

WCO Integrity Newsletter

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WORLD CUSTOMS ORGANIZATION

WCO Integrity Newsletter

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Dear Readers,

Enhancing integrity remains one of the priority building blocks on the World Customs Organization's (WCO) strategic agenda for leading Member administrations to remain relevant to the demands of the 21st Century global environment. The WCO Integrity Sub-Committee continues to pursue and build on this vision bearing in mind that because integrity issues are cross-cutting in nature, the absence of it will grossly undermine the organizational development of any Customs administrations.

Following up from the agenda issues discussed during the 12th Session of the Integrity Sub-Committee (ISC) and again, a wider scope of issues tabled for discussion at the 13th Session of the ISC from 3 to 4 April 2014 at the WCO Headquarters in Brussels-Belgium, there is enough incentive to anticipate that the dialogues could yield benefits of cross-cutting proportions. The agenda for the 13th Session of ISC includes discussion on reorienting governance risk to fight corruption issues; it will also discuss another governance issue related to post-conflict administrations. Other discussions will focus on anti-corruption strategies and introduce the concept of risk mapping. Again the list includes discussions on the strategies for preventing procurement fraud, using communication as a strategy to enhance integrity and a WCO overview of the latest integrity developments.

We are pleased to introduce the 9th edition of the WCO Integrity Newsletter to precede the 13th Session of ISC and provide current updates on initiatives and efforts taken by some Member administrations to fight corruption and to enhance integrity. The Newsletter highlights include initiatives by the US Customs and Border Protection to root out corruption and enhance integrity in the workforce; UK Border Forces' anti-corruption strategy; a Case Study by Australian Customs and Border Protection; and the Integrity Strategy of Fiji Revenue & Customs Authority (FRCA).

It should be emphasized that the featured stories are based on voluntary contributions made by Member administrations and for that matter, once again, we encourage Members to identify their integrity enhancement initiatives and contribute snapshot stories to keep the Newsletter dynamic.

You are reminded that the articles published in the Integrity Newsletter are provided by WCO Members and therefore reflect their personal views only.

We wish you an interesting read through this Newsletter!

The WCO Capacity Building Directorate



MESSAGE FROM THE ISC CHAIR

Dear Colleagues,

As we move towards the 13th session of the WCO Integrity Sub-Committee (April 3-4), I invite you to take this opportunity to fully explore this issue of the WCO Integrity Newsletter and consult the draft ISC agenda for the very interesting topics to be addressed at that session.

Through this issue of the newsletter you will find various articles that highlight the innovative efforts that Members are undertaking in the fight against corruption in the workforce through various case studies, strategy approaches and best practices. As had been previously raised in the last session of the ISC, it is also encouraged that Members continue to engage bilaterally on ways in which they can collaborate together and share effective practices. The Integrity Newsletter continues to serve as one of the effective and contemporary means of keeping each other apprised of such developments.

During the upcoming ISC session we look forward to exploring some of the more practical approaches to reducing, and ultimately eliminating, the types of vulnerable environments where corrupt acts can occur more easily, with a specific focus on the reorientation of systems and processes to lessen associated risks. This also includes a specific focus on strategies to prevent procurement fraud, which is often an area that is susceptible to weak controls and oversight. We also look forward to a briefing on the comprehensive efforts undertaken by Australia through their blueprint for reform 2013-2018, as well as a discussion of the challenges and successes of post-conflict and transition countries in enhancing governance.

Based on the foregoing, I firmly believe that this upcoming ISC session very much “sets the stage” for even greater opportunities for closer collaboration and I look forward to seeing you in Brussels next month on the occasion of the ISC session.

David Dolan Chairperson (USCBP)
Integrity Sub-Committee



UNITED STATES



How USCBP is trying to root out corruption and enhance integrity in the workforce



With more than 60,000 employees, U.S. Customs and Border Protection (CBP) is amongst the largest federal agency responsible for securing the US borders. CBP maintains a commitment to provide border security services with integrity and vigilance. The deployment of advanced technology, physical infrastructure, and additional manpower along the border has made it more difficult for drug trafficking and other Transnational Criminal Organizations (TCOs) to conduct and promote their illegal activities.

