

TRANSPORT & TRADE FACILITATION NEWSLETTER

TRADE LOGISTICS BRANCH, DIVISION ON TECHNOLOGY AND LOGISTICS

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EDITORIAL

National trade facilitation committees are important instruments for enhancing dialogue between stakeholders in trade facilitation, including users and providers of trade-supporting services from public and private sectors. A growing number of trade facilitation bodies have been created over the past 40 years. Some bodies have learned to adapt to new challenges and opportunities while others dissolved some years after their creation. Collaborating with its members over the last decades, UNCTAD has developed extensive experience of establishing and supporting national trade facilitation committees in developing countries

According to Article 23.2 of the World Trade Organisation (WTO) Trade Facilitation Agreement (TFA), WTO members shall create or maintain a National Trade Facilitation Committees. NTFCs are essential for the implementation of the TFA.

A recently published study by UNCTAD (see page 2) looks into the challenges and opportunities that NTFCs have been having in the past years. It makes ten key recommendations:

- 1: Be SMART when setting up the objectives and scope of a national trade facilitation body.
- 2: Make it official – give the national trade facilitation body a strong legal backing.
- 3: Set clear game rules – define terms of reference in a comprehensive and inclusive way.
- 4: Provide the national trade facilitation body with a permanent secretariat.
- 5: Meet regularly.
- 6: Be inclusive – trade facilitation is a cross-divisional and cross-sectorial endeavour.
- 7: Take every opportunity to raise awareness about trade facilitation.
- 8: Provide the national trade facilitation body with the necessary resources.
- 9: Establish monitoring and evaluating mechanisms to measure results.
- 10: Always involve the private sector.

Putting these recommendations into practice is more difficult than it seems, especially for developing and least developed countries. For over 40 years, UNCTAD has been promoting the creation of national trade and transport facilitation committees as platforms that enable developing countries to participate more actively in global trade. UNCTAD looks forward to keeping up this long-standing commitment, now that national trade facilitation bodies have widely been recognized as indispensable.

In this issue of the Transport Newsletter, you will also find articles on the intrinsic relations between trade facilitation and development, the new UNCTAD liner shipping bilateral connectivity index and benchmarking, among others.

Enjoy the reading!

UNCTAD Trade and Logistics Branch



UNITED NATIONS
UNCTAD

SMALL ISLAND DEVELOPING STATES: CHALLENGES IN TRANSPORT AND TRADE LOGISTICS

The Report of the Third Session of the Multi-year Expert Meeting on Transport, Trade Logistics and Trade Facilitation: Small Island Developing States: Challenges in Transport and Trade Logistics (24-26 November 2014, Geneva) is now available

The Third Session of the Multi-year Expert Meeting on Transport, Trade Logistics and Trade Facilitation: Small Island Developing States: Challenges in Transport and Trade Logistics was held on 24-26 November 2014 in Geneva. The report of the meeting which will be submitted for the consideration of the Trade and Development Commission of UNCTAD at its seventh session (May 2015) is now available on the meeting's website under the following link: <http://unctad.org/en/pages/MeetingDetails.aspx?meetingid=500>.

The focus of the meeting on the Small Island Developing States (SIDS) was particularly timely, in view of the outcome of the Third International Conference on Small Island Developing States held in Samoa in September 2014 (Samoa Conference) as well as other relevant parallel international negotiating processes such as Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC), the Post-2015 Framework for Disaster Risk Reduction (Hyogo Framework for Action 2), and ongoing negotiations on the proposed Sustainable Development Goals (SDGs) and Post-2015 Sustainable Development Agenda.

Building on earlier work, the expert meeting addressed in greater detail some of the key transport and trade logistics challenges that SIDS face in connection with their remoteness and geographical location and considered ways in which these challenges can be effectively addressed. SIDS share the same environmental and economic vulnerabilities and sustainable development challenges as other developing countries. These include in particular remoteness from large markets, limited transport volumes, low shipping connectivity, high transport costs, significant economic dependency on sea and air transport links for access and, acute susceptibility to external shocks and vulnerability to natural disasters and climate change factors. Climate change risks such as rising sea levels, increasing temperatures and more frequent and/or intense storms pose serious threats to vital transport infrastructure, services and operations. With SIDS being completely dependent on ports and airports, understanding the underlying risks and vulnerabilities for SIDS transport infrastructure and services and de-

veloping adequate adaptation measures is of the essence. Building the climate resilience of SIDS transport systems is a necessary condition to ensuring their improved access to markets, enhancing their trade competitiveness and enabling their sustainable growth and development.

Experts at the meeting expressed the view that the event offered a good opportunity to raise the profile of SIDS concerns on the international policy agenda and underscore the strategic importance of the transport sector for SIDS. Many commended UNCTAD for its efforts to help SIDS build their economic and environmental resilience while several experts from SIDS praised UNCTAD for its clearly-defined post-Samoa Conference agenda, in particular its support for: (a) SIDS request for a special status, (b) the review of the graduation rules, (c) a global SIDS technical assistance programme, and (d) help in facilitating SIDS access to financing.

The role of regional and interregional partnerships as well as cooperation with international development partners, including South-South and SIDS-SIDS collaboration were highlighted as especially important. By allowing for lesson and experience sharing, dissemination of best practices, greater awareness-raising and capacity-building, these partnerships provided useful mechanisms to support SIDS. Partnerships dedicated to resilience building, disaster risk financing and climate adaptation were considered to be particularly relevant. Development partners, including UNCTAD, were encouraged to contribute to these efforts and help enhance the effectiveness of such partnerships, including through the sharing of expertise in relevant technical fields, capacity-building and financial support.

A number of experts called for more specific action to ensure that the recognition of SIDS's vulnerability was matched by commensurate financial support and capacity building. In addition to the aforementioned observations and suggestions arising from the discussions participants pointed to the need to raise awareness about residual risks associated with disaster risks and manage them effectively. Experts further noted that integrat-

ing disaster risk management into relevant policies to ensure more resilient recovery and reconstruction was important and suggested that climate adaptation action be integrated with other development activities, such as disaster risk reduction and community-based approaches to development, to achieve better results.

A copy of the full report, including a summary of discussions and relevant suggestions for the way forward is available at <http://unctad.org/en/pages/MeetingDetails.aspx?meetingid=500> together with other documentation, including a background document introducing the meeting as well as the presentations and submissions received.

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UNCTAD LAUNCHES THE UNCTAD LINER SHIPPING BILATERAL CONNECTIVITY INDEX (LSBCI)

Since 2004, UNCTAD annually produces the country-level LSCI (Liner Shipping Connectivity Index - see <http://stats.unctad.org/lsci>), which provides an indicator for a country's access to the global liner shipping network, and thus to overseas markets for containerizable merchandise, i.e. most manufactured goods. The LSCI is well established, complementing other global indicators such as the Doing Business or LPI in the analysis of international trade and logistics. It is published and downloadable via UNCTAD-stat for 159 countries.

The bilateral index - the new LSBCI - is generated for $159 \times 158 / 2 = 12561$ pairs of countries, for so far 8 years since 2006. **Preliminary research makes us confident that the LSBCI will significantly improve models and forecasts of trade and transport costs, such as for example "gravity models".**

The LSBCI is generated from 5 components. While the 5 component are closely correlated with each-other, each one provides for a different angle of transport connectivity.

1: How many transshipments do I need to get from country A to country B? This includes the possibility of zero transshipments, i.e. a direct service. We can analyze the "chicken-and-egg" question of demand generating its supply, or vice versa.

2: How many common connections do countries A and B have? A concept similar to LinkedIn, which indicates how close two countries are to each-other within the global container shipping network. It also tells us how many routing options there are for a shipper to choose from.

3: To how many countries is each one of the two trading partners connected, taking the geometric average of the two values. This component suggests that it may not matter how well two countries are connected to each-other directly, but rather how well they are connected to each-other via "the" global liner shipping network.

4: How big are the ships that connect the two countries? This component provides an indicator for economies of scale and sea-port infrastructure.

5: How many companies provide services between the two countries? This component gives an indication of the level of competition.

Each one of these 5 components provides some information, and in its aggregation, the LSBCI is a combined indicator of bilateral container shipping connectivity. The LSBCI will soon be published on UNCTAD-stat with the aim of helping researchers and member states to monitor transport connectivity and use the index in their own research.

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NEW REPORT ON NATIONAL TRADE FACILITATION BODIES IN THE WORLD

The report is based on the analysis of 50 trade facilitation bodies and provides a first-hand set of recommendations and policy-oriented conclusions aimed at assisting those countries that are looking to set up or strengthen their national trade facilitation working groups.

With the signature of the World Trade Organization Trade Facilitation Agreement, countries have committed to creating or maintaining a national trade facilitation committee.

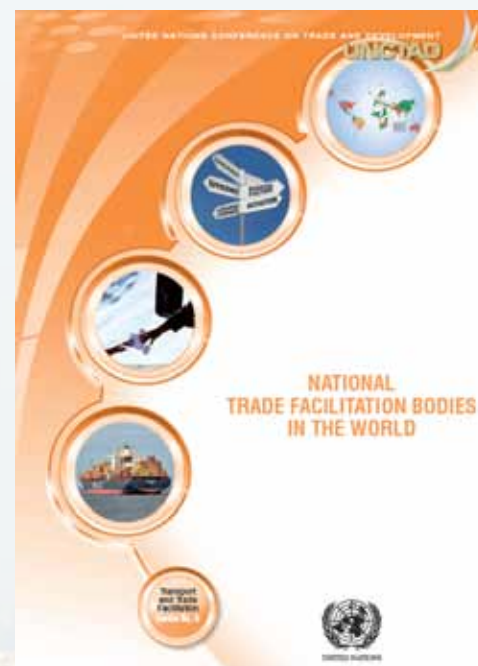
In this context, this UNCTAD publication, based on an in-depth analysis of 50 trade facilitation bodies, could not be timelier. It provides the first quantitative analysis of existing national trade facilitation bodies and a first-hand set of recommendations extracted from the experiences of participating stakeholders. The study provides policy-oriented conclusions aimed at assisting those countries that are looking to set up or strengthen their national trade facilitation working groups.

The study shows that, regardless of the type of body, the biggest challenge for trade facilitation working groups is their sustainability. There is no one determining element, but many factors might have an impact on the sustainability of a group. The relative importance of each element depends on the administrative culture of each country. However, analysis shows that the level of development of a country is the most influential factor on the sustainability of a

group. The type of body and geographical region may also be determining elements.

With an interactive and user-friendly interface, UNCTAD's latest version of the online repository of national trade facilitation bodies presents information from trade facilitation platforms in over 80 countries and also assists UNCTAD member States in creating or strengthening trade facilitation bodies through useful information about country cases from different geographical regions on the establishment and management of trade facilitation bodies.

For over 40 years, UNCTAD has supported national trade facilitation bodies in least developed and developing countries with technical assistance and capacity building. UNCTAD's Trade Facilitation Section, Trade Logistics Branch, Division on Technology and Logistics continues to provide support in this field, in close collaboration with other development partners, notably the UNECE and ITC. Countries interested in technical assistance or capacity building activities in this field are invited to contact: TFbodies@unctad.org



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TRADE FACILITATION AND DEVELOPMENT

Trade Facilitation reforms and development mutually benefit each-other in various ways. The most frequently mentioned linkage is the positive impact that Trade Facilitation has on the competitiveness of developing countries and their participation in global trade and value chains. One of the main motivations for the inclusion of Trade Facilitation in the multilateral negotiations under the WTO Doha Development Round was the expectation that the resulting Trade Facilitation Agreement would help to improve the efficiency of transactions by expediting the movement, release and clearance of goods across borders, thereby reducing transaction and transit costs, while increasing possibilities for small and medium-sized enterprises to expand and participate more actively in international trade.

Apart from the impact that trade facilitation reforms have on trade, there exist important additional linkages with a country's development. In particular, many of the specific trade facilitation measures that are included in the Bali Trade Facilitation Agreement (TFA) also have a direct linkage to different aspects of development. Table 1 provides a list of Articles included in the TFA and links them to selected proposed Sustainable Development Goals (SDGs) and targets.

