

National Workshop on the Enhancement and Sustainability of the Authorized Economic Operators' Program in CAREC



29-30 April 2024, Ulaanbaatar, Mongolia

Concept Note/Agenda

National Workshop on the Enhancement and Sustainability of the Authorized **Economic Operators' Program in CAREC: Training of Trainers**

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Background

- 1. The Asian Development Bank's Knowledge and Support Technical Assistance Better Customs for Better Client Services in Central Asia project aims to foster inclusive economic growth and support the readiness of CAREC countries to comply with existing international trade facilitation commitments such as the Authorized Economic Operator (AEO) Program and new or evolving requirements.
- 2. The AEO is a partnership program that many Customs administrations are pursuing as a means to both secure and facilitate global trade, by providing incentives to both Customs and traders that have decided to work in partnership to improve supply chain security.
- 3. The 2021 version of the SAFE Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework) strengthens cooperation between Customs and Participating Government Agencies by promoting smart security devices to optimize Customs control and increase visibility in the movement of goods. Moreover, baseline provisions on the development of regional Customs union's AEO programs and the implementation of mutual recognition arrangements (MRA). The updated SAFE Framework further enhances data elements by aligning the data set on air cargo security with the data elements specified in the World Customs Organization's data model and consolidates the reporting mechanisms on the implementation of the SAFE Framework.
- 4. The World Trade Organization Trade Facilitation Agreement (WTO TFA) requires WTO Members to develop Authorized Operator schemes based on international standards. Article 7.7 of the TFA also provides that the criteria and requirements shall be specified in laws, regulations, or procedures, and include (1) an appropriate record of compliance with Customs and other related laws and regulations, (2) a system of managing records to allow for necessary internal controls, (3) financial solvency, including provision of sufficient security or quarantee where appropriate, (4) supply chain security. Further, to enhance trade facilitation measures provided to authorized operators, mutual recognition of authorized operator schemes is encouraged.
- 5. It is important to recognize the crucial role of Customs authorities in the movement of goods across international borders, which requires the participation of numerous entities and

¹ WTO-legal-text-agreement-on-trade-facilitation





stakeholders. The AEO Program requires a uniform set of strategies to secure all process points yet facilitate the movement of global trade. Balance between secured supply chain and trade facilitation must also be recognized, including the vulnerable points along the supply chain. Transforming the Authorised Economic Operator (AEO) program into a more mature and developed model will allow the AEO concept to become the future game changer it was originally intended to become, for both international trade and other stakeholders in the global supply chain. This resulted to a compliance management model for trusted traders that recognizes that risk detection and facilitation of trusted traders were two sides of the same coin, inherently interdependent and reinforcing.

- 6. Based on the result discussion of the "Assessment of the AEO program" final report, CAREC countries have made significant progress in developing an AEO program, including trade digitalization and risk management. Though the Customs Authorities in CAREC countries face a variety of political and administrative pressures, nine (9) out of ten (10) respondents conveyed that there is senior-level support and buy-in in the development and implementation of the AEO program in their country. This support will ensure the necessary funding for the development, implementation, and maintenance of the AEO program. Eight (8) respondents expressed their interest to join the AEO program's pilot project, and one respondent conveyed to be just an observer. Moreover, five respondents shared that there is a dedicated unit/team created in managing the development of their AEO Program. From these results, Azerbaijan, People's Republic of China, Georgia, Kazakhstan, Pakistan, and Uzbekistan Customs have operational AEO programs. The rest of the CAREC countries (Mongolia, Kyrgyz Republic, Tajikistan, and Turkmenistan) need more capacity-building programs in addressing the development gap.
- 7. As reflected in the assessment report, several CAREC countries need technical assistance in developing and implementing their AEO programs in the following areas:
 - Benefits for Trusted Partners
 - Post validation procedures of security measures and supply chain security best practices, including on-site validation procedure, if necessary
 - Raising awareness campaign within Customs
 - Security and Compliance Requirements
 - Post Authorization Audit, Suspension and Revocation
 - Basic concepts of the AEO program
 - Customs-Business Partnership and Customs-Trade Regulators (PGAs) partnership in extending the AEO benefits.
 - Outreach with PGAs and Trading Community
 - AEO Scheme for E-Commerce Shipment Actors
 - AEO Scheme for Small and Medium Enterprises (SMEs)
- 8. In November 2023, the Regional Workshop in Enhancing and Accelerating the Implementation of the AEO Program in Central Asia was held in Tashkent, Uzbekistan. It was attended by representatives from the customs authorities of the CAREC countries, global AEO experts, development partners, staff, and consultants of ADB. The participants gained a better understanding of the main obstacles and bottlenecks that may hinder further development in making the AEO program effective and dynamic. Countries also highlighted the key issues, challenges and priority areas, and future plans. Further, the importance of the synergy of the AEO program and the national single window (NSW) was emphasized as it enhances risk management through collaborative joint on-site inspection of trade regulatory government agencies (TRGAs), amendments on customs declarations to comply with regulations, and



