## SUMMARY REPORT

### THE HYBRID MEETING OF THE PERMANENT TECHNICAL COMMITTEE

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- SAFE Working Group Work Programme

h. Oral report from the 3rd Meeting of the Passenger Facilitation and Control Working Group (PFCWG) and other intersessional developments, 20-22 April 2022

(To take note)

i. Report from the 26th Meeting of the Revised Kyoto Convention Management Committee, 13-17 September 2021  
j. Report from the 4th Meeting of the Working Group on Performance Measurement, 7-8 October 2021  
k. Report from the 2nd Meeting of the Passenger Facilitation and Control Working Group (PFCWG), 11-13 October 2021  
l. Report from the 8th Meeting of the Technical experts Group on Non-intrusive Inspection (TEG-NII), 4-5 November 2021  
m. Report from the 17th Meeting of the Contracting Parties to the ATA Convention / 20th Meeting of the Administrative Committee of the Istanbul Convention, 15-16 November 2021  
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ITEM I – OPENING OF THE MEETING

1. After the Chairperson’s introduction and welcome to the 235th/236th sessions of the Permanent Technical Committee (PTC) meeting, the Director of Compliance and Facilitation welcomed the delegates and provided an overview of the topics that would be discussed. Apart from the discussions on the various topics he was looking forward to, he expressed his delight to have some delegates for the PTC meeting in the WCO building for the first time in two years. He invited full
engagement by delegates and wished everyone a fruitful meeting. The list of participants is set out at Annex I hereto.

2. After the Director’s opening remarks, several Members took the floor and made statements regarding the situation in Ukraine. The Chairperson requested delegates who wish to have their statements reflected in the annex to this report to submit such statements in writing to the Secretariat. The statements received by the Secretariat are added as an annex to this Summary Report (Annex II).

3. A Member highlighted that the PTC played a crucial role in mitigating the effects of COVID-19 pandemic, adding that the major focus for his administration was on facilitation of the cross-border procedures for humanitarian aid. Acknowledging the WCO’s Secretariat Note on ‘The Role of Customs in Humanitarian Crises’, he added that it was lacking specific points relating to humanitarian relief during a large armed conflict. A proposal was made that the PTC revise current tools and instruments and possibly develop a guidance on the role of Customs in humanitarian relief in the active phase of armed conflict and he also emphasized that the same issue was raised at the recent Enforcement Committee meeting and it was referred to the PTC. Other Members supported the proposal in adding a discussion on the topic of “the role of Customs in humanitarian relief” to the agenda for the PTC.

4. In conclusion, the PTC:

   • took note of the opening remarks by Pranab Kumar Das, Director of Compliance and Facilitation at the WCO.

ITEM II - ADOPTION OF THE AGENDA

5. The Chairperson introduced the item and provided an update on the changes made in versions b and c of the draft agenda. Prior to the start of the meeting, a Member (India) provided a proposal for the addition of a presentation on their national experience under agenda item IX on the World Trade Organization (WTO) Trade Facilitation Agreement (TFA). The PTC was invited to adopt the draft agenda PC0682 (version c), including sub-item IX.d, presentation by India.

6. Referring to discussions under the previous agenda item, a Member proposed adding Customs’ role in humanitarian crises to the agenda to be discussed under any other business (AOB) agenda item. A number of delegates, emphasizing the importance and urgency of the subject, supported this proposal and stressed that a preliminary discussion on the topic at the current PTC followed by an in-depth discussion at the next PTC should be the way forward.

7. With regard to comments made by a number of delegates regarding the document(s)/existing tools and instruments that could be used as a basis for discussions under AOB item, the Secretariat confirmed that the PTC will be briefed about the existing WCO tools and instruments under the AOB item.

8. Following the discussions on the agenda on the first day of the meeting, the Secretariat sent all registered participants to the meeting the link to the

www.wcoomd.org
Secretariat Note on the Role of Customs in Humanitarian Crises and the associated web-article of 16 March 2022.

9. **In conclusion, the PTC:**
   - took note that Customs' role in humanitarian relief would be discussed under Any Other Business (AOB) in general terms, and
   - endorsed the draft agenda (PC0682Ec) with this inclusion.

**ITEM III – UPDATE AND REPORTS**

*(For decision)*


b. Summary Report from the 15th Meeting of the API/PNR Contact Committee, 14-15 October 2021

c. Report from the 41st Meeting of the WCO/UPU Contact Committee, 9-10 November 2021
   - Joint WCO/UPU Message Standards
   - Amendment of UPU CN22/CN23 forms
   - Proposal from the WCO/UPU Contact Committee Co-Chairs regarding the membership of the Contact Committee

d. Summary Report from the 62nd Meeting of the Data Model Projects Team, 31 January – 4 February 2022

e. Railway cooperation and the Railway Guidance

*(For guidance)*

f. Oral report from the 5th Meeting of the Working Group on Performance Measurement, 13-14 April 2022

g. Oral report from the 26th/27th Meetings of the SAFE Working Group, 11-13 April
   - SAFE Working Group Work Programme
h. Oral report from the 3rd Meeting of the Passenger Facilitation and Control Working Group (PFCWG) and other intersessional developments, 20-22 April 2022

(To take note)

i. Report from the 26th Meeting of the Revised Kyoto Convention Management Committee, 13-17 September 2021

j. Report from the 4th Meeting of the Working Group on Performance Measurement, 7-8 October 2021

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m. Report from the 17th Meeting of the Contracting Parties to the ATA Convention / 20th Meeting of the Administrative Committee of the Istanbul Convention, 15-16 November 2021

n. Report from the 18th Counterfeiting and Piracy (CAP) Group meeting, 17-18 November 2021

o. Report from the 27th Meeting of the Revised Kyoto Convention Management Committee, 29 November – 3 December 2021


q. Report from the 28th Meeting of the Revised Kyoto Convention Management Committee, 7-11 March 2022

10. The Chairperson introduced the agenda item explaining that the update and reports is a standing PTC agenda item which groups together “A”-items, namely reports from different WCO working bodies or from the Secretariat. Some of them require endorsement (sub-items under part 1.), while the PTC is invited to provide guidance on the oral reports provided under three sub-items (sub-items under part 2). Other sub-items are for notetaking (sub-items under part 3) and don’t require a discussion. However, delegates may raise any issue or launch a relevant discussion, if required.

11. The Chairperson invited the WCO Secretariat to introduce the two documents under this agenda item as well as to report on the three meetings.
c. Report from the 41st Meeting of the WCO/UPU Contact Committee, 9-10 November 2021

- Joint WCO/UPU Message Standards
- Amendment of UPU CN22/CN23 forms
- Proposal from the WCO/UPU Contact Committee Co-Chairs regarding the membership of the Contact Committee

12. The WCO/UPU Contact Committee (CC) was established in 1965 by an agreement between the WCO and the Universal Postal Union (UPU), following a resolution adopted by the UPU at its 15th Congress held in Vienna. The WCO/UPU CC has the character of a working group whose conclusions are submitted to the competent WCO and UPU bodies for approval. Within the WCO, this body is the PTC and, within the UPU, the Customs Group of the Postal Operations Council.

13. The Chairperson invited delegates to comment on the Report from the 41st Meeting of the WCO/UPU CC held on 9-10 November 2021 being presented for endorsement. The Report included an update of Joint WCO/UPU Message Standards (CUSITM and CUSRSP Version 2) and an amendment of the UPU CN22 and CN23 forms which were approved at the WCO/UPU CC meeting.

14. The Chairperson also invited delegates to examine the proposal from the Co-Chairpersons of the WCO/UPU CC, which was, considering the number of requests to become a member or observer to the WCO/UPU CC, to remove the limit to the number of observers from the Terms of Reference (ToR) of the CC, and invited delegates to permit the change to the ToR.

e. Railway cooperation and the Railway Guidance

15. The Secretariat reported on the update of the WCO Railway Guidance incorporating feedback from the discussions during the 233rd/234th sessions, which was endorsement for the Railway Guidance excluding the harmonized railway transit dataset, and a request to Members to continue work to finalize the dataset so it could be submitted to Council in June 2022 for approval and subsequent publishing. The Secretariat also shared future plans for six regional railway workshops to be conducted to enhance implementation of simplified and improved Customs procedures on railway transportation, starting with the Asia Pacific region in May 2022.

16. The Chairperson invited delegates to examine and endorse the WCO Railway Guidance with the latest amendments provided.

