

The role of WCO and WTO in encouraging governments to use the National Environmental Single Window

Abstract

The World Trade Organization (WTO) and the World Customs Organization (WCO) have unprecedentedly affected international economic activities. These organizations have established mechanisms for monitoring agreement compliance. The WCO, in conjunction with the more experienced WTO, has been able to engage with international environmental protection organizations and customs regulations in the line with international environmental laws at regional and international levels for some years. The treaties oblige the signatory nations to change their legal systems to bring them into line with new environmental protection norms. The WCO using international legal instruments (tools), can implement the scenario of using a "National environmental single window" for the Iranian Environmental Agency. Provide for the installation of a "National environmental single window" and create an "International environmental single window" for the protection of the world's environment.

Keywords: World Trade Organization, World Customs Organization, legal instruments (tools), National environmental single window.

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Introduction

In this article, we introduce and discuss the international and intergovernmental organizations such as WCO¹ and WTO² known as the CITES convention³. Due to the nature of their tasks in the world, they have a global reputation, which has a very significant position in the "environmental protection" of the world. Considering the international and regional activities of these organizations with more than 70 years of valuable experience globally, almost all countries are members of these international organizations or are negotiating for membership. These organizations are due to the global mission relating to environmental protection are also very active in this field. In recent years, the pursuit of this issue is one of the environmental problems in the world. WCO, formerly known as CCC⁴, whose mission is to promote the efficiency of world customs in international trade. The member states of the WCO are 183 countries accounting for approximately 98% of world trade. The use of international organizations in international law after World War II to establish international law and the relationship among the victorious countries for reconstruction was essential to meet the needs of war-torn countries and cooperation among countries, the need to use the International legal tools was formed, Bilateral and Multilateral international

conventions were formulated, and gradually, with the emergence of international organizations in the form of international trade agreements known as the GATT⁵, were established in 1947, which only met the needs of the time, and in parallel with the formation of the GATT, other organizations such as the WCO were established in 1952 and terms of trade with the cooperation of the customs of member countries were approved and implemented.

Eight years after the establishment of the GATT and the ability of countries to cooperate and meet the needs of the current trading day and move more strongly on the trade route, on January 1st, 1995, the GATT was renamed the WTO. With greater legal power to facilitate and distribute the international trade opportunities among trade members at all levels, in addition to the usual tasks, due to industrial developments and environmental problems resulting from it, more tasks were assigned to these two international organizations, which since the formation and cooperation of these two organizations, very important measures have been done to protect the environment at national and international levels. The role of the WCO in environmental protection through the membership of almost all countries with different trading powers and the possibility of holding meetings at different levels of decision-making by

¹ . World Customs Organization

² . World Trade Organization

³ . Convention on "International Trade in Endangered Species of Wild Fauna and Flora"

⁴ . Customs Cooperation Council

⁵ . General Agreement on Tariffs and Trade,

attending meetings of ministers and experts periodically and holding extraordinary meetings in case of emergency and having very strong databases to fight against all kinds of trade violations and such as CEN⁶ & RILO⁷ and experience of designing a “Single Window” for member countries and establishment of specialized committees for environmental protection in the world, can play a very important role at national, regional and international levels by designing, installing, training and launching a “National Environmental Single Window” for environmental protection in the Iranian government.

