

Implementation of WTO TFA

Botswana's Practice



October 2023

Jimmy Mokganedi

Email: mjimmy@burs.org.bw

Customs Services, Trade Facilitation Section

Presentation Outline



- Legislation Reform
- Article 7
- Article 8
- Article 12
- Summary of Benefits
- Challenges

Customs Act of 2018 (2014 – 2018)

- Instruments used

- Revised Kyoto Convention
- SAFE Framework of Standards
- WTO's TFA, TRIPS Agreement,
- Other conventions & agreements

- Priority Areas:

- *Simplification of process and procedures*
- *Automation*
- *Risk Management*
- *Pre-arrival Processing*
- *Others TFA measures*

Article 7:

Release and Clearance of Goods

Customs Management System (2017)

- **Automation and Simplification:** *(Built on TF platform, Provide automated end to end business processes)*
- **Web-based system:** *(Increased accessibility & functionality, Online Payment)*
- **Pre-arrival processing:** *(submission of customs declarations and supporting documents)*
- **Centralized processing:** *(declarations are routed for clearance processing for all ports of entries around the country)*
- **Risk Management:** *(Prompt Release and Clearance)*



Article 8: Border Agency Cooperation



- Cooperation with Partner border agencies: *(enhance Customs mission, service delivery and operations controls)*
- Signed MOUs & SLA (Collaboration, Resources allocation and sharing, Allow Customs to perform agency work e.g. levies and fees collection, enforcement)
- Strategic and operational committees
 - Heads of Border Agencies: *(provide leadership and direction on border policy issues, resources availability smooth operation and service delivery)*
 - Law enforcement Joint operations: *(Border patrols and operations, road blocks, joint inspections, sharing data & intelligence)*

One Stop Border Posts

- Kazungula OSBP (May 2021)
 - Bots & Zambia (*shared facilities by all border agencies, aligned working days & hours,*)
 - Joint & coordinated border operations
 - Simplified, standardized process & procedures (*Continuous review*)
- Mamuno OSBP (April 2024)
 - Bots & Namibia (MOU Oct 2022, Shared facilities)
 - 24 hour operations (*Commitment to facilitating trade, unlimited border crossing services*)
 - Developing SOPs is ongoing
 - Refurnishing of border facilities is ongoing



Article 12: Customs Cooperation



BURS has established;

- Cooperation networks with foreign Customs administration
- Cooperation through mutual administrative assistance agreements, Memorandum of Understandings *(Share or exchange data and information for Customs controls, prescribing the scopes of possible cooperation and rules concerning exchange of (confidential) information)*
- MOUs at bilateral level with neighbouring Customs Admins *(Zambia Revenue Authority (ZRA), South African Revenue Service (SARS), Zimbabwe Revenue Authority (ZIMRA), Namibia Revenue Authority (NAMRA))*

Customs Systems Connectivity (WCO Data Model)

- BURS & SARS signed MOU in 2018
 - Based on agreed data fields (Success rate @ 62% matching rate)
 - Used for data reconciliation & Risk Profiling Management
- BURS & ZRA signed MOU in 2019
 - Exchanging declaration data in advance on the basis of push and pull approach (processing declaration, risk profiling e.t.c.)
 - Success rate is currently at more 80% matching rate on the exchanged data
- BURS & NAMRA signed MOU in 2023
 - Established project teams for development of the platform

Summary of Benefits

World trade shares and flows



Traders

- Streamlined procedures
- Reduced clearance time
- Minimized clearance costs
- Reduction in paper work

Customs

- Increased efficiency & effectiveness
- Enhanced Risk management and compliance
- Improved Revenue Collection:
(accurately assess and collect duties and taxes, reduced revenue leakage)
- Enhanced Security & Accountability



Challenges

Release & Clearance of Goods

- Integration of technology: (*complex & costly*)
- Limited expertise & capacity to modern technologies
- Public and Private Sector Cooperation (balancing interests)

Border Agencies Cooperation

- Coordination among agencies (*differing mandates and priorities*)
- Resistance to Change
- resource constraints (Among agencies)

Automated Data Exchange

- Data Security: (Maintaining robust data security and privacy measures)
- Legal and Regulatory Frameworks (*support and enable legislations*)
- Data Quality and Accuracy (*maintain data integrity*)

Thank you



Collecting for Progress

www.burs.org.bw