

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE WORLD CUSTOMS ORGANIZATION (WCO)**



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES
ORGANIZACIÓN MUNDIAL DE ADUANAS

**AND THE GENERAL SECRETARIAT OF
THE ANDEAN COMMUNITY**

**COMUNIDAD
ANDINA**

SECRETARIA GENERAL



MEMORANDUM OF UNDERSTANDING
BETWEEN
THE WORLD CUSTOMS ORGANIZATION (WCO)¹
AND THE GENERAL SECRETARIAT OF THE ANDEAN COMMUNITY

The World Customs Organization (WCO), represented by Mr. Michel Danet,

and

The General Secretariat of the Andean Community (Comunidad Andina), referred to hereinafter as the CAN Secretariat, represented by Ambassador Allan Wagner Tizón,

CONSIDERING that the current process of economic globalization requires the facilitation of trade operations as well as promotion of modernization of Customs administrations,

CONSIDERING that Customs as an institution is critical to achieving economic prosperity, social wellbeing and an effective taxation administration, and to combating transnational crime,

RECOGNIZING that, in the context of economic globalization, the participation of international organizations with competence in Customs matters has proven vital in assisting the efforts made by Customs services to simplify and harmonize clearance procedures,

RECOGNIZING that the World Customs Organization is seeking increased efficiency and effectiveness of Customs administrations in order to facilitate international trade, to maximize revenue returns and to control borders through the use of international instruments, the adoption of best practices and reform and modernization programmes,

FURTHER RECOGNIZING that the Andean Community is a sub-regional Organization aimed at promoting the balanced and harmonious development of its Member countries under equitable conditions, through integration and economic and social co-operation; hastening the pace of growth and creating employment; and facilitating participation in the regional integration process, with a view to the gradual establishment, inter alia, of a Latin American common market,

JOINTLY DECLARING that co-operation between Customs organizations and sub-regional integration organizations is essential for the economic, fiscal and social wellbeing of nations, as well as their security, taking account of their respective functions and missions,

CONVINCED that such co-operation shall promote reform and modernization of Customs administrations, facilitation of international trade, the fight against transnational crime and shall be mutually beneficial to the Parties,

Have agreed to conclude this Memorandum of Understanding :

¹ Established as the Customs Co-operation Council.

Article 1

The purpose of this Memorandum of Understanding is to establish a framework for relations permitting inter-institutional co-operation between THE WORLD CUSTOMS ORGANIZATION and the GENERAL SECRETARIAT OF THE ANDEAN COMMUNITY, aimed at providing mutual support in the planning and implementation of projects related to Customs activity in the Andean Community.

Article 2

In order to develop and institutionalize co-operation between the Parties, the WCO and the CAN Secretariat shall encourage information exchange on topics of mutual interest.

Article 3

The Parties shall invite each other to participate as observers in meetings on topics of mutual interest.

Article 4

With a view to modernizing and reforming Customs administrations, both Parties shall promote the joint development and implementation, in their areas of competence, of mechanisms to strengthen co-operation and information exchange between Customs authorities and economic operators, particularly to facilitate trade and to control products vulnerable to Customs fraud and diversion for illicit drug production.

Article 5

The CAN Secretariat shall provide the WCO with available information on the issues of modernizing Customs services, sub-regional economic integration and Andean co-operation to combat transnational crime.

Article 6

The WCO shall provide the CAN Secretariat with available information aimed at facilitating economic and financial operators' understanding of Customs authorities' tasks and problems.

Article 7

The Parties shall, within the limits of the available resources, maintain close co-operation in matters of common interest, including the implementation of projects in the following domains, without excluding any other relevant domain of mutual interest :

- Harmonized Commodity Description and Coding System.
- World Trade Organization (WTO) valuation.
- Temporary admission of goods.

- Temporary admission of scientific and professional equipment.
- Facilitating importations of commercial samples and promotional materials.
- Facilities for the temporary importation of goods for display or use at exhibitions, fairs, meetings or similar events.
- Co-operation and mutual assistance between Spanish-speaking countries of Central and South America, Spain and Portugal.
- Harmonization and simplification of Customs procedures.
- Origin of goods.
- Combating illicit drug trafficking and related offences, including by strengthening of the Regional Intelligence Liaison Office (RILO) network at sub-regional level.
- Combating illicit trafficking of cultural property.
- Combating illicit trafficking of small arms and light weapons.
- Technology transfer and sharing successful experiences in areas in which they are competent.

Article 8

The Parties shall evaluate the possibility of developing joint actions to raise the awareness of economic players and the public with regard to Customs reform and modernization programmes, aimed at increasing State revenue.

Article 9

The Parties shall evaluate the possibility of developing joint actions to design training materials for modernizing Customs and revenue agencies.

Article 10

The Parties shall seek opportunities to conduct joint training activities for Customs officials, within the limits of the available resources.

Article 11

Each Party shall undertake to send the other its programme of training activities and information on how it deals with Customs issues in the context of regional economic integration and its efforts to enhance efficiency.

Article 12

Activities and information exchange within the framework of co-operation between the Parties shall be subject to the relevant confidentiality agreements.

Article 13

This Memorandum of Understanding allows for non-exclusive co-operation and does not preclude either Party from signing similar agreements with other institutions.


Article 14

1. This Memorandum of Understanding shall enter into force on the date of its signature.
2. It shall be applicable for two years and shall be renewable for further two-year periods subject to agreement by both Parties.
3. The provisions of this Memorandum of Understanding may be amended by mutual agreement in writing.
4. Any dispute about the interpretation or application of any provision in this Memorandum of Understanding shall be settled through negotiation or by such other means as the Parties shall mutually agree.

Done at Lima, on February 7 2005, in three originals in the English, French and Spanish languages, the texts in all three languages having equal legal force.



Michel Danet,
Secretary General,
World Customs Organization.



Allan Wagner Tizón,
General Secretariat of the,
Andean Community.