

**Indicative list of WTO proposals
-- referenced to WCO work and instruments --**

The World Customs Organization (WCO) is an intergovernmental organization established as the Customs Co-operation Council in 1952. It is the expert organization specialized in Customs matters. Recognizing the impact on national social and economic development of a Customs service, the WCO's goal is to enhance the efficiency and effectiveness of Customs administrations and services. To this end the WCO has worked, together with its 168 Member Customs administrations, to initiate discussions on, and the identification of, best Customs practices, the development of instruments and standards, and the provision of technical support to those Members who lack capacity in terms of engagement and implementation. Co-operation and partnerships with stakeholders, including in particular relevant intergovernmental organizations and business sectors, are a long-standing feature of the WCO's work.

In a working record spanning more than half a century, trade facilitation has been a vital objective explicitly identified in the WCO's work. For example the HS Convention (International Convention on the Harmonized Commodity Description and Coding System, which entered into force in January 1988) explicitly cites as its aims to facilitate international trade, facilitate trade statistics related work, reduce the expense incurred by redescribing, reclassifying and recording internationally traded goods, and facilitate the standardization of trade documentation and the transmission of data. The revised Kyoto Convention (International Convention on the Simplification and Harmonization of Customs Procedures (as amended in June 1999, will enter into force on 3 February 2006)) is intended to contribute more directly to trade facilitation¹. A more recent WCO product, the Framework of Standards to Secure and Facilitate Global Trade (FOS, adopted in June 2005), encompasses another rather important Customs task of securing international trade as well as trade facilitation. It presents a blueprint of future Customs, realizing the twofold objectives of better facilitation and security; while these may appear to be conflicting, in fact they can be consistent and mutually supportive.

The WTO placed trade facilitation on its agenda in 1996 and started negotiations in 2004. As a member of the international community, the WCO welcomed the WTO initiative and has contributed to the negotiation process. It particularly appreciates the WTO decision that as one of the modalities of the negotiations, "*due account shall be taken of the relevant work of the WCO and other relevant international organizations in this area.*" Quite a significant number of proposals have been submitted to the WTO Negotiating Group, and the WTO Secretariat has itemized and compiled the proposed issues in document TN/TF/W/43 series. A number of the proposals refer to the instruments and work of the WCO².

The WCO is keenly aware of its responsibilities in terms of disseminating information regarding its instruments and work as a means of assisting WTO Members to consider the issues in line with the negotiation modalities. To this end it has produced the indicative list appended hereto, which is based on the WTO compilation list and provides references to WCO instruments and work pertinent to proposed issues in the trade facilitation negotiations. The WCO references are shown in *italics*. The list is not intended to prejudge the negotiations and their outcomes. Its aims are to help secure consistency between the two Organizations' work and to promote inter-agency co-operation between the two Organizations.

¹ For more information, see "WCO Information Sheets" on our Website (<http://www.wcoomd.org>) and "WCO Information Note" submitted to the WTO Trade Facilitation Negotiating Group meeting on 7 February 2005.

² TN/TF/W/10, 18, 24, 30, 34, 36, 39, 42, 44, 45, 46, 49, 50, 52, 53, 55, 57 and 58.

Acronyms

Cp #	Chapter #
FOS	Framework of standards to secure and facilitate global trade (June 2005)
FOS P1	The Customs-to-Customs Pillar (Pillar 1) of FOS (and its annex (Customs-to-Customs Network Arrangements Technical Specifications to Pillar 1))
FOS P2	The Customs-to-Business Pillar (Pillar 2) of FOS (and its annex (Customs-to-Business Partnerships Technical Specifications to Pillar 2))
HS	International Convention on the Harmonized Commodity Description and Coding System
Model Bilateral Agreement	Model Bilateral Agreement on Mutual Administrative Assistance in Customs Matters
para	Paragraph
Rec (month, year)	Recommendation of the Customs Co-operation Council concerning/on
Res (month, year)	Resolution of the Customs Co-operation Council concerning/on
RKC	revised Kyoto Convention (International Convention on the Simplification and Harmonization of Customs Procedures (as amended in June 1999))
RKC GA	revised Kyoto Convention General Annex (and its Guidelines)
RKC SA	revised Kyoto Convention Specific Annex (and its Guidelines)
Time Release Study Guide	Guide to Measure the Time Required for the Release of Goods

