

## WTO TRADE FACILITATION TOOLKIT

### LIST OF MEASURES INCLUDED IN THE WTO TRADE FACILITATION DRAFT CONSOLIDATED NEGOTIATING TEXT - REFERENCED TO WCO INSTRUMENTS AND TOOLS -

Measures contained in WTO Trade Facilitation Draft Consolidated Negotiating Text (Doc. TN/TF/W/165/Rev.17)	WCO Instruments, Tools, Guidelines (not exhaustive)
<b>SECTION I</b>	
<b>ARTICLE I: PUBLICATION AND AVAILABILITY OF INFORMATION</b>	
1. Publication	<ul style="list-style-type: none"> <li>• Revised Kyoto Convention (RKC)<sup>1</sup>, General Annex (GA) Chapter (§) 9;</li> <li>• Recommendation (1999) on the Use of World Wide Web Sites by Customs Administrations;</li> <li>• Revised Arusha Declaration (paragraph 3);</li> <li>• Recommendation (2001) on the Application of HS Committee Decisions.</li> </ul>
2. Information Available Through Internet	<ul style="list-style-type: none"> <li>• RKC, GA § 9;</li> <li>• Recommendation (1999) on the Use of World Wide Web Sites by Customs Administrations;</li> <li>• Recommendation (2001) on the Application of HS Committee Decisions.</li> </ul>
3. Enquiry Points	<ul style="list-style-type: none"> <li>• RKC, GA §§ 7 and 9.</li> </ul>
4. Notification	<ul style="list-style-type: none"> <li>• RKC, GA §§ 3, 7 and 9;</li> <li>• Recommendation (1999) on the Use of World Wide Web Sites by Customs Administrations;</li> <li>• Recommendation (2001) on the Application of HS Committee Decisions.</li> </ul>
<b>ARTICLE 2: PRIOR PUBLICATION AND CONSULTATION</b>	
1. Interval Between Publication and Entry into Force	<ul style="list-style-type: none"> <li>• RKC, GA § 9.</li> </ul>

<sup>1</sup> When reference is made to the Revised Kyoto Convention (RKC) as a relevant WCO document, this includes both the legal texts and the guidelines. “GA” means General Annex to the RKC and “SA” means Specific Annex.

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2. Opportunity to Comment on New and Amended Rules	<ul style="list-style-type: none"> <li>RKC, GA §§ 1 and 9 (primarily).</li> </ul>
3. Consultations	<ul style="list-style-type: none"> <li>RKC, GA §§ 1, 7 and 9;</li> <li>SAFE Framework of Standards to Secure and Facilitate Global Trade (SAFE).</li> </ul>
<b>ARTICLE 3: ADVANCE RULINGS</b>	
	<ul style="list-style-type: none"> <li>RKC, GA § 9;</li> <li>Recommendation (1996) on the Introduction of Programmes for Binding Pre-Entry Classification Information;</li> <li>Recommendation (1998) on the Improvement of Tariff Classification Work and Related Infrastructure (Appendix, Part II);</li> <li>Technical Guidelines on Binding Origin Information;</li> <li>Practical Guidelines for Valuation Control.</li> </ul>
<b>ARTICLE 4: APPEAL OR REVIEW PROCEDURES</b>	
1. Right of Appeal or Review	<ul style="list-style-type: none"> <li>RKC, GA § 10.</li> </ul>
2. Appeal Mechanism [in a Customs Union] [that is a WTO Member]	
<b>ARTICLE 5: OTHER MEASURES TO ENHANCE IMPARTIALITY, NON-DISCRIMINATION AND TRANSPARENCY</b>	
[1. Notifications for enhanced controls or inspections]	<ul style="list-style-type: none"> <li>RKC, GA §6;</li> <li>SAFE;</li> <li>Risk Management Compendium;</li> <li>Single Window Compendium.</li> </ul>
2. Detention	<ul style="list-style-type: none"> <li>RKC, GA § 6 and SA H § 1;</li> <li>Risk Management Compendium.</li> </ul>
[3. Test Procedures	<ul style="list-style-type: none"> <li>RKC, GA § 3.</li> </ul>
<b>ARTICLE 6: DISCIPLINES ON FEES AND CHARGES IMPOSED ON OR IN CONNECTION WITH IMPORTATION AND EXPORTATION</b>	
1. General Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation	<ul style="list-style-type: none"> <li>RKC, GA §§ 3 and 9; SA A § 1;</li> <li>Revised Arusha Declaration.</li> </ul>
2. Specific disciplines on Fees and Charges Imposed on or in	<ul style="list-style-type: none"> <li>RKC, GA § 3; SA A § 1;</li> <li>Revised Arusha Declaration.</li> </ul>

