



Brussels, 2 October 2018.

NATURAL DISASTER RELIEF (NDR)

Update on the Implementation of the WCO Resolution on the Role of Customs in NDR

(Item XV. a on the Agenda)

Background

1. In June 2011 the WCO Council adopted the Resolution on the Role of Customs in Natural Disaster Relief. For ease of reference, the Resolution is appended hereto. The purpose of the Resolution is to enhance the role of Customs in the management of humanitarian relief operations with a view, on the one hand, to facilitate the entry, exit and transit of disaster relief personnel and their possessions needed to provide rapid assistance to disaster victims, and, on the other, to speed up the clearance and release of relief consignments at borders in order to ensure that aid reaches victims in a timely manner. With the above purpose in mind, the Resolution sets out a number of measures to be implemented by Members (points (1) to (7)) and the Secretariat (points (8) to (15)) respectively.
2. The recommended actions for Members include implementing measures as contained in Chapter 5 of Specific Annex J to the Revised Kyoto Convention (RKC) relating to relief consignments and, where necessary, signing the United Nations Model Agreement on Customs Facilitation. The Resolution further invites Members to carry out diagnostics on the procedures introduced for the Customs processing of emergency humanitarian assistance and to conduct simulation exercises to test their level of preparedness and capacity to manage emergency situations. Another recommended action outlined in the Resolution is the drawing up and implementation of national training plans to ensure that the Customs staff is qualified and able to manage emergency situations caused by natural disasters.
3. The Secretariat is instructed, inter alia, to provide capacity building to assist Members in implementing the Resolution, especially with regard to measures relating to points (1) to (6) thereof.

4. In point (16) the PTC is tasked to monitor the implementation of the Resolution subsequent to the June 2011 Council Sessions. Following the adoption of the Resolution, the PTC has received regular updates either in the form of dedicated reports on the implementation of the Resolution or as part of the meeting documents on intersessional developments. The present document aims to provide a report on implementation measures relating to certain points of the 2011 Resolution on the Role of Customs in Natural Disaster Relief.

Implementation of point (1) of the Resolution on the Role of Customs in Natural Disaster Relief

5. At the time of the adoption of the Resolution in June 2011, the International Convention on the Simplification and Harmonisation of Customs Procedures, as amended (Revised Kyoto Convention) had seventy six Contracting Parties, whereas fifteen of them had accepted Chapter 5 of Specific Annex J. At the time of drafting of the present document, the number of Contracting Parties to the RKC stands at one hundred and fifteen, of which twenty nine have notified acceptance of Chapter 5 of Specific Annex J.
6. Two Members have recently signed the United Nations Model Agreement on Customs Facilitation as recommended in point (1) of the Resolution and the total number of Members having signed an Agreement on Customs Facilitation with the UN now stands at ten.
7. Although not referred to in the 2011 Resolution, the Convention on Temporary Admission, widely known as the Istanbul Convention, also contains facilitation measures with regard to the temporary admission of goods and equipment imported for humanitarian purposes. These are outlined mainly in Annex B.9. – *Annex concerning goods imported for humanitarian purposes*, although other annexes also regulate goods that can be used in relief operations – Annex B.5 - *Annex concerning goods imported for educational, scientific or cultural purposes*, Annex B.8 - *Annex concerning goods imported as frontier traffic* and Annex D - *Annex concerning animals*. In June 2011 the number of Contracting Parties to the Istanbul Convention was sixty one and the number of acceptances of Annex B.9 stood at forty three. In September 2018 these numbers are seventy and forty five respectively.

Implementation of points (3), (4), (12) and (14) of the Resolution on the Role of Customs in Natural Disaster Relief

8. In May 2016, the WCO was entrusted by the Ministry of Foreign Affairs of the Netherlands to implement a project aimed at assisting Members in West Africa that had been affected by the Ebola Virus Disease (Liberia, Sierra Leone, Guinea, Nigeria, Mali and Senegal), to be better prepared to support the national response to regional outbreaks of epidemic diseases or natural disasters. The project codenamed Customs for Relief of Epidemic Diseases (C-RED) was divided in two components – Component 1 was designed to provide self-protection equipment to the front-line Customs officers of three of the beneficiary countries and Component 2 was aimed at providing Capacity Building to effectively react to regional epidemics and natural disasters. The project implementation period spanned over 29 months and expired on 5 October 2018.