For example, Article 1 of the TFA covers the publication and availability of information on import, export and transit procedures; a country that complies with Article 1 of TFA will thus also be closer to achieving the proposed SDG 16.10, which, inter alia, aims at ensuring "public access to information". Another example is Article 5 of the TFA, which, inter alia, requires governments to publish certain announcements in a non-discriminatory and easily accessible manner; this is easier achieved if traders have "access to internet", as stipulated in the proposed SDG 9.c. Article 6 of the TFA includes the requirement to avoid "conflicts of interest in the assessment and collection of penalties and duties", which can help to "reduce corruption and bribery" covered by the proposed SDG 16.5. A further ex-

Articles of the WTO Trade Facilitation Agreement	Selected extracts from proposed Sustainable Development Goals
Article 1: Publication and availability of information	"public access to information" (16.10)
Article 2: Opportunity to comment, information before entry into force and consultations	"responsive, inclusive, participatory and representative decision-making at all levels" (16.7)
Article 3: Advance rulings	"a universal, rules-based, open, non-discriminatory and equitable multilateral trading system under the WTO" (17.10)
Article 4: Procedures for appeal or review	"rule of law at the national and international levels, and ensure equal access to justice for all" (16.3)
Article 5: Other measures to enhance impartiality, non-discrimination and transparency	"access to ICT and strive to provide universal and affordable access to internet in LDCs" (9.c)
Article 6: Disciplines on fees and charges imposed on or in connection with importation and exportation and penalties	"reduce corruption and bribery" (16.5)
Article 7: Release and clearance of goods	"the use of enabling technologies, in particular ICT, to promote women's empowerment" (5.b)
Article 8: Border agency cooperation	"effective, accountable and transparent institutions at all levels" (16.7)
Article 9: Movement of goods intended for import under Customs control	"capacity of domestic financial institutions" (8.10)
Article 10: Formalities connected with importation, exportation and transit	"higher levels of productivity of economies through diversification, technological upgrading and innovation" (8.2)
Article 11: Freedom of transit	"regional and trans-border infrastructure" (9.1)
Article 12: Customs cooperation	"strengthen relevant national institutions, including through international cooperation, for building capacities at all levels, in particular in developing countries, for preventing violence and combating terrorism and crime" (16.a)
Article 23.2: National Committee on Trade Facilitation	"effective public, public-private, and civil society partnerships" (17.17)

Table 1: Examples of Articles of the Trade Facilitation Agreement that may benefit from and may help to achieve proposed Sustainable Development Goals (SDGs)

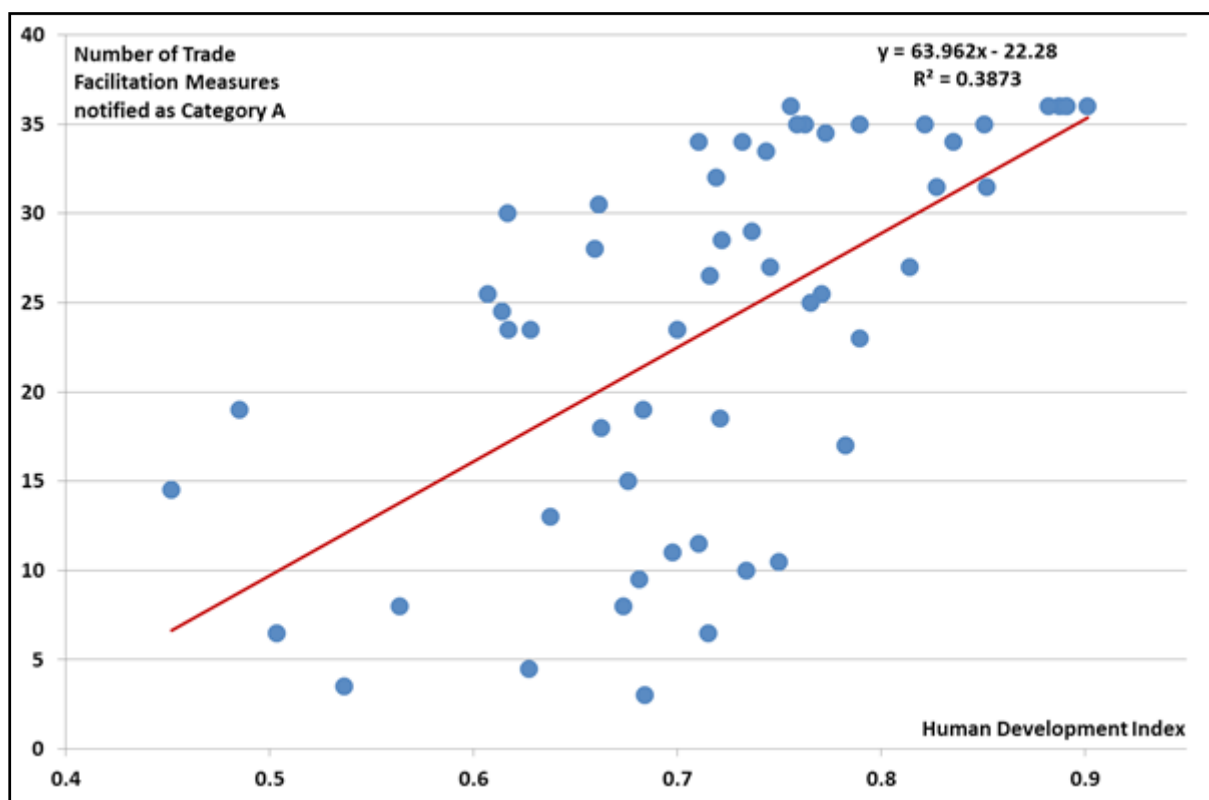


Figure 1: The Human Development Index (HDI) and the number of TF measures notified as Category A

ample of possible linkages between the TFA and the proposed SDGs is TFA Article 11 on freedom of transit, which complements “regional and trans-border infrastructure” covered by the proposed SDG 9.1.

For the effective implementation of the trade facilitation measures included in the TFA, the Agreement requires WTO members to “establish and/or maintain a national committee on trade facilitation or designate an existing mechanism to facilitate both domestic coordination and implementation of the provisions of [the TFA]”. Such a mechanism is crucial for ensuring the political buy-in of the relevant stakeholders from the public and private sector, including users and providers of trade supporting services. It also responds to the proposed SDG 17.17 to “encourage and promote effective public, public-private, and civil society partnerships, building on the experience and resourcing strategies of partnerships”.

In addition to the specific SDGs mentioned in Table 1, there are several cross-cutting SDGs that benefit from and help to implement Trade Facilitation reforms. “[E]qual access for all women and men to affordable quality techni-

cal, vocational and tertiary education, including university” (4.3), for example, will help strengthen capacities of traders and service providers to make use of the latest technologies and methods utilized by Customs and other border agencies. In general, many trade facilitation measures help the informal sector to more easily participate in formal foreign trade, thus supporting the proposed SDG on the “formalization and growth of micro-, small- and medium-sized enterprises” (8.3).

Since early 2014, WTO members have started to notify their “Category A” trade facilitation measures to the WTO. “Category A contains provisions that a developing country Member or a least-developed country Member designates for implementation upon entry into force of this Agreement, or in the case of a least-developed country Member within one year after entry into force (...)”. By 15 February 2015, a total of 56 developing countries (including one LDC) have notified their Category A provisions to the WTO Secretariat.

An analysis of the number of Category A measures notified per country suggests that effectively there exists a close correlation between

different indicators for development and the implementation of trade facilitation reforms. While a statistical correlation does not in itself say anything about causalities, the data suggest that effectively the possible linkages listed in Table 1 are supported by empirical evidence. The coefficient of determination R^2 between the Human Development Index (HDI) and the number of measures notified as Category A is 0.387, suggesting that about 38.7 per cent of the variation in the number of Category A notifications per country is statistically explained by the country's Human Development Index (Figure 1). Similarly high coefficients of determination R^2 are obtained for the correlation between the Category A notifications and the Gross Domestic Product (GDP) per capita ($R^2 = 0.37$), the Corruption Perception Index (CPI) ($R^2 = 0.40$) and the share of individuals with access to Internet ($R^2 = 0.42$).

Interestingly, the implementation of Trade Facilitation measures as reflected in the Category A notifications is much less correlated with a country's trade than with its level of development as measured by the GDP per capita or the HDI. The R^2 between the Category A notifications and total merchandise

trade, trade per GDP, or trade per capita is practically zero. Put differently, the data from the Category A notifications suggests that the likelihood that a developing country is implementing Trade Facilitation reforms has more to do with its capacity and human and institutional development than with its foreign trade.

Statistical references used for the analysis

The number of TF measures notified as Category A are calculated by UNCTAD on the basis of the individual notifications published on the WTO web site. http://www.wto.org/english/tratop_e/tradfa_e/tradfa_e.htm#notifications (accessed on 15 February 2015). Note: In several cases a WTO member notified specific measures as partially under category A; in these cases UNCTAD counted the case as 0.5. The Gross Domestic Product (GDP) per capita is estimated by UNCTAD. Data is for 2013.

The Human Development Index (HDI) is sourced from the United Nations Development Programme (UNDP). <http://hdr.undp.org/en/content/human-development-index-hdi> (accessed on 15 January 2015). Data is for 2013. The Corruption Perception Index (CPI) is sourced from Transparency International. <http://www.transparency.org/cpi2014> (accessed on 15 January 2015). Data is for 2014. The percentage of individuals using internet is sourced from International Telecommunication Union (ITU). <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx> (accessed on 15 January 2015). Data is for 2013.

Other references:

Agreement on Trade Facilitation, WTO, WT/L931, 15 July 2014. http://www.wto.org/english/news_e/news14_e/sum_gc_jul14_e.htm

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World Trade Organization "Doha Development Agenda", under http://www.wto.org/english/thewto_e/coher_e/mdg_e/dda_e.htm (assessed on 19 January 2015).

"National Trade Facilitation Bodies in the World", UNCTAD/DTL/TLB/2014/1, Geneva, 2015, available under <http://unctad.org/en/Pages/DTL/Trade-Logistics-Branch.aspx>

Open en Working Group proposal for Sustainable Development Goals, <https://sustainabledevelopment.un.org/focussdgs.html> (assessed on 19 January 2015)

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STATISTICAL CLUSTERING OF TRADE FACILITATION MEASURES

The empirical evidence that comes from the notifications of 56 developing countries suggests that certain trade facilitation measures are more likely to be implemented together than others.

Trade Facilitation reforms are often part of a broader programme, such as Customs modernization, institutional reforms, E-Governance initiatives, regional integration et al. Individual Trade Facilitation measures, such as those included in the World Trade Organisation (WTO) Trade Facilitation Agreement (TFA), are rarely implemented as stand-alone reforms. Instead, Trade Facilitation programmes would usually have to carefully plan the sequencing and other linkages between different measures. By way of example, post

clearance audit, risk assessment and authorized economic operator schemes mutually benefit each-other. The publication of trade procedures and mechanisms to consult with stakeholders also often go hand in hand. Such linkages are well known and have been analyzed in a number of studies.

The recently initiated notification of Category A measures to the World Trade Organization provides for a unique data set on the situation of developing countries regarding 36 specific Trade Facilitation measures. By calculating

the correlation between the notifications of specific measures, we obtain a statistical measure of the likelihood that two specific measures are jointly notified or not as Category A.

Table 2 provides the partial correlation coefficients for the pairs of 36 TF measures included in the WTO Trade Facilitation Agreement. Some measures particularly likely to be notified together. Those countries that have notified Article 1.1. (Publication) are also highly likely to have notified Article 1.2. (Information

