MEMORANDUM OF UNDERSTANDING
BETWEEN
THE WORLD CUSTOMS ORGANIZATION (WCO)
AND
THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)
THIS MEMORANDUM OF UNDERSTANDING is made this .............. day of February 2011

BETWEEN

The Economic Community of West African States (ECOWAS) with its Headquarters at Abuja

AND

The World Customs Organisation (WCO) having its Headquarters in Brussels, Belgium

The World Customs Organization (WCO) and the Economic Community of West African States (ECOWAS), referred to hereinafter as "the Parties":

ACKNOWLEDGING that Customs is a critical institution for achieving regional integration and international economic prosperity, and for facilitating international trade;

ACKNOWLEDGING that ECOWAS seeks to promote trade, investment and development regionally and to accelerate economic and social development in West Africa;

MINDFUL that ECOWAS is in the process of establishing a Customs Union;

RECOGNIZING that the WCO has launched the SAFE Framework of Standards to secure and facilitate international trade through the implementation of best practices, modernized procedures and co-operation between Customs and the private sector;

RECOGNIZING that thirteen (13) of the fifteen (15) ECOWAS Members have indicated their intention to implement the SAFE Framework and have accordingly engaged in its capacity building implementation programme, the Columbus Programme;

RECOGNIZING the importance of co-operation between the two Parties in Customs matters;

Hereby agree as follows:
ARTICLE I

Objective

The WCO will co-operate with Ecowas in all Customs matters with a view to enhancing the capacity of Customs administrations in West Africa to deliver more efficiently on their statutory functions and thereby contribute to the economic growth and development of the region.

In this regard, the Parties agree to actively promote the modernization of Customs administrations in the ECOWAS region through the adoption and implementation of Customs instruments and tools sponsored or administered by the WCO insofar as ECOWAS Member States agree within the mandate sanctioned by the ECOWAS Treaty.

This Memorandum of Understanding constitutes an expression of mutual good faith and is not intended to create legally binding obligations on either Party.

This Memorandum of Understanding is subject to the respect of WCO policies and guidelines, including without limitation Copyright policy on WCO’s publications.

ARTICLE II

Scope of co-operation

Co-operation between the Parties covers the following areas:

- Capacity building/training
- Nomenclature/tariff
- Customs automation
- Customs fraud
- Customs procedures
- Trade facilitation
- Supply chain security
- Origin
- Any other area which might be of interest to either Party.

In this respect, the Parties agree to establish and maintain effective, consultation, co-operation and exchange of information between each other in support of this Memorandum of Understanding.
ARTICLE III

Financial obligations

1. Notwithstanding any other provision of this Memorandum of Understanding, nothing in this Memorandum of Understanding shall be taken as creating any financial obligation for either Party prior to such obligation being mutually and expressly agreed in writing.

2. Any expenditure arising from the implementation of this Memorandum of Understanding that is routine and of negligible amount shall be borne by the Party concerned.

3. Where co-operation proposed by one of the Parties to the other under this Memorandum of Understanding has greater financial implications than the expenditure referred to above, the Parties shall consult each other with a view to determining the means of mobilizing the necessary funds, the most equitable way of defraying the expenditure and, where necessary funds cannot be readily found, shall decide on the most suitable means of procuring them.

ARTICLE IV

Representation at meetings

1. The Parties shall invite each other to their meetings of common interest and also grant each other observer status at meetings in accordance with the rules of procedure for granting of such status by each Organization.

2. The participation of representatives at such meetings shall be financed by each Party unless a Party offers to finance the participation of the other Party.

ARTICLE V

Joint training activities

Wherever possible, the WCO Secretariat and ECOWAS Commission shall, within the limits of the resources available to them, co-ordinate joint training activities for Customs officers of ECOWAS.
ARTICLE VI

Programme of activities

The programme of activities shall be determined by the Parties in accordance with projects that may be undertaken from time to time under this Memorandum of Understanding.

ARTICLE VII

Entry into force

This Memorandum of Understanding shall enter into force on the date of its signature.

ARTICLE VIII

Amendments

This Memorandum of Understanding shall be reviewed upon the request of either the Secretary General of the WCO or the President of the ECOWAS Commission, and may be amended by mutual agreement in writing.

ARTICLE IX

Termination

Either Party may terminate this Memorandum of Understanding at any time by giving the other Party written notice of six (6) months.

The termination of the Memorandum of Understanding shall come into effect on the expiry of the notice period of six (6) months unless the Parties agree on a specific date of termination.

Article X

Effect of Termination

Notwithstanding its termination, the provisions of this MOU shall survive to the extent necessary to permit an orderly discharge of obligations between the Parties and to bring ongoing activities to a proper close.
ARTICLE XI

Dispute resolution

Any dispute over the interpretation or application of any provision herein shall be settled through negotiations or by such other means as the Parties shall mutually agree.

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 the English and French languages, both texts being equally authentic.

DONE AT ABUJA THIS 18TH DAY OF FEBRUARY 2011

For ECOWAS

H. E. James Victor GBEHO
President of the Commission

For World Customs Organisation

Kunio MIKURIYA
Secretary General