RULE OF LAW AND THE ENVIRONMENT IN A GLOBALIZED WORLD

SPERLING, LAWRENCE I.[1]

[1] Senior Adviser, Bureau of Oceans, Environment and Science, U.S. Department of State, 2201 C St. N.W. Washington, DC 20520; sperlingli@state.gov.

SUMMARY

Transnational crime organizations in many parts of our globalized world subvert stability, rule of law, democracy, and legitimate economies while spreading corruption and environmental degradation and undermining sustainable development. Highly networked criminal organizations are attracted to the high profits and low enforcement risks of international environmental crime. Effective enforcement of environmental laws is a key to good governance at the national level, which is critical for achieving sustainable development. Promoting effective environmental law enforcement in the developing world is an important part of United States' efforts to promote well governed states that provide for the needs of their people and act responsibly in the international system. The United States has been a leader of efforts to combat wildlife trafficking, illegal logging, and illegal, unregulated and unreported fishing, and to build environmental law enforcement capacity in developing countries through cooperation with U.S. trade partners and through efforts of international organizations such as the United Nations Environment Program. While these initiatives have produced significant results and demonstrated world-wide interest in collaboration to improve environmental law enforcement, sustained efforts are needed to enhance political will, build technical capacity throughout the enforcement chain, and promote interagency and international cooperation in improved environmental law enforcement.

1 ENVIRONMENTAL CRIME: AN ATTRACTIVE NUISANCE FOR CRIME NETWORKS

Globalization has given the world's poor access to much of the same information and technology as the rich; it is helping to spur global demand for democracy and to provide economic opportunity to entire segments of the world's population previously without hope of advancement.[2] Yet, some of these same forces are also creating new challenges for both the environment and for the rule of law.

In many parts of[3] the world, criminals exploit the opportunities and vulnerabilities offered by globalization. Criminal organizations try to take advantage of the information superhighway and of the increased flow of goods across borders to confound states and to circumvent their laws and enforcement efforts. They often have extensive worldwide networks to support their operations and are inherently nimble, adapting quickly to change. These transnational criminal organizations and networks destabilize societies by undermining the rule of law and democracy,

subverting legitimate economies and threatening sustainable development efforts globally. They undermine the safety and security of communities through activities such as drug, human and contraband smuggling, financial fraud, product counterfeiting, cyber crime, and environmental crimes. International organized criminals also seek to corrupt public officials to protect their illegal operations and increase their sphere of influence, often with tremendous financial resources and sparing no expense to corrupt government and law enforcement officials. Often, their activities produce devastating harm to the environment, whether through trafficking in endangered wildlife species and timber products, or through illegal dumping or trade in toxic wastes and chemicals.

These highly networked criminal organizations are attracted to the high profits derived from criminal activity and jurisdictions that have high-levels of corruption, weak law enforcement structures and the lack of political will to prosecute criminals. While law enforcement agencies often focus limited resources to combat "traditional" crimes, a wide range of "newer" highly profitable illegal activities requires greater collaboration between law enforcement and technical agencies to detect and prosecute, as well as an informed judiciary and adequate legal provisions to ensure an effective deterrence. Highly networked and accessing all the tools of the information age, criminal organizations take advantage of the distrust that law enforcement agencies often exhibit for sharing information with sister agencies in-country or counterparts in neighboring countries, trying out new, high-profit crimes that are less likely to be the target of vigilance and enforcement.[4]

A 2000 study characterized international environmental crime as one of the fastest growing and most profitable areas of international organized crime, and estimated the economic "value" of international trade in environmentally regulated goods and products at between $22 and $31 billion annually.[5] A growing body of anecdotal evidence demonstrates a range of linkages between environmental crime and other types of international crime.[6]