Since October 1, 2004, over 160 current or former CBP employees have been arrested or charged with acts of corruption. In a number of these cases, CBP employees have been corrupted by TCOs via monetary bribes. To effectively address these evolving and emerging corruption threats, CBP has developed a unified and comprehensive strategy which incorporates prevention, education and detection capabilities designed to strengthen the integrity of the CBP workforce while deterring, identifying and responding to alleged corruption and serious misconduct.

PREVENTION:

CBP utilizes multiple tools to prevent workforce integrity lapses. CBP's integrity assurance process includes initial screening of applicants, pre-employment polygraph examinations of all law enforcement candidates, and an exhaustive background investigation commencing upon the initial selection of a prospective employee. CBP's law enforcement officer positions require a Single Scope Background Investigation (SSBI), the highest level background investigation conducted in U.S. federal pre-employment screening. The SSBI covers a ten-year period and includes checks of citizenship, residence, education, employment, character references, local law enforcement, credit/financial history, court records, military service, investigative and criminal history files of the Federal Bureau of Investigation for the applicant, the applicant's spouse or cohabitant(s), and foreign-born relatives/associates.

As part of the Anti-Border Corruption Act of 2010, CBP is required to administer polygraph examinations to 100% of applicants for its law enforcement positions. Federally certified CBP Internal Affairs (IA) polygraph examiners administer the standardized Law Enforcement Pre-Employment Tests (LEPET). The LEPET addresses both suitability and national security issues including involvement in serious crimes, distribution or use of illegal drugs, falsifications or omissions on employment application forms, involvement in terrorism or espionage activities, unauthorized disclosure of classified information, and unreported foreign contacts.





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Each tool is capable of identifying vulnerabilities the others cannot, and in combination, allow for thorough vetting of the men and women seeking employment with CBP. Periodic reinvestigations are conducted every five years throughout an onboard employee's career, as well as random drug testing, and serve to identify emerging integrity and conduct issues that have the potential to undermine CBP's mission.

EDUCATION:

CBP's Office of Training and Development (OTD) has worked to standardize integrity related training courses for CBP personnel to ensure the same content is provided by the same method on a predetermined, regular schedule. Mandatory and optional courses contain the same course content and are provided in the same way, i.e. either online or in the classroom. The courses are updated at prescribed intervals and overseen by OTD to ensure accuracy and consistency. In addition, employees are required to complete certain mandatory integrity related training at the 1-, 2-, 5-, and 10-year career points.

DETECTION:

CBP relies on analytical research methods designed to flag indicators of potential workforce misconduct and corruption. In concert with Internal Affairs (IA), the CBP's Office of Field Operations (OFO) and the CBP Office of Border Patrol (OBP) have taken significant steps to utilize their resources to identify operational data anomalies. Under the leadership of OFO's Analytical Management Systems Control Office (AMSCO), CBP Officers and Border Patrol Agents use automated systems to analyze crossing, referral and results data to identify anomalies that may be indicative of integrity issues. This analysis is critically important as CBP continues to implement new systems to process travelers and cargo electronically in a more efficient, effective and expeditious manner.

In addition, IA uses behavioral science and analytical techniques to identify corruption and insider threat based on data gathered from background investigations, polygraph examinations, known cases of corruption, and other sources. These tools support a proactive, intelligence-driven methodology for detecting potential corruption.

CONCLUSION:

CBP understands that collaboration and information sharing is a critical factor in investigating allegations of corruption and serious misconduct. To that end, CBP is committed to maintaining and strengthening relationships with all of its law enforcement partners in order to process and respond to all allegations of misconduct and corruption in a timely manner. The mix of proactive, reactive and sustainment efforts form a robust investigative program.

CBP employees are bestowed significant power and authority in the performance of their duties. With that power and authority comes a high degree of accountability. CBP continues to take aggressive measures to detect, deter, investigate, and prevent misconduct and corruption in the workforce.

