

WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
WORLD CUSTOMS ORGANIZATION
AND
THE COMMISSION OF THE AFRICAN UNION**

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE WORLD CUSTOMS ORGANIZATION¹,
HAVING ITS HEADQUARTERS IN BRUSSELS, BELGIUM, AND
THE COMMISSION OF THE AFRICAN UNION,
HAVING ITS HEADQUARTERS IN ADDIS ABABA, ETHIOPIA**

The Commission of the African Union (hereinafter referred to as the "Commission"), on the one part; and

The World Customs Organization (hereinafter referred to as the "WCO"), on the other part;

Hereinafter collectively referred to as "the Parties" :

AWARE of the ultimate objectives of African Union as provided for in the Constitutive Act of the African Union and the Abuja Treaty Establishing the African Economic Community which are, among others, to achieve rapid and sustainable development, eradication of poverty and the effective integration of Africa into the global economy;

RECOGNIZING that the WCO seeks to promote the smooth operation of international trade through the use of its international instruments, adoption of best practices and delivery of programmes for Customs modernization;

RECOGNIZING FURTHER that the Commission and the WCO wish to enhance the mutually supportive relationship which is essential for the development of trade in Africa;

RESOLVED to now further strengthen co-operation which will help promote regional and international trade and otherwise be generally mutually beneficial to the Parties;

Hereby agree as follows :

**ARTICLE I
Objective**

The Parties shall work to promote close co-operation and consultation on matters of common interest in order to harmonize their efforts in the discharge of their respective mandates and to contribute to the economic and social development of African Union Member States and Members of the WCO.

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

ARTICLE II
Scope of co-operation

The Parties agree to establish and maintain effective, systematic consultation, co-operation and exchange of information between each other in support of this Memorandum of Understanding.

ARTICLE III
Representation at meetings

1. The Parties shall invite each other to their meetings of common interest in accordance with their respective provisions governing observer status.
2. Subject to the rules and procedures in force at the Commission and the WCO respectively, the Parties may invite each other to attend meetings on matters of common interest.

ARTICLE IV
Modernization of Customs

The Parties agree to actively promote the modernization of Customs administrations in the Member States of the African Union through the adoption and implementation of WCO instruments and tools in as far as African Union Member States agree within the mandate sanctioned by the African Union Treaty.

ARTICLE V
Capacity Building

1. To the extent possible, the Parties shall share information on respective Customs capacity building and donor activities in Africa.
2. To the extent possible, the Parties shall co-ordinate joint capacity building activities for Customs administrations in Africa. These activities shall take into account the 2003 WCO Capacity Building Strategy and the characteristics of Africa and African countries.

ARTICLE VI
Programme of activities

1. The Parties shall communicate to each other information on relevant activities and meetings.
2. The Parties shall involve each other in, and design and formulate together in so far as it is possible, the programme of activities relating to harmonization and simplification of Customs procedures in Africa. This co-operation will be formally agreed by means of an action plan agreed by both Parties.

ARTICLE VII
Financial obligations

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.

ARTICLE VIII
Privileges and Immunities

Nothing in this Memorandum of Understanding shall be interpreted or construed as a waiver for a modification of the privileges and immunities which the WCO or the Commission enjoys by virtue of the international agreements and laws applicable to the organizations.

ARTICLE IX
Amendments

This Memorandum of Understanding shall be reviewed upon the request of either the Chairperson of the Commission or the Secretary General of the WCO and may be amended by mutual agreement in writing.

ARTICLE X
Termination

Either Party may terminate this Memorandum of Understanding at any time by giving the other Party a written notice of three months.

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

ARTICLE XI
Governing Law

The law governing this Memorandum of Understanding shall be international law.

ARTICLE XII
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.

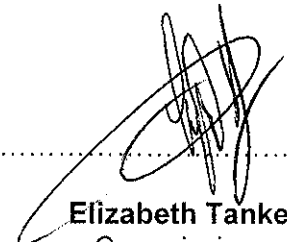
ARTICLE XIII
Entry into force

This Memorandum of Understanding shall enter into force on the date of its signature by the duly authorized representatives of the Parties.

In witness whereof, the undersigned legal representatives of the Parties herein have duly affixed their signatures on the two originals of this Memorandum of Understanding in both the English and the French languages, both texts being equally authentic.

(s) 

Kunio Mikuriya
Secretary General
World Customs Organization

(s) 

Elizabeth Tankeu
Commissioner
African Union Commission

Date : ...25/06/2020.....

Date : ...25/06/2020...

Place : Brussels

Place : Brussels