



Customs Administration of Japan



World Customs Organization

Memorandum of Co-operation
between
the Customs Administration of Japan
and
the World Customs Organization (WCO)¹
concerning
the Regional Intelligence Liaison Office
for the WCO Asia / Pacific Region (RILO A/P)

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

1. Introduction

Referring to paragraph 4 of the Recommendation of the Customs Co-operation Council on the Operation of the Global Network of Regional Intelligence Liaison Offices of 17 January 2011 (Annex II), and the decision made at the 23rd Regional Heads of Customs Administration Conference on 18 – 19 May, 2022 in Bali, Indonesia, the Directors General of Customs of the WCO Asia / Pacific region, in line with the Vice-Chairperson, have consented to the relocation of the **WCO Regional Intelligence Liaison Office for the Asia / Pacific Region** (hereinafter referred to as the “**RILO A/P**”) from Seoul, the Republic of Korea, to Tokyo, Japan with effect from 1 January 2024.

In line with this decision, the Customs Administration of Japan (hereinafter referred to as the “**Host Administration**”) and the WCO (hereinafter also referred to collectively as the “**Participants**”) have made this Memorandum of Co-operation (hereinafter referred to as the “**MoC**”).

2. Execution of Tasks

The RILO A/P will execute its tasks in line with the Recommendation of the Customs Co-operation Council on the Operation of the Global Network of Regional Intelligence Liaison Offices and the procedures laid down by the WCO Global Information and Intelligence Strategy (Annex III).

3. Technical Responsibility and Scope of Tasks

The technical responsibility and the scope of tasks will extend to the entire range of Customs offences in line with the guidelines outlined in Annex II of the above-mentioned Recommendation.

4. Local Responsibility

The RILO A/P is based in Tokyo, Japan and comprises the WCO Members of the WCO Asia / Pacific Region.

5. Organization

5.1 Headquarters

The Host Administration will set up the RILO A/P in Tokyo, Japan.

5.2 Management

The Head of the RILO A/P will be an official of the Host Administration.

5.3 Rules of Procedure and Management Plan

The RILO A/P may draw up its own internal rules of procedure and management plan.

5.4 Use of WCO's Logo

The WCO authorizes the RILO A/P to use the WCO logo as "sub-brand" in compliance with the WCO Corporate Identity Guidelines (Annex IV).

6. Mutual Representation and Consultation

The WCO will nominate a contact point as the responsible officer within the Secretariat to co-ordinate the RILO network. The Head of the RILO A/P will consult with the nominated official of the Secretariat periodically and will include the outcome and the results of the co-operation in an annual RILO report to be communicated to the Secretary General.

7. Training and Technical Assistance

The WCO and the Host Administration will provide the RILO A/P with training and technical assistance within the limits of financial and human resources.

8. Staffing

The staffing of the RILO A/P will be ensured by the Host Administration and the affiliated Members listed under point 4, taking into account the regional particularities.

9. Technical attachés made available to the WCO and assigned to the RILO A/P

(a) Based on a separate, individual arrangement between the WCO and the administration of origin, a staff member of a Customs administration of the WCO

Asia / Pacific Region may be granted the status of technical attaché made available to the WCO.

- (b) Based on a separate, individual arrangement between the WCO and the RILO A/P, a staff member of a Customs administration of the WCO Asia / Pacific Region with the status of technical attaché made available to the WCO may be assigned to the RILO A/P.

10. Commitments of the Staff

- (a) All RILO officers will sign a confidentiality declaration, as stated in Annex I to this MoC.
- (b) Being accountable to the Head of the RILO, RILO officers will not report to, seek nor accept instructions from their home administration, any Government or any authority external to the RILO A/P regarding their work.

11. Expenses

The WCO will not bear the cost of salary, allowances, living or removal expenses, accommodation or any other expenses related to the secondment of officers to the RILO A/P.

The Host Administration will be responsible for expenses incurred in setting up the RILO A/P office and maintaining its functionality, such as the cost of technical equipment, communication and production of publications. The WCO will not be held responsible for such expenses. However, the WCO could pay for missions carried out on behalf of the Secretariat based on a prior travel authorization issued by the WCO.

12. Compliance with the Laws and Regulations of Japan

The RILO A/P officers must comply with the laws and regulations of Japan.

13. Duration

- (a) This MoC continues until 31 December 2027.

- (b) Unless discontinued by one of the Participants provided a one-year notice, this MoC will be automatically extended by another four (4) years at the end of the term stipulated in subparagraph (a).

14. Review

This MoC may be reviewed at any time upon written consent of the Participants.

15. Discontinuation

This MoC may be discontinued at any time by mutual consent.

16. Dispute settlement

All disputes related to interpretation or implementation of this MoC should be settled by consultation between the WCO and the Host Administration.

17. Language of the text

This MoC is drafted in English. The English text alone is valid.

18. Others

- (a) Nothing in or related to this MoC will be deemed a waiver, express or implied, of any of the privileges and immunities of the WCO.


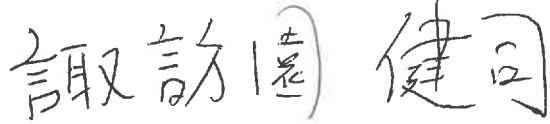
- (b) This MoC does not give rise to legally binding rights or obligations between the WCO and the Host Administration.

19. Commencement

This MoC will commence on the last date of its signing by either the WCO or the Host Administration.

* * *

Signed in Perth, Australia in two (2) originals.

| For the World Customs Organization, | For the Customs Administration of Japan, |
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| <p>Dr. Kunio MIKURIYA, Secretary General, World Customs Organization</p> | <p>Mr. SUWAZONO Kenji, Director General, Customs and Tariff Bureau Ministry of Finance, Japan</p> |
| <p>Date : <u>31 May 2023</u></p> | <p>Date : <u>31 MAY 2023</u></p> |

List of Annexes:

- Annex I: Declaration Regarding Confidentiality for RILO officers;
- Annex II: Recommendation of the Customs Co-operation Council on the Operation of the Global Network of Regional Intelligence Liaison Offices;
- Annex III: WCO Global Information and Intelligence Strategy; and
- Annex IV: Excerpt from WCO Corporate Identity Guidelines (sub-brand regional entities).