



PERMANENT TECHNICAL  
COMMITTEE

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**ROLE OF CUSTOMS IN FRAGILE AND CONFLICT-AFFECTED SITUATIONS**

**Report on the outcomes of the Global Conference on Enabling Customs in  
Fragile and Conflict-Affected Situations and WCO Action Plan on Fragile  
Borders**

**(Item IV on the Agenda)**

**SUMMARY**

**Purpose of document**

The purpose of this document is to provide information on the outcomes of the WCO Global Conference on Enabling Customs in Fragile and Conflict-Affected Situations, and introduce the WCO Action Plan on Fragile Borders.

**Action required**

The PTC is invited to take note of the results of the Global Conference in Abuja, Nigeria and of the draft Action Plan on Fragile Borders.

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## I. Background

1. As per the decision taken at the Council Sessions in June 2022, the World Customs Organization (WCO), in cooperation with the Nigerian Customs Service (NCS), organized a Global Conference entitled “Enabling Customs in Fragile and Conflict-Affected Situations” in Abuja, Nigeria. The event, hosted at the Nigerian National Intelligence Centre, took place from 31 January to 2 February 2023. More than 100 delegates from over 40 countries attended this closed door event in person to discuss the role of their Administrations in fragile and conflict-affected situations (FCS) and the way in which the WCO can support its Members in shaping their strategies in response to operating in these complex environments. They were joined by representatives from several United Nations agencies, the humanitarian and the donor community.
2. During the Council Sessions in June, a number of Members requested the WCO to consider widening the geographical scope of its work on fragile borders, as well as examine the notion of conventional warfare and its impact on Customs operations.
3. The Conference served as the first step to respond to this request through to the interventions of the representatives of the Customs administrations from different regions. In addition to the representatives of the West and Central Africa and Middle East and North of Africa regions, which were the initial focus of the WCO fieldwork since 2016, the representatives from North America, Central and South America, Europe and East Africa contributed to the discussion.
4. Therefore, the Conference became a platform for enriching the policy debate on fragile borders from Customs, counter-terrorism, humanitarian and economic perspectives.
5. The presentations highlighted the similarities that exist across several regions with regard to fragile borders: the role of borders as symbolic and economic resource for communities, the embeddedness of smuggling in social activities, the connection between smuggling and mining activities where mining is an important source of revenue, and the informal taxation levied by non-state armed groups, such as terrorists, criminal gangs or guerrillas, on traders and cross-border flows of commodities.
6. The discussions on institutional and inter-agency arrangements were also very fruitful. Several administrations presented the challenges they are facing and the strategies they have adopted to adapt in times of war or when under threat by terrorist groups, criminal gangs and guerrillas. The delegates shared their experience in relocating their personnel, establishing multi-agency information and intelligence teams, cooperation with the military and security agencies to secure field operations and border crossing points, economic response through the adaptation of taxation practices and maintaining relationships with traders, establishment of specialized multi-agency intervention teams and the creation of Fusion Centres. Within this context, the cooperation between Customs and humanitarian actors was also addressed, since the currently available tools for Customs were developed in the context of natural disasters and are not necessarily adapted to FCS or complex emergencies.
7. The importance of controlling vast areas in between the points of entry has been particularly highlighted. Therefore, the participants examined equipment used by Customs as well as technologies such as unmanned aerial vehicle (UAV) systems for monitoring the movement of individuals and means of conveyance, satellite imagery to optimise the management of land or maritime borders, and the WCO COLIBRI geoportal to support field officers in the fight against drug trafficking conveyed by general aviation.
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8. The use of geospatial intelligence in general helps Customs administrations to integrate a geographic perspective into their enforcement and surveillance strategies and tactics, including the optimal deployment of their personnel within borderlands and reducing the risks inherent to their operations in the insecure environments. The European Space Agency and the United Nations Satellite Centre (UNOSAT) demonstrated how satellite imagery could help Customs to detect suspect economic changes in border areas as well as the secret desert paths and tracks used by smugglers.
9. Recognising that Customs infrastructure is a critical infrastructure of the State, delegates have also discussed means related to the protection of Customs infrastructure as well as the protection of Customs personnel in the FCS. Particular attention was given to the use of Personal Protection Equipment (PPE) and strategies to ensure it is fit for purpose. The questions on the procurement of necessary equipment were also raised.
10. Several Customs administrations shared their policies and practices related to the training of Customs officers operating at fragile borders. Specific training should be adapted to operations in insecure borderlands and should enable Customs to cooperate with security and defence forces. Moreover, joint training between Customs and internal security forces was highlighted as a specific and efficient way to generate greater trust and cooperation on the ground between Customs and other forces operating in borderlands such as the military, Police, and Water and Forestry Police.
11. Finally, the delegates shared their views on the WCO draft Action Plan on FCS and discussed how donors can effectively support Customs operating in insecure environments. The Action Plan aims to adapt the WCO's existing instruments, tools and training programmes, develop new guidance, tools and specific training in connection with FCS, and conduct further research into Customs and fragile borders in the context of the new situations presented during the Conference.
12. The revised Action Plan that includes comments and observations collected during the Conference is attached to this document (see Annex).
13. After the approval by the Enforcement Committee, the Action Plan will be presented to the Permanent Technical Committee (PTC) for information only, and then submitted to the Policy Commission and Council in June 2023 for endorsement and final approval.

