

Pursuant to Article 25.1 of the Order on Internal Organization and Classification of Positions in Ministries, Special Organizations, and Government Services (*Official Gazette of the Republic of Serbia*, Nos. 81/07 – Consolidated Version, 69/08, 98/12, 87/13 and 2/19),

The Government hereby enacts this

DECISION

Establishing the National Trade Facilitation Body

1. This Decision establishes the National Trade Facilitation Body (hereinafter ‘the NTFB’) for the purpose of comprehensive and effective facilitation of foreign trade of the Republic of Serbia and coordination of relevant authorities, the business community, and other foreign trade stakeholders.

2. The NTFB shall be tasked with:

- 1) Reviewing, directing, and coordinating the execution of trade facilitation commitments resulting from the process of accession to the World Trade Organization and application of the World Trade Organization Agreement on Trade Facilitation and other international trade agreements;
- 2) Contributing to the preparation and initiation of measures and activities aimed at enhancing and facilitating foreign trade and reviewing and contributing to plans for facilitating foreign trade and removing barriers to trade as proposed by Expert Groups of the NTFB, relevant Ministries, and the business community;
- 3) Directing cooperation between Ministries and other relevant bodies and organizations with regard to trade facilitation policy and coordinating the exchange of information pertaining to the import, export, and transit of goods;
- 4) Keeping the general public informed of trade facilitation plans and providing information and contact details for government authorities responsible for import, export, and transit controls;
- 5) Directing and coordinating other trade facilitation activities in accordance with best global practices and the needs of the business community.

3. [1] The following persons shall be appointed to the NTFB:*

[i] As Chair:

Stevan Nikčević, State Secretary of the Ministry of Trade, Tourism and Telecommunications;

[ii] As Vice-Chair:

Veselin Milošević, Acting Deputy Director/Coordinator of the Customs Administration of the Ministry of Finance;

[iii] As Secretary:

Tatjana Dinkić, Head of Unit at the Ministry of Trade, Tourism and Telecommunications;

[iv] As Deputy Secretary:

Aleksandra Ilić, Head of Division at the Customs Administration, Ministry of Finance;

[v] As members:

- 1) Snežana Karanović, Acting Assistant Minister of Finance;
- 2) Nebojša Milosavljević, Director of the Plant Protection Administration of the Ministry of Agriculture, Forestry and Water Management;
- 3) Smiljana Kovačević, Acting Assistant Director of the Customs Administration, Ministry of Finance;
- 4) Milanka Davidović, Head of Department at the Ministry of Agriculture, Forestry and Water Management;
- 5) Jelisaveta Milošević, Head of Department at the Directorate of Veterinary Medicine, Ministry of Agriculture, Forestry and Water Management;
- 6) Goran Stamenković, Acting Assistant Minister of Health;
- 7) Branislav Atanasković, Acting Secretary at the Ministry of Environmental Protection;
- 8) Nebojša Purić, police colonel, Deputy Head of the Border Police Directorate at the Ministry of the Interior;
- 9) Božana Lukić, Head of Section at the Ministry of Construction, Transportation and Infrastructure;
- 10) Ana Blagojević, Head of Unit at the Ministry of Trade, Tourism and Telecommunications;
- 11) Milan Dobrijević, Head of Department at the Ministry of Trade, Tourism and Telecommunications
- 12) Branko Paunović, Head of HR Department at the Medicines and Medical Devices Agency; and
- 13) Zoran Bakić, Head of Unit at the Ministry of Economy;

[vi] As deputy members:

- 1) Milka Živanović, Head of Department at the Ministry of Finance;
- 2) Dragoljub Brajović, Head of Department, Plant Protection Directorate, Ministry of Agriculture, Forestry and Water Management;
- 3) Aleksandra Tadić, Coordinator at the Customs Administration;
- 4) Tamara Đuričanin, Advisor at the Ministry of Agriculture, Forestry and Water Management;
- 5) Maja Nikolić, Directorate of Veterinary Medicine, Ministry of Agriculture, Forestry and Water Management;
- 6) Svetlana Mijatović, Head of Department, at the Ministry of Health;
- 7) Miroslav Rašković, Advisor, Ministry of Environmental Protection;

- 8) Milan Blanuša, police colonel, Head of Department for Border Checks, at the Border Police Directorate, Ministry of Interior;
- 9) Danijela Pršić, Independent Advisor at the Ministry of Construction, Transportation and Infrastructure;
- 10) Ivan Marković, Head of Unit at the Ministry of Trade, Tourism and Telecommunications;
- 11) Aleksandar Simić, Independent Advisor, Ministry of Trade, Tourism and Telecommunications;
- 12) Branislav Vujović, Head of Department, Medicines and Medical Devices Agency; and
- 13) Dejan Popović, Advisor at the Ministry of Economy.

[2] The Chair shall manage the NTFB, coordinate its members, and convene and chair its meetings.

[3] In the event of their absence, the Chair, members, and Secretary of the NTFB shall be deputized by their respective deputies.

[4] Heads and representatives of other government authorities, institutions, and other organizations able to contribute to the facilitation of foreign trade, and representatives of the business community, professional chambers and other associations, and academia, as well as other non-members of the NTFB, may be invited to attend meetings of the NTFB when issues from their respective remits are under consideration.*

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4. The NTFB shall establish Expert Groups tasked with considering particular issues and proposing solutions with the aim of facilitating foreign trade, removing barriers to trade, streamlining and modernizing customs procedures and import, export, and transit controls; and simplifying and eliminating formalities, with the active involvement and attendance of interested members of the business community, professional chambers and other associations, other entities that exercise public powers, academic institutions, and other organizations able to contribute to the facilitation of foreign trade.

5. Technical and administrative support to the NTFB shall be provided by the Ministry tasked with issues of foreign trade, in cooperation with the Customs Administration.

6. The NTFB will adopt its Rules of Procedure within 30 days of the entry into force of this Decision.

7. The NTFB shall meet as and when required, and at a minimum twice every year.

8. The NTFB shall submit a regular annual operating report to the Government at the latest by 31 March of the following year, and shall also submit additional reports as and when required.

9. This Decision shall enter into effect on the eighth day from the day of its publication in the *Official Gazette of the Republic of Serbia*.

05 No:

Done at Belgrade, this day of October, 2017

THE GOVERNMENT

PRIME MINISTER
Ana Brnabić

STATEMENT OF REASONS

I Legal grounds for the enactment of the Decision

The legal grounds for the enactment of this Decision are contained in Article 25.1 of the Order on Internal Organization and Classification of Positions in Ministries, Special Organizations, and Government Services (*Official Gazette of the Republic of Serbia*, Nos. 81/07 – Consolidated Version, 69/08, 98/12, and 87/13), which stipulates that the Government may enact decisions to establish coordinating bodies to direct the execution of particular duties from the remits of multiple Ministries and special organizations.

II Reasons for the enactment of the Decision

Article 23.2 of the WTO Trade Facilitation Agreement requires WTO members to establish national trade facilitation committees. The Trade Facilitation Agreement entered into effect on 22 February 2017 following its ratification by two-thirds of the 164 WTO members, whereupon it also became binding on acceding countries, including Serbia. As such, a national trade facilitation body became a prerequisite for Serbia's accession to the WTO.

As it is a fundamental aim of Serbia to join the WTO and the EU, the alignment of national legislation – including regulations governing foreign trade – with EU law and WTO rules is a key priority for Serbian authorities.

Moreover, parties to CEFTA have undertaken to apply WTO rules regardless of their membership in the WTO, in particular by subscribing to the CEFTA Joint Declaration Concerning the Application of WTO Rules and Procedures. Application of the WTO Trade Facilitation Agreement and its requirement for a national trade facilitation body are also mandatory for Serbia under CEFTA. The need to facilitate trade and apply the rules and principles of the WTO Trade Facilitation Agreement within CEFTA received particular emphasis and currency in May 2017 with the enactment of CEFTA Additional Protocol 5 on Trade Facilitation. Protocol 5 also envisages institutional mechanisms to coordinate trade facilitation at the regional level. The issue of facilitating regional trade again came to the fore during the Serbian presidency of CEFTA in 2017.

A key objective considered in the enactment of this Decision was the streamlining and acceleration of customs and other procedures in the import, export, and transit of goods so as to facilitate cross-border trade and reduce the associated costs.

The resolution of ongoing problems faced by the private sector in importing and exporting goods requires a functional mechanism for coordination between public authorities, but such a forum has to date been lacking. The creation of the NTFB under this Decision remedies this problem by providing an efficient means of public-private coordination that will be useful in enhancing and streamlining customs and other regulatory and control procedures.

