

Readiness Assessment for Cross-Border Paperless Trade: Georgia

**In Cooperation with the Georgia Revenue Service and the National
Committee on Trade Facilitation of Georgia**

Readiness Assessment for Cross-Border Paperless Trade: GEORGIA

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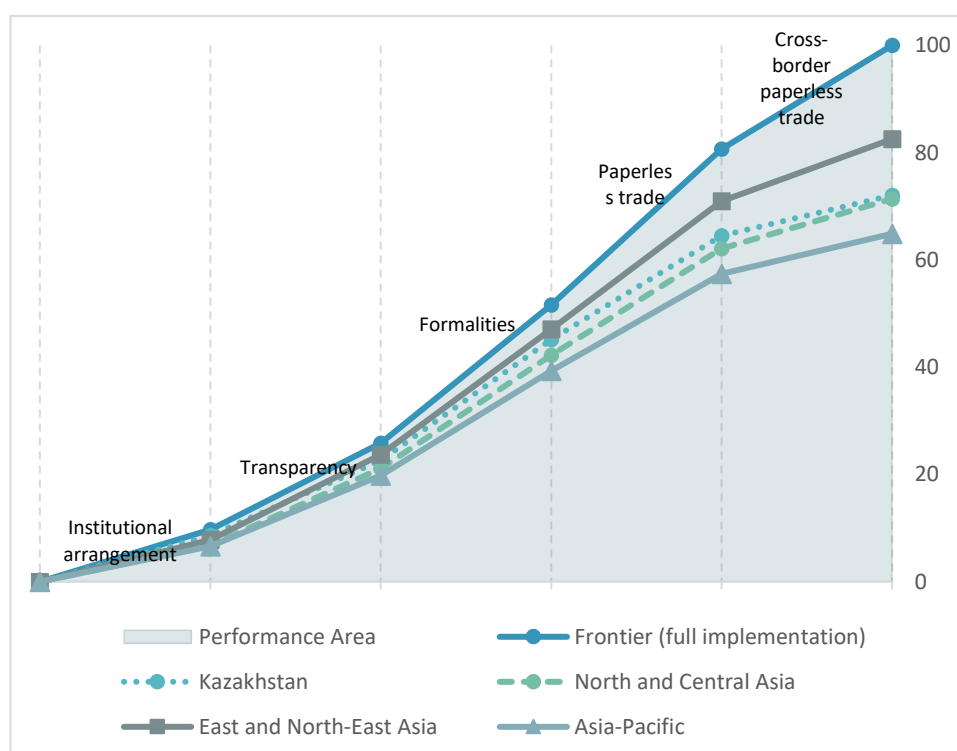
The report was edited by Mr. Alan Cooper. Ms. Anisa Hussein helped in formatting and finalizing the report.

Executive Summary

The report was prepared on the basis of findings from the study on Georgia's readiness assessment for cross-border paperless trade. The assessment was conducted into the two directions, the assessment of legal readiness and the assessment of technical readiness of the relevant governmental institutions in Georgia. The structured questionnaires were designed and used for interviews with the 25 representatives of the Governmental agencies, representatives of the business associations, representatives of the forwarder companies, and other stakeholders.

The results of technical readiness assessment shows that the Georgian Revenue Service, which is the main governmental organization for trade compliance and facilitation, has implemented systems that are able to exchange electronic documents - the E-customs "ASYCUDA" and "TAIS" tax administration information system (in house made). Some trade documents are already exchanged electronically with several other countries, such as Turkey, Ukraine, Armenia. However, certain types of documents, including SPS certificate, Veterinary certificate, permits and licenses, should be provided as hard copies to the customs authority (border checkpoints or customs clearance zones). While both systems mentioned are well-functioning, they can be further improved, including for their interoperability with international paperless trade systems by adopting relevant international standards and guidelines.

Figure. Cumulative implementation score of core groups of trade facilitation measures, 2021



Note: Maximum possible implementation score is 100.

Source: United Nations Global Survey on Digital and Sustainable Trade Facilitation, untfsurvey.org, 2021

The results of legal readiness assessment reveals that some aspects of the paperless trade system are strongly supported by the legal framework, though there are some remaining challenges. In general, Georgian legal framework is favorable for electronic transactions, even though there is no designated law regulating this topic, other laws and secondary legislation. For example, Civil Code of Georgia defines that parties can determine the form of transaction. In addition, Order of the Minister of Finance defines that communication (including declaration) between the RS and taxpayer can be done electronically online, using the official website. Georgian legislation is based on the European Union legal framework and specifically is aligned with the Regulation No 910¹. Law of Georgia on Electronic Document and Electronic Trusted Services was adopted in 2017, which defines the legal basis for the use of electronic documents, electronic signatures and electronic trust services. According to the Law, electronic signatures have the same legal effect as handwritten signatures.

The report presents recommendations for further improvements of Georgia's readiness in cross-border paperless trade. Technical recommendations include designing and conducting comprehensive awareness-raising campaign on paperless trade, increasing integration and compatibility between existing e-custom, e-port and e-railway programs in order to eliminate delay time for the customs procedures, developing a plan and timeline to implement paperless transactions at the national level in line with the international standards, etc. Legal recommendations include accession to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific as soon as possible, establishing rights and obligations of the single window users, accession to the United Nations Convention on the Use of Electronic Communications in International Contracts, etc.

All the findings and recommendations were transposed as the action plan, which was also presented in the report. The action plan features a list of specific actions as well as relevant time frame for implementation of those actions. The recommendations and the action plan were reviewed by the National Committee on Trade Facilitation of Georgia in the National Consultation on Georgia's Readiness Assessment in Cross-border Paperless Trade, which was held on 15 December 2021.

Findings of the readiness assessment presented in this report bear much importance for further improvement and development of paperless trade systems in Georgia. They are also expected to play crucial role for further development of single window concept in Georgia and help relevant Government agencies in carrying out trade facilitation reforms, which can additionally decrease required resources for conducting international trade transactions.

¹ Regulation No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC. Text is available on: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0910&from=EN>

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Abbreviations

API	application programming interface
ASYCUDA	The UNCTAD Automated System for Customs Data
CIS	Commonwealth of Independent States
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
EFTA	European Free Trade Association
ESCAP	Economic and Social Commission for Asia and the Pacific
GUAM	Organization for Democracy and Economic Development-GUAM
HS codes	harmonized system codes
HTTPS	Secure Hypertext Transfer Protocol
ICT	information and communications technology
IP	Internet protocol
IPR	intellectual property rights
ISO	International Organization for Standardization
MLPS	multiprotocol label switching
NSW	National Single Window
OECD	Organisation for Economic Co-operation and Development
REST	representational state transfer
SFTP	secure file transfer protocol
SIEM	security incident and event management
SOAP	simple object access protocol
SPS certificate	sanitary and phytosanitary certificate
TIR	Transports Internationaux Routiers, International Road Transport
UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Conference on Trade and Development
UNESCO	United Nations Educational, Scientific and Cultural Organization
VAT	value added tax
VPN	virtual private network
WCO DM	World Customs Organization Data Model
WTO	World Trade Organization

I. Introduction

This document provides a comprehensive assessment of cross-border paperless trade in Georgia. In particular, the report covers the results of an assessment of technical and legal aspects of international trade transactions on the basis of electronic data and documents – as opposed to paper-based data and documents. In parallel to the assessment of the existing paperless trade system, this document also includes recommendations and action plan for further development of the existing system in order to facilitate the international trade of the country.

The assessment was conducted by a team of national experts under substantive guidance by international legal and technical experts, following readiness checklists developed by the Economic and Social Commission for Asia and the Pacific (ESCAP) Interim Intergovernmental Steering Group on Cross-Border Paperless Trade Facilitation, of which Georgia is a member.

A national consultation on facilitating cross-border paperless trade was organized by the Georgia National Committee on Trade Facilitation, in cooperation with the Georgia Revenue Service and ESCAP to verify the findings of the assessment and prepare an action plan. The team of national experts conducted more than 18 interviews with representatives of the governmental bodies involved in international trade, including interviews with members of the National Committee on Trade Facilitation, such as representatives of business associations, the association of forwarders and bank associations.

II. Trade facilitation and implementation of the paperless trade system in the Georgia

Liberalization of international trade has been one of the key objectives of the economic policy of Georgia in recent years. Over the past decade, Georgia has been streamlining its internal trade policy by signing free trade agreements; the country engages in free trade with the European Union; the European Free Trade Association (EFTA); the United Kingdom of Great Britain and Northern Ireland; China, Hong Kong; Turkey and member countries of the Commonwealth of Independent States (CIS) countries. As a result of reforms carried out by the Government of Georgia, the country is pursuing one of the most liberal foreign trade policies in the world, which includes a facilitated foreign trade regime and customs procedures, low import tariffs and minimal non-tariff regulations.

The basic objectives of the trade policy are the following:

- Integrate the country into the world economy, including through the implementation of World Trade Organization (WTO) membership obligations and obligations under other international agreements;
- Liberalized trade, including simplify export and import procedures and tariff and non-tariff regulations;
- Diversify trade relations by establishing preferential regimes with main trade and regional partner countries;
- Enhance transparency in the policy-making process.

In parallel to those reforms, Georgia is continuing efforts to digitize customs procedures and make various adjustments to its legal framework to further simplify procedures and to approximate its customs (and tax) legislation with that of the European Union, as provided in the Deep and Comprehensive Free Trade Area. Georgia has adopted, for example, a new customs code.

Customs procedures are governed mainly by the country's tax code, new customs code, and Ministerial Order No. 257 on "the approval of instructions on the movement and registration of goods on the customs territory". The customs code and Ministerial Order No. 257 were entered into force in September and August 2019, respectively. These legal instruments are complemented by other customs-related laws, including the new Law on Border Measures Related to Intellectual Property Rights, which entered into force in February 2018.

The objective of the new customs code is to promote the modernization of customs infrastructure, the simplification of procedures and the digitalization of customs services. It was elaborated based on the obligations undertaken by Georgia within the scope of the Georgia-European Union association agreement and builds on the provision of the Union Customs Code.

The Georgia Revenue Service, under the Ministry of Finance, is the country's tax and customs authority. It is responsible for implementing the customs and tax codes and

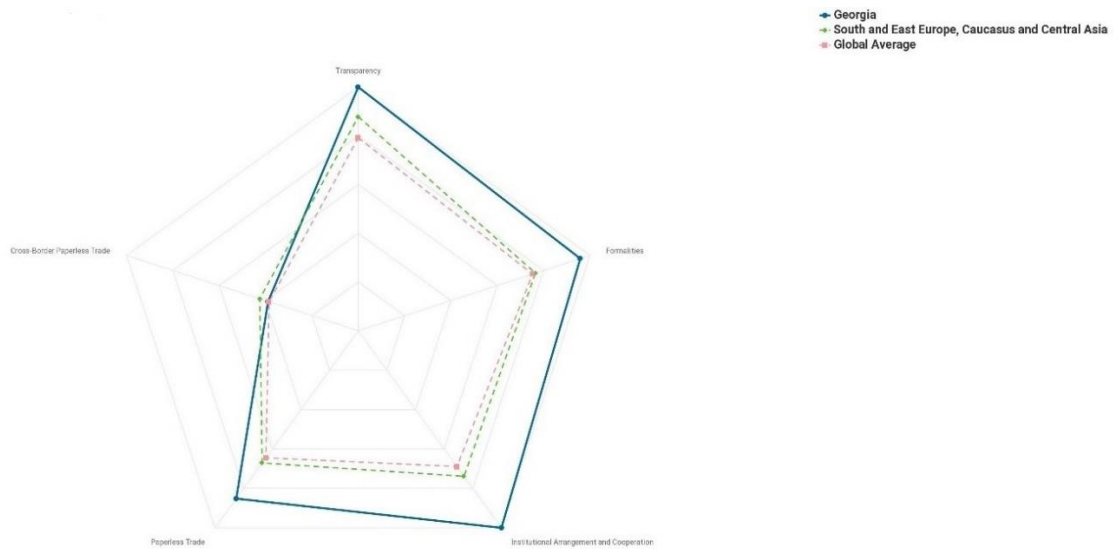
carry out customs operations. The Georgia Revenue Service administers nine types of customs regimes – known as procedures under the customs code – classified according to three categories: import (or release into free circulation); export; and special import procedures. Special import procedures comprise: (a) transit; (b) customs warehouse; (c) free zone; (d) temporary admission; (e) end-use; (f) internal processing; and (g) outward processing, which may provide duty and tax benefits to their users under certain conditions. Under the new customs code, re-export is no longer considered as a customs procedure per se, and it benefits from a simplified declaration procedure.

To import, the requirements have essentially been the same for the past decade. To import goods for commercial purposes into Georgia, the following documents must be submitted: (a) a customs declaration; (b) a commercial invoice; and (c) a transport document (bill of lading or waybill). These documents are submitted along with the payment of the relevant import duty and taxes (VAT), and excise tax, if applicable, and any other additional document when applicable, for example a sanitary and phytosanitary (SPS) certificate, import license/permit or certificate of origin if the application is for a preferential regime. Importers may choose to fill the customs declaration themselves (acting on their own behalf) or engage the services of a professional customs broker, but there is no obligation in this regard. Customs brokers must be persons established in Georgia (namely, citizens of Georgia and/or persons registered in Georgia as taxpayers). This requirement can be waived if the customs broker is hired to conduct procedures related to the transit or temporary admission of goods.

Georgia has continued to become a party to various customs and trade related agreements and conventions with the aim of facilitating trade. In 2016, Georgia ratified the WTO Trade Facilitation Agreement. At the time of ratification, approximately 92 per cent the Trade Facilitation Agreement obligations had been already implemented. The full implementation of its commitments under the Trade Facilitation Agreement was achieved in 2019, upon establishing the National Committee on Trade Facilitation to oversee the implementation of the Agreement and advise the Government on trade facilitation matters.

In November 2018, Georgia also acceded to the Revised Kyoto Convention administered by the World Customs Organization on the simplification and harmonization of customs procedures. Georgia is also planning to accede to the European Union Convention on a Common Transit Procedure, and the Convention on the Simplification of Formalities in Trade in Goods.

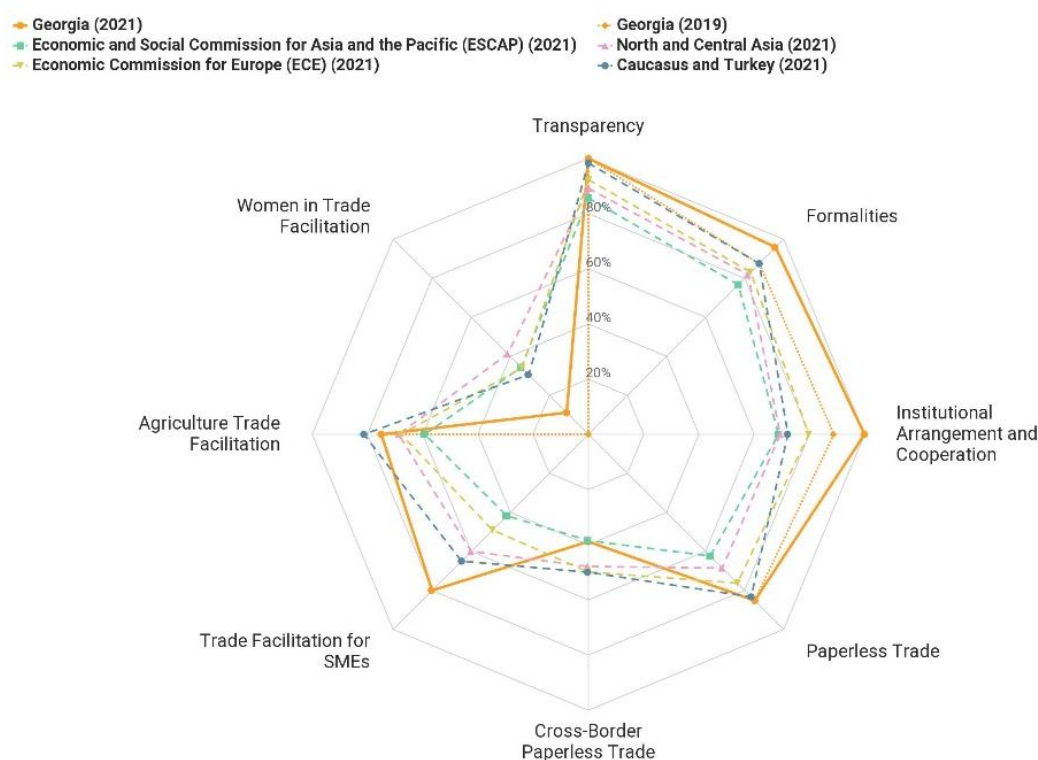
Figure 1. Georgia implementation of trade facilitation measures in 2021



Source: United Nations Global Survey on Digital and Sustainable Trade Facilitation, "Compare economies on measures of interest, 2021. Available at <https://www.untfsurvey.org/compareeconomies?id=GEO&year=2021&op=1&group=17%2C24&measures=default>.