Article	1.1	1.2	1.3	1.4	2.1	2.2	3	4	5.1	5.2	5.3	6.1	6.2	6.3	7.1	7.2	7.3	7.4	7.5	7.6	7.7	7.8	7.9	8	9	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9	11	12
1.1		0.77	0.58	0.72	0.48	0.43	0.58	0.49	0.42	0.22	0.52	0.62	0.62	0.52	0.27	0.52	0.52	0.44	0.46	0.47	0.47	0.43	0.35	0.73	0.34	0.60	0.62	0.51	0.36	0.43	0.39	0.44	0.31	0.31	0.41	0.43
1.2	0.77		0.66	0.56	0.58	0.45	0.62	0.48	0.34	0.19	0.57	0.71	0.40	0.63	0.45	0.46	0.55	0.45	0.54	0.51	0.53	0.52	0.44	0.57	0.31	0.68	0.55	0.46	0.41	0.39	0.35	0.40	0.27	0.27	0.56	0.47
1.3	0.58	0.66		0.62	0.55	0.43	0.56	0.37	0.44	0.15	0.40	0.67	0.47	0.52	0.45	0.50	0.40	0.38	0.50	0.48	0.54	0.48	0.28	0.47	0.22	0.65	0.59	0.44	0.39	0.29	0.37	0.31	0.13	0.13	0.48	0.50
1.4	0.72	0.66	0.62		0.60	0.53	0.62	0.52	0.46	0.24	0.41	0.74	0.66	0.47	0.13	0.48	0.47	0.43	0.49	0.43	0.36	0.46	0.34	0.56	0.23	0.83	0.58	0.45	0.34	0.36	0.41	0.56	0.27	0.11	0.45	0.50
2.1	0.48	0.58	0.55	0.60		0.71	0.50	0.41	0.36	0.24	0.41	0.54	0.33	0.47	0.30	0.56	0.64	0.35	0.41	0.59	0.44	0.42	0.30	0.45	0.36	0.55	0.59	0.54	0.42	0.36	0.52	0.56	0.27	0.22	0.29	0.54
2.2	0.43	0.45	0.43	0.63	0.71		0.45	0.30	0.48	0.32	0.43	0.65	0.46	0.34	0.07	0.60	0.59	0.30	0.45	0.47	0.41	0.36	0.33	0.50	0.13	0.66	0.52	0.49	0.41	0.29	0.43	0.48	0.41	0.03	0.31	0.41
3	0.56	0.62	0.56	0.62	0.50	0.45		0.45	0.50	0.26	0.50	0.57	0.44	0.57	0.29	0.69	0.36	0.48	0.61	0.37	0.51	0.32	0.34	0.62	0.23	0.56	0.42	0.55	0.50	0.41	0.46	0.38	0.30	0.30	0.54	0.68
4	0.49	0.46	0.37	0.52	0.41	0.30	0.45		0.27	0.28	0.39	0.47	0.55	0.39	-0.02	0.44	0.34	0.37	0.34	0.47	0.37	0.17	0.10	0.40	0.33	0.48	0.53	0.54	0.40	0.44	0.42	0.44	0.42	0.28	0.49	0.53
5.1	0.42	0.34	0.44	0.46	0.39	0.48	0.50	0.27		0.39	0.68	0.51	0.35	0.38	0.22	0.47	0.43	0.44	0.54	0.47	0.36	0.45	0.64	0.48	0.13	0.40	0.36	0.43	0.42	0.39	0.28	0.32	0.34	0.29	0.33	0.35
5.2	0.22	0.19	0.15	0.24	0.24	0.32	0.28	0.28	0.36		0.41	0.28	0.20	0.10	-0.10	0.28	0.37	0.27	0.25	0.26	0.19	0.19	0.32	0.18	0.04	0.21	0.34	0.26	0.21	0.37	0.18	0.15	0.37	0.14	0.23	0.36
5.3	0.52	0.37	0.40	0.41	0.41	0.43	0.50	0.39	0.68	0.41		0.45	0.38	0.41	0.09	0.43	0.45	0.40	0.35	0.51	0.50	0.40	0.42	0.56	0.14	0.36	0.46	0.54	0.59	0.22	0.30	0.44	0.26	0.36	0.31	0.44
6.1	0.62	0.71	0.67	0.74	0.54	0.55	0.57	0.47	0.51	0.28	0.46		0.63	0.55	0.29	0.37	0.57	0.41	0.54	0.52	0.44	0.54	0.41	0.45	0.22	0.85	0.67	0.52	0.33	0.34	0.40	0.44	0.31	0.15	0.67	0.43
6.2	0.62	0.40	0.47	0.65	0.33	0.46	0.44	0.55	0.35	0.20	0.38	0.63		0.42	-0.02	0.39	0.43	0.41	0.49	0.41	0.47	0.35	0.32	0.64	0.19	0.61	0.59	0.43	0.34	0.33	0.37	0.42	0.24	0.06	0.46	0.44
6.3	0.52	0.63	0.62	0.47	0.47	0.34	0.57	0.39	0.38	0.10	0.41	0.55	0.42		0.34	0.45	0.62	0.30	0.47	0.40	0.43	0.40	0.29	0.52	0.28	0.60	0.45	0.39	0.27	0.30	0.46	0.41	0.27	0.33	0.52	0.57
7.1	0.27	0.45	0.45	0.13	0.30	0.07	0.25	-0.02	0.22	-0.10	0.09	0.25	-0.02	0.34		0.18	0.35	0.25	0.28	0.38	0.27	0.23	0.24	0.09	0.12	0.25	0.19	0.20	0.21	0.16	0.07	0.03	0.07	0.19	0.17	0.14
7.2	0.52	0.46	0.50	0.46	0.56	0.50	0.68	0.44	0.47	0.26	0.43	0.37	0.39	0.45	0.18		0.45	0.47	0.62	0.46	0.47	0.34	0.22	0.61	0.34	0.51	0.45	0.60	0.53	0.34	0.51	0.44	0.47	0.31	0.35	0.53
7.3	0.52	0.55	0.46	0.47	0.64	0.56	0.38	0.34	0.43	0.37	0.45	0.57	0.43	0.62	0.35	0.45		0.38	0.47	0.57	0.44	0.35	0.33	0.40	0.36	0.51	0.53	0.55	0.29	0.38	0.43	0.49	0.29	0.35	0.31	0.51
7.4	0.44	0.45	0.38	0.43	0.35	0.30	0.48	0.37	0.44	0.27	0.40	0.41	0.41	0.33	0.25	0.47	0.36		0.71	0.57	0.37	0.56	0.59	0.56	0.46	0.39	0.41	0.72	0.54	0.46	0.33	0.27	0.33	0.35	0.37	0.57
7.5	0.46	0.54	0.50	0.49	0.41	0.46	0.61	0.34	0.54	0.25	0.35	0.54	0.49	0.47	0.28	0.62	0.47	0.71		0.46	0.45	0.52	0.55	0.56	0.43	0.60	0.31	0.63	0.41	0.49	0.36	0.40	0.43	0.26	0.49	0.45
7.6	0.47	0.51	0.49	0.43	0.59	0.47	0.37	0.47	0.47	0.26	0.51	0.52	0.41	0.40	0.39	0.48	0.57	0.57	0.46		0.54	0.57	0.44	0.51	0.27	0.45	0.56	0.65	0.55	0.34	0.43	0.36	0.28	0.38	0.27	0.50
7.7	0.47	0.53	0.54	0.36	0.44	0.41	0.51	0.37	0.35	0.19	0.39	0.44	0.47	0.43	0.27	0.47	0.44	0.37	0.45	0.54		0.43	0.32	0.60	0.21	0.45	0.42	0.45	0.42	0.26	0.24	0.17	0.14	0.20	0.42	0.50
7.8	0.43	0.52	0.46	0.46	0.42	0.36	0.32	0.17	0.45	0.19	0.40	0.54	0.35	0.40	0.23	0.34	0.35	0.58	0.52	0.57	0.43		0.59	0.51	0.37	0.50	0.39	0.47	0.25	0.28	0.19	0.25	0.23	0.29	0.47	0.30
7.9	0.35	0.44	0.28	0.34	0.30	0.33	0.34	0.10	0.54	0.52	0.42	0.41	0.32	0.29	0.24	0.22	0.33	0.59	0.55	0.44	0.32	0.59		0.40	0.09	0.37	0.27	0.36	0.23	0.47	0.21	0.15	0.21	0.19	0.31	0.25
8	0.73	0.57	0.47	0.58	0.48	0.50	0.62	0.40	0.48	0.18	0.56	0.45	0.64	0.52	0.09	0.61	0.40	0.56	0.56	0.51	0.60	0.51	0.40		0.25	0.56	0.49	0.54	0.53	0.33	0.29	0.23	0.31	0.25	0.35	0.64
9	0.34	0.31	0.22	0.23	0.36	0.13	0.23	0.33	0.13	0.04	0.14	0.22	0.19	0.28	0.12	0.34	0.36	0.46	0.43	0.27	0.21	0.37	0.09	0.25		0.21	0.22	0.47	0.25	0.42	0.22	0.35	0.34	0.51	0.29	0.31
10.1	0.60	0.68	0.65	0.63	0.56	0.56	0.56	0.48	0.40	0.21	0.36	0.85	0.61	0.60	0.25	0.51	0.51	0.39	0.50	0.45	0.46	0.50	0.37	0.56	0.21		0.71	0.50	0.34	0.33	0.38	0.43	0.36	0.19	0.61	0.45
10.2	0.62	0.55	0.59	0.56	0.56	0.52	0.42	0.63	0.35	0.34	0.46	0.67	0.59	0.45	0.19	0.45	0.53	0.41	0.31	0.56	0.42	0.39	0.27	0.49	0.22	0.71		0.43	0.49	0.27	0.40	0.34	0.26	0.10	0.50	0.53
10.3	0.51	0.46	0.44	0.45	0.54	0.49	0.55	0.54	0.43	0.28	0.54	0.52	0.43	0.39	0.20	0.60	0.55	0.72	0.63	0.65	0.46	0.47	0.36	0.54	0.47	0.50	0.43		0.41	0.61	0.53	0.47	0.51	0.51	0.41	0.63
10.4	0.36	0.41	0.39	0.34	0.42	0.41	0.50	0.40	0.42	0.21	0.39	0.33	0.34	0.27	0.21	0.53	0.29	0.54	0.41	0.55	0.42	0.25	0.23	0.53	0.25	0.34	0.49	0.41		0.26	0.27	0.16	0.20	0.20	0.28	0.55
10.5	0.43	0.39	0.29	0.35	0.36	0.29	0.41	0.44	0.39	0.37	0.22	0.34	0.33	0.30	0.19	0.34	0.36	0.48	0.46	0.34	0.26	0.26	0.47	0.33	0.42	0.33	0.27	0.61	0.26		0.37	0.19	0.50	0.31	0.38	0.41
10.6	0.39	0.35	0.37	0.41	0.52	0.43	0.45	0.42	0.28	0.18	0.30	0.40	0.37	0.45	0.07	0.51	0.43	0.33	0.36	0.43	0.24	0.19	0.21	0.29	0.22	0.36	0.40	0.53	0.27	0.37		0.46	0.37	0.30	0.23	0.47
10.7	0.44	0.40	0.31	0.55	0.56	0.48	0.38	0.44	0.32	0.15	0.44	0.44	0.42	0.41	0.03	0.44	0.49	0.27	0.40	0.36	0.17	0.25	0.15	0.33	0.35	0.43	0.34	0.47	0.18	0.19	0.46		0.30	0.40	0.32	0.29
10.8	0.31	0.27	0.13	0.27	0.27	0.41	0.30	0.42	0.34	0.37	0.25	0.31	0.24	0.27	0.07	0.47	0.29	0.33	0.43	0.28	0.14	0.23	0.21	0.31	0.34	0.35	0.26	0.51	0.20	0.50	0.37	0.33		0.53	0.41	0.38
10.9	0.31	0.27	0.13	0.11	0.22	0.03	0.30	0.28	0.28	0.14	0.36	0.15	0.08	0.33	0.18	0.31	0.35	0.35	0.28	0.38	0.20	0.2														

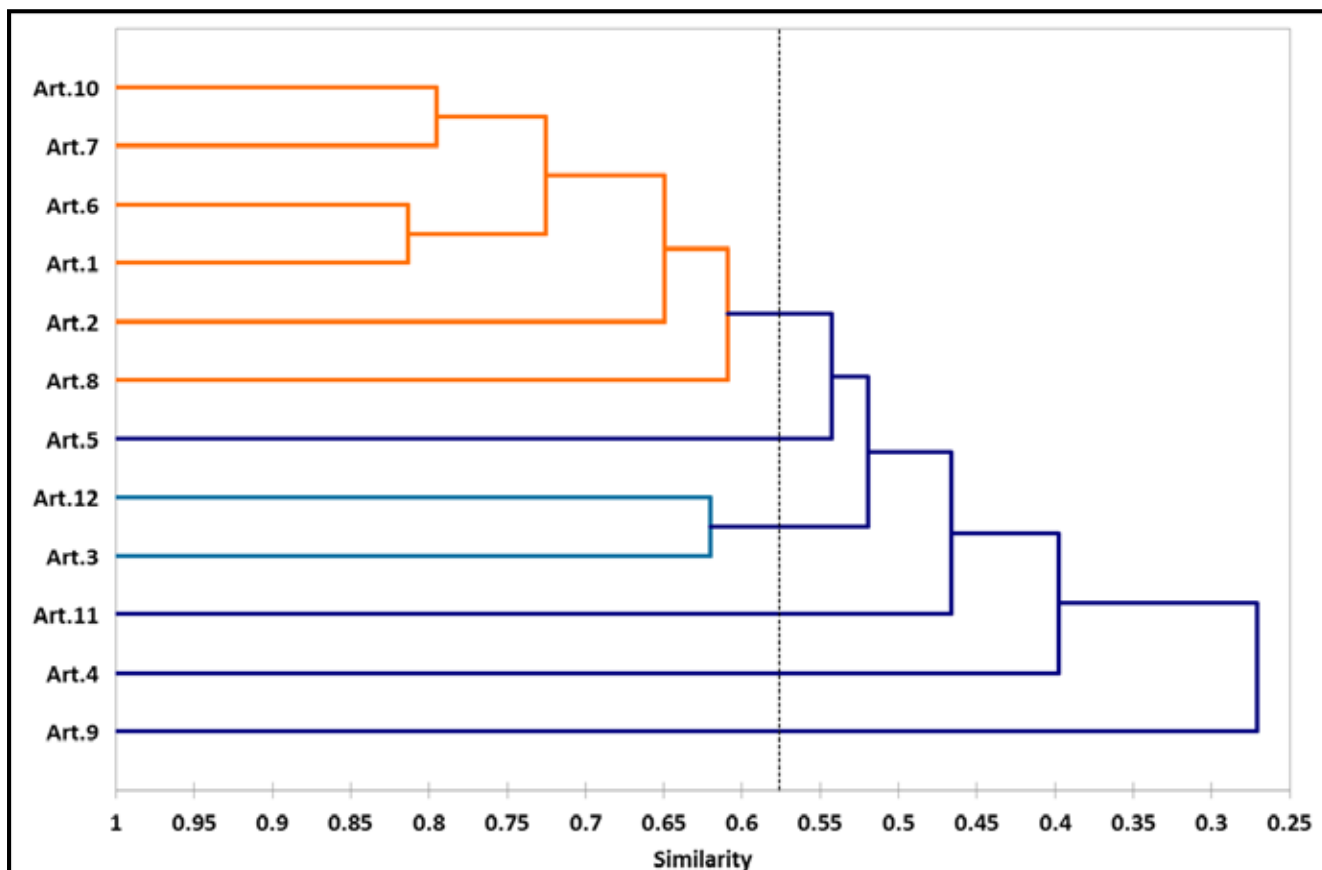


Figure 2: Clustering of Category A notifications of TFA Articles
 Note: The illustration is a dendrogram, i.e. a tree diagram which aims at illustrating hierarchical clustering. The axis "Similarity" reflects the partial correlation coefficient between the average number of Category A notifications per Article. For example, Article 6 and Article 1 have a higher correlation coefficient (0.8) than Article 3 and Article 12 (0.62).

Available Through Internet). By the same token, general disciplines on fees and charges (Article 6.1) and formalities and documentation requirements (Article 10.1) are often notified together as Category A. Other pairs of measures that often go together are Articles 7.4 (Risk Management) and 10.3 (Use of International Standards), as well as Articles 3 (Advance Ruling) and 7.2 (Electronic Payment).

Figure 2 provides a simplified, more intuitive illustration, by grouping the 36 measures into the 12 Articles of the WTO TFA, and then clustering the articles in the form of a dendrogram. Measures in Article 6 (Disciplines on fees and charges) and measures in Article 1 (Publication and availability of information) are often part of the same cluster, i.e. if a country notifies measures in Article 1 as Category A, it is likely to also notify as A the measures in Article 6. Articles 10 (Formalities connected with importation, exportation

and transit) and 7 (Release and clearance of goods) are also often notified together, while there is practical no statistical correlation between the notification of Article 9 (Movement of goods intended for import under Customs control) and the other Articles.

While a statistical correlation does not imply that two specific TF measures must be implemented together, the empirical evidence that comes from the notifications of 56 developing countries suggests that de facto certain measures are more likely to be implemented together than others.

