FIRST INTERNATIONAL FORUM FOR NATIONAL TRADE FACILITATION COMMITTEES
Boosting capacities and partnerships for implementation
PREMIER FORUM INTERNATIONAL SUR LES COMITÉS NATIONAUX DE FACILITATION DES ÉCHANGES
Renforcement des capacités et des partenariats pour la mise en œuvre
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How to engage effectively with other Border Agencies in a Coordinated Border Management context
Hermie George - WCO
WCO - CBM

EU: Integrated Border Management

World Bank: Collaborative Border Management

OSCE: Comprehensive Border Management

WCO: Coordinated Border Management

WTO: Border Agency Coordination

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

2. Each Member shall, to the extent possible and practicable, cooperate on mutually agreed terms with other Members with whom it shares a common border with a view to coordinating procedures at border crossings to facilitate cross-border trade. Such cooperation and coordination may include:
   (a) alignment of working days and hours;
   (b) alignment of procedures and formalities;
   (c) development and sharing of common facilities;
   (d) joint controls;
   (e) establishment of one stop border post control.
Why CBM?

Changing border context

Volume of goods
Resource limitation
New challenges

Reality

Duplication of inspections
Silo mentality
Poor co-ordination and organization of border control processes

Results

Slow clearance times
Delays
Increased non-compliance
Increased costs to Trade

Solution

= Coordinated Border Management
Benefits of CBM

- Structured approach to border management
- More efficient usage of human resource
- Risk management
- Stakeholders benefits
Coordinated Border Management

Drivers
- Increased trade volumes
- Increased security threats
- Society demand
- Fiscal constraint
- Etc.

Success Factors
- Political will
- Legal basis
- Private sector buy-in
- Organizational will

Benefits
- Enhanced risk management
- Resource efficiencies
- Internal and external policy cohesion
- Increased accountability / transparency

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THE ROLE OF CUSTOMS

Revenue collection of import duties and taxes

Protection of Economic Interests (domestic industry)

Protection of Society <health, safety> (drug trafficking, firearms, etc.)

Economic Development <trade, investment> (trade facilitation)

Trade Security <anti-terrorism> (shifting focus to the entire supply chain)

Environment, etc.
THE ROLE OF CBRAs

• Regulates imports & exports of goods **under their jurisdiction**
  - Live animals, plants and agricultural products, food, pharmaceutical products etc.
  - CBRAs regulate a subset of total trade volume

• CBRAs vested with **specific responsibilities to uphold regulations on imports / exports of certain goods**
  - Consumer safety, telecommunication standards, pharmaceutical products, dual use goods

• All CBRAs will need to **engage with Customs from time to time**
THE ROLE OF TRADE

• “Clients” of Customs and CBRAs
  - Customs, CBRAs provide regulatory services to trade
  - Market access in return for regulatory compliance

• Trade not just a passive entity
  - Important source of feedback
  - Key players in the overall supply chain
    -- Customs & CBRAs only a small part of it

• Without trade, there would be no need for Customs and CBRAs
  - Without Customs and CBRAs, trade would be much more disorganized and public interests would be compromised
CBM Concepts and Applications

- Totally uncoordinated border situations are rare – it is common for **multiple agencies to be involved in border operations**
- Key issue is not the number of agencies at the border, but how well they work together
- **Degree of formality is VERY important** – need to move beyond informal / personal network arrangements to be sustainable

Source: Adapted from "Better Connected Services for Kiwis", Institute of Policy Study, New Zealand
### CBM Motivations

<table>
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<th>External motivations</th>
<th>Internal motivations</th>
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| Implementing **bilateral or multilateral agreements** including:  
- Mutual Assistance Agreements  
- Mutual Recognition of AEO  
- Free Trade Agreements | Enhancing national **competitiveness**  
Construction of **new infrastructures** like border posts, sea ports or airports  
Addressing **security threats** and **regulatory challenges**  
Improving service quality |
CBM – Steering Committee (Plan)

- PDCA – Plan – Do- Check – Act/ Adjust
- Lead ministry or agency as the chair of the committee
- **Senior members** of:
  - Collaborating ministries
  - CBRAs
  - Trading community

Key decisions can be made in **consultation with essential stakeholders**
Implementing CBM

**Legal Basis**
To identify the various legal enablers that provide for enhanced CBM, or legal gaps that prevents effective CBM.

