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Editorial

Dear Readers,

The WCO is delighted to introduce the 15th edition of the Integrity Newsletter, and to draw your attention to the featured issues.

In this edition, you will find out about the comprehensive reforms that are being implemented to enhance transparency in Azerbaijan Customs.

An interesting article on selected cases of abuse and measures taken to address the problem by the Central Management of Hungary’s National Tax and Customs Administration is also presented to readers.

Another focus is on how the Customs administration of Israel has striven to implement a number of measures in order to reduce the risks posed by regular physical contact between Customs officers and customers (importers or their representatives, drivers, etc.). Some examples of the methods and means used to implement those measures in the work processes are shared.

Readers will also learn about initiatives and measures taken to promote integrity and the fight against corruption at the Uruguay National Customs Directorate.

The Federal Customs Service of the Russian Federation also shares their experience on regional commissions set up to prevent corruption offences in regions.

Even though many Customs administrations have achieved positive results in the fight against corruption, new corruption threats are always emerging. The old threats are also changing to present even more complex challenges which seem to have no end in sight for Customs. Members have initiated a series of initiatives to enhance integrity that must be advertised within the International Customs community. This is why we continue to encourage you to share your good practices via this Integrity Newsletter so that other Customs administrations may benefit from your experience.

You are kindly reminded that the success of this Newsletter depends very much on your voluntary contributions, and the articles published in the Integrity Newsletter are provided by WCO Members and, therefore, reflect their own views.

Enjoy reading this new edition of the Integrity Newsletter!

The WCO Capacity Building Directorate
Message from the ISC Chair

Dear Colleagues,

Seeking to promote the modern management of borders, the WCO has adopted for 2019 the theme “SMART Borders for seamless Trade, Travel and Transport”, where “SMART” refers to these five key features: secure, measurable, automated, risk-management-based, and technology-driven environment.

WCO Members have acknowledged the importance of performance measurement in the Customs context, particularly to ensure a successful Customs reform and modernization. Ultimately, as the famous quote attributed to Lord Kelvin says, “if you can’t measure it, you can’t improve it”.

Seeking to contribute to the discussion around performance measurement in the Customs context, and in line with the WCO’s theme for 2019, we decided to devote the 18th Session of the WCO Integrity Sub-Committee to the importance of monitoring and measuring integrity to enhance an ethical climate and compliance.

According to the WCO’s strategic document “Customs in the 21st Century”, integrity is one of the ten building blocks to a modern, effective and efficient Customs administration. Therefore, a strategic approach towards monitoring and measuring corruption, integrity and integrity/anti-corruption policies in Customs administrations is a crucial determinant of the efficiency and effectiveness of such policies, and their overall impact in the different public policy objectives that are normally pursued by Customs administrations, including collecting revenue, facilitating trade, deterring prohibited goods and enhancing safety and security.

It goes without saying that it is important to monitor and measure these factors to enhance well-informed decisions, improve accountability, evaluate results and progress, and continuously learn from experiences.

Based on international good practices and recommendations, including those from the WCO and other international organizations with long experience in the field of integrity, such as the OECD and UNODC, in developing a strategic approach to monitoring and measuring corruption, integrity and integrity/anti-corruption policies, it is important to consider the following key elements:

- **Whole-of-government approach**: to ensure policy coherence and consistency between the Customs integrity/anti-corruption strategy and the broader national anti-corruption framework and objectives.
- **International good practices/standards**: for monitoring and measuring, based on evidence and research.
• **Tailor-made approach**: considering local conditions such as culture and institutional architecture.

• **Development of benchmarks and indicators**: to gather accurate and relevant data based on the level of implementation, performance, and impact of the integrity/anti-corruption policies.

• **Human dimension**: to integrate as many valuable elements as possible to better understand the problem, including individual ethical choices and influential social dynamics. Measuring these elements will complement more traditional methodologies for measuring corruption and integrity, based on levels of transparency and the discretion of decision makers, as well as the assessment of compliance and control measures.

• **Mapping integrity and corruption risk**: to identify critical areas, adequately estimate their impact, and allow for efficient allocation of resources.

• **Constructive engagement of stakeholders**: in the design and implementation of the monitoring and measuring strategy, but also to promote a shared responsibility approach to the implementation of the integrity/anti-corruption strategy.

The articles contained in the 15th Edition of the Integrity Newsletter and the discussions of the 18th Session of the ISC will surely enrich our debates and provide much food for thought and reflection.

The WCO ISC has proved to be a valuable platform to promote dialogue and engagement with key stakeholders, and therefore I strongly encourage you to actively participate and keep up to date with the different initiatives that the WCO develops to help Members to boost integrity and curb corruption.

