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After nearly 10 years of talks, WTO Members concluded negotiations on the WTO Trade Facilitation Agreement (TFA) at the Ninth Ministerial Conference held in Bali, Indonesia in December 2013. The objective of this Agreement is to boost global trade by expediting the movement, release and clearance of goods, including goods in transit.
WHY IS THE TFA GOOD FOR MY COUNTRY?

The TFA has a huge potential to reduce trade costs thereby boosting trade between countries and raising world income.

Developing countries are expected to see the biggest gains since they currently face some of the largest procedural obstacles. Studies suggest that their trade cost will fall by 13% to 15%. Households will gain access to a greater variety of goods. For companies, it means inputs at lower cost and better entry to foreign markets.

OECD studies\(^1\) find that implementation of the TFA could reduce worldwide trade costs by between 12.5% and 17.5%. Developing country exports are expected to grow by between 14% and 22% while becoming more diversified. Companies are more likely to become more profitable which should encourage domestic investment. In addition, foreign direct investment is likely to be attracted to countries that fully implement the TFA. Finally, increased trade means better employment prospects for workers and greater revenue collection by the government.

The Trade Facilitation Agreement will enter into force once two-thirds of Members have domestically ratified a Protocol of Amendment and notified the WTO of their acceptance of this Protocol. This Protocol of Amendment, which was officially opened for acceptance on November 27, 2014, will insert the Agreement on Trade Facilitation into the WTO Agreement.
Section I:
The Trade Facilitation Agreement contains approximately 40 measures set out in 12 Articles.

These are the new border-related procedures, processes and other obligations that governments will be required to implement. They will provide transparency of laws, rules and procedures, fairness in border agency decisions, streamlined clearance procedures, and help reduce administrative constraints on transit.

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| Art. 4 | Procedures for appeal or review |

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2 Protocol of Amendment and Trade Facilitation Agreement can be found at WTO document symbol (WT/L/940).
Art. 5
Other measures to enhance impartiality, non-discrimination and transparency

5.1 Notifications for enhanced controls or inspections
5.2 Detention
5.3 Test Procedures

Art. 6
Disciplines on fees and charges

6.1 General Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation
6.2 Specific Disciplines on Fees and Charges for Customs Processing Imposed on or in Connection with Importation and Exportation
6.3 Penalty Disciplines

Art. 7
Release and Clearance of Goods

7.1 Pre-arrival Processing
7.2 Electronic Payment
7.3 Separation of Release from Final Determination of Customs Duties, Taxes, Fees and Charges
7.4 Risk Management
7.5 Post-Clearance Audit
7.6 Establishment and Publication of Average Release Times
7.7 Trade Facilitation Measures for Authorized Operators
7.8 Expedited Shipments
7.9 Perishable Goods

Art. 8
Border Agency Cooperation

Art. 9
Movement of goods intended for import under customs control
Art. 10
Formalities connected with importation, exportation and transit

10.1 Formalities and Documentation Requirements
10.2 Acceptance of Copies
10.3 Use of International Standards
10.4 Single Window
10.5 Pre-shipment Inspection
10.6 Use of Customs Brokers
10.7 Common Border Procedures and Uniform Documentation Requirements
10.8 Rejected Goods
10.9 Temporary Admission of Goods and Inward and Outward Processing

Art. 11
Freedom of transit

Art. 12
Customs Cooperation

Although many provisions apply only to the customs administration, the majority of provisions apply to all border agencies that deal with trade in goods. None of the measures are new—all are being used with success in various countries around the world. They not only benefit trade but can also lead to more effective, efficient and modern government practice.
**Section II:**
Special provisions for developing and least developed countries.

There are special provisions that allow developing and least developed country (LDC) members to implement the Agreement at their own pace. Each member will determine when it will implement each of the technical provisions, and, it can identify provisions that it will only be able to implement upon the receipt of technical assistance and support for capacity building.

**Category A, B, C Notifications**
To benefit from SDT, a Member must notify the other WTO Members of when it will implement each trade facilitation measure using the categories below. The Agreement sets out timelines for these notifications.

**Category A**
provisions that the member will implement by the time the Agreement enters into force (or in the case of a least-developed country member within one year after entry into force).

**Category B**
provisions that the member will implement after a transitional period following the entry into force of the Agreement.