Progress made by Georgia regarding trade facilitation and paperless trade is recognized by different international organizations through published surveys and data. One comprehensive source of information in this area is the United Nations Global Survey on Digital and Sustainable Trade Facilitation. According to these data, Georgia is one of the best performers in carrying out paperless trade in the world.

Figure 2. Georgia implementation of trade facilitation measures in 2021



Source: United Nations Global Survey on Digital and Sustainable Trade Facilitation, "Compare economies on measures of interest, 2021. Available at <https://www.untfsurvey.org/compareeconomies?id=GEO&year=2021&op=1&group=17%2C24&measures=default>.

Analysing the data used for the World Bank annual international ranking on doing business can help provide a more comprehensive and diverse picture of the trade system of Georgia and how it operates. According to the provided information, Georgia is ranked number 45 among 190 economies in the component covering trade across borders. The information indicates that in 2020, Georgia requested four documents for the export of goods from the country and five documents for imports.

Table 1 – List of required documents for exports and imports	
Export	Import
Commercial invoice	Commercial invoice
Customs Export Declaration	Bill of lading
CMR waybill	CMR waybill
Certificate of origin	Customs Import Declaration
	SOLAS certificate

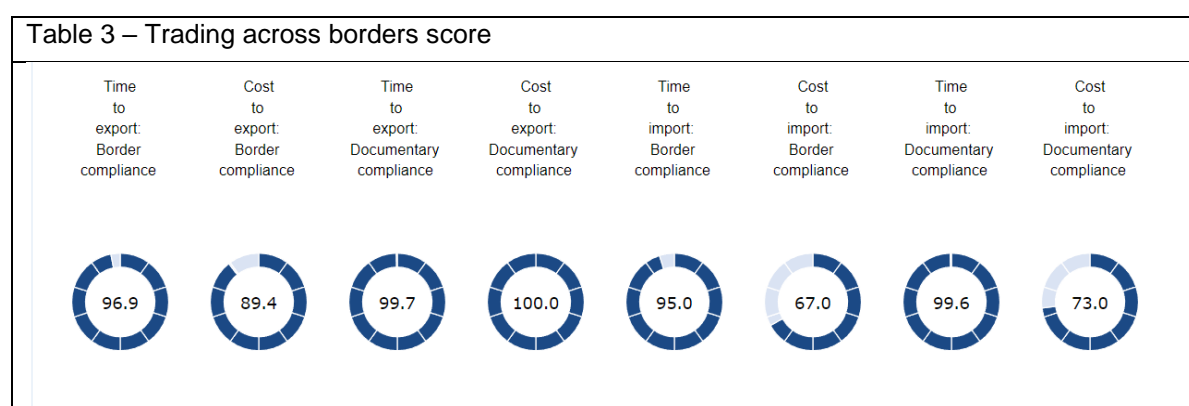
Source: World Bank, "Doing business, measuring business regulations, trading across borders", 2020. Available at <https://archive.doingbusiness.org/content/dam/doingBusiness/country/q/georgia/GEO.pdf>, p. 49.

The report provided comparison data between the time and the fees related to custom clearance procedures.

Table 2 – Time to complete customs clearance procedures and associated costs		
Export	Time to Complete (hours)	Associated Costs (USD)
Export: Clearance and inspections required by customs authorities	1.0	100.0
Export: Clearance and inspections required by agencies other than customs	0.0	0.0
Export: Port or border handling	5.0	12.0
Import: Clearance and inspections required by customs authorities	5.8	150.0
Import: Clearance and inspections required by agencies other than customs	0.0	0.0
Import: Port or border handling	15.0	246.4

Source: World Bank, "Doing business, measuring business regulations, trading across borders", 2020. Available at <https://archive.doingbusiness.org/content/dam/doingBusiness/country/g/georgia/GEO.pdf>, p. 46.

The overall assessment of the Georgian trade system in the report is quite good, but it did indicate that was room for improvement. The assessment, which was based on eight criteria and according to the methodology, which can be different from the methodology used by ESCAP for analysis in this report, shows that the trade system requires some improvements in the area of cost to import with respect to border compliance and documentary compliance.



Source: World Bank, "Doing business, measuring business regulations, trading across borders", 2020. Available at <https://archive.doingbusiness.org/content/dam/doingBusiness/country/g/georgia/GEO.pdf>, p. 46.

The report also provides comparisons of the required amount of time and the cost of the international trade procedures in Georgia with similar procedures of member countries of the Organisation of Economic Cooperation and Development (OECD) and European countries that are not members of OECD; results show that in some cases, the trade system of Georgia is more competitive and operates at a quicker pace.

Table 4 – Time to complete customs clearance procedures and associated costs				
Indicator	Georgia	Europe & Central Asia	OECD high income	Best Regulatory Performance
Time to export: Border compliance (hours)	6	16.1	12.7	1 (19 Economies)
Cost to export: Border compliance (USD)	112	150.0	136.8	0 (19 Economies)
Time to export: Documentary compliance (hours)	2	25.1	2.3	1 (26 Economies)
Cost to export: Documentary compliance (USD)	0	87.6	33.4	0 (20 Economies)
Time to import: Border compliance (hours)	15	20.4	8.5	1 (25 Economies)
Cost to import: Border compliance (USD)	396	158.8	98.1	0 (28 Economies)
Time to import: Documentary compliance (hours)	2	23.4	3.4	1 (30 Economies)
Cost to import: Documentary compliance (USD)	189	85.9	23.5	0 (30 Economies)

Source: World Bank, "Doing business 2020 – Economy profile: Georgia, Comparing business regulations in 190 countries", 2020. Available at <https://www.doingbusiness.org/content/dam/doingBusiness/country/g/georgia/GEO.pdf> annual international ranking doing business 2020.

In other chapters of this report, a detailed analysis of the Georgian paperless trade system according to the questionnaire developed by ESCAP and relevant findings and the recommendations are presented.

III. Technical readiness for cross-border paperless trade: Key findings

Key findings on the technical readiness of Georgia for cross-border paperless trade are summarized below. They are presented following a discussion on the structure of the technical readiness checklist adopted by the Legal and Technical Working Group of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation. The completed checklist, which contains further details and elaborations, is available in annex III.

The findings indicate the level of technical readiness in Georgia for cross-border paperless trade is quite good. The country recognizes the importance of paperless trade domestically and across borders and has made progress in many areas towards digitalization of trade procedures.

III.A. Paperless trade system at the national level

III.A.1. Institutional and Governance bodies

Georgia has demonstrated a strong commitment to implement paperless trade systems. The National Committee on International Trade Facilitation, established in 2019, oversees all aspects of trade facilitation falling under the auspices of the World Trade Organization Trade Facilitation Agreement. The Committee on International Trade Facilitation is comprised on governmental bodies, private sector representative associations and other organizations that are involved in trade-related procedures. Representation of the of the Committee is expected to be expanded to include more stakeholders and various organizations that have expressed interest to participate in it. The Committee is chaired by Ministry of Finance and the co-chair is elected by the members of the committee; the Georgia Revenue Service is tasked with secretariat functions.

III.A.2. Level of automation

Georgia has already implemented the National Single Window, which serves as the single gateway for receiving, processing and in some cases issuing customs-related documentation. E-customs “ASYCUDA” and “TAIS” tax administration information systems (in-house made) are used for all types of customs formalities, including, among them, customs declarations, certificates, licenses, permits, invoices and contracts.

Electronic documents are already being exchanged with several countries, such as with Armenia, Turkey and Ukraine. However, certain types of documents, such as SPS certificates, veterinary certificates, permits and licenses need to be provided as hard copies to the customs authority (border checkpoints or customs clearance zones). Both are connected to the central system.

Users can obtain access to the ASYCUDA and TAIS systems by submitting a written (including electronic) request to the Georgia Revenue Service. Hard copies are

required due to international agreements, such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and free trade agreements, and domestic legal requirements, such as those related to pharmaceutical products subject to special control. The system is fully integrated into the electronic payment and the customs authority does not accept cash payments. The payments are done through the financial institutions that are integrated into the system. Each day, financial institutions send payment data to the ASYCUDA and TAIS systems. All trade and tax-related data are collected in ASYCUDA or TAIS systems electronically, as the systems cover 100 per cent of the trade. The connection of the partners and stakeholders is through connected are connected through an application programming interface.

The system can authenticate users electronically. According to the Service Development Strategy of the Revenue Service for 2021–2024, the integration of face recognition in electronic services is prioritized and planned. The system ensures the data safety, as the documents are secured through digital authentication when accessing the system. Relevant protocols (HTTPS with TLS, SFTP, VPN, REST API, SOAP) are in place and followed.

In addition, airports, railway customs crossing points and road customs crossing points are all integral parts of the customs system. These are separate systems connected to the Georgia Revenue Service through application programming interface (APIs). The seaports administration system is being updated to comply with the best international practices and to ensure a high degree of connectivity with the customs systems in place. The system unites air, road and rail ports and can issue electronic documents. However, the seaports are not integrated into the system. There is a separate port community system. For customs and border control purposes, the seaports submit information through the Cargo Targeting System, while API is used for exchanging data on trade. Data, trade and transportation documents can be exchanged electronically among ports, shipping lines and freight forwarders.

There is some level of integration between the systems. However, the port community system model is not aligned with international standards.

Among the types of documents exchanged are railway electronic registration forms that include information related to railway containers carrying goods subject to customs control, such as information on consignee/consignor, HS codes and gross weight. In particular, the following information and documentation is provided from the railway and the ports through the system.

From ports: container number; the type of Container; visit number of the vessel; proof of delivery; category (export/import); weight; warehouse code; line = string. empty; and seals.

From the railway: number of documents – Doc N; Sr; WayN; DocTypeID; StationIn; StationOut; CustomerSender; NameCustomerSender; CustomerReceiver; NameCustomerReceiver; VanN; Sufx; KonN; Tare; Weight; code of Goods; GoodsName; Doc Id; Vagon Id; and Cont Id.

Similar to the customs system, the seaport system can authenticate users electronically. An electronic payment system is integrated into all systems for customs purposes, as an E-banking system is in place.

The electronic solution handles all customs-related processes and the majority of all permits, certificates and licenses that may be requested at the border. Only hard copies of SPS and rules of origin certificates are used. Work is ongoing to develop a more integrated solution to allow for the increasing number of operations to be handled by an electronic solution.

The system ensures a high level of data security, as privacy is protected by standard procedures; access by administrators is logged in through the host operating system management centre, and stored in encrypted form in the SIEM (security incident and event management) system, whose data cannot be changed. Only the information security engineer has access to the SIEM system.

To date, the following ministries and organizations are connected to the single window system: Ministry of Internal Affairs; Ministry of Defense; Ministry of Displaced Persons from the Occupied Territories; Ministry of Health, Labour and Social Affairs; Ministry of Culture, Sports and Youth; Ministry of Environment Protection and Agriculture; Georgia Revenue Service; Chamber of Commerce and Industry. The Georgia Revenue Service serves as the operator of the system.

Full integration of seaports and consultations on unified trade systems (within the framework of EU4Digital and other initiatives) to cover wider areas of trade, such as B2B and B2G) is ongoing.

III.A.3. Information and communication technology infrastructure

Georgia recognizes that good information and communications technology (ICT) infrastructure is an essential element of an efficient paperless trade system. Accordingly, network service is available at all of the country's border posts, including ports, airports and cargo clearance facilities.

Information security is provided by McAfee Security System. It consists of several components, including a network sensor, login, web protection, servers, computer protection, malware detection and neutralization, correlation between information security incidents and messaging functions. (McAfee Endpoint modules: McAfee Agent; McAfee TIE; Endpoint Security; threat prevention, FIREWALL; adaptive threat protection, active response and DXL, McAfee Web Security, McAfee Web Anti-Malware, McAfee Ent Sec Manager SIEM, McAfee Event Receiver, McAfee EL, EP McAfee Threat Def and Resp).

Users with administrator rights go through two-factor (CISCO DUOS) software to log into the system. The account is opened on the basis of a permit by a representative of the operations department of the service on the basis of a relevant legal act or receiving an email from an authorized person.

The system provides a high availability rate of minimum 99.9 per cent in terms of the service level agreement for trade data exchange in paperless environment and supports various communication protocols (HTTPS with TLS, SFTP, VPN, REST API, SOAP). It guarantees secure information exchanges that ensure confidentiality and data integrity as dedicated network infrastructure separating from the open-public network for some sensitive connectivity.

The system is designed to take into account future requirements, such as device and technology upgrades. Accordingly, all updates and upgrades in ASYCUDA are done by the service provider (United Nations Conference on Trade and Development (UNCTAD) and TAIS is the Oracle database, which is updated regularly by the Georgia Revenue Service. The frontend of TAIS is web-based.

The single window system unites e-customs, e-licenses, e-permits and e-certification. The National Single Window is connected to most of the governmental agencies and financial institutions and includes approximately 300 services. For example, through the National Single Window, data on companies, border-crossing data, exchange rates, traffic monitoring cameras, land registration data and public registry data can be accessed. The National Single Window can integrate, interface and/or interoperate with other existing heterogeneous systems and can be integrated into other systems via APIs.

III.A.4. Security

Security of the information technology system that manages the electronic data is vital to encourage users to replace paper-based documents with electronic information. The Georgia Revenue Service has an active information security policy, approved by the head of the Georgia Revenue Service and the Ministry of Justice authorized entity. Outlined in the policy are an information security management system framework within the entity, a risk-based approach to be employed, calls for continuous improvement of the information security management system and detailed responsibilities of the information security team, information security board members and general employees in implementing and following the policy. The security systems in place are based on best practices of information technology security protocols.

III.A.5. Business process re-engineering

Georgia has re-engineered all relevant procedures to support the paperless trade environment; this includes customs clearance and information collection formalities and other related processes. At the agency level, re-engineering was conducted with the Georgia Revenue Service while at the national level the list includes the Ministry of Internal Affairs, the Ministry of Defense, the Ministry of Internally Displaced Persons from the Occupied Territories, the Ministry of Labour, Health and Social Affairs, the Ministry of Culture, Sports and Youth, the Ministry of Environment Protection and Agriculture, the Georgia Revenue Service and the Chamber of Commerce and Industry. As a result, the country has partially implemented some forms of electronic trade and paper transactions co-exist. B2B transactions can be fully paperless, while related customs formalities need to be carried out through a mix of paperless and paper-based documents, subject to regulatory provisions and the trading countries.

A vast majority of transactions require two types of documents – invoices and transportation waybills, which can be submitted electronically through the National Single Window. For requirements related to SPS and CITES, paper-based documents are required by the Georgia Revenue Service. Development of business process models (process maps) for the selected services, re-planning and optimization of service processes if necessary are included in the Service Development Strategy of the Revenue Service for 2021–2024.

III.A.6. Data harmonization and standardization

Data harmonization and standardization have been partially conducted for the data elements for paperless trade. The existing systems at the agency level are separated into two groups, custom administration and seaports. All stakeholders are harmonized among these two systems. The systems are not aligned with any international standards, such as WCO DM. However, all the data are collected, processed, exchanged and stored using standardized interagency forms. A tax Identification number is a common data parameter, which enables all agencies to exchange the data.

At the national level, all data from agencies excluding the seaports, have been harmonized. However, Georgia has not adopted a model based on international standards or guidelines, such as the United Nations Rules for Electronic Data Interchange for Administration, Commerce and Transport, the United Nations Code for Trade and Transport Locations, the Core Component Technical Specification, core component library or the World Customs Organization Data Model. To date, the process is predominantly navigated through ad hoc solutions, if required.

III.A.7. Capacity building

Many trainings have been held to raise awareness on relevant changes in paperless trade matters, including those governing customs formalities. Relevant Georgia Revenue staff receive the necessary information and trainings required for the operation of the system from the administration's perspective. Ad hoc trainings for users of the system are also being conducted.

III.A.8. Other matters

Generally, computer literacy in the trading community is quite high. Reforms were initiated by the Government and a top-down approach was used. Acceptance towards changes was also high, as many trade-related processes were simplified.

Currently, engagement of the trade community in reforms is higher and formal processes are in place to raise awareness and readiness related to new business processes.

III.B. National status towards cross-border data exchange

III.B.1. Electronic systems and the Single Window system

Georgia has implemented a single window system. The above-mentioned customs system (see section A) is used for cross-border data exchange. Electronic documents are exchanged with several countries such as Armenia, Turkey and Ukraine. Notably, however, in parallel, hard copies of documents are also required at border checkpoints.

