Undertaking Feasibility Studies on Cross-border Paperless Trade

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Policies, Legal and Technical Instruments to Support Feasibility Studies towards Paperless Trade

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Categories:

1. Policies and regulations supporting paperless trade Governance, infrastructure and related functions

2. Policies and regulations supporting paperless trade systems especially that of regulatory authorities and logistics systems

3. Policies and regulations supporting Cross-border aspects of Paperless trade

1 Policies and regulations supporting paperless trade Governance, infrastructure and related functions

1.1 Governance structure

1.2 Budget/financial support

1.3 National ICT plans to establish and manage infrastructure and connectivity to support electronic governance and trade facilitation

- Secure data centre for regulatory systems
- Disaster recovery plan
- Business continuity plan/ policy

1.4 Legal frameworks for Paperless trade

- Legal recognition of electronic communication
- Legal issues related to identity management & trusted services
- Reg./ legal provisions for data retention, protection & electronic archiving
- Admissibility of electronic evidence

1.5 Support legal provisions

- Liability issues
- Dispute settlement
- IPR and data ownership issues
- Competition law issues
- Cyber security/crime

2 Policies and regulations supporting paperless trade systems especially that of regulatory authorities and logistics systems

2.1	Paperless trade including single window systems
2.2	Electronic regulatory systems including customs and ports with governance structure for taking decisions on
	inter-departmental issues
	Enforcement of international standards
2.3	Banking/payments law for electronic payment which supports secure nation-wide e-Payments
2.4	Ability of the regulatory systems to receive, process and issue documents electronically
2.5	Ability to authenticate user electronically and ensure electronic data/document security
2.6	Neutral operator for operations of regulatory systems which enforces confidence in user
2.7	Adoption of policy for agency level and national level BPR, data harmonisation and standardisation base on international standards
2.8	Adoption of policy for Information security standards and data confidentiality +
2.9	Adoption of policy on data accuracy and integrity +
2.10	Adoption of policy on accessing and sharing information including SLA and MOU +

3 Policies and regulations supporting Cross-border aspects of Paperless trade

3.1	Harmonisation of legal system through adoption of uniform laws
3.2	National laws relevant to paperless trade be based on international model so that interoperability & mutual recognition becomes easy
3.3	Adoption of bilateral, multilateral or regional agreement for Cross-border paperless trade data exchange
1.4	Mutual legal recognition of trade-related data and document with trading partner(s)
1.5	Recognition of foreign electronic signature or certificate

Important issues emanating from Feasibility study

- **General Issues:** Target Country/ Target organization(s)/ Target Systems/Short term/long term/domestic/cross-border issues, Pre-arrival Information sharing, eCoO, Customs declaration, Cargo manifest, Dangerous goods information, Customs transit declaration etc.
- **Bhutan**: use of electronic exchange with Kolkata office; Electronic signature, Electronic Payment support from India,
- **Nepal:** Mutual recognition with India/others
- **Bangladesh**: Mutual recognition with India and Nepal

Thank You

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