17. Delegates appreciated the Secretariat for the work on the update of the Guidance and expressed their intention to actively participate in the forthcoming regional railway workshops.
f. Oral report from the 5th Meeting of the Working Group on Performance Measurement, 13-14 April 2022

18. The Secretariat provided an oral report from the 5th Meeting of the WGPM held on 13 and 14 April, presenting the important milestones achieved on several aspects, such as the election of the new Chairperson (Mr. Sean Borg, Director of the Trade and Anti-dumping Programs Directorate of the Canada Border Services Agency) and Vice-chairperson (Mr. Youssef El Mazouri, Head of the Programming and Communication Division of the Moroccan Customs and Excise Administration) for a one-year term; agreement on the consolidated draft Performance Measurement Mechanism (PMM) Package to be approved by the Policy Commission and Council in June 2022; the decision to avoid pre-established cycle for the peer reviews; as well as the decision to include the provisional list of KPIs in the first version of the WCO PMM with the WGPM commitment to continue working on KPI revisions/development/deletions during the intersessional period; the agreement on advancing in the development of the PMM platform with the financial support of the WCO-SECO Global Trade Facilitation Programme (GTFP) and to develop the WCO Handbook on Performance Measurement under the extended one year time frame of the WGPM to June 2023, which was already approved by the Finance Committee and subject to Policy Commission and Council approval. As for the stakeholder engagement, the Secretariat moved on to underline that due to the sensitive nature of the work envisaged, the WGPM agreed to restrict participation in the 6th Meeting of the WGPM to WCO Members only. In conclusion, the Secretariat outlined the WGPM guidance for further improvement of the International Survey on Customs Administration (ISOCA), such as the streamlining and timing of the Survey so as to avoid survey fatigue.

19. Several delegates welcomed the progress made to date with the development of the WCO PMM, and acknowledged that 60% of the Members reported to have already benefited from the PMM developments. Delegates also underlined their commitment to advance the ambitious WGPM program of work, through the active Members’ participation during the intersession, envisaging possible modifications to the original visions of the PMM in its first edition and the reconsideration of the scope of work to be undertaken under the one-year extension, under the guidance set by the policy bodies. Some delegates reiterated their concern about this being too ambitious of a work plan, especially in terms of KPI development and suggested that the number of KPIs to be discussed be minimized or that a different approach be considered so as to complete the task within the one year extension.

20. While appreciating the leadership of the WCO Deputy Secretary General in leading the work of developing the PMM, as a crucial and strategic initiative for the WCO, some delegates considered it necessary to ensure the alignment of the PMM developments with the WCO draft Data Strategy and to also pay attention to resources allocated to this work based on WCO’s priorities, which requires policy guidance and discussions at the PC and Council.

21. Another delegate drew the attention of the PTC to the complexity of the KPIs and the resource-consuming data collection process being challenging to ensure on a continuous basis. Therefore she suggested to advance with the KPIs
representing the lowest common denominator of data to be collected and disclosed for most Customs administrations, thus enabling a minimum standard to be gradually upskilled. She added that given the sensitivity of data to be collected through the PMM, the highest level of security should be ensured in the development of the PMM data collection platform.

22. Concerning the PMM alignment to the WCO draft Data Strategy, the Secretariat clarified that the PMM, as any WCO data related project, would find synergies with the proposed draft Data Strategy and would contribute to the objectives of the Data Strategy, subject to further discussions. As for the Members concerns with respect to the ambitious Work Plan, the Secretariat further reiterated the WGPM decision and commitment to continue working on KPI revisions and deletions during the intersessional period, leading to the eventual re-assessment of the work envisaged.

g. Oral report from the 26th/27th Meetings of the SAFE Working Group, 11-13 April

• SAFE Working Group Work Programme

23. The Secretariat provided an oral report on the 26th/27th Meetings of the SAFE Working Group (SWG) held from 11 – 13 April and on the SWG Work Programme for 2022-2024.

24. One delegate noted that they echoed the position of the Private Sector Consultative Group (PSCG) on the need to harmonize SAFE implementation. They reiterated that the SWG should be cautious of adding new AEO criteria that may go beyond Customs functions and create burdens for businesses to comply with. The SWG should work together to develop to improve and maintain the attractiveness and vitality of the AEO programmes.

25. Another delegate expressed appreciation and complimented the WCO SWG on the holistic Work Programme. They said that the inclusion of data analytics had been considered as a much needed step that would ensure better risk management for AEOs. In addition, the Secretariat Notes on expanding the concept of AEOs to E-commerce and Free zones stakeholders have clearly demonstrated the need to reorient the concept of AEO in the light of dynamic business scenarios.

h. Oral report from the 3rd Meeting of the Passenger Facilitation and Control Working Group (PFCWG) and other intersessional developments, 20-22 April 2022

26. The Secretariat provided an oral report on the outcomes of the 3rd meeting of the PFCWG focusing on Agenda Item IV - Develop a Cruise Ship Compendium of Best Practices for Customs, VI - Establish a Global Data Standard for maritime passenger and VII - Data elements related to health issues and 14- day travel history, which required further development in the intersession and discussion at the next meeting of the PFCWG. As there were no comments from Members, the Chairperson concluded the item by noting that PTC took note of the report from the 3rd meeting of the PFCWG.
27. In conclusion, the PTC:

- adopted the Summary Report from the 61st Meeting of the Data Model Projects Team;
- adopted the Summary Report from the 15th Meeting of the API/PNR Contact Committee;
- endorsed the Report from the 41st Meeting of the WCO/UPU Contact Committee;
- permitted the change to the ToR of the WCO/UPU Contact Committee removing the limit to the number of observer;
- adopted the Summary Report from the 62nd Meeting of the Data Model Projects Team;
- endorsed the updated Railway Guidance;
- welcomed the outcomes of the 5th meeting of the Working Group on Performance Measurement (WGPM) and provided further guidance on the way forward;
- reviewed and took note of the SAFE WG work programme for 2022-2024;
- took note of the reports from the relevant meetings.

ITEM IV – ROLE OF CUSTOMS IN MITIGATING THE EFFECTS OF THE COVID-19 PANDEMIC

a) Progress report on the implementation of the Council Resolution on the Role of Customs in Facilitating the Cross-Border Movement ofSituationally Critical Medicines and Vaccines, PC0684

28. The Secretariat provided a report on the implementation of the Council Resolution on the Role of Customs in Facilitating the Cross-Border Movement of Situationally Critical Medicines and Vaccines by highlighting, inter alia, the work progress achieved by the COVID-19 and Operation STOP II Projects.

29. The PTC was invited to take note of the progress in the implementation of the Resolution, discuss and endorse the self-assessment checklist that should be annexed to the Guidelines on disaster management and supply chain continuity, as well as to provide guidance on the way forward.

30. After introducing the agenda item, the PTC Chair invited the Secretariat to present the doc PC0684Ea.

31. The Secretariat informed to the PTC that the update will cover the three components of the COVID-19 Project: developing and regularly updating the Guidelines on disaster management and supply chain continuity; delivering capacity building activities; and, providing IT solutions to beneficiary Members.

32. The Secretariat explained that the Guidelines had been updated by developing a Self-Assessment checklist in the form of an annex to provide to Customs.
administrations an evaluation tool that will help them in analyzing the gaps between the measures in place to face emergency situations and those that need to be implemented.

33. The Secretariat added that, since the 233rd /234th PTC sessions held in October 2021, the COVID-19 Project team organized or is in the process of organizing a number of capacity building activities. As of April 2022, seven activities were delivered and four are in preparation.

34. The Secretariat also mentioned that technical support and IT equipment was delivered to three WCO Members (Benin, Cameroon and Madagascar). The technical support consists of a Mobile App and related hardware (tablets and QR scanners) for the submission of Customs declarations by inbound air passengers that will help in limiting physical contact between passengers and Customs personnel at entry points.

35. A video showing the results achieved by the WCO COVID-19 Project was screened.

36. A number of delegates expressed their appreciation for the efforts of the WCO in the implementation of the Action Plan and for the overall support provided by the Secretariat to Members throughout the pandemic, with special attention given to capacity building and compliance-related activities, including in the framework of Operation STOP II. They also supported the endorsement of the Self-Assessment checklist as an annex to the Guidelines on disaster management and supply chain continuity.

37. In conclusion, the PTC:

- took note of the progress achieved by the COVID-19 Project, Operation STOP II and commended the Secretariat for these initiatives in Implementing the Council Resolution on the role of Customs in facilitating the Cross border movement of Situationally Critical Medicines and Vaccines; and
- discussed and endorsed the Self-Assessment Checklist that will be annexed to the WCO Guidelines on disaster management and supply chain continuity.

b) Status of COVID-19 vaccine distribution, update from the Private Sector Consultative Group (PSCG)

c) Business resumption: Lessons learned during the COVID-19 pandemic – best practices for Customs, update from the PSCG

38. The Chairperson introduced the document explaining that the Private Sector Consultative Group (PSCG) has submitted an update on the status of COVID-19 vaccine distribution and a paper on business resumption. These two documents have been published on the WCO website under the relevant PTC webpage. The PTC was invited to take note.

39. In conclusion, the PTC:
took note of the update on the status of COVID-19 vaccine distribution and the paper on business resumption submitted by the Private Sector Consultative Group (PSCG).

ITEM V – FUTURE OF CUSTOMS

a) WCO/WTO Study Report on Disruptive Technologies 2022, PC0685

40. The Secretariat introduced document PC0685 and the background to the collaboration with the World Trade Organization (WTO) in updating the Study Report on Disruptive Technologies, which was aimed at taking a more holistic approach in observing the broader international trade context in which Customs administrations play an important role. The Secretariat thanked all those who contributed to the update, including with use cases which were provided by Members from all six WCO regions, and shared the next steps regarding the publication of the Study Report, which will be supported by the Customs Cooperation Fund of Korea.