9. Liberia, Sierra Leone, Guinea, Nigeria and Mali benefitted from national workshops (a total number of thirteen workshops) delivered jointly by the WCO and the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA). A total of four simulation exercises were conducted by three of the project beneficiary countries. The national support was supplemented by three sub-regional workshops that were hosted by Sierra Leone (November 2016), Senegal (May 2018) and Guinea (September 2018). The sub-regional events benefitted from the participation of a number of national stakeholders from all six beneficiary countries and the Commission of the Economic Community of West African States (ECOWAS Commission), whereas the engagement with the latter was mainly aimed at establishing a framework for the regionalization of the efforts.
10. Component 2 of the C-RED project provided support to **Guinea** through three national workshops that were held in July 2017, October 2017 and September 2018. The activities implemented during the workshops ranged from diagnostic, needs assessment and drafting of Standard Operating Procedures (SOPs) to training on the SOPs and conducting a simulation exercise at the international airport in Conakry. The workshops gathered participants from the Customs administration of Guinea, the National Agency for Sanitary Safety, the National Police, the Gendarmerie, the Standards and Quality Service, as well as representatives of Médecins Sans Frontières (MSF), the World Food Programme (WFP), the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO) in Guinea.
11. The SOPs developed in Guinea, as well as in the other beneficiaries of national support under Component 2 of the C-RED project, are designed to serve as a practical guide for Customs officers, other relevant government officials and humanitarian actors on the procedures related to the cross-border movement of emergency relief consignments and equipment intended for use in humanitarian relief operations. In order to test the draft SOPs in Guinea, the C-RED project stakeholders conducted a simulation exercise at the international airport in Conakry, simulating the importation of a relief consignment in an emergency situation. The simulation exercise led to the revision of certain parts of the draft SOPs. Training on the content of the SOPs was provided to twenty seven officials from a wide range of entities – both government and humanitarian. Training of trainers was also conducted as part of the capacity building support to Guinea and ten government officials and representatives of humanitarian actors were trained how to conduct training sessions to disseminate the content of the SOPs.
12. **Nigeria** benefited from four national workshops under Component 2 of the C-RED Project aimed at conducting gaps and needs analysis, drafting SOPs, training on the draft SOPs, including training of trainers, and organizing a real-life simulation exercise at the Abuja Airport Cargo Terminal. The workshops were held in June 2017, September 2017, March 2018 and July 2018. A representative of the WHO Headquarters in Geneva joined the WCO and UNOCHA experts for the delivery of the third C-RED mission to Nigeria in March 2018. A number of government agencies and humanitarian organisations participated in the C-RED activities in Nigeria. A non-exhaustive list would include the Nigeria Customs Service (NCS), the Federal Ministry of Finance, the Federal Ministry of Budget and National Planning, the Federal Ministry of Health, the National Agency for Food and Drug Administration and Control (NAFDAC), the Standards Organisation of Nigeria (SON), the Nigeria Centre for Disease Control (NCDC), the National Emergency Management Agency (NEMA), WHO, UNICEF and Save the Children International.

13. Based on the content of the draft SOPs for receiving international emergency relief consignments and equipment imported for humanitarian purposes in Nigeria, a video game was developed as a learning tool. The video game was launched during the last national C-RED workshop that was held in Abuja in July 2018 and is now available to all interested officers of the NCS through the WCO CLiKC! platform. The workshop that witnessed the launch of the video game comprised a 2-day session of training on the content of the SOPs. Around thirty participants from various entities benefited from this session. A dedicated train-the-trainers session was also organised in order to enable selected experts to deliver training on the SOPs in their respective organizations. The target group comprised a total of eleven trainers – three officials from NCS, experts from the Federal Ministry of Health, the Federal Ministry of Budget and National Planning, NAFDAC, NCDC, WHO, UNICEF, INGO Forum and a representative of a clearing and forwarding agent.
14. On 12 July 2018 a real-life simulation exercise was carried out at the Cargo Terminal of the Nnamdi Azikiwe International Airport, Abuja. The documentation and processes related to a fictitious relief consignment were followed from the unloading from the plane to the release and pick up from the warehouse. The monitored import consignment was released in around two hours. On the initiative of NCS, a second real-life simulation exercise was organized at Apapa Port in Lagos in August 2018 in order to test the procedures applicable to relief consignments transported by sea.
15. Capacity Building support to **Mali** was provided through two national workshops that were held under the C-RED project in September 2017 and July 2018. Similar to other C-RED beneficiary countries, in Mali the C-RED workshops gathered a wide range of stakeholders, among those the General Directorate of Customs of Mali, the Ministry of Public Health and Hygiene, the Gendarmerie, the National Police Force, OCHA-Mali and humanitarian actors. The project provided support for the development of SOPs, training on the implementation of the SOPs, including training of trainers, and conducting a real-life simulation exercise at the international airport in Bamako.
16. In order to publicize the SOPs as widely as possible, the Customs Administration of Mali developed, with the support of the C-RED Project, a dedicated smartphone application. The application provides alerts regarding natural disasters or epidemic outbreaks and contains practical information on relevant Customs regulations, as well as a link to the SOPs. It will be downloadable free of charge from Google and App stores
17. During the July 2018 workshop in Bamako, around 40 experts from the Customs administration, other government agencies and humanitarian actors received training on the procedures outlined in the draft SOPs. During a dedicated train-the-trainers session, eleven government officials and humanitarian actors were trained as trainers on the content of the draft SOPs for receiving emergency relief consignments in Mali.

