



ENFORCEMENT COMMITTEE

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-
22nd Session
-

Brussels, 14 May 2003.

**RECOMMENDATION OF THE CUSTOMS CO-OPERATION COUNCIL¹
ON THE OPERATION OF THE GLOBAL NETWORK
OF REGIONAL INTELLIGENCE LIAISON OFFICES (RILOs)**

“RILO Recommendation”

The Customs Co-operation Council,

Considering that the RILOs shall execute the tasks entrusted to them in accordance with the present Recommendation and with the WCO Global Information and Intelligence Strategy,

Being aware that the WCO Vice - Chairpersons shall, in consultation and agreement with the Directors General of their region, ascertain the number of RILOs appropriate for the region,

Encouraging Members, under the provisions of their national legislation, to participate actively in, and contribute to, the Global WCO RILO network, enhancing and fostering international co-operation in collecting, evaluating and disseminating information and intelligence,

Recommends the following procedures for the operation of the RILO network :

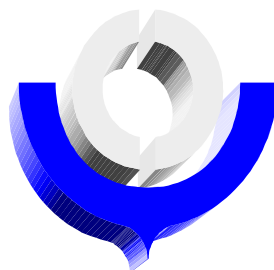
1. Each Member accepting the Recommendation shall notify the Secretary General in writing of the acceptance and specify the date of its application.
2. In order to protect society, secure revenue and effectively combat Customs offences, Members should establish RILOs covering all WCO regions.
3. The establishment of the RILOs and the affiliation of individual Members are subject to approval by the Vice-Chairperson of the relevant WCO region, who should seek the agreement of the Directors General within his/her region.

¹ Customs Co-operation Council is the official name of the World Customs Organization (WCO).

4. Each RILO should be hosted by one Member in the region. In order to ensure uniformity and consistency of the RILO network, the host Member should sign an agreement with the WCO Secretariat. This agreement should contain provisions outlined in the Model Agreement appended as *Annex I*.
5. The RILOs shall comply with international laws, bilateral agreements and treaties, domestic laws and legal directives of the host country.
6. The RILOs should operate fully independently of the host administration in terms of functional instructions.
7. The Secretariat should provide the RILOs with necessary guidance concerning the processing, scope and use of the collected information. In this respect, the Secretariat will provide functional instructions, which will be reported to the Enforcement Committee.
8. The RILOs shall report to the Enforcement Committee and the Council.
9. The Secretariat shall operate and maintain a common centralized communication system and database for the RILO network, the Customs Enforcement Network (CEN).
10. The CEN shall be the tool to communicate information within the RILO network. The Secretariat, in consultation with the Members, shall specify the means of operation of the CEN.
11. The WCO Secretariat, RILOs and National Contact Points (NCPs) should operate within guidelines as specified in *Annex II*.
12. The RILOs should be staffed by Customs officials representing the host country and the affiliated Members. Based on a separate individual agreement, RILO officers may have the status of technical attaches being seconded to the WCO.

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x x



Host Administration

World Customs Organization

Agreement

between the

Customs Administration of ...(*name of the host administration*)

and the

World Customs Organization

concerning the

Regional Intelligence Liaison Office

for ...(*name of the region*)

1. Introduction

Referring to paragraph 4 of the Recommendation of the Customs Co-operation Council on the Operation of the Global Network of Regional Intelligence Liaison Offices, the Directors General of (*name of the region*), in accordance with the Vice-Chairperson for (*name of the region*), have decided at their meeting in ...(*date and place*) to set up the

**Regional Intelligence Liaison Office
of the WCO for (*name of the region*)**

with its headquarters in ...(*name of the city*).

In order to implement this decision, the Customs Administration of ...(*name of the host administration*) and the World Customs Organization have concluded this agreement.

2. Execution of Tasks

RILOs should execute their tasks in accordance with the Recommendation of the Customs Co-operation Council on the Operation of the Global Network of Regional Intelligence Liaison Offices and the procedures laid down by the WCO Global Information and Intelligence Strategy.

3. Technical Responsibility and Scope of Tasks

The technical responsibility and the scope of tasks shall extend to the entire range of Customs offences in accordance with the guidelines outlined in Annex II of the above-mentioned Recommendation.

4. Local Responsibility

The RILO (*name of the region*) is based in(*name of the city*) and comprises the following Members:

(*list of the countries*)

5. Organization

5.1 Headquarters

The Customs Administration of(*name of the host administration*) shall set up the RILO(*name of the region*) in..... (*name of the city*).

5.2 Management

The Head of the RILO shall be an official of the host Customs Administration of(name of the host administration).

5.3 Rules of Procedure and Management Plan

The RILO may draw up its own internal rules of procedure and management plan.

5.4 Designation and Logo

In official correspondence, the RILO..... (*name of the region*) shall use the WCO logo and its own logo, if available.

6. Mutual Representation and Consultation

The WCO shall nominate a contact point as the responsible officer within the Secretariat to co-ordinate the RILO network. The Head of the RILO(*name of the region*) shall consult with the nominated official of the Secretariat periodically and will include the outcome and the results of the co-operation in an annual RILO report to be communicated to the Secretary General.

7. Training and Technical Assistance

The World Customs Organization and the Customs Administration of (*name of the host country*), as host administration, shall provide the affiliated Members with training and technical assistance within the limits of financial and human resources.

8. Staffing

The staffing of the RILO..... (*name of the region*) shall be ensured by the host administration and the affiliated Members, taking into account the regional particularities.