1.1 A Range of Linkages

Illegal profits are particularly high in the area of illegal wildlife trafficking, with mounting evidence of links to organized crime, including the smuggling of drugs, weapons, and people. There is evidence that smugglers of contraband tend to use the same routes and methods, regardless of the items smuggled.[7] Profits to be made from wildlife trafficking are huge with less risk than other crimes.[8]

But high profits and links to organized crime also characterize other areas of environmental crime. More recently, Interpol's Pollution Crimes Working Group embarked on an evaluation of the linkages between environmental crime and organized crime. Results of the first phase of that study suggested self-evident linkages to organized crime in the majority of 36 case studies of international pollution crime examined.[9] Some linkages to other crime are direct, such as the use

of ozone-depleting substances banned or restricted under the Montreal Protocol on Substances that Deplete the Ozone Layer as a precursor chemical in the production of methamphetamine.[10]

An emerging problem is the use of natural protected areas as a safe haven for a range of illegal activities. This may occur on a grand scale, where vast, under patrolled protected areas serve, in effect as ungoverned spaces where drug traffickers, wildlife traffickers, illegal antiquities dealers, and illegal logging operations convene and commingle.[11] However, as our field trip during the INECE Conference in Cape Town pointed out, even urban protected areas can serve as a safe haven for all kinds of illicit activity, from petty thievery to poaching of rare plants and animals to serving as a dumping ground for the victims of murder.

Along with the links between environmental crime and other, organized forms of crime comes official corruption as well. Given the size and logistics of moving timber products, official corruption seems to go particularly hand in hand with illegal logging, which costs countries $10-15 billion each year in lost revenues, destroy forest ecosystems, undercuts legal trade in forest products, and sometimes finances civil conflict.[12]

Among the anecdotal evidence of linkages to other crimes are occasional suggestions that environmental crime may be a lucrative source of financing for terrorist organizations. For example, a recent article suggested that Islamic militants are sponsoring poaching and transboundary trafficking in wildlife for profit in South Asia.[13]

While environmental authorities in many countries are committed to address these threats, often their ability to do so is weakened by inadequate budgets and insufficient political will throughout government. Traditional law enforcement agencies often do not view environmental crimes with the same level of priority as other crimes that are considered more pressing, and lack the technical expertise needed to build good cases. Environmental agencies lack adequate resources to provide the monitoring, detection and technical support needed to ensure adequate law enforcement. While these conditions may occur in rich and poor countries alike, the inadequacy of will and resources to address these problems is particularly daunting in the developing world.

2 SUSTAINABLE DEVELOPMENT AND GOOD GOVERNANCE

Indeed, the ability of a country to develop sustainably in a manner that provides for the needs of its people and for those of future generations depends on its ability to govern well. Democracy and sustainable development strategies can succeed only when the rule of law is adhered to and when government is transparent to its people. The rule of law, including effective enforcement of laws to protect the environment and natural resources, is at the core of sustainable development. At the World Summit on Sustainable Development (Johannesburg, 2002), developed

and developing countries alike acknowledged that sustainable development begins at home, with good governance.[14] In fact, since economic development often depends on how a society uses natural resources, environment and natural resources are the very stuff of development. Sustainable development depends particularly on nations adopting effective laws and enforcement programs to protect the environment, and a commitment to values of honest governance, openness, just conduct, and the rule of law in their implementation. Such laws and their effective enforcement are essential to set the basic ground rules of management and efficient use of those resources to ensure that they will continue to serve the needs of today's citizens and future generations.

3 ENVIRONMENTAL GOOD GOVERNANCE: A CROSS-CUTTING THEME FOR U.S. FOREIGN POLICY

The State Department's Bureau of Oceans, Environment and Science is one of the few operations in the U.S. federal government that addresses the full range of environmental issues, on land and sea. The bureau promotes improved chemicals management, sustainable management of forests and wildlife, sustainable fisheries and marine resources. As it negotiates international agreements and other instruments, it also seeks to ensure their effective implementation. Promoting effective laws and enforcement programs at the national level is a critical part of Bureau of Oceans, Environment and Science's goal to protect the environment from both industrial pollution and over-exploitation of natural resources on land and at sea.

