



CO-OPERATION AGREEMENT

BETWEEN

THE WORLD CUSTOMS ORGANIZATION (WCO)

AND

THE EUROPEAN POLICE OFFICE (EUROPOL)



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The World Customs Organization, hereinafter referred to as WCO¹, and the European Police Office, hereinafter referred to as Europol;

Hereinafter jointly referred to as “the Parties”;

Considering that it is within their common interest to enhance their co-operation;

Considering that the Council of the European Union has given Europol the authorisation to enter into negotiations on a co-operation agreement with the World Customs Organization on 27 March 2000²;

Considering that the Council of the European Union has given Europol the authorisation to agree to the following provisions between the WCO and itself on 13 June 2002;

Have agreed as follows :

¹ Established in 1952 as the Customs Co-operation Council

² OJ 2000/C106/01

Article 1

Purpose of the Agreement

1. The purpose of this Agreement is to establish and maintain co-operation between the WCO and Europol in combating serious forms of organised international crime within the field of competence of each Party, according to their Constitutional Acts.
2. Where a Party is instructed by its respective constitutional bodies to deal with additional forms of crime, it shall inform the other Party in writing of this, indicating the date when the change to the mandate enters into force.

Article 2

Contact persons

The WCO and Europol shall designate contact persons in order to facilitate the most efficient co-operation between the two Parties.

Article 3

Mutual consultation

1. The WCO and Europol shall consult regularly on policy issues and matters of common interest for the purpose of realising their objectives and co-ordinating their respective activities.
2. In this context, the WCO and Europol shall exchange information on new developments in their fields of activities and on projects that are of mutual interest.
3. When appropriate, consultation shall be arranged at the required level between representatives of the WCO and Europol to agree upon the most effective way in which to organise activities in compliance with their respective mandates and competence.

Article 4

Exchange of information

1. Exchange of information between the WCO and Europol shall only take place for the purpose of and in accordance with the provisions of this Agreement. The exchange of information shall not include data related to an identified individual or identifiable individuals or data that are subject to a Europol security level in accordance with the Europol rules on confidentiality³.
2. Communication of Customs enforcement information by the WCO to Europol shall be subject to the provisions laid out in the respective Conventions, Resolutions and Recommendations adopted at the WCO Council session. This Agreement shall be without prejudice to the existing agreements on mutual administrative assistance that the WCO has signed up to.
3. The exchange of information as specified in this Agreement shall take place between the WCO Secretariat and Europol.
4. Both parties shall inform each other, at the moment of supply of information or before, of the purpose for which the information is supplied and of any restriction on its use, deletion or destruction, including possible access restrictions in general or specific terms. Where the need for such restrictions becomes apparent after the supply, the parties may also inform each other of such restrictions at a later stage.

Article 5

Reciprocal representation

Arrangements shall be made for reciprocal representation at meetings organised by the WCO and Europol, convened under their respective auspices and dealing with matters in which the other Party has an interest or competence.

Article 6

Settlement of disputes

1. Any dispute between the WCO and Europol concerning the interpretation or application of this Agreement, or any question affecting the relationship between the WCO and Europol shall be referred to the Secretary General of the WCO and the Director of Europol, who shall aim to find an equitable solution.
2. Each Party reserves the right to suspend its obligations under this Agreement where one Party applies the procedure laid down in this Article or in any other

³ OJ 1999/C26/02

case where a Party is of the opinion that the obligations incumbent on the other Party under this Agreement have been breached.

Article 7

Amendments to and termination of the Agreement

1. This Agreement may be amended by mutual consent between the WCO and Europol at any time. Europol may only give its consent to amendments after the unanimous approval of such amendments by the Council of the European Union.
2. The WCO and Europol shall enter into consultations with respect to the amendment of this Agreement at the request of either of them.
3. This Agreement may be terminated by each Party with three months' notice.

Article 8

Entry into force

This Agreement shall enter into force upon the signature of the two Parties.

Done in the English and French language.

For the WCO,

For Europol,

Michel Danet,
Secretary General

Jürgen Storbeck,
Director

Date:

Date:

Place:

Place: