

Implementing Article 8.2 Coordinated Border Management



CAREC Subregional Workshop
on Customs-Related Provisions
of WTO TFA

CBM



EU: Integrated Border Management



World Bank: Collaborative Border Management



OSCE: Comprehensive Border Management



WCO: Coordinated Border Management



WTO: Border Agency Coordination

Why CBM?

Changing border context

Volume of goods

Resource limitation

New challenges

Reality

Duplication of inspections

Silo mentality

Poor co-ordination and organization of border control processes

Results

Slow clearance times

Delays

Increased non-compliance

Increased costs to Trade

Solution

=

Coordinated Border Management



Benefits

Streamlined checks and clearance:

- clear procedures
- multiply agencies control done at the same time
- could also be conducted at designated inland locations

Congestions Management:

- physical infrastructures should be organized
- efforts must be undertaken to identify potential sources of bottlenecks

Manpower Availability:

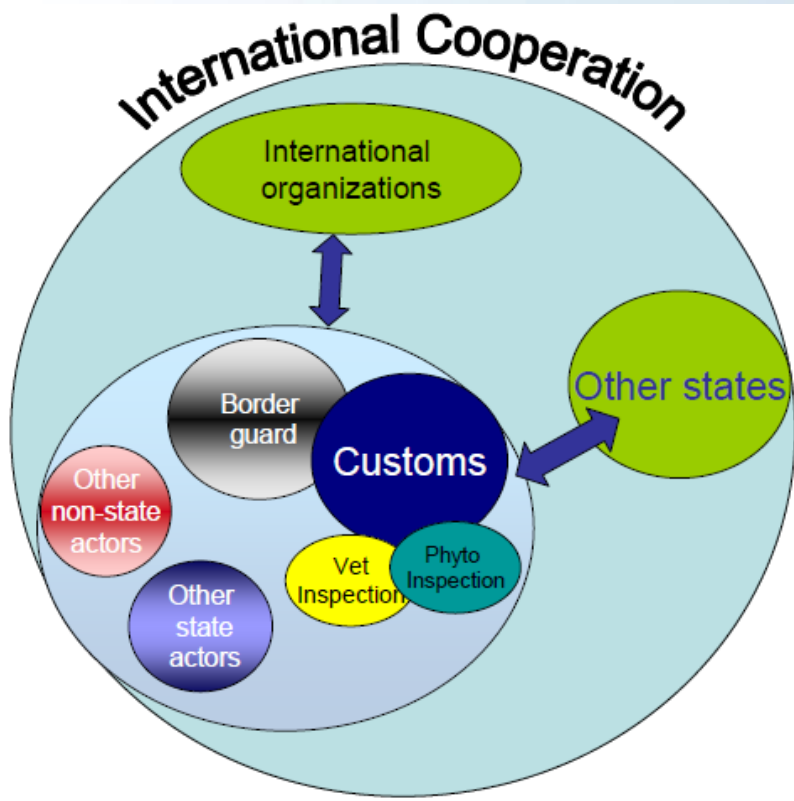
- to conduct the necessary controls
- cross-training to undertake checks on behalf of other agencies
- co-ordinate working hours
- shift-change timings

Infrastructural Availability:

- agencies should be equipped with the necessary equipment
- sharing the equipment
- office space, parking lots, inspection bays and inspection equipment could be better utilized

Context

Include three different aspects:



Source: EC Guidelines for IBM in the Western Balkans

- **Cooperation at local level** between officials on both sides of the border
- **Cooperation between neighboring states** (cooperative management of common border crossing, organization of joint patrols)
- **Cooperation at the multinational level** aimed at enabling a more efficient approach to common fields of work

WTO TFA

Section I – 12 articles regarding Trade Facilitation and Customs Cooperation,



Section I

- Art.1 Publication and availability of information
- Art.2 Consultation
- Art.3 Advance ruling
- Art.4 Appeal/Review procedures
- Art.5 Other measures for transparency etc.
- Art.6 Fee and Charges
- Art.7 Release and Clearance of goods
- Art.8 Border Agency Cooperation**
- Art.9 Movement of goods intended for import
- Art.10 Formalities
- Art.11 Transit
- Art.12 Customs cooperation**



WCO Implementation

The WCO has launched on its website the WCO Implementation Guidance for the TFA to support WCO Members in their efforts to implement the TFA

Implementation Guidance

The World Customs Organization (WCO), an intergovernmental organization specially mentioned in the Bali Ministerial Declarations, is highlighting its role in the implementation and administration of the WTO Agreement on Trade Facilitation (ATF). The WCO, the centre of excellence on Customs matters world wide, is committed to the efficient implementation of the ATF.

