



Brussels, 01 October 2018.

SUMMARY DOCUMENT

(Item I.(c) on the Agenda)

Introduction

1. This Summary Document (SD) provides an overview of the subjects to be discussed and the actions expected from the WCO Working Group on the WTO Trade Facilitation Agreement (TFAWG). The objective of the SD is to provide more guidance to the TFAWG delegates on topics of focus and where input from Members is required.
2. In line with the above mentioned, the Secretariat produced an SD for this meeting's sessions, based on the draft agenda to have the items/sub-items classified into three different categories (A, B and C).

A. Report Back on Work in Progress;

The report back items for this meeting include updates of developments regarding the TFA in the WTO and the WCO. It will also include an update of activities and developments under the WCO Mercator Programme.

B. Decision and Guidance;

These items will include the election of Chairperson / Vice Chairperson, adoption of the Draft Agenda and this Summary Document itself. It will also include discussions on TFAWG Terms of Reference, Work Programme, Annual Work Plan and potentially the topics to be discussed under Any Other Business.

C. Exploration and progression of Key Technical Issues;

These items will allow primarily for discussion of key (technical) issues, which Members and observers are facing, ideally common across a number of Members and/or regions. The time allotted to these items will be sufficient to allow for active participation by all delegates in fully exploring the issues raised. These items will include implementing challenges, NCTFs and CBM, pre-arrival processing and expedited shipments and the relationship between the WCO Framework of Standards on Cross-Border E-Commerce and the WTO TFA.

3. In addition to a summary of the background and expectations, an indication of whether the item is an A, B or C type, has been indicated next to each agenda item below.

I. Opening and adoption of the Agenda....."B"

Documents: PT0081 and PT0082

b) Election of Chairperson / Vice Chairperson

4. The current Chairperson, Ms. Ulrika Lyckman, is unable to continue as TFAWG Chairperson. The TFAWG is expected to confirm Mr. L. Satya Srinivas, the current Vice Chairperson, as the Chairperson and elect a new Vice Chairperson.

c) Adoption of the Draft Agenda and the Summary Document

5. The Secretariat prepared a Draft Agenda and a Summary Document for the meeting. The objective of the latter is to provide delegates with clear and concise information on the substance of agenda items and guidance on the actions required from the TFAWG.
6. The TFAWG will be invited to adopt the Draft Agenda and Summary Document

II. Keynote speech by H.E. Ambassador Dalia Kadišienė, Lithuanian Ambassador to the WTO and Chairperson of the WTO Trade Facilitation Committee (TFC)....."A"

7. H.E. Ambassador Kadišienė will address developments taking place in the WTO TFC and how this relates to the WCO.

III. WTO TFA Developments....."A"

a) WTO Secretariat – state of play TFA;

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- b) ***WCO Secretariat - feedback from the June 2018 WCO Policy Commission and Council Sessions;***
 - c) ***Members – opportunity for Members to share their national experiences regarding ratification, categorization, preparation for implementation***
8. This item will inform the TFAWG of all relevant developments regarding the TFA from WTO and WCO perspectives.
9. It also provides an opportunity for Members to inform the TFAWG about national developments related to the TFA acceptance and implementation.
10. The TFAWG will have the opportunity to ask questions and exchange views. Ultimately, the TFAWG will be requested to take note of the WTO TFA developments.

IV. Capacity Building

Document: PT0083

A. The Mercator Programme....."A"

- a) **Update of achievements**
- b) **Tailor made track**
- c) **Opportunity for donors to report progress**

B. Implementing challenges faced by developing and least developed countries – panel discussion....."C"

- a) ***Least developed country (tbd);***
- b) ***Developing country (tbd);***
- c) ***Private Sector (tbd);***
- d) ***World Bank (tbc);***
- e) ***WCO.***

11. The Mercator Programme, since its launch in June 2014, has been the WCO's strategic initiative aimed at assisting governments worldwide in implementing the TFA in a harmonised manner by applying WCO instruments and tools, as the TFA provisions relate to a large extent to Customs procedures.
12. During the previous financial year, over 150 TFA-related missions under the Mercator Programme have been carried out. The areas in which the largest number of requests has been received are: Authorized Economic Operators, Risk Management, Digital Customs, Post-Clearance Audit and the Time Release Study. The TFAWG will be

informed about the progress in implementing the WTO TFA under the Mercator Programme.

13. This sub-item also includes the opportunity for donors to report progress they have made in relation to the implementation of the TFA.
14. The TFA allows for special and differential treatment when it concerns the implementation of the TFA by developing and least developed countries. In a panel discussion, the implementation challenges faced by these countries will be highlighted, as well as potential solutions to overcome them.
15. In this panel, the TFAWG will be informed about some examples of the implementation challenges identified through the Mercator Programme at the strategic, tactical and operational level of Customs.
16. The TFAWG will be invited to:
 - Take note of the progress under the Mercator Programme;
 - Make further suggestions and recommendations.

