



Trade Facilitation in the World and Region

International Seminar on Trade Facilitation in North East Asia
and the Fifth Meeting of the GTI Trade Facilitation Committee



Bismark.Sitorus@UNCTAD.org
Changchun, 2 September 2015

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

Before and After the WTO TF Agreement in Bali

- Dec 2013: Members reached an agreement on a set of trade facilitation measures
- On 27 November 2014, WTO General Council adopted the Protocol of Amendment to insert the WTO Trade Facilitation Agreement into Annex 1A of the WTO Agreement (“the Protocol”), and opened it for acceptance by Members
- Entry into force once 2/3 of WTO members must accept the protocol

[home](#) > [trade topics](#) > [trade facilitation](#) > **agreement**



TRADE FACILITATION: AGREEMENT

Members accepting the Protocol of Amendment to insert the WTO Trade Facilitation Agreement into Annex 1A of the WTO Agreement

On 27 November 2014, the General Council adopted the Protocol of Amendment to insert the WTO Trade Facilitation Agreement into Annex 1A of the WTO Agreement ("the Protocol"), and opened it for acceptance by Members. According to the WTO Agreement, a Member formally accepts the Protocol by depositing an "instrument of acceptance" for the Protocol with the WTO.

As stipulated in the Protocol, it shall enter into force in accordance with Article X:3 of the WTO Agreement. Namely, the Protocol shall take effect upon acceptance by two thirds of the Members for the Members that have accepted the Protocol; thereafter, the Protocol shall take effect for each other Member upon acceptance by it.

MORE:
> [Trade Facilitation
Ninth WTO Ministerial
Conference](#)
> [Dedicated website for new
Trade Facilitation Agreement
Facility](#)

Members and dates of acceptance [back to top](#)

- Hong Kong, China (8 December 2014)
- Singapore (8 January 2015)
- United States of America (23 January 2015)
- Mauritius (5 March 2015)
- Malaysia (26 May 2015)
- Japan (1 June 2015)
- Australia (8 June 2015)
- Botswana (18 June 2015)
- Trinidad and Tobago (29 July 2015)
- Korea (30 July 2015)
- Nicaragua (4 August 2015)
- Niger (6 August 2015)

12 countries

HOW TO ...


> [How to accept the Protocol](#)
Background information for
members on procedures

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New report on implementation of trade facilitation in developing countries 17 September 2014

 The report is based on research conducted in 26 least developed and developing countries, and provides valuable insight into the status of implementation of trade facilitation measures covered by the World Trade Organization's Bali Trade Facilitation Agreement.

The report, entitled [The New Frontier of Competitiveness in Developing Countries: Implementing Trade Facilitation](#), presents an overview of the implementation challenges in the countries researched and concludes with general policy implications for implementing trade facilitation reforms.

Trade facilitation aims at cutting red tape to boost trade across borders. Trade facilitation is part of the World Trade Organization's "Doha round" of negotiations.


From 2011 to 2013, UNCTAD, in collaboration with the relevant national authorities, prepared national trade facilitation implementation plans in 26 countries, comprising of least developed countries, middle-income developing economies, landlocked countries, and small island economies in Africa, Asia, the Caribbean and Latin America.

The aim of the project was for each country to assess:

- The status of implementation of the trade facilitation measures contained in the WTO Trade Facilitation Agreement
- The activities required for their implementation to reach full compliance of these measures
- The countries' needs in terms of time, resources and technical assistance and capacity-building (TACB) activities

The report consolidates the results of the 26 national plans and is designed to assist least developed and developing countries as well as donor countries and agencies to gain a more factual view of the implementation challenges, including resource and time requirements as well as technical assistance and capacity building needs.

The report covers:



Download:
[The New Frontier of Competitiveness in Developing Countries - Implementing Trade Facilitation](#)
Quick link:
[UNCTAD's Trade Facilitation Section](#)

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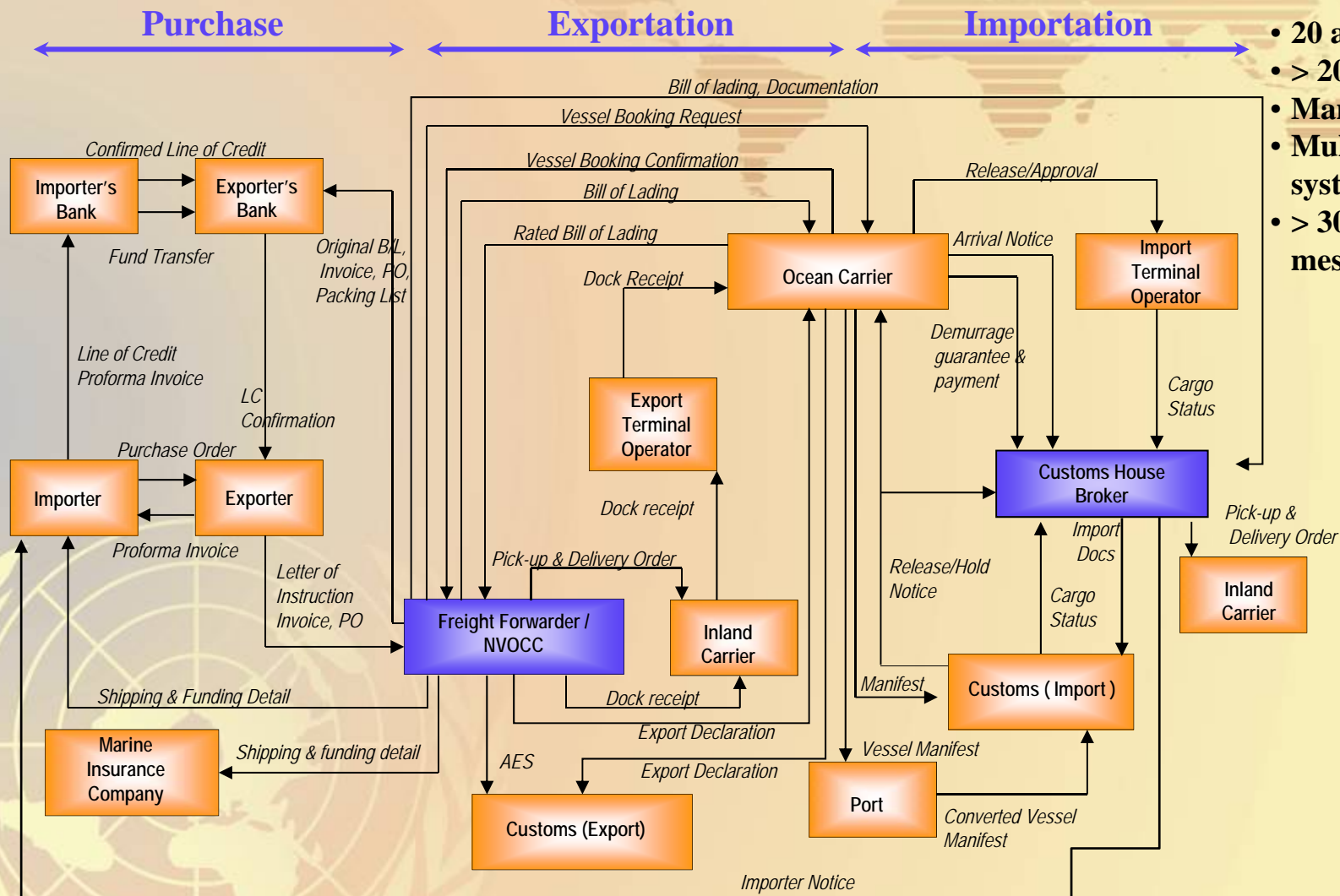
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Why Trade Facilitation?