9. Status of the Staff

- (a) Based on a separate, individual agreement between the WCO and the seconding administration, a staff member of the RILO may be granted the status of a technical attaché being seconded to the WCO, in which case he or she shall comply with the WCO Staff Regulations and Staff Rules. Upon being granted the status of technical attache, a RILO staff member shall sign a declaration regarding confidentiality, as stated in Attachment 1 to this Agreement.
- (b) Derogation from these Rules may be granted subject to an agreement between the host administration, the seconding administration, the Head of the RILO and the WCO Secretariat.
- (c) Being accountable to the Head of the RILO, the RILO officers shall not report to, or receive instructions from, their home administration regarding the content of their work.

10. Expenses

The WCO shall not bear the cost of salary, allowances, living or removal expenses, accommodation or any other expenses related to the secondment of the official.

The host administration shall be responsible for expenses incurred in setting up the RILO office and maintaining its functionality, such as the cost of technical equipment, communication and production of publications. The WCO shall not be held responsible for such expenses. However, the WCO will pay for missions carried out on behalf of the Secretariat based on a prior travel authorization issued by the WCO.

11. Compliance with Legal Provisions

All RILO officials must comply with the laws and other legal provisions of the host country.

12. Final Provisions

The agreement shall come into force on the date of signing. Amendments shall only be made by mutual agreement.

The agreement is concluded for a term of two years. It shall be extended by one year at a time if it is not terminated by one of the parties to the contract as per the end of a quarter with three months' notice. The agreement may be cancelled at any time by mutual consent.

Done at Brussels/, (Date)

Attachment 1

DECLARATION Regarding Confidentiality for RILO Staff Members

"I solemnly declare that I will carry out loyally and conscientiously, respecting the confidence placed in me, the duties entrusted in me by the Secretary General of the World Customs Organization under Article [31, paragraph 4] [38, paragraph 3], of the International Convention on mutual administrative assistance in Customs matters, done at ..., on ... 2003.

In particular, I declare that I will respect the absolute confidentiality of any information which may come to my knowledge in this connection, and that I will not use such information otherwise than in connection with the duties entrusted in me".

x

x x

Guidelines for Global RILO Network

To ensure the implementation of the WCO Global Information and Intelligence Strategy and consistency of the Global RILO Network, the RILOs operate according to common guidelines specifying the role of the WCO Secretariat, the RILOs and National Contact Points (NCPs).

A. Role of the Secretariat

The WCO Secretariat, as the responsible focal co-ordination point for the RILO network, monitors the consistency of RILO activities with this RILO Recommendation and these guidelines. The Secretariat shall :

1. Ensure the central management of the Customs Enforcement Network (CEN) by using, operating and maintaining the system as the global Information and Intelligence tool for the RILO network.
2. Ensure that the CEN is further improved taking into account new developments and requirements.
3. Use, administer and monitor the information being kept within the CEN on a global level.
4. Carry out periodical global strategic and tactical analyses based on the information in the CEN.
5. Keep RILOs informed about projects, measures and developments relevant for their region.
6. Organize a global RILO meeting on a regular basis.
7. Outsource special tasks to RILOs in order to receive their assistance in carrying out matters of priority identified by the Secretariat or WCO bodies.
8. Task RILOs to represent the Secretariat, where appropriate.
9. Provide training and technical assistance to the RILOs and their Members within the limits of financial and human resources.
10. Co-operate with other international law enforcement agencies on a strategic level.

B. Tasks of the RILOs

The RILOs, as the responsible regional focal point for the RILO network, monitor the consistency of their Members activities within the rules of the WCO Global Information and Intelligence Strategy, this RILO Recommendation and these guidelines.

By using information provided to them, they should:

1. Arrange for the nominations of National Contact Points (NCPs) within their region.
2. Organize and send invitations to annual NCP meetings.
3. Provide technical and other assistance to NCPs.
4. Check that regional seizure information is being entered into the CEN on a regular and timely basis.
5. Validate regional seizure information being entered into the CEN.
6. Produce regional tactical analyses to support Customs law enforcement authorities.
7. Collect, evaluate and disseminate information on Customs offences through the CEN.
8. Produce a periodic intelligence bulletin containing :
 - Seizures of global and regional relevance;
 - Regional trend analyses;
 - Regional analytical reports.
9. Provide the Secretariat with an annual report on their activities.
10. Produce and disseminate intelligence alerts and intelligence profiles.
11. Design and implement target-oriented intelligence analysis projects.
12. Design and support regional intelligence-led operations.
13. Facilitate mutual administrative assistance.
14. Promote and maintain regional co-operation with other law enforcement agencies and organizations, in accordance with any rules or provisions being established by the Enforcement Committee or the Council.
15. Assist Customs administrations with their analyses in specific cases, and facilitate the exchange of case-related operational information in accordance with relevant legal provisions and in agreement with the responsible national or regional authorities.

C. Tasks of the National Contact Point (NCP)

In order to secure the information exchange at a regional level and the quality of the information captured within CEN, the NCPs should:

1. Collect seizure data, including all required details relating to Customs offences, from all possible sources at national level.
2. Enter seizure data electronically into the CEN, or submit the data to the RILO by fax or mail.
3. Obtain photographs of significant seizures or of new/interesting concealment methods for incorporation into the CEN concealment database and for the production of alerts.
4. Analyse national seizure information to identify new or unusual smuggling methods, consistent patterns, smuggling trends and other information of interest, and enter results into the CEN or forward this information to the RILO.
5. Obtain national alerts and forward them to the RILO for regional dissemination.
6. Distribute at national level intelligence reports, alerts and other relevant publications received from the WCO and RILOs.
7. Initiate and participate in special regional projects conducted by RILOs to identify new transborder smuggling threats and trends.
8. Promote and maintain national co-operation with other law enforcement agencies or organizations.
9. Task the RILO with specific analytical studies and participate in the process of evaluating effectiveness.
