

CO-OPERATION AGREEMENT

BETWEEN

THE INTERNATIONAL CRIMINAL POLICE

ORGANIZATION – INTERPOL

AND

THE CARIBBEAN CUSTOMS LAW ENFORCEMENT

COUNCIL

The International Criminal Police Organization - Interpol (hereinafter referred to as Interpol) and the Caribbean Customs Law Enforcement Council (hereinafter referred to as the CCLEC):

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 CCLEC's mission is to assist its members to fulfil their mandates to collect and protect revenue; to prevent and interdict illicit traffic in drugs and other prohibited or restricted goods; and to facilitate legitimate trade and international travel through the use of modern business systems,

Recognizing the need for co-operation between Interpol and CCLEC in the fight against transnational crime, without prejudice to any existing or future bilateral agreements or treaties concluded by their respective Member States,

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

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 Memorandum of Understanding establishing the CCLEC, in order to avoid duplication of effort,

Having regard to the Memorandum of Understanding signed between Interpol and the World Customs Organization on 9 November 1998,

Have agreed on the following:

Article 1

Mutual consultation

1. Interpol and the CCLEC 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 CCLEC shall exchange information on developments in any of their fields and projects that are of mutual interest and shall reciprocally consider this information 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 CCLEC 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 CCLEC 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 CCLEC shall exchange information on matters of common interest. Interpol and the CCLEC shall undertake to observe the circulation restrictions notified by the communicating organization. Practical arrangements concerning the exchange of information, in particular concerning direct access by one organization to the other's telecommunications network and databases, shall be specified in an exchange of letters between both organizations. Where information is made available through direct access to a database, such access shall be governed by the specific rules and conditions applicable to the operation of that database.
3. When communicating information, each organization shall ensure that such information is accurate and up to date, and that it is entitled to communicate the information to the other organization, in accordance with its internal procedures.

4. Communication of police and customs enforcement information by one organization to the other shall be subject to the communicating organization's procedures. If an item of information communicated by the communicating organization to the receiving organization is modified or deleted, the communicating organization shall inform the receiving organization so that the latter may keep its own archives up to date, and inform the national services to which it communicated the information that that information has been modified or deleted. The communicating organization shall not be liable in the event that the use by the receiving organization or a national service of an item of information is prejudicial to an individual's or entity's interests, if the communicating organization has informed the receiving party that that item of information has been modified or deleted. Information communicated by one organization to the other shall be used by the receiving organization and the national services exclusively for the purposes of prevention, investigation and combating of transnational crime in accordance with their own mandates, the national laws and international treaties.

Article 3

Reciprocal representation

1. Arrangements shall be made for reciprocal representation at Interpol and CCLEC meetings convened under their respective auspices and dealing with matters in which the other party has an interest or technical competence.
2. The Permanent Secretary of the CCLEC 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 Co-operation Agreement.

Article 4

Co-operation

1. Interpol and the CCLEC shall, in the interest of their respective activities, seek each other's expertise to optimize the effects of co-operation activities.
2. The competent bodies of the CCLEC and Interpol shall delegate the Permanent Secretary and Secretary General, respectively, to adopt such special arrangements as may be necessary to implement joint co-operation 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 Co-operation Agreement shall enter into force on the date on which it is signed by the Secretary General of Interpol and the Permanent Secretary of the CCLEC, subject to the approval of the Interpol Executive Committee and the CCLEC Executive Committee.
2. The present Co-operation Agreement 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 Permanent Secretary of the Caribbean Customs Law Enforcement Council have signed the present Co-operation Agreement in duplicate, in English, French and Spanish, each text being authentic, on the date appearing under their respective signatures.

For the ICPO-Interpol:

For the CCLEC:



Ronald K. Noble
Secretary General



Merton Moore
Permanent Secretary

Date: 21/9/04

Date: 22/10/04