III.B.2. Business process re-engineering

In parallel to implementation of paperless transactions at the national level, as mentioned in section A, re-engineering and streamlining of business processes have also been conducted to support cross-border data exchange. It includes customs clearance and information collection formalities as well as other related processes. Electronic documents are already being exchanged with several countries such as Armenia, Turkey and Ukraine.

Data harmonization and standardization specifically for customs purposes is applicable on an ad hoc basis. Further standardization and harmonization initiatives are being evaluated, while keeping in mind the specific demands of the region and relevant information technology capacities.

III.B.3. International transit

Georgia has implemented a paperless customs declaration for national transit operations, while one for international transit is not yet in place. The country plans to apply for the World Customs Organization Cargo Targeting System (CTS) solution in 2023.

The country also not yet implemented a one-stop inspection system by all controlling agencies at the borders at the time of exit/export. Projects aimed at the exchange of inspections results are under way with several partner country customs administrations.

III.B.4. Awareness programme

Ad hoc events are being held to raise awareness on relevant changes, including those governing customs formalities in paperless trade matters. Plans are being elaborated for a more specific approach to this, taking into account the current status of several projects aimed at increasing the level of e-integration.

III.B.5. Other matters

Georgia implemented the Authorized Economic Operator scheme in 2019. The country is ready to sign mutual recognition agreements for authorized economic operators. Negotiations are under way with China and Turkey, and consultations have been initiated with the European Union and the Hong Kong, China.

The Georgia Revenue Service is willing to support and participate in undertakings aimed at the simplification of cross-border trade procedures, including customs data exchange, provided all national and international obligations are met.

Georgia is considering cross-border data exchange for the following documents:

- (a) Customs transit declaration
- (b) Permits and licenses
- (c) Certificate of origin (preferential)
- (d) Invoice
- (e) Bill of lading

IV. Legal readiness for cross-border paperless trade: Key findings

Key findings on the legal readiness of Georgia for cross-border paperless trade are summarized below. They are presented following the structure of the legal readiness checklist adopted by the Legal and Technical Working Group of the Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation. The completed checklist, which contains further details and elaborations, is available in annex IV.

IV. A. Electronic transactions and signatures law

IV.A.1. Electronic transactions

The Georgian legal framework is conducive to carrying out electronic transactions. Even though there is no designated law regulating this topic, other laws and secondary legislation provide sufficient support for them. For example, the Civil Code of Georgia provides that parties can determine the form of the transaction.² In addition, an order of the Minister of Finance says that communication (including a declaration) between the Georgia Revenue Service and a taxpayer can be done electronically online, using the official website of the Georgia Revenue Service – www.rs.ge.⁴ The country's legislation is based on the European Union legal framework and specifically is aligned with European Union Regulation No 910 (the e-IDAS regulation).⁵

In general, under Georgian legislation, legal recognition requirements towards electronic transactions between third parties (B2B) are not imposed. On the other hand, a form of verification for trade-related governmental services is required. This may include electronic signatures or electronic seals.

Equivalence between the paper and electronic documents is established by the legislation.⁶ The law states that an electronic document may be used in all cases when a written tangible document is requested, unless otherwise provided by law. In addition, an electronic copy of a tangible document has the same legal force as the original, if it is signed in accordance with the requirements of the Georgian legislation. Contracts that lead to customs or tax-related formalities can be provided to the Georgia Revenue Service in either electronic or paper-based forms. Economic

² Civil Code of Georgia, Article 68. The English version of the document is available at <https://matsne.gov.ge/en/document/view/31702?publication=115> 11.

⁴ Order of the Minister of Finance of Georgia #996 on Administering the Taxes, Article 11.

⁵ Regulation No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC. Text is available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0910&from=EN>

⁶ Law of Georgia on Electronic Document and Electronic Trusted Services, Article 4. An English version of the document is available at <https://matsne.gov.ge/en/document/view/3654557>

operators are obligated to retain paper documents (these may include printouts, or original paper-based contracts that were scanned and submitted to the Georgia Revenue Service for three years after the end of the calendar year for which the document is necessary to determine the tax liability. Documents created and submitted electronically through the Georgia Revenue Service website and documents created and sent electronically by the Georgia Revenue Service do not require a signature of authorized persons and have the same legal validity as paper-based documents with a personal signature and stamp.

In certain cases, however, only paper documents can be used when interacting with the Governmental bodies. These documents include SPS certificates and certificate of origin, as well as permits issued under CITES.

IV.A.2. Electronic communication

Communication between the taxpayers and the Georgia Revenue Service can be either electronic or paper-based. The transition to electronic communication is carried out on the basis of a video call made by the taxpayer or a written application.

Electronic communications at an inter-agency level between governmental entities are conducted through the special portal known as “Joint Electronic System for Permits, Licenses and Certificates”. This system accepts and issues documents electronically. In addition, an electronic system for communication between the Georgia Revenue Service and the Market Surveillance Agency under the Ministry of Economy and Sustainable Development also has been established.⁷

A system is in place to exchange electronic proofs of origin with certain countries, for example with China. It is currently being piloted with Azerbaijan, Moldova and Ukraine under the GUAM Organization for Democracy and Economic Development framework. Provisional application of the documents due to COVID-19 measures with the European Union/European Free Trade Association countries is also being piloted.

IV.A.3. Electronic signatures and trust services

The Law of Georgia on Electronic Document and Electronic Trust Services was adopted in 2017. Under the Law, the legal basis for the use of electronic documents, electronic signatures and electronic trust services is defined. According to the Law, electronic signatures have the same legal effect as handwritten signatures.

Several types of signatures are identified under the Law:

- Electronic signature – a set of electronic data that is attached to or logically linked with an electronic document and is used for signing the electronic document;
- Advanced electronic signature – an electronic signature that is exclusively linked to the signatory can be used to identify the signatory, is created by means of electronic signature creation data that may be used by the signatory with sole control and with a high level of confidence and is attached to the signed data in

⁷ Joint order of the Minister of Finance of Georgia and Minister of Economy and Sustainable Development of Georgia №166 – №1-1/317 on approval of the forms of prior notification of import of the product defined by the technical regulations and the rules of their filling / confirmation. Georgian version of the document is available at <https://matsne.gov.ge/ka/document/view/5212690?publication=0>

a manner which enables the detection of any subsequent amendments made to them;

- Qualified electronic signature – an advanced electronic signature that is created by using an electronic signature creation device, on the basis of a certificate for qualified electronic signature.

If a natural person or a legal entity under private law uses an electronic form of communication with administrative bodies and submitted documents require a signature or a seal, or both, it is mandatory to put a qualified electronic signature or a qualified electronic seal on the document. A certificate for a qualified electronic signature must have an advanced electronic signature of a qualified trust service provider. On the other hand, use of qualified electronic signatures is not mandatory within different units of administrative bodies. In these cases, electronic documents and electronic signatures are sufficient and have the same legal force as tangible documents and handwritten signatures.

The Law also provides that qualified trust services of organizations operating abroad or international organizations have the same legal force as qualified trust services operating in Georgia, if the country has entered into a relevant international agreement on the recognition of the qualified trust services. Currently there are no agreements in force, but negotiations with the Eastern Partnership and European countries are ongoing.

IV.A.4. Privacy and data protection

The Law of Georgia on Personal Data Protection defines the meaning of personal data and determines the legal grounds for its protection.⁸ It spells out the rules of data processing and the rights and obligations of the data controller, data processor and, data subject, among others. In addition, under the Law, the rules related to data transfer to other States and/or international organizations are specific. It should be noted that the Law is based on international standards. In particular, it complies with the European Union Directives and the 1981 Council of Europe Convention for the Protection of Individuals with regard to the automatic processing of personal data that has been in force in Georgia since 2006.

Chapter VI of the Law gives procedures related to the transfer of the data to other States and international organizations. The data may be transferred if there are grounds for data processing under the Law and if appropriate data protection guarantees are provided by the respective States or international organizations. Additionally, data may also be transferred if it is part of a treaty or an international agreement or a data processor provides appropriate guarantees for the protection of data and of fundamental rights of a data subject on the basis of an agreement between a data processor and the respective State, a natural or legal person of this State or an international organization. The list of countries with appropriate data protection guarantees is officially adopted.⁹ When transferring tax secret abroad, the process

⁸ Law of Georgia on Personal Data Protection, Article 2. English version of the document is available at <https://matsne.gov.ge/en/document/view/1561437?publication=22>

⁹ Order of the Personal Data Protection Inspector #11 on the approval of the list of countries with appropriate guarantees of personal data protection. A Georgian version of the document is available at <https://matsne.gov.ge/ka/document/view/5272580?publication=0>.

must comply with international agreements or arrangements of Georgia (the list is available on the Georgia Revenue Service website).

Provisions related to data protection are incorporated in international agreements to which Georgia is a party. For example, readmission agreements (including the Agreement between the European Union and Georgia on the readmission of persons residing without authorization), the 1981 Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and also other international bilateral agreements that are related to data exchange, contain provisions regarding protection of personal data.

Currently the legislation does not contain any requirements on data localization. International agreements (such as the one with Azerbaijan) allows usage of blockchains for data exchange, such as certificate of origin. Internal legal texts in Georgia that are required for data localization are being developed.

Under the Law of Georgia on Personal Data Protection (Article 17(2) and Article 19, a data controller is obliged to ensure registration of all operations performed in relation to electronic data. When processing non-electronic data, a data controller must register all operations with respect to disclosure and/or alteration of data. Also, the data controller must keep a filing system catalogue for each filing system and to register the information, which is defined in Article 19.

Georgian legislation does not explicitly determine any special rules on privacy and data protection for paperless trade. Under the General Administrative Code of Georgia, the meaning of commercial information and requirements for its protection are provided.¹⁰ This article, however, does not explicitly refer to commercial information in electronic form. Under the Criminal Code of Georgia, the grounds for criminal liability in Cybercrime are laid out.¹¹ Accordingly, these rules apply to cybercrimes committed in connection with paperless trade. In addition, general laws against fraud and misrepresentation apply to online activities.

IV.A.5. Data sharing

Information processed by the Georgia Revenue Service that does not allow identification of taxpayers is public. Under the country's tax code contains information on data collection, access, usage and sharing rules.¹² An exhaustive list of non-confidential tax and customs-related information is also included in the code. Any other information is treated as confidential and cannot be transferred to third parties, including governmental agencies. The Georgia Revenue Service has signed bilateral memoranda of understanding or joint orders with other governmental agencies on exchange of information.

¹⁰ General Administrative Code of Georgia, Article 272. An English version of the text is available at <https://matsne.gov.ge/en/document/view/16270?publication=33>.

¹¹ Criminal Code of Georgia, Chapter XXXV (articles 284 – 286). The definition of cybercrime includes unauthorized access to a computer system, illegal use of computer data and/or computer systems, interference with computer data and/or computer systems including for the financial gain and creating fake official computer data. An English version of the text is available at <https://matsne.gov.ge/document/view/16426?publication=235>.

¹² Tax Code of Georgia, Article 39. An English version of the text is available at <https://matsne.gov.ge/document/view/1043717?publication=175>

IV.A.6. Data retention and electronic evidence

Legal and physical persons are obliged to retain their customs and tax-related documents for three years. Commercial banks must retain all transaction-related documents in electronic format for at least 15 years.

Under the legislation, requirements for authorization of trust service providers are provided. Entities that intend to become a qualified trust service provider must obtain authorization from the legal entity under public law – the Digital Governance Agency operating under the Ministry of Justice of Georgia. The legislation does not favour the use of specific trust services or service providers for data retention.

The Georgia Revenue Service is the data custodian for tax and customs-related documents. In the case of ASYCUDA, data retention is part of the contract signed by the Georgia Revenue Service and UNCTAD. In addition, under the legislation, liabilities of trust service providers are given, which includes requiring them to compensate for any damage caused by the failure to fulfil the obligations.¹³ Service providers are exempted from liabilities when the damages result from *force majeure*. The Law on Information Security indicates that failure by the relevant State agencies (these are the first category critical information system entities) or legal persons (these are the third category critical information system entities), whose uninterrupted operation of the information system is essential to the defense and/or economic security of the State, as well as to the maintenance of State authority and/or public life to comply with the requirements related to hardware and / or software used for data acquisition, processing, storage and / or transmission as defined by the Resolution of the Government of Georgia results in a warning or a fine¹⁴. This provision entered into force on 30 December, 2021.

The Civil Procedure Code provides that electronic evidence is admissible in judicial proceedings if confirmed or verified by a digital signature¹⁵. The Law on Electronic Signatures and Trust Services provides that evidence of an electronic signature and/or electronic stamp may not be refused admission during administrative proceedings and court proceedings on the sole grounds that it does not meet the requirements for qualified electronic signature and or qualified electronic stamp established by the Law¹⁶. Currently electronic evidence generated, stored or collected abroad is acceptable only in criminal proceedings under the cybercrime provisions.

¹³ Law on Electronic Documents and Trust Services, Article 5.

¹⁴ Law on Information Security, Article 10(4). A Georgian version of the text is available at <https://matsne.gov.ge/ka/document/view/1679424?publication=5>

¹⁵ Civil Procedure Code, Article 134. An English version of the document is available at <https://matsne.gov.ge/document/view/29962?publication=134>.

¹⁶ Law on Electronic Documents and Trust Services, Article 3.

IV.B. Laws regarding paperless trade systems

IV.B.1. Establishment of a paperless trade system

The National Single Window became operational after being set up under the Decree of the Government of Georgia¹⁷. It is a national-level system. The Georgia Revenue is responsible for its maintenance. In total, six ministries participate in the system.¹⁸

The Decree imposes obligations on governmental agencies to ensure proper functioning of the single window. The agencies must issue documents through this system whenever requests are submitted through it. In parallel, paper-based communication is also accepted. Rights and obligations of the participants are not yet defined and general liability principles are found in the applicable law (such as the civil or criminal codes).

In addition to exchanging data through the National Single Window system within different ministries, international exchanges may be done. The exchanges are regulated by bilateral or multilateral agreements, such as those Georgia has signed with Belarus, China and Turkey. Information is exchanged through a VPN or any other secure means of encrypted data exchange with public and private keys.

IV.C. Cross-border aspects

IV.C.1. International agreements

The Association Agreement between Georgia and the European Union entered into force in 2016. It states that the Parties shall maintain a dialogue on regulatory issues raised by electronic commerce and address the following issues:¹⁹

- (a) Recognition of certificates of electronic signatures issued to the public and the facilitation of cross-border certification services;
- (b) Liability of intermediary service providers with respect to the transmission or the storage of information;
- (c) Treatment of unsolicited electronic commercial communications;
- (d) Protection of consumers in the ambit of electronic commerce;
- (e) Any other issue relevant for the development of electronic commerce.

Georgia is a member State of the Organization for Democracy and Economic Development– GUAM, established jointly by Azerbaijan, Georgia, Moldova and

¹⁷ Decree of the Government of Georgia N1018 on issuance of licenses, permits and certificates to be submitted on a one-stop basis during customs formalities. A Georgian version of the document is available at <https://matsne.gov.ge/ka/document/view/2379051?publication=0>.

¹⁸ They are the following: Ministry of Internal Affairs; Ministry of Defense; Ministry of Internally Displaced Persons from the Occupied Territories; Ministry of Labour, Health and Social Affairs; Ministry Culture, Sports and Youth; Environment Protection and Agriculture, Ministry of Economy and Sustainable Development. Also participating in the system are the Georgia Revenue Service and Chamber of Commerce and Industry.

¹⁹ Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, Article 128. The document is available at [https://eur-lex.europa.eu/legal-content/en/TXT/PDF/?uri=CELEX:22014A0830\(02\)](https://eur-lex.europa.eu/legal-content/en/TXT/PDF/?uri=CELEX:22014A0830(02))

Ukraine. Cooperation in the area of economy and trade and establishment of a free trade area among the GUAM member States are priorities of the organization.²⁰ The specific rules for electronic trade for GUAM have not yet been developed.