The efficiency of imports and exports procedures does not depend only on legislation but also on the ability and capacity of all relevant authorities to complete these procedures as quickly as possible. The weakest link determines the strength of the entire regulatory chain. Notwithstanding the differences in their respective remits, all authorities are faced with similar problems (risk assessment, consistent application of rules, lack of human resources and IT support, etc.),

platforms such as the NTFB may also serve as venues for exchanging best practices between government bodies in their endeavors to find the most effective means to address these issues.

Serbia currently does not systematically monitor trade policy and its application, so operating reports of the NTFB will be useful as sources of information for evaluating and, as needed, amending trade policy.

The business community, as well as professional chambers and associations of logistics and freight forwarding companies, have expressed particular interest in the NTFB. These stakeholders have already drawn up lists of issues encountered by their members that could be addressed more efficiently through appropriate coordination of all public authorities. Foreign donors active in Serbia, the region, and globally have also voiced support for the NTFB; these have been providing support to a variety of countries in aligning their frameworks with the WTO Trade Facilitation Agreement.

In the region, national trade facilitation bodies have already been set up by Montenegro, Macedonia, and Albania.

The proponent of the Decision was motivated to initiate its enactment by the need to continuously improve and facilitate procedures for the import, export, and transit of goods and ensure efficient coordination of all authorities in applying these procedures in practice, with the ultimate aim of promoting the competitiveness of the economy.

III Explanation of key features and individual provisions

Point 1 of the proposed Decision establishes the NTFB and defines its objectives.

Point 2 of the proposed Decision stipulates the mandate of the NTFB, which includes reviewing, directing, and coordinating the execution of trade facilitation commitments resulting from the process of accession to the World Trade Organization and application of the World Trade Organization Agreement on Trade Facilitation and other international trade agreements, and contributing to the preparation and initiation of measures and activities aimed at enhancing and facilitating foreign trade and reviewing and contributing to plans for facilitating foreign trade and removing barriers to trade. The NTFB is also tasked with directing cooperation between Ministries and other relevant bodies and organizations with regard to trade facilitation policy and coordinating the exchange of information pertaining to the import, export, and transit of goods and keeping the general public informed of trade facilitation initiatives.

Point 3 of the proposed Decision appoints the Chair, Vice-Chair, Secretary, Deputy Secretary, members, and deputy members of the NTFB. The NTFB is proposed to be chaired by the State Secretary of the Ministry of Trade, Tourism and Telecommunications, with the Deputy Director/Coordinator of the Customs Administration of the Ministry of Finance as the Vice-Chair. The membership is to comprise senior executives of government authorities responsible for enacting regulations and enforcing controls on the imports, exports, and transit of goods. The NTFB is proposed to be made up of operational officers of all authorities that carry out import and export controls, including the Ministry of Finance; Customs Administration; Ministry of Trade, Tourism and Telecommunications; Ministry of Agriculture, Forestry and Water Management; Plant Protection Administration; Veterinary Medicine Administration; Sanitary Inspection; Ministry of Health; Medicines and Medical Devices Agency; Ministry of Construction,

Transportation and Infrastructure; Product Quality and Safety Unit at the Ministry of Economy; and Border Police Directorate of the Ministry of Interior. As and when needed, officers of other public authorities, institutions, and organizations may be invited to take part in meetings of the NTFB when issues from their respective remits are under consideration.

Point 4 of the proposed Decision stipulates that the NTFB is to establish Expert Groups tasked with considering particular issues and proposing solutions with the aim of facilitating foreign trade, removing barriers to trade, streamlining and modernizing customs procedures and import, export, and transit controls; and simplifying and eliminating formalities, with the active involvement and attendance of interested members of the business community, professional chambers and other associations, other entities that exercise public powers, academic institutions, and other organizations able to contribute to the facilitation of foreign trade.

Point 5 of the proposed Decision stipulates that technical and administrative support to the NTFB is to be provided by the Ministry tasked with issues of foreign trade, in cooperation with the Customs Administration.

Point 6 of the proposed Decision requires the NTFB to adopt its Rules of Procedure that will govern its procedures and operation. These Rules of Procedure are to be enacted within 30 days of the publication of the Decision.

Points 7 and 8 stipulate that the NTFB is to meet as and when required, and at a minimum twice every year, and provide a time limit for periodic reporting by the NTFB to the Government.

Point 9 stipulates that the Decision is to enter into effect on the eighth day from the day of its publication in the *Official Gazette of the Republic of Serbia*.

IV Funds for execution

No additional funds need be secured in the national budget for the execution of this Decision.