Promoting good environmental governance not only helps to protect the environment, but also helps countries set the conditions for sustainable economic opportunity, while building demand for and experience with rule of law and democratic decision-making processes in a sector vital to any country's economic and political development. Moreover, promoting cooperation between countries in the management of shared resources and the implementation of laws that address transboundary environmental concerns can help reduce sources of international tension and instability. This mission is a central part of the evolving role of diplomatic and foreign assistance efforts of the United States in promoting well-governed states that provide for the needs of their people.[15]

3.1 Combating Wildlife Trafficking and Illegal Logging

U.S. efforts in recent years, lead in large measure by Bureau of Oceans, Environment and Science, have included a strong focus on the problems of wildlife trafficking and illegal logging, by:

- Spearheading the Coalition Against Wildlife Trafficking, which promoted the Association of Southeast Asia Nations Wildlife Enforcement Network that has already launched several successful operations against traffickers, and which is

assisting the South Asia Cooperative Environment Program establish a similar regional enforcement network.

- Negotiating Memoranda of Understanding on illegal logging with China and Indonesia and committing an initial $1 million to train Indonesian customs and judicial officials, and help Indonesia implement a new standard to assess the legality of timber harvested and exported.

- Co-sponsoring, with Indonesia, Australia, the Philippines, and Thailand, a resolution adopted in April 2007 in the UN Commission on Crime Prevention and Criminal Justice on "International cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources" -- a significant first step to engage the law enforcement community writ large to address forest and wildlife crimes.

- Helping Liberia restore rule of law in its forest sector, ravaged by illegal logging during the Taylor regime. If sustainably managed, the country's forests could generate substantial foreign exchange earnings and employ thousands of workers.

3.2 Promoting a Level Playing Field for Free Trade

Free trade agreements that the United States negotiates include commitments by trade partners to effectively enforce their respective environmental laws. With Bureau of Oceans, Environment and Science leadership, the U.S. supports this commitment through environmental cooperation agreements and work programs to build its trade partners' enforcement capacity.

Most notably, the U.S. allocated over $18 million annually over the last three years to implement a comprehensive environmental capacity building program with its partners in the Central America - Dominican Republic Free Trade Agreement. A large portion of this funding is focused on strengthening enforcement of environmental laws, and improving private sector environmental compliance. A team of U.S. agencies that include the U.S. Departments of State, Interior and Justice, the Environmental Protection Agency (EPA), as well as international and local non-governmental organizations (NGOs) has:

- Trained over 300 environmental compliance inspectors, prosecutors, and other enforcement personnel in every Central America - Dominican Republic Free Trade Agreement country, many of whom are now training other officials to enforce environmental laws effectively.

- Assessed protected area laws in five Central America - Dominican Republic Free Trade Agreement countries and, in Guatemala, provided the first-ever protected area law enforcement training courses.

- Strengthened enforcement of the Convention on International Trade in Endangered Species by supporting local organizations and initiatives.

- Helped the Central America - Dominican Republic Free Trade Agreement Parties establish a Secretariat for Environmental Matters to receive and process submissions from the public alleging that a Central America - Dominican Republic Free Trade Agreement Party is failing to enforce its environmental laws effectively.

While efforts are most comprehensive with Central America and the Dominican Republic, the U.S. also assists other Free Trade Agreement partners to build environmental enforcement capacity. For example, it has:

- Developed training programs for Chilean judges and prosecutors on environmental law enforcement.

- Sponsored numerous trainings in Morocco, Bahrain and Oman to strengthen environmental enforcement and build inspection capacity.

- Assisted Jordan in creating a 400 person Environmental Rangers unit.

- With Singapore, trained port inspectors and custom authorities to identify illegal shipments of Ramin wood, a tropical hardwood listed on Appendix II of CITES.

