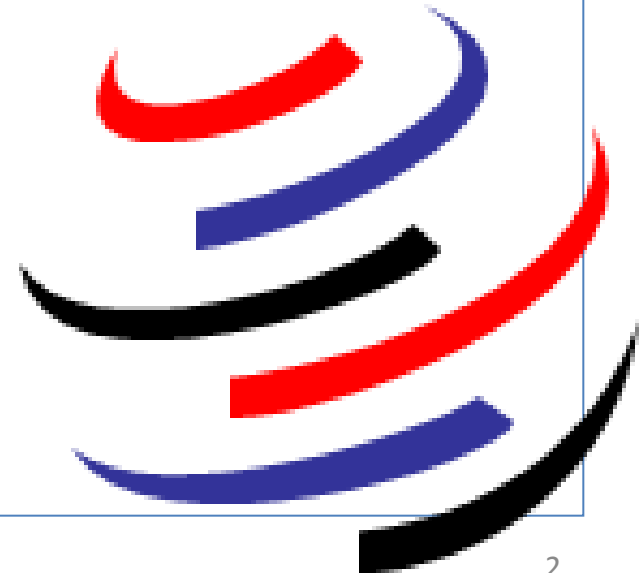




Sheri Rosenow- WTO Trade Facilitation Section

Enacting the Trade Facilitation Agreement

- ✓ Trade Facilitation Agreement (TFA)
- ✓ Implementation support for developing and LDC countries
- ✓ Entry into force of the TFA









A Customs Office in 2014



Balance

Facilitate Trade



Effective
Enforcement of Laws



**TRADE FACILITATION
AGREEMENT (TFA)**

Trade Facilitation Agreement

Section I:

- ❖ 12 articles of technical measures

Section II:

- ❖ Special and Differential Treatment (SDT) Provisions for developing countries

Section III:

- ❖ Institutional Arrangements and Final Provisions

WT/L/940

AGREEMENT ON TRADE FACILITATION*

Preamble

Members,

Having regard to the negotiations launched under the Doha Ministerial Declaration;

Recalling and reaffirming the mandate and principles contained in paragraph 27 of the Doha Ministerial Declaration (WT/MIN(01)/DEC/1) and in Annex D of the Decision of the Doha Work Programme adopted by the General Council on 1 August 2004 (WT/L/579), as well as in paragraph 33 of and Annex E to the Hong Kong Ministerial Declaration (WT/MIN(05)/DEC);

Desiring to clarify and improve relevant aspects of Articles V, VIII and X of the GATT 1994 with a view to further expediting the movement, release and clearance of goods, including goods in transit;

Recognizing the particular needs of developing and especially least-developed country Members and desiring to enhance assistance and support for capacity building in this area;

Recognizing the need for effective cooperation among Members on trade facilitation and customs compliance issues;

Hereby agree as follows:

SECTION I

ARTICLE 1: PUBLICATION AND AVAILABILITY OF INFORMATION

1 Publication

1.1 Each Member shall promptly publish the following information in a non-discriminatory and easily accessible manner in order to enable governments, traders, and other interested parties to become acquainted with them:

- procedures for importation, exportation, and transit (including port, airport, and other entry-point procedures), and required forms and documents;
- applied rates of duties and taxes of any kind imposed on or in connection with importation or exportation;
- fees and charges imposed by or for governmental agencies on or in connection with importation, exportation or transit;
- rules for the classification or valuation of products for customs purposes;
- laws, regulations, and administrative rulings of general application relating to rules of origin;

* This document has previously been issued under the symbol WT/PCTF/W/27.

TF Measures

Transparency and Appeals

- Publication/internet publication
- Enquiry Point for trade information
- Opportunity to comment
- Consultations
- Advance rulings
- Right of appeal

Transit

- Restrictions on fees and charges
- Use of guarantee

Import/Export/Transit Fees & Formalities

- Disciplines on fees
- Pre-arrival processing
- Risk management
- Post clearance audit
- Publish average release times
- Authorized operators
- Border agency cooperation
- Review formalities and documents
- Single window
- Eliminate use of PSI for tariff classification and customs valuation.
- Separate release from clearance
- Customs cooperation

Before the border

Issues

- ✓ Accurate information difficult to find

TFA Solutions

- Publication
- Information Available on Internet

At the border

Issues

✓ Inefficient border-crossing procedures



TFA Solutions

- Pre-arrival processing
- Risk management
- Post Clearance Audit
- Separation of release from final determination
- Authorized operators
- Electronic Processing
 - Single window
 - Electronic payment
- Border agency cooperation
- Customs-to-Customs Information



