

MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE WORLD CUSTOMS ORGANIZATION
(WCO)**

AND

**THE WEST AFRICAN ECONOMIC AND MONETARY UNION
(WAEMU)**

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**MEMORANDUM OF UNDERSTANDING BETWEEN THE WORLD CUSTOMS ORGANIZATION¹ (WCO), ACTING THROUGH ITS SECRETARIAT AT 30, RUE DU MARCHE, 1210 BRUSSELS, REPRESENTED BY Mr. KUNIO MIKURIYA, ITS SECRETARY GENERAL
AND
THE WEST AFRICAN ECONOMIC AND MONETARY UNION (WAEMU), ACTING THROUGH ITS COMMISSION AT 380, AVENUE JOSEPH KI-ZERBO, 01 BP543 OUAGADOUGOU 01, REPRESENTED BY Mr. CHEIKHE HADJIBOU SOUMARE, ITS PRESIDENT**

The World Customs Organization (WCO) and the West African Economic and Monetary Union (WAEMU)

HAVING REGARD to the Convention establishing a Customs Co-operation Council,

HAVING REGARD to the Treaty establishing the WAEMU,

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

RECOGNIZING that the WAEMU seeks to promote trade, investment and development regionally and to accelerate economic and social development in West Africa;

RECOGNIZING that the WCO has launched the SAFE Framework of Standards to Secure and Facilitate Global Trade through the implementation of best practices, modernized procedures and co-operation between Customs and the private sector;

RECOGNIZING that the eight WAEMU Member States have indicated their intention to implement the SAFE Framework and will accordingly engage 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:

¹ Established in 1952 as the Customs Co-operation Council.

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ARTICLE I

Objective

Under this Agreement, the WCO and the WAEMU undertake to co-operate 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 WAEMU region through the adoption and implementation of Customs instruments and tools sponsored or administered by the WCO insofar as WAEMU Member States agree within the mandate sanctioned by the Treaty establishing the WAEMU.

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 the Copyright policy on WCO 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;
- Customs valuation;
- WTO Agreement on Trade Facilitation (TFA);
- Any other area which might be of interest to either Party.

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

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ARTICLE III
Financial obligations

- III.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.
- III.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.
- III.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 the necessary funds cannot be readily found, shall decide on the most suitable means of procuring them.

ARTICLE IV
Representation at meetings

- IV.1. The Parties shall invite each other to their meetings of common interest and shall also grant each other observer status at meetings in accordance with the rules of procedure for granting of such status by each Organization.
- IV.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 the WAEMU Commission shall, within the limits of the resources available to them, co-ordinate joint training activities for Customs officers of the WAEMU.

ARTICLE VI
Programme of activities

The Parties shall determine their programmes of activities 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 WAEMU Commission, and may be amended by mutual agreement of the two Parties 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 months.

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

ARTICLE X
Effects in the event of termination

The termination of this Memorandum of Understanding shall in no way affect obligations assumed during the duration of this Memorandum of Understanding.


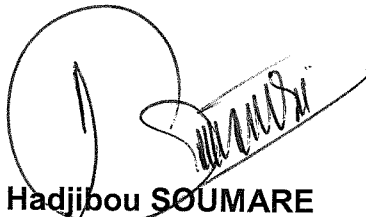
ARTICLE XI
Dispute resolution

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.

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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.


Kunio MIKURIYA
Secretary General
of the
World Customs Organization
Cheikhe Hadjibou SOUMARE
President of the Commission of
the West African
Economic and Monetary Union

Date: 27 April 2015

Date: 27 April 2015