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THE INTRINSIC RELATION BETWEEN LOGISTICS PERFORMANCE AND TRADE FACILITATION MEASURES

The Agreement on Trade Facilitation (TFA) of the World Trade Organization covers a range of different Trade Facilitation measures, grouped into 12 Articles. By 15 February 2015, a total of 56 developing countries have notified their Category A provisions to the WTO Secretariat*.

The partial correlation coefficients between the Category A notifications and global indicators such as the World Bank's Doing Business (DB) or the Logistics Performance Index (LPI) as depicted in Figure 3 suggests that the implementation of different TFA Articles has different impacts on the trade logistics performance of developing countries**.

The statistical correlations depicted in the figure suggest that the publication of trade related information (Article 1) and simplifying and reducing formalities (Article 10) and fees and charges (Article 6) may have a stronger impact on the DB and LPI indicators than for example the introduction of appeal procedures (Article 4) or the facilitation of inland transit (Article 9).

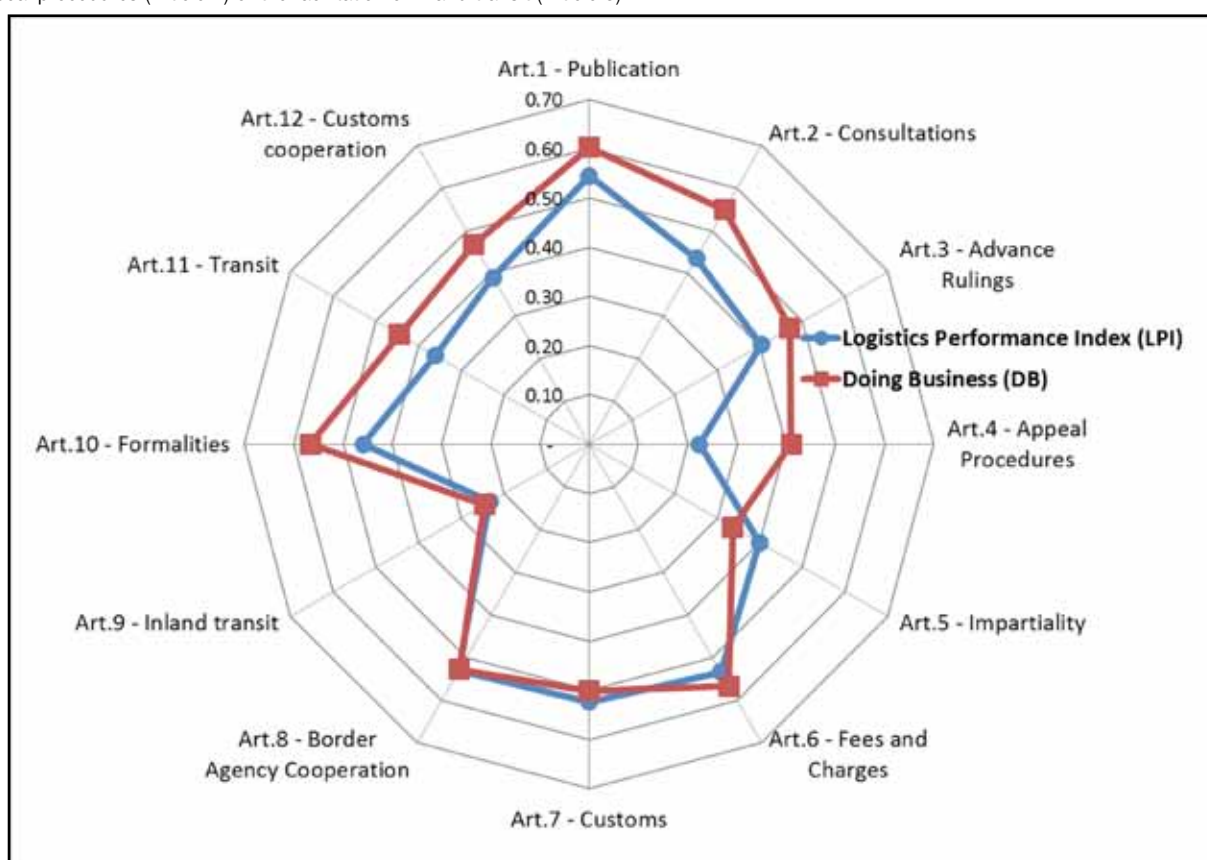


Figure 3: Correlation between Category A notifications of TFA articles and the LPI and DB indicators.

Note: The axis in the chart represents the partial correlation coefficient between the notification of TF measures under the 12 TFA Articles and the value in the Logistics Performance Index (LPI) and the Doing Business index (DB). Source: UNCTAD, based on data from World Bank (LPI and DB) and WTO (number of category A notifications).

*Article 14: Categories of Provisions. Agreement on Trade Facilitation, WTO, WT/L931, 15 July 2014. http://www.wto.org/english/news_e/news14_e/sum_gc_jul14_e.htm states that "Category A contains provisions that a developing country Member or a least-developed country Member designates for implementation upon entry into force of this Agreement, or in the case of a least-developed country Member within one year after entry into force (...)".

**See <http://www.doingbusiness.org/> for the 2015 DB values and <http://lpi.worldbank.org/> for the 2014 LPI values (accessed on 15 January 2015)

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TRANSPARENCY PROVISIONS IN THE WTO TRADE FACILITATION AGREEMENT: A STEP FURTHER TOWARDS A PREDICTABLE BUSINESS ENVIRONMENT

This article aims to point out the improvements on transparency to be brought by the TFA, highlighting its importance and benefits for the multilateral trading system.

INTRODUCTION

After almost ten years of intense negotiations, members of the World Trade Organization (WTO) finally delivered the first outcome from the Doha Round. The text of the Agreement on Trade Facilitation (TFA) was agreed during the last Ministerial Conference in December 2013 as part of the "Bali Package". In November 2014, WTO members adopted the Protocol of Amendment to insert the TFA into Annex 1A of the WTO Agreement. The TFA will enter into force once two-thirds of members have completed their domestic ratification process.

With the imminent incorporation of the TFA into the WTO legal system, this article builds on that momentum by looking at the improvements on transparency contained in the TFA. First, it looks at the transparency principle, highlighting its importance and benefits for the multilateral trading system. Subsequently, it provides a brief overview of the provisions on transparency contained in the WTO Agreements, before turning to the analysis of the ones contained in the TFA. Finally it introduces the developments on transparency brought by the TFA to national legal systems.

WHAT IS TRANSPARENCY?

In the international trading system, transparency is a non-coercive tool to make publically available information on national policies for improving the effectiveness, predictability and systematic stability of international trade operations. According to the WTO Glossary, transparency is defined as the "degree to which trade policies and practices, and the process by which they are established, are open and predictable".

Trade agreements, including the WTO Agreements, are merely sets of rules that govern national trade policies; but these agreements are not effective if businesses and traders do not become acquainted in advance with national policies (Robert Wolfe, 2013).

The higher the degree of transparency in a given country, the better its traders and operators engage in international trade and plug into global supply chains. Access to accurate information enhances stability and predictability, which at the same time bring the following benefits: i) facilitates the adoption of business decisions and the planning of future operations; ii) boosts investment

flows; iii) creates jobs; iv) raises standards of living; v) reduce opportunities for corruption; vi) phases out obsolete practices, in particular when independent authorities can review administrative decisions; and vii) improves compliance by traders and operators.

Empirical studies suggest that greater predictability in trade policy can effectively boost market access and trade gains for exporters by reducing the trade costs they face. Moreover, greater predictability can also contribute to welfare gains by reducing economic distortions at their domestic market (World Bank, 2007). At the same time, trade transparency policies also increase investor confidence and boost investment flows (Francois, J.F., 2001).

Nonetheless, access to this trade-relevant information is not always timely, accurate, readable and widely circulated to the larger public. Small and medium-sized enterprises (SMEs) and traders from small economies are particular impacted by this hurdle (UNCTAD, 2011).

Table 1: Comparative table between existing WTO Agreements and the new TFA

Area	WTO existing provisions	New WTO TFA
Publication of laws and regulations	GATT Art. X, SPS Annex B, TBT Art. 11, GATS Article III:1 and Annex on Telecom, TRIPS Art. 63, Customs Valuation Art. 10, Agreement on Pre-shipment Inspection Art. 2.8, Rules of Origin Agreements Art. 2.g, Annex II.3.c, Import Licensing Agreement Art. 1.4.a	Art. 1.1 (Publication)
Publication of International obligations	GATT Art. II and X, GATS Art. III,	Art. 1.1 (Publication)
Use of ICT		Art. 1.2 (Publication through the Internet)
Inquiries	SPS Annex B, TBT Art. 10, GATS Art. III: 4, TRIPS Art. 63.3	Art. 1.3 (Enquiry points)
Publication before the entry into force and opportunity to comment	SPS Annex B, TBT Art. 2.9 and 2.12 (other Members)	Art. 2.2 (Opportunity to Comment and Information before Entry into Force)
Due process	GATT Art. X, GATS Art. VI.2, reference paper Agreement on Government Procurement, Art. XVIII and XIX, Agreement on Anti-dumping Art. 13, Customs Valuation Art. 11, Agreement on Pre-shipment Inspection Art. 2.8, SCM Agreement Art. 23, TRIPS Art. 31.i, 32 and 41	Art. 4 (Procedure for appeal or review)
Predictability	Agreement on Rules of Origin (Art. 3. f)	Art. 3 (Advance rulings)
Notification to the WTO	SPS Art. 7, TBT Art. 2.9, TRIM Art 6, Import Licensing Agreement Art. 5, GATS Art. III.3, TRIPS Art. 63.2,	Article 1.4 (Notification)
Consultations	TRIMS Art. 6	Art. 2.2 (Consultation)

The WTO Agreement requires and encourages WTO members to disclose their trade policies, rules and practices as clearly and publicly as possible within their countries or by notifying the WTO bodies. Indeed, transparency is one of the core principles of the WTO. The aim is to create a fair field of play for businesses in foreign markets.

TRANSPARENCY IN THE WTO SYSTEM

Publication of trade regulation

The basic provision on publication is GATT Article X, which requires WTO members to publish in a domestic accessible manner any measure, including laws, regulations, judicial decisions, and administrative rulings of general application affecting imports and exports. In addition, agreements affecting foreign trade should be published to enable governments and traders to become acquainted with them. Other WTO Agreements have incorporated a similar obligation (table 1).

Publication prior to entry into force

Certain WTO Agreements require governments to notify new or modified trade measures at the national level before being implemented. The objective is that other WTO Members, especially in developing countries, that are likely to be affected by governmental measures should have a reasonable opportunity to acquire information about such measures and either to adjust their product or methods of production as well as to seek modification of such measures (WTO, 2007).

Due process

GATT Article X provides the possibility to challenge administrative decisions related to Customs matters before independent judicial, arbitral or administrative tribunals. Furthermore, their decisions shall normally be implemented by administrative enforcement agencies, which ensures independence and impartiality (WTO, 2005). This provision seeks to protect traders from discrimination and discretionary treatment.

Enquiry points

Given the technical complexity of certain measures, some agreements require the establishment of an enquiry point where other members can obtain information on domestic regulations and relevant documents. This measure aims at protecting the interests of consumers as well as trading partners from hidden protectionism through unnecessary technical requirements (Robert Wolf, 2013).

For instance, the SPS Agreement requires members to set up an enquiry point to answer and provide documents on existing and proposed SPS measures, control and inspection procedures, production and quarantine treatment among other. By the same token, the General Agreement on Trade in Services (GATS) provides for the establishment of “contact points” where private companies from developing countries can obtain relevant information.

Notice to the WTO

According to the WTO Glossary, notification is a transparency obligation requiring members to report trade measures to the relevant WTO body if the measures might have an effect on other members. Almost all WTO Agreements require members to keep other members and the WTO informed on trade-related measures. For instance, new legislation on antidumping or countervailing, technical standards affecting trade or SPS as well as changes to regulations affecting trade in services, all have to be notified to the competent WTO body.

TRANSPARENCY IN THE WTO TFA

As tariff barriers continue to fall around the world, reducing trade transaction costs at borders becomes the main concern for governments. Non-transparent trade policies can impose economic costs over and above the level of tariffs. Lack of transparency regarding trade regulations and practices creates delays and additional costs for traders, allowing discretionary practices to emerge. Consequently, greater predictability about the requirements and periods to move goods tends to mean lower costs for exporters and importers, creating positive spillovers for national economies.

Even though existing WTO rules refer to transparency such as GATT Article X, these rules were not enough to ensure certainty for traders while importing, exporting or transiting. As a result, WTO members launched the negotiations on Trade Facilitation in 2004. The mandate requested clarification and improvement of relevant aspects of GATT Articles V, VIII and X with a view to further expediting the movement, release and clearance of goods, including goods in transit.

The concept of trade facilitation involves establishing a transparent, consistent and predictable environment for border transactions based on simple and standardized Customs procedures and practices, documentation requirements, and transit operations (UNCTAD, 2006). Thus, the trade facilitation negotiations also focused on creating a more transparent and predictable business environment.

The transparency provisions included in the final text of the TFA aim at reducing information asymmetries among WTO members and between government and their citizens. Imperfect information implies some transactional costs involved in acquiring information and that, consequently, traders may not be fully informed or they may be differently informed, about matters that can have a significant economic impact on their operations (WTO, 2007).

Thereby, the TFA does not only aim at rendering information publically available, but also at ensuring that governments are accountable before their citizens/traders. For instance, the TFA grants traders the right for consultations and the right to submit comments on new trade-related legislation or amendment of the existing legislation (Article 2). This section presents and analyses the transparency measures contained in the TFA.

Publication

The TFA requires WTO Members to publish information related to procedures for importation, exportation and transit, including tax rate applied and rights, fees and charges, and rules for classification or valuation of products, among others (Art. 1.1). Publication shall be made in a non-discriminatory and easily accessible manner in order to enable governments, traders, and other interested parties to become acquainted with them.