Carlos Gabriel ENRIQUEZ MONTES

*(Minister Representative to the EU and the WCO – Mexico)*

WCO Integrity Sub-Committee Chairperson
Substantial reforms to enhance transparency in Azerbaijan customs

One of the prerequisites of the sustainable development strategy paving the way for dynamic economic growth implemented under the leadership of the President of the Republic of Azerbaijan, Mr. Ilham Aliyev, is to ensure transparency through an unwavering fight against corruption. All state agencies and organizations have recently undergone structural reforms, and the State Customs Committee of the Republic of Azerbaijan is no exception. The overall objective of the reforms implemented in Customs is to ensure transparency, reinforce proper tax records, solidify financial control and eradicate the shadow economy.

Entrepreneurs rely on, and have an increasing confidence in, the Customs authorities, as do the media outlets that no longer feature bad news stories focusing on shortcomings, but rather update the public about Customs’ continuous successful reforms, innovations and efforts to ensure a greater degree of transparency.

The outstanding results in ensuring transparency and in the fight against corruption in such a short period are explained by the political will and determination of Azerbaijan’s Head of State. Following the instructions of the President, the State Customs Committee has stepped up its efforts to guarantee absolute transparency throughout Customs operations.

Studies and assessments have been conducted to identify the shortcomings and challenges. A firm decision was made to change the system and the mindset of officers employed, given the mission of modern Customs to move away from an attitude of control towards service provision.

Thanks to effective reforms carried out over the past nine months and more, the Azerbaijan Customs service has instituted the type of organization and structure applied in the world’s leading states, and now paves the way for safer, easier and swifter international trade transactions. This, in turn, has allowed management to increase and expand operational effectiveness and efficiency.

The new approach and governance principles required new specialists with up-to-date skills, knowledge and willingness to learn. To achieve this ambitious goal, the State Customs Committee initiated and completed an attestation process to assess the expertise and knowledge of all employees. As a result, staff competence levels have now been evaluated, and a rotation-based service has been introduced.

Multiple seminars, workshops, and conferences were organized for Customs officers, related government agencies and foreign trade participants to ensure the innovations were well assimilated and applied at all levels.

The state support to Customs officers, including favourable terms and conditions, higher wages, and other perks, are among the factors reducing the level of corruption. For non-compliant employees, additional measures were undertaken to combat bribery. Employees who committed and were involved in corruption were identified by the relevant bodies of the State Customs Committee and faced severe consequences.
The same level of zero tolerance and strict measures were applied towards Customs officials involved in any unethical acts or breaches of legislation.

The use of information technologies, paperless and technology-based Customs operations and border-crossings, and simplification of Customs control procedures help to increase the productivity and efficiency of the State Customs Committee and minimize the interaction between officials and citizens. This, among many other analogous measures, contributed immensely to ensuring transparency in Customs.

On 21 December 2018, the Decree of the President of the Republic of Azerbaijan “approving the Rules on the acquisition, suspension, annulment and restoration of rights of foreign trade participants to the permanent use of the “Green Corridor” Release System” was signed. This Decree of prime importance to ensuring transparency will enable trade participants to carry out Customs operations from their offices or any other premises with access to the Internet.

During import transactions, foreign trade participants will unload the goods directly at their warehouses by sending a summary import declaration in electronic format an hour before receiving the goods at the border. In export transactions, foreign trade participants will direct the vehicles to the Customs checkpoints of their preference by sending a brief import declaration in electronic format an hour before the goods are loaded into the vehicle.

Emphasis was also placed on cooperation with media outlets, along with public control and awareness campaigns that played a major role in Azerbaijan Customs’ success in ensuring transparency. Journalists and media representatives were invited to examine the Customs systems in further detail, and tours of Customs checkpoints were also arranged to further raise awareness. The views of Customs experts and NGOs were studied, and partnership with these stakeholders was further strengthened.

Customs authorities pursued a decisive open-door policy in line with the legislation, and executed all the necessary measures to guarantee a maximum level of transparency. This led to positive results in terms of fiscal policy and the fight against offences and other unethical behaviour, while proving the experience of Azerbaijan Customs to be a true success story.

Israel customs preventing and combatting corruption

Background

Israel Customs has built special inspection sites which centre all cargo inspections activity in one area, and make use of advanced inspection technologies.

In order to reduce the risks posed by the regular physical contact between Customs officers and customers (importers or their representatives, drivers, etc.) on site, we have striven to implement a number of measures:
a. computerization of the work process;
b. separation between the customer and the Customs officer in handling and decision-making processes;
c. disclosure of information and decisions;
d. storage of the information over a long period of time.

