

# **Accession to RKC: Japan's Experience and its Comparison with ASEAN Countries**

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# RKC Accession in Japan and ASEAN Countries

- ◆ Japan accepted the revised Kyoto Convention on June 26, 2001 as the 8th Contracting Party.
- ◆ ASEAN's Situation is as follows:

Status	Name of Countries
Acceded (year of accession)	Vietnam(2008), Malaysia(2008), Philippines(2010), Cambodia(2014), Indonesia(2014),
In Progress	Brunei Darussalam, Lao PDR, Myanmar, Thailand

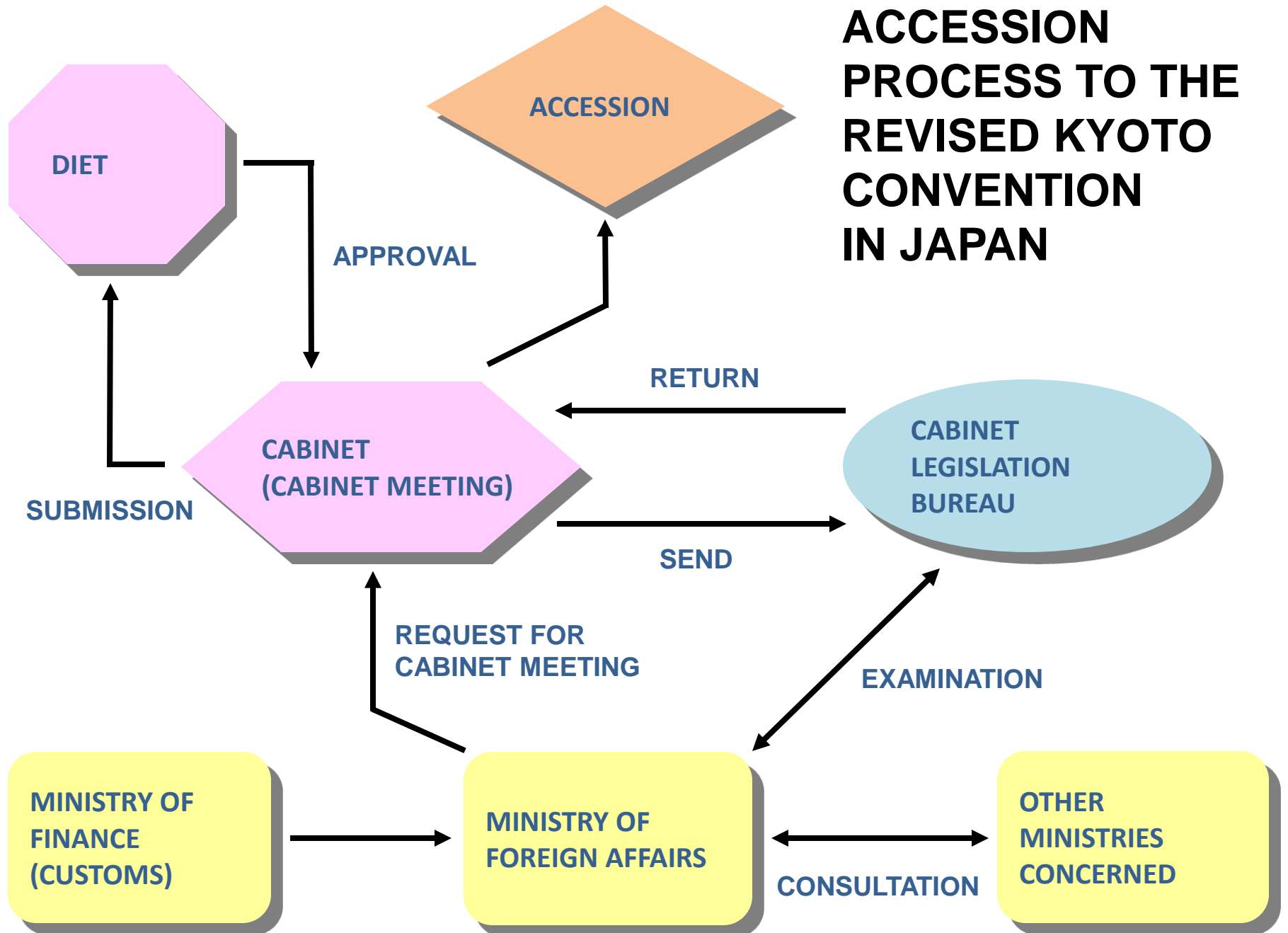
# Typical Steps toward Accession of RKC

Step1: Gap Assessment, Works within  
Customs / Parent Ministry

Step2: Consultation with Other Governmental  
Bodies

Step3: Approval by the Legislative Assembly  
and Diplomatic Works

# ACCESSION PROCESS TO THE REVISED KYOTO CONVENTION IN JAPAN



# **First Step: Gap Assessment, Works within Customs / Parent Ministry**

- Understand the whole Kyoto provisions
- Compare Kyoto provisions and national legislation