- Existing Data exchange in international trade
- Inherent complexity of trade process and interaction when crossing the border
- Three pillars of Trade facilitation

Data exchange in International Trade



- 20 actors;
- > 200 data elements;
- Manual procedures;
- Multiple data systems;
- > 30 documents or messages.

Why Trade Facilitation?

- Existing Data exchange in international trade
- Inherent complexity of trade process and interaction when crossing the border
- Three pillars of Trade facilitation

Crossing the

BORDER

GOODS

Products conformity,
standards & regulations

SERVICES

Commercial regulations
and practices

OPERATIONS

Traffic regulations
and operational practices

VEHICLES

Vehicle standards
and regulations

INFRASTRUCTURE

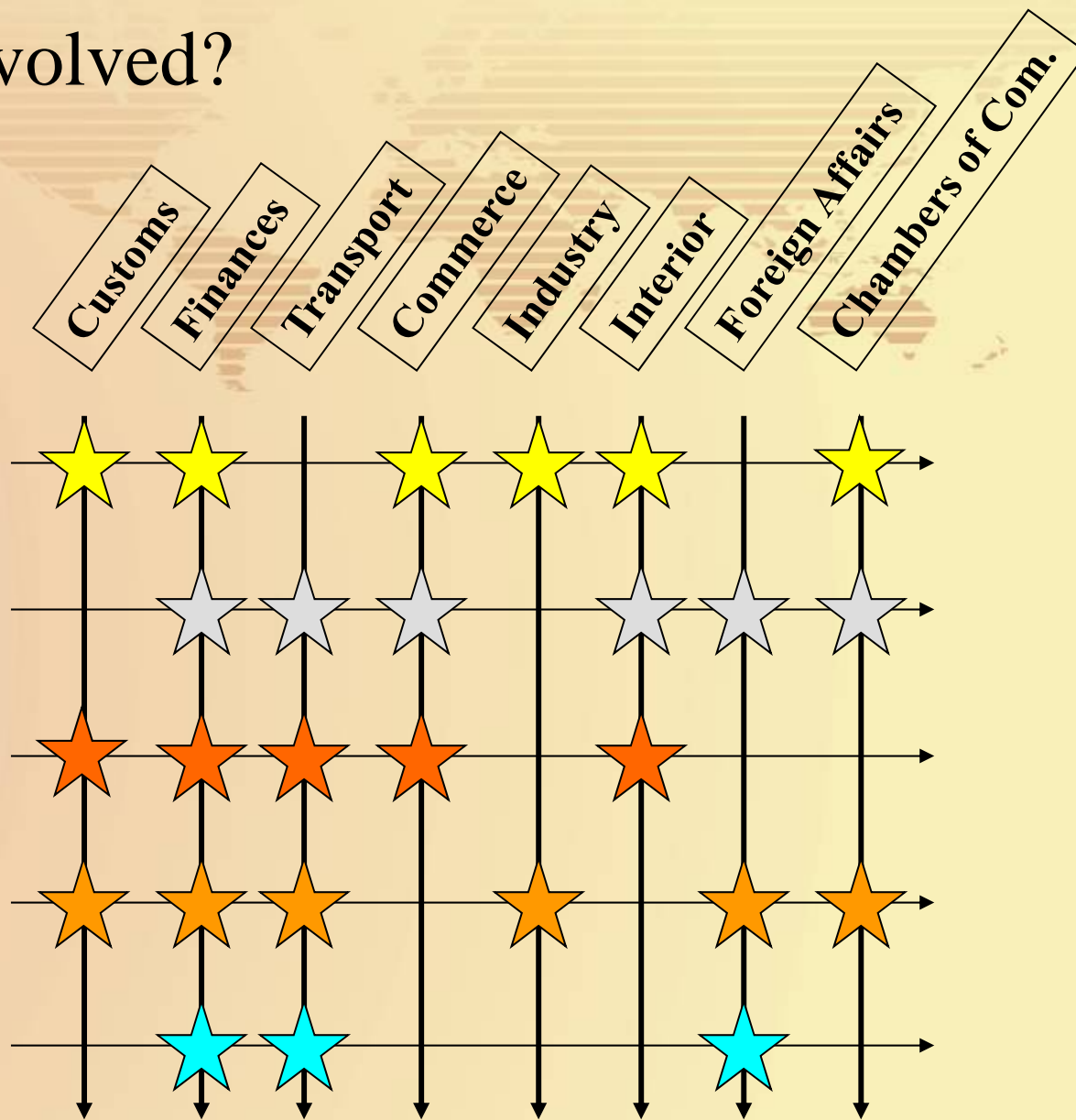
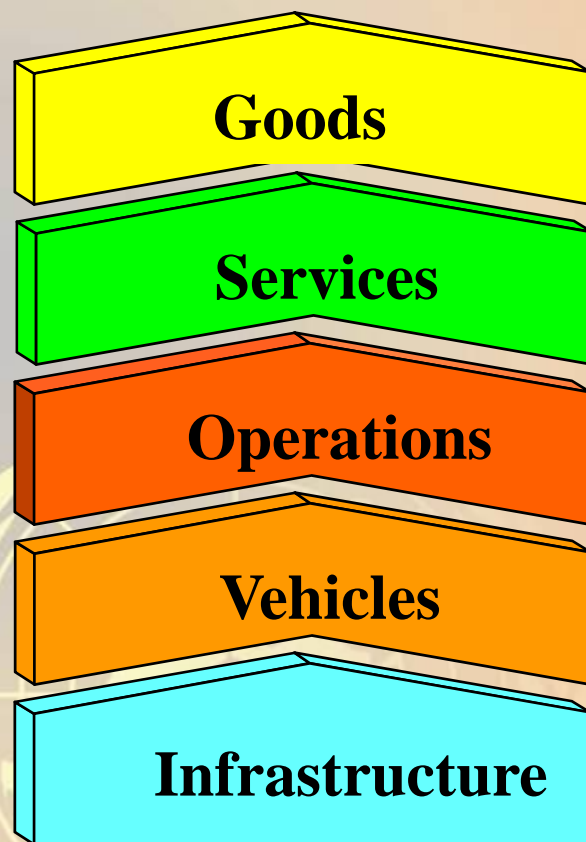
Design, construction,
maintenance and inter-operability

Country Origin

Country Destination

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

Who are involved?



Why Trade Facilitation?