There following some examples of the methods and means used to implement those measures in the work processes:

1. **Queue management (QM)**

On busy inspection sites, the inspection queue becomes critical to customers. In the past, customers did not hesitate to approach Customs officers with requests to speed up the process. For example, an importer of raw materials or a technical component required for an assembly line may have been scheduled for inspection just before the start of the weekend, and be aware that if the inspection was slightly delayed, the goods would not be released for a few more days.

To reduce dependence on arbitrary decisions by Customs officer’s, Israel Customs developed a computerized queue management program. The importer’s representative automatically receives a notification of the date and time set for inspection, which can be modified online depending on availability. In exceptional cases, the importer’s representative is required to contact (via email) a competent authority specified by Customs in order to change the time set for inspection. The decision will be based on the level of urgency and technical conditions. The request and the response are saved in the system.

The use of this practice prevents direct engagement between customers and Customs officials, as well as the pressure which used to be placed on Customs officials. An additional advantage of the method is full documentations of the whole procedure.

2. **Payments to porterage contractors**

Customs inspections often involve unloading the goods from the container and reloading them, which makes porterage services necessary. At busy times, contractors may take advantage of the situation and price the work differently. To prevent this situation, Customs published a tender for porterage services at inspection sites. The company that won the tender is committed to a certain service level and to an agreed price list as defined in the tender. The price list is circulated to all customers and determines all payments. It should be noted that Customs does not pay the porterage company, but that customers pay it directly.

3. **X-ray image passed automatically to Customs officer**

The X-ray system carries out the container/truck inspection in the order of the queue fixed on entrance to the facility. The X-ray image is randomly passed to the Customs officer, who analyses it. The officer receiving the image does not know the identity of the importer or other details of the cargo until after handling and analysing the image.
This measures prevents the possibility of cargo being selected for inspection by a specific Customs officer. Neither the customer nor the Customs officer can affect the selection of cargos.

4. Documentation and archiving

The system documents the X-ray image, the ‘officer’s decision, and statistical data regarding every officer’s activity. The importer’s x-ray images and the decisions made regarding him can be retrieved during later investigations.

Data relating to both the importer and the Customs officers is continuously saved and stored. The site is also being monitored by CCTV 24/7, and all footage is stored in the Customs archives.

5. Physical separation of Customs officers from customers at the examination and decision-making stages.

The inspection sites are considered restricted Customs areas, and entry is permitted only to authorized persons. The Customs areas are closed, and there is no entry to importers or their representatives or other parties. There are specific places designated for handing documents to Customs.

A separate area has been set aside for drivers while waiting for the inspection process, to ensure a comfortable wait on-site if their cargo inspection is delayed. This essentially prevents them from putting pressure on the Customs officers handling their cargo.

The central management of Hungary’s national tax and customs administration reveals a selection of cases of abuse and measures taken to address the problem

A client at one of the National Tax and Customs Administration’s (the NTCA’s) offsite three-person customer service departments found an envelope behind a computer monitor addressed to an official there. In the envelope was HUF 10,000, cash which was probably left by a taxpayer earlier to try to influence the official unlawfully. The subsequent investigation identified a limited number of taxpayers who attended the customer service for administrative purposes and were given tax refunds. Following the investigation, a complaint was made against an unknown criminal offender on suspicion of the offence of bribery.
The Prosecutor’s Office and National Protective Service (PONPS), in charge of investigations, caught one of the NTCA’s senior executives red-handed in receipt of a sum of HUF 130,000 in cash from a taxpayer, paid to stop an enforcement process underway at the NTCA. According to the information uncovered, the employee had also provided help in preventing or stopping the ongoing trials of two taxpayers - who had been prosecuted for official bribery - by informing them in advance of the expected timing and nature of the enforcement actions to be carried out. The ongoing enforceable procedures were then cancelled as irrecoverable, and various sums of money were accepted from the taxpayers. The employee was arrested on grounds of a well-founded suspicion of the criminal offence of bribery.
An unknown person used the personal data of 17 private taxpayers to file personal income tax returns to the Tax Administration containing false and partly incorrect information. All of the tax returns were characterized by the fact that they attracted a fictitious personal income tax rebate based on income data, and requested payment of that rebate. Amounts unduly recovered through the declarations were, with some exceptions, transferred to the bank accounts of taxpayers at various financial institutions. The fictitious tax returns were linked to a NTCA employee who prepared the returns on the basis of papers received in a coffee shop, and 9 of them were submitted in person to the competent Tax Returns Division (TRD). One of the tax returns carried a note that it had been submitted by that employee. After receiving the tax returns submitted by the genuine taxpayers concerned, the employee followed their progress in the NTCA’s IT systems and made queries about them. A complaint was made on suspicion of budget fraud. The employee’s contract has been terminated.

