

WORLD TRADE ORGANIZATION

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Negotiating Group on Trade Facilitation

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COMMUNICATION FROM THE EUROPEAN COMMUNITIES

The following communication, dated 30 April 2009, is being circulated at the request of the Delegation of the European Communities.

WTO TRADE FACILITATION PROPOSALS

1. These proposals concern facilitation measures specific to maritime traffic. They would supplement proposals already made for a future TF Agreement.
2. The texts of these proposals are annexed, with an indication of their suggested placement in the Compilation (TN/TF/W/43/Rev.18).

1. **Trans-shipment of Cargos**

Placement: In the WTO Trade Facilitation Compilation (TN/TF/W/43/Rev.18).

Where: Under *K.1. Matters Related to Goods Transit - Scope* (page 24), add the following text:

"Consignments which are being transhipped¹ shall not be subject to transit procedures."

2. **Trans-shipment and Feederling of Cargo**

Placement: In the WTO Trade Facilitation Compilation (TN/TF/W/43/Rev.18).

Where: Under I.1 Coordination of Activities and Requirements of all Border Agencies (page 19), add the following as point 3:

"3. When goods being transhipped are ultimately destined for the territory of that Member, the person concerned shall be permitted to declare the goods for the relevant customs procedure at the port or place of destination where these obligations can be fulfilled."

3. **Declaration of Vessels and Cargoes**

Placement: In the WTO Trade Facilitation Compilation (TN/TF/W/43/Rev.18).

Where: Under *G.1 Release and Clearance of Goods –Pre Arrival Processing* (page 13), add as point 4:

"4. With respect to vessels subject to procedures for the declaration (by manifest or similar document) of the vessel and its cargo, such procedures will be applied immediately prior to the vessels' arrival, or as rapidly as not to unduly delay the vessel and the discharge of its cargo.

Members will provide for advance electronic lodging of documents in electronic format and for pre-arrival processing of such documents appropriate to the procedure applicable."

4. **Shipping Royalties or Taxes**

Placement: In the WTO Trade Facilitation Compilation (TN/TF/W/43/Rev.18).

Where: Under *F.1 Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation* (page 13), add the following phrase (indicated in bold and italics) to the Scope of the provision, to read as follows:

"The provisions [of this article] apply to all fees and charges, *including shipping royalties or similar charges/taxes*," imposed...for importation or exportation."

¹ Defined as "transferred under customs control from the importing means of transport to the exporting means of transport within the area of one Customs office responsible for import and export."

5. **Cargo Tracking Notes (Bordereaux de Suivi des Cargaisons)**

Placement: In the WTO Trade Facilitation Compilation (TN/TF/W/43/Rev.18).

Where: Under J.6 *Elimination of Pre-shipment Inspection* (page 23), add the following as point 6:

"6. No Member shall require the provision of shipping notes (*Bordereau de Suivi des Cargaisons*) and associated documents as a condition for the import, unloading or transhipment of cargos."