18. Two national workshops were delivered under the C-RED project in **Sierra Leone** – in October 2017 and in August 2018. The objectives of the workshops were to assess the needs of the national stakeholders, to strengthen the cooperation between all parties involved in the clearance of relief consignments and to draw up SOPs describing the procedures related to the cross-border movement of relief consignments. The National Revenue Authority, the Office of National Security, the Ministry of Health and Sanitation, the Ministry of Finance, the Ministry of Foreign Affairs, the Sierra Leone Police, WFP, UNICEF, the Sierra Leone Red Cross and customs brokers were among the entities represented at the two workshops. In August 2018, the C-RED project team welcomed the progress made by Sierra Leone on some of the recommendations formulated during the C-RED scoping mission to Freetown in 2017, especially the simplified procedure for processing duty waiver applications, but noted that further efforts were needed by the national authorities to finalize the SOPs.
19. **Liberia** received Capacity Building assistance through two national workshops conducted in May and August 2018 and aimed at assessing the current state of play in terms of legislation, procedures and practices relevant to the Customs clearance of relief consignments, as well as at developing SOPs. The workshops gathered a wide range of government agencies and humanitarian actors – the Liberia Revenue Authority, the National Disaster Management Agency, the Ministry of Health, the WHO and the UN Refugee Agency to name but a few. At the end of the project, a finalised draft of SOPs for receiving international emergency relief consignments and equipment imported for humanitarian purposes was available for the perusal of the stakeholders in Liberia.
20. A major achievement of the project in all of the above Members is the enhanced cooperation at national level between the various government authorities playing a role in the cross-border movement of relief consignments and between the government entities and the humanitarian community.
21. As a measure to implement point (12) of the 2011 Resolution on the Role of Customs in Natural Disaster Relief, the dedicated Web page on the WCO Public Web site was supplemented by a sub-section providing information about the C-RED project and the progress in implementing the project activities. The SOPs developed under the C-RED project will also be uploaded on the C-RED Web page that can be accessed at <http://www.wcoomd.org/en/topics/facilitation/activities-and-programmes/natural-disaster/wco-c-red-project.aspx>.

Action required

22. The PTC is invited to take note of the report on implementation measures relating to certain points of the 2011 Resolution of the Customs Cooperation Council on the Role of Customs in Natural Disaster Relief.

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RESOLUTION OF THE CUSTOMS CO-OPERATION COUNCIL
ON THE ROLE OF CUSTOMS IN NATURAL DISASTER RELIEF

(June 2011)

THE CUSTOMS CO-OPERATION COUNCIL *

Noting :

- (a) the increase in the number of natural disasters affecting populations and requiring urgent international humanitarian assistance, and the need to enhance the role of Customs in the management of humanitarian relief operations;
- (b) the Council's Decision, taken in June 2010, to develop a WCO strategy for enhancing the role of Customs in natural disaster relief, which should include a set of practical recommendations for Customs on what to do in emergency situations of this kind;

Desiring :

- (a) to facilitate the entry, exit and transit of disaster relief personnel and their possessions needed to provide rapid assistance to the victims;
- (b) to speed up the clearance and release of relief consignments¹ at borders in order to ensure that aid reaches victims in need in a timely manner;

Highlighting the need for disaster preparedness in Customs administrations, so that they can respond efficiently and effectively to emergencies;

Recognizing :

- (a) that Customs facilitation in the area of emergency humanitarian relief should take account of the principles of risk management and should be achieved without compromising appropriate standards of Customs control;
- (b) the importance of strengthening the partnership with international organizations, non-governmental organizations and the private sector which play an essential role in the management of humanitarian emergencies, and of providing them with all necessary information about the regulations and procedures applicable to relief consignments;
- (c) the need to build Members' capacities in this domain, and to involve the WCO's partners in capacity building activities to be carried out in order to create the requisite synergy;
- (d) the importance of having a national body to manage natural disasters, which would ensure proper co-ordination with all relevant agencies, including Customs;

* Customs Co-operation Council is the official name of the World Customs Organization (WCO).