IV.C.2 International standards and guidelines

Georgia is a party to the following trade facilitation agreements:

- (a) WTO Trade Facilitation Agreement. The Agreement includes provisions requiring WTO members to accept e-payments and electronic versions of certain documents and articles on border agency cooperation and customs cooperation and promotes a single window or entry point;²¹
- (b) Revised Kyoto Convention. Under the Convention, several key principles are elaborated, including, among them, standardization and simplification of the goods declaration and supporting documents, maximum use of information technology and coordinated interventions with other border agencies;²²
- (c) International Convention on the Harmonization of Frontier Controls. Parties to the Convention commit to streamlining administrative procedures at borders and reducing the number and duration of controls carried out by customs authorities;²³
- (d) Convention on the Contract for the International Carriage of Goods by Road. The Convention governs the contractual relations for the international carriage of goods by road between the sender, the carrier and the consignee;²⁴
- (e) Customs Convention on the International Transport of Goods under Cover of TIR Carnets. The TIR transit system is founded on five main principles, two of which are the mutual recognition of customs controls and controlled access to use the system;²⁵
- (f) Convention on the International Trade in Endangered Species (CITES). Under the Convention types of certificates and permits required for trade in specimens of species are defined.²⁶

²⁰ GUAM Sectoral Cooperation Development Strategy is available at <https://guam-organization.org/en/guam-sectoral-cooperation-development-strategy/>

²¹ Information about Georgia is available at <https://tfadatabase.org/members/georgia/pdf>

²² Information about Georgia's accession to the Treaty is available at <http://www.wcoomd.org/-/media/wco/public/global/pdf/about-us/legal-instruments/conventions-and-agreements/contracting-parties-and-instruments/georgia/pg0286b1-notification-by-georgia.pdf?la=en>

²³ Information about the signatories of the Treaty is available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-A-17&chapter=11&clang=_en

²⁴ Information about the signatories of the Treaty is available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-B-11-a&chapter=11&clang=_en.

²⁵ Information about the signatories of the Treaty is available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-A-16&chapter=11&clang=_en.

²⁶ Information about the accession of Georgia to the Treaty is available at <https://cites.org/eng/parties/country-profiles/ge>.

IV.D. Other considerations

IV.D.1 Liability issues

Article 1005 of the Civil Code defines liability of the State for damages inflicted by State employees and public servants. Liability occurs if State employees or public servants breach official duties in relation to other persons intentionally or by gross negligence. The Administrative Offences Code of Georgia also defines that an administrative offence (infraction) shall be an unlawful, culpable action or inaction (whether intentional or negligent) that violate the rules established to protect the State or public order, property, rights and freedoms of citizens, the established rule of governance, and for which the legislation prescribes an administrative liability.²⁷ If the result of negligence is qualified as a criminal offence, it falls under the Criminal Code of Georgia and is a punishable offence²⁸. In this case, both the employee and the State are liable. The liability for damages does not arise if the affected person did not try, intentionally or by gross negligence, to avert the damage.

In Article 5 of the Law on Electronic Documents and Trust Services, it is stated that trust service providers must compensate the affected persons for any damages caused by their failure to fulfil their obligations, unless the damages are resulted by force majeure.

IV.D.2 Dispute settlement

The Law of Georgia on Private International Law allows disputing parties to choose the dispute resolution forum (place) and the applicable law.²⁹ In addition, if the case is not under exclusive international jurisdiction according to Article 10, parties may choose the court of trial.

Georgian legislation recognizes and guarantees alternative dispute resolution. Since 1994, Georgia has been a party to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards. Alternative resolution in Georgia is mainly regulated under the Law of Georgia on Arbitration³⁰ and the Law of Georgia on Mediation³¹. The Law on Arbitration provides that an award, irrespective of the country in which it is rendered, is binding and must be enforced. The Civil Procedure Code defines the rules for recognition and enforcement of international mediation arrangements, which are concluded in accordance with the United Nations Convention on International Settlement Agreements Resulting from Mediation.

²⁷ Administrative Offences Code, Article 10. An English copy of the Code is available at <https://matsne.gov.ge/en/document/view/28216?publication=381>.

²⁸ Criminal Code, Article 10. An English version of the Code is available at <https://matsne.gov.ge/en/document/view/16426?publication=235>.

²⁹ Law on Private International Law, Article 35. An English version of the text is available at <https://matsne.gov.ge/en/document/view/93712?publication=3>.

³⁰ Law on Arbitration. An English version of the text is available at <https://matsne.gov.ge/document/view/89284?publication=8>.

³¹ Law on Arbitration. An English version of the text is available at <https://matsne.gov.ge/document/view/4646868?publication=0>.

Owing to the COVID-19 pandemic, online litigation has become popular. Limited automated dispute resolution practices have been introduced during 2019–2020. These enable affected persons to submit their claims online and if they meet certain criteria, their cases may be resolved by an automated process. A fine issued during the pandemic for the breach of rules is an example of an automated dispute resolution.

IV.D.3 Electronic payments

Electronic payments are accepted in Georgia. The Georgia Revenue Service system is equipped with relevant banking solutions, which enables it be flexible in processing payments. As a result, tax and customs payments can be made electronically and no additional paper documents are required. It must be noted, however, that commercial banks must retain all transaction-related documents in electronic format for at least 15 years.³²

IV.D.4 Competition law

The single window system is available to third parties – economic operators – who can obtain access to the electronic system as participants. Accordingly, the National Window System. does not affect competition among the economic operators; they are all on an equal footing.

V.A. Recommendations for further improvement of cross-border paperless trade

As a result of the survey and desk research related to the paperless trade system and its operation in Georgia described in this document, several of findings can be used to form the basis for recommendations in order to facilitate continued improvements of the system. In this chapter, the findings and recommendations involving the Georgia Revenue Service and other agencies involved in trade facilitation are presented.

V.A.1 Recommendations emerging from the technical readiness assessment

Recommendation 1 – Design and conduct a comprehensive awareness-raising campaign on a paperless trade system among the traders, members of the trade facilitation council and representatives of relevant governmental organizations. The survey shows that a strong awareness-raising campaign among the different actors is crucial, because, among the surveyed persons, knowledge about the paperless trade system, the regulatory framework and the institutional system is very low. Raising awareness of the actors would bring additional experience and new ideas for further development of the system.

Recommendation 2 – Increase integration and compatibility among existing e-custom, e-port and e-railway programmes in order to eliminate delays in customs procedures.

Recommendation 3 – Conduct a feasibility study to identify the areas of the existing e-customs, e-ports and e-certification, e-permit and e-licenses systems that are not in line with international

³² Law on Commercial Bank Activities, Article 23. An English version of the text is available at <https://matsne.gov.ge/en/document/view/32962?publication=37>

standards. The study would clearly identify the requirements to further increase integration of the paperless trade system in Georgia into international systems.

Recommendation 4 – Facilitate the implementation of the tasks defined in the Government of Georgia ordinance N1879 (20.10.2021) to enhance the existing single window system to connect to all regulatory agencies in the country, so that all e-licenses, e-permits and e-certification systems can be integrated into the e-customs operation.

1 Data harmonization and standardization

Recommendation 5 – Georgia should continue to work towards the development of a data harmonization and standardization system. In future, the country should align its data harmonization and standardization system with international standards/guidelines, such as the United Nations Rules for Electronic Data Interchange for Administration, Commerce and Transport, the United Nations Code for Trade and Transport Locations, Core Component Technical Specification, Core Component Library and/or the World Customs Organization Data Model.

Recommendation 6 – Prepare disaster recovery plans for each agency and conduct regular testing of the plan that had already been established by the agencies.

2 Level of automation

Recommendation 7 – Georgia should continue to enhancing the single window environment and electronic customs systems. In this regard, the country should accept electronic versions of all types of documents and stop asking for hard copies of certain types of documents, such as SPS certificates, veterinary certificates, permits and licenses.

V.B.1 Recommendations emerging from the legal readiness assessment

1 Paperless trade and single window laws

Recommendation 1 – Georgia should establish rights and obligations for the single window users and reflect them in relevant legal texts.

2 Cross-border aspects

Recommendation 2 – Georgia should accede to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific as soon as possible. The Framework Agreement would help Georgia in arranging mutual recognition of electronic messages and information transmitted across borders, as the parties settle on the appropriate rules and standards for this purpose.

Recommendation 3 – Georgia should accede to the United Nations Convention on the Use of Electronic Communications in International Contracts. By acceding to the Convention, the country would attain a shortcut to internationally recognized and sound electronic transaction laws applicable to domestic and international transactions. Being a party to this Convention would help Georgia make the deals that paperless trade facilitation will then help execute. It would also help in interpreting other international conventions to which Georgia is a party consistently with its principles.

Recommendation 4 – Georgia should continue exploring opportunities to make bilateral agreements (similar to the ones the country signed with Turkey or Ukraine) or multilateral agreement (such as for the Organization for Democracy and Economic Development–GUAM) agreements, as well as those promoted by global bodies, as required. This would help the country gain experience in supporting paperless communications for trade elsewhere.

3 Other considerations

Recommendation 5 – Georgia should clearly establish the criteria for the liability of parties involved in cross-border paperless trade and intermediaries in relation to the information and data passing through their systems. This may allow for some private contractual disclaimer of liability, subject to statutory or regulatory limits. The principle that harm is repaired by the person who caused it should be maintained, unless good reasons of public policy require an exception – in which case, the fact of the exception should be made clear as well. It may, however, be necessary to study the kinds of responsibilities that can arise and the kinds of harm that can be done, and to build safeguards prior to instituting a full liability regime.

Recommendation 6 - Georgia should consider enacting laws to define who owns the data in a cross-border paperless trade system and how the data can be used.

Recommendation 7– Georgia should build awareness and capacity related to legal issues of cross-border paperless trade for its stakeholders, especially those who are involved in handling legal aspects of such trade. Awareness should extend to understanding the implications of joining international agreements.

VI. Action plan for improvement of paperless trade system

Part 1: Technical Aspect

Priority level: High, Medium, Low

Institutional and governance bodies for electronic data exchange in paperless environment				
Indicative action	Priority level	Timeline	Capacity building needs	Potential key agencies
1. Accede to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific	High	2022–2023		Ministry of Economy and Sustainable Development/Ministry of Foreign Affairs/Ministry of Finance
2. Designate the relevant authority to coordinate the stakeholders of paperless trade	Medium	Q1 2022	Assistance with regard to the capacity of relevant designated key agencies on matters related to coordination of the paperless trade concept	Ministry of Economy and Sustainable Development

Automation				
Indicative action	Priority level	Timeline	Capacity building needs	Potential Key agencies
3. Continue enhancing the single window environment and electronic customs systems, and accept electronic versions for all types of documents:	High	2022–2023		Ministry of Economy and Sustainable Development/Georgia Revenue Service of the Ministry of Finance
3.1. SPS certificates	Medium	2022–2023		Ministry of Environment and Natural Resources Protection of Georgia/ Georgia Revenue Service of the Ministry of Finance
3.2. Veterinary certificates	Medium	2022–2023		Ministry of Environment and Natural Resources Protection of Georgia/ Georgia Revenue Service of the Ministry of Finance
3.3 Permits	Medium	2022–2023		Georgia Revenue Service of the Ministry of Finance
3.4 Licences	Medium	2022–2023		Georgia Revenue Service of the Ministry of Finance
ICT infrastructure for paperless trade				
Indicative action	Priority level	Timeline	Capacity building needs	Potential Key agencies
4. Increase integration and compatibility among existing e-custom, e-port and e-railway programmes in order to eliminate delays in completing the customs procedures	Medium	2022–2023		Ministry of Economy and Sustainable Development/Georgia Revenue Service of the Ministry of Finance
Data harmonization				
5. Align its data harmonization and standardization system with international standards and guidelines	Medium	2022–2023		Ministry of Economy and Sustainable Development/Georgia Revenue Service of the Ministry of Finance
5.1 Adhere to the United Nations Rules for Electronic Data Interchange for Administration, Commerce and Transport	Low	2022–2023		Ministry of Economy and Sustainable Development/Georgia

				Revenue Service of the Ministry of Finance
5.2 Adhere to the United Nations Code for Trade and Transport Locations	Low	2022–2023		Ministry of Economy and Sustainable Development/Georgia Revenue Service of the Ministry of Finance
5.3 Adhere to the United Nations Core Component Technical Specification	Low	2022–2023		Ministry of Economy and Sustainable Development/Georgia Revenue Service of the Ministry of Finance
5.4 Adhere to the United Nations Core Component Library	Low	2022–2023		Ministry of Economy and Sustainable Development/Georgia Revenue Service of the Ministry of Finance
5.5 Adhere to the World Customs Organization Data Model	Medium	2022–2023		Georgia Revenue Service of the Ministry of Finance
6. Prepare disaster recovery plans for each agency and conduct regular testing of the plans that have already been established by agencies	Low	2022–2023		Individual agencies as required
Awareness and capacity building				
Indicative action	Priority level	Timeline	Capacity building needs	Potential Key agencies
7. Design and conduct a comprehensive awareness-raising campaign on paperless trade for stakeholders	High	2022		Georgia Revenue Service of the Ministry of Finance
7.1. Awareness raising	High	2022	Elaboration of awareness-raising campaigns and organization of the related events thereof	Georgia Revenue Service of the Ministry of Finance
7.2. Capacity building	High	2022	Elaboration of a	Revenue Service of the Ministry of Finance

			programme aimed to provide capacity-building to relevant stakeholders and organizations of the related events	
Facilitation of cross-border electronic data exchange				
Indicative action	Priority level	Timeline	Capacity building needs	Potential Key agencies
8. Raise the awareness of economic operators on the Authorized Economic Operator (AEO) programme and accelerate the conclusion of a mutual recognition agreement with main trading partner countries	High	2022	Organization of awareness-building activities for representatives of the private sector	Georgia Revenue Service of the Ministry of Finance
Cross-border aspects				
Indicative action	Priority level	Timeline	Capacity building needs	Potential Key agencies
1. Accede to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific as soon as possible	High	2022–2023		Ministry of Economy and Sustainable Development/Ministry of Foreign Affairs/Ministry of Finance
2. Accede to the UNCITRAL Convention on the Use of Electronic Communications in International Contracts	High	2022–2023	Activities aimed at the development of relevant capacities for the appropriate and efficient accession to the Convention	Ministry of Economy and Sustainable Development/Georgia Revenue Service of the Ministry of Finance
3. Continue to explore opportunities to sign bilateral agreements, such as those made with Ukraine and Turkey or multilateral agreements, such as	High	Ongoing		Ministry of Economy and Sustainable Development/Ministry of Foreign

the Organization for Democracy and Economic Development–GUAM agreement.				Affairs/Ministry of Finance
Other considerations				
Indicative action	Priority level	Timeline	Capacity building needs	Potential Key agencies
4. Clearly establish the criteria for liability of parties involved in cross-border paperless trade and for the liability of intermediaries in relation to the information and data passing through their systems	Medium	2022-2023	Activities aimed at improving of capacities required to further develop the existing legal framework to better accommodate the proposed indicative actions	Ministry of Justice/Ministry of Finance
5. Establish laws pertaining to the ownership of the data in a cross-border paperless trade system and how the data can be used	Medium	2022-2023	Activities aimed at improving of capacities required to further develop the existing legal framework to better accommodate the proposed indicative actions	Ministry of Justice/Ministry of Finance
6. Build awareness and capacity on legal issues of (cross-border) paperless trade among the stakeholders	High	2022-2023	Organization of awareness building activities for the representatives of the private sector.	Georgia Revenue Service of the Ministry of Finance

15.1. BOC to draft the plan to smoothly implement the provisions of ATA Carnet	High	Q1/2 of 2022 ³³	Yes	BOC (Lead), DTI
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Part 2: Legal Aspect

Priority level: High, Medium, Low

Cross-border aspects				
Indicative action	Priority level	Timeline	Capacity building needs	Potential Key agencies
1. Accede to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific as soon as possible	High	2022–2023		Ministry of Economy and Sustainable Development/Ministry of Foreign Affairs/Ministry of Finance
2. Accede to the UNCITRAL Convention on the Use of Electronic Communications in International Contracts	High	2022–2023	Activities aimed at the development of relevant capacities for the appropriate and efficient accession to the Convention	Ministry of Economy and Sustainable Development/Georgia Revenue Service of the Ministry of Finance
3. Continue to explore opportunities to sign bilateral agreements, such as those made with Ukraine and Turkey or multilateral agreements, such as the Organization for Democracy and Economic Development–GUAM agreement.	High	Ongoing		Ministry of Economy and Sustainable Development/Ministry of Foreign Affairs/Ministry of Finance
Other considerations				
Indicative action	Priority level	Timeline	Capacity building needs	Potential Key agencies
4. Clearly establish the criteria for liability of parties involved in cross-border paperless trade and for the liability of intermediaries in relation to the information and data passing through their systems	Medium	2022–2023	Activities aimed at improving of capacities required to further	Ministry of Justice/Ministry of Finance

³³ Update as of February 2022: The BOC has started the preparations for the drafting of the rules and regulations of the ARTA Carnet. PH deposited the Instrument of Accession of the Convention on Temporary Admission at the World Customs Organization last January 17, 2022. It is expected to take effect in April 2022.

			develop the existing legal framework to better accommodate the proposed indicative actions	
5. Establish laws pertaining to the ownership of the data in a cross-border paperless trade system and how the data can be used	Medium	2022-2023	Activities aimed at improving of capacities required to further develop the existing legal framework to better accommodate the proposed indicative actions	Ministry of Justice/Ministry of Finance
6. Build awareness and capacity on legal issues of (cross-border) paperless trade among the stakeholders	High	2022-2023	Organization of awareness building activities for the representatives of the private sector.	Georgia Revenue Service of the Ministry of Finance
15.1. BOC to draft the plan to smoothly implement the provisions of ATA Carnet	High	Q1/2 of 2022 ³⁴	Yes	BOC (Lead), DTI

³⁴ Update as of February 2022: The BOC has started the preparations for the drafting of the rules and regulations of the ARTA Carnet. PH deposited the Instrument of Accession of the Convention on Temporary Admission at the World Customs Organization last January 17, 2022. It is expected to take effect in April 2022.