Select an article below to view more information



Search articles:

Article 1
Publication and availability of information



Article 2
Opportunity to comment, information before entry into force and consultation



Article 3
Advance rulings



Article 4
Appeal or review procedures



Article 5
Other measures to enhance impartiality, non discrimination and transparency



Article 6
Disciplines on fees and charges imposed on or in connection with importation and exportation



Article 7
Release and clearance of goods



Article 8
Border agency cooperation



Article 9
Movement of goods under customs control intended for import



Article 10
Formalities connected with importation and exportation and transit



Article 11
Freedom of transit



Article 12
Customs cooperation



Article 8

Border agency cooperation



WTO TFA – Article 8

Border agency cooperation



WTO TFA – Article 8

The TFA requests **all national border authorities to cooperate with each other and coordinate border control and procedures to facilitate trade.**



Standard 3.35 of the Revised Kyoto Convention lays down the principle that the **Customs inspection of goods should take place in coordination with other competent authorities**



The SAFE Framework of Standards **takes the same approach as the TFA text.**



TFA – Article 8

Border agency cooperation

1. Each Member shall ensure that its authorities and agencies responsible for border controls and procedures dealing with the importation, exportation and transit of goods cooperate with one another and coordinate their activities in order to facilitate trade.



TFA – Article 8

Border agency cooperation

2. **Each Member shall, to the extent possible and practicable, cooperate on mutually agreed terms with other Members with whom it shares a common border with a view to coordinating procedures at border crossings to facilitate cross-border trade. Such cooperation and coordination may include:**

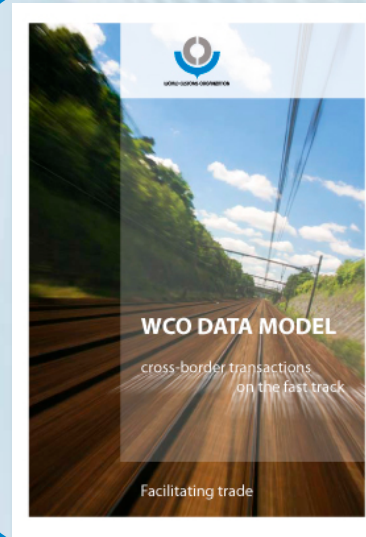
- (a) **alignment of working days and hours;**
- (b) **alignment of procedures and formalities;**
- (c) **development and sharing of common facilities;**
- (d) **joint controls;**
- (e) **establishment of one stop border post control**



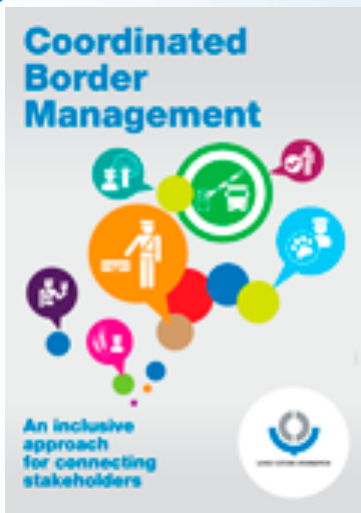
Article 8 – Key WCO Tools



SAFE Framework of Standards



Data Model



CBM Compendium



Single Window Compendium

Article 8 – WCO Tools

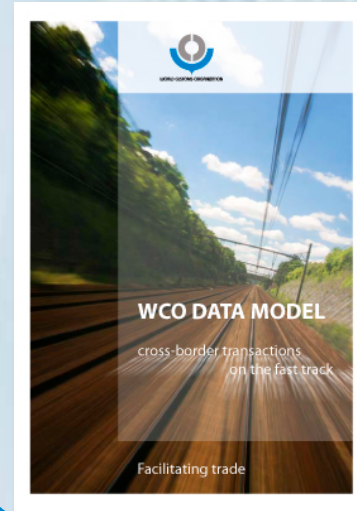


SAFE Framework of Standards



The SAFE Framework includes, among other things, addition of a **new Pillar 3 to foster closer cooperation between Customs and other government agencies**, ensuring an **efficient and effective government response to the challenges of supply chain security**.