- Existing Data exchange in international trade
- Inherent complexity of trade process and interaction when crossing the border
- **Three pillars of Trade facilitation**

TRADE FACILITATION

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graph TD; A([TRADE FACILITATION]) --> B[Simplification]; A --> C[Harmonisation]; A --> D[Standardisation]; B --> E[Process of eliminating all unnecessary elements and duplications in formalities, processes and procedures]; C --> F[Alignment of national procedures, operations and documents with international conventions, standards and practices.]; D --> G[Process of developing internationally agreed formats for practices and procedures, documents and information.];
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Process of eliminating all unnecessary elements and duplications in formalities, processes and procedures

Harmonisation

Alignment of national procedures, operations and documents with international conventions, standards and practices.

Standardisation

Process of developing internationally agreed formats for practices and procedures, documents and information.

TRADE FACILITATION



Standardisation



Process of developing internationally agreed formats for practices and procedures, documents and information.



LAYOUT KEY FOR TRADE DOCUMENTS

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| Consignor (Exporter) | | Date, Reference No, etc. | | |
| Consignee | | Byer (if other than consignee) or other address | | |
| Notify or delivery address | | Country whence consigned | | |
| | | Country of origin | Country of destination | |
| Transport details | | Terms of delivery and payment | | |
| Shipping marks ; Container No. | Number and kind of packages ; Goods description | Commodity No. | Gross weight | Cube |
| | | | Net quantity | Value |
| Free disposal | | | | |
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UN Lay-out Key (UNECE Rec.#1)

CONFERENCE ON TRADE AND DEVELOPMENT

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TRADE FACILITATION



Harmonisation



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| | | | Net quantity | Value | |
| <div>Free disposal</div> | | | | | |
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| Place and date of issue; Authentication | | | | | |

INVOICE

1. Consignee's name and address

2. Invoice number and reference

3. Invoice date

4. Invoice No.

5. Date of delivery

6. Date of payment

7. Date of receipt

8. Date of shipment

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A CUSTOMS OFFICE

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Basel Central Office

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| | | 18 Identity and nationality of active means of transport at departure 5647 TWF 95 | FR | 19 Ctr. <input type="checkbox"/> | 17 Country of destination Switzerland | | | | |
| | | 21 Identity and nationality of active means of transport crossing the border 5647 TWF 95 | CH | | | | | | |
| | | 25 Mode Transport 3 at border | 27 Place of loading/unloading CHGVA GENEVE | | | | | | |
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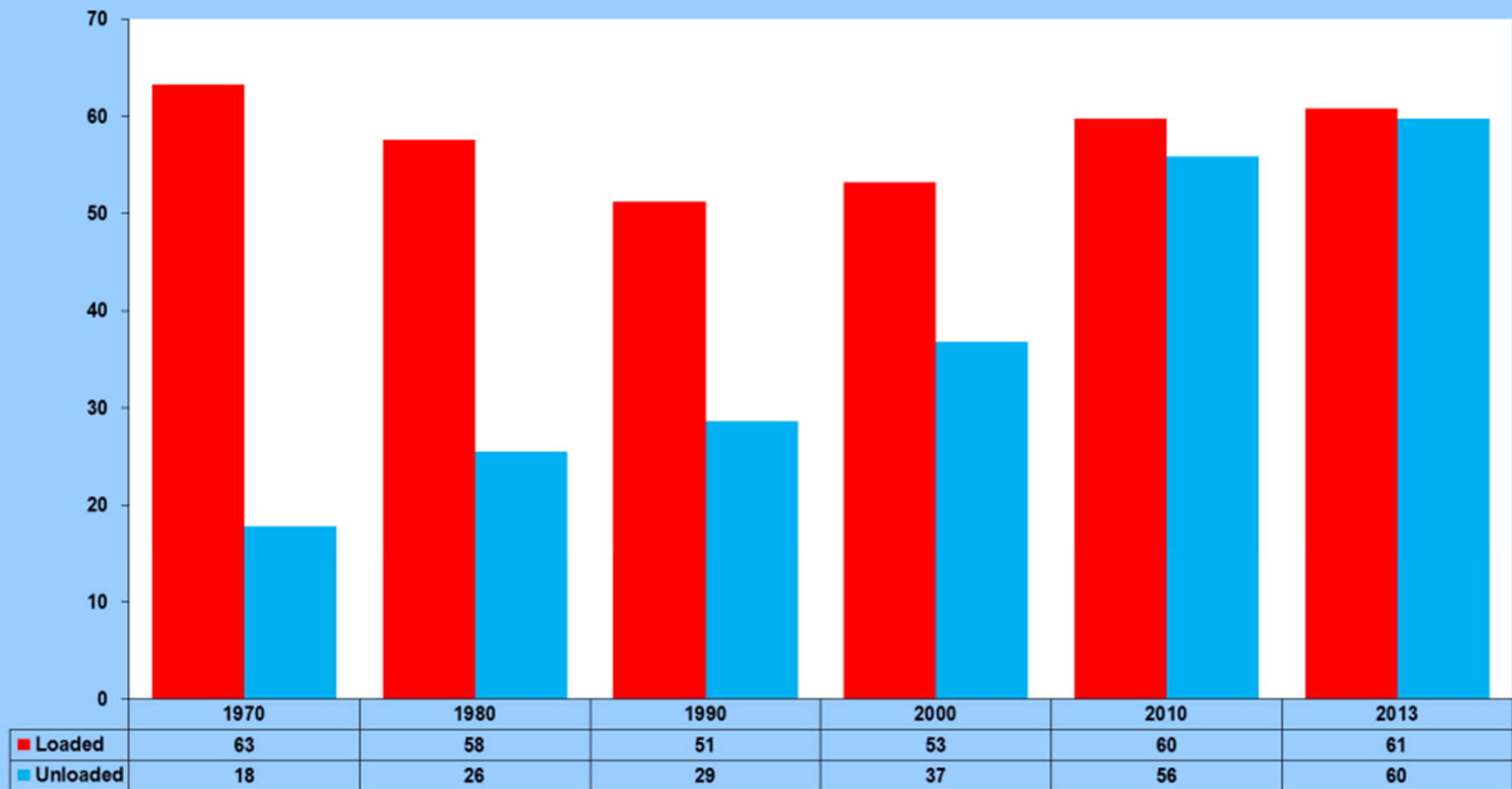
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7