## **II. Action required of the PTC**

14. The PTC is invited to take note of the results of the Global Conference in Abuja, Nigeria and of the draft Action Plan on Fragile Borders.

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## **Annex. Draft Action Plan on Enabling Customs in fragile and conflict-affected situations**

2023-2026

Borderlands are particular areas prone to encapsulate armed violence due to different factors, such as internal state conflicts, transnational terrorist and organized criminal groups, and conflicts between or among states. In many cases, the growth of state and non-state armed groups led to the spreading of their military and political actions inside the national territory as well as outside, as a spill over to the neighbouring countries.

However, borderlands have unique characteristics when compared to the rest of the national territory, and thus policy and operational responses should be tailored to these situations despite their complex nature.

The concept of fragile and conflict-affected situations (FCS) covers different cases where states and economies are insufficiently robust to cope with different risks. At the WCO, the notion of FCS is limited to its links with armed violence<sup>1</sup> that affects Customs operations.

Within this framework, Customs can operate in three types of situations of fragility.

- (i) The country faces a security risk due to its proximity to countries that are in a security crisis or post-conflict situation and do not fully control the security of their borders.
- (ii) The country faces the continued or sporadic presence of armed groups, state or non-state, in one or more of its border areas; these groups often operate in or from at least one neighbouring country, affect the border economy, and prevent or disrupt the normal functioning of Customs.
- (iii) The country is in a post-conflict situation, a national crisis has occurred which has led to the failure or weakening of the State and therefore of Customs throughout the country, especially in the border areas.

In this context, the WCO mobilizes the following additional concepts to better capture the Customs perspective on FCS:

Border economy is the economic counterpart of the notion of border security. It includes all actors, formal and informal, and their relationships, engaged in cross-border economic activities: merchants, freight forwarders, bankers, government officials, elected officials, military, drivers and transport actors, municipalities operating border markets, as well as smugglers, guides, private escorts, local militias and other armed groups, and local populations who may facilitate and profit from the storage, passage, and concealment of people and goods.