Article 8 – WCO Tools

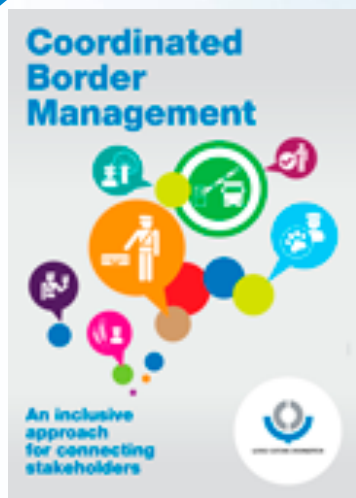


Data Model

The WCO Data Model is a **set of carefully combined data requirements** that are mutually supportive and which will be updated on a regular basis **to meet the procedural and legal needs of cross-border regulatory agencies** such as Customs, controlling export, import and transit transactions.

Article 8 – WCO Tools

The CBM Compendium is **helpful for WCO Members in their attempts to develop and implement CBM** in their countries **by incorporating best practices on different areas of CBM** that Members could take reference from.



CBM Compendium



Article 8 – WCO Tools

Single Window Compendium **supports capacity building efforts.**

The Compendium comes in two volumes.

- **Volume 1** – Executive Guide, deals with aspects of Single Window that are of concern to **senior management**.
- **Volume 2** – Professional Practice Guide and is a collection of tools and techniques to support **technical experts** working on projects to establish a Single Window.



**Single
Window
Compendium**

How to get ready for Border Agency Cooperation?

Policy/Legal Framework

MOU signed between related border agencies of a Member or between neighboring countries.

--- a legal basis for border cooperation, domestically or internationally.

Procedures

--- to **re-engineer formalities**
--- **streamline data and documentation requirements**
--- to **avoid overlapping or redundant controls**, or hopefully providing a “one-stop shop” service.



Institutional Framework

The National Committee on Trade Facilitation

--- coordinate among the border agencies.

Human Resources and Training

--- full-time officials in place
--- organizing cooperation and coordination activities on a day-to-day basis.

WTO TFA – Article 12

Customs cooperation



Customs cooperation

Article 12 sets out the **terms and requirements to share information** in order to **ensure effective customs control**, while **respecting the confidentiality of the information exchanged**



RKC provides (**Standard 6.7**) that the Customs shall seek to **co-operate with other Customs administrations** and seek to **conclude mutual administrative assistance agreements** to enhance Customs control.



WCO SAFE requires Members to **establish and enhance Customs-to-Customs network arrangements** to promote seamless movement of goods through secure international trade supply chains



Customs cooperation



Best-practices sharing

Share information on best practices in managing customs compliance and cooperate in technical guidance or assistance in building capacity

Cargo specific information sharing

Exchange of information and documents to verify an import or export declaration

Confirm that the documents provided are true copies of the documents

Regional agreements

Members retain the possibility to enter / maintain bilateral, or regional agreement for exchange of customs information

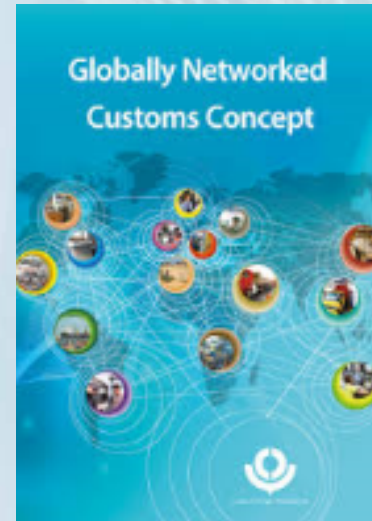
- TFA cannot alter or affect the Members rights and obligations under these agreements

Customs cooperation

Customs cooperation– WCO Tools



**SAFE
Framework
of
Standards**



**Globally
Networked
Customs
Concept**



**Voluntary
Compliance
Framework**



Article 12 – WCO Tools

The CEN application was conceived to assist the **Customs enforcement community** in gathering data and information for intelligence purposes. This module acts as a **central depository for enforcement-related information**; its success resting squarely on the steady flow of quality data provided by all WCO Members.



Summary

Structured approach to border management



More efficient usage of human resource



Risk management



Stakeholders benefits



Thank you!