The scope of TFA Article 1.1 seems broader than GATT Article X insofar as it extends the obligation to additional items, namely procedures for import, export and transit, regulation on rules of origins, penalties, procedures for appeal and review, and tariff quotas-related procedures. In addition, both provisions have different approaches. GATT Article X requests the publication of the legal basis, whereas TFA Article 1.1 refers straightforward to the availability of information in general terms (UNCTAD, 2014 (b)).

As a consequence, TFA Article 1.1 expands on GATT Article X; notwithstanding GATT Article X remains fully applicable to WTO members. Note that there are other provisions on publication across the TFA (for further information see table 2).

Use of information and communication technologies

The use of information and communication technologies (ICT), especially the Internet, offers a vast possibility to enhance policy predictability since it allows access to information on 24 hour-basis/365 days a year with low operating costs. The TFA acknowledges that, through the Internet, traders, governments and other interested parties can eas-

ily access information readily available with independence of their location and in a cost-effective way.

Thus, Article 1.2 requires WTO members to make available on the Internet the following information: a description of procedures for importation, exportation and transit, the required forms and documents, and contact details of enquiry points. As procedures and requirements may change over time, Article 1.2 also requests WTO members to update their website(s) in order to provide the most accurate information to relevant stakeholders.

It is worthy to mention that TFA's predecessor, GATT Article X, does not specify the means or channels to publish trade legislation. Before the TFA the only available instrument was a recommendation from the World Customs Organization (WCO) concerning the use of worldwide websites by Customs Administrations (UNCTAD, 2014 (c)). Hence, Article 1.2 of the TFA introduces for the first time into the WTO framework an actual obligation to use ICT tools for disseminating trade information.

Enquiry point

The WTO Glossary defines "enquiry point" as an official or office in a member government designated to deal with queries from other WTO members and the public. The TFA requires the establishment or maintenance of at least one enquiry point at national level, which will be responsible for addressing reasonable requests and provide forms and documentation in a reasonable time period (Article 1.3).

The agreement does not set forth a specific structure for the enquiry point. There are different ways in which enquiry points may be structured, namely a centralized body, a coordination mechanism, or an electronic enquiry point. For instance, UNCTAD launched an information platform called Trade Portals (<http://itradeportal.org/>), which compiles and provides data on national trade regulations and procedures.

There are similar obligations in other WTO Agreements (see table 1), but the TFA brings new nuances to enquiry point. For instance, the establishment of an enquiry point in the TFA may depend on the "available resources" (namely financial, human, technical or technological resources), whereas this wording was not included in other WTO Agreements (i.e. SPS and TBT Agreements). Moreover, the TFA makes reference to regional enquiry points for common procedures operated under regional schemes (free trade areas, Customs unions, etc.), while other WTO Agreements are silent about this regional approach. Finally, the TFA expressly entitles

"traders" to pose questions to enquiry points, whereas other WTO Agreements refer to WTO members or interested parties in general.

Opportunity to comment and information before entry into force

Traders and other interested parties should have the opportunity, to the extent practicable, to comment on the proposed introduction or amendment of laws and regulations of general application related to the movement, release, and clearance of goods, including goods in transit. With this purpose, the new or amended laws and regulations should be published or information about them should be made otherwise publicly available, as early as possible before their entry into force, in order to enable traders and other interested parties to become acquainted with them.

The SPS and the TBT Agreements contain similar provisions. However, these agreements have a policy accountability approach since WTO members have to allow a reasonable time to other members to make comments in writing. By contrast, the TFA has a business accountability approach as it specifically and solely provides the possibility to submit comments to traders and interested parties.

Due process

The TFA requests members to set up a, administrative or judicial, system of appeal or review. Hence, any person subject to an administrative decision issued by Customs is entitled to request an impartial and independent review of the correctness of that decision (Article 4). The objective of this measure is twofold as: i) it guarantees to traders protection against arbitrary or discretionary decisions; and ii) it reinforces a uniform, fair and transparent application of regulations.

The TFA leaves the door open to introduce appeal or review procedures to administrative decisions issued by other relevant border agencies different from Customs. Thus, the TFA expands provisions on appeal or review beyond those already contained in GATT Article X.

Predictability

Pursuant to Article 3, Customs shall issue binding decisions, called advance rulings, upon request and prior to importation or exportation. These decisions set forth a transparent treatment with regards to the goods' tariff classification and origin. The advance ruling measure aims at facilitating the declaration and, consequently, speeding up the release and clearance of goods, and avoiding future disputes regarding the classification and origin.

Advance ruling is not a newcomer in the WTO, the Agreement on Rules of Origin (Art. 3.f) provides traders with the possibility to request a determination of the origin before importation. The TFA contributes by enlarging the scope of advance rulings to tariff classification and, eventually, to Customs valuation, quotas (including tariff quotas) or additional matters. As a consequence, this measure enhances greatly predictability in Customs operations.

Consultations

The TFA imposes a new set of obligations on consultation and coordination among different stakeholders from the public and private sector. The implementation of these measures obviously implies sharing information before, during and after these meetings.

Thereby, WTO members shall consult regularly traders, border agencies and other interested parties in their territory prior to introducing new or amended laws or regulations related to the movement, release and clearance of goods (Article 2.2). In addition, the TFA seeks to create permanent consultative and collaborative platforms, called national trade facilitation committees, where all public and private stakeholders could get involved in the implementation of the Agreement (Article 23.2).

Notice to the WTO

Obligations to notify other WTO members through its Committee on Trade Facilitation are spread all over the TFA (for more information see table 2). For instance, WTO members are compelled to notify and update the Committee on Trade Facilitation about the official place where trade-related information is published, including the websites, as well as the contact details of the enquiry points.

CONCLUDING REMARKS

Trade facilitation negotiators have successfully accomplished the target to clarify and improve GATT Article X. Transparency measures included in the TFA offer new ways to reach predictability and stability in the trading system. Among the main improvements we can mention:

- a) The enlargement of the scope of information to be published;
- b) The use of information technologies such as the Internet to reach more actors;
- c) The empowerment of private sector, in particular SMEs, which will be able to become acquainted with new regulations and to submit comments as well as be consulted;

d) The use of coordination mechanisms between public and private stakeholders as a way to smoothly share information;

e) The possibility to request in advance binding decisions on a wide range of Customs matters before the importation and exportation (advance ruling);

f) The possibility to challenge arbitrary and discriminatory administrative decisions issued by different border agencies.

Through the introduction of these measures, the TFA acknowledges the importance to communicate actively with the business community in order to better understand their needs. It is noteworthy to mention that many of the provisions have already been introduced into national legal framework through regional trade agreements (RTAs). A WTO study shows that transparency matters were frequently addressed in RTAs. Thereby, publication and availability of information (50.2%), appeals (41.5%), publication prior to implementation (36.4%) and advance ruling (35.9%) are ranked among the top 10 of the most quoted measures in RTAs. (Nora Neufeld, 2014)

Given the importance and economic benefits of transparency policies outlined in this article, it is surprising that implementation of transparency trade policies is relatively low in developing countries. A recent UNCTAD

study carried out in 26 developing and least-developed countries found that the rate of compliance of the transparency measures is less than 50%, with Article 1 on Publication and Availability of Information being the least implemented (UNCTAD, 2014 (a)).

The most quoted reasons for the non-implementation are the non-existence of legal frameworks, the lack of resources, the lack of understanding or knowledge of measures, and the lack of institutional frameworks. Therefore, it is crucial that developed countries together with Annex D + organizations continue delivering capacity building and technical assistance to developing countries in order to reverse the current situation.

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Table 2: Transparency measures included in the new TFA

Area	Article
Publication	Article 1.1 Publication
	Article 1.2: Information Available through Internet
	Article 5.1: Notifications for enhanced controls or inspections
	Article 5.3: Test procedures
	Article 6.1: General Disciplines on Fees and Charges
	Article 7.6: Establishment and Publication of Average Release Times
	Article 7.7: Trade Facilitation Measures for Authorized Operators
	Article 7.8: Expedited Shipments
	Article 11: Freedom of transit
Inquiries	Article 1.3: Enquiry Points
Opportunity to comment	Article 2.1: Opportunity to Comment and Information before Entry into Force
Consultations	Article 2.2: Consultations
	Article 23.2: National Trade Facilitation Committees
Predictability	Article 3: Advance Ruling
Due process	Article 4: Procedures for Appeal or Review
Notice to the WTO	Article 1.4: Notification
	Article 10.3: Use of international standards
	Article 10.4: Single window
	Article 12: Customs cooperation

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UNCTAD-GIZ PROJECT ON THE IMPLEMENTATION OF THE WTO AGREEMENT ON TRADE FACILITATION IN THE EAST AFRICAN COMMUNITY

With the signing of the grant agreement, the German development agency, Gesellschaft für Internationale Zusammenarbeit (GIZ) has made EUR 227,820.00 available to support its collaborative work with UNCTAD in assisting the implementation of the WTO Agreement on trade facilitation (TFA) in the East African Community (EAC).

UNCTAD's longstanding cooperation with EAC

The project builds upon UNCTAD's recent support for trade facilitation reform in the region, such as the two regional workshops organized by UNCTAD in Kigali and Arusha in 2013 and an inter-regional one-week trade facilitation reform workshop in Geneva in November 2013. The outcome of these exercises, namely the implementation plans of Burundi, Rwanda, Tanzania and Uganda, had contributed as key referenced documents throughout the last phase of the WTO trade facilitation negotiation in December 2013. Kenya formulated its implementation plan in September 2014.

This support fits in nicely with the integration process which is taking place in the region. In 2007, EAC has formed a Customs Union and in 2010 a Common Market. Both integration stages have significantly facilitated intra-regional trade and boosted economic growth. Realizing the strategic contributing factor of the WTO TFA, the EAC Secretariat organized the EAC Regional Forum on Trade Facilitation in Nairobi, Kenya in July 2014. The Forum reiterated the needs to set up EAC Regional sub-committee on Trade Facilitation that would coordinate the TF agenda between the EAC Trade Sectoral Committee and the EAC Customs Sectoral Committee. The upcoming EAC regional workshop on TFA should also take place soon so as to harmonize the categorization of the TFA among the five Partner States as well as align the TFA with the EAC Customs Union and Common Market protocols.

Main activities of the project

The project has several main activities:

- Update of national implementation plans of EAC Member States;
- Organization of EAC TFA Regional workshops;
- Formulation of a regional TFA road map;
- Delivery of tailored advisory services and capacity building activities to national TF Committees;
- Production of technical and training material;
- Delivery of national and regional seminars on the WTO TFA and compliance requirements;
- Definition and operationalization of a Monitoring and Evaluation mechanism to measure progress achieved by the national and regional TF bodies.

Through these activities, UNCTAD and GIZ assist EAC Partner States in developing strategic planning on trade facilitation at both national and regional levels, strengthening existing national and regional TF bodies in the five EAC Partner States, and increasing technical knowledge on trade facilitation issues of relevant stakeholders from the public and private sectors. These exercises are expected to reinforce the dialogue and coordination between these stakeholders that are indispensable for the success of TFA implementation.

Foreseen project outcomes

With the five EAC Partner States, UNCTAD and GIZ envisage that the project would come to fruition with:

- An assessment of the EAC national trade facilitation structures and proposals for upgrade or improvements;
- The existence of robust, skilled and sustainable trade facilitation structure in place so as to implement the TFA, hence facilitate trade with measurable results;
- An efficiently functioning and sustainable regional sub-committee on trade facilitation that is established by the EAC Secretariat
- The harmonization between national and regional levels is achieved with an effective coordinating mechanism in place.

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ASYPM - ASYCUDA SYSTEM FOR PERFORMANCE MEASUREMENT

Integrity and Trade Facilitation through Customs Performance Measurement

What is ASYPM?

Within the framework of a Memorandum of Understanding signed between WCO and UNCTAD in March 2013 a performance measurement module was built in the ASYCUDA system using expertise from both organizations. The ASYCUDA SYstem for Performance

Measurement is a tool for promotion of integrity within the Customs institution, and its major stakeholders. It is composed of a statistical data warehouse and of 29 performance indicators, based on the Cameroon and Togo experiences, as vetted by the WCO and piloted in Liberia.

Why ASYPM?

Performance measurement is a way to increase efficiency and detect bad practices. Customs management has, at its finger tips, tables with a drill-down function, dynamic graphs, diagrams providing live and accurate information on all Customs operations.

Benefits of ASYPM

- The system interrogates the database and facilitates data mining for Customs management.
- The system offers a 'data and customs procedure' consistency crosscheck capability to Customs management.
- Data readily available for studying operational trends and enabling decision-making.

•Increased monetary value of corrections made by examiners.

•Identify staff needing to improve their capacity and performance.

•Increased compliance by consignors with Customs requirements.

How ASYPM is implemented?

Prerequisites for Performance Measurement System

1. Appointment of Team Leader of the Project.
2. Appointment of Team Members coming from ad-hoc Customs organizational units.
3. ASYCUDA 4.2.0 or higher version implemented.
4. Availability of requisite hardware and accessories.

