

Country: Costa Rica

Background:

Official name: National Trade Facilitation Council (CONAFAC)

Year of establishment: In April 2017, through Law of the Republic No. 9430.

Motivation for its establishment: Comply with the provisions of Article 23, paragraph 2 of the Agreement on Trade Facilitation (AFC) of the WTO, which includes the creation of a national body to facilitate internal coordination and the implementation of acquired obligations. It also raises the creation of technical and local commissions to support its function.

Likewise, it was created in order to become a decision-making and coordination body between the private sector and the public authorities with powers on foreign trade (export, import and transit of goods) in land border posts, ports and airports.

Other national bodies dealing with WTO issues and/or with Trade Facilitation: No, with the creation of CONAFAC, we sought to group existing initiatives in the area of trade facilitation into a single national body.

Former multi-agency group/committee: Yes, the Council of Land Border Posts, created in 2013 by Law No. 9154.

Current status of the working group (running, pilot phase, not functioning, etc): On going. To date, he has been in more than 25 opportunities.

Institutional Framework:

Degree of institutionalisation: Its creation was given through the same TFA approval law.

Type of organisation (ad hoc group, legal entity/organisation, etc): As a permanent body attached to the Ministry of Foreign Trade, created by Law.

Coordinating agency: Ministry of Foreign Trade

Scope/mandate: To be the permanent inter-institutional decision-making and coordination body among government bodies that have competences related to foreign trade procedures, including those related to export, import and transit of goods, as well as the process and infrastructure improvement projects, both physical and technological, for trade facilitation.

The criteria issued by the Council, in application of the rules and principles of the Agreement on Trade Facilitation, are binding for the central Public Administration.

Terms of reference: Attached.

Working structure of the group: - President.

- Technical Secretariat of Technical and Administrative Support.

- Technical Commissions.
- Local Trade Facilitation Committees.

Permanent technical secretariat: Yes.

Funding:

Budget: No, however, it is responsible for preparing the budget proposals necessary to meet the objectives established in subsection a) of Article 4 of Law No. 9154 of July 3, 2013, regarding the specific destinations of the resources collected. These resources are aimed at modernizing and maintaining land border posts.

For the performance of its functions, CONAFAC relies on the existing operational and administrative capacities, the budgetary and human resources available in the entities that comprise it.

The actions to be carried out by CONAFAC can rely on the resources and cooperation of other institutions, bodies and public entities; private organizations or regional and international organizations that promote, assist or collaborate with the objectives and purposes of CONAFAC or the TFA.

It is up to the Ministries of Government that make it up, to make the budgetary provisions and allocations required for the due fulfillment of the commitments of the Agreement and the actions, activities, initiatives, plans, projects or programs concerning foreign trade procedures.

Sources of funding: N/A

Items covered by the budget: N/A

Objectives / Focus:

Objectives: Some of the functions established in its law of creation are the following:

- Ensure compliance with the obligations assumed by the Government of Costa Rica in the Agreement on Trade Facilitation.
- Diagnose and identify barriers, limitations or obstacles to trade facilitation.
- Evaluate and promote improvements for the simplification and streamlining of foreign trade procedures.
- Propose guidelines, resolutions and other provisions on trade facilitation, for issuance by the competent bodies and bodies and monitor them.
- Approve measures for trade facilitation, as well as monitor and ensure compliance.
- Manage training initiatives and continuing education, in matters related to trade facilitation.

- Seek attention to the common requirements and needs of public entities and bodies that exercise specific competencies in ports, airports and land border posts in the country, including through coordination with concessionaires and other competent entities.
- Coordinate with other entities and public bodies that are in charge of issues related to competitiveness, trade facilitation or that affect foreign trade.

Working plan: Yes, it has an Annual Operational Plan and a Four-Year Plan.

Monitoring and evaluation: Through reports, hearings and the Executive Committee.

Reporting form and supervisory authority: Based on its four-year strategic plan and annual operating plans, it must submit to the Government Council of the Republic, an annual progress report on the development of the goals established in these.

Membership / Composition:

Public or quasi-public agencies: The representation is given at the level of deputy ministers of the following entities: Ministry of Foreign Trade, Ministry of Finance, Ministry of Health, Ministry of Public Works and Transportation, Ministry of Government, Ministry of Public Security and Ministry of Agriculture and Livestock. All of them with the right to voice and vote.