- system integration and suggested that the AEO program could be part of the NSW. ADB encouraged regular consultations with key stakeholders, industry, academic experts, and government representatives on how the AEO program can make a difference in making the export industry competitive.
- 9. In February 2024, virtual AEO workshop was held to introduce the specific country interventions in helping CAREC countries enhance or set up their AEO self-assessment questionnaire, train their AEO validators in supporting their AEO authorization process, develop their AEO operations manual, information security policies, business continuity, integrated risk management, support to mutual recognition arrangements (MRA) negotiations, and AEO schemes for small and medium-sized enterprises (SMEs) and e-Commerce actors.
- 10. Encouraged by the successful outcome of the workshops, this national support program will train the participants on the opportunities and benefits of a more developed and dynamic AEO concept can provide. The program will focus on more advanced compliance management models and applications to address the development gap since only 7 out of the 10 countries have operational AEO programs. The program also aims to enhance the program through more informed decision-making, by ensuring that values, competencies, tools, and a supportive environment form the foundation for certification that will cover evaluation, validation, and responsible risk-taking, including the monitoring and review process.

KEY OBJECTIVES

- 11. This is a technical workshop on basic principles of the AEO Program to raise awareness in setting up a uniform set of strategies and optimizing Customs control yet facilitating the movement of global trade. The following are the strategic activities in supporting the obiectives:
 - Conveying a holistic approach in implementing and sustaining an efficient and effective AEO program citing best practices of other countries in designing the criteria for accreditation for multiple levels, important areas for MRA negotiations, and inclusion of other potential operators to benefit from the AEO scheme;
 - Conduct a survey in applications systems that are in place that support the AEO program and map the AEO program features, if any, with the 2021 WCO SAFE Framework;
 - Sharing knowledge on the methods and tools adopted by developed countries in aligning their business and information processes in implementing the AEO program; and
 - Assisting interested CAREC countries in developing and implementing their AEO program.

SURVEY CONDUCT

12. A questionnaire will be provided to Mongolian Customs on or before 27 March 2024 to understand the level of digitalization, and legal and technical infrastructures in place, in supporting the AEO program. The survey will also include a mapping of their AEO system, if any, with the 2021 WCO SAFE Framework standards. Survey questions were tailored for different categories of trade actors, and were designed to cover, as much as possible, a wide breadth and depth of perspectives in addressing the vulnerabilities of the international supply chain and benefits that can be provided to certified trusted partners.



Operators' Program in CAREC

- 13. Data collection for this survey will be based on the following:
 - desk research of relevant materials and information;
 - completed surveys that were distributed to targeted respondents in coordination with the ADB AEO team and Mongolian Customs General Administration (MCGA); and interviews with other government agencies, logistics actors, and port community entities.
- 14. It is requested that completed questionnaires be provided to the ADB AEO team by 24 April 2024. This will allow the AEO consultant to consolidate and work on the survey results and recommendations, which will be presented by the AEO consultant during the national support program workshop on 29-30 April 2024 in Ulaanbataar, Mongolia.