Initiatives and measures to promote integrity and the fight against corruption at the Uruguay National Customs Directorate (UNCD)

By Verónica Gómez, Head of the Process Auditing Unit, Uruguay National Customs Directorate

At the Uruguay National Customs Directorate, we acknowledge that there are weak spots that are vulnerable to corruption, and that we have to identify them and work to minimize them. We have assumed that corruption is one of the problems affecting our society in both the public and private spheres. This is not a new phenomenon, but in recent years it has become particularly important, and there is now widespread concern about it. In addition, nowadays we have the means to uncover the scale of this phenomenon and its direct consequences. Because of this, since the Modernization Process at Uruguay Customs (MPUC) that started in 2007, we have been working on our Anti-Corruption plan (ACP).

We are convinced that corruption cannot be attributed to a single cause, so it must be combated by several measures at different levels, and in a creative and innovative manner. Some measures need to aim at preventing corruption and others at punishing corruption, as a way of combatting all the variables involved.

Our 2030 Vision says, ‘...To summarize, we will proudly express that we are Customs Officials. Professional and effective Civil Servants. Honest and uncompromising in our fight against corruption. Committed, with our hearts and minds, to the fulfilment of our Mission.’

Some of the initiatives and measures taken to promote integrity and the fight against corruption at the Uruguay National Customs Directorate are as follows:
Transparency

As regards Passive Transparency (PT), an online form on our website allows citizens to submit Requests to Access Public Information (API), which are managed internally and - when appropriate - the requested information is delivered. On 12 October 2017, a Workshop was held on Requests to Access Public Information. The Workshop was organized jointly with the control agency in charge of this matter, the Unit for Accessing Public Information, (“Unidad de Acceso a la Información Pública”), which is part of the Agency for E-Government and Information and Knowledge Society Development (“Agencia para el Desarrollo del Gobierno de Gestión Electrónica y la Sociedad de la Información y del Conocimiento”).

Customs officials in charge of applying this Procedure participated in the Workshop, and the activity helped them to standardize criteria and knowledge on the matter.

As regards Active Transparency (AT), we are continuously working to keep our website updated and to include all the necessary information needed to facilitate the right to Access Public Information.

Memoranda of Understanding

Uruguay Customs has concluded Memoranda of Understanding (MoUs) aimed at establishing common lines of action between public and private sector stakeholders, regarding ethics and transparency.

MoUs have been signed with: Uruguayan Association of Customs Brokers (ADAU), Uruguayan Association of Freight Forwarders (AUDACA), Uruguayan Association of Courier Service Providers (AUDESE), Uruguay Chamber of International Road Transport (CATIDU), Uruguay National Chamber of Commerce and Service (CNCS), the Chamber of Free Shop Owners, Uruguayan Chamber of Logistics (CALOG), Chamber of Uruguayan Free Zones (CZFUY), the Navigation Centre (CENNAVE), the Rice Mills Union, and the Uruguayan Exporters Union (UEU).

Each year, an action plan is developed in collaboration between the signatories. The necessary meetings were held in 2018 to draft the plan to be implemented in 2019.

A specific action was agreed with each of the signatories. For those private stakeholders that do not yet have their Code of Conduct, Uruguay Customs volunteered to develop it. For those who already have a
Code of Conduct, the action to be carried out is a training activity for their members, on the corresponding Code of Conduct and on integrity. In that activity, our Customs Administration will give a presentation of activities in the public area, and a representative of the signatory will give a presentation of activities in the private area.

Memorandums of Understanding have been signed with:

- Uruguayan Association of Customs Brokers (ADACU)
- Uruguayan Association of Freight Forwarders (AUDACA)
- Uruguayan Association of Courier Service Providers (AUDESC)
- Uruguay Chamber of International Road Transport (CATIDU)
- Uruguay National Chamber of Commerce and Service (CNCS)
- Chamber of Free Shops Owners
- Uruguayan Chamber of Logistics (CAGLO)
- Chamber of Uruguayan Free Zones (CEFUY)
- Navigation Centre (CENNAVE)
- Rice Mills Union
- Uruguayan Exporters Union (UEU)
Pilot Procedure for Receiving Complaints from Signatories of Memoranda of Understanding

The Pilot Procedure was implemented on 21 December 2018, through the Uruguay National Customs Directorate Resolution No 74/2018. The necessary IT System has been developed to implement it. The Procedure is in the testing stage (Pilot) with the signatories of the Memoranda of Understanding, and is set to be extended later to Customs officials and to all citizens.

The Procedure provides foreign trade operators with the means and the corresponding guarantees for filing and substantiating complaints. By implementing this Procedure, we will receive the complaints filed by signatories in a more organized manner, with the appropriate traceability, processing and monitoring.