Fragile borders are border areas where conflicts and violent incidents generate a context of insecurity affecting the border economy. More generally, the authority of the State is contested in these areas. States and armed groups compete over fiscal, economic and political power to organize the movement of people and goods. This notion of fragile borders makes it possible to clarify the issues of insecurity by making more the specificities of borders as zones of operation for State and non-State actors more explicit. This qualification is preferred to that of "fragile states" which does not take into account the local nature of

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<sup>1</sup> The following section is extracted from the WCO (2022), *Secretariat Note on the role of Customs in fragile and conflict-affected situations*, available at [https://www.wcoomd.org/-/media/wco/public/global/pdf/topics/research/fragility\\_secretariatnote\\_pc\\_council\\_2022\\_may19version\\_en.pdf?db=web](https://www.wcoomd.org/-/media/wco/public/global/pdf/topics/research/fragility_secretariatnote_pc_council_2022_may19version_en.pdf?db=web)

armed violence. Indeed, a state may not be fragile, but zones of insecurity may appear on the margins of the national territory. In the post-conflict context, situations of particular fragility are observed since the country is in a transition between the end of armed violence and the reconstruction of stable governance and economy. This concept currently applies mainly to countries where governmental and administrative structures have been particularly affected.<sup>2</sup>

Traditionally, the economic dimension and the nature of border economy has been neglected by national security policymakers. However, it becomes critical in FCS and when not addressed, it can exacerbate further grievances and fuel new conflicts.

The specificities of border areas in FCS may include the following characteristics:

- persistence of cross-border trade despite insecurity and border closures.
- chronic underinvestment in fragile border areas, particularly those that are located far from national capitals, far from the transit routes or in the regions with minor economic flows and/or low levels of local consumption.
- tolerance towards informality, whereby local Customs staff may tolerate informal flows of licit goods in order to preserve 'social peace' and avoid rebellions.
- complexity of governance, whereby border management and coordination of state actors inside the country and on both sides of the border becomes exacerbated within FCS context.
- specificities related to the humanitarian aid and flows of refugees that are not necessarily addressed in a timely manner.

As a result, neglecting the above leads to the weakening of the state legitimacy.

At the same time, recognising Customs as a critical state infrastructure in the FCS context would serve as a stepping stone to mitigate some of the unintended consequences listed above. Customs is able to regulate cross-border trade despite insecurity once appropriate training and equipment, as well as structures are provided. As Customs revenue is the easiest to collect, in the FCS context, Customs becomes a key fiscal player. Moreover, Customs provides an important source of revenue that national governments rely on both to mitigate security threats and to provide public goods that can alleviate social and economic conditions that fuel instability.

By ensuring equal access to the local market, Customs is able not only to perform its revenue collection function, but also prevent rent-seeking behaviour in fragile border areas and send a political message by directly contributing to state legitimacy. Customs presence in these zones also sends a powerful signal on the presence of the civilian authority, and not only the military and security apparatus. Due to their knowledge of the terrain as well as connections with the trading communities, Customs officers are well placed to collect and further develop intelligence that could be shared with other security forces.

The role of the WCO is to provide Members in FCS with concrete tools and instruments as well as guidance on how to adapt their responses in order to counter the situations of fragility.

To this end, the Secretariat drafted an Action Plan on Fragile Borders for the implementation phase from 2023 to 2026. Taking into account the WCO's existing instruments, tools and training programmes, the Action Plan aims to develop new guidance, tools and training in the specific context of FCS. The Action Plan is based on the topics identified through the WCO research since 2016 and will be fuelled by discussions at the Global Conference in Abuja in

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<sup>2</sup> *Ibid.*

January 2023. A regular report on activities related to fragile borders is provided to the relevant Committee meetings. The topic has also been discussed in-depth during the 87th Policy Commission in December 2022, where Members supported the progress up-to-date and committed to further support the development and implementation of the Action Plan. Following the Abuja Conference event, the draft Action Plan will be further refined and submitted to the 43rd session of the WCO Enforcement Committee and subsequently to the Policy Commission and Council in June 2023 for adoption.

The aim of the Action Plan is to reinforce the role of Customs in FCS by developing and implementing actions in five major domains. Each domain has its own objective.

1. Research

Objective : Produce knowledge on the role of Customs in fragile and conflict-affected situations.

2. Global advocacy and communication on the role of Customs in FCS

Objective: Enhance the understanding of the governments, other security forces, stakeholders, partners and donors on the role of Customs in FCS through active outreach and communication.