VII. Conclusion and the way forward

Georgia has made tremendous progress in implementing the WTO Trade Facilitation Agreement and paperless trade. By the end of 2019, Georgia had fully implemented the WTO Trade Facilitation Agreement. However, to make cross-border trade more efficient, some actions remain to be done, including, in particular, the digitalization of certificates. In this report, findings from the technical and legal assessments of the trade readiness of Georgia for cross-border paperless trade were presented, along with recommendations derived from these findings. A draft action plan was elaborated based on the key finding and inputs gathered during the national consultations, which provides a useful basis for the preparation by Georgia of an individual action plan under the Framework Agreement on Facilitation of Cross-Border Paperless Trade in Asia and the Pacific.

A national workshop was organized, during which experts shared the key finding of the readiness assessment. The members of the Georgian National Committee on Trade Facilitation participated in this workshop. At the workshop, the top priorities were identified. Regarding technical aspects, the priorities of Georgia are to (a) continue to enhance the National Single Window environment and electronic customs systems and accept electronic versions of all types of documents such as SPS and veterinary certificates and e-permits; (b) increase integration and compatibility among the existing e-custom, e-port and e-railway system in order to eliminate delays in completing procedures; (c) align the data harmonization and standardization system with international standards and guidelines; and (d) design and conduct a comprehensive awareness-raising campaign on paperless trade for relevant stakeholders. Regarding legal aspects, the country's top priorities are to (a) provide a legal basis for establishing the rights and obligations of the National Single Window users; (b) accede to the UNCITRAL Convention on the Use of Electronic Communications in International Contracts; (c) continue exploring opportunities to sign bilateral agreements, such as the agreements made with Turkey and Ukraine, or multilateral agreements, such as the Organization for Democracy and Economic Development–GUAM; (d) clearly establish the criteria for liability of parties involved in cross-border paperless trade and for the liability of intermediaries in relation to the information and data passing through their systems; (e) adopt laws that define the ownership of the data in a cross-border paperless trade system and how the data can be used; and (e) build awareness and capacity on legal issues of (cross-border) paperless trade among stakeholders.

The report highlighted that there were no technical or legal obstacles in Georgia to accede to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific and that it should do so as soon as possible to enable the country to more effectively plan and implement its trade digitalization strategy. The readiness assessments together with the action plan featured in this report can serve as a foundation to elaborate more detailed activities at the national and agency levels in this area, with an identifiable timeline and budget sources. Additional meetings and consultations among stakeholders may be useful to further refine and specify actions and their sequencing in order to achieve the long-term goal of cross-border paperless trade – and to identify specific pilot projects and capacity building and technical assistance needs.

Annexes

Annex I. List of stakeholders interviewed

Organization	Name
Noshrevan Lomtadze	Ministry of Foreign Affairs of Georgia
Mikheil Patashvili	Ministry of Foreign Affairs of Georgia
Nino Mindiashvili	Ministry of Justice of Georgia
Mariam Gabunia	Ministry of Economy and Sustainable Development of Georgia
Marine Macharashvili	Ministry of Economy and Sustainable Development of Georgia
Avtandil Chelidze	LEPL Revenue Service
Givi Murvanidze	LEPL Revenue Service
Nino Jincharadze	LEPL Revenue Service
Dachi Kinkladze	LEPL Revenue Service
Mindia Grdzeldze	LEPL Revenue Service
Maka Shubladze	LEPL National Food Agency
Giorgi Kacharava	EU-Georgia Business Council
Giorgi Kavtaradze	Georgian Chamber of Commerce and Industry
Irina Kitiashvili	International Chamber of Commerce
David Rusia	Banking Association of Georgia
Zurab Shengelia	Association of Freight Forwarders of Georgia
Zurab Chkhartishvili	Association of Freight Forwarders of Georgia
Natia Bantsuri	Business Association of Georgia

Annex II. List of participants at the national consultation workshop

Organization	Name
Deputy head of LEPL Revenue service	Vladimer Khundadze
LEPL Revenue Service	Samson Uridia
LEPL Revenue Service	Avto Chelidze
LEPL Revenue Service	Dachi Kinkladze
LEPL Revenue Service	Mindia Grdzelidze
LEPL Revenue Service	Givi Murvanidze
Ministry of Foreign Affair of Georgia	Noshrevan Lomtadze
Ministry of Foreign Affair of Georgia	Mikheil Patashuri
Ministry of Finance of Georgia	Davit Lashkhia
Ministry of Finance of Georgia	Ia Janiashvili
Ministry of Environmental Protection and Agriculture of Georgia	Tamar Nikolozashvili
Ministry of Environmental Protection and Agriculture of Georgia	Giorgi Dapkviashvili
Ministry of Environmental Protection and Agriculture of Georgia	Maia Beruashvili
Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia	Merine Latsabidze
Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia	Promete Shevardnadze
Ministry of Justice of Georgia	Ana Ghvinjilia
Employer Association of Georgia	Lasha Labadze
International Chamber of Commerce	Irina Kitiashvili
Association of Freight Forwarders of Georgia	Zurab Shengelia
Association of Freight Forwarders of Georgia	Zurab Chkhartishvili
Business Association of Georgia	Natia Bantsuri
EU-Georgia Business Council	Giorgi Kacharava
Business Ombudsman of Georgia	Lela Tabatadze
Georgian Chamber of Commerce and Industry	Giorgi Kavtaradze
Banking Association of Georgia	David Rusia
Farmers Association of Georgia	Giorgi Noniashvili;
Farmers Association of Georgia	Ilia Kunchulia

Annex III. Cross-border paperless trade: a technical readiness checklist: The Philippines

Scope and structure of the checklist

The Checklist is to assess technical gaps in implementing cross-border paperless trade systems. The Checklist takes into considerations of national issues such as implementation of electronic and paperless transactions at national level and Single Window system, pre-requisites for cross-border paperless trade data exchange.

The Checklist is structured in two sections as below:

Section A - Paperless trade system at the national level

This section focuses on technical issues related to implementation of electronic trade systems in paperless environment at the national level. Technical issues are grouped into the following categories.

1. Institutional and governance bodies
 - a. Strong political commitment
 - b. Coordination
 - c. Inter-agencies governance structure
2. Level of automation
 - a. Electronic systems
 - b. Single Window System
3. Information and communication technology (ICT) infrastructure
 - a. Network service availability
 - b. Common/single network (E-Systems)
 - c. Single Window System
 - d. Strategic plan for ICT infrastructure issues
 - e. Disaster recovery
 - f. Business continuity plan
4. Security
 - a. IT security policy
 - b. Security measures (E-Systems)
 - c. Authentication mechanism
 - d. Communication protocol
5. Business process re-engineering
 - a. BPR For paperless trade

- b. Implementation of paperless trade transactions
- 6. Data harmonization and standardization
- 7. Capacity building
- 8. Other matters
 - a. Computer literacy
 - b. Budget constraints

Section B – National status towards cross-border data exchange

This section is aimed at assessing the status of a country or an organization to embark on cross-border paperless trade data exchange projects.

- 1. Electronic systems
- 2. Single Window System
- 3. Business process re-engineering
- 4. Data harmonization and standardization
- 5. International transit
- 6. Awareness program
- 7. Other matters
 - a. Authorized Economic Operator
 - b. Stakeholders and trade community
 - c. Government budget
 - d. Documents being considered for cross-border data exchange & prioritization
 - e. Further information

A. Paperless trade system at the national level

No.	Questions	Elaboration on status/issues/future plan	Timeline (if relevant) for future plan
A1.	Governance bodies² <p>One of the critical success factors for implementation of paperless trade systems is strong commitment from the Head of Government, without which many projects of this magnitude tend to stall. When top management is committed to spearhead a project, issues of financial support and access to other resources may be addressed more readily. Coordination among government agencies and between the government and the private sectors is not an easy task but it can be carried out more efficiently and effectively with the establishment of an institutional body equipped with a strong governance structure. The institutional set-up provides a venue for relevant officials to come together to discuss functionalities and other technical as well as legal matters. By establishing the role and responsibilities of each unit/group as well as reporting mechanisms, the governance structure expedites the implementation of paperless trade systems.</p>		
A1.1	Is there a governance structure established for paperless trade, (e.g. national trade facilitation council)?	National Committee on International Trade Facilitation has been established in 2019 and oversees all aspects of trade facilitation falling under the auspice of the WTO TFA	
A1.2	Does it include all the community partners/stakeholders (government and private sector)?	The NCTF is made up of governmental bodies and private sector representative associations and other organizations who are in one form or another involved in trade related procedures.	The make-up of the NCTF is expected to be expanded to include more stakeholders and various organizations, who have expressed interest to participate.
A1.3	Who chairs this governance structure?	The NCTF is chaired by Ministry of Finance and the co-chair is elected by the members of the	

		committee. GRS (Tax and Customs Administration Agency) is tasked with secretariat functions.	
A2.	Level of automation It is not feasible for an organization or agency to consider implementing paperless trade systems without the ability to process electronic documents, information or data, let alone the subsequent cross-border data exchange.		
A2.1	Electronic systems		
A2.1.1	Has your country implemented electronic customs (and other services that facilitate customs declarations in an electronic format)? <i>If yes, please answer A2.1.1.1–A2.1.1.6.</i>	Yes, there is an electronic system in place for processing of Customs related documentation. E-customs `ASYCUDA` and `TAIS` tax administration information system (in house made) are used for all kind of customs formalities including: Customs declarations, certificates, licensees, permits, invoices, contracts etc.	
A2.1.1.1	Does it have the capability to receive, process and issue documents electronically?	The system has the capability to receive, process and in some cases issue documents electronically. Risk management is integrated in the system. Electronic documents are exchanged with several countries (e.g. Turkey, Ukraine, Armenia). However, certain types of documents, such as SPS certificate, Veterinary certificate, permits and licenses	

		<p>should be provided as a hard copies to the customs authority (border checkpoints or customs clearance zones). Both are connected to the central system.</p> <p>Users can obtain access to the ASYCUDA and TAIS systems by submitting written (including electronic) request to the GRS.</p> <p>Hard copies are required due to international agreements (CITES, free trade agreements) and domestic legal requirements (e.g. related to pharmaceutical products subject to special control).</p>	
A2.1.1.2	Is it integrated with an electronic paymentsystem?	Yes. The customs authority does not accept cash payments. Payments are done through the financial institutions that are integrated in the system. During each day financial institutions send payment data to the ASYCUDA and TAIS systems.	
A2.1.1.3	Does it have the ability to authenticate userselectronically?	Yes	Integration of face recognition in electronic services in prioritized and included in the Service Development Strategy of the Revenue Service for 2021-2024
A2.1.1.4	Does it ensure data/document security?	Yes. The documents are secured through digital authentication when accessing the system. Relevant protocols (HTTPS with TLS, SFTP, VPN, REST API, SOAP)	

		are in place and followed.	
A2.1.1.5	What is the percentage of trade covered under this system?	100%	
A2.1.1.6	Are community partners/stakeholders connected to it electronically?	Partially yes – community partners/stakeholders, excluding seaport users are connected. All users are connected through API.	
A2.1.2	Has your country implemented electronic port systems (including air, sea, road, rail, and inland ports)? If yes, please answer A2.1.2.1–A2.1.2.6.	Airports, railway customs crossing points and road customs crossing points are all integral part of the Customs system. These are separate systems connected to the GRS via APIs.	Sea ports administration system is currently being updated to comply with the best international practices and to ensure a high degree of connectivity with the Customs systems in place
A2.1.2.1	Does it have the ability to receive, process and issue documents electronically?	Yes – the system unites air, road and rail ports and can issue electronic documents. Sea ports are not integrated yet. There is a separate port community system. For customs and border control purposes they submit information through the Cargo Targeting System, while API is used for exchanging data on trade. Data, trade and transportation documents can be exchanged electronically within ports, shipping lines and freight forwarders. There is some level of	

		<p>integration between the systems. However, port community system model is not aligned with international standards.</p> <p>Types of documents exchanged: Railway Electronic Registration Form that includes any information related to railway containers carrying goods subject to customs control, e.g. information on consignee / consignor, HS codes, gross weight, etc.</p> <p>In particular following information/documentation are provided from the railway and the ports through the system:</p> <p>From ports:</p> <p>Container Number;</p> <p>The type of Container;</p> <p>Visit number of Vessel; POD; Category (export/import);</p> <p>Weight; Warehouse Code; Line = string. Empty; Seals.</p> <p>From the railway:</p> <p>Number of document – Doc N;</p> <p>Sr; WayN; DocTypeID; StationIn;</p>	
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		StationOut; CustomerSender; NameCustomerSender; CustomerReciver; NameCustomerReceiver; VanN; Sufx; KonN; Tare; Weight; code of Goods; GoodsName; Doc Id; Vagon Id; Cont Id.	
A2.1.2.2	Is it integrated with an electronic payment system?	Yes - electronic payment system is integrated in all systems for customs purposes. E-banking system is in place (see legal questionnaire).	
A2.1.2.3	Does it have the ability to authenticate users electronically?	Yes. Digital authentication for customs purposes is done when accessing the system. Username and password authentication method in conjunction with two-factor authentication (SMS authorization). It does not correspond with PCS.	
A2.1.2.4	Does it ensure data/document security?	Yes. Any action taken by the user on the site is logged in the database. Data privacy is protected by standard procedures - any access by administrators, logged in through the host operating system management center, and stored in encrypted form in the SIEM (Security Incident and Event Management) system, whose data cannot be changed. Only the Information Security Engineer has access to the SIEM	

		(Security Incident and Event Management) system.	
A2.1.2.5	What is the percentage of trade covered under these systems?	All trade-related information are collected through ASYCUDA and TAIS.	
A2.1.2.6	Are community partners/stakeholders connected to it electronically?	ports, shipping lines and freight forwarders	
A2.1.3	Has your country implemented electronic licenses, electronic permits and electronic certificates? (Please fill out the appendix for this question.)	Yes	
A2.1.4	Has your country implemented any cross- border trade systems other than those specified above? If yes, please answer A2.1.4.1–A2.1.4.5.	No	
A2.1.4.1	Does it have the ability to receive, process and issue documents electronically?	N/A	
A2.1.4.2	Is it integrated with an electronic payment system?	N/A	
A2.1.4.3	Does it have the capability to authenticate users electronically?	N/A	
A2.1.4.4	Does it ensure data/document security?	N/A	
A2.1.4.5	What is the percentage of trade covered under these systems?	N/A	
No.	Questions	Elaboration on status/issues/future plan	Timeline (if relevant) for future plan

A2.1.5	What is your country's targeted timeline to cover all trade transactions through these systems (i.e., e-customs, e-port, e-certificates, e-licenses, e-permits and others)?	There is no specific timeline for integration of all trade related transactions into the systems but all Customs related processes are at this time already handled by the electronic solution as are the majority of all permits, certificates and licenses that may be requested at the border. Currently only hard copies of SPS and RoO certificates are used.	Work is ongoing to elaborate a more integrated solution allowing for increasing number of operations to be handled by an electronic solution.
A2.2	Has a single window system been implemented in your country to expedite cargo movement/clearance and to facilitate the international trade supply chain? If yes, please answer A2.2.1–A2.2.4. If no, please answer A2.2.5.	Yes	
A2.2.1	How does it receive data electronically, i.e., what kind of user interface and communication channel is used (Internet-based network or dedicated/secured private network)?	Both Internet-based network and dedicated/secured private network are being utilized.	
A2.2.2	Does it support a paperless environment?	Vast majority (except SPS and RoO) of processes are supported in the paperless environment	
A2.2.3	How many agencies are connected to the single window? Please list them.	Ministries of Internal Affairs; Defense; Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs; Culture, Sports and Youth of Georgia; Environment Protection and	