Code of Conduct

The Code of Conduct was adopted on 14 November 2016, as a General Resolution issued by the Uruguay National Customs Directorate (UNCD) (Number 67/16). This Code is another mechanism to fight corruption within the framework of prevention that is currently being implemented, together with the Anti-Corruption Plan.

The aim of adopting the Code of Conduct is to have regulations that set out the accepted behaviours, and to give Customs officials a reference framework to carry out their duties with certainty and transparency.
This Code of Conduct collects some hitherto fragmented regulations and at the same time complements them, and includes specific regulations for Customs officials. It updates knowledge of the regulations, in a friendlier format, and strengthens the commitment to fighting corruption.

The Code of Conduct also complies with World Customs Organization guidelines. Article 7 of the (Revised) Arusha Declaration (RAD) states the following: ‘A key element of any effective integrity programme is the development, issue and acceptance of a comprehensive code of conduct which sets out in very practical and unambiguous terms the behaviour expected of all Customs personnel.’ The Declaration also proposes that the Code establish penalties for the cases of non-compliance. We do not consider this necessary in our case, since we already have an established disciplinary procedure which will apply in cases of infringement of its provisions. This is laid down in The Statute for Public Servants, Law No 19.121 and in its Regulatory Decree (RD), No 222/014.

In Uruguay there are regulations which govern the actions of civil servants, such as the following:

*The Constitution of the Eastern Republic of Uruguay (CERU), states, in Article 58, that civil servants are to serve the country, not a political party, and prohibits any activity at the workplace and during working hours that is not related to their duties; proselytizing is also illegal. Likewise, Article 59 states that the law shall establish the Statute of the Civil Servant (SCS) on the fundamental basis that civil servants exists to fulfil their duty, and not vice versa.

*The Statute of the Civil Servant (SCS), Law No 19.121, which lays down the duties and obligations of civil servants, as well as certain prohibitions and incompatible activities.

*Law No 17.060, which requires civil servants to submit , a sworn declaration of their assets to the Commission for Transparency and Public Ethics (CTPE) (“Junta de Transparencia y Ética Pública”), every two years.

*Decree 30/003, which lays down the rules of the conduct for Public Service and its general principles.
Training

Since September 2017, forty-five Customs officials, forty of whom with supervisory duties, participated in the first ‘Course for Developing Management and Leadership Capacities for Supervision and Control at Uruguay Customs’ held by the Inter-American Development Bank. This course has a specific module devoted to Ethics and Integrity at Customs.

The ‘Surveillance and Customs Controls’ course is still being offered as part of the schedule of the Training and Knowledge Management Department of Uruguay Customs. This course has a module addressing Ethics and the Anti-Corruption Plan.

Every year, an online Ethics course is offered to Customs officials, which includes contents on Integrity developed by the WCO, and another more specific part regarding its implementation in Uruguay.

In the action plan agreed with the signatories of the Memorandum of Understanding, it is expected that training activities will be carried out on these matters, in collaboration with foreign trade operators from the private sector.

Automation

At Uruguay Customs we are constantly working on streamlining processes. Paper-based documents have been eliminated, through the implementation of the Digital Single Customs Declaration (Digital DUA), and the Single Window for Foreign Trade (VUCE). This required reengineering of procedures and the development of new features in the IT systems, as well as the implementation of electronic payment.

Through the Electronic File System (GEX), Customs brokers can launch Customs procedures online, from their offices, and can also receive electronic notifications.

Remedial Actions Management (RAM)

The Remedial Actions Management (RAM) Project has been implemented in the Inquiries and Administrative Investigation Unit (IAIU) since June 2017. The aim of this project is to suggest remedial actions based on shortcomings detected by the discovery of irregularities in disciplinary procedures. In cases where the top official agrees with the remedial actions, they will be included in a General Resolution, which requires their implementation by the Area where the misconduct was detected, the monitoring of those remedial actions and their consequences, and their correction in cases where they have not been effective.

The intention of the Inquiries and Administrative Investigation Unit is to apply not only negative reinforcement, but also, based on those elements, to add input that corrects omissions, and avoids their repetition in the future. One expected consequence is to lower the number of sanctions and to help officials so that they do not commit the same irregularities. This project collaborates with the Anti-Corruption Plan by adding a preventive strategy.
The above Unit follows up the report on the implementation of the remedial action in each area (feedback) within a reasonable time depending on each specific case. Likewise, a register has been set up filing information on remedial acts and General Resolutions, with the aim of providing documentary background and back-up for future similar disciplinary procedures submitted to the Unit. This register will be a barometer for measuring the results of the suggested remedial actions and, at the same time, will be used for their internal control and for measuring effective compliance in each of are involved.

