include, among others, that the participants agreed to use the initial resources of the Network Project to countries of the region having weaknesses in their ODS trade monitoring and control systems with the aim of homogenizing the control level in the different countries of the region and achieving the short term results, that countries are strengthened, and that the network will be important for sharing national experiences and capacities and to ensure the expected results of the project at mid and long term as well as its sustainability at the end of the same.
194. Lastly, Ms Dubrie presented an analysis of ODS transboundary movements made from Asia for which she stressed that in the Asia Pacific region a project like the Latin American one was carried out and that from the analysis there were data discrepancies wherein countries report different importation or exportation amounts to importer countries and that in some cases, there were not even registration of said importations.
195. As conclusion and following step to be taken, Ms Dubrie underlined that UNEP is facilitating bilateral discussion between countries of Asia Pacific where discrepancies were found.
196. The representative from Ecuador expressed that they have found cases where some mixtures have R-22 and that therefore, it is necessary to be careful when checking the technical data sheets in order to not classify them in the wrong sub-codes and be able to have reliable statistic data.
197. Ms Jacqueline Álvarez commented that in the 90's a similar study was also performed for hazardous wastes and underscored that this discrepancy phenomenon not only happens with chemicals but also with other goods, reason for which the controls must be very well tuned.
198. Ms Dubrie stressed that RILOs of the region do not work hardly on environment yet and that for such reason, work must be done with them for strengthening and involving them in the issue.

Work group session

199. The participants were divided into three groups for discussing the following issues and then give a presentation and open discussion of the same:
 - Group 1: What support and assistance is required by Customs and from where said support could come from?
 - Group 2: What should be the cooperation with stakeholders involved in the control of environmentally sensitive goods and the cooperation between countries with representation at the workshop?

- Group 3: Identification of regional and international cooperation mechanisms in the control of environmentally sensitive goods

200. Group 2 was the first to present their discussion. They identified internal and external stakeholders; among the internal ones they identified the different ministries involved in first degree and the judiciary system, the Public Ministry, laboratories and universities in second degree. The recommendations of the group were the following:

- Internal control system managed through imports licenses
- Developing an exports licensing system with previous consent of the exporter country backed between competent authorities
- How to achieve an efficient mechanism of information exchange between the responsible ministries and Customs
- Electronic validation and verification systems of licenses issued by the competent bodies by the Customs administrations
- Developing international electronic mechanisms of information exchange (networking) for controlling products covered by MEAs regulations:
 - Statistics Management Systems,
 - Strengthening of technical capacities,
 - Risk analysis and shared risk management (identification of high risk companies in the trade of substances controlled by MEAs, among others)
 - Diffusion of problematic cases, successful experiences in the region
 - Establishing regional communication Networks identified by bodies, institutions, and staff involved (first degree stakeholders)
 - Favoring regional works of tariffs identification of products controlled by MEAs.
- The calls for MEAs international meetings must specify a minimum degree for their participation: technicians with minimum experience in the area of the competent bodies, from Customs and their tasks to be linked with these activities
- Databases creation in the Customs web pages of trade operators (importers and exporters) authorized by the competent authority of each country to ease the controls in the importation and exportation countries.
- Creation of regional databases to share identification patterns and analysis methodologies

- Networking of regional and national laboratories for exchanging information, experiences, capacities strengthening, verification and optimization of analysis methodologies
- Constituting support Networks of national and international research bodies (Interpol, police, public ministry) with the first degree stakeholders
- Recommending to Interpol the creation of a work group for the fight against environmental offenses
- Strengthening of control capacities according to the propensity of certain Customs to nationalize products controlled by MEAs

