



WCO WORKING GROUP ON  
THE WTO  
TRADE FACILITATION  
AGREEMENT  
-  
10<sup>th</sup> Meeting  
-  
22 - 23 October 2018

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Brussels, 17 September 2018

## **NATIONAL COMMITTEES ON TRADE FACILITATION AND COORDINATED BORDER MANAGEMENT: CHALLENGES AND SOLUTIONS**

**(Item VII of the Agenda)**

### **Introduction**

1. Article 23.2 of the WTO Trade Facilitation Agreement (TFA) requires each WTO Member to establish and/or maintain a National Committee on Trade Facilitation (NCTF) or designate an existing mechanism to facilitate both domestic coordination and implementation of TFA provisions. This technical measure is mandatory and does not fall under Special and Differential Treatment provisions, which apply only to measures contained in Section I of the TFA. Therefore, since the entry into force of the TFA (22 February 2017), WTO Members that have acceded to the TFA, are expected to have in place an NCTF.
2. NCTFs are crucial for the effective and efficient implementation of the TFA by all relevant stakeholders. They provide a platform where border inspection agencies and the private sector can coordinate their activities and find the best possible solutions. Under this item, the TFAWG will be informed about national experiences from different perspectives, including how NCTFs can enhance Coordinated Border Management.

### **Background**

3. Article 23.2 of the TFA does not give any guidance on how to establish or operate an NCTF; it simply states that an NCTF is to be established in order to facilitate both domestic coordination and implementation of the provisions of the TFA. Even though all NCTFs will have the same obligations, as set out in the TFA, their establishment, operation and maintenance will differ from Member to Member.
4. Bearing in mind the relevance of an NCTF for effective implementation of the TFA, especially for implementation of measures requiring coordination amongst relevant border agencies, this has been a standing item on the TFAWG agenda.

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### **WCO tools and national experiences**

5. The WCO has developed a number of tools that support the establishment, maintenance and operation of an NCTF, including amongst others the NCTF Guidance, the Customs-Business Partnership Guidance and the Coordinated Border Management (CBM) Compendium. A number of national NCTF practices have also been shared by Members on the WCO web site:  
<http://www.wcoomd.org/en/topics/wco-implementing-the-wto-atf/national-committees-on-trade-facilitation.aspx>
6. Based on an extensive survey, the NCTF Guidance was developed in March 2015 and updated in March 2016. The Guidance highlights, amongst others, under the duties and functions of an NCTF, the establishment of the national roadmap to TFA implementation and the monitoring thereof. It further provides an Action Plan template for tasks to be carried out in relation to the establishment of a national roadmap to TFA implementation. The Guidance can be found under the following link:  
[http://www.wcoomd.org/-/media/wco/public/global/pdf/topics/wto-atf/national-committees-on-trade-facilitation/guidance/nctf\\_en\\_hr.PDF?db=web](http://www.wcoomd.org/-/media/wco/public/global/pdf/topics/wto-atf/national-committees-on-trade-facilitation/guidance/nctf_en_hr.PDF?db=web)
7. Furthermore, in order to support both the needs assessment and the monitoring and evaluation of TFA implementation, Members have continuously, under the Mercator Programme, been encouraged to use the Time Release Study (TRS) early in the implementation process - and from there onwards on a regular basis. The updated version of the TRS Guide (Version 3) has been approved in 2018 and amongst others includes now an additional Phase IV in its methodology, known as the ‘monitoring and evaluation phase’, which can be especially useful to Members and their NCTFs, in terms of measuring performance at national level. The updated TRS Guide can be found on the Members’ web site at the following link: [http://www.wcoomd.org/-/media/meeting-documents/permanent-technical-committee/219/PC0506E1\\_TRS\\_Guide\\_Version\\_III\\_B.pdf](http://www.wcoomd.org/-/media/meeting-documents/permanent-technical-committee/219/PC0506E1_TRS_Guide_Version_III_B.pdf)

### **Implementation practices and challenges**

8. Members’ experiences so far have shown that the practices in establishing, maintaining and operation of NCTFs differ from one Member to another. In some cases the NCTF structure is quite comprehensive, with a high-level NCTF body at the top, meeting once or twice a year, supported by a number of working groups operating at technical and more regular level. The working groups are at times determined by projects they are focused around (Single Window, for example), or by areas of coverage (legislation, IT, procedures etc).
9. In many cases, the mandate of the NCTF goes beyond TFA implementation and covers more broadly the trade facilitation agenda. On the other hand when there are more than one trade facilitation bodies in place, it can prove to be challenging to coordinate between or amongst them.
10. So far, establishing an NCTF has not been as challenging as maintaining one and ensuring that it meets regularly and progresses the trade facilitation agenda effectively. However, there are a number of other challenges observed, such as: ensuring effective coordination and the right membership; clearly defining the mandate;

getting the necessary support and engagement; lack of resources; lack of awareness of the TFA and others<sup>1</sup>.

### **The way forward**

11. This agenda item aims at discussing the different practices and challenges encountered at establishing, maintaining and operation of NCTFs. A panel of speakers will set the scene for a discussion of experience sharing and identifying solutions for the future, as well as providing guidance on potentially useful materials to be developed.
12. For example, the WCO survey on NCTFs has been carried out in 2015. In the meantime, with the entry into force of the TFA, most of the WTO Members have launched their NCTFs and gained more experience in managing their agendas. The TFAWG is invited to provide guidance on the possible update of the survey, through an on-line facility, which would provide the Members with an up-to-date overview of the situation in this particular area and a set of new lessons learnt.

### **Action requested**

13. The TFAWG is invited to:
  - discuss challenges and provide guidance on potential solutions in establishing, maintaining and operation of NCTFs, including how they can enhance Coordinated Border Management;
  - provide guidance on the possible update of the survey on NCTFs, through an on-line facility; and
  - share national/regional experiences on NCTFs.

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<sup>1</sup> World Trade Organization, "National Committees on Trade Facilitation : Current practices and challenges", 2017:  
[https://www.tfafacility.org/sites/default/files/news/tfa\\_national\\_committees\\_trade\\_facilitation\\_web\\_e.pdf](https://www.tfafacility.org/sites/default/files/news/tfa_national_committees_trade_facilitation_web_e.pdf)