SUMMARY TABLE OF MAIN MEASURES PROPOSED

Main Areas Covered	Groups of Measures Falling Under Those Areas	Sub-Categories of Measures Falling Under Those Groups (Where Applicable)	Main GATT Article(s) Concerned	WCO Instruments (not exhaustive)
A. PUBLICATION AND AVAILABILITY OF INFORMATION	1. Publication of Trade Regulations (W/6, W/7, W/8, W/26, W/30, W/32, W/45; See also references in W/13, W/14, W/17 and W/23)	<i>Use of internet is also suggested (see below)</i>	Articles X with some proposals also relating to Article VIII	<i>RKC GA 9.1, 9.3, (see also RKC GA 4.4, 9.2), (see also Rec (Jun 1998) improvement of tariff classification work and related infrastructure (in particular, its Appendix para 23))</i>
	2. Publication of Penalty Provisions (W/17)		Articles X with some proposals also relating to Article VIII	<i>RKC GA 9.1, (see also RKC GA 3.26)</i>
	3. Internet Publication (W/13)	(a) Internet "publication" of the elements set out in Article X of GATT 1994 (W/13)	Article X	<i>RKC GA 9.1, 9.3, Rec (Jun 1999) the use of WWW sites by Customs administration, (see also RKC GA Cp 7, Cp 9.2, 9 Section B, Rec (Jun 1998) improvement of tariff classification work and related infrastructure (in particular, its Appendix para 23))</i>
		(b) Internet "publication" of specified information setting forth the procedural sequence and other requirements for importing goods into a Member's territory (W/13)	Article X	
	4. Notification of Trade Regulations (W/7, W/8; See also W/24)	<i>Notification to interested parties and the WTO Secretariat</i>	Articles X with some proposals also relating to Article VIII	<i>n.a. (see also RKC GA 9.2)</i>
	5. Establishment of Enquiry Points /SNFP/ Information Centers (W/6; W/7, W/8, W/10, W/26, W/30, W/45)		Article X	<i>RKC GA 9.1 (in particular, Guidelines Cp 9: 2.5)</i>
	6. Other Measures to Enhance the Availability of Information (W/40)	<i>WTO Website, Notification of Websites to the WTO</i>	Article X	<i>n.a. (see also Rec (Jun 1999) the use of WWW sites by Customs administration)</i>

(as of 11/23/2005)

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B. TIME PERIODS BETWEEN PUBLICATION AND IMPLEMENTATION	1. Interval between Publication and Entry into Force (W/6, W/7, W/8, W/26, W/30); See also reference in W/23		Articles X with some proposals also relating to Article VIII	RKC GA 9.2
C. CONSULTATION AND COMMENTING ON NEW AND AMENDED RULES	1. Prior Consultation and Commenting on New and Amended Rules (W/6, W/7, W/8, W/24, W/26, W/32)	<i>Consultative mechanism is suggested</i>	Article X	RKC GA 1.3, 9.2, (see also RKC GA 3.1, 7.1, SA-A Cp1:3, FOS P2:3, 5)
	2. Information on Policy Objectives Sought (W/6, W/8, W/30)		Article X	RKC GA 9.2
D. ADVANCE RULINGS	1. Provision of Advance Rulings (W/8, W/9, W/10, W/12, W/38, W/45) See also W/66		Article X	RKC GA 9.4, 9.9, <i>Rec (Jun 1996) the introduction of programmes for binding pre-entry classification information, (see also RKC GA Cp 9 Section B and C), Rec (Jun 1998) improvement of tariff classification work and related infrastructure (in particular, its Appendix Part II: Pre-entry classification)</i>
E. APPEAL PROCEDURES	1. Right of Appeal (W/6, W/8)		Article X	RKC GA 9.8, Cp 10, <i>Rec (Jun 1967) right of appeal in Customs matters, (see also RKC GA 3.26, Rec (Jun 1998) improvement of tariff classification work and related infrastructure (in particular, its Appendix Part III))</i>
	2. Release of Goods in Event of Appeal (W/6); See also references in W/19, W/21 and W/30		Articles X with some proposals also relating to Article VIII	<i>Rec (Jun 1967) right of appeal in Customs matters, (see also RKC GA 3.40, 3.42, 3.43, Cp 5)</i>
F. OTHER MEASURES TO ENHANCE IMPARTIALITY AND NON-DISCRIMINATION	1. Uniform Administration of Trade Regulations (W/8)	<i>Establishment of central function</i>	Article X	<i>n.a. (see also RKC Art 10, 11, Rec (Jun 1998) improvement of tariff classification work and related infrastructure)</i>
	2. Maintenance and Reinforcement of Integrity and Ethical Conduct Among Officials (W/8, W/60)	(a) Establishment of a Code of Conduct (W/8, W/60)	Article X	Revised Arusha Declaration (Jun 2003) (in particular, 6-8), Model code of ethics and conduct (May 2001), Integrity Development Guide (May 2003), Compendium of Integrity Best Practices
		(b) Computerized System to Reduce/Eliminate Discretion (W/60)		
(c) System of Penalties (W/60)				