201. Afterwards, group 3 identified several cooperation mechanisms, among which they highlighted the following:

- Reinforcing workshops on Green Customs at national and regional levels.
- Training of Environmental Offenses officers.
- Creation of an information network having a list of environmentally sensitive goods according to the environment-related international agreements, an imports/exports database as covered by common and special Customs regimes of the environmentally sensitive goods, risk profiles inputted with Interpol's data, operations of fraudulent companies, detected in Latin American countries and their experiences with third countries, and the harmonization of the Nomenclature and tariffs classification, considering the updates of WCO harmonized system and the respective update and regional tariffs openings.
- Strengthening of Customs by establishing Central Laboratories
- Elaboration of procedures manuals for sample taking and of chemical analysis methods of environmentally sensitive goods with international standards.
- Establishing specialized Customs in each country
- Elaboration of procedures manuals for operative control of environmentally sensitive goods
- Requesting non-refundable funding to international cooperation bodies for the strengthening of Customs' central laboratories and for the training of Environmental Offenses officers.

202. Further, group 3 posed the possibility of carrying out a project for a Latin American Environmental Customs Management System, which objective would be to supervise the enforcement of commitments established under International Environmental Agreements, that lead to a timely and effective control of environmentally sensitive goods.

203. Mister Ezra Clark, from UNEP/DTIE, reminded the participants about the existence of Networks already established like RILO, most of all for information exchange and databases. He added that the matter is to evaluate

if Customs officers have contact with the corresponding focal points in RILOs and if said relationship has worked.

204. The representative from Brazil expressed that he has no experience with RILO on the environmental issue. He clarified that informations in his group such as PIC, are preventive actions in order that countries have previous knowledge of said movements.
205. Mr Clark highlighted that to improve the relationship with RILO, it can be done directly with said network or through WCO's Secretariat. He added that the environmental issue is a topic that is more and more comprised in the agendas and that the request to involve RILO more in the regional Networks would have to come directly from the region.
206. Lastly, group 1 informed about the discussion held and summarized that the assistance and support should address the following:
- trainings
 - information management
 - risk profile management
 - technical assistance
 - creation and improvement regarding national laboratories
 - awareness of international trade agents
 - support on protocols and conventions with focal points
207. On the other hand, they considered that said assistance and support should come from international bodies such as UNEP, WCO, UNIDO, Interpol, the Secretariats of the different conventions and protocols (Stockholm, Montreal, Basel, CITES, Cartagena, Rotterdam, Chemical Weapons), and from the focal points inside the Ministry of Foreign Affairs, Ministries of Environment, Agriculture, Health, Defense, Customs authority and other competent government institutions.
208. The representative from Ecuador expressed that in her country RILO is not focused into the environment but that in Customs intelligence they always ask for their support. She added that in her work they do take into account the focal points but that the idea would be to unite them under a single system since they do not want a bureaucratic body but a system to comply with the Green Customs Initiative.
209. Ms Jacqueline Álvarez reminded the participants that there are already infrastructures in some countries and that the same should be considered for not duplicating efforts and lose funding resources. She further mentioned that there are regional centers for Basel and Stockholm for working in regional initiatives.
210. The representative from Mexico expressed that countries having regional agreements have better possibilities of communication and coming together, and that in this context Customs should take advantage thereof.

211. Ms Negretti, from SENIAT of Venezuela, expressed that indeed the discussions held by the three groups coincide to a large extent with the discussion held nationally for the Environmental Management of the Venezuelan Customs, and summarized the work of the three groups as follows:

- The prevailing need of having a Customs laboratory was highlighted, where there is a diversion of technological efforts, in such manner that analytical methodologies are not duplicated.
- A needs profile must be created for meeting the characteristics of each Customs administration.
- It is necessary the fast information exchange taking advantage of the already existing networks. In case of creating a new exchange Network, this latter should focus in the exchange of methodologies for sample taking for physical-chemical analysis, as well as on quality control regarding the precision and accuracy showed by said analysis.
- Joint work should be conformed with the help of the different stakeholders of International Trade, as well as with the community.
- Urgent need to elaborate practical methodologies that ease MEAs application in Customs (technical data sheets, Green Customs training, training of Environmental Prosecutors, etc.)