41. In her intervention, the representative of the WTO Secretariat stressed that the WTO has been exploring the impact of digital technologies on trade through WTO committees and a series of publications and events. They have been recognized as particularly important in implementing the WTO Trade Facilitation Agreement (TFA), around which the two organizations have been cooperating for years. She highlighted the successful promotion of the joint WCO/WTO paper “The role of advanced technologies in cross-border trade: A Customs perspective”, and noted that the updated Study Report is intended to be launched again at a joint WCO/WTO webinar to be organized in July 2022.

42. In their interventions, Members congratulated the WCO and the WTO on this work and fully supported the endorsement of the Study Report stressing the timeliness and importance of the work aimed at exploring and raising awareness of the use of disruptive technologies in the Customs and border management environment. One Member (Canada) flagged that their use case on biometrics, which was originally part of the 2019 Study Report, and recently updated, be included as well. The Secretariat pointed out that any other use cases that Members wished to submit should be communicated to the WCO Secretariat by 6 May 2022, at the latest, after which the Study Report will be submitted to the Council for final approval.

43. Members indicated a number of different factors to take into consideration, in particular the need for legal frameworks and capacity building, including the development of a pool of experts. It was specified that most of the blockchain projects are driven by the industry and that Customs should find ways of joining such projects. It was also felt that the WCO should continue promoting innovation and digitalization projects and collecting up-to-date information, such as that collected through the Annual Consolidated Survey 2021. Finally, the Members expressed their willingness to further contribute and follow up on this work which should continue to be kept up to date.
44. In conclusion, the PTC:
   - discussed and endorsed the updated WCO/WTO Study Report on Disruptive Technologies, subject to the further input provided. (Annex III)

b) Presentation by China

45. China Customs, following a video on smart inspection at Shanghai Customs, made a presentation on the Customs Smart Inspection in Automated Terminal (An Introduction to AI-based Image Reading of NII by China Customs). The China Customs representative, referring to their 3S initiative (Smart Customs, Smart Borders, Smart Connectivity), explained the “Customs Smart Inspection” Project as one of the projects under this initiative. In order to improve efficiency at Shanghai port, they promoted the application of the AI-based Non-intrusive Inspection (NII) image recognition system in the field of cargo supervision. She ended her presentation by highlighting that China would like to explore the possibility of carrying out a pilot 3S project with other Customs to contribute strengthening Customs-to-Customs cooperation and ensure trade security and facilitation.

46. In the exchange of views that followed, delegates congratulated China on the project and thanked them for their comprehensive presentation. Referring to questions from Members, the representative of China emphasized that they were still working on different aspects of the project and they would be able to provide more information at the next meeting.

47. In conclusion, the PTC:
   - took note of the presentation by China Customs.

ITEM VI - TIME RELEASE STUDY (TRS)

• Update on the development of a new TRS software, PC0686

48. The 233rd/234th Sessions of the PTC granted additional time to carry out further intersessional work aimed at compiling detailed information on the User Requirements (UR) to develop a new TRS Online System. The UR served as the primary basis in determining the potential scope, cost, models, options and funding that the PTC sought. Based on the time extension granted, the Secretariat, including IT personnel and in consultation with interested Members and a TRS Accredited Expert, intersessional work was carried out. Thus, the outcomes of the intersessional work, as reflected in the document (PC0686E), were submitted to the PTC for its final endorsement and approval so the project could be initiated to develop the new TRS Online System.

49. While acknowledging the intersessional work carried out by the Secretariat and its outcomes submitted to the PTC for endorsement, Delegates sought clarifications on the following:
cost estimates provided by the three private IT vendors given that the quote of IT Vendor C was substantially less compared to the first two quotes;

• reasons for considering a risk margin of 30% to 40% by IT Vendors A and B; and

• maintenance cost to maintain the TRS Online System after Go-Live and completion of the warranty period.

50. The Secretariat clarified that the lowest quote amounting to 141,000 Euro likely considered minimal implementation of core functions, whereas the higher quotes (A and B) likely accounted for complete features. Concerning the 30% to 40% risk margin, it was clarified that given the high-level User Requirements with inadequate technical elements, generally IT companies include such a risk margin in order to cover uncertain additional cost that could arise in the future. Regarding the maintenance cost, the Secretariat shared the challenges and difficulty to estimate it at this point, however, clarified that the proposed Feasibility Study considered under Phase-I would enable and facilitate the ability to project an estimated maintenance cost based on well-defined project scope and options.

51. While supporting the funding option with the World Bank Group (WBG), Delegates expressed concerns regarding proprietary rights as well as data security, accessibility and confidentiality rights of the TRS Online System and suggested to exercise the utmost diligence on these aspects. The WBG confirmed that the proprietary rights of this prospective strategic partnership on the TRS Online System would not only lie with the WCO, but to be also hosted in the WCO domain. The WBG further justified that there would be an alignment with the high-level policy on data security, accessibility and confidentiality, according to which no data of an individual member could be used, disclosed or published against the interest and/or without the prior authorization of the respective Government.

52. As Delegates inquired about the status of funding, the Secretariat clarified that to date, the WBG confirmed to fund the proposed TRS project as the only external donor to provide support. Concerning the internal WCO donors, the Secretariat informed Delegates that the internal WCO donors had been approached and none had come forward to support the project.

53. Recognizing the great value that TRS as a tool brings along, the Representative of the WBG reinforced their continued support and partnership with the WCO and conveyed their interest and commitment to fund the development of the new TRS Online System project. He further confirmed that the WBG have resources reserved for eventual advancement of this project. They also supported the proposed approach and outcomes laid out in the Secretariat’s working document (PC0686E).

54. The Secretariat also took note of the following general suggestions made by the Delegates:
The new TRS Online System should be open source software and take into account, specific National requirements of respective Customs administration;

- TRS templates should be adapted to different and specific work flows;
- In addition to the PTC work plan, suggested to include the proposed TRS project in the upcoming fiscal year’s Implementation Plan since it integrates well with the “Technology and Innovation” focus area of the proposed 2022 – 2025 Strategic Plan of the WCO.

55. In conclusion, the PTC:
- discussed and endorsed the outcomes of the intersessional work; and
- approved the initiation of the development of the new TRS Online System project taking into account comments made, based on the proposed approach and subject to funding availability.

ITEM VII - ADVANCE PASSENGER INFORMATION (API) / PASSENGER NAME RECORD (PNR)

- Update of the Terms of Reference of the API/PNR Contact Committee

56. The Secretariat introduced document PC0687 and informed delegates that the PTC welcomed the proposal from interested Members to consult intersessionally with the Secretariat on options for expanding the WCO membership of the API/PNR Contact Committee (CC) and on possible ways of capturing this in a revised Terms of Reference (ToR). Subsequently, a draft revision of the ToR was submitted to the PTC for consideration and potential approval following the consultations.

57. The Chair of the API/PNR Contact Committee informed delegates that the Secretariat had invited and consulted with current API/PNR CC members regarding the draft revision of the ToR in the intersession. The API/PNR CC’s Chair went on to say that the API/PNR CC members supported the PTC in making the necessary decisions regarding the revision proposal.

58. A delegate supported the revision proposal and suggested an enhancement to the existing text of the ToR. The suggested text was: “The Contact Committee shall consist of experts representing IATA, ICAO, and the WCO as well as any interested WCO Member or ICAO national delegation. The WCO Secretariat shall encourage participation in the Contact Committee by Members from each of the six WCO regions and national delegations from each of the seven ICAO regions.” Another delegate suggested an additional enhancement to the text related to inviting other international organizations and private sector observers to the Contact Committee Meeting. The suggestion underlined the need to inform the API/PNR Contact Committee members when an observer from another
international organization or from the private sector is invited to participate in the meeting.

59. A delegate asked for clarification regarding the role of the API/PNR CC as a platform for exchanging information on issues of common interest, as outlined in the ToR. The Secretariat clarified that the “exchange of information” in the ToR meant “experience sharing” relating to implementing API/PNR programmes.

60. Several delegates supported the initiative for streamlining the WCO’s work relating to passengers. However, the delegates noted that the WCO’s work on aviation and the maritime passenger were at different maturity levels. Therefore, such an initiative should be revisited at a later stage. Delegates supported the current approach in organizing API/PNR CC and Passenger Facilitation and Control Working Group (PFCWG) in the same week. A delegate observed that there is a need for the WCO and the Customs community to promote Customs’ use of API/PNR data, including the need to establish a national legal mandate for Customs access to API-PNR datasets, and, in the future, possible maritime datasets. Limiting access could have a significant impact on the quality and accuracy of Customs controls. The same delegate suggested that the WCO develop a recommendation encouraging governments that Customs administrations be given access to existing API-PNR datasets.