Deployment Strategy

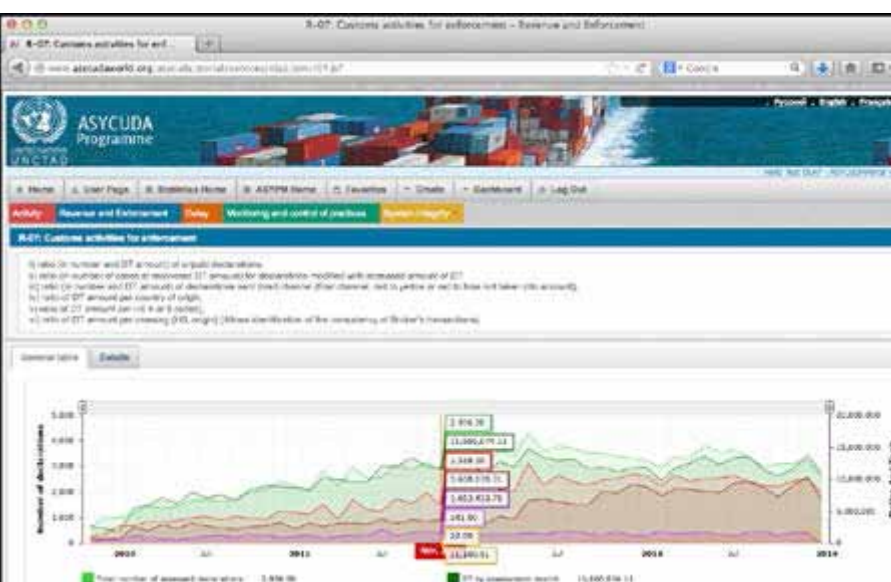
A Customs administration wishing to implement ASYPM can benefit from the assistance of UNCTAD and the WCO at technical and political levels from its inception. An UNCTAD ASYPM Handbook and a WCO Guide describing the performance measurement approach step by step will also be provided.

The implementation of the project is done in two phases: Descriptive and Prescriptive

The Descriptive phase is used to create awareness, strengthen Senior management commitment, understand the realities of the Administration through UNCTAD/WCO experts visits of the main Customs office, interviews with operational staff and meetings with stakeholders. This phase can last from 12-24 months depending on the level of progress. The number and type of missions can be as follows: (1) Awareness mission (1-2 weeks); (2) Installation Mission and data mining (3 weeks); (3) Assessment Mission (1-2 weeks). This phase will enable the administration and Customs staff to go through an appropriation period and be prepared for the Prescriptive phase.

During the Prescriptive phase, information extracted through ASYPM will be effectively used to measure the performance of individual officers. A joint UNCTAD/WCO mission will help the Administration with the design of specific mechanisms to monitor individual performances which could include, but will not be limited to, performance contracts signed with the Director General of Customs or an immediate supervisor. This phase will become the way forward for the Administration who will take full ownership of the approach. Its smooth inception may take several months.

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BENCHMARKING TRADE FACILITATION

Benchmarking is an essential tool when planning trade facilitation. Different organisations have been working to develop different tools for benchmarking for customs and trade facilitation efforts for years. It is important to understand the utility and limitations of each.

WORLD BANK EASE OF DOING BUSINESS INDEX

Since its development in 2001, the doing business index (www.doingbusiness.org) looks at the legal and regulatory requirements across 185 countries in the context of their impact on the business environment. The index has ten sub-indices including: starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting investors, paying taxes, trading across borders, enforcing contracts, and resolving insolvency.

The trading across borders index looks at three parts of information most immediately relevant to trade facilitation and weights them evenly:

By standardising collection of this data and comparison across so many economies, the index does provide a useful “rule of thumb” benchmark but it is also important to understand the limitations.

The first limitation of any ranking index is the fact that it is never static. One economy may effect improvements but its movement up or down the ranking will also be dependent on other countries’ activities and movement within the ranks. The rank itself is made up of many different component sub-indices therefore it would be unadvisable to commit to movement up the World Bank ease of doing business index as a Key Performance Indicator (KPI) of a single trade facilitation project as it is very unlikely that the project will contain all activities necessary to control a country’s movement up or down the ranks.

Alternative approaches could include focusing attention on regional rankings and/or preferably, improvements in the specific indicators that make up the index score (e.g. number of documents, cost and time to export). This is where a deeper understanding of the methodology behind the index is helpful to enable the design of projects and benchmark activities which specifically address index calculations.

The full methodology for the trading across borders index is available for review here: <http://www.doingbusiness.org/methodology/trading-across-borders>. A summary of some of the most important points worth noting is provided below:

- the index is based on the cross border movement of a 20-foot, 10 tonne container
- it does not include SPS (Sanitary Phytosanitary) or controlled substances, nor does it include free trade or export processing zones
- time calculations include document preparation, customs clearance and technical control, port and terminal handling, inland transport and handling
- cost calculations do not include bribes or tariffs
- it does not measure the impact of ease of doing business on trade flows etc.

An example of the implications of the above points is that the WB ease of doing business index should not be used as a benchmark or KPI for integrity initiatives because bribes are not included. It is also not useful in measuring air cargo systems as it is based on the movement of a 20-foot, 10 tonne container rather than a typical air cargo consignment.

WORLD BANK LOGISTICS PERFORMANCE INDEX (LPI)

Recognising some of the limitations of the ease of doing business / trading across borders indices, in 2007 the World Bank developed the Logistics Performance Index (LPI) (<http://lpi.worldbank.org>) which measures the logistics “friendliness” of 155 countries every two years.

The LPI takes the weighted average of the country scores on the following six key dimensions:

- Customs - efficiency of the clearance process (i.e. speed, simplicity and predictability of formalities) by border control agencies, including Customs.
- Infrastructure - quality of trade and transport related infrastructure (e.g. ports, railroads, roads, information technology).
- International shipments - ease of arranging competitively priced shipments.
- Logistics competence - competence and quality of logistics services (e.g., transport operators, customs brokers).

- Tracking and tracing - ability to track and trace consignments.

- Timeliness - of shipments in reaching destination within the scheduled or expected delivery time.

The LPI will be of particular interest in transit-related trade facilitation programmes with a heavy focus on logistics and the physical movement of goods.

As a ranking system, the LPI has the same limitations as the ease of doing business index in that a country’s position is not held in isolation and a multitude of factors change a country’s position among the rankings. The LPI is more effectively used as a benchmark when broken down into its sub-indices and/or a country’s position is reviewed in a regional context.

WORLD ECONOMIC FORUM (WEF) COMPETITIVENESS INDEX

The Global Competitiveness Index (<http://www.weforum.org/issues/global-competitiveness>) integrates the macroeconomic and the micro/business aspects of competitiveness into a single index revised annually comparing 142 economies. It is made up of over 110 variables, of which two thirds come from an Executive Opinion Survey, and one third comes from publicly available sources such as the United Nations.

While a lot of the data could be useful generally in terms of a country’s general institutional and economic health, several data points in particular found under Pillar 6 “goods market efficiency” could be quite useful:

- (6.09) Prevalence of trade barriers
- (6.10) Trade tariffs, % duty
- (6.13) Burden of customs procedures
- (6.14) Imports as a percentage of GDP

The same limitations apply for the previous two indices, plus the important fact to note that, due to its reliance on the Executive Opinion Survey, the results can be said to reflect perceptions more than reality. Nonetheless, perceptions of a country’s performance can have just as big an impact on its future with respect to economic growth and development.

EUROPEAN COMMISSION (EC) CUSTOMS 2013 PROGRAMME BENCHMARKING GUIDE

The Customs 2013 programme (established in May 2007 as part of an action programme for customs in the EU) encourages participating countries' customs administrations to use benchmarking to study, absorb and implement good practice already tried and tested by other customs administrations.

A Benchmarking Guide was produced and aimed both at people in customs administrations new to benchmarking (to help them understand what benchmarking is, how it is carried out, and the potential benefits) and to people already familiar with the use of benchmarking (to provide a set of standards and common procedures). The guide is quite generic and defines the process by which benchmarks are agreed rather than the benchmarks themselves.

The EU offers more useful benchmarking resources in the form of the EU Customs Blueprints which are intended to be used by the countries themselves as benchmarks against which to measure shortfalls in operational capacity, and make subsequent improvements. Beyond use within and around the EU, the Blueprints provide a useful resource for example KPIs in numerous areas of importance to trade facilitation projects: border and inland control, customs cooperation, customs enforcement on intellectual property rights, customs ethics, customs laboratory, customs valuation, export controls, human resource management, information and communication technology, infrastructure and equipment, internal audit, investigation and enforcement, legislation, organisation and

management, post-clearance control and audit, public relations and communication, revenue collection, risk management, supply-chain security, trade facilitation and relations with business, as well as transit and movement of goods.

While still very useful, it should be noted that the indicators provided for each section above are very high-level and do not provide specific measures or means of verification.

LINER SHIPPER CONNECTIVITY INDEX

The Liner Shipping Connectivity Index (LSCI) was introduced by UNCTAD in 2004 to assess a country's connectivity in the global container shipping network and has been found instrumental in various research work estimating trade levels and costs. While narrower in its scope as compared to several other global indices, it is based on homogeneous hard data, without depending on polls or perceptions.

LSCI is generated from five data components, namely the number of ships; the total container-carrying capacity of those ships; the maximum vessel size; the number of services; and the number of companies that deploy container ships on services from and to a country's ports. The hard data are derived from Containerisation International Online and Lloyds List Intelligence. The LSCI reflects trends in the country level connectivity.

The LSCI has increasingly been incorporated not only in research on trade competitiveness in the area of transport and logistics, but also included in other, broader data bases and indexes, such as World Bank Develop-

ment Indicators, Trading Economics, and the World Economic Forum. The analysis of liner shipping connectivity continues to provide interesting insights towards the understanding of the determinants of international trade in manufactured and other containerizable goods.

GENERAL TRADE DATA

In addition to the plethora of data included in the Global Competitiveness Report produced by the World Economic Forum mentioned above, there are a number of other sources of trade data and information that may be used to source benchmarks: WCO World Trade Matrix (available to members), World Bank Development Indicators and other economic data (<http://data.worldbank.org/>), WTO's International Trade and Market Access Data (http://www.wto.org/english/res_e/statis_e/statis_e.htm), as well as United Nations' Commodity Trade Statistics (<http://comtrade.un.org/>). The OECD Trade Facilitation indicators are also good sources of information (<http://www.oecd.org/trade/facilitation/indicators.htm>)

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IMPLEMENTATION OF THE TFA IN THE ASIA PACIFIC REGION: ANALYSIS OF CATEGORY A SUBMISSIONS

The WTO Trade Facilitation Agreement (TFA) contains provisions for expediting the movement, release and clearance of goods, including goods in transit. The Agreement will enter into force once two-thirds of the WTO Member States have completed their domestic ratification processes. As countries prepare for the implementation of the TFA, this analysis looks broadly at the provisions which 15 countries in the Asia-Pacific region submitted under Category A. The TFA provisions notified under Category A are those which the Member States will implement by the time the Agreement enters into force (or in the case of the least-developed countries (LDCs) within a year of its entry into force). This analysis seeks to highlight some regional trends regarding the biggest challenges to trade facilitation reform and provide some insight for regional priorities for cooperation and capacity building.

Elements of the Trade Facilitation Agreement

Section I contains the Substantive provisions of the agreement. It covers areas on Transparency, Fees and Formalities, Transit and Customs Cooperation, and clarifies and improves Articles V, VIII and X of the 1994 General Agreement on Tariffs and Trade (GATT). Section II contains Special and Differential Treatment (SDT) provisions that allow preferential treatment for developing and LDCs. Section III contains Institutional Arrangements and Final provisions that establish a permanent committee on trade facilitation at the WTO, and requires Members to have a national committee to facilitate domestic coordination and implementation of the provisions of the Agreement. To benefit from SDT, a Member State must categorize and notify each provision of the Agreement as either Category A: implementation upon entry into force of the Agreement, or within one year after for LDCs; Category B: implementation after a transitional period following the entry into force; or Category C: implementation on a date after a transitional period following the entry into force and requiring the acquisition of assistance and support for capacity building. Only provisions notified under Category A are included in this analysis.

Implementation of the WTO TFA Provisions of Asia Pacific Members

Of the 51 Member States that submitted their category A notifications as of 1 January 2015, 15 or roughly a third are from the Asia Pacific region. The graph below shows the breakdown of their notifications between "Fully Notified", "Partially Notified" and "Not Notified" TFA Articles (1-12).