		Agriculture. Revenue Service, Chamber of Commerce and Industry.	
A2.2.4	Who operates this system?	Georgia Revenue Service	
A2.2.5	What is your country's future plan and the targeted timeline to implement a single window system?	Single window system has already been implemented, however, a plan regarding the future targeted timeline has not been elaborated yet.	Full integration of sea ports and consultations on unified trade systems (within the framework of EU4Digital and other initiatives) to cover wider areas of trade (e.g. B2B, B2G) is ongoing.
A3.	Information and communications technology infrastructure for paperless trade <p>Good information and communications technology (ICT) infrastructure is an essential element of an efficient paperless trade system. The primary function of the network is to serve as a secure channel for information exchange between the participating parties. The lack of Internet service could be one of the obstacles to full implementation of a trade facilitation system when the business process is incomplete due to missing parties in network connectivity.</p> <p>There are various options of network, such as multiprotocol label switching (MLPS), Internet protocol (IP), virtual private network (VPN) and secure hypertext transfer protocol (HTTP). Regardless of the choice of options, the network should allow connectivity and interoperability between heterogeneous platforms and support various protocols and exchange paradigms within a secure operating environment. It is not uncommon that different stakeholders have different levels of computerization and systems on different platforms. To ease integration, interfacing and interoperability between these systems, a single window system which connects them needs to support interface with heterogeneous systems.</p> <p>Putting in place a strategic plan to address ICT infrastructure issues and a disaster recovery plan should be part of a business continuity plan. It is essential to ensure the effects of operating disruptions are properly mitigated.</p>		

A3.1	<p>Is network service available at all border posts, including ports, airports and cargo clearance facilities, in your country?</p> <p>If not, what is your country's future plan and targeted timeline to connect the stakeholders of the logistic and supply chain, including controlling agencies?</p>	Yes	
A3.2	<p>Are any of the systems mentioned in A2.1, "Electronic systems", connected via a common or single network?</p> <p><i>If yes, please answer A3.2.1–A3.2.6.</i></p>	Yes	
A3.2.1	Is it integrated and secure?	<p>Yes – Information security is provided by McAfee Security System, which is provided with an annual support service from the manufacturer. It consists of several components and includes: network sensor, login, web protection, servers, computer protection, malware detection and neutralization, correlation between information security incidents and messaging functions. (McAfee Endpoint modules: McAfee Agent, McAfee TIE, Endpoint Security, Threat prevention, FIREWALL, Adaptive Threat Protection, Active Response and DXL, McAfee Web Security, McAfee Web Anti-Malware, McAfee Ent Sec Manager SIEM, McAfee Event</p>	

		<p>Receiver, McAfee EL , EP McAfee Threat Def and Resp)</p> <p>Users with administrator rights go through two-factor (CISCO DUOS) software to log into the system. The account is opened on the basis of a permit and is actually carried out by a representative of the Operations Department of the Service on the basis of a relevant legal act or an e-mail by an authorized person.</p>	
A3.2.2	Is it able to provide a high availability rate of minimum 99.9 per cent in terms of service level agreement for trade data exchange in paperless environment?	Yes – the system provides availability rate at 99%	
A3.2.3	Is it able to support various communication protocols?	Yes – various communication protocols can be supported (HTTPS with TLS, SFTP, VPN, REST API, SOAP).	
A3.2.4	Is it able to provide secure information exchanges that ensure confidentiality and data integrity?	Yes - Dedicated network infrastructure separating from the open-public network for some sensitive connectivity. Virtual Private Networks, or other software measures. Encryption protocols.	

A3.2.5	Is it designed to take into account future requirements such as device and technology upgrades?	<p>Yes – all updates / upgrades in ASYCUDA are done by service provider (UNCTAD).</p> <p>TAIS is Oracle database and updated regularly by the GRS. Front-end of TAIS is web-based.</p>	
A3.2.6	If any of the above (A3.2.1–A3.2.5) is lacking, what is your country's future plan to upgrade it and what is the targeted timeline?		
A3.3	Is the single window system, if implemented, interoperable with other systems?	<p>Partially yes – sea ports' system is operated independently. The single window system unites e-customs, e-licenses, e-permits and e-certification.</p> <p>The NSW is connected with most of the governmental agencies and financial institutions and includes around 300 services. For example, data on companies, border crossing data, exchange rates, traffic monitoring cameras, land registration data, public registry data, etc.</p>	
A3.3.1	Is it able to integrate, interface and/or interoperate with other existing heterogeneous systems (i.e., with systems on a different platform)?	Yes	
A 3.3.2	If it does support (i.e., is interoperable with) heterogeneous systems, what is the method of integration/interfacing?	The system has the capability to integrate into other systems via APIs	

A3.4	Strategic plan to address ICT infrastructure issues	Yes	
A3.4.1	Does your country have a strategic plan to address ICT infrastructure issues (for paperless trade)?	Yes, there is the ICT Infrastructure plan in place – ICT Plan 2020-2022. It aligns IT priorities to the Revenue Service business needs, identifies key application and IT service development priorities, and provides a framework for continuous improvement of IT service delivery. It also provides a roadmap of high-level plans leading the way forward to achieve the strategy objectives.	Currently GRS is conducting core ICT, hardware and software and security self-assessments. This process is expected to be completed by the end of 2022 with the assistance of the World Bank IT Diamond Tool. Upon completion of this process the existing challenges will be reflected in the new ICT Plan covering a period of 2 to 4 years.
A.3.4.2	If not, what is your country's future plan and targeted timeline to establish a strategic plan?		
A3.5	Disaster recovery		
A3.5.1	Is there a policy for the establishment of a disaster recovery plan at the agency level?	<p>No – draft disaster recovery plan for IT infrastructure is available on the Ministry level.</p> <p>Core systems are duplicated and available in two different places.</p> <p>Disaster recovery plan contains a checklist and monitoring of systems is done on a daily, weekly and monthly basis in line with it.</p>	Adoption of the document is planned in the foreseeable future.

A3.5.1.1	If yes, please indicate the level of implementation for the disaster recovery plan (specify percentage of agencies).		
A3.5.2	Is there a policy for the establishment of a disaster recovery plan at the national level?	Yes by the Resolution of the Government. However, the document is not publically available. Georgian National Security Council is the main coordinating institution in the field on national security policy planning and responsible for making highest level decision on security issues, including disaster recovery plan.	
A3.5.2.1	If yes, please indicate whether the disaster recovery plan is implemented at the national level.	The document is not publically available	
A3.5.3	If there is no policy for the establishment of a disaster recovery plan, what is your country's future plan and targeted timeline to set up a disaster recovery plan?		
A3.6	Does your country have a business continuity plan for paperless trade systems?	Disaster recovery plan for IT infrastructure is in place on the Ministry level	
A3.6.1	If yes, is it regularly tested at an established frequency?	Yes, but the detailed information regarding the frequency will be provided later	
A3.6.2	If not, what is your country's future plan and targeted timeline to develop a business continuity plan?		

A4.	Security The confidence of users to replace paper-based document with electronic information or data depends to an extent on the security of the information technology system that manages electronic data.		
A4.1	Is there an information technology security policy for your country? If yes, please specify.	Georgia Revenue Service has an active Information Security Policy, approved both by the Head of Georgia Revenue Service and Ministry of Justice authorized entity. The Policy outlines information security management system framework within the entity, risk-based approach to be employed, continuous improvement of the information security management system, as well as details responsibilities of Information Security team, Information Security Board members, as well as general employees in implementing and following the policy.	
A4.2	If any of the systems mentioned in A2.1, "Electronic systems", have been implemented, what kind of security measures are in place to protect them from unauthorized access?	The security systems in place are based on best practices of IT security protocols. System access in user based and where so requires a two-step authentication mechanism (user/pass +token/DGpass/RSA/DUO, etc.). The systems are automatically monitored for suspicious activity.	

A4.3	What kind of authentication mechanism is used to ensure security of information transmitted electronically?	Public and private key	
A4.4	What kind of communication protocol is used for electronic data exchange currently?	HTTPS with TLS, SFTP, VPN, REST API, SOAP	
A4.5	What is your country's future plan and targeted timeline to enhance the security level in A4.1 and A4.2?		Development of the system will continue taking into account the best practices and the relevant policy documents.
A5.	Business process re-engineering Failure to review and re-engineer a manual procedure/process in the development of an electronic system will often lead to inefficiency of the system. It will jeopardize integration/interfacing with other systems if business processes across the board are not streamlined to ensure the seamless flow of information. Implementation of an electronic system often begins with parallel processing of paper documents, but the ultimate goal is to discontinue the usage of paper documents.		
A5.1	Have the stakeholders in your country conducted re-engineering and streamlining of business processes to support paperless trade or a national single window:		
A5.1.1	At the agency level? (Please list them.)	Yes. All relevant procedures have been re-engineered to support the paperless trade environment this might include customs clearance and information collection formalities as well as other related processes. Revenue service of Georgia.	Development of business process models (process maps) for the selected services, re-planning and optimization of service processes if necessary are included in the Service Development Strategy of the Revenue Service for 2021-2024
A5.1.2	At the national level?	Ministries of Internal Affairs; Defense; Internally Displaced	

		<p>Persons from the Occupied Territories, Labour, Health and Social Affairs; Culture, Sports and Youth of Georgia; Environment Protection and Agriculture.</p> <p>Revenue Service, Chamber of Commerce and Industry.</p>	
A5.2	Has your country implemented any paperless trade transactions?	<p>Partially Yes - The country has partially implemented some forms of electronic trade and paper transactions co-exist.</p> <p>B2B transactions can be fully paperless, while related customs formalities need to be carried out via mix of paperless and paper-based document, subject to regulatory provisions and trading countries.</p> <p>Vast majority of transactions require two types of documents – invoice and transportation waybill that can be submitted electronically through the NSW. In case of SPS, CITES, etc. paper-based documents are required by the GRS.</p>	
A5.2.1	If yes, what kind of transactions have been implemented, and what type of electronic documents are exchanged?		
A5.2.2	If not, what is your country's future plan and targeted timeline to do away with paper-based documents?		

A6.	Data harmonization and standardization Data compatibility is one of the main issues that needs to be addressed in various connectivity projects in and around the region. Thus, if data harmonization and standardization can be carried out as early as possible, seamless data exchange will be achieved without compatibility issues especially if it is based on international standards.		
A6.1	Has data harmonization and standardization been conducted for the data elements for paperless trade:		
A6.1.1	At the agency level?	Partially - yes, the existing systems at the agency level are separated into two groups. One is custom administration and second one – sea ports. All stakeholders are harmonized among these two systems. The system is not aligned with any international standards, e.g. WCO DM. However, all the data is collected, processed, exchanged and stored with standardized interagency forms. Tax Identification Number is a common data parameter and enables all agencies to exchange the data.	
A6.1.2	At the national level?	Partially – yes, all agencies excluding sea ports are harmonized.	

A6.1.3	If yes, has a data model been adopted and is it based on international standards/guidelines such as the United Nations Rules for Electronic Data Interchange for Administration, Commerce and Transport, United Nations Code for Trade and Transport Locations, Core Component Technical Specification, core component library and/or the World Customs Organization Data Model?	Ad hoc solutions as required.	
A7.	Capacity-building Capacity-building is an ongoing activity in most projects but is important particularly at the outset to ensure stakeholders have a common understanding of the project and their respective roles and responsibilities to make it a success.		
A7.1	Has your country conducted any awareness programme and/or workshop to ensure the stakeholders, including government agencies and traders, have a common understanding on paperless trade as well as their respective roles to help realize cross-border paperless trade data exchange?	Ad hoc events are being held to raise awareness on relevant changes including those governing Customs formalities in paperless trade matters	
A7.2	Do the stakeholders of cross-border trade in your country fully understand the single window approach?	Partially yes - Relevant GRS staff receives all necessary information and trainings required for the operation of the system from the administration's perspective. Ad hoc trainings for users of the system are conducted.	
A7.3	Has your country conducted any awareness programme or workshop on	Ad hoc events are being held to raise awareness on relevant changes including those	

	single window?	governing Customs formalities in paperless trade matters	
A7.4	What is your country's future plan and timeline to enhance capacity-building for cross-border paperless trade data exchange?		Ad hoc trainings for the stakeholders will be continue upon adoption of respective legislation and/or amendments.
A8.	Other matters		
A8.1	Computer literacy		
A8.1.1	What is the level of computer literacy in the trading community in your country as a whole to support electronic transactions? (70–100%=high, 20–69%=medium, 0–19%=low)	Official data regarding computer literacy in trading community of Georgia is not available. However, according to the United Nations Educational, Scientific and Cultural Organization (UNESCO) Institute for Statistics, the literacy level among adults in Georgia is 99.4 %.	
A8.1.2	Are they ready to accept changes arising from re-engineered business processes in implementing paperless trade systems?	<p>Official data is not available.</p> <p>Generally, the reforms were initiated by the Government and top-down approach was used. The acceptance towards changes was high, as many trade-related processes were simplified.</p> <p>Currently, engagement of trade community in reforms is higher and there are formal processes and awareness and readiness towards new business processes in high.</p>	

A8.2	Budget constraints		
A8.2.1	Does your country encounter budget constraints in implementing paperless tradesystems?	Yes. Whenever budgetary constraints are encountered, the Revenue Service discusses possibility of funding with donor institutions.	
A8.2.2	If yes, what is your country's future plan to overcome this financial constraint and what is the targeted timeline?	Cooperation with donor organizations as well as various stakeholders and international projects.	

B. National status towards cross-border data exchange

No.	Questions	Elaboration on status/issues/future plan	Timeline (if relevant) for future plan
Ideally, all stakeholders of cross-border trade should be on board the cross-border data exchange project to bring forth full benefits. In this respect, it is important that their information technology systems support cross-border data exchange. A single window system is meant to connect systems of the stakeholders via a single point of connectivity providing more efficient integration/interfacing. Likewise, a national single window, which acts as the national single point of connectivity, will ease integration/interfacing for cross-border data exchange with dialogue partners.			
B1.	Electronic systems		
B1.1	If any of the systems mentioned in A2.1, "Electronic systems" have been implemented, what percentage support cross-border data exchange?	Customs system may and is being used for cross border data exchange	
B2.	Single window system		
B2.1	If a single window system mentioned in A2.2 has been implemented, does it support cross-border data exchange?	Yes	
B2.2	If yes, does it function as the national single window, which acts as the national single point of connectivity for any cross-border data exchange with other dialogue partners?	Electronic documents are exchanged with several countries (e.g. Turkey, Ukraine, Armenia). However, in parallel hard copies of SPS, CITES and RoO certificates are also required at the border checkpoints.	

When business process re-engineering is done on domestic procedures/processes for paperless transactions at the national level, it has to take into consideration requirements for cross-border data exchange whereby paper documents will not be exchanged across borders.			
B3.	Business process re-engineering		
B3.1	If your country has implemented paperless transactions at the national level, as mentioned in A5.2, has re-engineering and streamlining of business processes been conducted to support cross-border data exchange?	Yes. All relevant procedures have been re-engineered to support the paperless trade environment this might include customs clearance and information collection formalities as well as other related processes. E.g. Turkey, Ukraine, Armenia. etc.	
B3.2	If not, what is your country's future plan and targeted timeline to develop a regional business process for cross-border data exchange?		
If data harmonization and standardization is done based on international standards which are adopted by most organizations or countries in the region, it will minimize changes in the national system process and database structure when implementing cross-border data exchange electronically.			
B4.	Data harmonization and standardization		

B4.1	Has data harmonization and standardization been conducted based on international standards/guidelines, such as the United Nations Rules for Electronic Data Interchange for Administration, Commerce and Transport, United Nations Code for Trade and Transport Locations, single window recommendation of the United Nations Centre for Trade Facilitation and Electronic Business, to support cross-border paperless trade data exchange?	Data harmonization and standardization specifically for customs purposes is ongoing applicable on ad hoc basis	Further standardization and harmonization initiatives are being evaluated while keeping in mind the specific demands of the region and relevant IT capacities.
B4.2	If not, what is your country's future plan and targeted timeline to minimize changes in your system process and database structure for cross-border data exchange electronically?		

B5.	<p>International transit</p> <p>The issues transit traders face under the current international transit procedure in many countries in the region include the following:</p> <ul style="list-style-type: none"> (a) Repetitive submission of a customs transit declaration at entry to every country of transit; (b) A security document needs to be registered at every country of transit. To address the above issues, the following could be considered: <ul style="list-style-type: none"> (a) A single customs transit declaration to be valid for the whole transit route: data and information of the customs transit declaration could be submitted and approved at the country of departure and shared across borders with the countries of transit and the country of destination. (b) A single guarantee to be valid for the whole transit route: relevant data/information of the guarantee could be registered at the country of departure and shared across borders with countries of transit and the country of destination. <p>If single stop inspection is done by all controlling agencies in the exporting country and data of the inspection results are shared with the importing country, it will definitely expedite cargo clearance.</p>		
B5.1	Has the country implemented a paperless customs declaration for national transit procedures (inbound transit, outbound transit, inland transit)?	Paperless procedures implemented for all Customs declarations including transit operations	
B5.2	Has the country implemented a paperless customs declaration for international transit?	Paperless customs declarations for international transit have not yet been implemented	

B5.2.1	<p>If yes, is the customs regime in your country able to support the implementation of a single customs transit declaration and single guarantee valid for the international transit route taking into consideration the following:</p> <p>(i) To agree on a guarantee registered at the country of departure, covering the highest duty amount calculated based on the duty rate of each country in the transit route, to be valid and accepted throughout the transit route?</p> <p>(ii) To agree on a regional/subregional format and content of the single guarantee?</p>		
B5.2.2	If not, what is your country's future plan and targeted timeline to address this issue?		The country plans to apply for membership of the CTS Convention in 2023
B5.3	Has your country implemented a one-stop inspection system by all controlling agencies at the borders at the time of exit/export?	No	
B5.3.1	If yes, are the inspection results shared with the importing country?		
B5.4	If not, is there any intention to implement a single-stop inspection and what is the timeline?		Projects aimed at the exchange of inspections results are currently underway with several partner country customs administrations.