**New Organizational Structure (NOS)**

Although the entire Organization is committed to the fight against corruption, the Units that are more closely linked to the matter are the following: Internal Audit, Process Auditing and Non-Customs Procedures, Inquiries and Administrative Investigation, and the Customs Response and Intelligence Group.

We are planning to change our organizational structure. The restructuring project has been submitted to the Ministry of Economy and Finance. This project is currently being negotiated with Customs officials and with the Customs Officials Union, in order to develop it in a collaborative manner.

We are planning to create a Consultation Department called Transparency and Fight Against Corruption (TFAC). This Department is to have the following tasks:

a) To design, propose and carry out institutional policies, aimed at making public management transparent, and at preventing and punishing acts of corruption committed within the Organization or by any other stakeholder connected to the Organization;

b) To analyse and develop strategies for investigating reports of potential acts of corruption and/or infringements of the current legal system;

c) To design and implement mechanisms to receive reports of potential illicit acts committed within the Organization, or which affect the Organization’s tasks, and to assign to those reports the appropriate proceedings and follow-up in each of the corresponding units;

d) To ensure compliance with legal provisions, regulations and internal rules by officials in charge of ensuring compliance;

e) To propose to the National Direction amendments to regulations and internal regulations corresponding to the control and punishment of acts of corruption;

f) To inform the Uruguay National Customs Directorate of situations of conflict of Customs officials related to the fulfilment of their duties;

g) To supervise the implementation and the appropriate adherence to the legal provisions, regulations and internal regulations by the persons connected with Customs activities, when conducting activities at the Uruguay National Customs Directorate;

h) To coordinate joint investigations of acts of corruption with other Units within the organization;
I) other tasks related to its scope, assigned by the National Direction.

To summarize, it is crucial to work on ethics and transparency at Customs administrations worldwide. Corruption must be combatted for the good of Customs administrations and society.

In order to achieve this, it is essential to act in a planned and coordinated manner, with the Senior Officials of the Organization. They must support this and have a leading role, while implementing innovative measures to fight corruption in all its forms.

Based on what is set out above, it is clear that the Uruguay National Customs Directorate (NCD) is already on this path and is committed to continuing along it.

We have to keep on working in order to ensure that all officials from our Organization are aware of their ethical responsibilities, which will be reflected in a more ethical Organization.

As in every process, this is an ongoing development, and we are not going to be satisfied with just the initial outcome, which is why we are continuing to work on the Customs Modernization Project (CMP), with the aim of becoming an Exemplary Customs Administration (ECA).

More information.

www.aduanas.gub.uy

**HRM Reforms and Customs Integrity. The case of the Gambia Revenue Authority**
HR reforms at the Gambia Revenue Authority. A case of success in the region

The Human Resources (HR) reforms and modernization undertaken by the Gambia Revenue Authority (GRA) since July 2013 under the auspices of the WCO-West African Customs Administration Modernization Project (WACAM) Project financed by Sweden have proven critical and beneficial to the growth and development of the staff and the realization of the corporate objectives of the Revenue Authority.

It is worth noting that the HR reforms have contributed significantly to improving Customs professionalism in facilitating international trade, mobilizing revenue and maintaining border security. The mandate of the Customs Department clearly stipulated the need for Customs Staff to at all times relate and comport themselves professionally in the execution of their duties. This is further compounded in Section 7 of the Staff Service Rules and the Code of Conduct (Ethics) of the Authority.

The Code of Conduct (Ethics) emphasizes the need for staff to build and maintain public confidence by demonstrating integrity, fairness, impartiality and dependability. Through the HR reforms, therefore, the dictates of the Code of Conduct (Ethics) and the Authority’s Core Values of Honesty and Integrity, Professionalism, Fairness and Impartiality, Commitment and Teamwork, and Respect and Equity have been infused into the new Competency-based Job Descriptions of Customs Staff. These attributes have since provided the basis for staff recruitment, induction, training and development, performance and career management and motivation and retention. In addition, the attributes required of staff keep them “on their toes” as they form part of the employment contract with the Authority.

Integrity is one of the GRA’s core values

The application of the competency tools at the level of HRM practices has allowed the GRA to clarify the roles and responsibilities of each job-holder, as well as its expectations in terms of behaviour and performance; this reinforces the identities and improves the working environment.

Indeed, thanks to the competency based job descriptions, all staff members have a clear vision of their raison d’être at the level of the GRA and of how tasks and activities devolve. This reinforces the psychological contract.

In addition, the adoption of HRM competency-based tools has enabled the HRM department to target the quantitative and qualitative needs of HR, based on the results of the competency assessment operation. As GRA moves into its new strategic plan (2019-2023), HRM modernization will be one of the main cornerstones that will contribute to ensuring both integrity and professionalism within the organization.