61. In conclusion, the PTC:

- discussed, provided guidance on, and approved the proposed amendment of the ToR of the API/PNR Contact Committee, attached as Annex IV to this report, subject to the inclusion of the proposed edits; and
- discussed and provided guidance on the possible future streamlined arrangement of the passenger-related Working Bodies.

ITEM VIII – THEME OF THE YEAR: SCALING UP CUSTOMS DIGITAL TRANSFORMATION BY EMBRACING A DATA CULTURE AND BUILDING A DATA ECOSYSTEM

a) Round table discussion

b) Draft WCO Data Strategy, PC0688

62. The theme of the year - Scaling up Customs Digital Transformation by Embracing a Data Culture and Building a Data Ecosystem – has been discussed during a round table bringing together the WCO Secretary General and representatives of the United Nations Statistics Division (UNSD), the International Trade Center (ITC) and the International Network of Customs Universities. The round table was followed by a discussion with PTC delegates on the WCO Data Strategy.

63. The Secretary General highlighted the progress of the WCO in the domain of data, and the urgent need to ensure the coherence and clarity of WCO data initiatives, through a new strategic framework. He presented the WCO’s data
strategy, which had been announced at the December 2021 PC and is composed of three building blocks: data sharing (statistics, aggregated data), creation of communities of practice and technical assistance. The Secretary General underlined that the transition to a data-driven organization is not financially neutral, but this transition is critical for the organization and Members.

64. The UNSD representative described the UN data strategy. He drew parallels with the initiatives proposed by the WCO strategy and pointed out those on which cooperation between the WCO and the UNSD could develop, in particular maritime data and privacy-preserving techniques. He insisted on the need to share methodological questions and progress within a community of experts. The representative of ITC presented the data transition of his organization whose mandate includes a better mobilization of data for economic development. He developed the success factors that he illustrated based on the experience of current ITC projects. He also considered possible cooperation with the WCO on training and data availability. The INCU representative described the strong collaboration between universities and the WCO on data mobilization. He pointed to the maturity of academia in data science and informed the committee that a call for research proposals in this domain had been launched within the INCU to support cooperation with Customs and the WCO.

65. Members supported the efforts of the Secretariat, agreed with the motivations for a WCO data strategy and recognized the relevance of the three building blocks. They appreciated its gradual implementation as envisaged by the Secretariat. In order to improve the document, Members made some proposals, including that particular efforts be devoted to the definition and standardization of data, cybersecurity, capacity building, benefits of statistics for Members and links with the digital transformation of Customs. A member emphasized the benefits of adopting a phased approach to implementing the data strategy that begins with establishing common data standards before proceeding to the development of new tools for data analysis. Members emphasized the need for consistency between WCO data initiatives and other WCO initiatives, including the WCO Data Model. A Member pointed to the constraint of infrastructure to implement this strategy. Another Member expressed their satisfaction to see, through the experiences shared by other organizations, that the strategy proposed by the Secretariat was sustainable.

66. The Secretary General responded to Members and expressed satisfaction that the Finance Committee had endorsed the necessary financial efforts to improve cybersecurity and IT resources that will contribute to the implementation of this data strategy. He underlined that this strategic document was a starting point for future work, in particular within a data and statistics working group that will be created and towards which the WCO data initiatives should converge progressively. This working group will also be key to ensure that Members are fully engaged in the strategy. The Secretary General concluded by thanking Members for their support and their proposals that will be taken into account in a revised version of the document.

67. In conclusion, the PTC:
discussed and provided guidance on the WCO Data Strategy to be presented to the June 2022 Policy Commission;

took note of the Secretary General’s response; and,

asked the Data Model Projects Team (DMPT) to contribute to the Data Strategy through such activities as by exploring the expansion of the Data Model to include standardized statistical data and the possible development of any necessary Derived Information Packages (DIP).

ITEM IX – WORLD TRADE ORGANIZATION (WTO) TRADE FACILITATION AGREEMENT (TFA)

a) Update from the WTO

68. The World Trade Organization (WTO) Trade Facilitation Committee (TFC) Chair Christopher O’Toole addressed the meeting on developments taking place in the WTO TFC and how it relates to the WCO. He informed delegates that the most recent development in the Committee has been the completion of the first four-year review of the implementation of the Trade Facilitation Agreement (TFA) in November 2021, and the on-going implementation of some of the outcomes of the review. Regarding the National Committees on Trade Facilitation (NCTFs), delegates were informed that the TFC agreed to draft a document that contains good practices and building blocks of successful NCTFs. Referring to the WCO Secretariat Note on NCTFs prepared based on the results of the WCO’s Annual Consolidated Survey 2021, he said the WTO document could complement the WCO work in the area of NCTFs. Another review decision was to include a dedicated session on transit issues of landlocked country members at the Committee’s annual spring meeting until the conclusion of the next review, which will take place in 2026, and he thanked the WCO for its contribution to the dedicated session on transit held in April 2022. On technical assistance and capacity building support, delegates noted that the WCO, along with other partners supporting the implementation of the TFA, will be requested to report to WTO Members on the implementation support that they are providing. He also informed the meeting that on the 29th of June, the Committee will be holding a one-day event to mark the 5th anniversary of entry into force of the TFA and they look forward the WCO’s participation in this event. In finalizing his remarks, the TFC Chair expressed his appreciation for the WCO for its continued valuable contributions to and cooperation with the TFC and also for the support in the implementation of the TFA. The Chair of the TFC highlighted the importance of experience sharing regarding the implementation of the TFA as well as technical assistance and capacity building in the second part of his intervention.

69. The Secretary General Dr. Mikuriya thanked the TFC Chair for his participation in the PTC meeting, which had become a tradition since the adoption of the TFA, and for inviting the WCO to the WTO TFC meetings. The Secretary General acknowledged the update from the TFC Chair, noting the progress of the review process and he reported on the progress of the WCO in dealing with TFA agenda, stating that WCO has reviewed its support for the TFA and has decided to incorporate the gains from the WCO Working Group on the WTO TFA
(TFAWG) into the work of the WCO core activities, namely the PTC and the Capacity Building Committee (CBC). The WCO has also progressed in the review of the Revised Kyoto Convention (RKC) and in making sure that the RKC and its guidelines remain updated as a whole as it is an important tool for the implementation of the TFA. He also referred to the WCO’s work in the area of NCTFs, transit, Data Model, Time Release Study, performance measurement, Mercator Programme and others as well as WCO/WTO joint work in the area of disruptive technologies. Referring to the TFA 5 Year Anniversary Event, the Secretary General expressed that the WCO would be happy to participate in and contribute to this event, and referred to the digital transformation, e-commerce, use of data and the WCO Data Strategy as important developments in this period.

70. A Member indicated that trade facilitation is a core component of the WCO and to trade recovery, and they look forward to enhancing the work of the programme by accrediting more Mercator Programme Advisors. Another Member congratulated the WCO and mentioned that it has a critical role to play in accelerating the TFA implementation. Members congratulated the WTO for the summary of Committee activities and on the conclusion of their four-year review as well as the TFA anniversary event, indicating that they are looking forward to collaborating with both Secretariats on their upcoming work.

71. In responding to comments by Members and to the TFC Chair’s comments, the Secretary General thanked Members for their continuous support in terms of availing experts and funding. He highlighted that the TFA was used during the COVID era to keep trade supply chain open at borders using the TFA provisions to ensure facilitation of essential goods. He expressed his appreciation to the TFC Chair, mentioning that individual countries’ experiences are very important. The Secretary General gave an example of a Single Window project being carried out by a Member, which is what we need according to Coordinated Border Management. The TFA provides great value in this area because other government agencies are included in such projects and that is where the TFA provides higher level political support to get them on board. He further mentioned another Member and its regional integration, the Central American Integration System (SICA), which the WCO Secretariat is supporting in the area of Time Release Study (TRS), and it is a very good example of using the WTO Agreement and WCO standards together to support implementation and enhance economic competitiveness in the regional integration framework.

72. The WTO Secretariat made a presentation about the state of play regarding TFA implementation. The delegates were appraised on the overview of the TFA implementation commitments including the top five measures with the highest implementation rate and the bottom five measures with the lowest implementation rate. Additionally, delegates noted the status of requests for an extension of implementation dates and of category shifting by Members. The WTO Secretariat further presented on the recent and upcoming implementation dates for 2022-2023, the top five category B and C measures due for implementation in the same period, and on the final implementation notification deadline.