Closing

212. The first Green Customs Workshop for Latin America was officially closed on Friday the 29th of February 2008 at 6:00 in the afternoon.

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IV. Conclusions and Recommendations

1. With the aim to improve the control of transboundary movements of environment-sensitive items, it is advisable to open fast communication and response channels between Environment Authorities and Customs Administrations of the region's countries, through the prompt exchange of information.
2. Customs agents from the different participant countries considered of great importance and aid the availability of technical sheets of the controlled products or articles container in the different Multilateral Environment Agreements (MEAs), to achieve a timely and correct identification of the same at the moment of their entry to the country as well as for a safe handling of the same. In the same manner, they highlighted the importance of protecting the integrity and security of the agents through the elaboration and implementation of procedure manuals or guides for the handling of these types of products.
3. The workshop participants acknowledged that the accessibility to analysis laboratories in each country is fundamental for carrying out the correct and accurate control of transboundary movements of environment-sensitive items and that the same should be linked with the different MEAs covered by the Green Customs Initiative. To this effect, they considered suitable the non-refundable financing by international cooperation organizations.
4. Regarding the identification of regional and international cooperation mechanisms on the control of environment-sensitive items, the participants suggested the reinforce workshops on Green Customs at national and regional levels as well as the training of agents for fighting environmental offenses. On the other hand, they recommended the creation of an information exchange network containing a list of environment-sensitive items in virtue of the international agreements related with the environment, an imports/exports data base comprised in the common and special customs regimes of environment-sensitive articles, risk profiles with inputs from RILO and INTERPOL data and operations of fraudulent enterprises in Latin-American countries and their experiences with third countries, as well as the harmonization of WCO's Customs nomenclature and classification, taking into consideration WCO Harmonized System and the respective regional tariff update and openings.

5. The participants of the region's countries recommended the preparation of a Project called Latin-American Environmental Customs Management System, which objective would be to supervise the compliance of the compromises acquired under International Environmental Agreements that lead to a timely and effective control of environment-sensitive items.
6. Regarding the effective control of controlled products under MEAs, the workshop participants considered of great importance the development of an exports licensing system with prior informed consent of the exporter country supported between the competent authorities as well as the implementation of electronic verification and validation systems of the licenses issued by the competent bodies from the Customs Administrations. On the other hand, the participants also asked INTERPOL about the creation of a working group for the fight against environmental offenses together with its respective information exchange system at regional level for achieving the control of legal trade and for curbing illegal trade of environment-sensitive products.
7. On the involved stakeholders regarding the control of environment-sensitive items, the participants considered that even though the internal stakeholders in the countries are basically from the public sector, stakeholders from the private sector must be involved as well as from the different relevant international organizations, such as Chambers of Commerce, storage agents, customs agencies, Interpol, etc., with the goal of improving cooperation and effective control of transboundary movements of environment-sensitive items.
8. The participants of the region's countries highlighted that the support and assistance required by Customs include the training of customs agents and further involved staff, information and risk profiling management, technical assistance and creation and improvement regarding national laboratories, awareness for international trade agents, and support on multilateral environment protocols and agreements with the focal points of each country of the region. In the same manner, they acknowledged that said support and assistance may come from international bodies such as UNEP, WCO, UNIDO, INTERPOL and from the Secretariats of the different related conventions and protocols, as well as from the different focal points of the countries such as the Foreign Affairs Ministry, the Ministries of Environment, Agriculture, Health, Defense, Customs authorities and other competent government bodies.