What is the impact on Customs Integrity?

By adopting HRM competency-based tools, the recruitment process is based on fair and objective criteria which makes it more transparent. Especially since it allows the GRA to secure competent staff and adopt
these same values, which underpins the organizational fit. Moreover, promotions, which were once highly politicized and disregarded rank or qualifications, are no longer automatic for incumbent employees. All open positions are published, allowing both new applicants and incumbent employees to apply for these on equal footing. A rigorous examination is conducted of all applicants.

The performance appraisal process is carried out on the basis of totally impartial criteria defined for all staff according to their position. Performance management is therefore regarded as of fundamental value. Thus, the staff have clear evaluation criteria and terms describing achievements. This approach will improve individual and collective performance.

To conclude, HR reform and modernization efforts have contributed and will continue to contribute to developing a 21st Century Customs Officer with a critical and professional mind set, whose focus and objective is to ensure adherence to standards, transparency and equity in his/her dealings with stakeholders.

“The most trusted and valued resource of an employer to attain the organization’s mandate, is its employees. It is therefore prudent that mechanisms such as Human Resource Policy documents are put in place to support and direct a strategic and coherent approach to managing and developing this “valued resource”. …The development of these tools with technical support from the WCO-WACAM Project, is a significant milestone in the Authority’s drive to strategically focus and realign HR. These tools facilitate the implementation of the HR Strategy, and further strengthen the Authority’s approaches to Staff Planning, Recruitment, Performance and Career Management”. [GRA Top Management]
Federal customs service of Russia: regional commissions set up to prevent corruption

The HR departments of the Customs bodies are working within their spheres of competence to prevent corruption and other offences by ensuring compliance by federal civil servants with the restrictions and prohibitions, obligations and rules of official conduct. The work is carried out in accordance with the anti-corruption legislation of the Russian Federation based on the principle of publicity and openness, and is aimed at achieving the goal defined by the National Anti-Corruption Strategy.

To improve the effectiveness of work to counter corruption in the Customs authorities of the Russian Federation, regional commissions overseen by the head of the Federal Customs Service (FCS) of Russia and the heads of the Customs bodies were set up in 2017 at the regional Customs administrations and at Customs.

The main area of activity of the regional commissions is the coordination of measures aimed at identifying and eliminating the causes and conditions of corruption. The aim is to ensure the effective and high-quality implementation by Customs authorities and officials of tasks to protect the economic interests and economic security of the Russian Federation.

The main tasks of the regional commissions are as follows:

- development of a system of preventive measures to ensure the effective functioning of Customs authorities; this includes a set of organizational, administrative and investigative measures to eliminate causes and conditions that adversely affect the activities of Customs authorities and contribute to the commission of offences by Customs officials; it also includes monitoring the implementation of these measures;
- identification and analysis of decisions made by the Customs authorities that can pose corruption risks and do not meet the interests of the economic security of the Russian Federation, and implementation of measures to abolish or correct them;
- collection and assessment of information on the status and trends of corrupt practices, and on the effectiveness of work to prevent corruption, in order to subsequently develop solutions for the coordination and implementation of organizational and practical measures to combat corrupt practices.

The regional commissions consider issues related to the prevention and detection of corruption risks in the field of Customs administration, in law enforcement, in administrative, information and technical support, and take preventive measures to eliminate the causes and conditions of corruption-related factors.
Update on WCO integrity-related projects:

Swaziland and South Africa successfully exchange cross-border data to enhance transparency

Live data exchange between the Swaziland Revenue Authority and the South African Revenue Services has become a reality in the last quarter of 2018, after a successful pilot phase which saw the two Administrations bridge both technological and legal gaps. IT connectivity between the two Administrations is expected to bring transparency, predictability and a digital trail. It will contribute to reducing (and in some cases eliminating) physical interface, subjectivity and discretion, while simplifying processes for improved compliance at a reduced cost. IT Connectivity will also support improvement of the risk management function of Customs administrations thanks to enhanced data reliability. The more targeted approach to control and the simplification of procedures also offer an opportunity to reduce the scope for discretion exerted by individual officers and to limit opportunities for irregular payments. All of these contribute to enhancing integrity and the fight against corruption.

Under the framework of the WCO-SACU Connect Project financed by Sweden, SACU Member States have successfully developed a standard framework for Customs systems interconnectivity and the electronic exchange of trade data. As a result, the following tools have been developed:

- two data sets, namely the SACU Utility Block, which contains data required by Customs for the clearance process; and the SACU Preferred Trader Utility Block, which contains data on companies participating in the SACU Preferred Trade Programme (PTP);
a regional Unique Consignment Reference (UCR), a structured reference number used by SACU Customs Administration data electronically exchanged by the export country; and
an IT Connectivity Blue Print or Customs systems interconnectivity, which defines a technical standard for the actual transmission of declaration data between Member States.