WORKSHOP CONDUCT

15. AEO experts from CAREC member countries and development partners will be invited to this national support program workshop to share their country experiences in the development and implementation of a dynamic AEO program with the following themes:

	Theme	Variables
		Application, Verification & Authorization
		Procedures
	Application, verification, and	AEO Validator's Guide
1	authorization, including security and	Information Security and Business
	compliance requirements	Continuity
		Develop the AEO Operations Manual
		Mapping the AEO program with the 2021
		SAFE Framework
	Partnership between Customs and the private sector	Partnership Initiatives and Benefits
2		AEO Scheme for SMEs
		AEO Scheme for E-Commerce Actors
3	Partnership between Customs	Cross-border Data Sharing Arrangement
3	authorities	Mutual Recognition Arrangement
	Partnership between Customs authority and Trade Regulators	Coordinated Border Management
4		Inter-agency Data Sharing Arrangement
		Integrated Risk Management

PARTICIPANTS

16. MCGA officials, trade regulatory representatives, traders, transport operators' associations, logistics actors, other service providers, and development partners.



PROGRAMME OF ACTIVITIES

Moderator: Ms. **Zulfia Karimova**, Principal Regional Cooperation Specialist, Regional Cooperation and Integration Unit, Central and West Asia Department, Asian Development Bank

Day 1 - 29 April 2024 (Monday)		
09:00 – 09:30	Registration of Participants	
09:30 – 09:50	Opening Remarks (20 minutes) Mr. Gelegjamts Enkhtaivan, Deputy Director General, Mongolian Customs General Administration Ms. Zulfia Khamitnova Karimova, Principal Regional Cooperation Specialist, Central and West Asia Regional Cooperation and Integration Unit, CWRD, ADB	
09:50 - 10:00	Group Photo Session (10 minutes)	
10:00 – 10:30	Session 1: Salient Features of the AEO Program in Supporting the National Level Program in CAREC (30 minutes) Korea has emerged as a leader in the AEO programme, boasting the largest number of AEO Mutual Recognition Arrangements (MRAs) worldwide. Led by the Korea Customs Service, KCS has actively advocated for the expansion of MRAs, aiming to address non-tariff barriers encountered by businesses. Moreover, efforts have been made to recognize the excellence of trusted partners by giving them preferential treatment so that they can enjoy the benefits of AEO certification in difficult trade situations and the spread of protectionism. Speaker: Mr. Hong-Young Jo, Deputy Director, Korea Customs Service Q & A (10 minutes) Moderator: Ms. Zulfia Karimova, ADB	
10:30 – 10:50	Morning Coffee Break (20 minutes)	
10:50 – 11:20	Session 2: Transitioning an AEO Program to a Fully Operational Trusted Partnership Program (30 minutes) In line with KCS and ADB's national level support for interested CAREC countries, part of the technical assistance is to assess the current operational processes and recognize the dependencies that can affect the success of the AEO program as well as pre-conditions, testing and refining the systems and	