**Category C**
provisions that the member will implement on a date after a transitional period following the entry into force of the Agreement and requiring the acquisition of assistance and support for capacity building.
Figure 1: Developing Countries Notification for all categories of provisions

- **Entry into Force of TFA**: Notify A,B,C categories & indicative implementation dates for categories B&C
- **CAT B**: Notify definitive dates for implementation of Cat. B provisions
- **CAT C**: Member and Donor inform of TACB arrangements
- **1 YEAR**: CAT B
- **2 YEARS**: CAT B
- **2,5 YEARS**: CAT C

*Entry into force of TFA when 2/3 of Members ratify. Obligations for an individual country will only commence once this country completes its ratification process as well.*

Figure 2: LDCs Notification for all categories of provisions

- **CAT A-B-C**: Notify: A,B,C Categories
- **CAT B**: LDCs may notify indicative implementation dates for category B
- **CAT B**: Notify definitive dates of implementation for Cat. B provisions
- **CAT C**: Inform TF Committee on progress in provision of assistance and notify definitive dates

*Entry into force of TFA when 2/3 of Members ratify. Obligations for an individual country will only commence once this country completes its ratification process as well.*
This section establishes a permanent committee on trade facilitation at the WTO. It requires Members to have a national committee to facilitate domestic coordination and national implementation of the Agreement. It also contains provisions related to the overall implementation of the Agreement.
TRADE FACILITATION IN ACTION

In one landlocked African country only 43% of truck transport time along its trade corridors is spent moving; the rest is time spent waiting at border crossings, road blocks, or resting.

Removing the administrative bottlenecks can have powerful effects on reducing trade time and costs.

This has been evidenced by a manufacturer in Uganda:

“Nice House Plastics saves approximately US $150 per day for 25 containers as a result of time savings from reduced examination and inspection of goods and acceptance of pre-arrival import declaration. Additionally, we used to spend USh 10 million to clear our cargo, this cost has come to zero. We used to adjust our prices every month prior to becoming an AEO. But now, we have not adjusted our prices for the last year because our cost of doing business has remained stable.”

Nice House Plastics, Uganda
(Uganda benefits from support from Trade Mark East Africa).
WITNESSING SUCCESS

Some 45 case studies showing the benefits resulting from the implementation of various measures of the Trade Facilitation Agreement were submitted to the WTO for the Aid for Trade (A4T) 2015 Global Review.

A few examples can be found here:

**Publication**
Lao PDR launched a Trade Portal in 2012 that publishes all trade-related laws, regulations, procedures and fees in the public domain. As a result of this improved transparency, clearance times for goods by non-customs agencies fell from 5 days in 2009 to 2.9 days in 2012 – a 42% decrease.

(Supported by Australia, the European Union, Germany, Ireland, and the United States and supported by the World Bank.)

**Border Agency Cooperation**
An Integrated Check Post (ICP) in India provides one-stop integrated facilities. According to traders this ICP has significantly reduced costs and clearance time. The ICP can now handle 10 times the number of trucks a day which has led to an increase of imports to US$ 292 million in 2012-2013, up from US$ 161 million in 2011-12; and an increase in exports to US$ 509 million from 229 million during the same time periods. Pakistan is also implementing an ICP on the other side of the same border.

(Researched by CUTS International.)
WITNESSING SUCCESS

Single Window

Peru
• A saving of $70 for each transaction
• More than 23,000 exporters and importers have used the Single Window.
• A saving of more than $30 million by traders that no longer need to travel to multiple agencies to file documents.
• A saving of more than 9 million pages that did not need to be printed – a great saving to the environment.

(Supported by the European Union, the Development Bank of Latin America and the Inter-American Development Bank.)

Kenya
TradeNet enables traders to track, clear and move goods across borders much faster, easier and cheaper through a simplified cargo clearance process. The expected annual savings to the Kenyan economy is US$ 150 to 250 million during the first three years. This is expected to increase to US$300-450 million annually in subsequent years.

(Kenya Revenue Authority.)
Rwanda

Rwanda (also accessible to other Customs Authorities and customs brokers within the East African Community)

- Reduced the time taken to clear goods from 34 hours in 2010 to 23 hours in 2014 – a 32% improvement.
- Reduced costs to importers from $350 per declaration to $243 – a 30% drop worth an estimated $2 million annually.
- Generates net savings of some $18 million per year.

(Supported by TradeMark East Africa.)

Togo

“The Single Window is part of our strategy to attract more international trade, reinforce the local economy and improve our position in the World Bank’s competitive index, Doing Business.”

Togo Ministry of Trade and Private Sector Promotion
(Supported by multiple donors)
A wide range of outcomes and positive impacts were reported in the 45 A4T case studies. A summary of the most frequently reported is shown here.

**Top Outcomes:**
- Reduced customs clearance times
- Reduced other border agency clearance times
- Reduced costs of customs clearance

**Top Impacts:**
- Increased foreign investment
- Export market diversification
- Increased domestic investment
- Increase in consumer welfare
- Increase in employment

The case stories can be found at: [http://www.oecd.org/aidfortrade/casestories](http://www.oecd.org/aidfortrade/casestories)
“Through this Facility we will enhance WTO technical assistance programs, support coordination between donors and recipients, and provide a source of funding for countries that are not able to access the assistance they require.