fter the above introduction, it should be noted that the Trade and Environment Committee of the WTO has been defined and the purpose of its formation has been determined. This committee is a group in the WTO responsible for the identification, understanding, and balancing of environmental concerns in the interests of international trade. In related international systems, this balance will not be fully and arbitrarily achieved unless international legal tools (instruments) such as the design and installation of a “National environment Single window” are used to contact and communicate with the “International environment Single window”, which in some cases Similarly in the member countries of the WCO (using the “single window of the national environment” of the member customs of WCO) has given its answer well with the desired results and now, this committee has become a unique channel of communication among the WTO multilateral system and the CITES convention, which It was established by the Committee of Ministers on Trade and the Environment in 1994 and made available to all members of the WTO. All members can contact directly with the Committee, while the committee is constantly discussing with governments the environmental and international trade policy impacts among them. The role of the “Trade and Environment Committee” is that WTO plays a leading role in economic negotiations to protect the environment and a balancing role in dealing with international trade concerns. This balance is manifested by encouraging the promotion of sustainability in both business and development in world trade. It aims to establish a free, impartial, and non-discriminatory multilateral trading system. The committee issued the Doha Declaration in 2001 to create a field for the current negotiations. In this declaration, the WTO has taken the following steps to emphasize the importance of world trade and environmental policies to work together:

1- WTO issued multilateral environmental agreements’ permission.

2. On the other hand, the Trade and Environment Committee(TEC) encouraged the members to enter into negotiations on the removal of trade barriers to environmental goods and services to create a mutually beneficial environment for the development of trade in the environment.

With the above proceedings, all parties to the transaction, including sellers, buyers, and suppliers of environmental technology products, will benefit from easy sales, preparation, and implementation of environmental technologies. In both categories trade and the environment there is increased cooperation are:

*First: cheaper products are offered and manufacturers can find new markets through this cooperation; *Second: by increasing production and increasing the accessibility to Environmental technology, the committee can help low-income countries to achieve sustainable development and motivate product innovation to protect their environment to produce more millet these items, while they have no specific agreement with the member states of the environment, the parties involved will automatically benefit from this action. The WTO says members are free to adopt specific rules to protect their environment, while the committee not only does not prevent the support of useful projects, but also welcomes the implementation of these projects and, if necessary, validates them and matches the winning design, recommending them to other members as well. The Committee may, at the request of its members, provide training, installation, and implementation of a ”National Environmental Single Window” in cooperation with international organizations providing technical and financial assistance and achieving commercial and environmental goals with the cooperation of governments. Sustainable development and environmental protection are the main goals of international organizations such as the WCO and WTO. Those goals in the Moroccan Multilateral Agreement⁸, which form the basis of WTO have been established and added to the WTO goals to reduce trade barriers and eliminate discriminatory practices in international trade relations, as mentioned earlier, this cooperation comes at a time when no specific environmental agreement has been reached upon with governments. Under WTO rules, members can introduce trade-related proceedings to protect the environment and create the conditions to prevent the misuse of such proceedings to achieve protective purposes. WTO contributes to the protection and preservation of the environment through freedom of trade, compliance with the rules and enforcement mechanism, work in various organizations, and ongoing efforts during the execution of the

⁶. Customs Enforcement Network

⁷. Regional Intelligence Liaison Office

⁸. Marrakesh Agreement Establishing the World Trade Organization

Doha Program⁹. The Doha agenda includes specific discussions on trade and the environment and some of the tasks of the Trade and Environment Committee. Governments also agreed to strengthen the United Nations Environment Program (UNEP) on several fronts with proceedings taken at the 67th General Assembly. The Government of the Islamic Republic of Iran, with its membership in 1953, is one of the founders of the WCO. Islamic Republic Of Iran Customs Administration (IRICA), due to the nature of work and decades of experience for the Islamic Republic of Iran Government is its representative for the attendance in the annual international and regional meetings and uses the facilities and benefits of this organization every year by paying the membership fee (in dollars) and in connection with environmental protection, which is one of the WCO duties. In the past decades, IRICA in cooperation with the Environment Organization of Iran and using UNEP¹⁰, has been able to use training programs at home and abroad to protect the environment. Intra-organizational and extra-organizational experts inside and outside the country regarding the adoption of national and international customs regulations for the import, export, and transit of environmental goods to implement the necessary decisions for environmental protection. WCO is the only global center for the provision of specialized customs services and the only international and intergovernmental organization competent enough to carry out customs affairs. It can be the voice of the international customs community. Finally, in an international environment that reflects the current insecurity and threat of terrorist activities, the mission of the WCO makes sense when, it is realized the protection of society, the national territory, and the environment is increased and the guarantee and facilitation of international trade.

