



Trade Facilitation
Agreement Facility

WTO Trade Facilitation

The Trade Facilitation Agreement

- ✓ Brief Background of the Agreement

- ✓ Why

- ✓ What

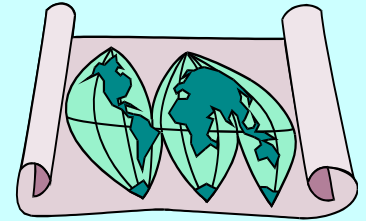
- ✓ Implementation

- ✓ When

Why the TFA?



Why TFA is Unique



- ✦ Negotiated by all members
- ✦ TFA measures already used with success
- ✦ Multi agency implementation
- ✦ Implementation flexibilities
- ✦ National Committee to oversee implementation
- ✦ WTO TFA Facility



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



WORLD TRADE
ORGANIZATION

WT/L/931

15 July 2014

(14-4101)

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Preparatory Committee on Trade Facilitation

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:

- (a) procedures for importation, exportation, and transit (including port, airport, and other entry-point procedures), and required forms and documents;
- (b) applied rates of duties and taxes of any kind imposed on or in connection with importation or exportation;
- (c) fees and charges imposed by or for governmental agencies on or in connection with importation, exportation or transit;
- (d) rules for the classification or valuation of products for customs purposes;
- (e) 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.

Section I - TF Measures

Transparency and Appeals

- Publication/internet publication
- Enquiry Point for trade information
- Opportunity to comment
- Consultations
- Detention (notification of)
- Test procedures
- Right of appeal

Transit

- Restrictions on fees and charges
- Use of guarantee

Import/Export/Transit Fees & Formalities

- Disciplines on fees
- Expedited shipments
- Perishable goods
- Risk management
- Acceptance of copies
- Publish average release times
- Authorized operators
- Border agency cooperation
- Review formalities and documents
- Single window
- Separate release from clearance
- Use of international standards
- Common border procedures and uniform documentation



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Trade Facilitation
Agreement Facility

IMPLEMENTATION

Flexible Language for National Interpretation:

Article 2.1.1 Opportunity to Comment before Entry into Force of laws & regulations

Each Member shall, to the extent practicable, and in a manner consistent with its domestic law and legal system, provide opportunities and an appropriate time period to traders and other interested parties to comment on the proposed introduction or amendment of laws and regulations of general application related to the movement, release, and clearance of goods, including goods in transit.

Level of Legal Commitment

Mandatory Provisions

- “Shall...”
- “Shall not...”



Qualified Provisions

- “may...”
- “to the extent practicable...”
- “to the extent possible...”
- “whenever practicable...”
- “are encouraged...”
- “as appropriate...”
- “shall endeavor...”

10.4. Single Window (Category C)

4.1 Members **shall endeavour to** establish or maintain a single window, enabling traders to submit documentation and/or data requirements for importation, exportation, or transit of goods through a single entry point to the participating authorities or agencies. After the examination by the participating authorities or agencies of the documentation and/or data, the results shall be notified to the applicants through the single window in a timely manner.



Special and Differential Treatment (SDT)



Section II of Agreement

- ⌚ Gives flexibility in implementation of obligations
- ⌚ Applies only to developing countries (including LDCs)
- ⌚ Implementation of TFA linked with capacity
- ⌚ Each developing and least-developed country can say when it will implement each measure
- ⌚ Which measures can implement only with technical assistance



SPECIAL AND DIFFERENTIAL TREATMENT



Category A: implemented by time Agreement enters into force.
(97 countries have notified)

Category B: Entry into force + (X) time
(indicative dates of implementation)
(27 countries have notified)

Category C: need extra time & TACB
(22 countries have notified)

