

BRUSSELS DECLARATION

(June 1986)

DECLARATION OF THE CUSTOMS CO-OPERATION COUNCIL
CONCERNING ITS ROLE IN THE FIELD OF CUSTOMS ENFORCEMENT

(Brussels Declaration)

THE CUSTOMS CO-OPERATION COUNCIL,

NOTING that since its foundation the Council has been fully aware of the need for States to protect themselves against the various forms of Customs fraud and smuggling, and in particular against illicit traffic in narcotic drugs and psychotropic substances,

NOTING the Council's Decision of June 1983 to establish an Enforcement Committee,

NOTING that the Seoul Declaration of 1984 urges those countries and, where appropriate, those Customs or Economic Unions which are not yet Parties to the Nairobi Convention to intensify their efforts to accede to that Convention and to implement its provision as soon as possible,

HAVING REGARD to the following enforcement instruments adopted by the Council :

- International Convention on mutual administrative assistance for the prevention, investigation and repression of Customs offences ("Nairobi Convention", 9 June 1977),
- Recommendations concerning :
 - ④ mutual administrative assistance (5 December 1953),
 - ④ action against Customs fraud (8 June 1967, 22 May 1975, 15 June 1983),
 - ④ action against illicit traffic in drugs (8 June 1971, 13 June 1985),

RECOGNIZING THAT :

- Customs services in general have a unique role in helping to eradicate the massive economic and social plagues throughout the world associated with illicit traffic in narcotic drugs and psychotropic substances and in arms and ammunition, the diversion of precursors and essential chemicals for the production of such drugs and substances, commercial fraud, trade in pornographic materials and pirated intellectual and industrial property, smuggling of works of art, antiques and other cultural property, of endangered species of fauna and flora and illegal currency movements,
- the implementation of simplified Customs procedures as a result of increased cargo and passenger traffic needs to be balanced by improved Customs enforcement techniques,
- drug trafficking generates enormous profits, destabilizes society, as well as national economies and governments, and is in certain cases linked with traffic in arms and goods, and other illegal activities,

- commercial fraud (including false invoicing, misrepresentation of values, misdescription of goods, illegal arrangements in respect of transfer pricing) has adverse, sometimes disastrous, effects on national revenues, particularly in developing countries, on economies in general, and on honest trade, industrial development and national security, and may be a vehicle for drug trafficking,

EMPHASIZING that :

- improved Customs enforcement depends, in all regions of the world, on closer co-operation between States and better communications between them on multilateral and bilateral levels,
- it is necessary to establish within the international Customs community improved means of providing expertise, programme planning and other technical co-operation, thereby reducing duplication of efforts and diffusion of resources,
- full co-operation between Customs, Police, and other law enforcement and regulatory agencies is essential at national and international levels,
- the problems associated with drug abuse are the responsibility of the international community as a whole and government enforcement agencies must be able to rely on the co-operation of all commercial interests, particularly the transport and travel industries,

CONSIDERS that the Council must take initiatives designed to provide co-ordination, liaison and support for multilateral Customs enforcement programmes, and to develop practical measures against all forms of smuggling,

CONSIDERS that the Enforcement Committee shall be utilized with a view to realizing the aims of this Declaration,

DECLARES that :

- (1) all Members should increase their efforts to co-operate on bilateral, regional and multilateral bases in the fight against Customs offences, including commercial fraud, the illicit traffic in drugs and in arms and ammunition, and smuggling of goods in general,
- (2) it will promote acceptance of the Nairobi Convention and the other international enforcement instruments and, to assist Members in the implementation of these instruments, it will strengthen its role in the field of enforcement by :
 - (a) promoting expanded bilateral, regional and multilateral co-operation and mutual assistance,
 - (b) promoting the expansion of successful bilateral enforcement programmes to the multilateral level,
 - (c) strengthening national Customs enforcement capabilities through improved dissemination of expertise and knowledge of successful enforcement techniques,

- (d) encouraging more effective co-ordination of Customs enforcement efforts in major transit areas of illicit drugs traffic and in major areas where drugs are produced, inter alia, by encouraging the development of an appropriate liaison officers' network and the posting of Customs drug liaison officers,
- (e) actively seeking the support and co-operation of organizations involved in international commerce, transport and travel for the fight against smuggling,
- (f) co-operating with ICPO/Interpol, UNDND, UNFDAC and INCB on specific training programmes and studies and in other appropriate instances,
- (g) promoting increased co-operation at national level among Customs, Police and other law enforcement and regulatory agencies,
- (h) providing a system for collection, collation and timely distribution of useful information and intelligence, particularly related to new methods of smuggling and fraud, modus operandi in general, proven techniques for combating illicit activities, and new products which are subject to fraud,
- (i) conducting, together with Member Customs administrations and other appropriate agencies, studies designed to improve Customs enforcement capabilities, particularly in regard to commercial fraud, movements of funds derived from criminal activities, use of in-transit cargo for smuggling and the diversion of precursors and essential chemicals used in drug processing,

INSTRUCTS the Secretary General to take such steps as may be necessary to implement this Declaration. He shall report to the Council, as necessary, on the progress made.

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