

**Workshop on Cross-Border Trade
Facilitation and Single Window Implementation in Northeast Asia**

**Framework Agreement on
Facilitation of Cross-border Paperless Trade
in Asia and the Pacific**

12 - 13 April 2017

Vladivostok, Russian Federation

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Trade, Investment and Innovation Division

United Nations ESCAP



Trade Facilitation Programme in ESCAP

Legislative

- ❑ Enabling paperless trade (Res. 68/3)
- ❑ Interim Intergov. Steering Group on Cross-border Paperless Trade Facilitation (Res. 70/6)
- ❑ Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (Res. 72/4)

Knowledge

- ❑ ESCAP-WB Trade Cost Database
- ❑ Paperless Trade Guides & Impact analyses
- ❑ Global Trade Facilitation & Paperless Trade Implementation Survey
- ❑ Trade Process Analysis Database

Capacity Building

- ❑ Business Process Analysis
- ❑ Single Window & Paperless Trade Implementation
- ❑ Trade & Transport Facilitation Monitoring Mechanism
- ❑ Agricultural & SME trade facilitation
- ❑ WTO TFA implementation support
- ❑ UNNExT Masterclass

Framework Agreement on the Facilitation of Cross-Border Paperless Trade in Asia and the Pacific - Overview

❑ A new UN Treaty

- Open to interested (53) ESCAP member states (voluntary) to become parties
- Opened for signature on **1 October 2016** at UN Headquarters, New York

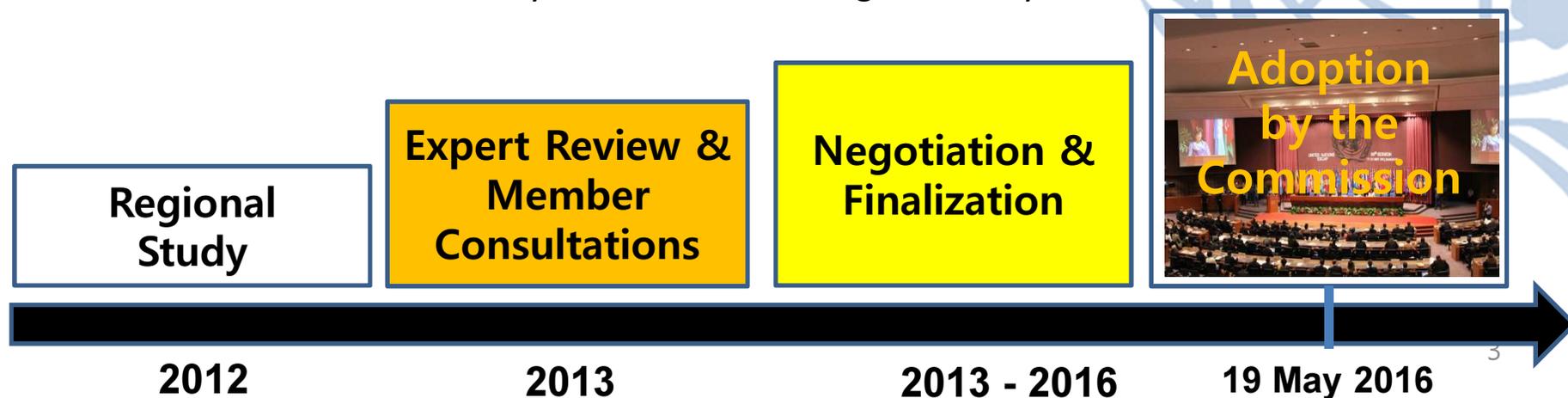
❑ Objective

To facilitate cross-border paperless trade (data exchange) among willing ESCAP member states by providing a dedicated intergovernmental framework to develop legal and technical solutions

- ❑ Complementary to the WTO Trade Facilitation Agreement as well as (sub)regional efforts

❑ 4 year step-by-step development process (ESCAP resolutions 68/3,70/6,72/4)

- ❑ Over 30 countries directly involved in finalizing the treaty text in March 2016



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STATUS AS AT : 23-11-2016 07:37:20 EDT

CHAPTER X

INTERNATIONAL TRADE AND DEVELOPMENT

20. Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

Bangkok, 19 May 2016

Not yet in force : in accordance with article 19, the Agreement shall enter into force ninety (90) days after the date on which the Governments of at least five (5) ESCAP member States have deposited their instruments of ratification, acceptance, approval or accession to the present Agreement pursuant to article 18, paragraphs 2 and 3.

Text : [Certified true copy](#)
[CN.597.2016.TREATIES-X.20](#) of 23 August 2016 (Opening for signature) and [CN.598.2016.TREATIES-X.20](#) of 23 August 2016 (Issuance of Certified True Copies).