# Difficulties Commonly Found in This Stage

- ◆ Requirement of expertise on the various Customs operational matters, legal matters, WCO matters etc. etc. etc. etc.....
- ◆ Language barrier, translation of Kyoto provisions
- ◆ Limited human resources / time



Setting up  
“Special Task Force”

# Special Task Force toward Accession: in Japan's Case

- ◆ Comprised of experts in various Customs matters
  - ➔ e.g. WCO affairs, legal affairs, import & export clearance, Customs transit, passenger processing, risk management, ICT management *etc.*
- ◆ Translating the Convention into Japanese
- ◆ Considered if Kyoto provisions are already covered by national legislation and how

## The materials prepared:

1. Translation in Japanese languages
2. Comparison between the original and the revised Conventions
3. Explanatory notes on the meaning of provisions
4. List of national laws and regulations which correspond to the provisions in the Convention
5. Others (summary, background, etc.)



# Lesson from ASEAN Countries

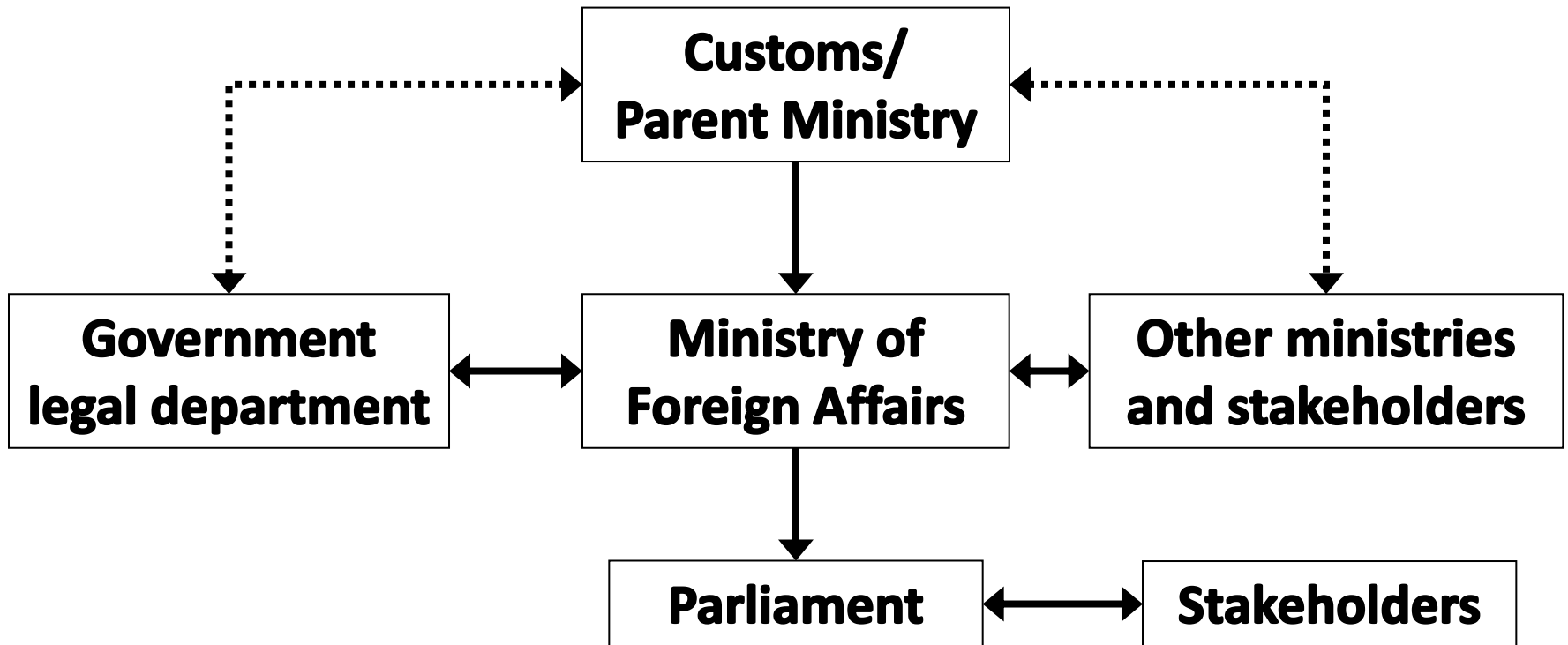
- ◆ Mutual assistance between countries which share similar languages may be effective  
e.g.) assistance from Thailand to Lao PDR
- ◆ Technical assistance through WCO's Customs Cooperation Fund (CCF) played an important role

## **Second Step: Consultation with Other Governmental Bodies**

- Consultation with the Ministry of Foreign Affairs and other Ministries concerned
- Consultation with the Cabinet Legislation Bureau

# Communication among Stake holders

(excerpt from WCO presentation)