	procedures to consider. This will include testing operationally the benefits delivered, performing baseline work for the establishment of an MRA with a priority trading partner and determine whether the self-assessment questionnaire, validation activities and the IT system can support the risk management component of the program. Speaker: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant Q and A (10 minutes)
	Moderator: Ms. Zulfia Karimova , ADB
	Session 3: The AEO Application Process and Tips for the AEO Validator (40 minutes)
	A harmonized AEO application process and tips for the AEO validator is provided in this session for Customs administrations to recognize that global consistency of the AEO authorization approval process and enhanced benefits are essential to encouraging broad participation. It will be used by economic operators applying for AEO status in multiple jurisdictions and to encourage compliance with international security standards in order to deliver tangible, transparent and measurable benefits.
11:20 – 12:00	The aim of the validation based on the self-assessment questionnaire is to help economic operators assess whether they meet the criteria to become an AEO and to help them appreciate the requirements associated with obtaining AEO status. At the same time, it shall allow the customs authorities to assess the existing risks for the individual applicant. Applicants are not required to give an answer on each and every question if the information was already provided to the customs authority (or other well indicated relevant government authorities if available/accessible for customs) or is not relevant for the specific situation of the applicant (in which case the applicant is invited to briefly explain why this is the case). Not answering a question does not mean the applicant will not be considered.
	Speaker: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant
	Q and A (20 minutes)
	Moderator: Ms. Zulfia Karimova , ADB
12:00 – 13:30	Lunch Break (1 hour and 30 minutes)
13:30 – 14:10	Session 4: Benefits of Developing an AEO Operations Manual (40 minutes)



	An Authorized Economic Operator (AEO) Operations Manual defines the day-to-day management of the Buerau of Customs (BOC) AEO program and provides guidance to all interim AEO staff, involved BOC officers, AEO Members, and other interested parties as to how they should comply with their obligations defined in Customs legal orders for the AEO program.
	Speaker: Mr. Patrick Errol Espallardo, Information Technology Officer, Bureau of Customs
	Q and A (20 minutes)
	Moderator: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant
	Session 5: Border Management Modernization and Trade Supply Chain (40 minutes)
14:10 – 14:50	Supply chain unreliability takes many forms, such as long delays and unpredictable goods clearance times results from poor infrastructure, inadequate services, excessively bureaucratic border processing systems and procedures, among others. Border management modernization should accommodate customs, immigration and other control agencies in ensuring that goods and passengers entering the country are accounted for and that they meet national requirements. Control agencies often present at border stations include transport, quarantine sanitary and phytosanitary, standards and consumer protection, radiology, ecological, foreign affairs, and commerce.
	Speaker: Mr. Enkhtaivan Gelegjamts , Deputy Director General, Mongolia Customs General Administration
	Q & A (20 minutes)
	Moderator: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant
14:50 – 15:10	Afternoon Coffee Break (20 minutes)
	Session 6: Introduction to Integrated Risk Management and Risk Mapping Process for the AEO Program (40 minutes)
15:10 – 15:50	An integrated risk management strategy for border control is needed to address the challenges and vulnerabilities of the international supply chain based on the following principles:
	 Applying formal and standardized methodologies to manage non-compliance risk in border control agencies Integrating risk management in border control with other trade facilitation tools such as the single window



- Ensuring efficient integration of risk management processes of all regulatory agencies involved in border control, when appropriate
- Integrating import compliance processes applied at the border with other building blocks of respective regulatory systems in line with all regulatory goals and respective sustainabile development goals (SDGs).

A risk mapping process determines the security and threat-mitigating factors in evaluating the application for the AEO authorization process. The intent is to carry out a security and threat risk assessment that identifies risks in terms of likelihood and impact, what control measures are currently in place to mitigate those risks, and what risk factors require additional measures to reduce the residual risk.

Speaker: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant

Q & A (20 minutes)

Moderator: Ms. **Davaa Tsendsuren**, Director, Risk Management Division, Mongolia Customs General Administration

Session 7: Using Modern Technologies to Support the AEO Program (50 minutes)

The AEO program helps stakeholders share responsibilities in ensuring security in supply chains and facilitates fair trade. Challenges in moving strategic goods, goods that require cold-storage, and tedious data for ecommerce, impel global customs to re-assess the management and control procedures in customs operations and to seek a new balance between enhancing security and facilitating trade.

15:50 - 16:40

Digitalizing customs declaration processes using Artificial Intelligence (AI) will significantly reduce the burden placed on customs personnel, freeing up valuable administrative resource for other services and provide more efficient and transparent customs procedures. Further, the use of blockchain technology for the electronic certificate of program system allows the integration of different logistical flows and has great potential to speed up administrative procedures, as data is not only digital but fully trusted by all parties in often long and complex supply chains.

