

West Africa (Benin, Burkina Faso, Cape Verde, Ivory Coast, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Senegal, Sierra Leone, Togo, Mauritania)*

Economic Partnership Agreement Between The West African States, The Economic Community Of West African States (ECOWAS) And The West African Economic And Monetary Union (UEMOA), Of The One Part, And The European Union And Its Member States, Of The Other Part ([Interinstitutional File: 2014/0265 \(NLE\)](#)), 03.12.2014)

Article 17 - Special provisions on administrative cooperation in customs matters

1. The Parties agree that administrative cooperation is essential to the implementation and control of the preferential treatment granted in this Chapter and undertake to combat irregularities and fraud regarding customs and related fields.

2. Where one Party obtains proof, based on established information, of a failure to provide administrative cooperation and/or of irregularities or fraud, the Party may temporarily suspend the preferential treatment of the product(s) concerned in accordance with the provisions of this Article.

3. For the purposes of this Article, a lack of administrative cooperation shall include the following:

(a) repeated failure to comply with the obligation to verify the originating status of the product(s) concerned;

(b) repeated refusal to conduct a subsequent check of proof of origin and/or to communicate the results thereof, or undue delay in doing so;

(c) repeated refusal to grant authorisation for a cooperation mission to check the authenticity of documents or the accuracy of information of relevance to the preferential treatment in question, or undue delay in granting such authorisation.

4. The application of a temporary suspension shall be subject to the following conditions:

(a) a Party that obtains proof from established information of a lack of administrative cooperation and/or irregularities or fraud must notify the Joint Implementation Committee of the EPA without undue delay that it has obtained the proof and the established information, and must consult with the Joint Implementation Committee of the EPA to find a solution acceptable to both Parties, drawing on all relevant information and objective evidence;

(b) when the Parties have entered into consultation with the Joint Implementation Committee of the EPA, as provided for above, and have been unable to agree on an acceptable solution in the three (3) months following notification, the Party concerned can temporarily suspend the preferential treatment granted to the product(s) concerned. Temporary suspension must be reported without undue delay to the Joint Implementation Committee of the EPA;

(c) temporary suspensions under this Article shall be limited to what is necessary to protect the financial interests of the Party concerned. They shall not exceed a period of six (6) months, which may be renewed. Temporary suspensions shall be reported as soon as they have been adopted by the Joint Implementation Committee of the EPA. They shall be subject to periodic consultations within the Joint Implementation Committee of the EPA, in particular with a view to repealing them once the conditions for application no longer exist.

* Stepping stone agreements for provisional application concluded with Ghana and the Ivory Coast.

5. At the same time as the notification of the Joint Implementation Committee of the EPA specified in paragraph 4(a) of this Article, the Party concerned shall publish a notice for importers in its Official Journal. This notice for importers shall indicate that, for the product concerned, and on the basis of established information, proof of a lack of administrative cooperation and/or of irregularities or of fraud has been obtained.