3. Institutional arrangements and inter-agency cooperation

Objective : Reinforce Customs' visibility and participation in national security policies, incident command, and post-conflict reconstitution of Customs policies, include the border economy in security responses, adapt the institutional arrangements of Customs administrations in order to take such matters into account.

4. Security of personnel and infrastructure\

Objective : Reinforce the capacities of Customs to choose the appropriate equipment to ensure staff safety and infrastructure security, train Customs personnel and protect Customs critical infrastructure, as well as enable the interoperability of different technologies among Customs and security services.

5. Mobilization of Customs data and intelligence for security in FCS

Objective : Use Customs data and terrain knowledge for security matters and mobilize geospatial intelligence (GEOINT) as well as Open Source Intelligence (OSINT) for Customs to acquire an analytical capacity in the borderlands impacted by insecurity.

Regular reporting on the implementation of the Action Plan will be established both through the meetings of relevant Committees and in the form of additional, restricted-access publications.

The implementation of the Action Plan requires significant human and financial resources, as the resources currently available are not sufficient to cover the deliverables identified. The Action Plan will allow a better outreach and dialogue not only with Members, but also with potential donors interested in this emerging area.

In addition to the Action Plan, the WCO has already deployed a number of programmes and projects to support its Members in different areas, including the Security Programme that has a number of components, such as countering the IED threat (Programme Global Shield), the

Strategic Trade Controls Enforcement Programme, projects on countering arms trafficking and chemical, biological and radio-nuclear (CBRN) threats, passenger controls, and anti-corruption, among others. These projects and programmes can be adapted to the FCS context upon Member request. For example, the countering IED programme could be further developed in order not only to detect risks related to the illicit diversion of the dual-use components that can be utilised to build IEDs, but also to include field exercises on detecting IEDs on roads during the patrols or on developing the appropriate reactions if an IED explodes during the movement in convoy. These are some challenges that Customs officers in FCS are regularly confronted with.

|    | Title   | WCO Strategic Plan | Activity   | Implementing body           | Funding                                | Timeline    | KPI  | Progress/ remarks |
|----|---|--------------------|--|-----------------------------|--|-------------|--|-------------------|
| 1. | Research  | SP4 SO3            | FCS research through field missions, internal and external publications supporting other pillars of the Action Plan  | WCO Secretariat             | WCO statutory budget and donor funding | 2023 - 2026 | Number of publications and reports                       | NA                |
|    |   | SP4 SO3            | Annual report on incidents related to the border economy and security to the Council   | WCO Secretariat and Members | WCO statutory budget                   | 2023 - 2026 | Annual report  | NA                |
| 2. | Global advocacy and communication on the role of Customs in FCS | SO2 SO3            | Strong advocacy on the role of Customs at FCS at the international fora organised by regional and international partner organisations, including WCO major stakeholders, donors and academia | WCO Secretariat             | WCO statutory budget and donor funding | 2023- 2026  | Number of meetings and events                            | In implementation |
|    |   | SO2 SO3            | Proactive communication to Members and other partners and stakeholders on all WCO activities in the Action   | WCO Secretariat             | WCO statutory budget and donor funding | 2023- 2026  | Development and implementation of the communication plan | In implementation |



|    | Title   | WCO Strategic Plan | Activity  | Implementing body           | Funding   | Timeline  | KPI  | Progress/ remarks |
|----|---|--------------------|---|-----------------------------|---|-----------|--|-------------------|
|    |   |                    | Plan  |                             |   |           |  |                   |
| 3. | Institutional arrangements and inter-agency cooperation | SO2<br>SO3         | National and regional workshops led by Customs, involving policymakers and representatives of internal security forces and the military, to agree on policy recommendations aimed at better integrating Customs in national security, incident command, and post-conflict reconstitution of Customs policies at the highest level (e.g. national intelligence committee, national security committee) and fostering inter-agency cooperation. | Members and WCO Secretariat | Members' national funding and WCO donor funding | 2023-2026 | Number of national and regional workshops            | NA                |
|    |   | SO2<br>SO3         | National audits including recommendations on  | Members and WCO Secretariat | Members' national funding and                   | 2023-2026 | Recommendations issued in the form of a Members only | NA                |

|    | Title                                    | WCO Strategic Plan | Activity  | Implementing body                  | Funding                                | Timeline  | KPI   | Progress/ remarks |
|----|--|--------------------|---|------------------------------------|--|-----------|---|-------------------|
|    |  |                    | Customs' institutional and inter-agency arrangements to better address national security issues at borders, including violent extremism, insurgencies and facilitation of humanitarian aid. |                                    | WCO donor funding                      |           | restricted publication based on the experiences in the MENA region; other FCSs to be covered. |                   |
| 4. | Security of personnel and infrastructure | SO2<br>SO3         | Regional and cross-regional workshops on Customs Personal Protection Equipment (PPE) and Customs infrastructure security.   | WCO Secretariat and Members        | WCO statutory budget and donor funding | 2023-2026 | Development of guidelines and number of workshops   | NA                |
|    |  | SO2<br>SO3         | National audits on Customs PPE standards and Customs infrastructure security at fragile borders.  | WCO Secretariat and Members        | WCO statutory budget and donor funding | 2023-2026 | Number of audits  | NA                |
|    |  | SO2<br>SO3         | Development of WCO training modules for Customs administrations on the protection of staff and Customs infrastructure.  | WCO Secretariat and Member experts | WCO donor funding, as available        | 2023-2024 | Number of training modules  | NA                |

|    | Title   | WCO Strategic Plan | Activity  | Implementing body           | Funding   | Timeline    | KPI  | Progress/ remarks |
|----|---|--------------------|---|-----------------------------|---|-------------|--|-------------------|
|    |   | SO2<br>SO3<br>SP3  | Development of a WCO ACE programme for accredited experts in the area of fragile border security.   | WCO Secretariat and Members | WCO donor funding, as available                               | 2024-2026   | Number of ACE experts  | NA                |
|    |   | SO3<br>SP3         | Joint national training of Customs with other national military and security authorities, according to operational needs and requirements of the national Customs administration. | Members and WCO Secretariat | Members' national funding and WCO donor funding, as available | 2023 - 2026 | Number of joint trainings  | NA                |
|    |   | SO2<br>SO3         | Joint inter-agency national and cross-border patrols and controls.  | Members and WCO Secretariat | Members' national funding and WCO donor funding, as available | 2023 - 2026 | Number of Members who implemented joint inter-agency national and cross-border patrols | NA                |
| 5. | Mobilization of data and intelligence for security in FCS | SO3<br>FA1         | National and regional awareness raising on the use of Customs data for fragile border security intelligence purpose.  | WCO Secretariat and Members | WCO donor funding, as available                               | 2023 – 2026 | Number of workshops and round-tables   | NA                |
|    |   | SO3<br>FA1         | National and regional   | WCO Secretariat and Members | WCO   | 2024-2026   | Number of trainings  | NA                |

|  | Title | WCO Strategic Plan | Activity   | Implementing body           | Funding                         | Timeline    | KPI  | Progress/ remarks   |
|--|-------|--------------------|--|-----------------------------|---------------------------------|-------------|--|---|
|  |       | SP3                | training for experts on the use of Open Source Intelligence (OSINT) in Customs domain.                               |                             | donor funding, as available     |             |  |   |
|  |       | SO3<br>FA1<br>SP3  | National and regional training for experts on GEOINT (including the use of specialized mapping tools, such as QGIS). | WCO Secretariat and Members | WCO donor funding, as available | 2022 - 2026 | Number of trainings                        | Initial training provided to Niger Customs and internal security forces (Nov. 2022) |
|  |       | SO3<br>FA1         | Enhanced use of the WCO IRIS application for the mapping of fragile border incidents.                                | WCO Secretariat and Members | WCO donor funding, as available | 2023 - 2026 | Number of recorded and displayed incidents | NA  |