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



97 Category A Notifications to date:

- | | | | |
|--------------------|------------------------|-------------------------------|---------------------------------|
| 1. Hong Kong China | 21. Vietnam | 50. Nigeria | 71. United Arab Emirates |
| 2. Mexico | 22. Tajikistan | 51. Macao, China | 72. Uganda |
| 3. Costa Rica | 23. Dominican Republic | 52. Gabon | 73. Nepal |
| 4. Korea | 24. Sri Lanka | 53. Egypt | 74. Samoa |
| 5. Colombia | 25. Israel | 54. Jamaica | 75. Bahrain |
| 6. Singapore | 26. Philippines | 55. Rwanda | 76. Suriname |
| 7. Chinese Taipei | 27. Guatemala | 56. Dominica | 77. Guyana |
| 8. Paraguay | 28. Ecuador | 57. St Vincent/Grenadines | 78. Zambia |
| 9. China | 29. Kyrgyz Republic | 58. Burundi | 79. Solomon Islands |
| 10. Nicaragua | 30. Panama | 59. Kenya | 80. Georgia |
| 11. Mauritius | 31. Indonesia | 60. Tanzania | 81. Kazakhstan |
| 12. Turkey | 32. Republic of Congo | 61. St Kitts and Nevis | 82. India |
| 13. Honduras | 33. Cote d'Ivoire | 62. Antigua & Barbuda | 83. Namibia |
| 14. Saudi Arabia | 34. Ukraine | 63. Trinidad & Tobago | 84. Malawi |
| 15. Malaysia | 35. Brunei Darussalam | 64. St. Lucia | 85. Argentina |
| 16. Kuwait | 41. Oman | 65. Seychelles | 86. Cameroon |
| 17. Chile | 42. Albania | 66. Barbados | 87. Papua New Guinea |
| 18. Qatar | 43. Moldova | 67. Belize | 88. Zimbabwe |
| 19. Thailand | 44. Tunisia | 68. Lao PDR | 89. Madagascar |
| 20. Peru | 45. Jordan | 69. Macedonia FYROM | 90. Chad |
| 21. Uruguay | 46. Montenegro | 70. Grenada | 91. Ghana |
| 22. El Salvador | 47. Botswana | | 92. Fiji |
| 23. Brazil | 48. Pakistan | | 93. Dem Rep of the Congo |
| 24. Mongolia | 49. Senegal | | 94. Burkina Faso |
| 25. Morocco | | | 95. Mozambique |
| | | | 96. Tonga |
| | | | 97. Swaziland |

LDCs are in red

ABC Notification



WORLD TRADE
ORGANIZATION

WT/PCTF/N/

2016

(00-0000)

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Preparatory Committee on Trade Facilitation

Original: English

NOTIFICATION OF CATEGORY [A], B AND C COMMITMENTS UNDER THE AGREEMENT ON TRADE FACILITATION

COMMUNICATION FROM [MEMBER]

The following communication, dated [date submitted 2016], is being circulated on behalf of [WTO Member] for Members' information.

The Government of [Member] hereby makes the following notifications in accordance with Articles 15 and 16 of the Trade Facilitation Agreement (WT/L/931):

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
Article 1.1	Publication	B	January 1, 2018	To be determined	
Article 1.2	Information Available through Internet	C	July 1, 2020	To be determined	<ol style="list-style-type: none"> Develop and implement policy guidelines on publication of trade-related information. Ensure timely review and update of trade-related information on internet by the relevant agencies. Ministry of Trade to set up a dedicated website for trade-related information Provide capacity building in institutions

