



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
WORLD CUSTOMS ORGANIZATION (WCO)
AND THE
SECRETARIAT OF THE AFRICAN,
CARIBBEAN AND PACIFIC
GROUP OF STATES
(THE ACP GROUP)

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MEMORANDUM OF UNDERSTANDING
BETWEEN THE WORLD CUSTOMS ORGANIZATION (WCO),
AND
THE SECRETARIAT OF THE AFRICAN, CARIBBEAN AND
PACIFIC GROUP OF STATES (THE ACP GROUP)

The World Customs Organization¹ (WCO) and the Secretariat of the African, Caribbean and Pacific Group of States (the ACP Group), referred to hereinafter as "the Parties":

RECALLING the central role of Customs in the integrated management of borders, the protection of the economy and society, as well as the facilitation of international trade;

RECOGNIZING that the World Customs Organization seeks to facilitate international trade through the use of international instruments, adoption of best practices and programmes for modernization of Customs techniques;

RECOGNIZING ALSO the ACP Secretariat's efforts to promote the socio-economic development of the ACP States by providing an enhanced environment conducive to private-sector development and investment, as well as an improvement of inter-regional and international trade;

ACKNOWLEDGING that the WCO and the ACP Secretariat wish to also establish a mutually supportive relationship which would contribute to the development of trade and the well-being of the Member States of the WCO and of the ACP Group;

ACKNOWLEDGING ALSO that the WCO and the ACP Secretariat both now wish to establish appropriate mutually beneficial arrangements for co-operation which will help promote regional and international trade;

Agree as follows:

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

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ARTICLE I

General

1. The Parties shall work in 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 the Member States of the WCO in general and of the ACP Group in particular.
2. To this end, the Parties agree to establish and maintain effective consultation, co-operation and exchange of information between each other on the basis of this Memorandum of Understanding.

ARTICLE II

Financial Obligations

1. Notwithstanding any other provision of this Memorandum of Understanding, nothing contained herein shall be taken as creating any financial obligation for either Party prior to such obligation being expressly agreed in writing.
2. Where co-operation proposed by one of the Parties to the other under this Memorandum of Understanding has significant financial implications, the WCO and the ACP Secretariat shall consult each other with a view to determining the means of mobilizing the necessary funds, the most equitable way of defraying the expenditure and, where necessary funds cannot be readily found, shall decide on the most suitable means of procuring them.

ARTICLE III

Representation at Meetings

1. The Parties shall invite each other to their meetings of common interest and also grant each other observer status at meetings in accordance with the rules of procedure for granting of such status by each Organization.
2. The participation of representatives at such meetings shall be financed by the respective Party unless one Party offers to finance the participation of the other Party.

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ARTICLE IV
Modernization of Customs

The Parties agree to actively promote the modernization of Customs administrations in consultation with the ACP States, through the adoption and implementation of Customs instruments and tools sponsored or administered by the WCO.

ARTICLE V
Joint Training and Capacity Building Activities

Wherever possible, the WCO Secretariat and ACP Secretariat shall, within the limits of the resources available to them, co-ordinate joint training and capacity building activities for Customs officers of ACP States.

ARTICLE VI
Entry into Force

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

ARTICLE VII
Amendments

This Memorandum of Understanding may be amended upon the request of either the Secretary General of the WCO or the Secretary General of the ACP. Any such amendments shall be agreed to in writing.

ARTICLE VIII
Termination

1. Either Party may terminate this Memorandum of Understanding at any time by giving the other Party written notice of six months.
2. The notice of termination shall in no way affect ongoing commitments assumed during the duration of this Memorandum of Understanding.

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ARTICLE IX
Dispute Settlement

Any dispute over the interpretation or application of any provision herein shall be settled through negotiations or by such other means as the Parties may agree.


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

Signed in Brussels, this 4th Day of February 2011.

For the World Customs Organization

For the African, Caribbean and Pacific
Group of States


Kunio MIKURIYA,
Secretary General.


Dr. Mohamed IBN CHAMBAS,
Secretary General.