In 2013, ESCAP estimated that Asia-Pacific international trade transaction costs were among the most and least-efficient worldwide. Only three Members (Hong Kong, Republic of Korea and Singapore) have fully notified all 12 articles of the TFA under Category A. This is not surprising, as these countries are recognized as global leaders in trade facilitation. Middle-income members of the Association of Southeast Asian Nations (ASEAN) including Brunei, Malaysia, the Philippines, and Thailand, as well as China and Turkey have likewise fully notified at least fifty percent of the Agreement, and in general have also achieved a reasonable level of trade facilitation reform. In contrast, intraregional trade costs among landlocked developing countries and least developed countries (LLDCs and LDCs) in North and Central Asian

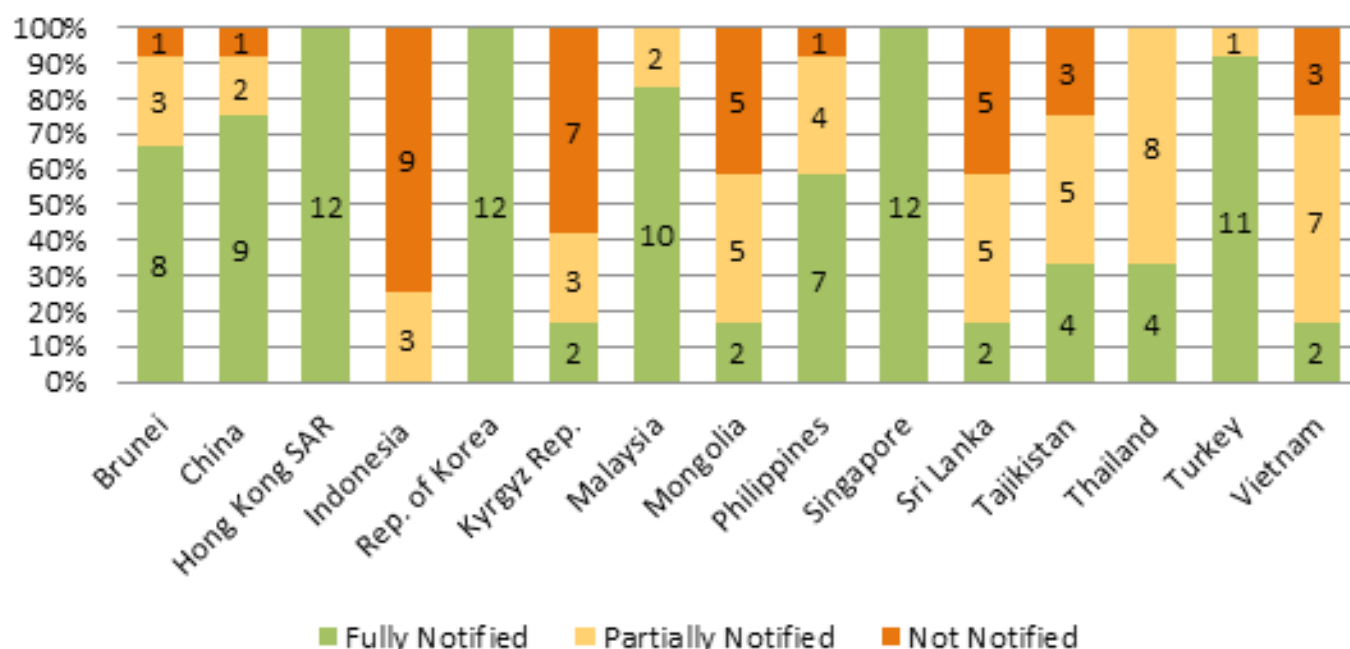
countries are the highest in the region, with trade costs around 2.5 times more than ASEAN, and are still at the beginning stages of trade facilitation reform.

The graph above shows the number of Asia Pacific (out of 15) Members that have "Fully Notified", "Partially Notified" or "Not Notified" each of the 12 TFA Articles. On average, 80% of all Articles are at least partially notified. At the Sub-Article level, the lowest notification rates are Sub-Article 10.4 on Single Windows (with an implementation rate of 40%); Sub-Article 5.1 on Notifications for Enhanced Controls or Inspections (47%); Article 12 on Customs Cooperation (50%); and Sub-Articles 7.6 Establishment and Publication of Average Release Times and 7.7 Trade Facilitation Measures for Authorized Operators (both 53%). Notably, these findings are consistent with the results of the Trade Facilitation and Paperless Trade Implementation: 2013/14 Asia-Pacific Update.

Challenges to Implementation of Trade Facilitation Reforms

Article 10.4 on Single Windows intends to simplify trade via a single entry point for cross-border information flows. Single windows have been cited by the OECD as the single-most expensive and sophisticated type

Figure 1: TFA Category A Notifications in the Asia Pacific by Country



of trade facilitation reform. Fortunately, they are also a very significant contributor to reducing trade costs. Costa Rica, for instance, generated time savings of 78% and total cost savings of 79% compared to previous figures after adopting its Single Window in 1996. Although initial costs for Single Windows are high, subsequent maintenance costs are much lower, with 80-90% being devoted to salary expenditures and the rest to equipment maintenance and other administrative costs. 6 These operations however initially require massive political reform, and include aspects under policy planning, legal and institutional frameworks, business process analysis (BPA), process streamlining, data harmonization, and project management, as well as strong business-government cooperation. Similarly, organizational resistance to work culture and process transformation (i.e. "resistance to change") among the multiple complex entities involved is usually the biggest hindrance to implementation.

Sub-Article 5.1 on Notifications for Enhanced Controls or Inspections closely follow as the second least-notified provision. These reforms involve adopting a national notification system to disseminate food safety information to concerned government authorities, aimed at enhancing border control and inspections. They fall under Transparency measures, which are minor in cost and substance compared to process streamlining reforms such as Single Window, but involve developing substantial inter-agency coordi-

nation mechanisms through internet publications and online query points that need to be constantly updated to provide accurate and reliable information. Among all Transparency measures, OECD cites this type as the most resource-intensive as confirmed by case studies in Burkina Faso and Lao PDR.

Article 12 on Customs Cooperation provides a framework for Members to share information for more effective customs control, whilst ensuring the confidentiality of the information exchanged. The article encourages Members to share information on best practices for managing customs compliance. Article 12 also specifies that Members are not precluded from entering into or retaining bilateral, plurilateral and regional arrangements, such as the regional arrangement on cross-border paperless trade facilitation currently under negotiation among ESCAP Member States in the Asia-Pacific region.

Lastly, Sub-Articles 7.6 Establishment and Publication of Average Release Times, which encourages the notification of the average release time of traded goods, and 7.7 Trade Facilitation Measures for Authorized Operators, which establishes criteria for qualified and efficient operators of trade procedures, are important procedural streamlining elements under Article 7 on the Release and Clearance of Goods that also exhibit low notification. In particular, special procedures for authorized operators rely on a Member's technical capacity in risk assessment and

audit techniques, and pose the unique challenge of balancing trust and impartiality in the relationship between operators and government agencies.

In conclusion, while the East Asian Members of the Asia Pacific may lead the world in terms of trade facilitation initiatives, many challenges still remain for the region as a whole. This report highlights the need for more initiatives, especially in institutional and infrastructure upgrading to create information systems such as Single Windows and Control & Inspection Systems, as well as improved domestic and cross-border coordination between Customs and other stakeholders in international trade. This can be achieved through cooperation and capacity-building activities among Members to share best practices and facilitate country-level reforms, especially for less-developed and less technically-capable Members.

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GLOBAL SURVEY ON TRADE FACILITATION AND PAPERLESS TRADE IMPLEMENTATION: 2014-2015

The United Nations Regional Commissions (UNRCs), in collaboration with other international organisations, including UNCTAD, are conducting a global survey to collect relevant data and information on trade facilitation and paperless trade implementation from their respective member states. Outcomes of the survey will enable the countries to better understand and monitor progress in trade facilitation, support evidence-based policy-making, highlight the needs for capacity building and technical assistance; and provide solutions for further advancing trade facilitation.



The global survey represents a key initiative under the framework of the Joint UNRC Approach to Trade Facilitation, which was agreed upon by the Executive Secretaries of the five UNRCs in Beirut, January 2010 to enable the UNRCs to present a joint (global) view on key trade facilitation issues. The questionnaire for the global survey was jointly prepared and finalized by UNRCs and OECD. The data collected will also support the updating of the OECD Trade Facilitation Indicators.

The global survey builds on an annual regional survey carried out by ESCAP since 2012; of which, the results have provided its member countries with useful policy reference and cursor on implementation of trade facilitation measures (<http://unnext.unescap.org/tfforum13-survey.asp>).

The global survey covers not only implementation of some important measures included in the WTO Trade Facilitation Agreement (TFA) but also of measures aimed at enabling pa-

perless trade, or the conduct of trade using electronic rather than paper-based data and documentation. Indeed, a recent ESCAP report found that “next generation” trade facilitation measures have just as much potential as more traditional measures to reduce trade costs and increase intra- and extra-regional trade, with full implementation of cross-border paperless trade expected to generate USD 257 billion of additional export potential annually for the Asia-Pacific region alone (<http://www.unescap.org/resources/estimating-benefits-cross-border-paperless-trade>).

The global survey will be mainly conducted through a questionnaire, supplemented by desk research, and, if necessary, followed up by face-to-face or telephone interviews for data and information clarification and verification. The questionnaire will be sent by the UNRCs to their respective focal government agencies and/or selected experts, starting from September 2014. Compiling the survey responses, verifying data, constructing

databases and writing study reports will take place from the time the survey is dispersed to mid-2015. It is expected the final study report to be published by mid-2015.

Any experts in different aspects of trade facilitation and paperless trade worldwide are encouraged to participate in the survey. The survey questionnaire is available for download as word files. Please return the filled-in questionnaire to the focal points of UNRCs in your respective region (see “Contacts”), who can also respond your inquiry, if any. If you are not certain about whom you can contact, you are welcome to contact the focal point from ESCAP.

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SPEEDY IMPLEMENTATION OF TRADE FACILITATION AGREEMENT PROVES KEY TO MAURITIUS' COMPETITIVENESS

Mauritius was among the first developing countries to submit its list of binding trade facilitation commitments to the World Trade Organization (WTO) in July 2014, following assistance from the International Trade Center (ITC) and the United Nations Conference on Trade and Development (UNCTAD).

Mauritius was among the first developing countries to submit its list of binding trade facilitation commitments to the World Trade Organization in July 2014, following assistance from ITC and the United Nations Conference on Trade and Development.

'Trade facilitation is of key importance for countries seeking to take full advantage of market access, trade liberalization, and the economic development opportunities offered by international trade agreements,' said Ambassador Israhyananda Dhalladoo, Permanent Representative of Mauritius to the WTO. 'Despite trade openings, our exporters are still facing difficulties in areas such as customs procedures, logistics frameworks, and meeting technical and quality standards in target markets.'

The WTO Trade Facilitation Agreement, concluded in December 2013, is an important tool in helping developing countries and least developed countries (LDCs) reduce costs linked to international trade. This is particularly crucial for small and medium-sized enterprises (SMEs), which often lack the capacity, personnel and resources to navigate complex and expensive border procedures.

Upon entry into force, the Agreement will create binding obligations for WTO members to improve customs procedures, transparency and efficiency. For instance, governments will be required to publish information about import- and export-related rules and border procedures, trade-related fees, import duties and appeal procedures available to traders. They will have to simplify documentation requirements, and limit customs processing fees and charges so that they stay roughly in line with the costs they entail to governments. As a general rule, customs agencies will have to issue so-called 'advance rulings' setting out traded goods' tariff treatment before they actually arrive at the border.

While simplifying border procedures and cutting red tape promises to substantially reduce trading costs around the globe, especially among developing countries, the capacity of developing country governments to implement these reforms varies considerably. During the negotiations that led to the Agreement, they insisted that they would need time and assistance to implement their prospective obligations.

As a first step towards implementation, therefore, the Agreement requires developing



countries and LDCs to categorize their obligations under the treaty into so-called Category A commitments, which they will implement immediately, Category B commitments, which they are only in a position to implement later, and Category C commitments, for which they require assistance and support.

Mauritius was one of 19 countries that ITC assisted with categorizing obligations under the Trade Facilitation Agreement. The joint ITC-UNCTAD project kicked off with a national workshop in April 2014 with public and private stakeholders to introduce the Agreement and brainstorm about its importance and relevance to the private sector. 'This created national momentum around the implementation process and emphasized the need to have a collaborative forum for regular consultation amongst the stakeholders including the private sector', Dhalladoo explained.

Having sought the input of stakeholders from across the country, the government prepared the implementation plan. This was vetted in a second meeting, involving the business community, before the plan was actually submitted to the WTO, Dhalladoo said. 'Most of the Category A measures identified by UNCTAD/ITC were taken into account when Mauritius notified its Category A commitments to the WTO,' he said.

Public-private dialogue

Public-private dialogue is the cornerstone of ITC's approach to trade policy formulation. For trade policy to successfully bring the desired benefits to exporters, it is necessary for public and private sector representatives to work in coordination. ITC supports developing countries in creating platforms for such dia-

logue, and in facilitating the engagement of the private sector in various policy areas, including trade facilitation, said Mohamed Saeed, who heads the trade facilitation practice area at ITC. 'Improving the business environment is the first step in increasing the competitiveness of SMEs,' he noted.

In Mauritius, ITC and UNCTAD also assisted in the establishment of the Mauritius National Trade Facilitation Committee, which will remain instrumental in overseeing the implementation of the commitments, Dhalladoo explained.

It is important that ITC assist as many countries as possible, as this would contribute to the speedy implementation of the Agreement worldwide, Dhalladoo said. 'We look forward to the full implementation of the Agreement not only in Mauritius, but also by our trading partners.'

For an open economy such as ours, seamless borders are key to the international competitiveness of our enterprises.' Reduced paperwork, advance processing of documents and the quick release of perishable goods are some of the measures that will help the island's exporters, he added.

Mauritius has requested further assistance in implementing Category B and Category C measures, and looks forward to working with ITC in this area, Dhalladoo said.

Article published in *allAfrica*
<http://allafrica.com/stories/201502041453.html>.

AFRICA TRADE FUND APPROVES \$1.4 MILLION IN FUNDING FOR FOUR PROJECTS

The Technical Review Committee of the Africa Trade Fund (AfTra) at its meeting on February 13, 2015 in Abidjan, approved funding worth more than US \$1.4 million for four projects that will support trade.

AfTra, a trade-related technical assistance facility hosted by the African Development Bank, was established in 2013 to provide funding for trade facilitation, building capacity for trade institutions, and developing products and markets in Africa.

Two of the projects that have just been approved will support value chains development in the apiculture and cashew industries. The first, titled "Trade and Institutional Capacity Building in the Apiculture Sector", will be implemented by SNV Netherlands Development Organization, Zambia. It will improve the capacity of traders, processors and producers of honey and bee products to comply with SPS measures. This will allow them, among others, to upgrade within the honey global value chain by exporting table honey instead of bulk honey, thereby capturing more of the value.

The other value chains development project, presented by the African Cashew Alliance (ACA), aims to support cashew industries in

both East and West Africa. This project, by improving the product quality and market development, as well as the environmental standards and sustainability in cashew processing, offers the chance for Africans to upgrade within the cashew global value chain. It also has an added focus of targeting women who will be supported to move up the value chain – from selling crops to local traders to processing them.