Fortunately, in recent years, in addition to the importance of international law and the use of legal instruments, we are also facing the emergence and development of information technology that can expand the speed of environmental protection around the world. To understand the cooperation of two international and intergovernmental organizations (WCO & WTO), the criteria in the WCO & WTO rules are compatible and consonant in line with the criteria of international environmental law for environmental protection and the use of international legal instruments such as a “ National Environmental Single Window” allows domestic organizations at the national level that can intelligently provide standard information, mainly "electronic data from a single window and only once by using the international legal instruments, such as bilateral or multilateral cooperation

MOU, following the agreements made in it, standard environmental information at the customs borders and from a Single Window to perform all formalities and administrative requirements at the National and International levels on import, export, and transit of various goods to be imported. In this case, by achieving the “ Single Window “, accelerating trade and achieving environmental goals in the world will be achieved Which provides the ultimate goal of the project through educational cooperation of international organizations with member states of the WCO & WTO at national, regional and international levels. In addition, the WCO prefers to use the term “an environmental Single Window “ in cooperation with the WTO, because the installation and implementation “single window” is a continuous process work and a set of related facilities, legal requirements, with Process and steps of work to perform a single task, all branches of official offices in the country’s Customs border crossing and prevent the parallel work. This organization, in cooperation with the voluntary member states and the WCO, has set up an “ Environmental Single Window” to carry out the work process for transporting equipment, goods, and crews on land, sea, and air, and has made the proper arrangements for the crossing of border control, which is a solution to the complex problems of the cross-border automation and information management of several legal organizations based on the customs borders which can be considered as a regional liaison contact point by national organizations and government agencies to use “an international environment “Single Window “ through the Customs offices located at the cross-borders by signing the “ Multilateral Cross border MOUs” at the national level, and specify the level of access to all the relevant users for achieving the national, regional and international goals. The WTO is an international organization that deals with global trade laws among the countries. Its main duty is to ensure trade continues smoothly, predictably, and freely in an equal open field for all members. Creating sustainable development in the countries of the world is one of the goals of the WTO. This organization has 164 members and 23 observer countries holding 98% of world trade. The purpose of the observer status of the international organizations in the WTO is to enable these organizations to talk about the issues of their interest that they are referred to. This organization, according to the annual program, invites ordinary and special meetings of the Trade and Environment Committee to protect the world environment. And at the end of the year, WCO set of environmental protection activities, which led to the conclusion of international contracts and conventions reports to the UN

⁹. The Doha Programme of Action for the Least Developed Countries for the Decade 2022-2031 (DPoA) manifests a new generation of renewed and strengthened commitments between the least developed countries and their

development partners, including the private sector, civil society, and governments at all levels

¹⁰. United Nations Development Program

General Assembly and relevant organizations as international legal instruments as follows:

1-1- Basel Convention¹¹ · **1-2- Convention on Biological Diversity**¹² ; **1-3- CITES Convention**¹³ ; **1-4- Montreal Protocol**¹⁴ ; **5-1- Rotterdam Convention**¹⁵ ; **1-6- Stockholm Convention**¹⁶ ; **1-7- United Nations Environment Program** **1-8- United Nations Framework Convention on Climate Change**¹⁷.