73. In conclusion, the PTC:
took note of the remarks made by the Chairperson of the WTO Trade Facilitation Committee (TFC) and WCO Secretary General; and

took note of the presentation by the WTO Secretariat about the state of play regarding TFA implementation.

b) Mercator Programme progress report, PC0689

74. The Chairperson introduced the item and invited the Secretariat to introduce document PC0689.

75. The Secretariat provided a brief update on the recent achievements in the area of TFA implementation through the Mercator Programme. Under the Overall Track of the Mercator Programme, there are a number of new and updated instruments and tools that have been developed during the reporting period. Regarding the global and regional activities, a new round of WTO TFA regional workshop started in 2021 and so far two workshops have been conducted, with the third one to be held in June 2022. In terms of cooperation with international organizations and other stakeholders, the Secretariat continued their close collaboration with the WTO and the other Annex-Ds. The WCO also participated in the meetings of the WTO TFC and hosted a panel under the umbrella of the WTO Public Forum 2021. In addition, the WCO was one of the organizations that joined forces in organizing the Global NCTF forum in February 2022. Under the Tailor-Made Track, the Secretariat has continued to engage with the multi-year Mercator Programme beneficiary Members through consultations in preparation for future Mercator diagnostic activities. Over 100 multi-year Mercator activities have been delivered, mostly virtually or in a hybrid format, and more activities are planned.

76. A Member appreciated the progress made by the Secretariat in effectively and continuously assessing Members even in the difficult times of the pandemic, through virtual and hybrid modes, and also valued the efforts made by Members to implement the WTO TFA. Furthermore, they informed delegates that their country will continue to support Members in this area through the Customs Cooperation Fund (CCF) and other means. Additionally the delegate emphasized that it is quite important to share the experience of Members in that regard while obtaining feedback from the Secretariat, and from experts who provided assistance and also from the recipients, especially under the Tailor-Made Track. Members thanked the Secretariat for their work, dedication and innovative approach to the implementation of the TFA through the Mercator Programme despite the ongoing challenges of the COVID-19 pandemic, some indicating that their regions have benefited in the implementation of the TFA through the programme. Responding to comments on the Tailor-Made Track of the Mercator Programme, the Secretariat stated that the comment has been duly noted concerning the issue of organizing experience sharing activities for Members and donors to showcase their success stories. The Secretariat informed delegates that plans are underway to take that up in the upcoming activities in the context of the Capacity Building Committee (CBC) meeting. They thanked the donors for
the funding and support to the Mercator Programme, and to Members who continue to release experts to support capacity building delivery activities.

77. In conclusion, the PTC:
- took note of the progress made under the WCO Mercator Programme.

c) Presentation by Bahrain

d) Presentation by India

78. Bahrain Customs delivered a presentation on their Customs Clearance Committee (CCC), outlining its purpose, results, and its trade facilitation initiatives. In order to harmonize the process to facilitate trade at the borders, one of their main objectives is Customs cooperation with other government agencies (OGA). Therefore, the CCC was created with the interest to establish a harmonized approach at the borders. In that regard, Bahrain Customs has signed the Service Level Agreement with nine OGAs and established a white list together with them. As a result, they have reduced trade restrictions and release times, and enhanced control of high risk shipments. In addition, the establishment of the CCC has brought about the implementation of the HS code sub-classification, the linkages of new OGA members to the Single Window platform where applicable, and resolution of any issues encountered at the borders with ease.

79. India Customs made a presentation on trade facilitation in India, highlighting their commitments under the WTO TFA and a brief overview of India’s NCTF, with the main focus on reforms and trade facilitation initiatives taken by the government in the past few years. The objective of these initiatives is on immediate release, with great focus on faceless, contactless and paperless Customs. The presenter emphasized that India Customs is focused on issues such as automated clearance, web based registration, and auto queueing of declaration, adding that many of these reforms were implemented during the pandemic. Other initiatives included a pilot project on an electronic cargo tracking system which was launched in October 2021. The presentation was followed by a video that elaborated how India’s NCTF has been actively working towards implementation of WTO TFA in India.

80. In the discussions that followed, delegates thanked and congratulated Bahrain and India Customs for sharing their experience on TFA implementation. In response to a question from a delegate, the presenter from Bahrain pointed out that they do have a blacklist, which is the opposite of the whitelist that he presented on. The presenter from India responded to a question on the challenges in implementing the TFA, indicating that one of the two major challenges that India faces are in terms of infrastructure which the government of India is working to resolve. The second challenge is trying to get other government agencies on board in terms of reforms and modernization, rather than reforming Customs only as far as trade facilitation is concerned.

81. In conclusion, the PTC:
• took note of the presentations by Bahrain and India Customs; and
• took note of Members' national developments related to TFA implementation.

ITEM X – E-COMMERCE

a) Supporting Members’ implementation of the E-Commerce Package, PC0690

82. Following the finalization of the E-Commerce Package, the Secretariat invested effort in supporting the effective and harmonized implementation by Members of the E-Commerce Framework of Standards on Cross-Border E-Commerce (E-Commerce FoS). In this regard, the PTC was provided with an update on the capacity-building and awareness-raising activities in the area of cross-border e-commerce after the 233rd/234th PTC sessions, including the 2nd edition of the topic-specific Secretariat Note on expanding the concept of Authorized Economic Operator (AEO) to cross-border e-commerce.

83. The Secretariat presented Doc. PC0690, by highlighting the Regional Workshops for the MENA and EUR regions, and as the latest activity, the E-Commerce Week organized by the United Nations Conference on Trade and Development (UNCTAD) during the week of 25 April 2022, with the participation of the Secretary General for his remarks and for the Deputy Secretary General for his moderating of the joint session by the WCO and the Universal Postal Union, which focused on leveraging advance electronic data. The Secretariat also explained that a collective summary and statistics have been included in the 2nd edition of the Secretariat Note, based on input from Members regarding the current state of play of the national implementation status and the future possible AEO expansion to e-commerce stakeholders.

84. Delegates welcomed the progress and expressed support for the capacity-building and awareness-raising activities in the area of cross-border e-commerce, including the 2nd edition of the Secretariat Note on expanding the concept of Authorized Economic Operator (AEO) to cross-border e-commerce.

85. In conclusion, the PTC:

• took note of the activities undertaken by the Secretariat to support Members’ implementation of the E-Commerce Package, and provided guidance; and
• took note of the update of the Secretariat Note on expanding the concept of AEO to cross-border e-commerce.

b) 3rd edition of the Compendium of Case Studies on E-Commerce, PC0691

86. The Secretariat introduced document PC0691 by explaining that, based on the case study templates endorsed by the June 2019 PC and Council, Members’ new or updated case studies on e-commerce related implementation
experiences and initiatives had been collected. The Secretariat prepared the draft 3rd edition of the Compendium of Case Studies on E-Commerce by updating the 2nd edition with information submitted by eight Members and by adding ten new case studies submitted by nine Members. Thus, the draft 3rd edition of the Compendium contained thirty four case studies – twenty two on the E-Commerce FoS implementation and twelve on revenue collection approaches. In addition, during the periodic review of the E-Commerce Package, a Member had proposed the drafting of a reference table on the different revenue collection models, and based on the proposal, the Secretariat developed a draft reference table to be included in Section II of the Compendium. The PTC was invited to examine the draft 3rd edition of the Compendium of Case Studies on E-Commerce and endorse it for submission to the PC and Council, as well as to consider the possible inclusion in Section II of the Compendium of a reference table on the different revenue collection models and provide further guidance in that regard.

87. Delegates highlighted the importance of updating the Compendium of Case Studies on E-Commerce on a regular basis and supported the endorsement of the draft 3rd edition of the Compendium for submission to the PC and Council for their endorsement, as a living document, in view of its subsequent inclusion in the WCO E-Commerce Package. Delegates also encouraged the submission of further case studies, best practices and initiatives, especially in the area of collection of Customs duties on e-commerce goods. An observer (the Eurasian Economic Commission) suggested updates to their respective case study that had been drafted a few years back and had been included already in the 1st edition of the Compendium.

88. Delegates welcomed the draft reference table on the different revenue collection models and its inclusion in Section II of the Compendium. A Member suggested removing the column titled "Features of the approach", noting that revenue collection models were still an evolving area of work and it would be beneficial to first provide some time for the development and evaluation of Members’ initiatives in that regard.

89. In conclusion, the PTC:

- examined the draft 3rd edition of the Compendium of Case Studies on E-Commerce;
- endorsed the inclusion in Section II of the Compendium of a reference table on the different revenue collection models, and provided guidance in that regard. As a result of the guidance, the column “Features of the approach” will be removed;
- endorsed the 3rd edition of the Compendium of Case Studies on E-Commerce, subject to updates by the Eurasian Economic Commission, for submission to the next Policy Commission and Council for their endorsement as a living document, in view of its subsequent inclusion in the WCO E-Commerce Package (Annex V); and
- encouraged Members to update their case studies and to share further case studies, best practices and initiatives for inclusion in the future editions of the Compendium of Case Studies on E-Commerce.
c) **Periodic review of the E-Commerce Package, PC0692**

90. The Secretariat introduced document PC0692 by explaining the E-Commerce FoS update/maintenance mechanism that included an annual review of two documents forming part of the E-Commerce Package and a four-year periodic review of the entire Package. The first periodic review process had included the submission of proposals, the discussion of proposals through ad hoc meetings and through a dedicated group on the WCO CLiKC! platform, and the drafting of texts to revise the E-Commerce Package. Document PC0692 and its two annexes outlined the outcomes of the review process. The Secretariat called delegates' attention to four proposed amendments that had been referred by the ad hoc meetings to the PTC for its guidance and decision, namely the addition of a new standard on data quality (identical amendments 4 and 12, respectively in Annexes I and II to the document); the inclusion of guidance on the use of public and/or voluntary sources of data (amendment 13 in Annex II); the addition of guidance on the use of product identification numbers for risk assessment purposes (amendment 17 in Annex II); and, the addition of a reference to consultations with the private sector and other relevant government agencies when defining simplified clearance procedures (amendment 18 in Annex II).