# Difficulties Commonly Found in This Stage

- ◆ Lack of understanding on Customs affairs in Ministry of Foreign Affairs and other Ministries
- ◆ Careful verification on how each provision of the Convention is implemented domestically



Seconding Customs  
expert to MOFA

# Secondment to Ministry of Foreign Affairs: in Japan's Case

- ◆ To offer expertise in Customs matters including the revised Kyoto Convention
- ◆ To consult with Ministries concerned, especially Ministry of Finance (Customs and Tariff Bureau)
- ◆ To cope promptly with examinations by Cabinet Legislation Bureau and Diet in cooperation with Customs and Tariff Bureau

# **Third Step: Approval by the Legislative Assembly and Diplomatic Works**

- Approval by the legislative assembly e.g. Diet, Congress, Parliament
- Official diplomatic works

# Difficulties Commonly Found in This Stage

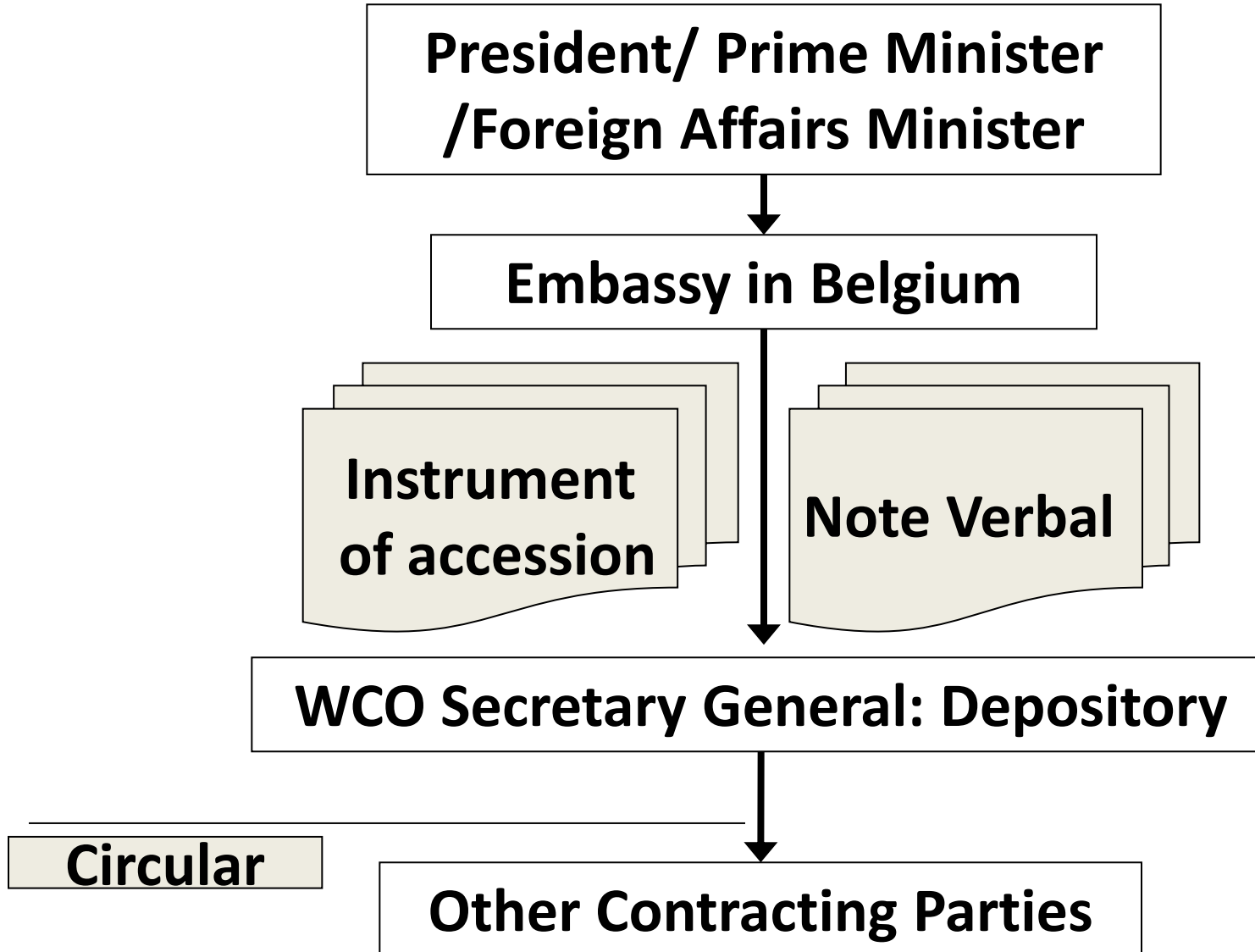
- ◆ 2 Kyoto Conventions, Customs and Climate Change, and Customs Kyoto Convention are not well known
- ◆ Lack of understanding on benefits of the revised Kyoto Convention



Preparation of information and consultation

# Formal Diplomatic Works

(excerpt from WCO presentation)





Thank you for your attention.