reasons why TF is more
important for regional integration
today than before

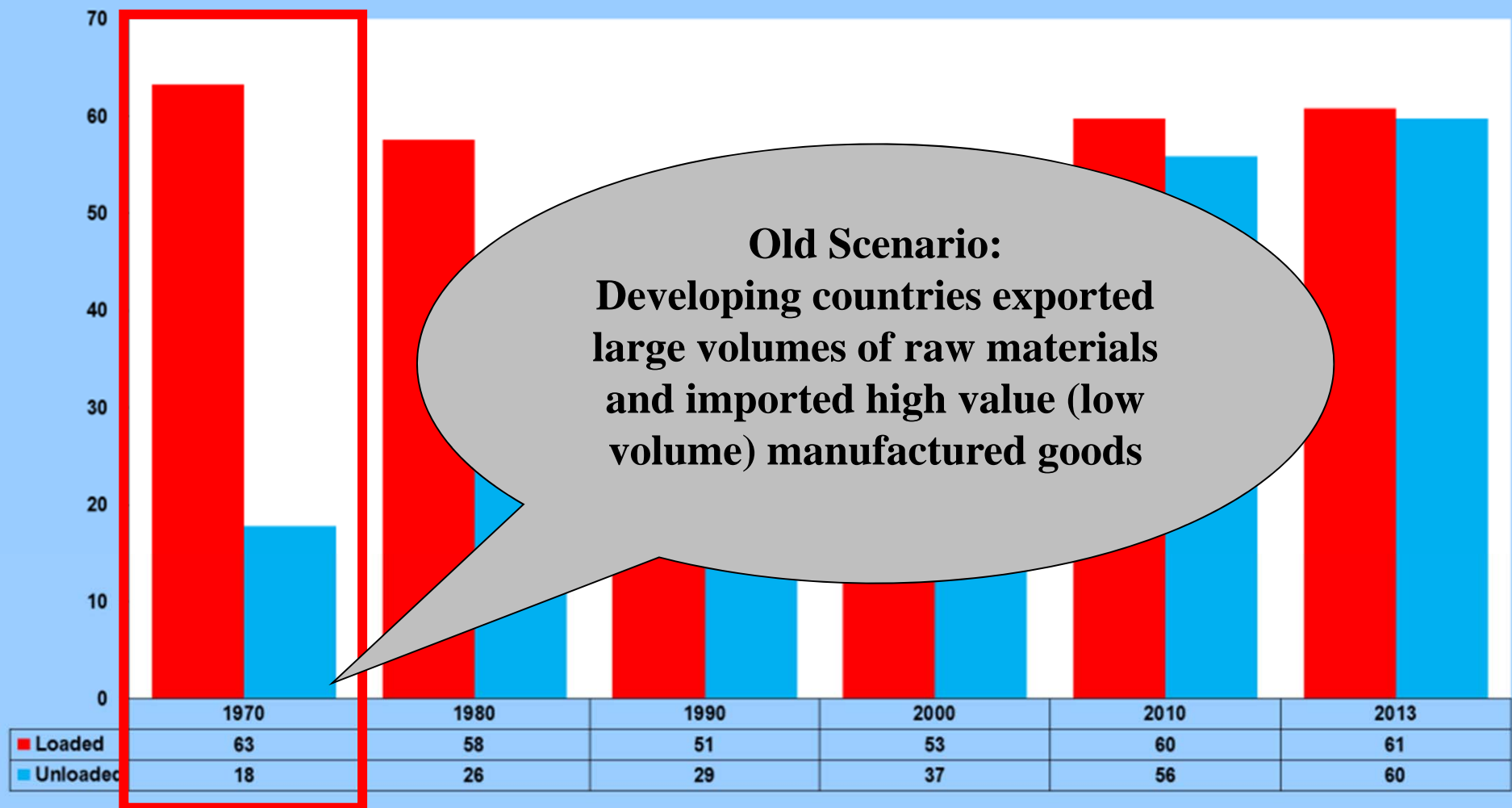
1. The emergence of the emerging economies



Developing countries' % share of global seaborne trade - tonnes.

Source: UNCTAD, Review of Maritime Transport, 2014

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UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

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UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

Developing countries' % share of global seaborne trade - tonnes.

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ARTICLE 3: ADVANCE RULINGS

1. Each Member shall issue an advance ruling in a reasonable, time bound manner to an applicant that has submitted a written request containing all necessary information. If a Member declines to issue an advance ruling it shall promptly notify the applicant in writing, setting out the relevant facts and the basis for its decision.

2. A Member may decline to issue an advance ruling to an applicant where the question raised in the application:

- a. is already pending in the applicant's case before any governmental agency, appellate tribunal or court; or
- b. has already been decided by any appellate tribunal or court.

3. The advance ruling shall be valid for a reasonable period of time after its issuance unless the law, facts or circumstances surrounding the original advance ruling have changed.

4. Where the Member revokes, modifies or invalidates the advance ruling, it shall provide written notice to the applicant setting out the relevant facts and the basis for its decision. Where a Member revokes, modifies or invalidates advance rulings with retroactive effect, it may only do so where the ruling was based on incomplete, incorrect, false or misleading information.

5. An advance ruling issued by a Member shall be binding on that Member in respect of the applicant that sought it. The Member may provide that the advance ruling be binding on the applicant.

6. Each Member shall publish, at a minimum:

- a. the requirements for the application for an advance ruling, including the information to be provided and the format;
- b. the time period by which it will issue an advance ruling; and
- c. the length of time for which the advance ruling is valid.

7. Each Member shall provide, upon written request of an applicant, a review of the advance ruling or the decision to revoke, modify or invalidate the advance ruling.²

8. Each Member shall endeavour to make publicly available any information on advance rulings which it considers to be of significant interest to other interested parties, taking into account the need to protect commercially confidential information.

² Under this paragraph: a) a review may, before or after the ruling has been acted upon, be provided by the official, office or authority that issued the ruling, a higher or independent administrative authority, or a judicial authority; and b) a Member is not required to provide the applicant with recourse to Article 4.1.1 of this Agreement.