Contact

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UNITED-KINGDOM

UK Border Forces' anti-corruption strategy



Background

The United Kingdom Home Office is the lead government department for customs, immigration, passports, drugs policy, crime, counter-terrorism and police. Customs controls in the United Kingdom are administered by the Border Force, a law enforcement command within the Home Office. Border Force secures the border and promotes national prosperity by facilitating the legitimate movement of individuals and goods, whilst preventing those that would cause harm from entering the UK. Border Force is responsible for:

- 1) checking the immigration status of people arriving in and departing the UK
- 2) searching baggage, vehicles and cargo for illicit goods or illegal immigrants
- 3) patrolling the UK coastline and searching vessels
- 4) gathering intelligence alerting the police and security services to people of interest

Civil Service Principles

Border Force officers are Civil Servants. The Civil Service supports the Government in developing and implementing its policies, and in delivering public services. Civil Servants are accountable to the public and need to meet the highest possible standards in all that they do. The core values of the Civil Service reflect this and as Civil Servants Border Force Officers are bound to the Civil Service Code which requires all officers to act with:

Integrity – putting the obligations of public service above personal interests

Honesty – being truthful and open

Objectivity – basing advice and decisions on rigorous analysis of the evidence

Impartiality – acting solely according to the merits of the case and serving governments of different political parties equally well.

Law

Common law in the UK provides for an offence of Misconduct in Public Office. It carries a maximum sentence of life imprisonment. It is an offence confined to those who are public office holders and is committed when the office holder acts (or fails to act) in a way that constitutes a breach of the duties of that office. The offence is committed when:

A public officer acting as such willfully neglects to perform his duty and/or willfully misconducts himself to such a degree as to amount to an abuse of the public's trust in the office holder without reasonable excuse or justification.



In addition, all Civil Servants are subject to a wide range of legislative requirements such as those within the Bribery Act 2010 and the Data Protection Act 1998. The Bribery Act modernizes the UK law on bribery and introduces two general offences of (i) offering, promising or giving a bribe and (ii) requesting, agreeing to receive or accepting a bribe. It also contains a specific offence of bribery of foreign public officials, and a corporate offence of failure of institutions to prevent bribery. The Data Protection Act sets out rules governing the processing of personal data (that is, information relating to identifiable living individuals). It also provides people with the right to see personal data held about them. The act sets out eight principles that must be followed when processing personal data including keeping personal information for lawful purposes and keeping it secure.

Strategy

The Home Office expects the highest levels of integrity from its staff and the staff carry out their roles with professionalism and integrity. However, on the rare occasion there are staff who fail to act appropriately and as a result we have a strategy in place to mitigate this risk. The Corporate Security Directorate is responsible for integrity policy and strategy. The Home Office Anti Corruption Strategy is divided into six themes – **Deterrence, Prevention, Detection, Investigation, Sanction and Redress**. These are interlinked and mutually supportive of each other. The Corporate Security Directorate is currently proactively reducing the motive and opportunity for corruption by increasing our deterrence and prevention activity and creating an anti-corruption culture. We are also enhancing our capability to proactively identify more corrupt activity and to create a centre of investigative excellence in anti-corruption by further developing the skills and capabilities of the investigators and enhancing the processes utilized for the management of anti-corruption activity.

One key element of the strategy is communication and we make it clear that we have strong processes in place to prevent, to detect, to investigate and to sanction corruption. Corrupt staff are arguably less likely to engage in corrupt activity if they believe they will be caught and sanctioned. We also ensure that security is at the forefront of people's minds in everything they do, in particular in the minds of those leading programmes and projects, to ensure that the need to deliver does not override security concerns, and in the minds of line managers who should remain alert to the potential for corruption.

Another key element of our strategy is the use of data mining to proactively identify wrong-doing in the business. The tool provides the framework to devise, to implement and to visualize rules that relate to behaviour that is suspicious, and to obtain lists of users ranked against such rules.

Data mining can also be used to develop investigations by spotting connections, and to build profiles of staff which can provide enhanced integrity checks when required.

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AUSTRALIA



Case Study—Australian Customs and Border Protection

As a result of a joint investigation between the Australian Commission for Law Enforcement Integrity (ACLEI), the Australian Federal Police and ACBPS, a report on allegations of corruption conduct among officers at Sydney airport was issued in mid-2013. This report identified that a culture had been allowed to develop within the Australian Customs and Border Protection Service (ACBPS or the Service) in Sydney International Airport that accepted poor standards and allowed the flouting of rules and regulations as the norm.