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		(d) Technical Assistance to Create/Build up Capacities to Prevent and Control Customs Offences (W/60)		(May 2005), FOS P1: 10
		(e) Appointment of Staff for Education and Training (W/8)		
		(f) Coordinating and Control Mechanisms (W/60)		
G. FEES AND CHARGES CONNECTED WITH IMPORTATION AND EXPORTATION	1. General Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation (W/8, W/14, W/17, W/23, W/25, W/30, W/31)	(a) Specific parameters for fees/Charges (W/14, W/23, W/25, W/30)	Article VIII	<i>n.a. (see also RKC GA 3.2, 9.7, SA-A Cp1: 19)</i>
		(b) Publication/Notification of Fees/Charges (W/14, W/17) <i>use of WWW is suggested</i>	Article VIII	<i>RKC GA 9.1, 9.3, Rec (Jun 1999) the use of WWW sites by Customs administration, (see also RKC GA 9.2)</i>
		(c) Prohibition of Collection of Unpublished Fees and Charges (W/8, W/17)	Articles X with some proposals also relating to Article VIII	<i>Revised Arusha Declaration (Jun 2003) (in particular, 3)</i>
		(d) Periodic Review of Fees/Charges (W/17, W/25, W/31)	Article VIII	<i>Revised Arusha Declaration (Jun 2003) (in particular, 2), (see also RKC preamble, Art 6, 12)</i>
		(e) Automated Payment (W/30)	Article VIII	<i>Revised Arusha Declaration (Jun 2003) (in particular, 4), (see also RKC GA Cp7)</i>
	2. Reduction/Minimization of the number and Diversity of Fees/Charges (W/23, W/24, /31)	<i>Practical ways to minimize fees</i>	Article VIII	<i>n.a. (see also RKC GA 1.2, Revised Arusha Declaration (Jun 2003), in particular, 2)</i>
H. FORMALITIES CONNECTED WITH IMPORTATION AND EXPORTATION	1. Disciplines on Formalities/ Procedures and Data /Documentation Requirements Connected with Importation and Exportation (W/17, W/18, W/24, W/30, W/31, W/36, W/45, W/46, W/62 and W/67). See also	(a) Non-discrimination (W/46)	Article VIII	<i>n.a. (see also RKC SA-A Ch1: 2, Ch2: 3, SA-F Ch1: 4, Ch2: 2, SA-J Ch1: 2, Ch3: 2, Ch4: 2)</i>
		(b) Periodic Review of Formalities and Requirements (W/17, W/31, W/46)	Article VIII	<i>Revised Arusha Declaration (Jun 2003) (in particular, 2), (see also RKC preamble, Art 6, 12, FOS P1: 8, Res (Jun 2005) the FOS)</i>

(as of 11/23/2005)

Main Areas Covered	Groups of Measures Falling Under Those Areas	Sub-Categories of Measures Falling Under Those Groups (Where Applicable)	Main GATT Article(s) Concerned	WCO Instruments (not exhaustive)
	reference in W/20, W/61 and W/69.	(c) Reduction/Limitation of Formalities and Documentation Requirements (W/17, W/24, W/31, W/36, W/46)	Article VIII	<i>RKC GA 3.12, 3.13, 3.15-3.17, 3.19, RKC SA-J Cp3: 10, (see also RKC GA 3.32)</i>
		(d) Use of International Standards (W/17, W/18, W/30, W/36, W/46, W/62)	Article VIII	<i>RKC GA 3.11, 7.2, (see also RKC Guidelines to GA Cp 3: Appendices I (UN Layout Key for Trade Document), and II (rec (Jun 1990) the single goods declaration), RKC, Istanbul Convention, HS, Customs Data Model, FOS (in particular, P1:1 (ISCM Guidelines), 1.2.5 (Rec (Jun 2004) a UCR for Customs purposes), 6.4, 6.5)</i>
		(e) Uniform Customs Code (W/46) <i>single import and export declaration, administrative message or data set are also mentioned</i>	Article VIII	<i>RKC GA 1.2, (see also RKC Guidelines to GA Cp 3: Appendices I (UN Layout Key for Trade Document), and II (rec (Jun 1990) the single goods declaration)), HS, Customs Data Model, FOS (in particular, P1:1 (ISCM Guidelines), 1.2.5 (Rec (Jun 2004) a UCR for Customs purposes), 6.5 (Customs Data Model))</i>
		(f) Acceptance of Commercially Available Information and of Copies (W/17, W/18, W/36, W/45, W/46), <i>in particular, in the case of automization</i>	Article VIII	<i>RKC SA-A Cp1: 4 (in particular, Guidelines to SA-A Cp1:4), GA 3.32, FOS P1: 1.4, (see also RKC GA 3.15, 3.18, 3.21, 3.41, 7.4, FOS P1: 1.3.8, 6)</i>
		(g) Automation (W/30, W/45)	Article VIII	<i>RKC GA 3.11, 3.18, 3.21, 6.9, 9.3, Cp7, Kyoto ICT Guidelines, Customs Data Model, (see also FOS P1:1, 4, 6)</i>
		(h) Single Window/One-time Submission (W/17, W/18, W/30, W/45, W/46; See also references in W/20, W/58 and W/69)	Article VIII	<i>FOS P1: 1.3.8, (see also HS, Customs Data Model, FOS P1: 1.2.5 (Rec (Jun 2004) a UCR for Customs purposes))</i>
		(i) Elimination of Pre-shipment Inspection (W/46)	Article VIII	<i>n.a.</i>
		(j) Phasing out Mandatory Use of Customs Brokers (W/46)	Article VIII	<i>n.a. (RKC GA 3.6-3.8, Cp8)</i>
		I. CONSULARIZATION	1. Prohibition of Consular Transaction Requirement (W/22, W/23, W/25, W/36)	

