

**COMMUNICATION FROM HONG KONG, CHINA, JAPAN, KOREA, MONGOLIA,
AND SWITZERLAND**

Revision

The following communication, dated 19 February 2009, is being circulated at the request of the Delegations of Hong Kong, China, Japan, Korea, Mongolia, and Switzerland.

PROPOSALS ON PRE-ARRIVAL PROCESSING

1. The following textual proposal is submitted by Hong Kong, China, Japan, Korea, Mongolia, and Switzerland for consideration by the Negotiating Group. It is closely based on the proposals on pre-arrival processing made in the joint communication TN/TF/W/98 of 10 May 2006 and takes account of the discussion and other submissions on this issue in the Negotiating Group. The co-sponsors believe that issues such as national treatment, most-favoured-nation treatment, general and security exceptions, S&D treatment and TA&CB should be dealt with in a cross-cutting manner. They are therefore not included in the current proposal.

Textual proposals

1. Pre-arrival Processing

Members shall maintain or introduce pre-arrival processing, which is defined as administrative procedures of customs and other relevant border agencies to accept and examine import documentation and other required information upon the submission by traders prior to the arrival of goods, in order to further expedite the clearance of goods where appropriate. In cases where it is decided that neither further examination, physical inspection nor any other submission is required, goods shall be released immediately upon arrival, provided that duties and taxes are paid or provided that a guarantee sufficient to ensure such payment is posted.

2. International Standards and Practices¹

- (a) Members recognize the need for using international standards and practices as efficient means to facilitate trade.
- (b) Members shall, where applicable, draw on relevant international standards and practices as a basis for pre-arrival processing.

3. Reservations

Nothing in these provisions shall affect the right of Members to conduct examinations where necessary or to maintain appropriate border control with the use of risk management.

¹ International standards and practices include Standard 3.25 of the Revised Kyoto Convention and WCO Guidelines for the immediate release of consignments by Customs.