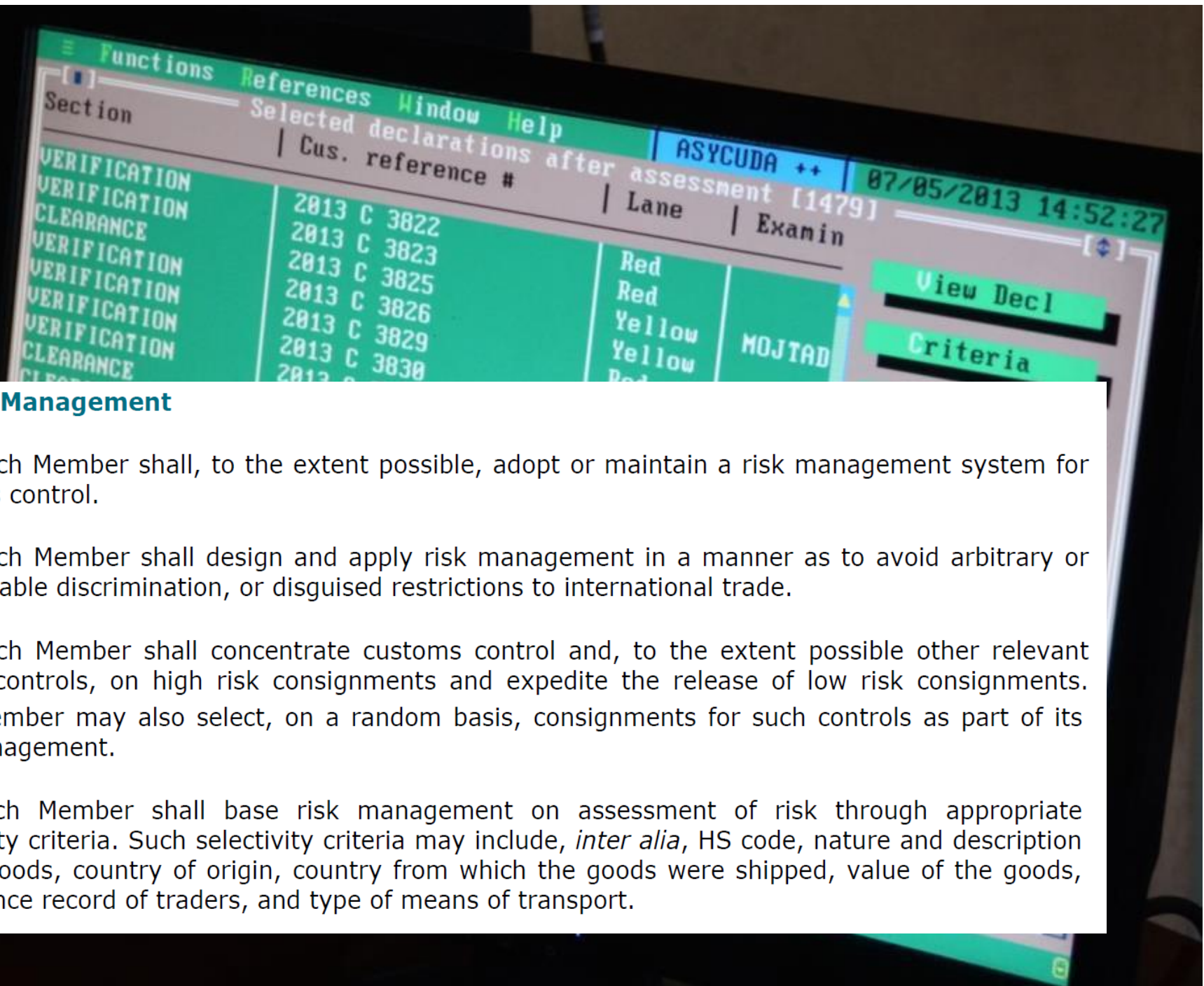
② Globalized production

- Intra-company trade
- Trade in intermediate products
- **Logistics part of production process**



③ Protection





4 Risk Management

4.1. Each Member shall, to the extent possible, adopt or maintain a risk management system for customs control.

4.2. Each Member shall design and apply risk management in a manner as to avoid arbitrary or unjustifiable discrimination, or disguised restrictions to international trade.

4.3. Each Member shall concentrate customs control and, to the extent possible other relevant border controls, on high risk consignments and expedite the release of low risk consignments. Each Member may also select, on a random basis, consignments for such controls as part of its risk management.

4.4. Each Member shall base risk management on assessment of risk through appropriate selectivity criteria. Such selectivity criteria may include, *inter alia*, HS code, nature and description of the goods, country of origin, country from which the goods were shipped, value of the goods, compliance record of traders, and type of means of transport.

④

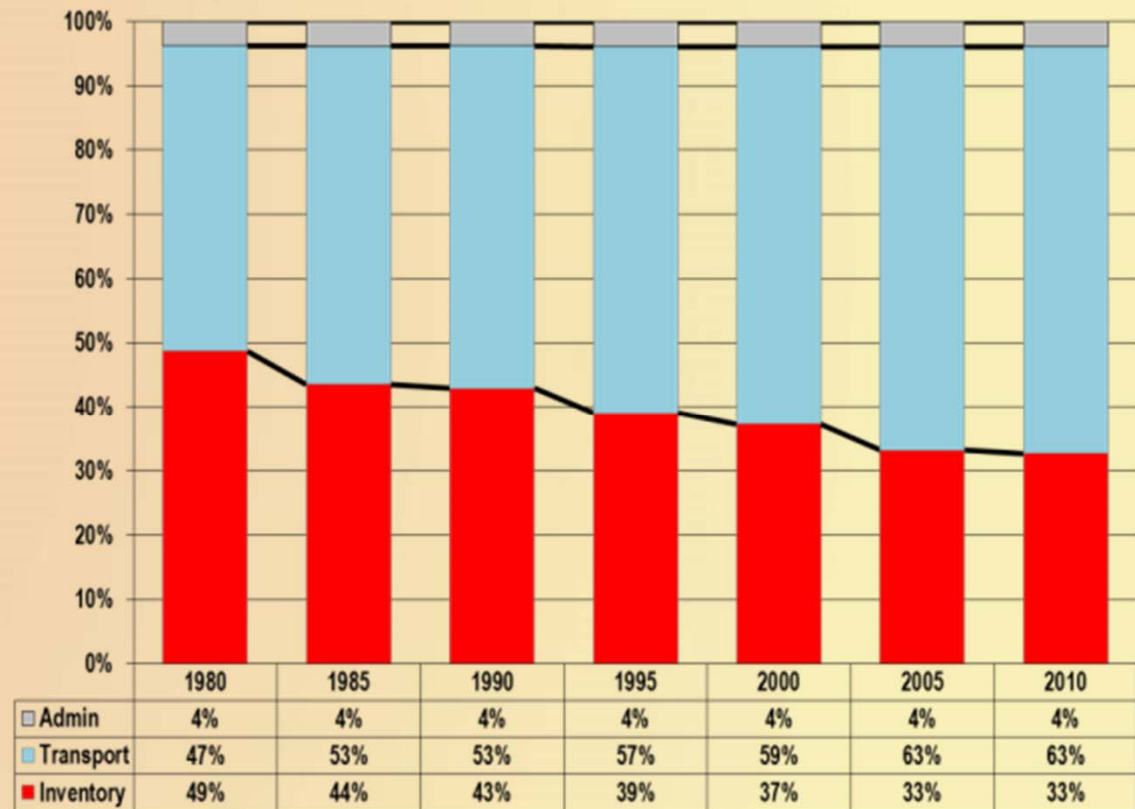
New Geography of Trade

Growing South-South Trade



⑤ Changing logistics expenditures

Inventory holding expenditures decrease, and **Transport** expenditures increase



UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

CSCM – State of Logistics Report various issues. Data for United States



ARTICLE 7: RELEASE AND CLEARANCE OF GOODS

3 Separation of Release from Final Determination of Customs Duties, Taxes, Fees and Charges

3.1. Each Member shall adopt or maintain procedures allowing the release of goods prior to the final determination of customs duties, taxes, fees and charges, if such a determination is not done prior to, or upon arrival, or as rapidly as possible after arrival and provided that all other regulatory requirements have been met.

3.2. As a condition for such release, a Member may require:

- payment of customs duties, taxes, fees and charges determined prior to or upon arrival of goods and a guarantee for any amount not yet determined in the form of a surety, a deposit or another appropriate instrument provided for in its laws and regulations; or
- a guarantee in the form of a surety, a deposit or other appropriate instrument provided for in its laws and regulations.

3.3. Such guarantee shall not be greater than the amount the Member requires to ensure payment of customs duties, taxes, fees and charges ultimately due for the goods covered by the guarantee.

4. In cases where an offence requiring imposition of monetary penalties or fines has been detected, a guarantee may be required for the penalties and fines that may be imposed.

5. The guarantee as set out in paragraphs 3.2 and 3.4 shall be discharged when it is no longer required.

Nothing in these provisions shall affect the right of a Member to examine, detain, seize or confiscate or deal with the goods in any manner not otherwise inconsistent with the Member's rights and obligations.

⑥ Regional integration

- Increased regional and transit trade





Freedom of transit.

