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**MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**THE WORLD CUSTOMS ORGANIZATION<sup>1</sup> (WCO)**

**AND**

**THE EUROPEAN MONITORING CENTRE FOR DRUGS AND**

**DRUG ADDICTION (EMCDDA)**

***TO PROMOTE CO-OPERATION***

This Memorandum of Understanding is concluded

between

The World Customs Organization (WCO)

and

The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA),

collectively referred to hereafter as "the Parties" and individually as "the Party".

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<sup>1</sup> Established in 1952 as the Customs Co-operation Council.

**The Parties :**

- (a) **WISHING** to co-ordinate their efforts within the terms of Council Regulation (EEC) n° 302/93 of 02.08.93, O. J. L 36/1-8, modified by Council Regulation (EC) n° 3294/94 of 22.12.94, O.J.L 341/7 and by Council Regulation (EC) n° 2220/2000 of 28.09.00, O.J.L 253/1 and the Convention Establishing the Customs Co-operation Council, as well as other applicable agreements, resolutions and declarations within their respective mandates,
- (b) **RECOGNISING** that the EMCDDA's overall tasks are to produce objective, reliable and comparable information at European level concerning drugs and drug addiction and their consequences and to help provide the European Community and its member States with an overall view of the drug and drug addiction situation when, in their respective areas of competence, they take measures or decide on actions; recognising as well that authority for EMCDDA to enter into this Memorandum of Understanding is in accordance with the provisions of Article 12 of the European Council Regulation relating to the establishment of the EMCDDA, as already referred above,
- (c) **RECOGNISING** that the WCO has the responsibility for assisting Customs administrations worldwide in defining drug control policy and drug law enforcement programmes which contribute to the fight against illicit trafficking of narcotic drugs and psychotropic substances through its focus on prevention, inspection, investigation and prosecution,
- (d) **BEARING IN MIND** the requirements of international drug control treaties as well as other applicable agreements, resolutions and declarations within their respective mandates,
- (e) **WISHING** to establish effective co-operation with a view to enhancing international drug control efforts,
- (f) **AWARE** that such co-operation should be developed in the light of experience and practical action,

**Hereby agree as follows :**

## **ARTICLE I**

### **MUTUAL CONSULTATION**

1. The Parties shall keep each other informed of developments in any of their activities and projects that are of mutual interest. Each Party will take into consideration the observations of the other Party with a view to promoting co-ordination and co-operation.
2. The Parties shall consult regularly on issues regarding training and technical assistance and other matters of common interest for the purpose of achieving their objectives, implementing their mandates and co-ordinating their respective activities.
3. Whenever appropriate, consultations shall be arranged between representatives of the two Parties to determine the most effective manner in which to organise particular activities and to secure the fullest utilisation of resources.

## **ARTICLE II**

### **EXCHANGE OF INFORMATION AND DOCUMENTS**

1. Each Party will designate an official as focal point for the maintenance of close, direct and continuing contacts with a view to ensuring the implementation of the provisions of the present Memorandum of Understanding.
2. The Parties shall co-ordinate their efforts to achieve the best use of available information including data on seizures, legislative information relevant to drug smuggling, diversion of precursors, and to ensure the most effective utilisation of their resources in the collection, analysis, publication and diffusion of such information.
3. Subject to the restrictions and arrangements that may be considered necessary by either Party to preserve the confidential nature of certain information and documents, full and prompt exchange of information and documents concerning matters of common interest shall be made between the Parties.
4. The Parties shall invite each other to attend, as observers, meetings convened under their respective auspices and which consider matters in which the other Party has an interest or technical competence.

### **ARTICLE III**

#### **TECHNICAL CO-OPERATION AND FINANCIAL ASSISTANCE**

1. In the interest of their respective activities, either Party may seek the other's technical expertise and co-operation. In this regard, co-operation agreements and letters of agreement on specific programmes will be elaborated as necessary to clarify the role of each Party in the undertakings and to facilitate joint planning of activities.
2. In this process the Parties may combine their own human and financial resources. The Parties shall also collaborate in identifying appropriate consultants and experts to implement joint programmes and to assist in technical programmes undertaken by either Organization.
3. The implementation of joint programmes shall be subject to the availability of adequate resources to be determined for each activity by both Parties in accordance with their respective relevant regulations and rules.
4. Joint project activities shall be subject to the approval of individual project documents by both Parties and to periodic evaluation to be agreed upon. They shall also be subject to the programme of work approved by the policy-making bodies of the Parties.

### **ARTICLE IV**

#### **TECHNICAL MEETINGS AND MISSIONS**

1. The Parties will consult each other to ensure the greatest possible degree of co-ordination with regard to meetings and missions of technical experts concerning questions in which both Parties have an interest.
2. The Parties may, in appropriate cases, agree to sponsor, on terms to be arranged in each particular case, joint consultations and technical meetings concerning questions in which both Parties have an interest. The manner in which action recommended by such joint consultations and meetings is undertaken shall be agreed between the two Parties.

**ARTICLE V**

**GENERAL PROVISIONS**

1. The present Memorandum of Understanding will take effect upon signature by both Parties and will remain in force unless terminated by mutual consent or by either Party giving three months' written notice of termination to the other Party. The provisions of this Memorandum will, however, remain in force beyond the date of such termination to the extent necessary to permit an orderly completion of activities.
  
2. The Memorandum of Understanding may be modified by mutual written consent. Each Party will give full and sympathetic consideration to any proposals advanced by the other Party to that effect.

In witness whereof, the undersigned legal representatives of the Parties hereto have duly affixed their signatures on the originals of this Memorandum of Understanding.

Done at Lisbon on 12 January 2007 in two originals in the English and French languages, both texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.



Michael T. Schmitz  
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Compliance and Facilitation Directorate  
World Customs Organization



Wolfgang Götz  
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European Monitoring Centre for Drugs and  
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