V. Annexes

a. Agenda

<i>Wednesday February 27, 2008</i>	
08: 30 – 09: 00	REGISTRATION OF PARTICIPANTS
09: 00 – 09: 50	<p>OFFICIAL OPENING OF THE WORKSHOP</p> <p>Welcome Address</p> <p>Opening remarks:</p> <ul style="list-style-type: none"> • Ministerio del Poder Popular para el Ambiente (MPPA) • Servicio Nacional Integrado de Administración Aduanera y Tributaria (SENIAT) • United Nations Environment Programme (UNEP)
09: 50 – 10: 10	INTRODUCTION AND EXPECTATIONS OF PARTICIPANTS
10: 10 – 10: 30	TEA / COFFEE BREAK
10: 30 – 11: 00	<p><i>INTRODUCTION TO THE GREEN CUSTOMS INITIATIVE,</i></p> <p><i>Ezra Clark: UNEP</i></p>
11: 00 – 11:30	<p>ENFORCEMENT OF AND COMPLIANCE WITH MEAs – THE ROLE OF CUSTOMS: <i>Andrea Brusco: UNEP/DELIC</i></p> <ul style="list-style-type: none"> • What Are Multilateral Environmental Agreements (MEAs)? Why should Customs care? • Overview of available tools: the Green Customs Guide; the UNEP Manual on Compliance with and Enforcement of MEAs • Questions and Answers
11: 30 – 11: 45	<p><i>THE ROLE OF WCO IN ENFORCEMENT OF MEAs</i></p> <p><i>Ezra Clark: UNEP</i></p> <ul style="list-style-type: none"> • WCO Information and Intelligence Global Strategy and Risk Assessment Indicator • Questions and answers
11:45 – 12:30	<p>ENVIRONMENTAL MANAGEMENT OF THE VENEZUELAN CUSTOMS AND THEIR ECOLOGICAL CUSTOMS: <i>Virginia Negretti de Bratter: SENIAT Venezuela</i></p> <ul style="list-style-type: none"> ▪ Venezuelan case ▪ Experiences of participant countries
12: 30 – 13: 30	LUNCH BREAK

13: 30– 15:00	<p>THE ROLE OF INTERPOL IN ENFORCEMENT OF MEAs: INTERPOL: <i>Edgardo MARTINEZ OLMOS: Regional Office of INTERPOL El Salvador</i> Questions and Answers</p>
15:00 – 15: 30	<p>INTRODUCTION TO THE BASEL CONVENTION ON TRANSBOUNDARY MOVEMENT OF HAZARDOUS WASTE AND THEIR DISPOSAL: <i>Jacqueline Álvarez: Basel Secretariat, Basel Center, Uruguay</i></p> <ul style="list-style-type: none"> • Overview of the Basel Convention • Implementation of the Basel Convention • Venezuela case: Eng. Tamara Soto
15: 30 – 15: 45	TEA / COFFEE BREAK
15: 45 – 16: 30	<p>Country Reports of Implementation of the Basel Convention</p> <ul style="list-style-type: none"> • The role of Customs & practical examples • Problem of the implementation • Who and what can help you in your daily work? • Lessons learnt in this session
Thursday February 28, 2008	
09: 00 – 10:30	<p>INTRODUCTION TO THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES): <i>Jesús Ramos Oropeza: Ministerio del Poder Popular para el Ambiente National Office of Biologic Diversity, General Director Centro Simón Bolívar, Venezuela</i></p> <ul style="list-style-type: none"> • Introduction to CITES and the Role of Customs • Collaboration between CITES Authorities and Customs for regulation of legal trade - Overview of seizures made in the region in recent years • Overview of smuggling of wildlife in the region and major seizures • Problems and challenges faced • Cooperation between neighbouring countries on enforcement issues • Discussion
10: 30 – 10: 45	TEA / COFFEE BREAK
10: 45 – 11: 45	<ul style="list-style-type: none"> • CASE STUDY ON THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER (ODS): • <i>Artie Dubrie y Ezra Clark, UNEP</i> • Implementation of the Montreal Protocol

	<ul style="list-style-type: none"> • <i>Venezuela Case</i>: Lic. Fresnel Díaz • Implementation of the Project Sky Hole Patching • <i>Under the counter video by Environment Investigation Agency</i> • Lessons learnt – Open floor Discussion
11: 45 12: 45	<p>INTRODUCTION TO THE ROTTERDAM CONVENTION ON THE PRIOR INFORMED CONSENT PROCEDURE FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES IN INTERNATIONAL TRADE: <i>Jacqueline Álvarez: Basel Secretariat, Basel Center, Uruguay</i></p> <ul style="list-style-type: none"> • Implementation of the Rotterdam Convention • <i>Venezuela case</i>: Eng. Tamara Soto • Questions and Answers <ul style="list-style-type: none"> ● The role of Customs & practical examples ● Who and what can help you in your daily work? ● Lessons learnt
12: 45 – 13: 45	LUNCH BREAK
13: 15 - 14: 00	<p>INTRODUCTION TO THE STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS: <i>Jacqueline Álvarez: Basel Secretariat, Basel Center, Uruguay</i></p> <ul style="list-style-type: none"> • Implementation of the Stockholm Convention • <i>Venezuela case</i>: Lic. Ester Monroy • Questions and Answers <ul style="list-style-type: none"> ○ The role of Customs & practical examples ○ Who and what can help you in your daily work? ○ Lessons learnt
14: 30 – 15:15	<p>INTRODUCTION TO THE BIOSAFETY PROTOCOL <i>Amanda Gálvez Marisca: Biosafety Secretary, UNAM México</i></p> <ul style="list-style-type: none"> • Introduction to the Biosafety Protocol in the Country • Questions and Answers <ul style="list-style-type: none"> ○ The role of Customs & practical examples ○ Who and what can help you in your daily work? ○ Lessons learnt
15: 15 – 15: 30	TEA/COFFEE BREAK
15: 30 – 16: 00	<p>REGIONAL APPROACHES ON CUSTOMS COOPERATION: <i>Artie Dubrie UNEP/ROLAC</i></p> <ul style="list-style-type: none"> • Introduction to Regional Enforcement Networking for Latin

	<p>America</p> <ul style="list-style-type: none"> • Cross-border Customs Cooperation / Dialogues
16: 00 – 17: 00	Establishment and preparation of working groups for Day 3.
Friday 29, February, 2008	
9: 00 – 10: 30	<p>WORKING GROUP SESSION</p> <ol style="list-style-type: none"> 1. What support and assistance is needed by customs, and where that support and assistance might come from? 2. Cooperation with stakeholders in control of environmentally sensitive commodities and cooperation between countries represented in the workshop 3. Identification of regional and international cooperation mechanisms in the control of environmentally sensitive commodities
10: 30 - 11: 00	REPORT OF GROUP DISCUSSIONS
11:00 – 12: 00	Discussion and feedback on training materials and how to use them
12: 00 – 13: 00	LUNCH BREAK

13: 00 – 16: 00	<p>PRACTICAL EXERCISES</p> <ul style="list-style-type: none"> • National Green Customs Trainings Incorporation in the curriculum of Customs Training • Needed resources and availability at the regional and national levels
16: 00 – 16: 30	CLOSING CEREMONY, ISSUANCE OF CERTIFICATES OF PARTICIPATION

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c. Workshop evaluation by the participants

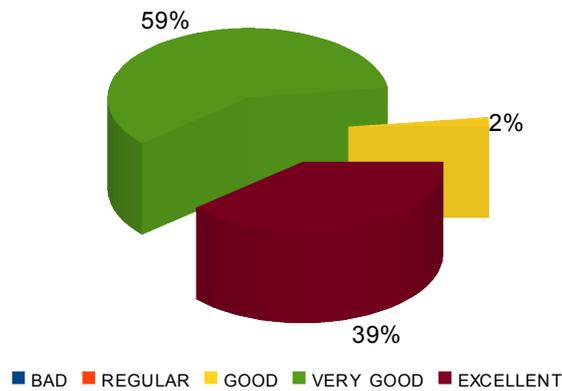
EVALUATION FIRST GREEN CUSTOMS WORKSHOP FOR LATIN AMERICA

CARACAS, VENEZUELA, FEBRUARY 27-29, 2008

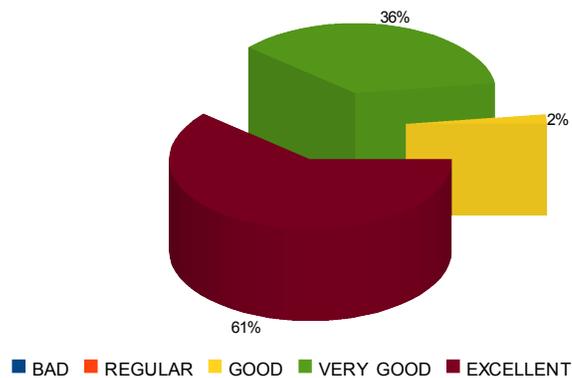
How we did?

	BAD	REGULAR	GOOD	VERY GOOD	EXCELLENT	AVE.
1. Timely distribution of information	0	0	1	26	17	4.36
2. Planning and development of the meeting (logistics)	0	0	1	16	27	4.59
3. Planning and development of presentations	0	0	2	16	26	4.55
4. Usefulness/Applicability of the meeting	0	0	0	10	34	4.77
OVERALL QUALIFICATION:						4.57

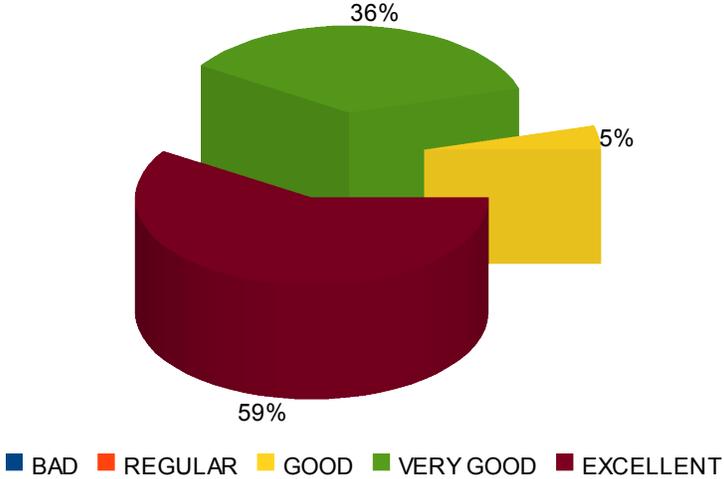
Timely distribution of information



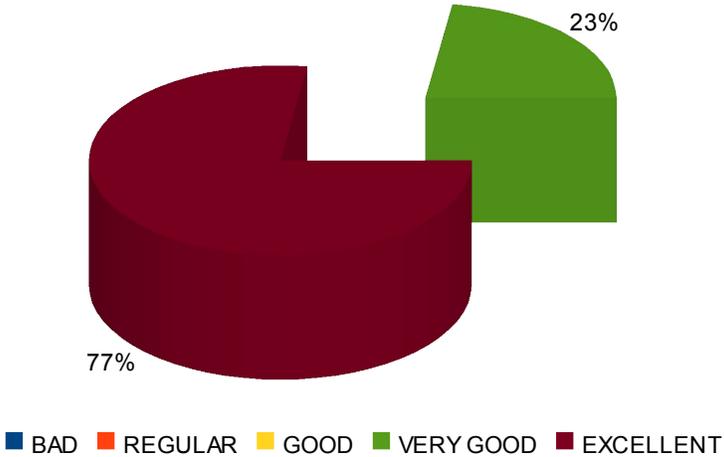
Planning and development of meeting (logistics)



Planning and development of presentations



Usefulness/applicability of meeting



d. Gender participation evaluation