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J. BORDER AGENCY COOPERATION	1. Coordination of activities and requirements of all border agencies (W/20, W/30, W/46); See also reference in W/48.	<i>Both inter-agency and cross-borders</i>	Article VIII	<i>RKC GA 3.3-3.5, 3.35, 6.7 HS, Customs Data Model, FOS P1:1, 9, 11, Rec (Jun 2004) a UCR for Customs purposes, Model Bilateral Agreement, Johannesburg Convention, (see also RKC Guidelines to GA Cp 3: Appendices II (rec (Jun 1990) the single goods declaration))</i>
K. RELEASE AND CLEARANCE OF GOODS	1. Expedited/Simplified Release and Clearance of Goods (W/10, W/15, W/17, W/18, W/19, W/21, W/30, W/45, W/46, W/49). See also reference in W/6, W/61, W/65 and W/69.	<p>(a) Pre-arrival Clearance (W/10, W/17, W/18, W/30, W/46); See also W/45, W/53 and W/69</p> <p>(b) Expedited Procedures for Express Shipments (W/10, W/15, W/30, W/44, W/45); See also W/40 and W/65.</p> <p>(c) Risk Management/Analysis, Authorized Traders (W/10, W/17, W/18, W/30, W/45, W/46, W/49); See also W/42 and W/61</p> <p>(d) Post-clearance Audit (W/10, W/18, W/30, W/49); see also W/55 and W/69.</p> <p>(e) Separating Release from Clearance Procedures (W/19, W/21, W/30) See also reference in W/6.</p> <p>(f) Other Measures to Simplify Customs Release and Clearance (W/46)</p>	<p>Article VIII</p> <p>Article VIII</p> <p>Article VIII</p> <p>Article VIII</p> <p>Articles X with some proposals also relating to Article VIII</p> <p>Article VIII</p>	<p><i>RKC GA 3.25, 3.32, 3.40, Immediate Release Guidelines, (see also FOS P1:1.3.1-1.3.3, 6)</i></p> <p><i>Immediate Release Guidelines, (see also RKC GA 1.3, 3.1, 3.2, 3.12-18, 3.21, 3.25, 3.30-3.35, 3.40, 3.41, 4.13, 6.2-6.5, Cp8)</i></p> <p><i>RKC GA 3.31, 6.2-6.5, Risk Management Guide, FOS P1, ISCM Guidelines, RKC GA 3.32, FOS P1:1.4, P2, (see also RKC GA 6.9, FOS P1: 4-7, P2)</i></p> <p><i>RKC GA 6.6, 6.10, Rec (Jun 1998) improvement of tariff classification work and related infrastructure, in particular, its appendix Part II: post-clearance stage classification, (see also FOS P1: 6)</i></p> <p><i>RKC GA 3.13, 3.14, 3.17, 3.32, 3.40-43, Cp4 section A and B (in particular, 4.9, 4.15-4.17), Ch5, (see also FOS P1: 1.4)</i></p> <p><i>RKC GA 3.32, (see also FOS P1: 3)</i></p>

(as of 11/23/2005)

Main Areas Covered	Groups of Measures Falling Under Those Areas	Sub-Categories of Measures Falling Under Those Groups (Where Applicable)	Main GATT Article(s) Concerned	WCO Instruments (not exhaustive)
	2. Establishment and Publication of Average Release and Clearance Times (W/8, W/18, W/45, W/46; See also reference in W/6)		Articles X with some proposals also relating to Article VIII	<i>RKC GA 9.1, Time Release Study Guide, (see also FOS P1: 8)</i>
L. TARIFF CLASSIFICATION	1. Objective Criteria for Tariff Classification (W/24, W/46)		Articles X with some proposals also relating to Article VIII	<i>HS (in particular, the General Rules for the Interpretation of the HS), Rec.(Jun 2001) the application of Harmonized System Committee decisions</i>
M. MATTERS RELATED TO GOODS TRANSIT	1. Strengthened Non-Discrimination (W/28, W/35, W/64)		Article V	<i>n.a. (see also RKC GA 3.6, 3.7, 3.11, 8.3)</i>
	2. Disciplines on Fees and Charges (W/28, W/35, W/39)	(a) Publication of Fees and Charges and Prohibition of Unpublished ones (W/28, W/35)	Article V	<i>RKC GA 9.1, 9.3, 9.7, (see also Revised Arusha Declaration (Jun 2003) (in particular, 3))</i>
		(b) Periodic Review of Fees and Charges (W/28)	Article V	<i>Revised Arusha Declaration (Jun 2003) (in particular, 2), (see also RKC preamble, Art 6, 12)</i>
		(c) More effective Disciplines on Charges for Transit (W/35, W/39)	Article V	<i>Revised Arusha Declaration (Jun 2003) (in particular, 2), (see also RKC preamble, Art 6, 12, GA 1.2)</i>
		(d) Periodic Exchange between Neighbouring Authorities (W/28)	Article V	<i>n.a. (see also RKC GA 9.2)</i>
	3. Disciplines on Transit Formalities and Documentation Requirements (W/28, W/30, W/34, W/35, W/39, W/47)	(a) Periodic Review (W/28, W/34)	Article V	<i>Revised Arusha Declaration (Jun 2003) (in particular, 2), (see also RKC preamble, Art 6, 12, FOS P1: 8)</i>
		(b) Reduction/Simplification (W/28, W/30, W/35, W/39)	Article V	<i>RKC GA 3.12, 3.13, 3.15-3.17, 3.19, 3.32, RKC SA-E Cp1:5, 6, 7, (see also FOS P1: 1)</i>
		(c) Harmonization/Standardization (W/28, W/30, W/39; See also W/35)	Article V	<i>RKC (in particular, GA 3.11, 7.2, SA-E Cp1: 26), Istanbul Convention, HS, Customs Data Model, FOS P1: 1.2.5 (Rec (Jun 2004) a UCR for Customs purposes), (see also RKC Guidelines to GA Cp 3: Appendices I (UN Layout Key for Trade Document), and II (rec (Jun 1990) the single goods declaration))</i>
(d) Promotion of Regional Transit Arrangements (W/35, W/39, W/47)		Article V	<i>RKC SA-E Cp1: 26</i>	