Director-General Roberto Azevêdo
TFAF launch event, 2014

"
THE TRADE FACILITATION AGREEMENT FACILITY (TFAF)

Assistance for developing and LDC country Members
The WTO Trade Facilitation Facility (TFAF) was launched on 22 July 2014, and it became operational on 27 November 2014. The TFAF was created at the request of developing and least-developed members with the aim to support the implementation of the Agreement on Trade Facilitation (TFA). It is through the full implementation of the TFA that developing and least-developed members will attain the maximum benefits of this Agreement.
THE TFAF’S RESPONSIBILITIES AND ACTIVITIES

Providing support and assistance through
• National needs assessments
• A, B, C categorization support
• Thematic workshops
• Development and publication of training materials
• E-learning programs

Finding implementation support
• TFA assistance tracking
• Development of partner outreach
• Bilateral consultations
• In-country and/or regional consultations

Outreach
• Participation in external events
• Participation in an annual WTO roundtable

Promoting coherence
• Regular meetings with donors & international and regional organizations
• Publication of donor programs and TF support activities on the TFAF website

Grants
• Project preparation
• Project implementation

The TFAF is operated, managed, and monitored by the WTO Secretariat.
EXPERIENCE-SHARING

The TFAF website also serves as a database for experience-sharing. The Trade Facilitation Agreement Overview and Resources pages gather case studies on best practices in the implementation of the trade facilitation measures. You can also find links to training materials and other useful information on these pages.

Each article of the TFA is explained on the Trade Facilitation Agreement Overview page. This includes: summary notes, the legal text, as well as case studies. All fields expand to show more information.

Example:
Case studies relevant to Article 10 on the Trade Facilitation Agreement Overview page

TFA articles and case studies:
http://www.tfafacility.org/trade-facilitation-agreement-facility
Experience-sharing

On this page you can find case studies grouped by article, general case studies, implementation guides, brochures, articles, and links to Trade Facilitation indicators.

Case studies and other resources:
http://www.tfafacility.org/media-resources/case-studies
The WTO Secretariat regularly meets with donors and organizations to gather information on TF assistance programs.

Detailed information on TF-related support programs:

http://www.tfafacility.org/implementation-support
Developing and least developed country members may require help to implement the provision of the TFA. WTO donor members and international organizations have committed to providing this support.

The TFAF works closely with donor members and organizations to promote cooperation and coherence. It will also maintain close contact with developing and least-developed members to make sure they are finding the support they need.

One of the main features of the TFAF website is its directory of information of the technical assistance and capacity building support programs offered by our donor members’ partner and organizations.
ENHANCING EFFECTIVENESS

The TFAF aims to complement existing support programs, enhance their effectiveness, and ensure the best possible conditions for the flow of information between donors and recipients.

National contact points for developing and least-developed members are available on the website to aid the matchmaking process.

National Contact Points:
www.tfafacility.org/national-contact-points
IMPLEMENTATION SUPPORT

In addition to serving as a one-stop shop for TF-related technical assistance and implementation information, two types of grants will be available through the TFAF for developing and least-developed members.

Members notifying Category C commitments may apply for these grants where no other funding source is available to meet their needs.

PROJECT PREPARATION GRANTS OF UP TO US$ 30,000
PROJECT IMPLEMENTATION GRANTS OF UP TO US$ 200,000

NOTE:
Information on the application process and conditions of the TFAF grants will be available on the website in due course.
The TFAF website’s homepage features a map highlighting members that have notified their Categories A, B, and C, as well as a map highlighting members that have deposited their Instruments of Acceptance notifying their ratification of the TFA.

The list of notifications and ratifications can also be downloaded.
"The TFAND database is a repository of notifications received from WTO Members under the Trade Facilitation Agreement. It also disseminates information about the status of the ratification process."
THE TFAND IS:
A SIMPLE AND USER-FRIENDLY DATABASE THAT ALLOWS USERS TO SEARCH, FILTER, AND ANALYZE THE TFA NOTIFICATIONS THAT HAVE BEEN RECEIVED

THE TFAND WILL:
PROVIDE AN EXPORTABLE STATISTICS FUNCTION FOR USERS TO RETRIEVE TFA NOTIFICATIONS-RELATED DATA

HELP MEMBERS TRACK AND PREDICT THE TFA’S ENTRY INTO FORCE TIMELINE, SO THAT THEY CAN PLAN THEIR IMPLEMENTATION PROCESSES ACCORDINGLY

http://tfand.wto.org