**IMPLEMENTATION SUPPORT
FOR DEVELOPING AND LDC
COUNTRIES**

Section II -Special & Differential Treatment for developing and LDC countries

- 🕒 Implementation of agreement linked with capacity
- 🕒 Each developing county can say when it will implement each measure
- 🕒 Which measures can implement only with technical assistance



Categorization of each measure

Category A: implemented by time Agreement enters into force

Category B: Entry into force + (X) time
(indicative dates of implementation)

Category C: need extra time & TACB

(category **notifications due** at EIF
one year later for LDCs)

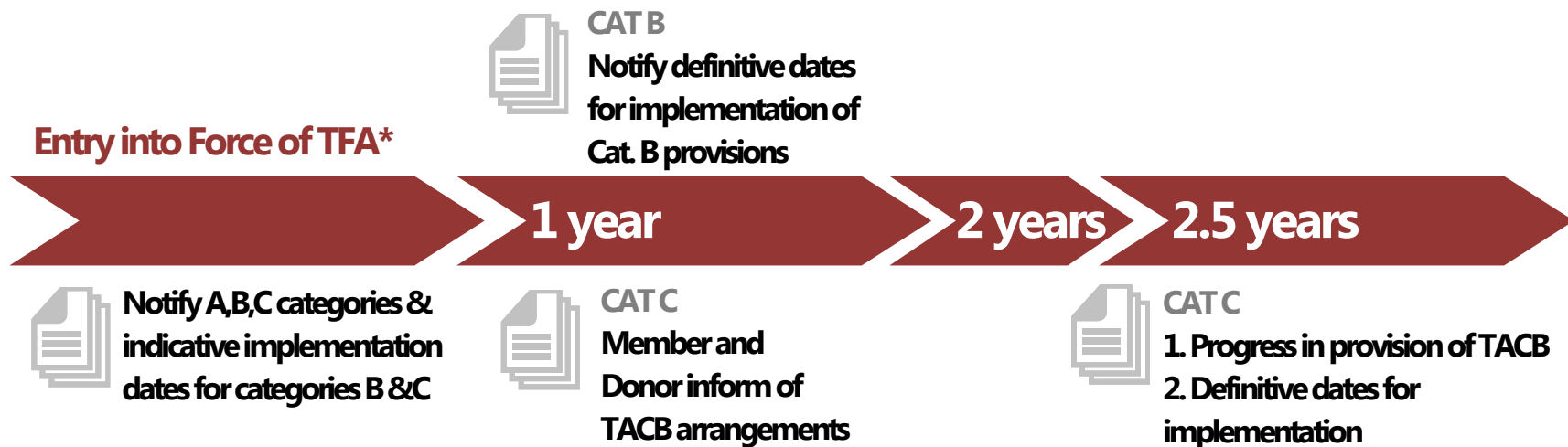




Schedules of Commitments

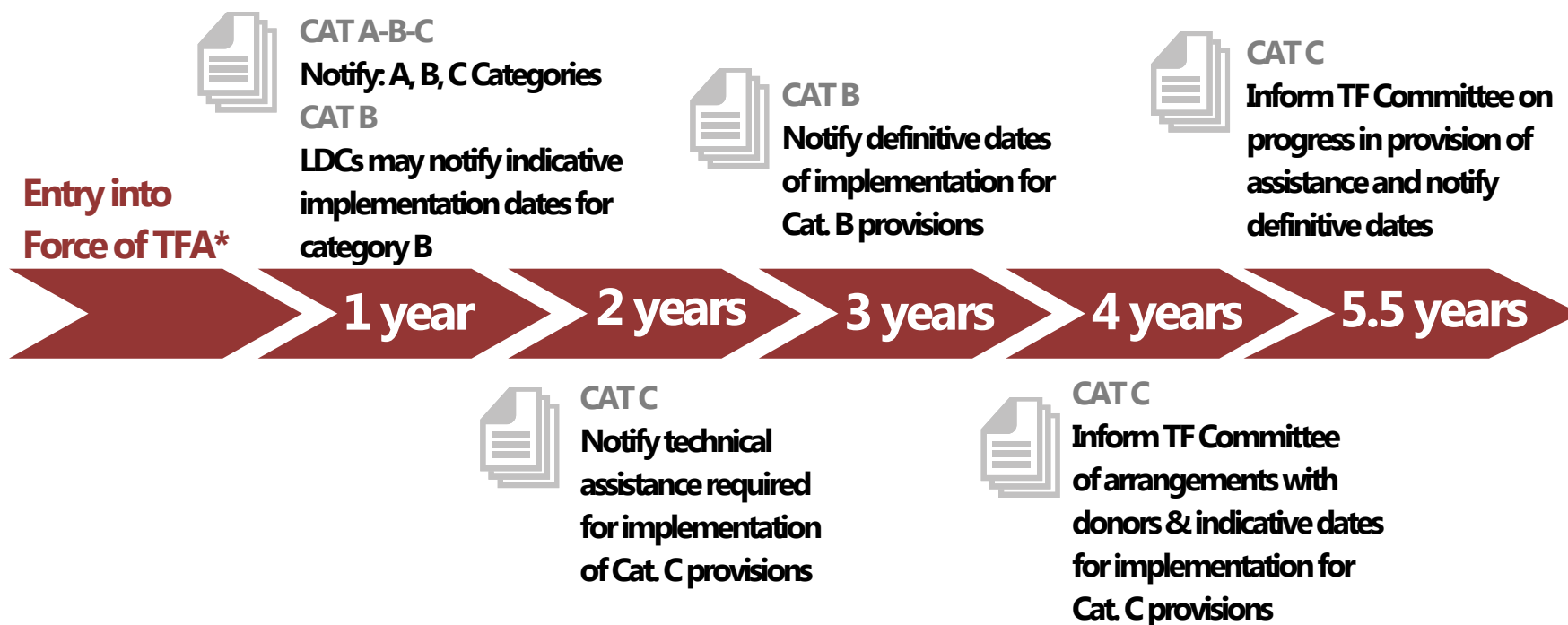
A- Implement right away	B – time needed	C – time and TACB needed
1 Publication 2.2 Consultations 4 Right of Appeal 5 Import/Rapid Alert 6 Disciplines on Fees 7.3 Separation of Release	1.2 Internet Publication 1.3 Enquiry Point 1.4 Notification 7.4 Risk Management 7.7 Authorized Traders 7.8 Expedited Shipment 10.1 Periodic review of Formalities	3 Advance Rulings 7.1 Pre-Arrival Processing 7.5 Post-Clearance Audit 10.1 Reduction of Formalities 10.4 Single Window 10.5 PSI

