Targeting toxic waste

Customs administrations at the borders become environmental guardians.

By Chris Gillis

Some ocean containers hold dirty secrets. It’s these inconspicuous shipping boxes that customs administrations, together with other regulatory agencies, are increasingly tasked with stopping before their toxic contents are unleashed on the environment.

“Customs has a role to play in preserving our natural heritage,” said Kunio Mikuriya, secretary general of the Brussels-based World Customs Organization, in a recent interview.

“Our members can respond to real needs of civil society by targeting illicit toxic waste shipments.”

As new technologies and products enter the market, outdated and broken items consequently pile up. Landfill disposal has become increasingly undesirable due to limited space and concerns over toxic chemicals leaching over time into the groundwater.

In recent years, firms specializing in the collection of hazardous waste, especially the electronic variety, have permeated the market, claiming more responsible methods for disposal. However, the industrial world generally lacks facilities to economically refine waste back into useful products, so it’s generally marketed, sold and exported to scrap dealers in developing countries.

What’s evolved, in the view of many environmental and health regulators, is an industrial supply chain of questionable intent. The United Nations Environment Program (UNEP) believes that national and international crime syndicates worldwide earn $20 billion to $30 billion a year from smuggling and dumping hazardous waste.

In general, customs applies more or less the same tools and techniques to control trans-boundary movements of all kinds of goods,” said Hui Fu, technical officer responsible for compliance and facilitation at the WCO. “All instruments developed by the WCO may be used in all areas of customs operations.”

The WCO, which comprises 176 customs administrations, has expressed concern about illicit hazardous waste shipments for decades. In 2003, the organization joined with the UNEP to create the Green Customs Initiative.

The initiative’s objective is to enhance the capacity of customs and other relevant enforcement agencies to detect and prevent illegal trade in environmentally sensitive goods covered by conventions and multilateral environmental agreements. These include ozone-depleting substances, toxic chemicals, hazardous wastes, endangered species, and living or genetically modified organisms.
The Green Customs Initiative is designed to complement and enhance existing customs training efforts under the various agreements. This may be achieved by raising awareness on international agreements as well as through providing assistance and tools for law enforcement.

In addition to the WCO and UNEP, the Green Customs Secretariat, based in Paris, comprises the secretariats of multilateral environmental agreements, Interpol, the United Nations Office on Drugs and Crime, and the Organization for the Prohibition of Chemical Weapons. The initiative also works closely with a number of other regional and international organizations.

Despite these efforts, waste smuggling continues to haunt the international supply chain, and customs authorities worry the problem may actually be getting worse, especially with the rise in disposable electronic devices on the market.

Smugglers use a variety of methods to conceal waste from regulatory authorities. Physical controls at the border and all the way to the final destination will remain critical, but enforcement also requires the cooperation of the import country.

The WCO Regional Intelligence Liaison Office on Drugs and Crime, Interpol, WCO and the World Bank, have recently designed the International Consortium on Combatting Wildlife Crime (ICCWC), a strategic approach to stopping wildlife crime in a more formidable and coordinated way.

One of the reasons behind this focus on the environment is the effort by the world’s customs community to remain responsive to the concerns of citizens across the globe that the international trade in species should be legal and sustainable, and that those who commit environmental offenses should be actively pursued,” Mikuriya said. “I have received positive feedback that customs officers were proud to join global endeavors aimed at preserving mother earth and its biodiversity.”

On Jan. 15, 2009, Operation CITES, a global one-day intensive control, was carried out by 90 customs administrations around the world, leading to seizures totaling 4,630 endangered live species as well as products and derivatives. These seizures involved as many as 80 species, including ivory tusks, musk, tiger derivatives, caviar, rhinoceros horns, lynx, snow lotus, and lion skins. In 2009 alone, customs officers in several countries confiscated more than 23 tons of ivory from numerous incidents, a record high, according to the WCO.
The largest U.S. trade association of recyclers in March announced what it called a “roadmap” to address the problem of improperly exported electronic scrap.

“Among other provisions, the policy bans the export of electronic equipment and components for landfilling or incineration for disposal and requires that facilities outside the U.S. that recycle or refurbish electronics have a documented, verifiable environmental, health and worker safety system in place,” said Robin Wiener, president of the Institute of Scrap Recycling Industries (ISRI), in a statement.