The data exchange was conducted between an “ASYCUDA” country user and a “non-ASYCUDA” country user.

Data exchange was conducted under the WCO-SACU Connect Project between Swaziland and South Africa to look into systems interconnectivity between the Interfront Customs and Border Solution (iCBS), and ASYCUDA systems. The pilot successfully confirmed feasibility to exchange import/export information in daily basis between the two Customs administrations following the WCO’s Globally Networked Customs (GNC) concept adopted by the region in 2015. To enable data matching between imports and exports, a Unique Consignment Reference (UCR) was necessary. Swaziland used export information from South Africa to frame an import declaration and to help declarants in Swaziland to re-use the information already provided. This success story is evidence on the effectiveness of the main points of the Arusha Declaration (IT, automation, transparency, relation with private sector).

For more details, please contact capacity.building@wcoomd.org

Anti-corruption and integrity promotion (A-CIP) programme launch

Following the successful completion of the last project of cooperation between the WCO and the Norwegian Agency for Development Cooperation (Norad), the new Anti-Corruption and Integrity Promotion (A-CIP) Programme responds to the recognized high costs of corruption in Customs. The programme aims at the improving business environment for cross-border trade for selected WCO member countries.

Specifically, the A-CIP Programme will support beneficiary countries in implementing new measures to combat corruption and promote integrity in accordance with the ten areas of the Revised Arusha Declaration.

For each administration, a multi-annual action plan will be developed along with clear benchmarks and performance measurement criteria. The Programme also includes a multilateral component to create an
enabling environment for WCO Members to implement A-CIP measures by leveraging other regional and international initiatives in parallel, and to build on WCO instruments and tools.

The Programme design has taken into account lessons learned from the previous WCO programme as well as experiences and insights into the challenges for technical assistance and capacity building in the fight against corruption.

Specific attention has been paid to taking into account parallel activities both in the participating countries as well as globally, in order to ensure that A-CIP delivers results that complement ongoing and deeper reforms. The actions aim to deliver specific outcomes for each participating country over a period of five years.

Figure 1: Initial A-CIP Partner Administrations

The A-CIP Programme complements other WCO initiatives. One of them is the WCO Mercator Programme, which also creates roadmaps and offers a results-based approach to help Customs administrations implement relevant national commitments under the World Trade Organization’s Trade Facilitation Agreement (WTO TFA). Many of the TFA’s articles call for transparency and predictability, promoting integrity and closing opportunities for corruption, focusing in particular on the regulatory framework, transparency, automation, reform and modernization, as well as the relationship with the private sector. The A-CIP Programme will build on the Mercator Programme’s model and galvanize activity, leading efforts to improve governance and integrity in Customs.

More WCO members have shown an interest in being part of the Programme, and A-CIP is open to the inclusion of support from other donors which could enable more WCO Members to benefit from the Programme’s targeted technical assistance and capacity building.

For more details, please contact capacity.building@wcoomd.org
## Abbreviations

1. ISC: Integrity Sub Committee  
2. WCO: World Customs Organization  
3. WTO: World Trade Organization  
4. NTCA: National Tax and Customs Administration  
5. IT: Information Technology  
6. UNCD: Uruguay National Customs Directorate  
7. MPUC: Modernization Process at Uruguay Customs  
8. ACO: Anti-Corruption Plan  
9. RAM: Remedial Actions Management  
10. IAIU: Inquiries and Administration Investigation Unit  
11. API: Access to Public Information  
12. PT: Passive Transparency  
13. AT: Active Transparency  
14. NOS: New Organizational Structure  
15. TFAC: Transparency and Fight Against Corruption  
16. NCD: National Customs Directorate  
17. RAD: Revised Arusha Declaration  
18. RD: Regulatory Decree  
20. SCS: Statute of the Civil Servant  
21. CTPE: Commission for Transparency and Public Ethics  
22. CMP: Customs Modernization Project  
23. ECA: Exemplary Customs Administration  
25. HR: Human Resource  
26. GRA: Gambia Revenue Authority  
27. WCO-WACAM: WCO-West African Customs Administration Modernization Project  
28. NASC: National Anti-Corruption Strategy  
29. FCS: Federal Customs Service of Russia  
30. TRD-Tax Returns Division  
31. CCTV: closed-circuit television  
32. PONPS- Prosecutor’s Office and National Protective Services  
33. WACAM- West African Customs Administration Modernization Project  
34. SACU – South African Customs Union