The third grant was made to the African Organization for Standardization (ARSO). The project, titled "Harmonization of African Standards for Agriculture and Food Products", aims to provide coherent and systematic codes of practice for African food products. Harmonizing standards and codes of practice across African countries will provide a clear and predictable policy framework for regional trade so that institutions that facilitate exchange and mitigate the inherent risks associated with food production.

The fourth project, a study titled "Regional Cargo Tracking System on the Northern Corridor", will assist the six member countries of Northern Corridor Trade and Transit Coordination Authority (NCTTCA) – Burundi, Democratic Republic of Congo, Kenya, Rwanda, South Sudan and Uganda – prepare for the implementation of the regional electronic cargo tracking system. The study will also examine the required legal framework and establish other areas of policy intervention to make transit along the corridor more efficient, thereby improving intra-regional trade.

"These projects were all carefully selected to make sure that they achieve the goals of helping African countries trade better with each other and to facilitate their integration into global value chains," said AfTra Fund Coordinator, Moono Mupotola. "The projects are in line with AfTra's central goal of unlocking Africa's trade potential."

ROAD IMPROVEMENT AND TRADE FACILITATION: AFDB AND GUINEA SIGN US \$50 MILLION IN LOAN AGREEMENTS

The African Development Bank (AfDB) Group and Guinea on February 12 in Abidjan signed US \$50 million in loan agreements to finance a road improvement and trade facilitation project.

This Road Improvement and Transport Facilitation Project in the Mano River Union includes the tarring of 276.35 kilometres of roads in Guinea, Côte d'Ivoire and Liberia. It also provides for the building and equipment of two juxtaposed border checkpoints and the development of social infrastructure such as schools, health centres and bus stations.

"The signing of the financing agreements is highly symbolic," AfDB Sector Operations Vice-President Aly Abou-Sabaa said.

The African Development Bank has indeed made transport infrastructure development and trade facilitation in the Mano River region (Côte d'Ivoire, Guinea, Liberia and Sierra Leone) one of its priorities.

To support the reconstruction of this region, the AfDB has set up a special initiative for the Mano River region.

"This priority has become even more urgent

following the outbreak of the Ebola crisis in three Mano River Union countries, with significant human cost," Vice-President Abou-Sabaa said. "This crisis has also clearly slowed down the reconstruction process in the region," he stressed.

The Guinean Finance and Economy Minister, Mohamed Diare, echoed this sentiment. "After more than a decade of civil wars in the region, Guinea welcomed over one million refugees on its soil before being hit by an unprecedented crisis, the Ebola crisis," he said.

He expressed his satisfaction with the success of the road improvement and transport facilitation project.

The project will create about 8,000 jobs during the construction period, estimated to last three years. It will also increase the volume of trade among the three countries, while strengthening regional integration. It will also

help to reduce vehicle operating costs and travel time on the routes involved. For example, the border crossing time of a cargo truck will be halved from the current 24 hours to less than 12 hours upon completion of the project. The project will also address major sources of fragility of the region.

The project, estimated at US \$333 million, is financed at over 93% by the AfDB whose contribution is US \$310 million. The amount provided to Guinea under this project is US \$50 million.

More information on projects that are currently being funded by AfTra can be found at <http://www.africatradeandfund.org/projects/approved-projects>

PROGRAMME FOR THE CREATION OF THE LATIN AMERICAN AND CARIBBEAN NETWORK OF DIGITAL AND COLLABORATIVE PORTS

Strengthening logistic port communities, service standards and technological innovation for a globalized, logistically competitive and sustainable trade.

Background

On 12 December 2014, the Latin American and Caribbean Economic System (SELA) and CAF-development bank of Latin America concluded a Technical Cooperation Agreement, initiated in November 2013 and whose purpose was the creation of the Latin American and Caribbean Network of Digital and Collaborative Ports (NDCP) in the first phase, which involved nine ports, namely: Manzanillo and Veracruz (Mexico); Buenaventura and Cartagena (Colombia); Callao (Peru); San Antonio and Valparaíso (Chile), and Balboa and Colon (Panama).

This agreement was part of SELA's systematic effort in the area of trade facilitation, supported by information and communications technologies (ICT) and the construction of intra-regional dialogues to undertake concerted actions and participate as a trusted third party in proposals for international cooperation in order to promote regional initiatives on such issues. It also complements SELA's action to boost the implementation of foreign trade single windows* in Latin American and Caribbean countries.

Objectives

The NDCP Programme recognizes Latin American and Caribbean port logistics communities as one of the main drivers of competitiveness of foreign trade. Thus, the following general objective has been established: "To identify and promote collaborative and institutional best practices, characterized by the use of new forms of inter-organizational work, ICTs for the electronic exchange of data, efficient logistics processes and implementation of new and improved load and transportation service standards."

Methodology

The work methodology of the NDCP Programme included an exploration to develop a comparative approach to institutional advances: Operation of port single windows (VUP, by its acronym in Spanish); function-

ing of ports in Europe, Australia, Singapore and Malaysia; preparation of an Institutional and Technological Self-diagnosis Manual, a Management Model of Port Communities and Service Standards, and a Management Model of Processes and Technology in the Port Logistics Chain (CLP, by its acronym in Spanish). In addition, the methodology provided for the conduction of several workshops on the first nine port communities of the Programme, which led to the validation of the Strategic and Tactical Reference Model proposed by the Programme for LAC and the coordination of future work in the areas with opportunities for improvement in the institutional, operational and technological fields.

Conclusions and recommendations of the Programme

The analysis of the nine participating port communities resulted in the following conclusions:

- i) Four port communities were established in ports that are part of the Programme. Three ports have a permanent Strategic and Governance Plan. Only one port has legal personality and five have local port authority;
- ii) National plans lack coordination from organized logistics bases. This means that even though there are national (logistics and port) plans and/or inter-institutional coordination, they have yet to fully incorporate all private and innovation actors at both national and local levels. Such plans do not include a deep diagnosis of the needs of new logistics processes and enabling information technologies for the competitive scenario of foreign trade via ports;
- iii) National single windows do not have an operational connection with CLP. Foreign trade single windows as logistical components showed progress in Colombia and Peru. In Colombia, a greater understanding of the role of single windows is perceived. In other countries, it is still a matter of good intention;
- iv) The leadership that Government agencies directly involved in trade facilitation and

transport can assume within the framework of this Programme is crucial to promote competitiveness;

v) Greater and better management of change is required to review and adjust the current logistics development plans (operation, quality assurance, governance and technology models) and to help local port systems carry out the necessary changes to better serve their market; and

vi) Projects on foreign trade single windows are the gateway to introducing improvements in port logistics processes. Shipping coordination (ships), integrated inspection and risk profiling on imported cargo are part of the challenges for most of the countries visited.

Challenges

Following is a summary of the challenges faced by the NDCP Programme:

- i) Create more infrastructure. This feature is expected to be constant in the next 10 years in the region;
- ii) Promote ports as logistical platforms and the development of a second and third port line to offer value-added services;
- iii) Strengthen the institutional framework of communities as a Port Logistics Chain (CLP), aimed at identifying actors, processes and technological systems of coordination and collaboration to make physical and information flows more efficient;
- iv) Promote the participation of citizens and local businesses to mitigate port-related externalities, maximizing the positive impacts for the sustainable development of port and harbour cities; and
- v) Increase training and awareness of actors of the port community to develop an approach to CLP that promotes collaboration and efficiency.

Prospects

The Programme for the creation of the Latin American and Caribbean Network of Digital and Collaborative Ports (NDCP) assumes the task of disseminating international best practices in collaborative and digital management of port logistics chains, in their variables of institutional framework, operational efficiency and digital innovation. Thus, by 2015 the NDCP expects to include 15 port communities from 9 countries making up the Regional Network and a group of universities and research centres aimed at promoting competitive innovation of port systems. In addition, the Programme is expected to make progress in the first formal Latin American and Caribbean institutional framework of the Network of Digital and Collaborative Ports, on the basis of a study on institutional feasibility, and to strengthen the dissemination of results and knowledge of the network through the development of a Web platform on collaborative information.

*Since March 2010, the Permanent Secretariat of SELA, jointly with national authorities and regional organizations, has organized six regional meetings on foreign trade single windows, among other activities associated with trade facilitation. These events were attended by managers and specialists from both the public and private sectors and aimed at promoting the implementation of this crucial element for trade facilitation in the region.

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PUBLICATIONS

Enabling Trade: Increasing the Potential of Trade Reforms

WEF and ITC

The World Economic Forum research has determined that the measures to streamline border administration spelled out in the WTO Trade Facilitation Agreement and other trade agreements are not enough. Improvements in infrastructure, the business environment and market access are also needed to create globally competitive industries.

Enabling Trade: Increasing the Potential of Trade Reforms looks at these elements of trade, examining the gaps and potential improvements that governments can make in collaboration with the private sector.

http://www.intracen.org/uploadedFiles/Enabling_Trade_Increasing_Potential.pdf

International Maritime Transport Costs. Market Structures and Network Configurations

Gordon Wilmsmeier UN-ECLAC and the University of Applied Sciences, Bremen, Germany.

Based on in-depth empirical research this book develops our understanding of maritime transport costs, the maritime industry and the competitiveness of regions in a global market environment through a geographical lens. Further, the book uses a unique set of data that gives an extensive insight into Latin American international maritime transport costs and its determinants. This is a clear call for policy makers and port authorities to strengthen transnational cooperation in order to improve the development of the whole system of maritime transport, focusing on the causes that put regions at risk of becoming peripheral and uncompetitive.

<http://www.ashgate.com/isbn/9781409427247>

Volume 17, Maritime Economics and Logistics

Economics at your fingertips

In this issue, you can find articles on shipping related indices, slow steaming impact on ocean carriers and shippers, European port governance, among others.

<http://mec.iamc.info>

Volume 42, Issue 1 of Maritime Policy and Management

Journal of international shipping and port research

This issue includes articles on the following topics: benefits of port community systems, port sustainability indicators, multi-period liner ship fleet planning and combined tramp ship routing, among others.

<http://mpm.iamc.info>

Central Asia Regional Economic Cooperation Corridor Performance Measurement and Monitoring

This report describes how Central Asia Regional Economic Cooperation (CAREC) corridor performance measurement and monitoring (CPMM) helps to achieve the objectives of the CAREC Transport and Trade Facilitation Strategy (TTFS). It presents the CPMM methodology and discusses key stakeholders' roles and responsibilities, especially those from the private sector. It highlights ongoing efforts to provide accurate and reliable indicators. The operational data collected by CPMM since 2009 and corresponding analysis provide a sound basis for policy formulation and investment decision making. Trade facilitation indicators have been developed to inform CAREC's Development Effectiveness Review.

<http://www.adb.org/publications/carec-corridor-performance-measurement-and-monitoring-forward-looking-retrospective>

FAL Bulletin about Port Governance in Latin America

UN-ECLAC

This FAL Bulletin analyzes structure of port governance after the reforms in the 1990s and the emerging in the LAC port system challenges, in order to evaluate the need for a new governance strategy in the region.

<http://bit.ly/1Eux0ov>

New Frontiers in Asia–Latin America Integration: Trade Facilitation, Production Networks, and FTAs

Antoni Esteveordal, Masahiro Kawai and Ganeshan Wignaraja

Economic ties between Asia and Latin America are growing as a part of a global shift toward more South–South cooperation. Yet trade costs remain high, which may impede future interregional trade and integration. Furthermore, an emerging trans-Pacific trade architecture based on free trade agreements (FTAs) carries risks of a noodle bowl effect.

This book examines new frontiers in Asia–Latin America integration through interregional comparative studies in three key areas: trade facilitation, logistics, and infrastructure; production networks, supply chains, and small and medium-sized enterprises; and FTAs. The chapters contributed by Asian, Latin American, and international experts provide new insights on regional integration, impediments, and policy issues.

<http://www.uk.sagepub.com/books/Book240602/title>

Disparités et développement de l'Afrique conteneurisée

Yann Alix

Cet article en français parle des disparités dans le développement des ports africains. Il présente une carte révélatrice des manutentions conteneurisées africaines en 2013.

<http://www.sefacil.com/sites/sefacil.com/files/JMM%20Comp%C3%A9tition%20portuaire%20africaine.pdf>

PROCEEDINGS

Regional Organizations Cooperation Mechanism for Trade Facilitation (ROC-TF) Annual Meeting 2014

The event took place in September 2014

The 3rd annual ROC-TF meeting brought together 12 regional and global organizations active in trade facilitation in the Asia-Pacific region. This year the participating organizations included Asian Development Bank (ADB), Asia Pacific Council for Trade Facilitation and e-Business (AFACT), Greater Mekong Subregion (GMS-BF), Greater Tumen Initiative (GTI), Nathan Associates, Oceania Customs Organisation (OCO), Organisation for Economic Cooperation and Development (OECD), South Asian Association for Regional Cooperation (SAARC), United Nations Conference on Trade and Development (UNCTAD), United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), United Nations Industrial Development Organization (UNIDO), the World Bank and World Customs Organisation (WCO).

Key recommendations from the meeting to strengthen the mechanism, included:

- Continuing to disseminate the ROC-TF annual calendar and bi-annual newsletter;
- Increase the use of the ROC-TF website and seek to establish e-Groups on social media platforms. ROC-TF organizations were also recommended to link to each other's activities via their websites and social media platforms;
- Establish a regional page for ROC-TF member organizations on the GFP website;
- Nominate official focal points for ROC-TF within each member organization

- Member organizations should have more areas of cooperation on research and analysis, and substantive areas in trade facilitation amongst ROC-TF member organizations;

- Continue to invite other organizations to join ROC-TF, including bilateral donors, private sector organizations, etc.

To view the presentations and the summary from the meeting, please visit:

<http://www.unescap.org/events/regional-organizations-cooperation-mechanism-trade-facilitation-roc-tf-annual-meeting-2014>



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