Additionally, advanced technologies have the potential to support the AEO program in facilitating cross-border trade, increasing access to global value chains in expediting e-commerce shipments, catering to the needs of SMEs, as well as supporting customs clearance efficiency and supervision effectiveness.

Panelists:

a. Mr. **Hong-Young Jo**, Deputy Director, Korea Customs Service (15 minutes)



	b. Ms. E Tao , Senior Advisor, Division of Credit Management (AEO Program), Department of Enterprise Management and Audit-based Control, General Administration of Customs of PRC (15 minutes)
	Q & A (20 minutes)
	Moderator: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant
16:40 – 16:55	Summary and Wrap-Up of First Day (15 minutes)
	Speaker: ADB

Day 2 - 30 April 2024 (Tuesday)		
09:00 – 09:30	Registration of Participants	
09:30 – 10:00	Session 8: Survey Results Discussion (30 minutes) The survey result identifies the legal and technical gaps, next step activities, including the recommendations to support the enhancement and sustainability in transitioning to a fully operational trusted partnership program. A survey questionnaire was provided to Mongolian Customs in early April 2024. Speaker: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant Q & A (10 minutes) Moderator: Ms. Zulfia Karimova, ADB	
Session 9: Support to Mutual Recognition Arrangement (MRA) Negotiations (60 minutes) One of the critical stages in a mutual recognition process is the validate observation (including joint validation where required) by negotiate administrations which determines the level of performance alignment of respective validation process, including baseline understanding of following: 10:00 – 11:00 The WCO SAFE Framework The concept of Authorized Economic Operator programs and Me Utilization of the WCO AEO Validator Guide How supply chains operate Security measures to consider Specific processes and procedures of their domestic AEO programation of the AEO programation of		



of e-learning, classroom and on the job training strategies. New validators/auditors should be required to work closely with those with more experience when conducting initial site validations to support MRA negotiations. Further, compliance with global standards and learning best practices from other countries will lead to more streamlined MRA negotiations and ultimately to higher levels of security in the global supply chain network.

In June 2022, the Joint Action Plan (JAP) on the Mutual Recognition Arrangement of Authorized Economic Operators Program of ASEAN Member States was launched by the ASEAN Customs Directors-General. The JAP signifies the commitment undertaken by all 10 AMS to fully implement the AAMRA by 2025, based on agreed joint AEO comparability assessment milestones. Under the JAP, upon completion of the necessary AEO assessments and signing of the AAMRA text, at least three AAMRA-ready AMS will proceed to jointly implement the AAMRA.

In preparation of the piloting phase of the AAMRA, ASEAN AEO Physical Joint Validations were carried out in some AMS to ensure that the AEO program is implemented by AMS. The purpose of the implementation of these physical joint validations is to provide a more comprehensive picture of the respective AEO programs and provide more detailed information and important evidence. As laid down in the AAMRA, only AMS whose AEOs have been validated with satisfactory results by other participating AMS and submitted notifications to the ASEAN Secretariat (ASEC) are able to join the ASEAN AEO MRA piloting phase

Panelists:

- a. Ms. **E Tao**, Senior Advisor, Division of Credit Management (AEO Program), Department of Enterprise Management and Audit-based Control, General Administration of Customs of PRC (15 minutes)
- Atty. Kayrel Padilla, Legal Service, Philippines Bureau of Customs -ASEAN AEO Mutual Recognition Arrangement (AAMRA) 2025 (15 minutes)
- c. Mr. **Delger Baisarkhan**, Customs Officer, International Cooperation Division, Mongolia Customs General Administration *(15 minutes)*

Q & A (15 minutes)

Moderator: Ms. **Davaa Tsendsuren**, Director, Risk Management Division, Mongolia Customs General Administration

11:00 – 11:20	Morning Coffee Brea	ak (20 minutes)
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Session 10: Introduction to Green Customs (40 minutes)