¹ Relief consignments as defined in Chapter 5 of Specific Annex J to the Revised Kyoto Convention.

- (e) the importance of ensuring an open flow of information in times of crisis;

RESOLVES :

To invite Members to :

- (1) implement measures as contained in Chapter 5 of Specific Annex J to the Revised Kyoto Convention (RKC) relating to relief consignments and, where necessary, sign the United Nations Model Agreement on Customs Facilitation²;
- (2) plan for, in the interests of proper preparation, all the Customs procedures specifically applicable to relief consignments and incorporate them in their national legislation and/or regulations and, wherever possible, in their national emergency plan. These procedures, including the list of operational border entry and exit points, should be made available to the public, using tools such as Members' national Web sites and/or the Directory managed by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA)³;
- (3) carry out (1) diagnostics on the procedures introduced for the Customs processing of emergency humanitarian assistance and their capacity to put those procedures into operation in the event of a natural disaster; and (2) simulation exercises to test their level of preparedness and capacity to manage emergency situations and possibly to verify the quality of national emergency plans;
- (4) draw up and implement a training plan to ensure that their Customs staff are qualified and able to manage these kinds of emergencies;
- (5) manage borders in an efficient, simplified and co-ordinated manner, including sharing of information, with the other national authorities involved in the handling of relief consignments, disaster relief personnel and their possessions, while using existing clearance systems in order to provide for rapid, efficient and centralized processing of these consignments;
- (6) review and, where necessary, update bilateral mutual administrative assistance arrangements between Customs administrations in order to manage emergencies;
- (7) inform the Secretariat of measures taken in this area, especially those relating to points (1) to (6) of this Resolution;

² The United Nations Model Agreement on Customs Facilitation is to be found at the Appendix to the Guidelines to Chapter 5 of Specific Annex J to the RKC.

³ Directory of National Focal Points and Legislation for Customs Facilitation in International Emergency Humanitarian Assistance.

To instruct the Secretariat to:

- (8)** compile an inventory of existing tools and instruments, such as the RKC, the United Nations Model Agreement on Customs Facilitation and other model agreements developed by Members at the national level or the IDRL Guidelines⁴, dealing with Customs formalities for the clearance of relief consignments at exportation, during transit or at importation;
- (9)** organize, in collaboration with OCHA and the IFRC⁵, regional seminars to promote the use of these existing tools and instruments and to gather Members' feedback on their future needs;
- (10)** study the extent to which the key principles of the SAFE Framework of Standards, such as advance information, the Authorized Economic Operator concept, Trade Recovery Guidelines or the use of technology, could prove relevant in further facilitating the process of clearing relief consignments. This study shall be conducted in consultation with the SAFE Working Group and, if necessary, in collaboration with a group of volunteers and its outcome shall be presented to the Permanent Technical Committee (PTC) in early 2012;
- (11)** ascertain from the Ad Hoc Group on Globally Networked Customs (GNC) how the information exchange envisaged within the framework of GNC could facilitate entry, exit and transit of relief consignments, disaster relief personnel and their possessions;
- (12)** create a dedicated Web page on the WCO Public Web site, containing all existing instruments of relevance in this domain as well as all the useful links to tools developed by the various partners involved in managing natural disaster relief operations. Within that framework, provision shall also be made for a forum facilitating effective communication and the exchange of experiences between Members, together with a mechanism for easily identifying persons responsible for the management of emergency procedures within Customs administrations;
- (13)** with a view to protecting the cultural heritage of the affected country and as Customs plays a fundamental role in the fight against the unauthorized export of cultural property, publish and send an alert to all Customs administrations to increase their vigilance at borders on cultural artefacts that may be smuggled or exported illegally;
- (14)** provide capacity building to assist Members in implementing this Resolution, especially with regard to measures relating to points (1) to (6) thereof;
- (15)** periodically report to the PTC on implementation measures relating to points (8) to (14) of this Resolution. In addition, and based on information provided by Members in point (7), a report will be made to the Policy Commission in June 2012. An initial assessment of the implementation of this Resolution shall subsequently be presented to the Policy Commission in June 2013;

⁴ IDRL Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance (adopted by the IFRC in 2007).

⁵ International Federation of Red Cross and Red Crescent Societies (IFRC).

Annex to
doc. PC0532E1

To task the PTC to:

- (16)** monitor the implementation of this Resolution subsequent to the June 2011 Council Sessions.
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