B6.	<p>Awareness programme</p> <p>Awareness programmes are important for stakeholders to understand how cross-border data exchange could be carried out to reduce their anxiety and prepare them to address any issues that may arise.</p> <p>If a country lacks the expertise to carry out business process analysis, data harmonization and simplification, system development, project management, etc., it may look for technical assistance from external parties.</p>		
B6.1	Does your country have an awareness programme (for example, capacity-building, training, workshops) for stakeholders to have a better understanding of the following issues?	Partially yes	
B6.1.1	How could cross-border data exchange be implemented?	Ad hoc events are being held to raise awareness on relevant changes including those governing Customs formalities in paperless trade matters	
B6.1.2	Potential business transactions and documents for cross-border data exchange?	Ad hoc events are being held to raise awareness on relevant changes including those governing Customs formalities in paperless trade matters	
B6.1.3	Methods of identifying inhibitors that need to be addressed?	Ad hoc events are being held to raise awareness on relevant changes including those governing Customs formalities in paperless trade matters	
B6.2	If your country has not conducted any awareness and capacity-building programmes		Plans are being elaborated for a more specific approach, taking into account the current status of several projects aimed at increased level of e-integration.

	related to B6.1.1–B6.1.3, what is your country's future plan and targeted timeline to conduct an awareness programme?		
B6.3	Does your country have the capacity to carry out the following: (a) business process analysis; (b) data harmonization and simplification; (c) system development; and (d) project management?	Yes. Capacity building may be required to ensure the efficient use of available capacities and resources.	
B7.	Other matters Some countries which are ready for cross-border data exchange may not be willing to participate in a pilot project. One of the reasons is a lack of trust in the economic operators of their dialogue partners. If your economic operators are able to comply with the authorized economic operator scheme and are mutually recognized by their dialogue partners, it will expedite cross-border data exchange.		
B7.1	Authorized Economic Operator (AEO)		
B7.1.1	In general, what is the level of compliance of traders in your country (high, medium or low)?	High to medium-high	
B7.1.2	Has the authorized economic operator scheme been implemented in your country?	In operation since 2019	
B7.1.2.1	If yes, how extensive is the implementation in terms of the percentage of economic operators registered for the scheme?	So far, no interests from economic operators' has been observed.	
B7.1.3	Is your country ready to sign any mutual recognition agreements for authorized economic operators with	Negotiations are underway with China and the Republic of Turkey	Consultations have been initiated with the EU and the Hong Kong China

	dialogue partners?		
In the preparatory stage, it is useful to assess the readiness of stakeholders to accept changes arising from cross-border data exchange and the availability of funds for any potential cross-border paperless trade project.			
B7.2	<p>Are the stakeholders and the trade community ready to accept changes arising from the re-engineered processes towards cross-border data exchange?</p> <ul style="list-style-type: none"> • Regulatory agencies • Agents/customs brokers • Traders • Port community • Financial institutions • Other (please specify) 	Regulatory agencies – Revenue Service stands ready to support and participate in any undertakings aimed at simplification of cross-border trade procedures including Customs data exchange, provided all national and international obligations are met.	
B7.3	Has your country's government budget provisioned for the transition to cross-border paperless trade data exchange?	Current budget provisions allow for transitional efforts on a gradual basis	
B7.3.1	If not, what is your targeted timeline?		
Sharing information on a country's preferences on the prioritized documents for cross-border data exchange can help identify potential participants having the same or similar preferences to work together on pilot projects.			

B7.4	<p>Is your country considering cross-border data exchange for any of the documents and related processes? (Y=Yes, N=No. Please select the top five prioritized documents)</p> <ul style="list-style-type: none"> (i) Seaway bill (ii) (Advance) Manifest (iii) Customs transit declaration (iv) Transit bond (v) Phytosanitary certificate (vi) Sanitary certificate (vii) Fumigation certificate (viii) Convention on International Trade in Endangered Species of Wild Fauna and Flora certificate (ix) Certificate of origin (preferential) (x) Certificate of origin (non-preferential) (xi) Pharmaceutical certificate (xii) National standard and quality certificate (xiii) International Organization for Standardization (ISO) and other international standards and quality certificates (xiv) Certificate for medical devices (xv) Certificate of electrical and electronic components, equipment and products 	<p>All processes are being considered and evaluated subject to specific conditions</p> <ul style="list-style-type: none"> (i) Customs transit declaration (ii) Permits and licenses (iii) Certificate of origin (preferential) (iv) Invoice (v) Bill of lading 	
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	(xvi) Dangerous Goods List (xvii) Material safety data sheet (xviii) Letter of credit (xix) Bill of lading (xx) Invoice (xxi) Packing list (xxii) Import permit (xxiii) Others (please specify)		
B7.5	For each of the five prioritized documents identified in B7.4, please provide/specify further information on the following: document name; implementing agency; and percentage of the paperless documents and related processes.	Agency responsible for the control of documentation at the border is GRS and it is also responsible for issuance of COs as well as SPS/Veterinary Control and dual-use goods permits/certificates where applicable. While invoice and bill of lading type documents may come under general regulatory framework regulated by the Ministry of Justice and the Ministry of Economy and Sustainable Development. The percentage of use in processes	

		for transport documents and commercial documents comes in at almost 100 percent of all procedures.	
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Appendix I (for Annex III): Form for implementation of paperless trade by the other government agencies

Name of ministry or agency	Georgia Revenue Service			
Permit type IL = import licence EL = export licence C/O = certificate of origin SC = sanitary / health certificates PS = phytosanitary certificates OT = other types	Certificate of Origin			
1. Has business process re-engineering been conducted and completed?	Completed [X]	Ongoing [X]	Not conducted []	Don't know []
1.1. If it is on-going, when is it going to be completed? Approximately 2 years. During this period, it is expected that wetting signature will be completely dropped with several countries 1.2. If it is not implemented, is there a plan to conduct it? [] Yes [] No [] Don't know 1.3. If 1.2 is yes, when is it going to commence? Year/Month []			Please provide further information, such as website, date of implementation, etc. System is in place to apply for the certificate of origin and theoretically it is possible to issue these in electronic form, however international arrangements governing RoOs currently still require paper-based documents to be issued.	
2. Has e-application (capability to receive, process and issue document electronically) been implemented?	Fully implemented []	Partially implemented [X] []	Not implemented []	Don't know []

2.1. If it is not implemented, is there a plan to implement it? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know 2.2. If 2.1 is yes, when is it going to be implemented? [Year/Month] 2.3 If it is implemented, how the supporting documents are being submitted? <input type="checkbox"/> MSD = Manual Supporting Documents <input type="checkbox"/> EDHC = Electronic Declaration/Application but hard copy still required <input type="checkbox"/> any other methods (Please specify _____)				Please provide further information, such as website, date of implementation, etc. System is in place to apply for the certificate of origin and theoretically it is possible to issue these in electronic form, however international arrangements governing RoOs currently still require paper-based documents to be issued.
3. Has e-application been connected to the e-customs system and/or the single window?	e-customs system [X]	Single Window [X]	Not connected []	Don't know <input type="checkbox"/>
3.1. What is the level of integration between e-application and a single window and/or an e-customs system, if connected? <input checked="" type="checkbox"/> Partially connected <input type="checkbox"/> Fully connected <input type="checkbox"/> Don't know <i>Note: Partially connected means electronic transfer of information is one-way, while fully connected means electronic transfer of information is reciprocal between an e-application and a single window and/or an e-customs system.</i>				Please provide further information, such as website, date of implementation, etc. E-services provided by GRS is available through www.rs.ge website
4. Is e-payment available for the e-application?	Yes [X]	No []		

<p>4.1. What are the available payment options for the e-Application?<input checked="" type="checkbox"/>]</p> <p>EFT = electronic funds transfer</p> <p><input type="checkbox"/>] CD = cash deposit<input checked="" type="checkbox"/>] CC = credit card</p> <p><input checked="" type="checkbox"/>] CSH = cash</p> <p><input type="checkbox"/>] Other options (please specify_____)</p>	<p>Please provide further information, such as website, date of implementation, etc.</p> <p>Not applicable for e-applications of Certificates of Origin</p> <p>Payments are conducted through the financial institutions.</p>
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Annex IV. Cross-border paperless trade: a legal readiness checklist: the Philippines

Scope and structure of the checklist

This checklist will help evaluate the degree to which current laws accommodate electronic documents and communications, notably those with cross-border elements, and what could be done to bring the laws into conformity with the Framework Agreement on Facilitation of Cross-Border Paperless Trade in Asia and the Pacific, which aims to help member states to accommodate these changes for the purpose of cross-border trade without paper.

The Checklist is structured in four sections as below:

Section A. Electronics transactions and signatures law

1. Electronic transactions
 - a. Electronic communications
 - b. Identity management and trust services
2. Data retention and electronic archiving
3. Electronic evidence

Section B. Paperless trade and Single Window laws

1. Single Window system/paperless trade system
2. Information security:
 - a. Information security and data confidentiality
 - b. Data accuracy and integrity
 - c. Sharing information and data between and among government agencies
3. Service level agreements (SLA) and Memoranda of Understanding (MOUs)

Section C. Cross-border aspects

1. Existing bilateral or regional agreements
2. International standards/guidelines
3. Existing bilateral or multilateral technical /operational agreements
4. Other international legal instruments, regulations and standards

Section D. Other considerations

1. Liability issues
2. Dispute settlement considerations
3. Intellectual property rights and database ownership
4. Electronic payments
5. Competition law

No	Focus questions	Response
		<p>Related provisions of the Framework Agreement:</p> <ul style="list-style-type: none"> • Article 5 on general principles. • Article 6 on the national policy framework, enabling domestic legal environment and paperless trade committee. • Article 7 on the facilitation of cross-border paperless trade and development of single-window systems (more specific questions on the single window appear below in part II).
I.A	<p>Electronic transactions law: general principles</p> <p>This section is aimed at identifying the general features of electronic transactions law, including whether they implement internationally recognized general principles.</p>	
I.A.1	<p>What is the legal status of electronic transactions?</p>	<p>Electronic transactions are accepted. Orders of the Minister of Finance #206 (18/03/2010).</p> <p>The order defines the legal status of transactions related to trade. According to the order, electronic transactions have full legal validity.</p> <p>Civil Code (Article 68) – Significance of form for the validity of a transaction</p> <p>For a transaction to be valid the form of the transaction prescribed by law shall be observed. If no such form is prescribed, the parties may determine it themselves.</p> <p>Civil Code (Article 69) Article 69 – Form of a transaction</p> <p>2. A transaction may be made in writing if so provided for in law or by agreement of the parties.</p> <p>4. Restoration, reproduction or imprinting of a signature by mechanical means shall be allowed where this practice is customary, inter alia, when signing securities issued in large numbers.</p> <p>5. When a transaction is in a written form, the genuineness of the signatures of the parties to the transaction shall be certified by a notary or any other person determined by law in cases provided by law or by agreement of the</p>

		parties.
I.A.2	If an electronic transactions law exists, is it based on uniform models?	Yes – At this moment, a dedicated transaction law does not exist. However, electronic transactions are regulated in the secondary legislation that is based on Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and Repealing Directive 1999/93/EC.
I.A.3	What are the conditions, if any, for the legal recognition of electronic transactions?	<p>In line with I.A.1 response, in general there are no legal recognition requirements for electronic transactions between the parties.</p> <p>A form of verification (which may include electronic signatures or an electronic seal) for trade-related governmental services are required.</p> <p>Agreements have been signed between the Revenue Service and commercial banks. They define a framework for adding all services related to tax and customs formalities as defined in the Governmental Decree # 96 of 2010.</p>
I.A.4	Does the law establish functional equivalence between paper documents and electronic communications?	<p>In general, equivalence between the paper and electronic documents is established by the Law of Georgia on Electronic Document and Electronic Trusted Services. However, in certain cases only paper documents are accepted (SPS and RoO certificates, CITES permit³⁵). This is not related to B2B transactions, but paper certificates of these types are required when interacting with the Governmental bodies.</p> <p>The Law of Georgia on Electronic Document and Electronic Trusted Services defines the legal basis for the use of electronic documents, electronic signatures and electronic trust services. According to Article 3 of the Law, a qualified electronic signature has the same legal force as a personal signature.</p>
I.A.5	What is the legal status of electronic contracts?	<p>Article 4 sets procedures regarding electronic documents. According to the Article, all copies of electronic documents are originals. The law states that an electronic document may be used in all cases when a written material document is requested, unless otherwise provided by law. In addition, an electronic copy of a material document should be signed with a certified e-signature and has the same legal force as the original, if it is certified and / or certified by the person responsible for signing or an authorized person provided by the legislation of Georgia or by electronic stamp.</p> <p>Contracts in electronic form can be provided to GRS when they relate to customs or tax-related formalities. In this</p>

³⁵ CITES Convention defines the requirement to provide paper document.

		case economic operators have obligation to retain paper documents (printouts, or original paper-based contracts that were scanned and provided to the GRS) for 3 years.
I.A.6	Are there special rules for the use of electronic communications in paperless trade?	<p>Communication (including declaration) between the Revenue Service and the taxpayer can be done electronically, online, using the official website of the Revenue Service www.rs.ge.</p> <p>A document / letter drawn up and submitted electronically by a person through the Service website, as well as a document / letter created and sent electronically by a tax authority does not require the signature of an authorized person and has the same legal force as a written / submitted, personal signature and stamp.</p> <p>The transition to electronic communication is made on the basis of a video call made by the taxpayer or a written application.</p> <p>The statement on the transition to electronic communication should state:</p> <p>A) Name / surname of the taxpayer, identification number;</p> <p>B) contact mobile phone number and e-mail address of the tax authority;</p> <p>C) the desired date of transition to electronic communication;</p> <p>D) Signature of the taxpayer / his / her representative.</p> <p>Electronic communications at the interagency level are established and conducted through a special portal – Joint Electronic System for Permits, Licenses and Certificates. All documents are uploaded in the system electronically.</p> <p>An electronic system for communication between GRS and Ministry of Economy and Sustainable Development is in place for the Market Surveillance Agency specifically. This is for products placed on the market (e.g. construction materials, toys) where control is done before market placement.</p> <p>Joint order – Economy and Finance ministers #166 preliminary notification (uploading relevant documents) and granting permission prior to import within 3 days.</p>
I.A.7	In particular, are there special rules for the use of trade-related data and documents in electronic form, such as certificates of origin, invoices and phytosanitary certificates?	<p>The trade system can issue and accept electronic documents.</p> <p>However, original paper documents are required for SPS certificates and certificates of origin.</p> <p>There is a system in place to exchange electronic certificates of origin with certain countries e.g. China. Also, this is currently piloted with Ukraine, Moldova and Azerbaijan under the GUAM framework and provisional application due to COVID-19 measures with the EU / EFTA.</p> <p>An obligation to retain originals for the duration of 3 years is in effect as indicated in I.A.5.</p>

I.A.8	Are there special rules for the use of electronic transferable records such as bills of lading?	<p>There are no special rules on the use of electronic transferable records outside of requirements related to customs and tax formalities.</p> <p>Instruction on the Importation of Goods and the Submission of a General Declaration states that from the moment of importation of the goods into the customs territory of Georgia, they are subject to customs supervision.</p> <p>General declaration is made electronically or in writing and can be conducted by presenting one of the following documents:</p> <ul style="list-style-type: none"> • Transportation document; <ul style="list-style-type: none"> o In case of shipping by road - transport consignment note or TIR-book; o In case of ocean freight shipping - bill of lading; o In case of air freight shipping – air waybill; o In case of rail freight shipping - railway consignment note. • Original or a copy of the contract, invoice or other payment document for the purchase of goods; • Declaration of postal items or list of postal items - in case of goods imported by post • ATA book.
I.B	<p>Electronic signatures and trust services</p> <p>Electronic signatures serve to identify the originator of an electronic communication and ascertain their intention with respect to that communication. Certain types of electronic signatures, namely digital signatures based on public key infrastructure certificates, may provide additional information, for instance on the integrity of the data message and on time stamping.</p> <p>Many laws deal with the legal recognition of electronic signatures. However, legislative approaches may vary significantly, in particular with respect to technological neutrality and the recognition of service providers.</p> <p>Trust services are electronic services that provide assurance on the quality of data. Trust services are often used to establish confidence in the use of electronic communications.</p>	