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		(e) Simplified and Preferential Clearance for Certain Goods (W/28, W/34, W/39, W/47) <i>low risk goods, perishable goods, transshipment</i>	Article V	<i>RKC GA 3.13, 3.14, 3.17, 3.31, 3.32, 3.34, 3.40, 3.41, Cp6 (in particular, 6.2-6.5), SA-E Cp1: 5, SA-E Cp2 (in particular, 4-7, 11), Risk Management Guide, Immediate Release Guidelines, (see also FOS, in particular, FOS P1:1.4, P2)</i>	
		(f) Limitation of Inspections and Controls (W/39)	Article V	<i>RKC GA 3.3-3.5, 3.31, 3.32, 3.35, 6.2-6.8, RKC SA-E Cp1: 5, 17, 18, 23, Risk Management Guide, (see also FOS P1: 1)</i>	
		(g) Sealing (W/39)	Article V	<i>RKC SA-E Cp1: 8-18, its appendix, (see also FOS P1: 1.2.4)</i>	
		(h) Cooperation and Coordination on Document Requirements (W/28)	Article V	<i>Customs Data Model, (see also RKC GA 3.35, Guidelines to GA Cp 3: Appendices I (UN Layout Key for Trade Document), and II (rec (Jun 1990) the single goods declaration), FOS P1)</i>	
		(i) Monitoring (W/39) <i>public private partnership</i>	Article V	<i>RKC GA 1.3, 6.8, (see also FOS P1: 8, P2)</i>	
		(j) Bonded Transport Regime/Guarantees (W/28, W/35, W/39)	Article V	<i>RKC GA Cp5, SA-E Cp1: 3, 26, Istanbul Convention</i>	
	4. Improved Coordination and Cooperation (W/28, W/35, W/39)	(a) Amongst Authorities (W/28, W/35, W/39)	Article V	<i>RKC GA 3.3-3.5, 3.35, 6.7, SA-E Cp1:26, HS, Customs Data Model, FOS P1: 1.2.5 (Rec (Jun 2004) a UCR for Customs purposes), 9, 11, Model Bilateral Agreement, Johannesburg Convention</i>	
		(b) Between Authorities and the Private Sector (W/28)	Article V	<i>RKC GA 1.3, 9.2, (see also FOS P1:1.4, P2)</i>	
		5. Operationalization and Clarification of Terms (W/35, W/47)		Article V	<i>RKC GA Cp 2, SA-E Cp 1: Definitions, Glossary of International Customs Terms</i>
	N. TA/CB	1. Identification of trade Facilitation Needs and Priorities (W/29, W/33, W/41, W/56)		2 nd negot. objective	<i>Self Assessment Checklists, Customs Diagnostic Framework Time Release Study Guide</i>

(as of 11/23/2005)

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O. EXCHANGE AND HANDLING OF INFORMATION	1. Multilateral Mechanism for the Exchange and Handling of Information (W/57, W/68)		3 rd negot. objective	<i>RKC GA 6.7, FOS PI, Customs Data Model, Model Bilateral Agreement, Johannesburg Convention, Guidelines for the Development of National Laws for the Collection and Transmission of Customs Information,</i>