



## MEMORANDUM OF UNDERSTANDING BETWEEN THE WORLD CUSTOMS ORGANIZATION<sup>1</sup> AND THE LUSAKA AGREEMENT TASK FORCE

### Preamble

The **World Customs Organization**, hereinafter referred to as the **WCO**,

and

The **Lusaka Agreement Task Force**, hereinafter referred to as **LATF**,

Hereinafter jointly referred to as “the Parties”.

**Considering**, on the one hand, that the WCO’s mission is to enhance the effectiveness and efficiency of Customs administrations in the area of compliance with trade regulations, protection of society and revenue collection, thereby contributing to the economic and social well-being of nations,

**Considering**, on the other hand, that LATF’s mission is to support member states and collaborating partners in reducing and ultimately eliminating illegal trade in wild fauna and flora,

**Considering** that the illegal cross-border trade in wild fauna and flora has been made more sophisticated through the use of superior technology and should be addressed through commensurate and co-ordinated national, regional and international measures,

**Recognizing** that illegal trade in wild fauna and flora is detrimental to the world’s ecosystems and is prejudicial to the planet’s natural heritage and the economic interest of States,

**Noting** that the WCO has increased its involvement in the prevention of illegal trade in environmentally sensitive commodities, including wild fauna and flora, *inter alia* by concluding Memoranda of Understanding with the International Criminal Police Organization (Interpol), United Nations Environment Programme (UNEP), and CITES Secretariats, and also through the Green Customs Initiative,

**Noting** that LATF has continuously carried out trans-border joint law enforcement field

---

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

operations and international investigations related to wildlife crime,

**Further noting** that the Lusaka Agreement that established LATF is a multilateral environmental agreement and that, to promote its objective, it has concluded Memoranda of Understanding with the CITES Secretariat and Interpol Secretariat and with the Organization of Conservation of African Wildlife of Central Africa States (OCFSA), and has established working relations with several governmental and non-governmental institutions dedicated to the protection of wild fauna and flora,

**Recognizing** the need for co-operation between Customs services and other wildlife enforcement agencies in the fight against transnational crime,

**Appreciating** the desirability of the WCO and LATF co-operating in combating illegal cross-border trade in wild fauna and flora, as well as the willingness to co-ordinate their efforts within the framework of their missions and in line with the provisions of their founding Conventions,

**Have agreed as follows:**

## **Article 1**

### **Mutual consultation**

1. When appropriate, the Parties shall mutually consult on policy and matters of common interest for the purpose of achieving their objectives and co-ordinating their respective activities.
2. The Parties shall exchange information on developments in any of their fields and projects that are of mutual interest and shall reciprocally take each other's observations concerning such activities into consideration with a view to promoting effective co-ordination.
3. Consultation shall be arranged at the required level between representatives of the Parties to agree upon the most effective way in which to organize joint activities and to optimize the use of their resources in compliance with their respective mandates.

## **Article 2**

### **Exchange of information**

1. The Parties shall co-operate with a view to achieving best use of available relevant information, and ensure safeguarding of confidential information and documents concerning matters of common interest.
2. Information communicated by one Party shall be used by the other Party exclusively for the purposes of the prevention or suppression of illegal trade in fauna and flora,

HJ

Keef

with due respect of national laws and international legal instruments. Each Party shall undertake to observe the circulation restrictions notified by the other Party.

3. If an item of information communicated is modified or is no longer applicable, the communicating Party shall inform the other Party so that the latter may keep its own archives up to date. Either Party shall not be liable in the event that the use by the other Party of an item of information is prejudicial to an individual's or entity's interests, if the originating Party has informed the other that the item of information has been modified or is no longer applicable.
4. Communication of information by the WCO to LATF shall be subject to the provisions laid out in the respective WCO Conventions, Resolutions and Recommendations, and the internal procedures applicable to the WCO.
5. Communication of information by LATF to the WCO shall be subject to the provisions laid out in the respective Decisions, Resolutions and Recommendations adopted at the Lusaka Agreement Governing Council sessions.

### **Article 3**

#### **Reciprocal representation**

1. Arrangements may be made for reciprocal representation at WCO and LATF meetings convened under their respective auspices and dealing with matters in which the other Party has an interest as well as technical competence, subject to the procedures applicable to such meetings.
2. The Secretary General of the WCO and the Director of the LATF shall each designate a person to act as a focal point, with a view to ensuring the implementation of the provisions of the present Memorandum of Understanding.

### **Article 4**

#### **Technical co-operation**

1. The Parties shall, in the interest of their respective activities, seek each other's expertise to optimize the success and impact of such activities.
2. The Parties shall adopt such special arrangements as may be necessary to implement joint projects on matters of common interest. These special arrangements shall set out the procedures for the participation of each Organization in such projects, the scope of co-operation and each other's responsibilities, and shall determine the costs payable by each Party.

HS

*Latf*

**Article 5**

**Modification and Entry into force**

1. This Memorandum of Understanding may be modified by mutual consent expressed in writing. No change in or modification of this Memorandum of Understanding shall be made except by written agreement between the WCO and LATF. It may also be terminated by either Party by giving six months' written notice to the other Party.
2. The present Memorandum of Understanding shall enter into force on the date on which it is signed by both Parties.

**Article 6**

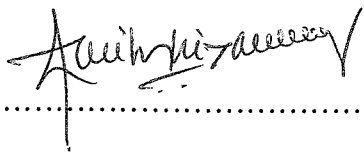
**Supplementary Arrangements**

The Parties may enter into such supplementary arrangements or agreements within the scope of the present Memorandum of Understanding as are in their mutual interest.

In witness whereof, the Secretary General of the World Customs Organization and the Director of the Lusaka Agreement Task Force have signed the present Memorandum of Understanding in duplicate, in English and French, both texts being authentic, on the date appearing under their respective signatures.

For the LATF

For the WCO



.....  
Emily S. Kisamo  
Director of the Task Force

.....  
Michel Danet  
Secretary General

Date. 5<sup>TH</sup> FEBRUARY 2008

Date. 5<sup>TH</sup> FEBRUARY 2008