Figure 1: Developing Countries Notification for all categories of provisions



* Entry into force of TFA when 2/3 of Members ratify. Obligations for an individual country will only commence once this country completed its ratification process as well.

Figure 2: LDCs Notification for all categories of provisions



* Entry into force of TFA when 2/3 of Members ratify. Obligations for an individual country will only commence once this country completed its ratification process as well.

WTO TFA Facility



WTO Technical Assistance

- Regional workshops for Parliamentarians 2015

Implementation Assistance

- Information on donor TACB projects
- Matchmaking
- Case studies and training materials

Grants

- Project preparation (\$30,000)
- Project implementation (\$200,000)

After EIF and receipt of Category C notification



**ENTRY INTO FORCE OF THE
TFA**

PROTOCOL AMENDING THE MARRAKESH AGREEMENT ESTABLISHING THE WORLD TRADE ORGANIZATION

Members of the World Trade Organization; *Referring to the Agreement on Trade Facilitation;*

Having regard to the Decision of the General Council in document WT/L/940, adopted pursuant to paragraph 1 of Article X of the Marrakesh Agreement Establishing the World Trade Organization ("the WTO Agreement");

Hereby agree as follows:

1. Annex 1A to the WTO Agreement shall, upon entry into force of this Protocol, be amended by inserting the TFA after the Agreement on Safeguards.

2. Reservations may not be entered in respect of any of the provisions of this Protocol without the consent of the other Members.

3. This Protocol is hereby open for acceptance by Members.

4. This Protocol shall enter into force in accordance with paragraph 3 of Article X of the WTO Agreement.

5. This Protocol shall be deposited with the WTO DG who shall promptly furnish to each Member a certified copy and a notification of each acceptance.

6. This Protocol shall be registered in accordance with Article 102 of the Charter of the UN.

Done at Geneva this 27th day of November 2014, in English, French and Spanish, each text being authentic.

Deposit of Instrument of Acceptance

IV. Protocol of Amendment [back to top](#)

WTO members adopted on 27 November 2014 a [Protocol of Amendment](#) to insert the new Agreement into Annex 1A of the WTO Agreement. The Trade Facilitation Agreement will enter into force once two-thirds of members have completed their domestic ratification process.

- [How to accept the Protocol of Amendment to insert the WTO Trade Facilitation Agreement into Annex 1A of the WTO Agreement](#)
Background information for Members on procedures.



V. Notifications [back to top](#)

- Notifications of Category A commitments (Document code WT/PCTF/N/*)

Senegal

> [search](#)

Possible Issues for Parliamentarians

- ❖ Ratify the Protocol and TFA
- ❖ National implementation plans (CAT A,B,C and implementation dates)
- ❖ Official trade facilitation committee to oversee implementation
- ❖ Amendment of legislation
- ❖ Participation in WTO workshop





THANK YOU

TFTA@wto.org
sheri.rosenow@wto.org