B.1	<p>Does the law address how electronic signatures, including for identification, authorization and authentication, are added in an electronic environment? Does it require the use of a specific technology or method for electronic signatures or is it technology neutral?</p>	<p>Electronic signatures and trust services</p> <p>Law of Georgia on Electronic Documents and Electronic Trust Services</p> <p>The law was adopted in 2017 and it sets out legal grounds for using electronic documents, electronic signatures and electronic trust services in the country. The law does not restrict the right of natural persons and legal entities under private law to use tangible documents and/or handwritten signatures according to their choice, as well as electronic documents and/or electronic signatures, made according to conventions (agreements between the transacting parties) that are different from this Law. Law does not restrict the right of the National Bank of Georgia and the representatives of the financial sector to use electronic documents and/or electronic signatures, made according to conventions that are different from this Law.</p> <p>According to the Law, a qualified electronic signature shall have the same legal effect as a handwritten signature and a qualified electronic seal shall make it possible to verify the integrity and origin of an electronic document. The integrity and origin of an electronic document with qualified electronic seal shall be deemed genuine, unless proved to the contrary.</p> <p>The article 3, sub article 9 defines that, electronic documents and electronic signatures created under the procedures established by the National Bank of Georgia shall accordingly have the same legal force as tangible documents and handwritten signatures in the implementation of the activities of the National Bank of Georgia and representatives of the financial sector according to conventions that are different from this Law.</p> <p>The law defines requirements for the issuance of an electronic signature and electronic seal.</p>
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I.B.2	Does the law adopt a functional equivalence approach for electronic signatures?	According to article 3(1) of the Law of Georgia on Electronic Documents and Electronic Trust Services, A qualified electronic signature shall have the same legal effect as a personal signature.
I.B.3	Is the law based on international standards?	Law of Georgia on Electronic Documents and Electronic Trust Services is based on international standards and is adopted on the model of Regulation (EU) No 910/2014 of the European Parliament and the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.
I.B.4	Does the law recognize foreign electronic signatures?	<p>According to article 12 of the Law of Georgia on Electronic Documents and Electronic Trust Services, the qualified trust services of organizations operating abroad or international organizations shall, in accordance with this Law, have the same legal force as qualified trust services operating in Georgia, if Georgia has entered into a relevant international agreement on the recognition of the qualified trust services.</p> <p>Currently negotiations with Eastern Partnership and EU countries are ongoing and there are no agreements in force. (The Eastern Partnership is a joint initiative of the European External Action Service of the European Union together with the EU, its Member States, and six Eastern European partners governing the EU's relationship with the post-Soviet states of Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine.)</p>
I.B.5	Are there special rules for the use of electronic signatures in paperless trade?	There are no special regulations in Georgian legislation that specifically address paperless trade.
I.B.6	Does the law deal with trust services?	The Law of Georgia on Electronic Documents and Electronic Trust Services determines and regulates the issues regarding "trust service". Article 2 (s) of this Law defines the meaning of the "trust service" - an electronic service, the purpose of which is the creation, verification, and identification of the authenticity and/or storage of electronic signatures/electronic seals or time stamps. Additionally, article 5 determines rights and obligations of a qualified

		<p>trust service provider and article 11 establishes the procedures of authorization and supervision of a qualified trust service provider.</p> <p>Currently only the Government of Georgia provides trust services that are used by all parties that use governmental services.</p>
I.C	<p>Privacy and data protection</p> <p>Privacy and data protection are important elements of the legal landscape of electronic commerce as they may impose conditions to data transfer between the parties. This section is aimed at identifying laws relating to privacy and data protection, with special attention to those relevant to paperless trade.</p>	
I.C.1	Is there a law on privacy and data protection? If so, what are its features? Is it based on international standards?	<p>the Law of Georgia on Personal Data Protection defines the meaning of Personal Data and determines the legal grounds of its protection. The Law establishes the rules of data processing, the rights, and obligations of the data controller, data processor, data subject etc. It also specifies the rules of data transfer to other states and/or international organizations. It should be noted that the Law of Georgia on Personal Data Protection is based on international standards. In particular, it complies with the EU Directives and the 1981 Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (this Convention has been in force for Georgia since 2006). There is a discussion on becoming a party to the recent update to the convention by the Council of Europe without a definite timeline for accession.</p>
I.C.2	Does domestic law address the transfer of data abroad?	<p>Chapter VI of the Law of Georgia on Personal Data Protection regulates procedures regarding the Transfer of Data to the Other States and International Organisations. According to the Law, data may be transferred to other states and international organizations if there are grounds for data processing under this Law and if appropriate data protection guarantees are provided by the respective state or international organization. Additionally, data may also be transferred to other states and international organizations, if the data transfer is part of a treaty or an international agreement of Georgia; or a data processor provides appropriate guarantees for the protection of data and of fundamental rights of a data subject on the basis of an agreement between a data processor and the respective state, a natural or legal person of this state or an international organization. Also, the list of countries with appropriate data protection guarantees is officially adopted by the order of the personal data protection inspector (16.09.14 order №1).</p> <p>Any transfer of tax secrets abroad must comply with international agreements/arrangements of Georgia (list available on GRS website)</p>
I.C.3	Do international agreements contain provisions relevant to privacy and data protection?	<p>The provisions regarding data protection are incorporated in international agreements (depending on the subject and area of cooperation of the Agreements) to which Georgia is a Party. For example, Readmission Agreements (including the Agreement between the European Union and Georgia on the readmission of persons residing without authorization), the 1981 Convention for the Protection of Individuals with regard to Automatic Processing of</p>

		Personal Data and also, other international bilateral agreements which are related to data exchange, contain provisions regarding the protection of personal data.
I.C.4	Does the law require data localization? If so, does it apply to paperless trade?	Currently the legislation does not contain any requirements on data localization.
I.C.5	Are there any special rules on privacy and data protection for paperless trade?	At the moment, Georgian legislation does not explicitly provide any special rules on privacy and data protection for paperless trade.
I.C.6	Does the law protect the confidentiality of commercial information in electronic form?	Article 272 of the General Administrative Code of Georgia defines the meaning of the commercial information and provides for its protection. However, this article does not explicitly refer to the commercial information in electronic form, but it is usually applied to information in both tangible and intangible (electronic) form.
I.C.7	Are there provisions on cybercrimes that are applicable to paperless trade?	Chapter XXXV (articles 284 – 286) of the Criminal Code of Georgia determines the grounds for criminal liability for specified acts of cybercrime. Notable examples are unauthorized access to computer records, damage to computer records, and the distribution of malware. Accordingly, Chapter XXXV will apply to cybercrime committed in connection with paperless trade. In addition, general laws against fraud and misrepresentation apply online as well as offline.
I.D	Data sharing Paperless trade systems are often built around the notion of a single window for customs operations, which involves collecting trade-related data and documents and sharing them among participants. This process raises delicate issues. Besides general rules on privacy, data protection and data retention, specific legal texts may address data sharing, especially among public entities.	
I.D.1	Are there agreements or policies for collecting, accessing, using and sharing data among government agencies participating in a paperless trade system?	Any information that is processed by the GRS and does not allow identification of taxpayers is public. Tax code Article 39 defines data collection, access, usage and sharing rules. Exhaustive list of non-confidential tax and customs-related information is included. Any other information is treated as confidential and cannot be transferred to third parties, including governmental agencies. GRS has bilateral MoUs or joint orders with other governmental agencies on exchange of information.

I.E	Data retention and electronic evidence The legal effect of electronic records often depends on their evidentiary value, i.e. the ability to use those records before a court to substantiate a legal claim. This section is aimed at clarifying which retention and evidence rules apply.	
I.E.1	Does the law establish general requirements for data retention, including a minimum and maximum retention period? Do they apply to electronically stored data?	Legal/physical persons are obliged to retain their customs and tax-related documents for 3 years. Commercial banks must retain all transaction-related documents in electronic format for at least 15 years.
I.E.2	Does the law require or favour the use of specific trust services or service providers for data retention?	No. The Law on Electronic Documents and Trust Services (Article 11) defines requirements for authorization of trust service providers. The Law says that third parties can apply for authorization to provide trust services.
I.E.3	Do data custodians, such as data centres, assume liability for loss or damage to electronically stored information? Is such liability contractual, statutory or both?	GRS is data custodian for tax and customs-related documents. In case of ASYCUDA data retention is defined in the contract between UNCTAD and GRS. The Law on Electronic Documents and Trust Services (Article 5) defines liabilities of trust service providers, unless the damages result from force majeure. The Law on Information Security provides: 1. Failure by the relevant state agencies, to comply with the requirements related to hardware and / or software used for data acquisition, processing, storage and / or transmission as defined by the Resolution of the Government of Georgia results in a warning or a fine in the amount of GEL 5,000. 2. The same action committed by the subject of the first / third category of critical information system, who has been sentenced to an administrative penalty for 1 year for the violation provided for in paragraph 1 of this Article, shall result in a fine in the amount of GEL 10,000.
I.E.4	Is electronic evidence admissible in judicial and other proceedings?	The Civil Procedure Code (Article 134) provides that electronic documents signed in line with the requirements of the Law on Electronic Signatures and Trust Services are admissible in judicial proceedings. The Law on Electronic Signatures and Trust Services (Article 3) provides that an electronic signature or stamp may

		be admissible in evidence even if it is not a qualified signature within the meaning of that Law.
I.E.5	Is electronic evidence that is generated, stored or collected abroad admissible? If so, under which conditions?	Currently electronic evidence generated, stored or collected abroad is acceptable only in criminal proceedings.

No	Focus questions	Response
	Related provisions of the Framework Agreement: <ul style="list-style-type: none"> Article 6 on the national policy framework, enabling domestic legal environment and paperless trade committee. Article 7 on the facilitation of cross-border paperless trade and development of single-window systems. 	
II.A	Establishment of a paperless trade system The establishment and operation of a paperless trade system often requires a set of dedicated laws and regulations. This section is aimed at identifying those laws and regulations as well as the basic features of governance of the paperless trade systems.	
II.A.1	Does a dedicated paperless trade system, such as a single window, exist? If so, what legal instruments are used to establish and operate it? How do these instruments define the rights and obligations of the participants?	<p>A single window system is in place – Decree of the Government of Georgia on N1018 On issuance of licenses, permits and certificates to be submitted on a one-stop basis during customs formalities. This is a national-level system. The Decree imposes obligations on governmental agencies to ensure proper functioning of the single window.</p> <p>GRS is responsible for maintenance of the system.</p> <p>Other governmental agencies must issue documents through this system whenever requests are submitted through it. In parallel, paper-based communication is also accepted.</p> <p>Rights and obligations of the participants are not yet defined and general liability principles operate under the applicable law (e.g. Civil or Criminal codes).</p>

II.A.2	Which government agencies participate in the paperless trade system? On what legal basis?	Ministry of Environmental Protection and Agriculture of Georgia; Ministry of Economy and of Sustainable Development; Ministry of Defense; Ministry of Internal Affairs of Georgia; Ministry of Internally Displaced Persons From the Occupied Territories, Labour, Health and Social Affairs; Ministry of Finance. Decree of the Government of Georgia N 1018
II.A.3	Is there a central body tasked with setting up and managing the paperless trade system?	Yes – Georgia Revenue Service
II.B	Quality of information exchanged with the paperless trade system The main function of the paperless trade system, including the single window, is to facilitate the exchange of trade-related data and documents in electronic form. The information is originally submitted on paper or electronically by commercial operators that have a duty to make complete and correct statements. Moreover, in an electronic environment, there could be special procedures to attribute the declarations originating from the various participants. Electronic signatures may play a significant role in the attribution of the declarations.	
II.B.1	Does the law on the substantive requirements of trade-related data and documents also apply to paperless trade?	Yes, because paperless trade is not excluded.
II.B.2	Are there specific rules for the exchange of trade-related data and documents in electronic form?	Yes. There is no single model for cross-border data exchange, as general security principles apply. Locally Order N996 is applied for data exchange. Internationally this is regulated by bilateral or multilateral agreements (e.g. Georgia-Turkey, Georgia-Belarus, Georgia-China, etc.) through the VPN or any other secure way encrypted data exchange with public and private keys.

II.C	Service-level agreements and memorandums of understanding A number of legal texts, such as service-level agreements, memorandums of understanding, end-user agreements and other contractual agreements, are relevant to the operation of a paperless trade system. These legal texts define the obligations of the participants in the paperless trade system. For instance, service-level agreements define the obligations of the service provider with respect to the availability of the system, response time, processing time and other technical requirements that are critical to define to ensure the availability and smooth operation of the system.	
II.C.1	Are there service-level agreements or memorandums of understanding governing paperless trade operations? If so, who are the parties and what is the legal authority for concluding these agreements?	In order to maintain the life-cycle of critical systems, there are agreements in place. For example, internet provider, utility service provider (sometimes providers are diversified, e.g. providers of electricity), international services (e.g. ASYCUDA provided by UNCTAD), etc. Agreements are done with participation from the Ministry of Finance, Financial Analytical Service of the Ministry of Finance or the Revenue Service as applicable to the particular service. The liabilities are prescribed under the agreements/contracts and within the general legislative framework as appropriate for the specific delivery terms.

No	Focus questions	Response
	Related provisions of the Framework Agreement: <ul style="list-style-type: none"> Article 8 on cross-border mutual recognition of trade-related data and documents in electronic form. Article 9 on international standards for exchange of trade-related data and documents in electronic form. Article 10 on relation to other legal instruments enabling cross-border paperless trade. 	
III.A	International agreements relevant for cross-border paperless trade facilitation	
III.A.1	Which international agreements relevant to paperless trade facilitation are in force in your country?	WTO Trade Facilitation Agreement, Revised Kyoto Convention
III.A.2	Are there technical or operational international agreements providing for legal recognition of electronic communications or documents?	Exchange of customs related information between country administrations is carried out based of bilateral or multilateral arrangements with - Turkey, Azerbaijan, Ukraine, Kazakhstan, Moldova, Armenia
III.A.3	Are contracts used to provide for mutual recognition of electronic communications and signatures?	<p>Current arrangements provide for recognition of Customs information exchanged for specific customs purposes as required (e.g. customs control, customs clearance). Mutual recognition of electronic communications and signatures requires further consultations/negotiations.</p> <p>Consultations on other arrangements (e.g. trust services) are ongoing with Eastern Partnership countries and the EU.</p>

III.B	International standards, guidelines and recommendations	
III.B.1	Which standards, regulations or guidelines are in use for the cross-border exchange of trade-related electronic communications?	<p>Relevant WCO recommendations and other international standards are used as required for Customs information exchange arrangements.</p> <p>For example WCO SAFE Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework) - not legally binding but extensively used and has a recommendatory character.</p>

Legal readiness checklist: non-exhaustive list of treaties and model laws

<i>Treaty/Model Law</i>	<i>Implementation status</i>
Customs and trade facilitation	
Association of Southeast Asian Nations (ASEAN) Single Window Agreement (2005) and Legal Protocol (2017)	No
Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (2016)	No
World Trade Organization Agreement on Trade Facilitation (2013)	Yes - 4 January 2016
Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures (Revised Kyoto Convention, 2006)	Yes - 7 November 2018
International Convention on the Harmonization of Frontier Controls (1982)	Yes - 2 June 1999
Transport	

Convention on the Contract for the International Carriage of Goods by Road (CMR Convention) (1956)	Yes - 4 August 1999
Additional Protocol to the Convention on the Contract for the International Carriage of Goods by Road concerning the electronic consignment note (2008)	No
Customs Convention on the International Transport of Goods under Cover of TIR Carnets (1975)	Yes - 24 March 1994
Convention concerning International Carriage by Rail (1980)	No
International Maritime Organization Amendments to the Annex to the Convention on Facilitation of International Maritime Traffic, 1965, as amended (2005)	No
International Maritime Organization Guidelines for the Use of Electronic Certificates (2016)	No
United Nations Convention on the Carriage of Goods by Sea (Hamburg Rules) (1978)	No
United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (Rotterdam Rules) (2008)	No
Electronic transactions	
United Nations Convention on the Use of Electronic Communications in International Contracts (2005)	No
UNCITRAL Model Law on Electronic Commerce (1996)	No
UNCITRAL Model Law on Electronic Signatures (2001)	No
UNCITRAL Model Law on Electronic Transferable Records (2017)	No

Convention on Cybercrime of the Council of Europe (Budapest Convention) (2001)	No
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