

## WORKING GROUP 10: IMPORT AND EXPORT CONTROL / CUSTOMS

### 1. Which international agreements require capacity for import and export control

The Working considered the following reference materials, TWS8-3 and a document entitled "Towards Integrated National Implementation of International Obligations in respect of Chemicals Management: An Industry Perspective on Synergies for Capacity Building Under International Agreements Addressing Chemicals".

Some Conventions contain specific obligations in respect of import/export controls while others made a general reference to an aspect of the administration of import/export controls. For example;

**Requirement for specific legislation governing import/export control** : Basel, CWC, Rotterdam and Stockholm

**Hazard Assessment/Classification:** Basel (General Ref.), CWC (General Reference), FAO (specific recommendation), ILO 170/174 (Specific Recommendation), Rotterdam (General Reference), Stockholm (General Reference)

**Requirement for regulation of production, use, import/ export controls:** CWC, Basel, Rotterdam, Stockholm, UN Narcotics., Vienna Convention/Montreal Protocol

### 2. What features/elements would an integrated approach to import/export control have?

- Legislation (possibly the development of model legislation or check list of provisions which should be incorporated into domestic legislation)
- Capacity building programmes/training for the relevant technical officers involved in import/export controls: Customs Depts., Enforcement Officers, Port Authorities, Inspectorates
- Information exchange mechanism for effective communication between Designated National Authorities (DNA) and Customs officers within States as well as between State DNAs
- Licensing regime for import
- Packaging and labelling regimes (in keeping with recognized international standards)
- Uniformed System for Customs Codes In this regard, the Group stressed the need for a harmonized system for Customs.
- Infrastructure (tools to undertake effective monitoring, tracking and enforcement). It was recommended that Customs systems where possible should be computerized and there should be and an electronic network between DNAs and customs officials to facilitate information exchange. It was also recommended that consideration could be given to the use of globally recognized bar codes for Convention chemicals/wastes
- - Integration should take place at three levels:
    - Donors (emphasis on synergies to avoid duplication)
    - Convention Secretariats (synergies between Conventions should be recognized, training programmes and materials in respect of `common themes` should be undertaken/developed collaboratively.
    - Local level

### 3. What are the pros and cons of an integrated vs. sectoral approach

Pros:

- Life cycle approach
- Maximization of financial and human resources
- All relevant stakeholders involved
- Omnibus legislation (regulation for import/export controls; recognition of tasks and specific roles and responsibilities of key public sector agencies in the process)
- Central Registration (requisite information collated in one central place)

Cons:

Possible restructuring of existing import/export systems will require financing (who will fund the exercise)

Buy-in from the relevant stakeholders for reform (particularly Government, private sector)

#### Other Issues raised

- Role private sector/enterprises - awareness raising in respect of local and international laws governing import/export control, importers are responsible for ensuring that goods (chemicals and wastes) are labelled and packaged in accordance with international standards and that such goods have the required documentation (material data safety sheet etc.)
- Transit of goods – the issue of goods being left in transit ports was raised. It was recommended that goods that transit states should be notified with respect of goods being shipped. In respect of the Conventions, it was noted that the Basel Convention had movement and notification forms which allowed the tracking and monitoring of wastes as well as the fact that transit states have to be notified and consent received before wastes can be exported.
- There should be a differentiation between chemicals and wastes in the HS Code.
- The long time it takes to incorporate chemicals/wastes in Customs codes was also raised. It was recommended that the Secretariats of the relevant Conventions and the WCO should establish a level of cooperation which would facilitate the development of codes for chemicals/wastes listed under the Convention
- The particular situation of the inadequacy of import/export controls in Africa States was also raised. The problem of inadequately monitored/unsecure borders as well as the need for intense training of custom officers and other technical support teams (enforcement officials, inspectorates etc.)