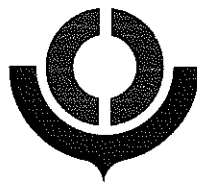


**MEMORANDUM OF UNDERSTANDING  
ON  
CO-OPERATION**

**BETWEEN**



WORLD CUSTOMS ORGANIZATION  
ORGANISATION MONDIALE DES DOUANES

**THE WORLD CUSTOMS ORGANIZATION (WCO)**

**AND**



**THE CENTRAL ASIAN REGIONAL INFORMATION  
AND COORDINATION CENTRE FOR COMBATING  
ILLICIT TRAFFICKING OF NARCOTIC DRUGS,  
PSYCHOTROPIC SUBSTANCES AND THEIR  
PRECURSORS**

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## **PREAMBLE**

The World Customs Organization\* (hereinafter referred to as the WCO) and the Central Asian Regional Information and Coordination Centre for Combating Illicit Trafficking of Narcotic Drugs, Psychotropic Substances and their Precursors (hereinafter referred to as CARICC):

**Considering** that the mission of the WCO is to improve the efficiency and effectiveness of Customs, to defend the legitimate interests of trade, to repress illicit activities and to promote the widest possible co-operation and mutual administrative assistance between its Members at national, regional and international level,

**Considering** that CARICC is a permanently operating regional information and co-ordination inter-state agency that assists in organizing, undertaking and co-ordinating joint international operations to combat illicit drug trafficking and ensuring the collection, storage, protection, analysis, and exchange of information on transborder crime associated with illicit drug trafficking,

**Acknowledging** that Customs is the principal border agency and therefore uniquely placed to take enforcement action against transborder crime,

**Acknowledging** that the WCO has developed a number of enforcement programmes in order to provide to its Members an entirely satisfactory means of international action against fraud and transborder crime which is becoming increasingly widespread, well organized and sophisticated,

**Recognizing** the need for co-operation between competent agencies at national, regional and international level in the fight against transborder crime, including terrorism, commercial fraud, drug trafficking, money laundering, illicit diversion of precursor chemicals, counterfeiting, traffic in human beings, intellectual property fraud, firearms trafficking and environmental crime,

**Recognizing** the close co-operation existing between the WCO and the United Nations Office for Drugs and Crime,

**Recognizing** the close co-operation existing between the WCO and ICPO-Interpol, which has been formalized through a Memorandum of Understanding between the two Organizations,

**Wishing** to co-ordinate their efforts within the framework of the missions assigned to them and in line with the provisions of the Convention Establishing the Customs Co-operation Council and the Agreement between the Republic of Azerbaijan, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan on establishment of the Central Asian Regional

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\* Established in 1952 as the Customs Co-operation Council.

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Information Coordination Centre for Combating Illicit Trafficking of Narcotic Drugs, Psychotropic Substances and their Precursors, in order to avoid duplication of effort,

**Have agreed on the following :**

**Article 1**

**Purpose of the Agreement**

1. The WCO and CARICC, hereinafter referred to as the Parties, shall consult regularly on matters of common interest for the purpose of realizing their objectives and co-ordinating their respective activities.
2. The WCO and CARICC shall exchange information on developments in any of their fields and projects that are of mutual interest, with a view to promoting effective co-ordination and to avoiding duplication of effort.
3. Where appropriate, consultation shall be arranged at the required level between representatives of the WCO and CARICC to agree upon the most effective way in which to organize particular activities and to optimize the use of their resources in compliance with their respective mandates.

**Article 2**

**Contact Persons**

1. The Secretary General of the WCO and the Director of CARICC shall each designate a person from their personnel to act as a contact point with a view to ensuring the practical implementation of the provisions of this Memorandum of Understanding.