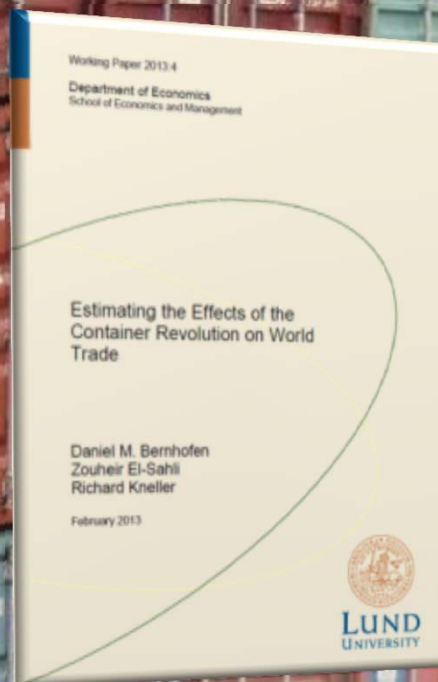
"Transit" also included in
several other TFA Articles

⑦ Technologies

- Containerization, shipping networks
- Use of computers and Internet



Containerization



The
Economist

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Free exchange

The humble hero

Containers have been more important for globalisation than freer trade

Bernhofen et al, 2013

The Economist, May 2013

What do traders want ?

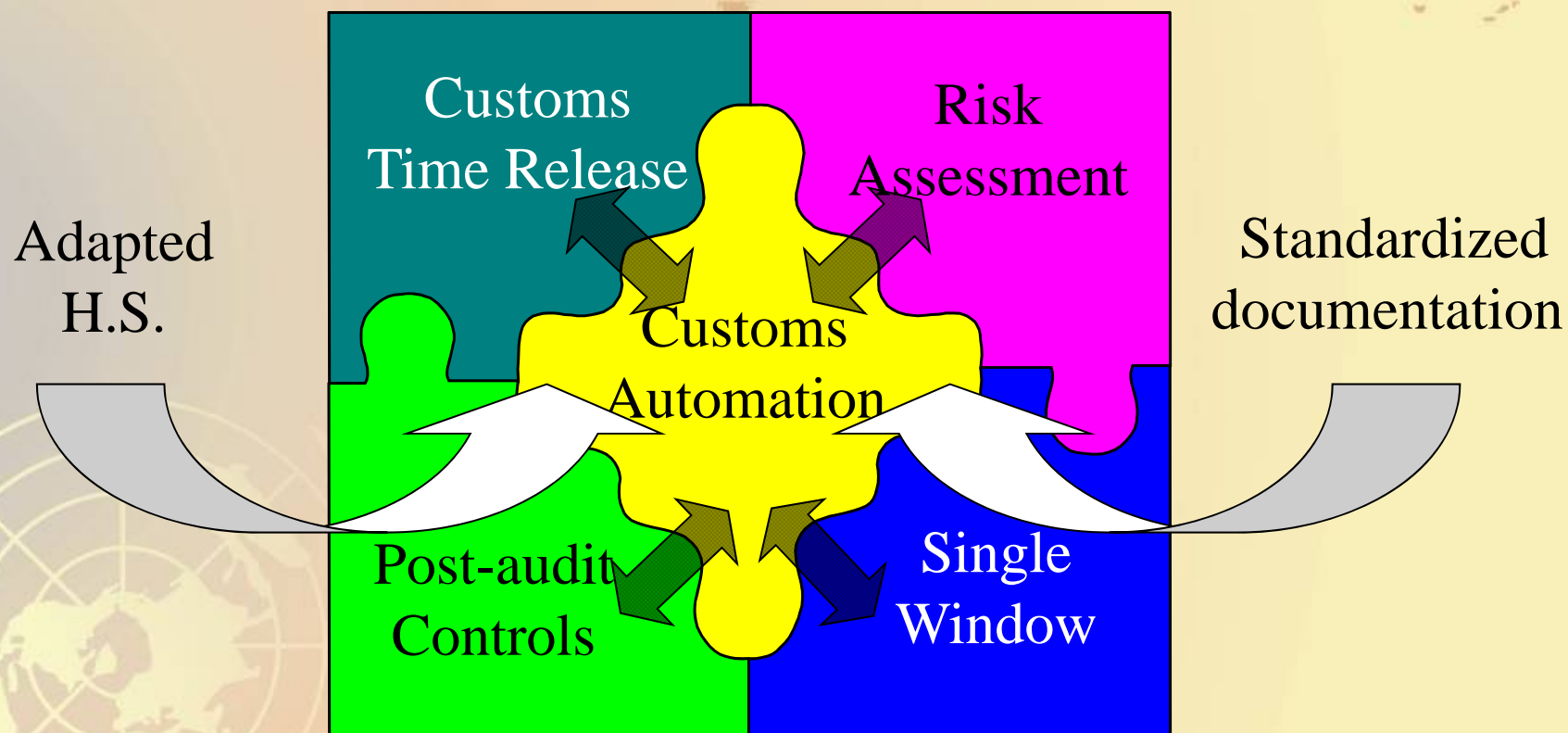


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What do traders want ?

- Simple and smooth processing of formalities
- Means to allow goods to proceed promptly to their final destination. No longer itineraries, no unpacking, no delays
- A single control point for all public services
- Standard forms, assembled into a 'single bunch of documents', compatible with trade documents and transport contracts
- Predictable and transparent rules and procedures

Functional linkages





Some early indicators on priorities in implementing WTO TFA measures



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Notifications of Category A commitments