The legal status of the CITES Convention with 180 member countries (including the Government of the Islamic Republic of Iran, date of accession: 1973) enables the CITES to play an important role in regulating international trade in the International and non-commercial wildlife to ensure that this trade is legal, sustainable, and traceable. The CITES Convention on the International Trade in Endangered Species of Wild Fauna and Flora. This convention is an international agreement among states. Its purpose is to ensure that international trade in specimens of wild animals and plants does not threaten their survival and that the trade of endangered specimens is prevented from harming the global environment. The CITES operates under certain controls, taking into account international trade in samples of selected species. All import, export, and re-export operations of marine species covered by this Convention shall be carried out through an authorized licensing system which in this case, with the cooperation of the Secretariats of the WTO and CITES, sustainable development will increase naturally. With the closeness of the secretariats of these two international organizations, in recent years, promising communications in the protection of the global environment are expected. So that the secretariats of these two organizations published a joint publication taking into account the two perspectives of trade and environmental protection. The CITES Convention is one of the first multilateral environmental agreements to provide for the widespread use of trade-related measures to achieve its goals and this is while the WTO provides the rules and structure of the multilateral trading system. The purpose of this publication, which is a joint

initiative of the secretariats of the WTO & CITES, is to examine the relationship between the two organizations and identify the main elements which have contributed to its harmonious development. Experience cooperation and cohesion between the two organizations, especially at a time when the world is reaching key strength in sustainable development, especially at the UN Summit which is on the development agenda after 2015 (The 40th anniversary of the compliance of the provisions of the CITES Convention) and (The 20th anniversary of the establishment of the WTO in 2015), has been published. This joint publication demonstrates the relationship between CITES and the WTO as a prime example of how global trade and environmental regimes can support each other. Indicating if these two are in harmony the achievement of common goals is full-fledged. The existing CITES framework works well with the multilateral system of trade rules that has a wide scope for the adoption of trade-related measures to protect the environment and provides the pursuit of other goals in legal policies and simplifies its implementation. In addition, by emphasizing the transparency of performance, both organizations (CITES Convention & WTO) have performed their roles and responsibilities well in carrying out their day-to-day activities and have helped to build trust between trade and wildlife policy communities. The Secretariat is administered by UNEP and its headquarter is located in Geneva, Switzerland. The Secretariat has a fundamental role in the implementation of international conventions and the Secretariat's duties are defined in Article 12 of the text of the CITES Convention. According to the MOU between the Secretariats of the CITES Convention and the WCO by the Secretaries-General (at the time), Dr. G. W. Topco and Dr. Shawar, respectively, this cooperation began on July 4, 1996, and members have the right to formally pursue the UNEP goals and the protection of the environment at the national and international levels more widely through the governmental contact points.

Conclusion

from potentially harmful impacts from the trade in certain hazardous chemicals.

¹⁶ . The Stockholm Convention on Persistent Organic Pollutants, is a global treaty whose purpose is to safeguard human health and the environment from highly harmful chemicals that persist in the environment and affect the well-being of humans as well as wildlife.

¹⁷ . The United Nations Framework Convention on Climate Change established an international environmental treaty to combat "dangerous human interference with the climate system", in part by stabilizing greenhouse gas concentrations in the atmosphere.

¹¹ . The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal,

¹² . Convention on Biological Diversity is an international treaty designed to promote the conservation of biodiversity and to ensure the sustainable use and equitable sharing of genetic resources.

¹³ . CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between governments.

¹⁴ . The Montreal Protocol is a global agreement to protect the stratospheric ozone layer by phasing out the production and consumption of ozone-depleting substances (ODS).

¹⁵ . The Rotterdam Convention is a multilateral environmental agreement. It protects people and the planet

The result of understanding the role of WCO & WTO in the installation of a “National environmental Single Window” as an international legal instrument for environmental protection with various initiatives taken around the world, Provides extensive illustrations of installation methods for a “National Environmental Single Window”. It is obvious that the Government of the Islamic Republic of Iran, considering the existing infrastructure at the national level, acceded to the WCO in 1953, acceded to the CITES Convention on March 3, 1973, and signed an MOU between the secretariats of the CITES and the WCO and the beginning of cooperation on July 4, 1996, this right has been created for members of the WCO which more broadly to achieve formally the goals of the UNEP and to protect the environment at the national and international levels act through the contact points of the governments and anticipate the preparations for accession to the WTO, in which IRICA the Islamic Republic of Iran Government’s representative is currently attending the relevant meetings as an observer so that Iranian Government can play a key role in using international legal instruments. Regarding the recent developments, the proceedings were taken and the main importance to human goals, the sustainable economic development of the environment compatible with the national cooperation of the Iranian Government in the implementation of international trade laws and environmental laws in compliance with domestic laws, the desired result for the protection of the environment in Iran and ultimately in the world by using an “International environment Single Window” can be achieved as follows:

- 1-Coordinated activities between the secretariats of these two international organizations (WTO & CITES) in compiling Joint publications with the application of two perspectives on trade and environmental protection, such as the CITES Convention to help for creating a “ National Environmental Single Window” as a national infrastructure that can be connected to an “ International Environmental Single Window” to solve the world’s environmental problems;
2. Preparation of rules and structure of the multilateral trade system by the WTO with the assistance of member countries;
- 3- Applying common laws to achieve the goals of a “ Single Window” installation project at national and international environmental levels”;
4. Online contact with member countries to use active and useful international tools such as “CEN” & ”RILO” databases of WCO & Japanese Customs for obtaining the news of various types of smuggling violations, including bio-smuggling items such as herbals, beats, etc. for combating with all kinds of trafficking violations.

Suggestions and solutions

The use of international legal instruments, such as a “ National Environmental Single Window ” is a complex technical issue, certainly at the outset, for its installation at the National level, without planning, presenting a clear policy, and using up-to-date information technology, it is not possible to act, so it is recommended:

1-Iranian Environment and Customs Organizations, to cooperate inter-organizationally, prepare and sign a long-term educational co-operation MOU and by forming a “ Joint National Committee for Environmental Protection” can make the necessary infrastructure to use a “National Environmental Single Window” in compliance with their domestic law;

2-The “ Joint National Committee for Environmental Protection” :

First- should analyze the preparations for the administrative and legal formalities of the project at the national level;

Second - After that, towards long-term planning for the implementation of the project at the national level and then also predict the preliminary program for the expansion of the plan at the international level;

Third-This committee uses the WCO’s (which is an international and intergovernmental organization) educational, technical, and financial facilities through the request of the official representative of the Iranian Government, IRICA to start the cooperation.

3. The "Joint National Committee for Environmental Protection" shall take the following steps to achieve the objectives of the " National Environmental Single Window" installation program in environmental protection:

3-1- Defining the access level and password for selected users in the "Joint National Committee for Environmental Protection" through an

“ International Environment Single Window” to online contact with the WCO for exchanging the information on various types of smuggling violations, including environmental, herbal & beast items ;

3-2- The National Environmental Protection Team should be formed as soon as possible to implement international customs law and international environmental law by using international tools such as the "CEN" & "RILO" databases of the WCO.

3-3- To use the training, technical and financial assistance facilities of international and international organizations such as WCO and other international organizations providing the above assistance, such as UNEP and UNIDO ¹⁸ offices in cooperation with the Environment Organization and Beast and herbal research centers, etc., which are responsible for holding

¹⁸ . The United Nations Industrial Development Organization (UNIDO) is the specialized agency of the United Nations that

promotes industrial development for poverty reduction, inclusive globalization and environmental sustainability.

environmental conferences on behalf of these international organizations in the country, with joint planning, to study and research the existing international facilities. For this committee to benefit from the technical, educational, and financial services of the selected organizations free of charge for the installation of a "National Environmental Single Window" and to be able to prepare itself to join the international activities in this regard.

3-4- Considering the close relationship among WCO, the secretariats of the sites, and WTO and due to the opinion of the WCO and coordination with the WTO in environmental protection by preventing parallel actions to achieve easier, simpler, and more economically, the Government of the Islamic Republic of Iran, according to the first paragraph of this conclusion on environmental protection, should make arrangements for membership in the WTO as soon as possible.

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