3.3 Marine Conservation and Fisheries Enforcement

For the last 18 years Bureau of Oceans, Environment and Science, the U.S. National Oceanic and Atmospheric Administration and the U.S. Coast Guard have worked with countries and Regional Fisheries Management Organizations around the world to strengthen their fisheries enforcement capacity. We have conducted workshops and seminars on fishing gear regulations and enforcement techniques in relation to the U.S. program to implement the shrimp/turtle law, which promotes the mandatory use of turtle excluder devices in trawl nets on commercial shrimp vessels.[16]

In partnership with National Oceanic and Atmospheric Administration and the U.S. Coast Guard, Bureau of Oceans, Environment and Science is undertaking a comprehensive push to ensure that Regional Fisheries Management Organizations have consistent and effective mechanisms to identify and deter States and vessels engaged in illegal, unreported, and unregulated fishing. In 2007, Bureau of Oceans, Environment and Science successfully shepherded new measures in three Regional Fisheries Management Organizations that allow stronger action against illegal, unreported, and unregulated vessels while ensuring proper due process. Bureau of Oceans, Environment and Science recently chaired a group of experts who prepared a first draft of a new agreement to set minimum standards

for port States to take against vessels who participate in illegal, unreported, and unregulated fishing. The U.S. will be working closely with other States to craft an effective tool for changing the economics of illegal, unreported, and unregulated fishing by making it harder for illegal product to enter the market.

3.4 Global Capacity Building Efforts

Bureau of Oceans, Environment and Science also supports efforts by the United Nations Environment Programme (UNEP) to build capacity in member states to enforce domestic environmental laws and international commitments. In particular, we have provided substantial expertise to UNEP's efforts to develop a global capacity building program for judges on environmental law. We have also provided significant support to UNEP's Green Customs Initiative, which seeks to integrate training for customs officials on enforcing national laws implementing the various multilateral environmental agreements that regulate transboundary trade in products or goods because of environmental concerns.[17] In providing this support, the U.S. urges a focus on practical information that will help judges, customs officials, and others in the enforcement chain, to implement national laws, including those that incorporate international commitments.

The United States is also a strong supporter of the work of the United Nations Forum on Forests, the International Tropical Timber Organization and the Food and Agriculture Organization of the United Nations. All three organizations have adopted significant policies or programs to combat illegal logging and the trade in illegally harvested timber, as well as to strengthen forest-related law enforcement and governance. In 2007, the UN Forum on Forests and the UN General Assembly adopted a broad new Forest Instrument which provides a global framework for national action and international cooperation related to forests, including commitments to address deforestation and fight illicit trafficking in forest products. The "Non-Legally Binding Instrument on All Types of Forests" also enshrines good governance as a principal of domestic and global policies and programs, and as a critical component of sustainable forest management.

3.5 Lessons Learned

Some important lessons may be drawn from the efforts described above. While it is helpful to bring high level leaders together to build political will to improve environmental law enforcement, declarations, agreements, and even coalitions and partnerships are not sufficient without robust on-the-ground cooperation that addresses capacity needs in a comprehensive manner. Clearly, our greatest chance of success in engendering effective environmental law enforcement in partner nations in the developing world appears when diplomatic initiatives, such as negotiated agreements or resolutions, or partnership efforts, are backed up by sustained support and funding.

In the United States, this implies the need for recognition of the centrality of promoting effective environmental law enforcement that transcends the divisions of domestic politics, and enjoys the support of both executive and legislative branches of government. The bipartisan commitment of the U.S. Congress and Administration in supporting environmental capacity building in the Central America - Dominican Republic Free Trade Agreement region through 2009 provides us the greatest hope of building lasting capacity for effective environmental law enforcement in a neighboring region whose environmental performance may directly affect the United States, and in which the United States has a clear direct interest in promoting sustainable development, rule of law, and a level playing field for free trade. Yet, it is clear that the effort will need to be sustained beyond the commitment of the current U.S. Administration and Congress to ensure lasting success in the region.