**Article 3**

**Exchange of Information**

1. The WCO and CARICC shall combine their efforts to achieve the best use of all available information relevant to international crime. Exchange of information between the Parties shall only take place for the purpose of, and in accordance with, the provisions of this Memorandum of Understanding.
2. Communication of Customs enforcement information by the WCO to CARICC shall be subject to the provisions laid down in the Conventions, Resolutions and Recommendations adopted by the WCO Council. This Memorandum of Understanding shall be without prejudice to the existing agreements entered into by the WCO.
3. The exchange of information referred to in this Memorandum of Understanding shall take place through the authorized personnel of the WCO and CARICC.

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4. The Parties shall inform one another, at the time of supplying information or before, of the purpose for which the information is being supplied and of any restriction on its use, including possible access restrictions in general or specific terms. Where the need for such restrictions becomes apparent after the information has been supplied, the Parties may notify one another of the restrictions at a later stage.
5. CARICC shall not disrupt the normal process of information being communicated to the WCO by the members of the Regional Intelligence Liaison Office (RILO) for the Commonwealth of Independent States (CIS) or by any other members of the RILO network.

#### **Article 4**

##### **Reciprocal Representation**

1. Arrangements shall be made for reciprocal representation at meetings of the Parties convened under their respective auspices and dealing with matters in which the other Party has an interest or technical competence.

#### **Article 5**

##### **Technical Co-operation**

1. The WCO shall make the CENCOMM2 platform available to CARICC in Russian and in English to provide representatives of this regional organization with the possibility of exchanging secure (encrypted) information and intelligence relating to its missions.
2. The WCO and CARICC shall, in the interest of their respective activities, seek each other's expertise to optimize the effects of such activities.
3. CARICC shall review, at the WCO's request, projects at national and regional levels with a view to providing comments and suggestions appropriate to its domain of expertise.
4. By mutual agreement, CARICC shall associate itself in the development and execution of programmes, projects and activities related, in particular, to crimes and offences committed in the territories of the countries which are members of CARICC.
5. Special arrangements may be necessary to implement joint projects on matters of common interest. These special arrangements shall set out the procedures for the participation of each Organization in such projects and shall determine the costs payable by each Party.
6. The WCO and CARICC shall co-operate in evaluating such programmes, projects and activities of common interest, subject to mutual agreement on a case-by-case basis.

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## **Article 6**

### **Exemption**

1. If one of the Parties considers that compliance with the request for assistance and co-operation would be prejudicial to the essential interest or against the official mission and aims of the Party concerned, it may refuse to comply with the request for assistance and co-operation.

## **Article 7**

### **Settlement of Disputes**

1. Any dispute between the WCO and CARICC concerning the interpretation or application of this Memorandum of Understanding, or any question affecting the relationship between the WCO and CARICC, shall be referred to the Secretary General of the WCO and the Director of CARICC, who shall seek to find an equitable solution.
2. Each Party reserves the right to suspend its obligations under this Memorandum of Understanding in cases where a Party avails itself of the procedure laid down in paragraph 1 of this Article and an equitable solution is not achieved, or in any other case where a Party is of the opinion that the obligations incumbent on the other Party under this Memorandum of Understanding have been breached.

## **Article 8**

### **Amendments to and Termination of the Agreement**

1. This Memorandum of Understanding may be amended at any time by mutual agreement between the Parties.
2. The Parties shall enter into consultations with respect to the amendment of this Memorandum of Understanding at the request of either Party.
3. This Memorandum of Understanding may be terminated by either Party with three months' written notice.

## **Article 9**

### **Entry Into Force**

This Memorandum of Understanding shall enter into force upon the signature of the two Parties.

In witness whereof, the undersigned legal representatives of the Parties hereto, have duly affixed their signatures, on the two originals of this Memorandum of Understanding in each of the English, French and Russian languages, all three texts being equally authentic.

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For the WCO

For CARICC

  
Kunio Mikuriya  
Secretary General

  
Beksultan Sarsekov  
Director

Date: 19 March 2010

Date: 30 марта 2010

Place: Brussels

Place: Астана