V. TFAWG Terms of Reference....."B"

Document: PT0084

17. At the 79th Session of the Policy Commission in June 2018, the Policy Commission expressed its appreciation of, and support for, the activities of the TFAWG and the progress made to date, including continued dynamic support to Members regarding the harmonized and efficient implementation of the TFA by means of the various instruments and tools. The Policy Commission suggested that the TFAWG review its current Terms of Reference and submit a revised version to the Policy Commission in December 2018.
18. The TFAWG Terms of Reference are attached as an Annex to the document PT0084. Suggested amendments to implement the Policy Commission's suggestions for the TFAWG to be able to track the progress of implementation have been included in track changes.
19. The TFAWG is invited to
 - discuss the amendment of its Terms of Reference; and,
 - endorse the amendments so they can be submitted to the Policy Commission in December 2018.

VI. TFAWG Work Programme and Annual Work Plan....."B"

- a) **National experience (tbd)**
- b) **National experience (tbd)**

Document PT0085

20. According to the TFAWG's Terms of Reference, the Working Group needs to establish and maintain an Annual Work Plan, including timelines, for TFA-related activities. In the past, the TFAWG decided to incorporate the Annual Work Plan in an overarching Work Programme.
21. The TFAWG Work Programme and Annual Work Plan, the instruments to drive the work of the TFAWG and determine its agenda, were adopted in October 2017. The TFAWG will have the opportunity to discuss the progress in the past financial year and set new goals for the new financial year.
22. The TFAWG is invited to
- inform the meeting about the results achieved and any proposals having been submitted by Members regarding the actions 1.1.1.1, 1.1.2.1, 1.1.2.2, 1.2.1.1 and 1.3.2.2 contained in the Annual Work Plan 2017/2018; and,
 - discuss and endorse the Work Programme and Annual Work Plan for Financial Year 2018/2019.

VII. National Committees on Trade Facilitation and Coordinated Border Management – Challenges and Solutions....."C"

- ***Least Developed Country (tbd);***
- ***Developing Country (tbd);***
- ***Developed Country (tbd).***

Document PT0086

23. The TFA requires each WTO Member to establish and/or maintain a National Committee on Trade Facilitation (NCTF) or designate an existing mechanism to facilitate both domestic coordination and implementation of TFA provisions. The NCTFs provide a platform where border inspection agencies and the private sector can coordinate their activities and find the best possible solutions.
24. This agenda item aims at discussing the different practices and challenges encountered at establishing, maintaining and operation of NCTFs. A panel of speakers will set the scene for a discussion of experience sharing and identifying solutions for the future, as well as providing guidance on potentially useful materials to be developed. The TFAWG will also be informed about how NCTFs can enhance Coordinated Border Management.
25. The TFAWG is invited to:
- discuss challenges and provide guidance on potential solutions in establishing, maintaining and operation of NCTFs, including how they can enhance Coordinated Border Management;
 - provide guidance on the possible update of the survey on NCTFs, through an on-line facility; and
 - share national/regional experiences on NCTFs.

VIIIa. Break-out session – Pre Arrival Processing (art. 7.1 TFA) and Expedited Shipments (art. 7.8 TFA)

- a) **Presentation of national experience regarding pre arrival processing in break-out session 1;**
- b) **Presentation of national experience regarding expedited shipments in break-out session 2;**
- c) **Presentation of national experience regarding E-Commerce shipments in break-out session 3**

VIIIb. Plenary session (report from the break-out groups) – Pre Arrival Processing (art. 7.1 TFA) and Expedited Shipments (art. 7.8 TFA)....."C"

Document PT0087

26. According to the TFA, each Member shall adopt or maintain procedures allowing for the submission of import documentation and other required information, including manifests, in order to begin processing prior to the arrival of goods with a view to expediting the release of goods upon arrival. The TFA also expects each Member to adopt or maintain procedures allowing for the expedited release of at least those goods entered through air cargo facilities to persons who apply for such treatment, while maintaining customs control. This is especially important in the context of E-Commerce for which the WCO has developed a Framework that also facilitates the implementation of TFA provisions.

27. Based on a working document PT0087E and implementation experiences that will be shared by Members, three breakout groups will consider the following questions (but limited to) :

- What are the key enablers and critical success factors for an effective implementation of Articles 7.1 and 7.8 of the TFA?
- How could the WCO Framework of Standards on Cross-Border E-Commerce and other associated tools assist a harmonized and expeditious implementation of these TFA measures in general, and Articles 7.1 and 7.8 in particular?
- Noting that Articles 7.1 and 7.8 are neither the ten most notified measures nor the ten least notified measures under categories 'A', 'B' and 'C', what kind of capacity building assistance Members would need to implement these measures?

28. Following the breakout sessions, the TFAWG will be invited to :

- examine linkages and synergies between the WTO TFA and the WCO Framework of Standards on Cross-Border E-Commerce, based on the preliminary mapping set out in Annex to this document;
- discuss the challenges and opportunities for harmonized implementation of Articles 7.1 and 7.8 of the TFA through the use of WCO instruments and tools, and share related national practices and initiatives; and

- examine the associated regulatory and capacity building requirements and provide guidance thereon.

IX. Connecting the Trade Facilitation Dots – Wrap up of the 10th TFAWG by H.E. Ambassador Mirjam Blaak Sow, Ambassador of Uganda.....”A”

29. H.E. Ambassador Blaak Sow will address the linkages between the developments taking place under the TFA and how different stakeholders, governments, private sector and international organizations can maximize trade facilitation results given the political momentum that the TFA has created.

X. Any Other Business

30. No requests received for topics to be discussed under Any Other Business so far.
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