Environmental authorities can no longer act alone in advocating for increased attention to environmental law enforcement capacity-building. Increasingly, effective responses to environmental crime require the engagement of more traditional law enforcement and customs authorities. The U.N. Crime Commission resolution on illegal logging is an important step in this direction. Our efforts should not stop with illegal logging, but should rather engage the broader law enforcement community on the broad range of environmental crimes that provide a growing attractive nuisance to organized criminal activity.

More broadly, in the United States as in other countries, our ability to marshal commitment and resources for promoting effective environmental law enforcement in the developing world depends on the ability to articulate why improved rule of law in the environmental and natural resources sector must be a central part of our foreign policy and development strategy. Building awareness that environmental laws and their effective enforcement are a key part of the governance structure of a country hoping to engender democracy and rule of law, economic growth, and individual opportunity needs to remain a central focus of those advocating for international support for sustainable development.

Our work in Free Trade Agreement partner countries other than Central America - Dominican Republic Free Trade Agreement provides an important corollary observation: while sustained funding has not been available to support our cooperation work with Chile or Jordan, for example, we have been able to produce important results with scant resources in partnership with countries that have strong economies, a strong internal drive for improved environmental performance, and the potential to lead by example in their respective regions. Under these conditions, while sustained funding commitment is badly needed, through creative leveraging we can produce a lot with a minimal amount of resources. Even more so, our work to restore forest sector governance in Liberia proves the power of leveraging somewhat more significant U.S. resources with those of other international donors.

The long-term success of political will-building initiatives, such as the Coalition Against Wildlife Trafficking or our illegal logging MOUs with China and Indonesia, will depend on our ability, and that of our partners, not only to attract support of high level officials, but also to build capacity and cooperation on the ground among environmental, law enforcement and customs officials, as well as local communities, NGOs, consumers, and others with a stake in improved environmental law enforcement.

3.5.1 The Enforcement Continuum

Enforcement requires a continuum of skills, disciplines and processes, and an environmental enforcement program is only as effective as the weakest stage in this continuum.[18] Good laws are not likely to be followed, for example, if those charged with monitoring their compliance do not know what to look for. Strong detection capabilities are useless if prosecutors cannot preserve the evidence and bring the case to court, or if judges do not understand the law and the basic principles of fashioning remedies or meting out sentences to establish an effective deterrence. Sustained capacity-building efforts are needed at every step of the enforcement process: drafting of enforceable laws and regulations, promoting compliance, compliance monitoring and detection, legal prosecutions and other enforcement responses, and the adjudication of environmental enforcement cases. Special attention is needed to the unique challenge of measuring the results of these efforts and feeding experiences back into improving the enforceability of laws as well as the allocation of enforcement resources to an effective but fair deterrent impact.

Interagency and international cooperation are critical. All too often, environmental crime involves conduct in one country with impacts or evidence in another country. Often, bringing law enforcement and environmental experts from different involved agencies and countries together can produce a multiplier effect, enhancing investigations and prosecutions in all the involved jurisdictions, and leading to the discovery of evidence and broader criminal schemes that no one government entity acting alone is likely to detect. Moreover, even when violations of the law do not involve transboundary aspects, the sharing of experiences through networks and partnerships such as INECE and CAWT, and the regional sub-networks they are promoting, is invaluable. Countries and agencies can learn much from each other in their efforts to break down the barriers of specialization, and overcome the advantages that lawless actors enjoy in the face of weak deterrence and inadequate coordination among law enforcement and technical experts.

While breaking down stovepipes between environmental and law enforcement agencies and between countries, however, we must also strive to break down the stovepipes that separate green, brown and blue issues within the environmental enforcement and compliance community. Building capacity, will and resources to ensure effective enforcement of environmental laws, whether on land or sea and

whether to control pollution or conserve natural resources, presents common challenges that can best be met through common purpose and effort.