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Connection with Importation and Exportation	
3. Penalty Disciplines	<ul style="list-style-type: none"> <li>• RKC, GA § 3, SA H § 1.</li> </ul>
<b>ARTICLE 7: RELEASE AND CLEARANCE OF GOODS</b>	
1. Pre-Arrival Processing	<ul style="list-style-type: none"> <li>• RKC, GA § 3;</li> <li>• SAFE;</li> <li>• Immediate Release Guidelines (IRG).</li> </ul>
2. Electronic Payment	<ul style="list-style-type: none"> <li>• RKC, GA § 7.</li> </ul>
3. Separation of Release from Final Determination and Payment of Customs Duties, Taxes, Fees and Charges	<ul style="list-style-type: none"> <li>• RKC, GA §§ 3 and 5;</li> <li>• SAFE;</li> <li>• IRG.</li> </ul>
4. Risk Management	<ul style="list-style-type: none"> <li>• RKC, GA § 6;</li> <li>• SAFE;</li> <li>• Risk Management Compendium.</li> </ul>
5. Post-Clearance Audit	<ul style="list-style-type: none"> <li>• RKC, GA § 6;</li> <li>• SAFE;</li> <li>• Post Clearance Audit Guidelines;</li> <li>• Risk Management Compendium.</li> </ul>
6. Establishment and Publication of Average Release Times	<ul style="list-style-type: none"> <li>• Guide to Measure the Time Required for the Release of Goods (TRS Guide);</li> <li>• TRS Online Software;</li> <li>• The Customs International Benchmarking Manual.</li> </ul>
7. Trade Facilitation Measures for [Authorized Operators]	<ul style="list-style-type: none"> <li>• RKC, GA § 3;</li> <li>• SAFE; SAFE Package.</li> </ul>
8. Expedited Shipments	<ul style="list-style-type: none"> <li>• RKC, GA § 3;</li> <li>• IRG.</li> </ul>
9. Perishable goods	<ul style="list-style-type: none"> <li>• RKC, GA § 3.</li> </ul>
<b>ARTICLE 8: CONSULARIZATION</b>	
[1. Prohibition of Consular Transaction Requirements]	<ul style="list-style-type: none"> <li>• RKC, GA § 3.</li> </ul>

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<b>ARTICLE 9: BORDER AGENCY COOPERATION</b>	
	<ul style="list-style-type: none"> <li>• RKC, GA § 3;</li> <li>• SAFE;</li> <li>• Customs Compendium : Integrated Border Management;</li> <li>• Data Model.</li> </ul>
<b>ARTICLE 9 B/S: [DECLARATION OF TRANSHIPPED OR IN TRANSIT GOODS] [DOMESTIC TRANSIT]</b>	
	<ul style="list-style-type: none"> <li>• RKC, SA E §§ 1 and 2;</li> <li>• Customs Compendium on a Secure and Efficient Transit System.</li> </ul>
<b>ARTICLE 10: FORMALITIES CONNECTED WITH IMPORTATION AND EXPORTATION AND TRANSIT</b>	
1. Formalities and Documentation Requirements	<ul style="list-style-type: none"> <li>• RKC, GA § 3.</li> </ul>
2. Acceptance of Copies	<ul style="list-style-type: none"> <li>• RKC, GA § 3;</li> <li>• Recommendation (2012) on Dematerialization of Supporting Documents.</li> </ul>
3. Use of International Standards	<ul style="list-style-type: none"> <li>• RKC, GA §§ 3 and 7;</li> <li>• Data Model;</li> <li>• Recommendation (June 2009) Concerning the Use of the WCO Data Model;</li> <li>• Recommendation (June 1990) Concerning the Use of the UNTDED;</li> <li>• Recommendation (June 1990) Concerning the Use of UN/EDIFACT.</li> </ul>
4. Single Window	<ul style="list-style-type: none"> <li>• RKC, GA § 3;</li> <li>• SAFE;</li> <li>• Single Window Compendium;</li> <li>• Single Window Information Store (on WCO Web site);</li> <li>• Data Model.</li> </ul>
5. Pre-shipment [and Post-shipment] Inspections	<ul style="list-style-type: none"> <li>• Practical Guidelines for Valuation Control.</li> </ul>
[6. Use of Customs Brokers	<ul style="list-style-type: none"> <li>• RKC, GA §§ 3 and 8.</li> </ul>
7. Common Border Procedures and Uniform Documentation Requirements	<ul style="list-style-type: none"> <li>• RKC, GA § 3.</li> </ul>
8. Rejected Goods	<ul style="list-style-type: none"> <li>• RKC, GA § 3 and SA C § 1.</li> </ul>
9. Temporary Admission of Goods/Inward and Outward Processing	

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(a) Temporary Admission of Goods	<ul style="list-style-type: none"> <li>• RKC SA G § 1;</li> <li>• Istanbul Convention;</li> <li>• A.T.A. Convention.</li> </ul>
(b) Inward and Outward Processing	<ul style="list-style-type: none"> <li>• RKC SA F § 1 and § 2.</li> </ul>
<b>ARTICLE 11: FREEDOM OF TRANSIT</b>	
	<ul style="list-style-type: none"> <li>• RKC SA E §§1 and 2;</li> <li>• Customs Compendium on a Secure and Efficient Transit System.</li> </ul>
<b>ARTICLE 12: CUSTOMS COOPERATION</b>	
	<ul style="list-style-type: none"> <li>• Nairobi Convention;</li> <li>• Guide to the Exchange of Customs Valuation Information;</li> <li>• RKC;</li> <li>• Model Bilateral Agreement;</li> <li>• GNC Feasibility Study.</li> </ul>