27 Category B & C to date:

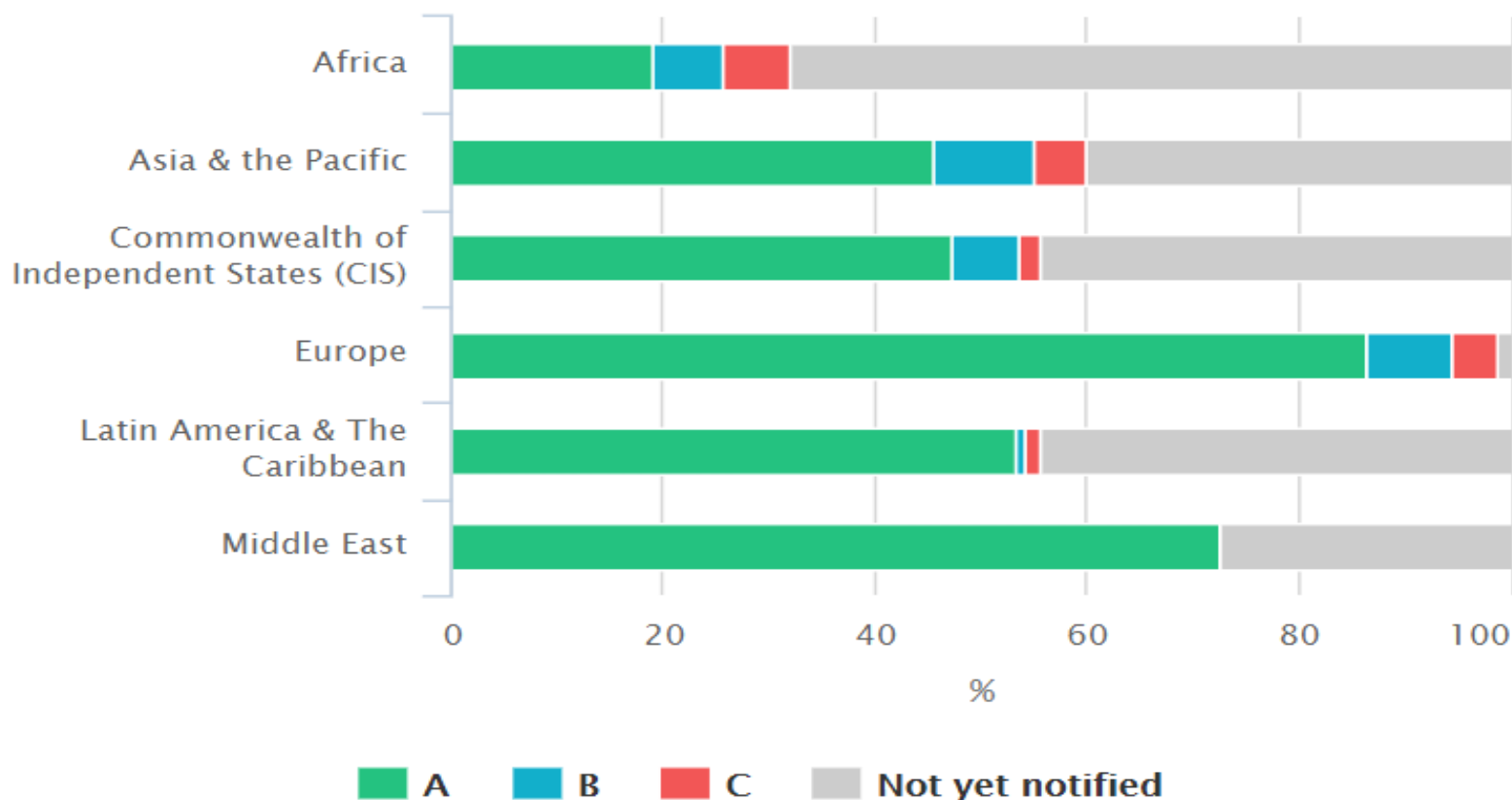
1. Albania
2. Argentina (nothing in C)
3. Armenia
4. Botswana
5. Brazil (nothing in C)
6. Brunei Darussalam (nothing in C)
7. Cambodia (LDC)
8. Chad (LDC)
9. China (nothing in C)
10. Fiji
11. Georgia
12. Guyana
13. India (nothing in C)
14. Malawi (LDC)
15. Mauritius
16. Montenegro
17. Mozambique (LDC)
18. Nigeria
19. Pakistan
20. Saint Kitts and Nevis
21. Seychelles
22. Solomon Islands (LDC)
23. Swaziland
24. Thailand (nothing in C)
25. Tonga
26. Uruguay (nothing in C)
27. Zambia (LDC)

Current situation

Share of Categories A, B, C by region



Based on % of all notifiable article items



NATIONAL COMMITTEE ON TRADE FACILITATION

Each Member shall establish a **national trade facilitation committee** to **facilitate domestic coordination and implementation** of the provisions of the TFA.

1. Coordinate stakeholders
2. Notifications for delayed implementation/TACB
3. Oversee TACB projects
4. Monitor deadlines



