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**United States of America  
and  
Dominican Republic**

**Agreement between the Government of the United States of America and the Government of the Dominican Republic regarding mutual assistance between their customs administrations. Santo Domingo, 31 October 2005**

**Entry into force:** *31 October 2005 by signature, in accordance with article 14*

**Authentic texts:** *English and Spanish*

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**États-Unis d'Amérique  
et  
République dominicaine**

**Accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République dominicaine concernant l'assistance mutuelle entre leurs administrations douanières. Saint-Domingue, 31 octobre 2005**

**Entrée en vigueur :** *31 octobre 2005 par signature, conformément à l'article 14*

**Textes authentiques :** *anglais et espagnol*

**Enregistrement auprès du Secrétariat des Nations Unies :** *États-Unis d'Amérique, 4 mars 2014*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT BETWEEN THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA AND THE GOVERNMENT  
OF THE DOMINICAN REPUBLIC  
REGARDING MUTUAL ASSISTANCE BETWEEN THEIR  
CUSTOMS ADMINISTRATIONS**

The Government of the United States of America and the Government of the Dominican Republic, hereinafter referred to as "the Parties";

Considering that offenses against customs laws are prejudicial to the economic, fiscal and commercial interests of their respective countries;

Considering the importance of assuring the accurate determination of customs duties and other taxes;

Recognizing the need for international cooperation in matters related to the administration and enforcement of the customs laws of their respective countries;

Having regard to the international conventions containing prohibitions, restrictions and special measures of control in respect of specific goods;

Convinced that action against customs offenses can be made more effective by cooperation between their Customs Administrations; and

Having regard to the Recommendation of the Customs Cooperation Council regarding Mutual Administrative Assistance of December 5, 1953;

Have agreed as follows:

## ARTICLE 1

### DEFINITIONS

For the purposes of the present Agreement:

1. the term "Customs Administration" means, in the United States of America, the United States Customs and Border Protection, Department of Homeland Security, and in the Dominican Republic, General Directorate of Customs, Ministry of Finance;
2. the term "customs laws" means the laws and regulations enforced by the Customs Administrations concerning the importation, exportation, and transit or circulation of goods as they relate to customs duties, charges, and other taxes or to prohibitions, restrictions, and other similar controls respecting the movement of controlled items across national boundaries;
3. the term "information" means data in any form, documents, records, and reports or certified copies thereof;
4. the term "offense" means any violation or attempted violation of the customs laws;
5. the term "person" means any natural or legal person;
6. the term "property" means assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and legal documents or instruments evidencing title to or an interest in such assets;
7. the term "provisional measures" includes "seizure" or "freezing," which means:
  - a. temporarily prohibiting the conversion, disposition, movement, or transfer of property, or
  - b. temporarily assuming custody or control of property on the basis of an order issued by a court or competent authority, or other means.
8. the term "forfeiture" means the deprivation of property by order of a court or competent authority and includes confiscation where applicable;
9. the term "requesting Administration" means the Customs Administration that requests assistance;
10. the term "requested Administration" means the Customs Administration from which assistance is requested.

## ARTICLE 2

### SCOPE OF AGREEMENT

1. The Parties, through their Customs Administrations, shall assist each other, in accordance with the provisions of this Agreement, in preventing, investigating, and repressing any offense.
2. Each Customs Administration shall execute requests for assistance made pursuant to this Agreement in accordance with and subject to the limitations of its domestic law and regulations, and within the limits of its competence and available resources.
3. This Agreement is intended solely for mutual legal assistance between the Parties; the provisions of this Agreement shall not give rise to a right on the part of any private person to obtain, suppress, or exclude any evidence, or to impede the execution of a request.
4. This Agreement is intended to enhance and supplement mutual assistance practices in effect between the Parties. No provision in this Agreement may be interpreted in a manner that would restrict agreements and practices relating to mutual assistance and cooperation in effect between the Parties.

### ARTICLE 3

#### SCOPE OF GENERAL ASSISTANCE

1. Upon request, a Customs Administration shall provide assistance in the form of information in order to ensure the enforcement of the customs laws and the accurate assessment of customs duties and other taxes by the Customs Administrations.
2. Upon request or upon its own initiative, a Customs Administration may provide assistance in the form of information, including but not limited to information concerning:
  - a. methods and techniques of processing passengers and cargo;
  - b. the successful application of enforcement aids and techniques;
  - c. enforcement actions that might be useful to suppress offenses and, in particular, special means of combating offenses; and
  - d. new methods used in committing offenses.
3. The Customs Administrations shall cooperate in:
  - a. establishing and maintaining channels of communication to facilitate the secure and rapid exchange of information;
  - b. facilitating effective coordination;
  - c. the consideration and testing of new equipment or procedures; and
  - d. any other general administrative matters that may from time to time require their joint action.