



WCO Secretariat Note
ROLE OF CUSTOMS IN HUMANITARIAN CRISES
March 2022

I. Introduction and objective of the Secretariat Note

In the event of a natural disaster or similar catastrophe, as well as in sustained emergencies such as conflict, famine or disease, it is critical that aid to those affected by such catastrophes be delivered and moved across international boundaries efficiently and expeditiously. The effectiveness of humanitarian assistance is dependent to a large extent on the speed with which it can be furnished. It is therefore imperative that Customs administrations be as facilitative as possible and be prepared to rapidly clear goods that, as a result of catastrophic events, are being forwarded as aid.

One of the challenges that surfaces during humanitarian crises, including the current crisis in Ukraine, is related to the swift delivery of humanitarian supplies, including medicines and medical equipment.

The objective of this document is to remind Member Customs administrations of the available WCO instruments, tools and guidance material and the measures they can implement with regard to the clearance of humanitarian supplies, including medicines and medical equipment.

This Secretariat Note has been prepared by the WCO Secretariat as a non-exhaustive informational document and contains hyperlinks to the relevant WCO instruments, tools and guidance material.

II. WCO instruments, tools and guidance materials of relevance to the role of Customs in humanitarian crises

II.1. Chapter 5 of Specific Annex J to the Revised Kyoto Convention and the Guidelines to it

Chapter 5 of [Specific Annex J](#) to the International Convention on the simplification and harmonization of Customs procedures, as amended, widely known as the Revised Kyoto Convention (RKC), prescribes the facilitative measures that Customs can implement with regard to the clearance of relief consignments. The RKC prescribes that:

- Clearance of relief consignments for export, transit, temporary admission and import shall be carried out as a matter of priority;
- In case of relief consignments the Customs shall provide for:
 - lodging of a simplified Goods declaration or of a provisional or incomplete Goods declaration subject to completion of the declaration within a specified period;
 - lodging and registering or checking of the Goods declaration and supporting documents prior to the arrival of the goods, and their release upon arrival;
 - clearance outside the designated hours of business or away from Customs offices and the waiver of any charges in this respect; and

- examination and/or sampling of goods only in exceptional circumstances.
- Clearance of relief consignments should be granted without regard to the country of origin, the country from which arrived or country of destination.
- In the case of relief consignments any economic export prohibitions or restrictions and any export duties or taxes otherwise payable should be waived.
- Relief consignments that meet certain conditions should be admitted free of import duties and taxes and free of economic import prohibitions or restrictions.

The [Guidelines](#) to Chapter 5 of Specific Annex J to the RKC contain detailed information on the implementation of the respective provisions and on best practices and methods of application.

II.2. Annex B.9 to the Istanbul Convention and the Istanbul Convention Handbook

Annex B.9 to the [Convention on Temporary Admission](#) (Istanbul Convention) outlines facilitation measures with regard to the temporary admission of goods and equipment imported for humanitarian purposes, such as medical, surgical and laboratory equipment.

The [Istanbul Convention Handbook](#) aims at facilitating the application of the provisions of the Convention and its Annexes, by explaining the scope of the definitions and terms used, describing in more detail the prescribed measures and providing supplementary information.

II.3. The Council Resolution on the Role of Customs in Natural Disaster Relief of June 2011

Among other recommended actions, the [2011 Resolution](#) invites Members to manage borders in an efficient, simplified and coordinated manner, including the sharing of information, with the other national authorities involved in the handling of humanitarian relief items, while using existing clearance systems in order to provide for rapid, efficient and centralized processing of these consignments.

II.4. The Council Resolution on the Role of Customs in Facilitating the Cross-Border Movement of Situationally Critical Medicines and Vaccines of December 2020

The [2020 Resolution](#) recommends measures to be implemented by Members with regard to the coordination with other government agencies and stakeholders; the prioritization and facilitation of the clearance of situationally critical medicines and vaccines; the Customs treatment and handling of specialized containers, devices and goods used for the distribution of situationally critical medicines and vaccines; the control of situationally critical medicines and vaccines; and the role of Customs with regard to trade measures introduced by governments.

II.5. Secretariat Note on the Role of Customs in Facilitating and Securing the Cross-Border Movement of Situationally Critical Medicines and Vaccines

This [Secretariat Note](#), issued in February 2021 and updated in May 2021, explains the importance of the measures prescribed by the December 2020 Council Resolution referred to in II.4 above, provides information (including hyperlinks) to the WCO instruments and tools that support the implementation of each measure, outlines practical ways to implement the measures, and contains Members' case studies that illustrate effective ways to implement the measures.

II.6. Secretariat Note on How to establish and utilise essential goods lists during a disaster

If devised and implemented in practice in a timely and coordinated manner, under a whole-of-government approach, a list of essential goods, equipment and services can be a major measure to facilitate the cross-border movement of relief and essential supplies and to sustain supply chain

continuity. To remedy the lack of a uniform interpretation and harmonized guidance on the matter, in May 2020 the WCO issued a [Secretariat Note on How to establish and utilise essential goods lists during a disaster](#) that is aimed at highlighting certain provisions of existing WCO instruments and tools, other reference material and Members' practices.

II.7. Lists of HS codes for medical supplies, medicines, medical substances, vaccines and related equipment and COVID-19 vaccine inputs

In February 2022, the Secretariat updated the Harmonised System (HS) classification reference lists for [medical supplies](#), [priority medicines](#), [medical substances](#), and [vaccines and related equipment](#) to reflect the amendments to the HS 2022 edition. In addition to that, the [Joint Indicative List of Critical COVID-19 Vaccine Inputs](#) was developed back in July 2021 in cooperation with the World Trade Organization (WTO) and other stakeholders.

These lists can support Member Customs administrations and supply chain stakeholders in classifying the humanitarian supplies on the lists at the international level, i.e. 6 digits as per the HS.

II.8. Secretariat Note on What Customs can do to mitigate the effects of the COVID-19 pandemic

This [Secretariat Note](#), of which four editions were issued in April and May 2020, highlights certain measures that Customs can implement in order to facilitate the cross-border movement of relief and essential supplies, support the economy and sustain supply chain continuity, protect staff, and protect society. The Annex to the 4th edition of the Secretariat Note provides examples of implementation of such measures by more than 100 Members.

II.9. Guidelines on Disaster Management and Supply Chain Continuity

The [Guidelines on Disaster Management and Supply Chain Continuity](#) comprise a set of guiding principles and best practices aimed at enhancing the preparedness of Customs administrations to respond to, and recover from, disruptive events, such as natural disasters and public health emergencies, while ensuring the continuity of the global supply chain. The Guidelines cover the three main phases of the disaster management cycle: preparedness, response, and recovery.

II.10. Other reference material

Members are also invited to consult the WCO web-pages dedicated to [natural disaster relief](#), [WCO updates on COVID-19](#), and [COVID-19 vaccines distribution across borders](#). In addition to the relevant WCO instruments, tools and guidance material, these web-pages contain Members' practices, relevant communication by the Secretariat and guidance issued by partner international organizations and industry associations. Members' attention is drawn to the recently added paper of the International Narcotics Control Board (INCB) on [Timely Supply of Controlled Substances during Emergency Situations](#).