Customs and border control officers ensure that any goods entering or leaving their country comply with national laws. If their country is a party to one or



more international agreements, then the requirements of these agreements should be integrated in national legal frameworks. Environmental problems are transboundary in nature and have a global impact. They can be effectively addressed only through international cooperation and shared responsibility, made possible in large part through multilateral environmental agreements (MEAs). Several MEAs regulate the cross-border movement of items, substances, and products, mainly in the form of imports, exports, and re-exports. Thus, the front-line customs and border control officers responsible for controlling trade play a very important role in protecting the national and global environment. Speaker: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant Q & A (20 minutes) Moderator: Ms. Zulfia Karimova, ADB 12:00 - 13:30**Lunch Break** (1 hour and 30 minutes) Session 11: Raising Awareness Campaign (60 minutes) The regular conduct of outreach for applicants will increase the awareness of companies on the benefits of the AEO program and slowly ensure their effective and efficient supply chain security measures / procedures in place. It will also provide a clear understanding of the underlying requisites during the application and monitoring processes and encourage the prospect applicants to conduct security management training within the company premises, including the organizational management aspects of supply chain security, while discouraging purely checklist-based approaches. Suggested areas in developing the private sector campaign plan: Develop concept note, fact sheet, press releases, and social media content that will directly target the primary audience of the AEO 13:30 - 14:30program, such as the special traders, SMEs, and logistics providers Develop social media content for other external audiences, such as advocates, and campaigners (the public, including professionals, youth, academia, etc.) Identify gaps in messages, processes, and existing communications collaterals: Identify existing outreach methodology i.e. how current information is disseminated, what and where are the information touch points, Appropriate communication products can be produced, such as webinars, flyers, brochures, and audio visuals, including roundtable discussions Panelists:

	 a. Ms. Vanchindorj Bolormaa, Customs Officer, Risk Management Division, Mongolia Customs General Administration (15 minutes) b. Ms. E Tao, Senior Advisor, Division of Credit Management (AEO Program), Department of Enterprise Management and Audit-based Control, General Administration of Customs of PRC (15 minutes) c. Ms. Rhoan Escarmosa, Customs Operations Officer, Philippine Bureau of Customs (15 minutes) Q & A (15 minutes) Moderator: Ms. Davaa Tsendsuren, Director, Risk Management Division, Mongolia Customs General Administration
14:30 – 15:10	Session 12: Setting Performance-Based Metrics (40 minutes) Setting goal-based metrics to evaluate performance of risk management is critical, so that TRGAs can understand what approaches to consider in managing risk targeting and profiling activities. Develop key performance areas (KPAs), key performance indicators (KPIs), and performance indicators (PIs) in measuring the progress of the planned activities, including its definition and parameters to be set, for review and approval. Further, provide the mechanism for collecting the data and sensitivities for each of the proposed KPIs. This performance-based metrics aim to: • Determine whether the goals were met, the involved stakeholders delivered planned levels of benefits, addressed the specific requirements as originally defined • Examine if further improvements can be made to optimize the benefits delivered Speaker: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant Q & A (20 minutes) Moderator: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant
15:10 – 15:30	Afternoon Coffee Break (20 minutes)
15:30 – 16:20	Session 13: Walkthrough of the AEO Office and System Applications (50 minutes) Speaker: Ms. Tserendorj Bolor-Erdene, Senior Customs Officer, Risk Management Division, Mongolia Customs General Administration Q & A (20 minutes) Moderator: Ms. Davaa Tsendsuren, Director, Risk Management Division, Mongolia Customs General Administration



16:20 – 16:35	Summary and Wrap-Up of Second Day (15 minutes) Speaker: Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant	
16:35 – 16:45	Closing Remarks (10 minutes)	
	Ms. Davaa Tsendsuren , Director, Risk Management Division, Mongolia Customs General Administration	
	Mr. Dennis C. Pantastico, AEO Expert, ADB Consultant	