**Information Technology**
To identify areas where data harmonization can lead to greater simplifications for government, trade and physical flow of goods.

**Processes**
To map existing border processes so that bottlenecks and inefficiencies can be identified and resolved.

**Human resources & training**
To identify current state of competencies among participating agencies to identify capacity gaps and new skills needed.
CBM Diagnostic Missions

National Policy dialogue
- Top management of all respective authorities are met on individual dialogs

Diagnostic Mission
- Border crossing points were visited (small, med)

Diagnostic Report
- suggestions of changes that need to be carried out in the field of Coordinated Border Management.

High level meeting
- presentation of Report
Implementing CBM

Evaluating the option
- Not everything can be done at the same time
- First set of recommendations merely sets the stage for future improvements to take place
- „Quick wins”

Implementing the changes
- The approved action plans should now be communicated to the parties concerned

Checking phase
- Were changes effective, successfully implemented and achieved the targets
Key Principles

Streamlined checks and clearance:
• clear procedures
• multiply agencies control done at the same time
• could also be conducted at designated inland locations

Congestions Management:
• physical infrastructures should be organized
• efforts must be undertaken to identify potential sources of bottlenecks

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

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

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International cooperation

Include three different aspects:

• **Cooperation at local level** between officials on both sides of the border

• **Cooperation between neighboring states** (cooperative management of common border crossing, organization of joint patrols)

• **Cooperation at the multinational level** aimed at enabling a more efficient approach to common fields of work

Source: EC Guidelines for IBM in the Western Balkans

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IN ESSENCE

• No standardized approach, no one-sized-fits-all
• Countries must apply a solution that fits its domestic context
• Tools & Instruments support various areas of CBM
The WCO has developed a number of instruments and tools, which respond to Members’ needs as regards TFA implementation. The WCO is continuing to develop and fine-tune an inter-active guidance tool designed to help Customs implement the TFA.

**WCO Website:** www.wcoomd.org
The WCO has launched on its website the WCO Implementation Guidance for the TFA to support WCO Members in their efforts to implement the TFA.

Available in:
- English
- French
- Spanish

- RECENTLY UPDATED
- COMPREHENSIVE INTRODUCTION ADDED
Implementation Guidance

Introduction to the Implementation Guidance

The “Introduction to the Implementation Guidance” provides an overview of the WTO Trade Facilitation Agreement (TFA), the history behind it, the key steps required for accession to and compliance with the TFA, including sequencing of implementation, provision of technical assistance/capacity building (TA/CB) and monitoring, bringing forth the lessons learnt under the WCO’s TA/CB activities and national best practices shared by Members, as well as TFA-related recommendations stemming from WCO working bodies. It also pulls together relevant open-source information. The INTRODUCTION may serve as support and a potential capacity building tool for both Members and experts in providing support in TFA implementation.

Implementation Guidance for Section I

To support the harmonized implementation of the TFA by using core WCO instruments and tools, the WCO released an Implementation Guidance for Section I. For each TFA Article, it contains the following categories of information: Overview; Text of the TFA Article; relevant RKC Standards and RKC Guidelines; other relevant WCO tools; Member practices; and performance indicators. Select an article below to view more information.

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**Article 1**
Publication and availability of information

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

**Article 3**
Advance rulings

**Article 4**
Procedures for appeal or review

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

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

**Article 7**
Release and clearance of goods

**Article 8**
Border agency cooperation

**Article 9**
Movement of Goods Intended for Home Use

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The Guidance presents the relevance of WCO instruments and tools such as the Revised Kyoto Convention for TFA implementation.

WCO tools for Article 7.7 (Authorized Operators)

- Revised Kyoto Convention
- SAFE Framework of Standards
- AEO Implementation Guidance
- AEO Compendium
- Model AEO Appeal Procedures
- AEO Benefits: Contribution from the WCO Private Sector Consultative Group
- The Authorized Economic Operator and the Small and Medium sized Enterprise (FAQ)
- Mutual Recognition Arrangement/Agreement Guidelines
- AEO Template
The Implementation Guidance introduces Members’ practices and experiences of implementing the TFA.

Members’ experience regarding Article 10.4 (Single Window)
The Implementation Guidance is available on the public WCO web site.

An Offline Version can be downloaded:

Thank you for your attention