Note : The above Agreement was adopted on 19 May 2016 by resolution [72/4](#) during the seventy-second session of the United Nations Economic and Social Commission for Asia and the Pacific. In

Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific: **Contents**

Preamble

Articles 1 to 16: Substantive clauses

Article 1: Objective

Article 2: Scope

Article 3: Definitions

Article 4: Interpretation

Article 5: General principles

Article 6: National Policy Framework, Enabling Domestic Legal Environment and Paperless Trade Committee

Article 7: Facilitation of Cross-border Paperless Trade and Development of national Single Window(s)

Article 8: Cross-border Mutual Recognition of Trade-related Data and Documents in Electronic Form

Article 9: International Standards for Exchange of Trade-related Data and Documents in Electronic Form

Article 10: Relation with Other Legal Instruments Enabling Cross-Border Paperless Trade

Article 11: Institutional Arrangements

Article 12: Action Plan

Article 13: Pilot Projects and Sharing of Lessons Learned

Article 14: Capacity Building

Article 15: Implementation of the present Framework Agreement

Article 16: Other agreements in force

Articles 17 to 25: Final clauses



Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific: **Benefits**

Region-wide multilateral intergovernmental platform

Builds upon existing bilateral/subregional initiatives; Supports WTO TFA implementation; Forster harmonization and minimize necessity for numerous bilateral/subregional intergovernmental approach;

Strong capacity building programme

Inclusive imitative, open to Asia-Pacific countries at all levels of development; Strong emphasis on knowledge sharing and CB/TA among parties

Pilot projects

Allow parties to adjust their systems before engaging in actual cross-border trade data exchange

Action Plan

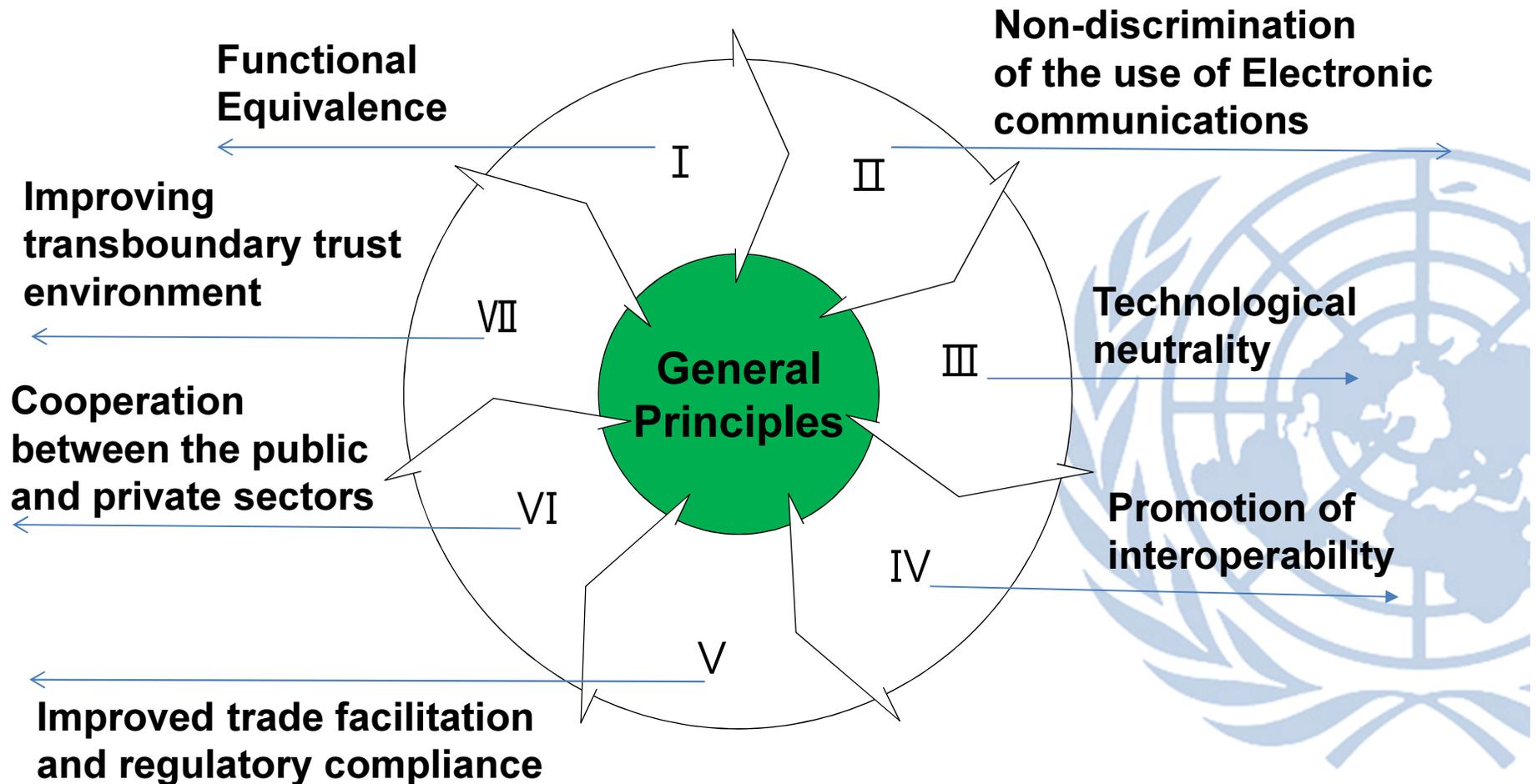
Allow parties with different implementation level to set actions based on their respective readiness