The corrupt conduct occurred as a result of long term collusion between a small number of Customs officers at the airport to facilitate the importation of illicit drugs. They used their inside knowledge to defeat surveillance and interdiction systems including information about law enforcement techniques and systemic vulnerabilities. The officers had privileged access to databases and to the secure border environment. By working together they exploited weaknesses in the supervision system and manipulated rosters and job placements. They used their official positions and exploited friendships and other connections that they had developed in the workplace to gather information, and to cover their tracks.

At the time of these incidents Customs and Border Protection was facing significant challenges, including the growth in volume of cargo and numbers of travelers, increasingly complex trade and travel patterns and increasingly sophisticated organized crime.

The joint investigation identified that opportunities for corrupt conduct had been boosted by introduction of a 'whole of airport' operating model to address peak workloads, which had resulted in exposing more staff to sensitive information and created an increase in opportunity for corrupt conduct. Some individuals became compromised because of their use of illicit drugs and links to criminal networks, including outlaw motorcycle gangs. Evidence also suggests there was a risk that any supervisor who took action about misconduct would be open to reprisal from any staff.

Identification of corruption, and a culture conducive to corruption, was a wake-up call to the organization. It highlighted significant vulnerabilities and the challenge now is to address these vulnerabilities.

As the organization implements its reform agenda, focus on the elements of human resource management, morale and organization culture are central. Attention to deployment, rotation and relocation of staff removes opportunities for officers to hold vulnerable positions within sensitive areas for long periods. Allied to this the organization's suitability checking processes have been enhanced, both at the recruitment stage and with ongoing monitoring for links between staff and criminal groups.

Provision of adequate training and professional development throughout officers' careers will continually promote and reinforce the importance of



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maintaining high levels of ethical and professional standards. The performance appraisal and management systems reinforce sound practices and foster high levels of personal and professional integrity, and link with the need to provide reasonable opportunities for career development and progression.

A robust, multi-faceted and well publicized Reform Program is being undertaken by ACBPS to create a modern, highly effective, collaborative and adaptable agency with a unified end-to-end operating model and a high performance culture to match. The initial focus has been on specific integrity measures to align the ACBPS to the same levels of assurance as other Australian law enforcement agencies and to maintain public confidence in the Service.

New legislation passed by Parliament in 2013 provided stronger powers including the ability to conduct integrity testing of Customs and Border Protection officers, the power for the CEO to make a declaration that an officer's employment has been terminated as a result of serious misconduct; mandatory reporting requirements under which officers are legally required to report misconduct, corrupt or criminal activity; and workplace drug and alcohol testing for all ACBPS officers. These enhanced powers have significantly strengthened the service's integrity framework.

Support for officers to meet their integrity obligations is an important element of the programme of integrity reform. An Integrity Support and Referral Network (ISRN) was established to provide a trusted network of officers available to their colleagues to provide support and advice on options regarding reporting obligations, or as another avenue to report concerns regarding serious misconduct, corruption and/or criminal behaviours. When the call went out across ACBPS for volunteers to be trained as Integrity Support Officers, this was met with an overwhelming response from all levels within the Service and resulted in more officers volunteering than positions available. The thirty selected officers underwent integrity screening and received training for their role, and are now active throughout the organization .

Like other Customs administrations around the world, ACBPS is aware that criminal organizations will seek to avoid the systems and processes in place. Consequently those systems and processes are continually reviewed, and where necessary improved.

A new Division, the Integrity, Security and Assurance Division was created within the Service. The new Division is responsible for management of all disciplinary processes. This furnished a more integrated approach to managing professional conduct in the workplace as well as fighting corruption and criminal infiltration and dealing with misconduct.

The Reform Programme being undertaken will transform ACBPS into a modern, highly effective, collaborative and adaptable agency with a unified end-to-end operating model and a high performance culture to match. The Service will be working closely with partners in the business and trading community in Australia, the Asia Pacific region and through the WCO business engagement forums, to design a vigorous future business model and supporting systems. The four pillars in the WCO Strategic Plan as outlined by Secretary General will also provide an excellent source of information and direction.