91. The Secretariat highlighted the other issues on which decision and guidance from the PTC were sought, namely which documents would be subject to annual review in financial year 2022/2023, and what further actions the WCO could take in view of supporting Members in obtaining good quality data through cooperation with e-commerce stakeholders. With regard to the latter, the Secretariat suggested to start a mapping with the WCO Data Model of the available Members' datasets submitted as reference. This mapping exercise needed to be done in cooperation with the respective Members and would result in the development of My Information Packages of those national datasets aligned to the WCO Data Model. The outcome of this work could be a good opportunity to consider an annual review of the document on Reference Datasets for Cross-Border E-Commerce.

92. Delegates thanked the Secretariat for the efforts to maintain the E-Commerce Package, and discussed the four amendment proposals that had been referred to the PTC by the informal ad hoc meetings. The proposal for a new standard on data quality (identical amendments 4 and 12) received broad support from the delegates, taking into account the criticality of data quality for conducting efficient risk analysis, in particular with regard to e-commerce that was characterised by large volumes, complex supply chains and new business models. Several Members raised concerns with regard to the second part of proposed amendment 13 on the use of public and/or voluntary sources of data, as any guidance in that regard should not give the impression that data from public and/or voluntary sources could replace or minimise mandatory data requirements.

93. Several delegates objected to the inclusion of amendment 17 on product identification numbers, as this was simply a data element and did not merit special attention through the technical specifications on risk management, given that the specifications did not mention other data elements that could also be used for risk management purposes. The potential benefits and possible...
negative impact of such an addition to the specifications could be considered again at some future point. On the other hand, amendment 18 on the consultation with the private sector and other relevant government agencies was considered to duplicate other parts of the Technical Specifications and, in this context, was not supported by the delegates. A delegate suggested that the various aspects brought up in the context of these amendment proposals be considered further in the future.

94. With regard to the documents to be subject to annual review in financial year 2022/2023, delegates confirmed the suggestion made through document PC0692 to review the document on E-Commerce Business Models and suggested that the second document to be subjected to this process is the annex on E-Commerce Stakeholders: Roles and Responsibilities, as the two documents were inter-related and needed to be aligned.

95. A Member (United States) suggested reconsidering the frequency of reviews under the current update/maintenance mechanism, providing for more time between the reviews to allow for the collection of adequate data and the completion of Members’ pilot programmes. The suggestion was supported by another Member (Japan). Other delegates shared diverging views with regard to the duration of the periodic review cycle and proposed to consider the update/maintenance mechanism at the next PTC meeting, based on a document to be prepared by the Secretariat and the proponents. A delegate suggested to also consider the platform/body under which the review work would be conducted in a comprehensive way.

96. In conclusion, the PTC:
- took note of the progress made in the framework of the first four-year periodic review of the WCO E-Commerce FoS and Technical Specifications to the FoS;
- discussed the proposals for amendment of the E-Commerce FoS and Technical Specifications to the FoS that have been referred by the informal ad hoc meetings to the PTC for guidance and decision;
- retained amendment proposals 4 and 12, modified proposal 13, and did not approve proposals 17 and 18;
- endorsed, as living documents, the revised versions of the E-Commerce FoS and Technical Specifications to the FoS, as outlined in Annexes VI and VII hereto and as per the discussions in the meeting;
- identified the following two annexes to be subject to an annual review in Financial Year 2022-2023: E-Commerce Business Models and E-Commerce Stakeholders: Roles and Responsibilities;
- agreed to consider the update/maintenance mechanism at the next PTC meeting, based on a document to be prepared by the Secretariat and the proponents; and
- provided guidance on the way forward.

d) Presentation by the United States

e) Presentation by the Eurasian Economic Commission

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97. A representative of the United States Customs and Border Protection (CBP) delivered a presentation on legislative proposals related to e-commerce that were currently pending in the US Congress. The presentation started with some background information explaining the facilitative de minimis process, also known as the Section 321 process, under which e-commerce shipments of a retail value below USD 800 imported by one person on one day were cleared in the US. In view of the ever-increasing volumes benefitting from this facilitative process, in the last 5-6 years, CBP had been trying to identify best practices to support the proper identification and interdiction of high-risk shipments that posed a risk to public health and safety.

98. Then the speaker highlighted two of the legislative provisions that were currently being considered by the US Congress. The first provision was aimed at reinforcing CBP’s ability to collect data from additional parties, including marketplaces, and giving CBP the flexibility to collect various data elements that were considered essential to the importation of goods. This legislative proposal would allow CBP, as well as the trade, to have more clarity in terms of what data was required to qualify for Section 321 administrative exemption. The speaker presented the data elements that were currently required under existing regulations - country of origin, shipper’s details, country of shipment, consignee’s details, description of the merchandise, quantity, weight and value. Going forward, CBP was developing new regulations that would expand the data collection to include data that would provide more visibility on the e-commerce sales transaction itself, as well as on the actual description of products being shipped. Data elements that had been found to be very useful included seller information, purchaser information, information regarding the online marketplace, including the advertised product description, uniform resource locator (URL) web-addresses to the marketplace’s product listing, among others. In view of the fact that not all data elements would be available for all shipments, flexibility would be provided in order to get as many data elements as possible. In addition, CBP was currently in the process of expanding to all trade stakeholders the Section 321 data pilot that had previously been limited to nine participants.

99. The second legislative provision was aimed at streamlining the process of shipment abandonment for certain shipments entered subject to an administrative exemption under Section 321. This would be done through shortening the period of having the goods unclaimed before they could be considered abandoned from six months to fifteen days, as well as through introducing additional options for CBP to provide notice to trade. The provision aimed to provide CBP additional tools to manage risk in today’s e-commerce environment.

100. Following the CBP presentation, a representative of the EEC delivered a presentation on the e-commerce-related experience and initiatives of the Eurasian Economic Union (EAEU), which is an economic union of Armenia, Belarus, Kazakhstan, Kyrgyzstan and the Russian Federation.

101. In view of the ever-growing volumes of cross-border e-commerce shipments, the emergence of new business models, and the associated responsibilities of Customs in terms of safety and security, as well as revenue collection, within the EAEU Members States were initiated legislative amendments and developing
pilot project that also took into account provisions of the E-Commerce FoS. The rationale behind the proposed legislative amendments and pilot project was that the current EAEU Customs legislation was considered to not properly regulate cross-border e-commerce as there were no special provisions with regard to Customs regulation of cross-border e-commerce. In order to address any deficiencies, the Eurasian Intergovernmental Council had adopted an Action Plan to create favourable conditions for developing e-commerce within the EAEU, which addressed areas such as Customs and technical regulations, prohibitions and restrictions, taxation and charges. A number of the EEC Decisions covering Customs regulation issues had been adopted and would be applied temporarily.

102. The amendments to the Customs Code would be in the following areas:
1) cross-border e-commerce goods would constitute a new category of goods;
2) a new type of Customs declaration covering e-commerce goods would be introduced; 3) a special representative e-commerce operator would be introduced that would act as an intermediary and would be responsible for Customs formalities, including declaring and payment of respective duties and taxes; 4) a flat rate of duties and VAT payments would be introduced. Among the future amendments of the EAEU Customs Code were also the regulations on «direct» shipment of cross-border e-commerce goods and on the shipment of e-commerce goods through a «bonded» warehouse. With regard to the first type of shipments, goods purchased on international e-commerce platforms/marketplaces over the Internet and delivered to the Customs territory of the EAEU as express cargo or postal items would have to have an appropriate form of goods declaration for e-commerce and would have to be filed in accordance with EEC Decisions. With regard to the second type of shipments, e-commerce goods already stored in «bonded» warehouses under a respective procedure, consumers would purchase the respective goods on international e-commerce platforms/marketplaces. The respective e-commerce operators would then submit goods declarations before the 15th of the month following the purchase.

103. These amendments are still pending, however, an associated pilot project would be launched on 1 July 2022 and was due to end on 31 December 2022. Under the pilot project, when goods are declared an electronic declaration would be submitted, which would contain electronic data including new data elements such as the name of the e-commerce platform and the order number. Such an approach is also foreseen for postal items. The pilot project would also cover the newly introduced e-commerce operator that would be responsible for the exchange of information between e-commerce platforms/marketplaces and Customs. Participation in the pilot project was voluntary and therefore it does not cover all cross-border e-commerce goods. The pilot project was aimed at providing a user-friendly environment and process for consumers that wouldn’t have to deal with Customs formalities and the payment of Customs duties, and would be able to receive their goods without any additional administrative procedures and delays.