Mutual recognition

Commit to the goal, while allowing flexibility in how to materialize the goal



Overview of provisions: **General Principles**



Overview of provisions: **Key provisions**

Cross-border Mutual Recognition

Article 8

Article 14

Article 11

Key Provisions

Capacity Building

Institutional Arrangements

Article 13

Article 12

Pilot Projects and Sharing of Lessons Learned

Action Plan

Overview of provisions: **Cross-border mutual recognition**

Article 8

Cross-border mutual recognition of trade-related data and documents in electronic form

1. The Parties shall provide for mutual recognition of trade-related data and documents in electronic form originating from other Parties on the basis of a substantially equivalent level of reliability.
2. The substantially equivalent level of reliability would be mutually agreed upon among the Parties through the institutional arrangement established under the present Framework Agreement.
3. The Parties may enter into bilateral and multilateral arrangements to operationalize cross-border mutual recognition of trade-related data and documents in electronic form, in a manner consistent with the principle of the transboundary trust environment and all the other general principles, provided that the provisions of these bilateral and multilateral arrangements do not contradict the present Framework Agreement.

Overview of provisions: Pilot projects and sharing of lessons learned

Article 13

Pilot projects and sharing of lessons learned

1. The Parties shall endeavour to initiate and launch pilot projects on cross-border exchange of trade-related data and documents in electronic form, in particular among customs and other regulatory agencies. The Parties shall collaborate on such pilot projects through the institutional arrangements established under the present Framework Agreement.
2. The Parties shall report to the Standing Committee on the progress of pilot projects to facilitate the sharing of experience and lessons learned and to establish a collection of best practices for interoperability of cross-border exchange of trade-related data and documents in electronic form. The exchange of experience and lessons learned would extend beyond the Parties to the present Framework Agreement, to the extent possible and as appropriate, in an effort to promote paperless trade implementation throughout the region and beyond.

Overview of provisions: Capacity building

Article 14

Capacity-building

1. The Parties may cooperate to provide technical support and assistance to each other in order to facilitate the implementation of the present Framework Agreement.
2. The Parties may collaborate on capacity-building through the institutional arrangements established under the present Framework Agreement.
3. The Parties shall give special consideration to requests from least developed and landlocked developing countries for technical assistance and cooperation arrangements designed to assist them in developing their paperless trade capacity and in taking full advantage of the potential benefits of the present Framework Agreement.
4. The Parties may invite development partners for more effective technical and financial assistance in the implementation of the present Framework Agreement.

Implications to and opportunities for the GTI

- ❑ Readiness of the GTI member countries
 - ✓ Advanced stage of paperless trade
 - ✓ Willingness to transition into knowledge-based economy
 - ✓ Concrete amount of actual trade transactions
 - ✓ A good intergovernmental mechanism in place (GTI)
 - ✓ Strong supporters in developing the Framework Agreement

- ❑ The Framework Agreement provides an intergovernmental platform to facilitate electronic (pilot) data exchange among the GTI member countries, as well as with other countries in the region.
 - ✓ may start with pilot, and move to transition, and then move to live data exchange (phased and pragmatic approach)
 - ✓ support each other in creating cross-border paperless trade data exchange (capacity building)

More information: [Webpage on the FA](http://www.unescap.org/resources/framework-agreement-facilitation-cross-border-paperless-trade-asia-and-pacific)

<http://www.unescap.org/resources/framework-agreement-facilitation-cross-border-paperless-trade-asia-and-pacific>

The screenshot shows a web browser window displaying the UN ESCAP website. The page title is "Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific". The page content includes:

- Date:** Tuesday, June 28, 2016.
- Type:** Public information and advocacy materials.
- ABSTRACT:** The Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific was adopted by the 72nd Session of the ESCAP as resolution E/ESCAP/RES/72/4. [中文][English][Français][jyccovii]
- Text of the Framework Agreement:** Electronic Certified True Copies of the Agreement in Chinese, English and Russian languages are available here on the website of the Treaty Section of the UN Office of Legal Affairs.
- Becoming a Party to the Framework Agreement:** Interested ESCAP member States may become Parties to the Framework Agreement by:
 - a. Signature, followed by ratification, acceptance or approval; or
 - b. Accession
- Background Information on the Framework Agreement:**
 - Explanatory Note to the Framework Agreement
 - Frequently Asked Questions (FAQs) on the Framework Agreement
 - Interim Intergovernmental Steering Group on Cross-border Paperless Trade Facilitation
 - Latest News

Thank you

www.unescap.org/our-work/trade-investment/trade-facilitation

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