Contact

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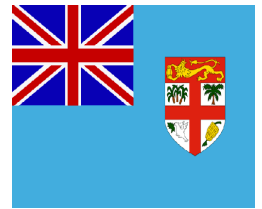
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FIJI

Fiji Revenue & Customs Authority (FRCA)'s Integrity Strategy



FRCA indicates that integrity is more than simply the absence of corruption. It involves developing and maintaining a positive set of attitudes and values which give effect to an organization's aims and objectives. It is therefore regarded by FRCA as a prerequisite for the proper functioning of Customs administration.

The special position of Customs authorities within the international trade supply chain, both in terms of its regular contact with financial and goods movements, and the application of specific legal powers, requires a high degree of professional integrity on the part of Customs officials. Integrity in Customs also plays its part from a trade facilitation view. A Customs administration suffering from a lack of integrity will normally be less effective and certainly inefficient resulting in little or no trade facilitation due to mismanagement, bad governance, and thriving corruption. It is thus essential for our administration to fully support a culture of integrity throughout the supply chain process.

The following are some of the measures introduced in year 2013 which have been implemented to have effective integrity management at FRCA.

Customer Satisfaction Survey

FRCA strives to improve its services and ensure that the services it provides are satisfactory to its customers. In order to do that it is carrying out a Customer Satisfaction Survey to establish the level of satisfaction of its customers and improve on its services. A Customer Satisfaction Index will be developed from this survey and the Authority will use this as a benchmark to measure improvements of its service delivery in future.

FRCA Staff Climate Survey

An employee climate survey enables an organization to operate more efficiently through the use of staff input and satisfaction ratings. It provides an overall picture to staff views/opinions on how the organization is performing, and in this survey FRCA is seeking staff feedback on how we are performing in line with FRCA's Values - Leadership, Results Focus, Continuous Improvement and Learning, Design Quality and Prevention, Partnership Development, Valuing Employees, One Organization, CEO's Balance Score Card & participation at the Public Service Excellence Awards (SEA).

The balance score card drives a high performance culture and challenges a "CAN DO" attitude for all of us. "Out-Performance" target achievements will be rewarded with bonuses, with adherence to highest integrity management.



The SEA evaluation team visits FRCA and evaluates FRCA's performance and FRCA has been this year awarded the highest level Service Excellence Awards being offered by Public Service Commission for Service Excellence. FRCA was able to win this within a record 3 years of entering the international performance benchmarking system.

Internal Assurance

The Internal Assurance Section ensures that principles of good governance, transparency and integrity are maintained and promoted at all times by employees and Executive Management by overseeing inter alia, the following functions:

- **Internal Audit**

Good public sector governance involves internal auditing of the way public resources are managed. Internal audit provides an unbiased, objective assessment to ensure that public resources are responsibly and effectively managed to achieve intended results.

Internal auditing is carried out in accordance with an annual internal audit plan. Audits are undertaken on the operational activities of the department as well as the financial resources and information and communication technology (ICT) resources of the Authority.

- **Ethical Standards Unit**

This Unit develops and implements an ethical code of conduct in compliance with the FRCA Conduct & Discipline Regulations 2002. It also identifies and investigates corrupt activities within the Authority. It responds to complaints registered against employees for non-compliance with the Code of Conduct and conducts special investigations required by the office of the CEO and the Board.

Other than implementing those measures, FRCA has a **Code of Conduct** which can be obtained from FRCA. It also has established a **Zero Tolerance Policy** according to which any breaches of fraud, misappropriation or issues relating to honesty and integrity will result in summary dismissal and will apply to all FRCA staff, on all grades/positions **irrespective of the amount or person involved**. FRCA has also established a **Staff Tax Audit Policy** which is effective in managing integrity of officers to be self- tax compliant in order to gain public confidence assurance.

Please do not hesitate to contact the Office of the CEO, Fiji Revenue & Customs Authority to gain more information about the tools we acquire to enhance integrity management

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INTEGRITY PILOT PROJECTS

Liberia

By way of reminder, following in the footsteps of Cameroon and Togo, Liberia wished to implement a performance measurement project to enhance integrity and combat corruption. In March 2013, the World Customs Organization (WCO) and the United Nations Conference on Trade and Development (UNCTAD) signed a Memorandum of Understanding (MoU) to map out co-operation arrangements between the two Organizations with respect to the development of a performance measurement module for incorporation in the ASYCUDA World Customs clearance system. A WCO mission subsequently travelled to UNCTAD Headquarters in Geneva to define the indicators to be used as part of this module. A joint WCO/UNCTAD visit was made to Monrovia in November 2013 to install the module and present it to all the stakeholders. An expert sent by the WCO to carry out data mining went to Monrovia in January 2014. A further joint WCO/UNCTAD mission visited Monrovia in March 2014 to evaluate the project in view of the report by the data mining expert. This project is financed by the Norwegian Agency for Development Cooperation (NORAD). The performance measurement module is being tested in Liberia not only to assist the Liberian Administration, but also to make the module available to all Customs users of the system wishing to enter into a similar performance measurement project. To that end, a Guide to this performance measurement approach is currently being developed by the WCO Secretariat.

Togo

A fifth WCO mission visited Togo in July 2013. The aim of this mission was to evaluate the project at a stage when inspectors at Lomé Port had been placed under contract. The mission also worked on developing a communication strategy for Togolese Customs, especially to share the progress made with this project both internally and externally. This project is funded by the World Bank's Trade Facilitation Facility (TFF).



Uruguay

The pilot project involving MoUs signed between Customs and over 10 professional associations is under way. The Customs Administration has also produced a case study on this project, to be issued at the 13th Session of the Integrity Sub-Committee (ISC) for inclusion in the Integrity Development Guide.



Rwanda

The integrity pilot project launched in Rwanda by the Rwanda Revenue Authority (RRA), with NORAD funding, is moving forward. The project entails defining a communication strategy to increase transparency and strengthen respect for integrity. An initial WCO mission took place in March 2013. A communication expert has been recruited to conduct short-term missions, while a working session involving a select group from the RRA was held in January 2014 to introduce RRA officials to different communication methods for both internal and external use. This working session was expected to strengthen the RRA communication policy with respect to combating corruption and, as a corollary, help enhance the modernization policy built on good governance on which the RRA has embarked.



INTEGRITY NEWS

Integrity Development Workshop in Tunisia

In June 2013, the WCO conducted an Integrity Development Workshop at the request of the Director General of Tunisian Customs. This Workshop resulted in the drafting of an Integrity Action Plan which was approved by the newly appointed Director General in August 2013.

Integrity Development Workshop in Malawi

In the context of the “Strengthening Customs Systems Project” funded by the Department for International Development (DFID), the WCO conducted an Integrity Development Workshop in the Malawi Revenue Authority in September 2013. The Workshop resulted in the drafting of an Integrity Action Plan for the Administration.

UNDP workshop

The WCO was invited to attend a Regional Workshop organized and funded by the United Nations Development Programme (UNDP) on the theme “Integrity in the interface between the public and the private sectors in the Arab countries”. During that event, which took place on 24 and 25 September 2013 in Casablanca, Morocco, the WCO moderated a parallel Workshop dedicated to Customs, during which it presented the Organization’s Integrity Strategy.

FATF Meeting

The WCO was invited to take part in the Third Financial Action Task Force (FATF) Experts Meeting on Corruption, held in Paris in October 2013, with a view to assisting with the drafting of a paper on the use of the FATF Recommendations to Combat Corruption.

Integrity Seminar in China

The Chinese Customs Administration organized an Integrity Seminar, with the WCO’s assistance, for the WCO Asia/Pacific region on 4 and 5 December 2013. The key themes were: (1) Transparency and communication; (2) Control mechanisms to detect risks of corruption; (3) Clear guidelines for Customs staff and paying attention to the human factor; and (4) Co-operation with the private sector.

WCO Fellowship Programme

As part of the 61st WCO Fellowship Programme, the following countries chose integrity as the topic for their final paper: Burkina Faso, Haiti, Rwanda and Tunisia.



INTEGRITY NEWS

LMD workshops

The WCO Secretariat has delivered several Leadership and Management Development (LMD) workshops since the last session of the ISC. LMD workshops comprise an integrity module. Workshops have been held in the following countries: Ethiopia, Ghana, Mauritius, Republic of the Congo, Swaziland, Zimbabwe, Uganda, Qatar, Malawi and The Gambia.

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Please feel free to contact the WCO Secretariat for any information related to those integrity activities and pilot projects

INTEGRITY NEWS