TRADE FACILITATION – LIST OF CATEGORIES

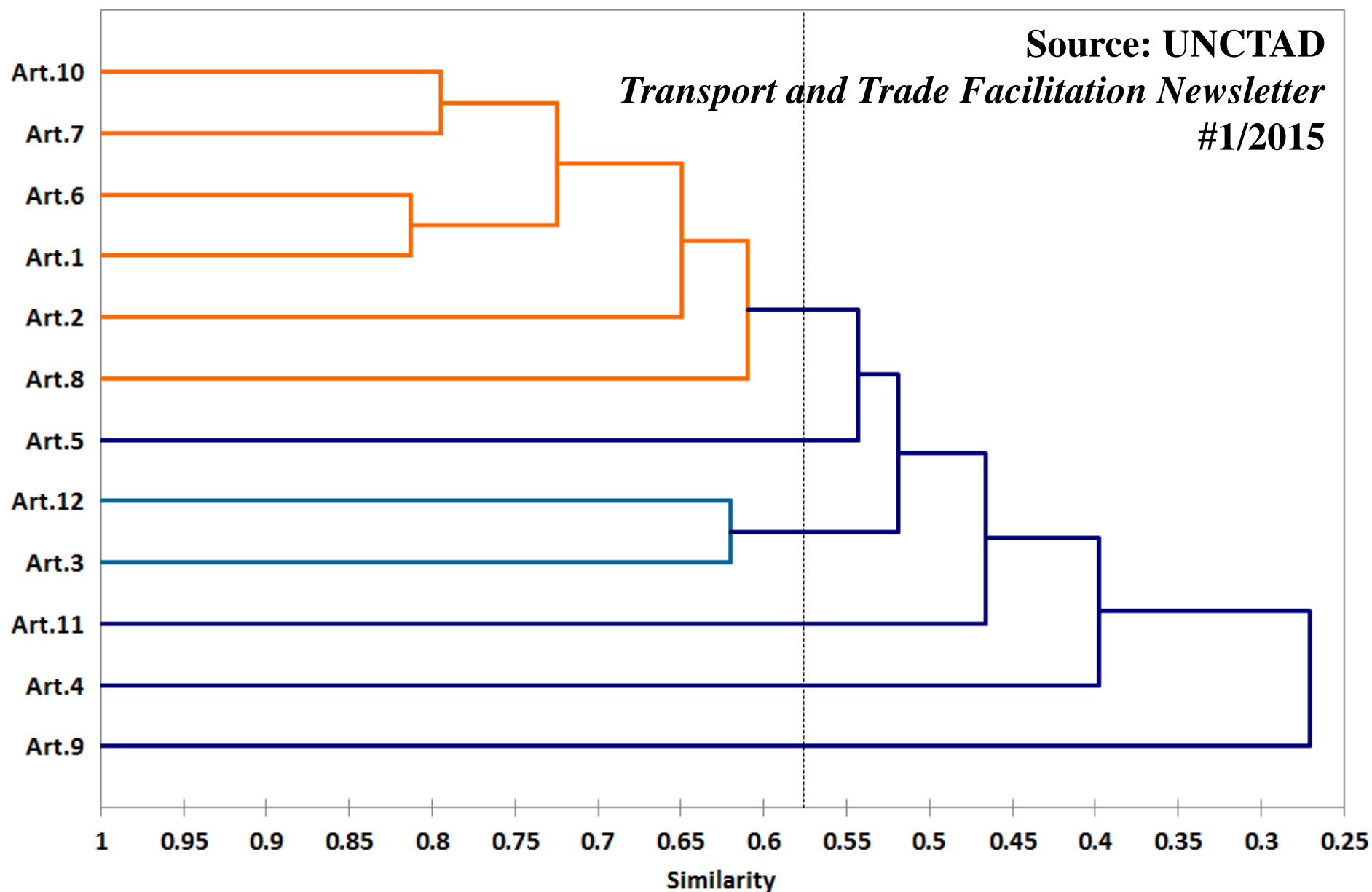
Total received to date: 68 countries

| | Country | Document Number | |
|-----|-----------------------|------------------|------------|
| 1. | Hong Kong China | WT/PCTF/N/HKG/1 | C |
| 2. | Mexico | WT/PCTF/N/MEX/1 | C |
| 3. | Costa Rica | WT/PCTF/N/CRI/1 | Ci |
| 4. | Korea | WT/PCTF/N/KOR/1 | Ci |
| 5. | Colombia | WT/PCTF/N/COL/1 | Cir |
| 6. | Singapore | WT/PCTF/N/SGP/1 | Cir |
| 7. | Chinese Taipei (TPKM) | WT/PCTF/N/TPKM/1 | Circ |
| 8. | Paraguay | WT/PCTF/N/PRY/1 | Circ |
| 9. | China | WT/PCTF/N/CHN/1 | Circ |
| 10. | Nicaragua | WT/PCTF/N/NIC/1 | Circu |
| 11. | Mauritius | WT/PCTF/N/MUS/1 | Circu |
| 12. | Turkey | WT/PCTF/N/ | |
| 13. | Honduras | WT/PCTF/N/ | |
| 14. | Saudi Arabia | WT/PCTF/N/ | |
| 15. | Malaysia | WT/PCTF/N/ | |
| 16. | Kuwait | WT/PCTF/N/ | |
| 17. | Chile | WT/PCTF/N/ | |
| 18. | Qatar | WT/PCTF/N/ | |
| 19. | Thailand | WT/PCTF/N/ | |
| 20. | Peru | WT/PCTF/N/ | |
| 21. | Uruguay | WT/PCTF/N/ | |
| 22. | El Salvador | WT/PCTF/N/ | |
| 23. | Brazil | WT/PCTF/N/ | |
| 24. | Mongolia | WT/PCTF/N/MNG/1 | Circulated |
| 25. | Morocco | WT/PCTF/N/MAR/1 | Circulated |
| 26. | Vietnam | WT/PCTF/N/VNM/1 | Circulated |
| 27. | Tajikistan | WT/PCTF/N/TJK/1 | Circulated |
| 28. | Dominican Republic | WT/PCTF/N/DOM/1 | Circulated |
| 29. | Sri Lanka | WT/PCTF/N/LKA/1 | Circulated |
| 30. | Israel | WT/PCTF/N/ISR/1 | Circulated |
| 31. | Philippines | WT/PCTF/N/PHL/1 | Circulated |
| 32. | Guatemala | WT/PCTF/N/GTM/1 | Circulated |
| 33. | Ecuador | WT/PCTF/N/ECU/1 | Circulated |
| 34. | Kyrgyz Republic | WT/PCTF/N/KGZ/1 | Circulated |
| 35. | Panama | WT/PCTF/N/PAN/1 | Circulated |
| 36. | Indonesia | WT/PCTF/N/IDN/1 | Circulated |
| 37. | Republic of Congo | WT/PCTF/N/COG/1 | Circulated |
| 38. | Cote d'Ivoire | WT/PCTF/N/CIV/1 | Circulated |
| 39. | Ukraine | WT/PCTF/N/UKR/1 | Circulated |