4 CONCLUSION

We have seen a growing interest world-wide in collaboration to improve enforcement of environmental and natural resource laws. But sustained efforts are needed. High-level political commitment and adequate resources are needed in all countries to ensure the effective enforcement of environmental and natural resource laws. On the one hand, greater awareness is needed of the relationships between environmental law, compliance and sustainable development; on the other hand, the same is needed of the relationship between environmental crime and other criminal behavior. In particular, those involved in implementing environmental enforcement efforts must work to build understanding among traditional law enforcement entities as well as diplomatic and foreign assistance decision-makers of the importance of effectively enforcing environmental laws.

5 REFERENCES

[1] The views expressed in this article are those of the author in his personal capacity, and do not necessarily reflect the policy or views of the United States Department of State or the United States Government.

[2] See Friedman, T, The World is Flat: A Brief History of the Twenty-First Century, 2005. See also Friednman, T., The Lexus and the Olive Tree: Understanding Globalization, 2000.

[3] For a rich discussion of this problem, see Naim, M, Illicit: How Smugglers, Traffickers and Copycats are Hijacking the Global Economy, 2005. For example:

> Since the early 1990's, global illicit trade has embarked on a great mutation. It is the same mutation as that of international terrorist organizations like al-Qaeda or Islamic Jihad – or for that matter, of activists for the global good like the environmental movement or the World Social Forum. All have moved away from fixed hierarchies and toward decentralized networks; away from controlling leaders and toward multiple, loosely linked, dispersed agents and cells; away from rigid lines of control and exchange and toward constantly shifting transactions as opportunities dictate. It is a mutation that governments in the 1990s barely recognized and could not, in any case, hope to emulate.

[4] Id., at p. 7.

[5] International Crime Threat Assessment, pp. 28-31, 2000 (prepared by a U.S. Government interagency working group).

[6] While there has been little systematic effort to compile and evaluate these anecdotes, the Royal Institute of International Affairs cited several linkage anecdotes in its important analysis of the actors and drivers behind environmental crime. Hayman, G. and Brack, D., International Environmental Crime: the Nature and Control of Environmental Black Markets; The Royal Institute of International Affairs, 2002.

A WWF-UK study noted that the evidence of organized crime involvement in wildlife trafficking is particularly strong where drug production and distribution

states coincide with major wildlife range states. Cook, D, Roberts, M and Lowther, J, The International Wildlife Trade and Organized Crime, June 2002, at 14, 23. The same study reported that 50% of those prosecuted for wildlife crime in northeast England over a one year period had previous convictions for drugs, burglary, assault, criminal damage and firearms offenses. Id., at 24.
Similarly the chief enforcement officer of the Convention on Trade in International Species (CITES) analyzes indicators of organized crime involvement in: Sellars, John, International Illicit Trafficking in Wildlife, The Police Chief, June 2007.
[7] Cook, D, Roberts, M and Lowther, J, The International Wildlife Trade and Organized Crime, June 2002, at 14, 17. The authors note: "The routes used by wildlife smugglers are often complex, making it difficult for the authorities to track and intercept shipments. Routes are also selected to take advantage of particular weaknesses and loopholes in the international trade control regime, either by using intermediate countries where controls are weakly enforced or not enacted at all, or by crossing borders where controls have been relaxed . . .." Id., at 17.
[8] For example, according to one source, $100 to $400 might be paid to a hunter for rhinoceros horns that will ultimately fetch up to $38,000 at the final destination point. Havocscope Global Black Market Indexes, www.havocscope.come/trafficking/wildlife.htm. According to another study, a South American poacher may get $7.50 for a caiman skin that is later sold for as much as $200 on the black market. An African parrot wholesaled for $18 may retrieve $700 downstream in the black market. A golden lion tamarin which costs $190 in the country of origin in South America may fetch upwards of $20,000 on the European black market. Mastny, L., and French, H., Crimes of a Global Nature, World Watch Magazine, September/October 2002.
As one study notes, as a species becomes scarcer, its value on the black market often increases. Cook, D, Roberts, M and Lowther, J, The International Wildlife Trade and Organized Crime, June 2002, at 10.
[9] Interpol Pollution Crime Working Group, Assessing the Links Between Organized Crime and Pollution Crime, June 2006.
[10] Businessmen Convicted in Scheme to Evade $1.9 Million in Taxes on Sales of Ozone-Depleting Chemicals, U.S. Department of Justice Press Release, August 4, 2005; Ozone-Depleting Chemical Sold to U.S. Meth Labs, INECE Newsletter Fall 2005 (http://www.inece.org/newsletter/11/enforcement.html)
[11] See Nations, J., The Maya Forest, People, Parks and Ancient Cities, 2006.
[12] See Soreide, T., Forest Concessions and Corruption, Anti-corruption Resource Centre, CHR Michelsen Institute, 2007: "Corruption is directly linked to illegal and unsustainable logging, a problem that causes significant environmental damage in terms of erosion and reduced water quality, loss of biodiversity and challenges for communities that are settled in natural forests."
[13] The Guardian, Poaching for Bin Laden, May 5, 2007 (www.guardian.co.uk/alqaida/story/0,,2073168,00.html).
[14] Plan of Implementation of the World Summit on Sustainable Development, 2002, especially the following paragraphs:

4. Good governance within each country and at the international level is essential for sustainable development. At the domestic level, sound environmental,

> social and economic policies, democratic institutions responsive to the needs of the people, the rule of law, anti-corruption measures, gender equality and an enabling environment for investment are the basis for sustainable development….
>
> 162. Each country has the primary responsibility for its own sustainable development…. All countries should promote sustainable development at the national level by, inter alia, enacting and enforcing clear and effective laws that support sustainable development.

See also, par. 138.

[15] In 2006, U.S. Secretary of State Condoleezza Rice articulated a new policy of "Transformational Diplomacy". By combining the tools of diplomacy and foreign assistance, the United States would play a transformational role in promoting the capacity of countries to develop democratic institutions, to prosper economically, to foster individual opportunity, and to act responsibly in the international system. Rice, C., U.S. Secretary of State, Transformational Diplomacy (Speech at Georgetown University), Washington, DC, January 18, 2006. Secretary Rice stated:

> I would define the objective of transformational diplomacy this way: To work with our many partners around the world to build and sustain democratic, well-governed states that will respond to the needs of their people -- and conduct themselves responsibly in the international system…Transformational diplomacy is rooted in partnership, not paternalism -- in doing things with other people, not for them. We seek to use America's diplomatic power to help foreign citizens to better their own lives, and to build their own nations, and to transform their own futures….

[16] Public Law 101-162 (Sec. 609).

[17] The United States provided financial support for regional Green Customs workshops in East Africa in April, 2008, and in Southeast Asia in 2007. The author served as a resource person in UNEP and World Customs Organization sponsored Green Customs workshops in Shanghai in March, 2007, and in Bhutan in October, 2005. The United States Environmental Protection Agency has developed a green customs training module, which incorporates practical exercises, and which is posted on INECE's website.

[18] See Akella, A. and Cannon, J., Strengthening the Weakest Links: Strategies for Improving the Enforcement of Environmental Laws Globally (Conservation International Center for Conservation and Government, 2004.

Excerpt from the Proceedings of the International Network for Environmental Compliance and Enforcement's (INECE) Eighth International Conference, Linking Concepts to Actions: Successful Strategies for Environmental Compliance and Enforcement, held 5-11 April 2008, in Cape Town, South Africa.

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INECE Secretariat
2300 Wisconsin Ave, NW Suite 300B
Washington, DC 20007
inece@inece.org
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