104. Delegates commended both CBP and the EEC for the initiatives undertaken. In reply to questions from the floor, the speaker from CBP clarified that there would be no changes to the current de minimis threshold in the US and provided further explanations with regard to the submission of data by stakeholders, and
the procedures for abandonment and disposal. The issues of data privacy and sharing of information with intellectual property rights holders were also discussed.

105. In conclusion, the PTC:
- took note of the presentations by the United States and the Eurasian Economic Commission.

ITEM XI - COORDINATED BORDER MANAGEMENT (CBM)


106. The Asia Pacific Plastic Waste Project (APPW) has been implemented under the auspices of the Green Customs Initiative (GCI) and the WCO Environmental program and funded by the Government of Japan to strengthen implementation of the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (the Basel Convention). The Project developed a new section in the WCO’s CBM Compendium introducing the core elements of the Basel Convention, including the principles of the Prior Informed Consent (PIC) procedure and the role of Customs in controlling waste in coordination with other border regulatory agencies.

107. During the Meeting, the Secretariat briefly introduced the key content added to the CBM Compendium introducing the relevant Basel Convention standards and the CBM approach in the context of plastic waste with illustrations of good practices shared by the Asia Pacific Plastic Waste Project participating Members.

108. Delegates took the floor to express appreciation for the work that has been done in updating the CBM Compendium to provide helpful information and practices in managing the transboundary movement of plastic waste and to raise awareness of the role of Customs in this area. One delegate provided recommendations to the text of the updated version to make it consistent with the content of the Convention. Another representative, while expressing the importance of updating the CBM Compendium, suggested extending the scope of the document to cover other types of waste, including non-hazardous waste such as metal or textile. Additionally, one delegate highlighted the need for further updates of the compendium, e.g. to update the current reference to the PEST analysis (today replaced by the PESTEL system) and, in the longer term, plan revisions that take account of the outcomes of relevant work in progress, such as the future Performance Measurement Mechanism (currently in development), the Revised Kyoto Convention review (currently ongoing), as well as the incorporation of new and ongoing experiences made in the area of Data Analysis and Data Analytics.

109. A project participant Member expressed their appreciation to the WCO Secretariat, with the support of the Japan Government, for the APPW Project. They felt confident that the project has contributed to better awareness and
knowledge for Customs administrations within the AP region to provide a stronger, more effective control of plastic waste's illegal cross border movement.

110. In conclusion, the PTC:
- reviewed and endorsed the updated CBM Compendium (Annex VIII) with the new section relating to Basel Convention implementation in the Customs context along with the suggested edits, and
- took note of the recommendations for future editions.

ITEM XII - CIRCULAR ECONOMY

- Circular Economy, PC0694

111. Circular Economy (CE) and reverse supply chain concepts were introduced to the PTC over the course of several Sessions. During the 233rd/234th Sessions, the PTC provided guidance on the proposal to develop a business case for a “Study proposal on the role of Customs in fostering a CE and reverse supply chains”. While noting the discussions at the PTC in this regard, the 85th Session of the Policy Commission held in December 2021 highlighted the importance of the environment, CE and reverse supply chains in the framework of reviewing the focus areas of the WCO Strategic Plan 2022-2025. Considering the importance that CE has assumed at the policy level, the PTC was invited to exchange views and provide guidance.

112. The Secretariat presented the work that has been done around CE and highlighted the concept’s complexity. As a starting point, they referred to the following description given by the Ellen MacArthur Foundation among many different definitions of CE: “The CE is based on three principles, driven by design: eliminate waste and pollution, circulate products and materials, and regenerate nature. It is underpinned by a transition to renewable energy and materials. A CE decouples economic activity from the consumption of finite resources. It is a resilient system that is good for business, people, and the environment”.  

113. The Secretariat went on to brief the PTC on the work that has been undertaken by other international organizations as well as the WCO Secretariat. The ongoing work in this area included the study on the CE and its implications for Customs, the Green Customs Global Conference in June 2022, Green HS, the Demeter Operation and the AP Plastic Waste Project were highlighted, among others.

114. The Secretariat reiterated that the activities the WCO has been undertaking or might further envisage in this field can take stock of relevant work that other international organizations have been currently undertaking, to avoid the duplications in time and effort.

1https://ellenmacarthurfoundation.org/topics/circular-economy-introduction/overview
115. To this end, within its three-year work plan, the Secretariat proposed that the PTC consider some prioritized green-focused work to be carried out such as: the possible development of a Data Model Information Package and GNC utility blocks for data exchanges related to the waste trade; further consideration of environmental compliance aspects of the AEO programme in the framework of the SAFE review cycle; and, the exploration of digital infrastructures for circular economy governance to be taken into account for future updates of the Study Report on Disruptive Technologies.

116. Delegates expressed appreciation to the Secretariat for the opportunity to discuss proposals for CE initiatives and looked forward to seeing the results of the Secretariat study on the CE in 2023, as well as the outcomes of the Green Customs Conference in June 2022. They believed that the study results and outcomes of the conference would be informative in developing a Green Customs action plan, which would be valuable for the PTC to review and discuss.

117. Another delegate informed the PTC about their commitment to identifying areas of sustainability within their own operations and would continue to advocate for environmental considerations, given the important role Customs can play in supporting sustainable supply chains.

118. A delegate reiterated that the term “Circular Economy” for all activities enhancing environmental regulatory compliance and supply chain visibility was too narrow. The issue of enforcement of waste traffic compliance, for example, only marginally refers to the Circular Economy. She therefore suggested referring to this topic with as the Green Supply Chain to make sure it covers all aspects of the focus area Green Customs.

119. Delegates were generally supportive of the proposed work under the PTC to enhance environmental regulatory compliance and supply chain visibility. Furthermore, it was suggested by one delegate that a compilation of a compendium showcasing best practices of WCO Members in this area would be useful because they could then be replicated by other Members. There might also be a need to appreciate that the cost of compliance would be much higher for low income countries. In this regard, they reiterated that capacity building would be of utmost importance in this area for developing countries.

120. Delegates also welcomed the proposed HS symposia on Green HS noting the importance of linking the HS with the issue of Green Customs. One delegate expressed that they believed that an exchange of views on different proposals and needs was a step in the right direction. Another delegate emphasized that it may be time to carefully consider about what will be Customs role in this area. In this context, delegates were supportive of the approach taken by the Secretariat for ongoing research in this area and the organizing of the Green Customs Global Conference.

121. On the other hand, delegates also expressed that they expect to see more details about the scope of the work and its tangible benefits, the resources required to complete the work, and how the work is related to efforts by other bodies such as the WTO as they need to avoid duplication. They were confident that these considerations would be explored further both as part of the Global
Conference and in further discussions in the PTC and elsewhere. They looked forward to those discussions and seeing this important work develop.

122. The Secretariat expressed its gratitude to all delegates for the positive support of the ongoing work and the approach that the WCO has been following in a comprehensive manner. Furthermore, delegates were informed that a task force had been established within the Secretariat to work on the Green Customs Global Conference and to discuss the studies of other organizations and scholars to enhance their knowledge so Customs role in this area could be better defined. Regarding the suggested work, the Secretariat took note of the comments and will report back to the PTC at its next session.

123. In conclusion, the PTC:

- discussed and provided guidance on further work in the field of the circular economy in order to enhance environmental regulatory compliance and supply chain visibility.

ITEM XIII - ECONOMIC COMPETITIVENESS PACKAGE (ECP) ACTION PLAN AND PTC WORK PROGRAMME (WP)

- Progress reports and draft PTC WP 2022-2025, PC0695

124. The Secretariat introduced document PC0695 highlighting the three main objectives of the document. First, the implementation of the Revised ECP Action Plan (AP) for Phase V covering the period from July 2020 to June 2022 that will end in June 2022. Therefore, Annex-I of the document, in the column ‘updates’, provides an update on the progress made with the implementation of this AP. Second, Annex-II of the document concerns the PTC Work Programme (WP) for 2019 to 2022 and its implementation that will also end in June 2022. The last column of the annex contains information on the progress achieved under the respective topics and tasks of the work programme. Both the ECP AP and the PTC WP have been to a large extent successfully implemented. The PTC was invited to take note of the progress reports of the ECP AP and the PTC WP. Third, Annex-III to the document presents the draft PTC WP for 2022 to 2025. It was drafted using the template for the work programmes endorsed by the Policy Commission in December 2021 and is in line with the draft WCO Strategic Plan (SP) 2022-2025. The PTC was invited to discuss and tentatively endorse the PTC WP 2022-2025, which will be finalized after the approval of the WCO SP 2022-2025, as required.

125. In their interventions, delegates welcomed the progress made in the implementation of the ECP AP and PTC WP and also supported the approach of merging the ECP AP into the draft PTC WP. Members also appreciated the new template to draft the PTC WP for upcoming period.

126. Regarding the inactive topics part of the draft PTC WP, a delegate requested additional information on the added value of having these topics in the draft WP. Based on the information provided by the Secretariat on the background of these topics and the reason why they were not removed from the
WP, the delegate suggested removing this list of inactive topics from the draft WP. A number of delegates supported this suggestion highlighting that the WP should only include the active work of the PTC. As such, the PTC agreed to remove inactive topics from draft PTC WP. The Secretariat pointed out that the revised version of the draft PTC WP would be circulated with the Summary Report of the meeting. Another delegate stressed the importance of keeping track of the inactive topics, and in responding to this Member, the Secretariat pointed out that inactive topics were included in the current version of the PTC WP and this document could be used as a reference in the future, if required.

127. With regard to a delegate’s comment on the full alignment of the draft PTC WP with the Strategic Plan, the Secretariat confirmed that the PTC WP would be updated, as required, after approval of the WCO Strategic Plan 2022-2025.

128. In conclusion, the PTC:
- took note of the progress reports of the ECP Action Plan for Phase V (2020-2022) and the PTC Work Programme 2019-2022; and
- discussed and tentatively endorsed the PTC Work Programme 2022-2025 (Annex IX), which will be further finalized after the approval of the WCO Strategic Plan 2022-2025, as required, and subject to the deletion of inactive topics.

ITEM XIV - ELECTIONS

- Election of the Chairperson and Vice-Chairperson of the PTC for the financial year 2022/2023

129. The Chairperson introduced this item by noting that the PTC elects a Chairperson and a Vice-Chairperson each year. The Chairperson and Vice-Chairperson are elected for a period of one year and are eligible for re-election.

130. The PTC was invited to elect the Chairperson and Vice-Chairperson from amongst its delegates, for the Financial Year 2022/2023.

131. The delegate of Japan nominated David Saville (United Kingdom) for the role of the Chairperson. PTC delegates strongly supported his nomination.

132. The delegate of Australia nominated Ririn Septiani (Indonesia) for the Vice-Chair role. PTC delegates strongly supported the nomination of her as the Vice-Chair.

133. The incoming Chairperson and Vice-Chairperson thanked the PTC for its support and confirmed their willingness to take on these roles during the following financial year.

134. In conclusion, the PTC:
- elected David Saville (United Kingdom) as the Chairperson of the PTC and Ririn Septiani (Indonesia) as the Vice-Chairperson of the PTC for the financial year 2022-2023.
ITEM XV – TOPICS FOR THE NEXT MEETING

135. As is the practice in every PTC meeting, delegates were provided with an opportunity to suggest agenda items for the next PTC meeting. Ideally, delegates had an opportunity to put forward non paper(s) to support their proposal(s).

136. A Member proposed the topic of ‘The Role of Customs in humanitarian crises’ for inclusion in the agenda of the next PTC meeting. A number of delegates supported the inclusion of this topic and emphasized its importance due to which some preliminary discussions on the topic would be held under the Any Other Business agenda item of the current meeting. It was agreed that the topic will be discussed again at the next PTC meeting.

137. In conclusion, the PTC:
- took note of the topic suggested to be addressed in the next meeting.

ITEM XVI – UPCOMING EVENTS

138. The Chairperson introduced the item that was aimed at providing an update on WCO’s upcoming events and meetings of relevance to the PTC and invited the Secretariat to provide the update.

139. Delegates were also encouraged to share any information they have on upcoming workshops, seminars, conferences or other relevant meetings of interest.

140. The Deputy Director of Procedures and Facilitation, Brendan O’Hearn, provided an update on the item through a PowerPoint presentation. He informed the PTC of the relevant upcoming meetings and, in particular, invited delegates to take part in the Green Customs Global Conference (27-28 June 2022), the Knowledge Academy for Customs and Trade Webinar (28 June to 1 July 2022), and the 2022 WCO Technology Conference & Exhibition (18-20 October 2022) in Maastricht.

141. In conclusion, the PTC:
- took note of the update on the WCO events and meetings.

ITEM XVII – ANY OTHER BUSINESS

142. The Secretariat introduced the item by reminding delegates that, upon Members’ request made during the first day of the Meeting, the topic of the role of Customs in humanitarian crises had been included in the PTC agenda with a view to discussing, in general terms, what guidance the WCO could provide to Members that had been affected by a conflict situation. The Secretariat Note on the Role of Customs in Humanitarian Crises of 16 March 2022 had already been
noted as a reference document. To supplement this, the Secretariat also introduced the WCO work in the area of fragile borders.

143. Since 2016, the Secretariat had been researching the implications of fragility and conflict-affected situations on cross-border trade and Customs in particular. The Secretariat had worked with the Customs administrations in Nigeria, Niger, Burkina Faso, Mali, the Central African Republic, Somalia, Sudan, Tunisia, Libya, Iraq, Jordan, as well as in Saudi Arabia and its neighbouring countries. The real-life examples of these Members had shown that armed groups often introduced informal taxes on cross-border trade in addition to the duties and taxes collected by the Customs administration of the affected country. The Secretariat had analysed the respective security responses and had found out that often they did not take into account the various economic issues and the specific situations in border areas. Through the research, the Secretariat had developed an understanding of what Customs could do to manage conflict-related threats and post-conflict situations and, as a next step, had decided to look into what can be done to improve the situation, especially with regard to the economic dimensions of conflict. At the first stage of the research, a number of national reports and academic articles had been produced.

144. As a next step, the lessons learnt through these efforts would be compiled in a WCO publication that would be issued in June 2022 in English, French and Arabic. The publication, which would be submitted to the PC, would cover technical aspects grouped in five areas: 1) advocacy to increase the role of Customs in national security policies; 2) organizational measures (models of organization, protection of the Customs assets and personnel, recruitment, cooperation); 3) specific equipment; 4) Customs data and the use of intelligence including geo-spatial intelligence; and, 5) training for Customs officers operating in fragile, conflict-affected or post-conflict situations. The Secretariat had also worked with the International Monetary Fund (IMF) to support the development of the Fund’s Strategy for fragile and conflict-affected states, as well as with the World Bank, academia and other partners in view of promoting the role of Customs in security responses.

145. Delegates commended the WCO efforts both with regard to the role of Customs in humanitarian crises and the implications of conflicts, violence and fragile borders for Customs and thanked the Secretariat for the information shared. A number of delegates expressed an opinion that the WCO tools and guidance on humanitarian relief were lacking the aspects related to man-made disasters, fragile borders and conflict-affected situations and the role of Customs with regard to these aspects, for instance the need to facilitate humanitarian access, the movement of refugees, disruptions to normal trade, cross-border movement of relief consignments, destruction of Customs offices, the inability of Customs staff to perform their obligations, the need for capacity building and training of Customs officers involved in the response to such situations. A number of delegates were of the opinion that the gap in the existing tools should be clearly identified with regard to the specific role of Customs in relief to humanitarian crises caused by conflict situations, and the gap should be addressed through a Secretariat Note or through updating the respective tools.
A Member, supported by a number of delegates, proposed the inclusion of the topic on the agenda of the June 2022 PC for consideration of further research and development of guidance to be presented to the October 2022 PTC for approval.

While supporting the idea of updating the existing WCO tools and guidance materials to address any possible gaps, a Member was of the opinion that any future tools or guidance materials should not be based on any specific situation or specific example, and should not make assessments with regard to the situations in different countries. It was important to respect the basic principles and fundamental parameters of the WCO as an organization working on technical matters and to address the matter in a broad sense.

In reply to the points shared, the Secretariat confirmed that it was feasible to draft a Secretariat Note to serve as the basis for future discussions on the matter and invited Members to share their relevant experiences to inform the note. Furthermore, the Secretariat confirmed that the draft agenda of the June 2022 PC included an item on fragile borders.

In conclusion, the PTC:

- took note of the discussions and recommendations;
- invited Members to share their experiences on Customs role in fragile and conflict-affected situations with the Secretariat within two weeks;
- directed the Secretariat to develop a Secretariat Note on the role of Customs in fragile and conflict-affected situations by June 2022, taking into consideration all the concerns raised in the PTC;
- recommended that the PC put the issue of the role of Customs in fragile and conflict-affected situations on its agenda for its next meeting; and
- requested that the topic be placed on the agenda of the next PTC.

ITEM XVIII - CLOSING

Brendan O’Hearn, Deputy Director in charge of Procedures and Facilitation, provided his closing remarks stressing that the PTC has endorsed a number of tools to be further sent to Council for final approval. He thanked delegates for their active participation, feedback and input on a number of topics which will allow to progress the work in these areas. He also congratulated the new PTC Chairperson and the Vice-Chairperson on their elections for the next financial year. Finally, the Deputy Director congratulated the Chairperson on a successful meeting and wished them well in their retirement.

The Chairperson thanked all the delegates for their engagement over the past five days and for the successful results achieved. She stressed that intensified coordination and harmonization will bring us closer to the realization of the goals and objectives of the WCO. The Chairperson also thanked the WCO Secretariat for the preparations of this first hybrid PTC meeting. She also announced the dates of the next meeting as being from 24 to 28 October 2022.

The Chairperson then closed the meeting.