Additionally, the General Directorate of Migration and Immigration, Drug Control Police, Border Police, National Animal Health Service, State Phytosanitary Service, National Customs Service, as bodies attached to the ministries that make it up participate.

Private associations or entities: 5 representatives of the private sector, 4 appointed by the Costa Rican Union of Chambers and Associations of the Private Business Sector (UCCAEP) and 1 designated by the Chamber of Exporters (CADEXCO) with the right to speak and vote.

Level of seniority of participants: Vice Ministers and Presidents or Vice Presidents of the Business Chambers.

Additionally, Directors and Advisors from the different institutions and public entities participate.

Participation:

Frequency of meetings: By mandate you must meet once every two months although in practice you meet at least once a month

Level of participation: 90%

Meetings format: CONAFAC has Technical Commissions for a better performance of the work it performs, in relation to infrastructure, border posts and automation of foreign trade procedures, among others related to trade facilitation. It also works on the creation of Local Trade Facilitation Committees in each of the ports, airports and land border posts, in which foreign trade procedures

are carried out, as an instance of citizen participation and permanent local dialogue.

Gender:

Percentage of female in the committee: Of the 7 representatives of the public sector 2 are women. Of the 5 representatives of the private sector 2 are women.

Chairman / President / Vice-president is female: No.

Committee did decide on gender mainstreaming TF in the past: No.

If no, why not. (Example: It not considered a priority, not considered relevant at this stage, lack of awareness, etc): It is not that it is not considered a priority, but that the ultimate goal of the Council is to promote compliance with the TFA and identify improvements in trade facilitation.

If no, explain future plan in this area.: To date it is not planned.

Promotion / Communication:

Communication channels to keep stakeholders informed of TF meetings: Through the Technical Secretariat which has among others the following functions:

- Prepare, together with the President, the agenda of the issues to be analyzed in each session and the respective minutes.
- Communicate the convening of the Council sessions.
- Keep the attendance record of the CONAFAC sessions.
- Participate in CONAFAC sessions with the right to voice but without vote.
- Request and ensure that the organs, entities and organizations provide the information required by it for each session.
- Coordinate the reception of information requested from CONAFAC members for each session.
- Collect, order, keep records, safeguard and systematize the documentation related to the work of CONAFAC.
- Support the President in the actions necessary for the proper execution of the agreements.
- Provide technical, administrative and logistical support to CONAFAC.
- Support and collaborate with the work of the Technical Commissions and Local Trade Facilitation Committees and request from them the information required by CONAFAC or its President and actions necessary for the proper execution of CONAFAC agreements.

Interface with other working groups/committees on similar issues: There is an Executive Commission that is responsible for analyzing in advance the issues to be addressed in each session of the Council, in order to facilitate decision-making.

In addition, each Technical Commission, through a technical coordinator, sends periodic reports to

CONAFAC on its management and progress on the assigned topic. From each meeting, the coordinator takes a minute on the agenda, the topics discussed, agreements reached and members present.

In the case of the Local Committees (when they begin to operate) who presides, they must send the reports and minutes of the meetings to the CONAFAC technical secretariat)

Undertake information sessions to stakeholders or general public: The agenda of each session is prepared by the Technical Secretariat, however any member can propose other topics to be incorporated into it. The Technical Commissions have specific work plans.

Benefits:

Impact: Improve inter-institutional coordination and coordinated border management.

Benefits for the country's responsiveness to the WTO negotiation process: -

Concrete operational outcomes: Normative proposals to facilitate trade and the articulation and coordination of the institutions that exercise controls at the points of entry and exit of the country.

Lessons learned:

Success factors: Inter-institutional coordination as well as public-private dialogue and coordination. Public participation occurs at all levels.

Greatest obstacles: The approval of the TFA took longer than expected in Costa Rica, given the decision to include in the same ratification law the creation of the National Committee. Its conformation and decision making delayed discussions in the Legislative Assembly.

Future plans:

Plans for further development: Comply with the goals established in the Annual Operating Plan and Four-Year Plan.

Contact information:

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