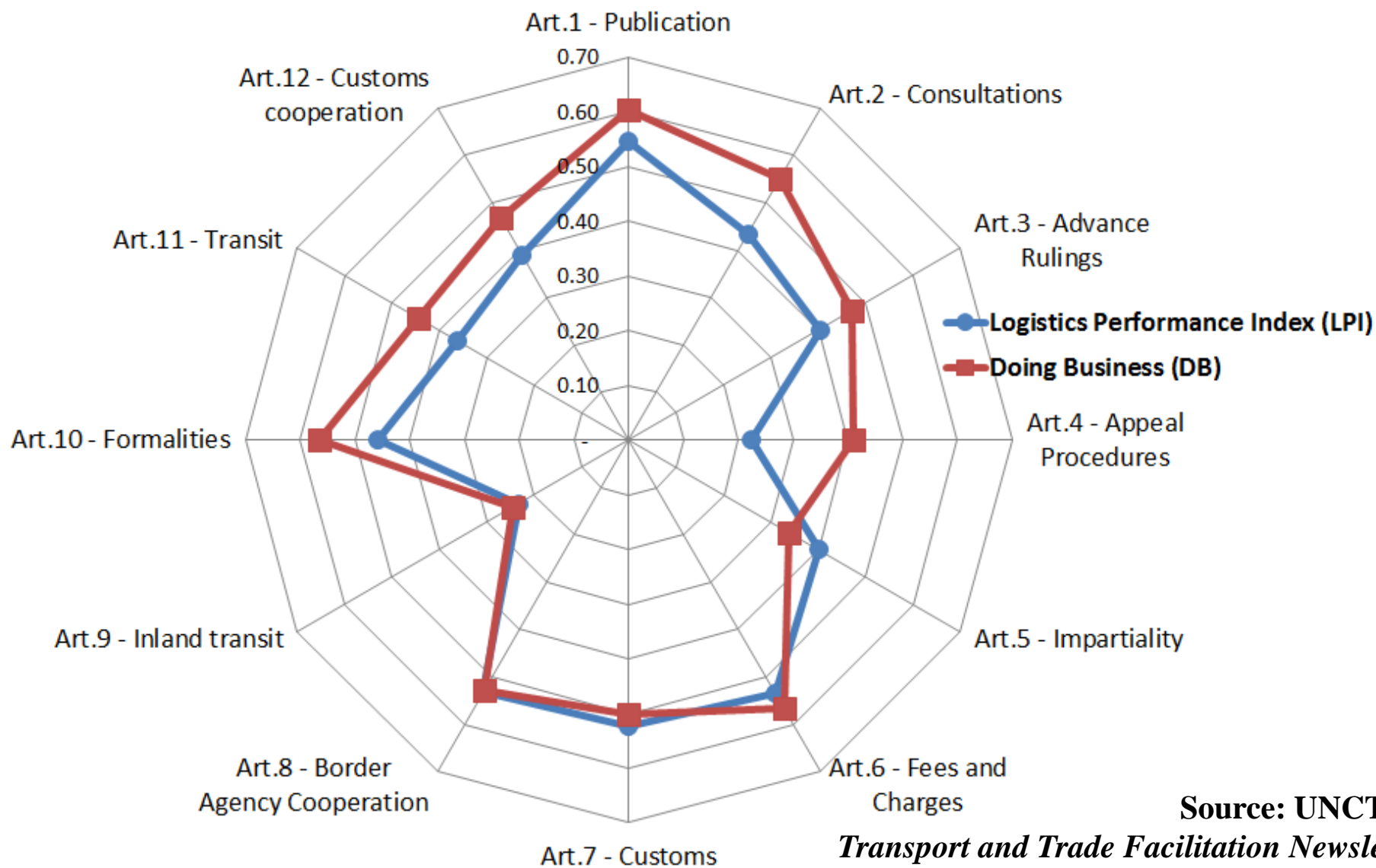
As of 7 August 2015,
68 Countries have notified
their Category A commitments

| | Country | Document Number | Circulated on |
|-----|----------------------------------|------------------------|--|
| 40. | Brunei Darussalam | WT/PCTF/N/BRN/1 | Circulated on 14 th August 2014 |
| 41. | Oman | WT/PCTF/N/OMN/1 | Circulated on 10 th September 2014 |
| 42. | Albania | WT/PCTF/N/ALB/1 | Circulated on 19 th September 2014 |
| 43. | Moldova | WT/PCTF/N/MDA/1 | Circulated on 4 th September 2014 |
| 44. | Tunisia | WT/PCTF/N/TUN/1 | Circulated on 18 th September 2014 |
| 45. | Jordan | WT/PCTF/N/JOR/1 | Circulated on 7 th October 2014 |
| 46. | Montenegro | WT/PCTF/N/MNE/1 | Circulated on 3 rd October 2014 |
| 47. | Botswana | WT/PCTF/N/BWA/1 | Circulated on 27 th October 2014 |
| 48. | Senegal | WT/PCTF/N/SEN/1 | Circulated on 10 th November 2014 |
| | | WT/PCTF/N/NGA/1 | Circulated on 25 th November 2014 |
| | | WT/PCTF/N/MAC/1 | Circulated on 17 th December 2014 |
| | | | Circulated on 7 th January 2015 |
| | | | Circulated on 13 th February 2015 |
| | | | Circulated on 3 rd March 2015 |
| | | | Circulated on 20 th March 2015 |
| | | | Circulated on 27/04/2015 |
| | | | Circulated on 29/04/2015 |
| | | | Circulated on 01/05/2015 and 02/05/2015, respectively. |
| 57. | Dominica | WT/PCTF/N/DO/1 | Circulated on 13/05/2015 |
| 58. | Burundi | WT/PCTF/N/BOI/1/Corr.1 | Circulated on 13/05/2015 |
| | | WT/PCTF/N/TZA/1 | Circulated on 13/05/2015 |
| 59. | Tanzania | WT/PCTF/N/KEN/1 | Circulated on 02/06/2015 |
| 60. | Kenya | WT/PCTF/N/KNA/1 | Circulated on 02/06/2015 |
| 61. | Saint Kitts and Nevis | WT/PCTF/N/ARE/1 | Circulated on 08/06/2015 |
| 62. | United Arab Emirates | WT/PCTF/N/VCT/1 | Circulated on 08/06/2015 |
| 63. | Saint Vincent and the Grenadines | WT/PCTF/N/ATG/1 | Circulated on 12/06/2015 |
| 64. | Antigua and Barbuda | WT/PCTF/N/GRD/1 | Circulated on 15/06/2015 |
| 65. | Grenada | WT/PCTF/N/TTO/1 | Circulated on 02/07/2015 |
| 66. | Trinidad and Tobago | WT/PCTF/N/BBB/1 | Circulated on 07/08/2015 |
| 67. | Barbados | WT/PCTF/N/UGA/1 | |
| 68. | Uganda | | |

Clustering of TFA Articles (notifications)



TF measures and logistics performance



Source: UNCTAD
Transport and Trade Facilitation Newsletter
#1/2015

UNCTAD remains committed to assist countries in trade facilitation

- Collaborate with business communities in standardization of international instrument for trade facilitation. Example UN Recommendation 4 on National Trade Facilitation Bodies.

http://www.unece.org/cefact/recommendations/rec_index.html

- Long believer and supporter of the establishment of NTFCs around the world. <http://unctad.org/tfc>

- Signed an MoU with ITC and UNECE to provide a coordinated and integrated programme of support to developing countries implementing the WTO TFA.

<http://unctad.org/en/pages/newsdetails.aspx?OriginalVersionID=982>

(22 April 2015)

UNCTAD remains committed to assist countries in trade facilitation

- Publish technical notes on trade facilitation measures <http://unctad.org/technicalnotes>
- Contributed to the development and updates of the UN Trade Facilitation Implementation Guide <http://tfig.unece.org>
- Regularly updates the international trading communities on recent and upcoming transport and trade facilitation events and publications. <http://unctad.org/transportnews> and <http://unctad.org/rmt>

UNCTAD remains committed to assist countries in trade facilitation

- ASYCUDA is an integrated customs management system for international trade and transport operations in a modern automated environment. It improves revenue collection. It facilitates trade efficiency and competitiveness by substantially reducing transaction time and costs. It improves security by streamlining procedures of cargo control, transit of goods and clearance of goods. It helps fight corruption by enhancing transparency of transactions
<http://www.asycuda.org/>

UNCTAD remains committed to assist countries in trade facilitation

- Thanks to donor countries who cooperated with UNCTAD in making it possible for the implementation of trade facilitation technical cooperation activities in various developing countries. This year, with the financial support from Germany, Sweden and UK, UNCTAD have begun implementing planned trade facilitation activities in a number of developing countries.



Trade Facilitation in the World and Region

International Seminar on Trade Facilitation in North East Asia
and the Fifth Meeting of the GTI Trade Facilitation Committee



Bismark.Sitorus@UNCTAD.org
Changchun, 2 September 2015

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT