# MEMORANDUM OF UNDERSTANDING ON CO-OPERATION BETWEEN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION - INTERPOL AND THE WORLD CUSTOMS ORGANIZATION

**The International Criminal Police Organization - Interpol (hereinafter referred to as Interpol) and the World Customs Organization* (hereinafter referred to as the WCO):**

**Considering**, on the one hand, the provisions of the Constitution of the International Criminal Police Organization, which provides that Interpol's aims are to ensure and promote the widest possible mutual assistance between all criminal police authorities within the limits of the laws existing in the different countries and in the spirit of the Universal Declaration of Human Rights, and to establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes,

**Considering**, on the other 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,

**Recognizing** the need for co-operation between police and customs services in the fight against transnational crime,

**Recognizing** the importance of further strengthening the co-operation between Interpol and the WCO within the fields of their competence in combating, *inter alia*, illicit drug trafficking, money laundering, illicit diversion of precursors and essential chemicals, counterfeiting, traffic in human beings, intellectual property fraud, firearms trafficking and smuggling, and environmental crime,

**Wishing** to co-ordinate their efforts within the framework of the missions assigned to them and in line with the provisions of Interpol's Constitution and the Convention establishing the WCO, in order to avoid duplication of effort,

**Have agreed on the following**:

* World Customs Organization (WCO) is the working name of the Customs Co-operation Council.

## Article 1
## Mutual consultation

1. Interpol and the WCO shall consult regularly on policy issues and matters of common interest for the purpose of realizing their objectives and co-ordinating their respective activities.

2. Interpol and the WCO shall exchange information on developments in any of their fields and projects that are of mutual interest and shall reciprocally take observations concerning such activities into consideration with a view to promoting effective co-ordination and to avoiding duplication of effort.

3. When appropriate, consultation shall be arranged at the required level between representatives of Interpol and the WCO to agree upon the most effective way in which to organize particular activities and to optimize the use of their resources in compliance with their respective mandates.

## Article 2
## Exchange of information

1. Interpol and the WCO shall combine their efforts to achieve the best use of all available information relevant to transnational crime.

2. Subject to such arrangements as may be necessary for the safeguarding of confidential information, Interpol and the WCO shall ensure full and prompt exchange of information and documents concerning matters of common interest.

3. When communicating information, each organization shall ensure that such information is accurate and valid, and that it is entitled to communicate the information to the other organization, in accordance with its internal regulations. Interpol and the WCO shall undertake to observe the circulation restrictions notified by the communicating organization. Practical arrangements concerning the exchange of information shall be specified in an Exchange of Letters between both organizations.

4. Communication of police information by Interpol to the WCO shall be subject to Interpol's internal regulations. If an item of information communicated by Interpol to the WCO is modified or deleted, Interpol shall inform the WCO so that the latter may keep its own archives up-to-date, and inform the national customs services to which it communicated Interpol's information that the information has been modified or deleted. Interpol shall not be liable in the event that the use by the WCO or a national customs service of an item of information is prejudicial to an individual's or entity's interests, if Interpol has informed the WCO that that item of information has been modified or deleted. Police information communicated by Interpol to the WCO shall be used by the WCO and the national customs services exclusively for the purposes of prevention or suppression of transnational ordinary law crime, with due respect for national laws and international treaties.

5. Communication of Customs enforcement information by the WCO to Interpol shall be subject to the provisions laid out in the respective Conventions, Resolutions and Recommendations adopted at the WCO Council session.

## Article 3

## Reciprocal representation

1. Arrangements shall be made for reciprocal representation at Interpol and WCO meetings convened under their respective auspices and dealing with matters in which the other party has an interest or technical competence.

2. The Secretary General of the WCO and the Secretary General of Interpol 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. Interpol and the WCO shall, in the interest of their respective activities, seek each other's expertise to optimize the effects of such activities.

2. The competent bodies of the WCO and Interpol shall delegate their respective Secretaries General to 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 and shall determine the costs payable by each of them.

**Article 5**

**Entry into force, modification and duration**

1. The present Memorandum of Understanding shall enter into force on the date on which it is signed by the Secretary General of Interpol and the Secretary General of the WCO, subject to the approval of the Interpol General Assembly.

2. The present Memorandum of Understanding may be modified by mutual consent expressed in writing. It may also be revoked by either party by giving six months' notice to the other party.

In witness whereof, the Secretary General of the International Criminal Police Organization -Interpol and the Secretary General of the World Customs Organization 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 ICPO-Interpol:

R.E. Kendall, Q.P.M., M.A.
Secretary General

For the WCO:

James W. Shaver
Secretary General

Signed in Lyon on 9th November 1998