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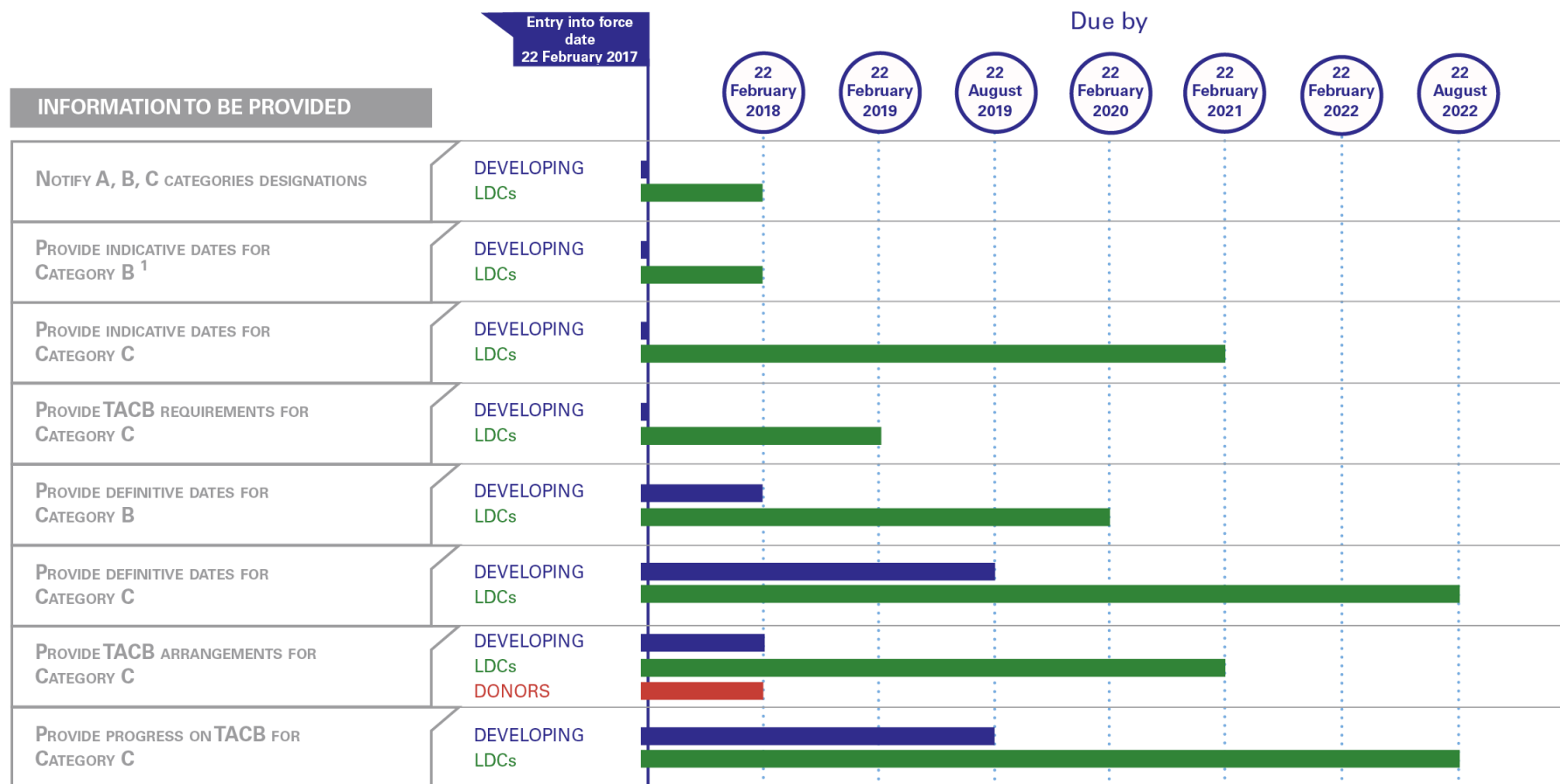
About the Facility	The Trade Facilitation Agreement	Notification & Ratification	Donors & Organizations	National contact points	TFAF Assistance	Media and Resources
			Trade Facilitation Agreement Facility			
			The Trade Facilitation Agreement Facility (TFAF) is aimed at providing support to developing and LDC Members implementing and benefiting from the Trade Facilitation Agreement. The objective of this Agreement is to boost trade by expediting the movement, release and clearance of goods across borders.			



Thank you!

Sheri Rosenow
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TIMELINES FOR NOTIFICATIONS UNDER THE TRADE FACILITATION AGREEMENT



TACB = Technical Assistance and Capacity Building

DEVELOPING = developing members

LDCs = least developed members

DONORS = donor members

¹As per Article 16.2(a): no later than one year after EIF, a least developed country Member shall notify the Committee of its category B provisions and may notify their corresponding indicative dates (.....).

Dates of implementation from notifications

Country Status	%	Implementation Dates
DEVELOPED COUNTRIES	100%	Feb. 22, 2017
DEVELOPING COUNTRIES		
❖ Category A →	53%	Now
❖ Category B →	3.9%	Dec. 2017 - Feb. 2024
❖ Category C →	3.1%	Dec. 2017 - Feb. 2032
		62% notified
LDCs		
❖ Category A	1.7%	Now
❖ Category B	4.0%	Dec. 2018 -Dec. 2020
❖ Category C	5.7%	Dec. 2018 -Dec. 2020
		22% notified