

CUSTOMS

# Green Customs Guide

to Multilateral Environmental Agreements



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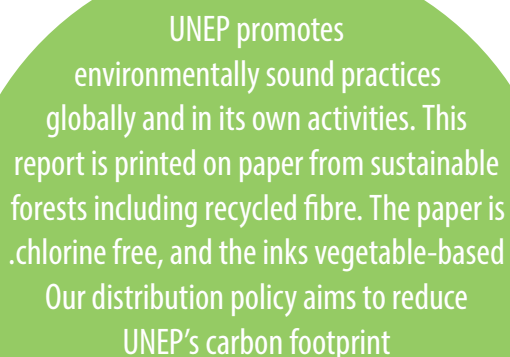
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# GREEN CUSTOMS GUIDE

## TO MULTILATERAL ENVIRONMENTAL AGREEMENTS





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# Foreword

Customs officers and other relevant border control officers are on the frontline of facilitating and monitoring international trade. Customs and border control officers are expected to maximise the benefits society can derive from this trade, while at the same time we ask Customs officers and border control officers to limit the risks and threats that such commerce can pose, such as uncontrolled and illegal trade or criminal activities.

Certain substances and commodities that cross borders are considered to be “environmentally sensitive” for human health or ecosystems because of their inherent hazardous qualities, their potential for misuse, or their impact or possible impact on biodiversity or species. Such items include banned or restricted chemicals, hazardous and other wastes, rare and endangered species and living modified organisms. Many of these environmentally sensitive substances and commodities are controlled under trade-related multilateral environmental agreements (MEAs). Effective monitoring and control of the transboundary movement of such substances and commodities is a key component of environmental protection and, in many cases, national security.

For Customs officers and border control officers to do their daily work effectively, they need information and guidance so that they know what to look for, why they are looking for it, what the implications of its uncontrolled or illegal trade are, and whom to contact for more specialised assistance. Such capacity building of Customs officers and border control officers was initiated under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Montreal Protocol on Substances that Deplete the Ozone Layer, and it soon became evident that both illegal and legal trade needed to be considered in a holistic manner by making links, where appropriate, with other environmental Conventions to provide integrated training.

This Green Customs Guide is a tool that assists with this. This publication, which has been designed to be used by Customs officers and border control officers as part of a training curriculum or as a stand-alone introduction to the subject, provides an overview of the Conventions, their requirements related to trade in the environmentally sensitive substances and commodities, and Customs officers and border control officers’ role in facilitating their legal trade and preventing illegal trade.

This Guide has been produced by the Green Customs Initiative, an unprecedented and award-winning collaborative effort of 11 international organizations and convention Secretariats concerned with the implementation or enforcement of agreements with trade-related aspects. By finding links between the respective mandates and scopes of operation, the partners have joined together to engage, encourage and support Customs officers and border control officers in the implementation of MEAs and related agreements, in a cost-effective and coordinated manner.

Today, Customs officers and border control officers are increasingly aware that their traditional role as guardians of the trading system is evolving into a more nuanced one encompassing different dimensions of sustainable development related to the well-being and protection of society. Now we are asking Customs officers and border control officers to be at the frontline not only for trade, but also for environmental protection purposes, and to contribute to the greening of trade.

Through this Guide, the Green Customs partners invite you to join in the effort to protect our global common environment as well as that of your country by facilitating the implementation of important aspects of these international agreements in your daily work. We sincerely hope that this Guide is helpful and stimulates you to become more involved as a protector of the environment to facilitate conservation and sustainable use through responsible trade.



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UN ENVIRONMENT



Dr. Kunio Mikuriya  
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WORLD CUSTOMS ORGANIZATION

# Preface

Customs officers and border control officers ensure that any goods entering or leaving their country comply with national laws. If their country is a Party to one or more multilateral environmental agreements (MEAs), then these agreements should be integrated in the national legal frameworks.

Environmental problems are transboundary in nature and have a global impact. They can be effectively addressed only through international cooperation and shared responsibility, made possible through MEAs. Several MEAs regulate the cross-border movement of items, substances and products, mainly in the form of imports, transits, exports and re-exports. Thus the front-line Customs and border control officers responsible for controlling trade play a very important role in protecting the national and global environment.

Of particular importance to the work of Customs and border control officers are the treaties with trade-related provisions, such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Cartagena Protocol on Biosafety, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Montreal Protocol on Substances that Deplete the Ozone Layer, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants.

MEAs regulate the transboundary movement of a wide variety of items that Customs or border control officers might encounter in their work. Verifying shipments and their documentation is altogether a complex task and a large responsibility, as is verifying compliance with national laws and taking action when violations occur.

This guide is intended to help Customs and border control officers in their work. Chapter 1 explains what MEAs are and introduces the organizations that are partners to the Green Customs Initiative. Chapter 2 provides an overview of the main MEAs with trade-related provisions, with details on how they regulate trade, the roles and responsibilities of Customs and other border authorities, the specialised terminology associated with MEAs, and where to find additional information and guidance. Chapter 3 explores the practical aspects of implementing MEA's monitoring requirements, including identification and inspection of suspicious goods, seizure and disposal, health and safety, legal issues and cooperation with other

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