The Basel Action Network (BAN), a Seattle-based toxic trade watchdog, attacked the ISRI’s policy announcement as “greenwash” and a continuation of “export your harm” to managing electronic waste.

“It is a cruel joke that ISRI perpetuates the myth of ‘environmentally sound management’ in developing countries,” said Jim Puckett, executive director of BAN. “If a developing country like China or India had everything it needed to properly manage hazardous waste like e-waste, it would no longer be a developing country.”

Operation Demeter. On Jan. 26, 2009 — International Customs Day — the WCO Secretariat highlighted the theme of customs and the environment, and to drive home its point proposed and coordinated Operation Demeter from March 23 to May 11, 2009.

The global operation, named after the Greek goddess of vegetation and fruitfulness, targeted illegal shipments of hazardous waste between Europe, Asia-Pacific and Africa. It involved customs administrations from 65 countries. It was supported by seven WCO Regional Intelligence Liaison Offices, the Basel Convention Secretariat, national environmental protection agencies, and IMPEL-TFS (EU Network for the Implementation and Enforcement of Environmental Law — Trans-frontier Waste Shipment).

The operation focused on the 16 most traded wastes. Customs officers at more than 300 seaports and other selected locations intensified their risk assessment and cargo profiling. According to the WCO, more than 2,000 physical controls were carried out to identify high-risk shipments.

The backbone of the operation was the use of the WCO’s Customs Enforcement Network communication (CENcomm) system by the participating customs administrations to exchange information about hazardous waste traffic. The WCO noted that a record 516 messages were transmitted via CENcomm during the operation.

Eighty-six seizures amounting to 45,600...
tons and more than 1,800 pieces of hazardous waste were reported including “used” or waste electronic and electrical equipment, household waste and end-of-life vehicles and their parts, metal scrap, granite and used vehicle batteries. Forty-eight seizures were reported by European countries during the first two weeks of the operation, where the goods were intercepted before they could be shipped out.

“Smuggled hazardous materials such as computers, CRTs (cathode ray tubes), and used batteries from the U.S. can be found in many countries in Asia as evidenced by Operation Demeter,” Fu said.

The WCO believes Operation Demeter was a success and has had some lasting effect in that customs administrations and environmental protection agencies in many participating countries now recognize the value of working together in their daily operations, Fu added.

“The success of Operation Demeter can be attributed to our desire to protect the environment for future generations, the strong political will and commitment of WCO member customs administrations, and excellent cooperation with our partners at the national, regional and international level,” Mikuriya said. “In fact the WCO is now even more determined to bolster the partnership further as coordination, cooperation and communication are the enemies of those who profit from this trade.”

Since the operation, the WCO has hosted Green Customs workshops on environmental border protection in India for the Asia-Pacific region and at Mombasa, Kenya, for East and Southern Africa. The Green Customs Initiative also organized six workshops for customs officers in other parts of the world during 2009. In 2010, the WCO will host a Green Customs workshop for the Middle East and North Africa region and another covering North and South America and the Caribbean, while the Green Customs Initiative plans to hold at least another six regional and national workshops for customs officers this year.

In June 2009, the WCO Secretariat also launched Environet. This secure communication tool, which is used in the fight against environmental crime at the border, uses the CENcomm platform. In specific, the tool enables customs officials, environmental authorities, law enforcement and international organizations, as well as regional networks, to cooperate and share real-time information. All commodities covered by trade-related multilateral environmental agreements are available for discussion via Environet.

According to the WCO, by January, about 970 users from more than 110 countries and international organizations have registered and shared more than 450 messages via Environet, and its library provides free downloads of more than 100 different training materials, background information and manuals.

The WCO is working with the Basel Convention Secretariat and other partners to develop a guideline for customs and environmental protection agencies focused on cooperation, Fu said.

Earlier this year, the WCO’s Enforcement Committee endorsed a follow-up to Operation Demeter be implemented. “We do not have specific dates yet for the moment, but definitely this will take place,” Fu said.

The WCO also expects to enlist more support for its endeavor to combat illegal hazardous waste shipments from the global shipping industry.

“Customs and EPAs (environmental protection agencies) cannot fight the trafficking of waste alone,” Fu said. “The port authorities, carriers and traders also share the responsibility. With the WCO theme ‘partnership with business’ in 2010, we are exploring the possibility to maximize the efforts.”

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