

**COMMUNICATION FROM THE EUROPEAN COMMUNITIES, MONGOLIA,
THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND
MATSU, AND SWITZERLAND**

The following communication, dated 1 June 2006, is being circulated at the request of the Delegations of the European Communities, Mongolia, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and Switzerland.

CUSTOMS BROKERS

1. The following textual proposal is submitted by the European Communities, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and Switzerland for consideration by the Negotiating Group. It is closely based on the proposals on customs brokers made in the joint communication TN/TF/W/88 of 4 April 2006 and takes account of the discussion and other submissions on this issue in the Negotiating Group.

Textual proposal

"Customs brokers

1. Without prejudice to paragraph 2, Members shall not require the use of customs brokers.
2. Developing country and least-developed country Members shall eliminate any requirements to use customs brokers not later than [X] years from the entry into force of this commitment.
3. From the entry into force of this commitment, Members shall not introduce or apply any new requirements to use customs brokers.
4. Members shall apply transparent, non-discriminatory and proportionate rules if and when licensing customs brokers."

Special and differential treatment, technical assistance and capacity building

2. With regard to special and differential treatment, technical assistance and capacity building in relation to customs brokers, TN/TF/W/88 set out some proposals. These included transition periods to allow for the amendment of relevant rules. These issues could be taken forward through the development of a horizontal mechanism that would, among others, take full account of the needs,

priorities, cost concerns and implementation capacities of developing and least-developed Members in relation to commitments. A number of relevant submissions on this issue have been made to the Negotiating Group, one of which contained a textual proposal. Such textual proposals should continue to be developed in parallel to the textual proposal set out above.
