



COMMENTS ON THE FIRST REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE TRADE FACILITATION AGREEMENT (G/TFA/W/41/REV.1)

COMMUNICATION FROM THE EUROPEAN UNION

The following communication, dated 4 October 2021, is being circulated at the request of the delegation of the European Union.

The European Union has made comments on the First Review of the Operation and Implementation of the Trade Facilitation Agreement (G/TFA/W/41/Rev.1). The comments consist of amendments to EU initial proposed text; proposed new text to replace initial specific comments; and other additional comments. All comments are in blue.

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## 1 INTRODUCTION

1.1. The First Review of the Trade Facilitation Agreement (TFA, the Agreement, TF Agreement) is being carried out in 2021 in accordance with the mandate under Article 23.1.6 of the Agreement. Article 23.1.6 provides that "[t]he Committee shall review the operation and implementation of this Agreement four years from its entry into force, and periodically thereafter".

1.2. While the mandate in Article 23.1.6 stipulates that the review period starts from the entry into force of the Agreement, in order to capture all notifications submitted by Members, the notification data contained in this factual report covers the period from 1 January 2014 to [31 October] 2021.

1.3. Otherwise, this report covers the period from 22 February 2017 to [31 October] 2021.

1.4. At its meeting of 3 March 2021, the Committee on Trade Facilitation (TF Committee, Committee, TFC) adopted a calendar and procedure to undertake the First Review<sup>1</sup>, which included the circulation of a first draft factual section of the review. Accordingly, this document provides information regarding the implementation and operation issues of the Agreement, as determined by Members during the review period.

1.5. The document is structured according to Sections I, II and III of the Agreement. It also includes quantitative information on the submitted notifications, a description of the thematic and experience sharing sessions, written submissions by Members and other issues relevant to each Section of the Agreement.

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<sup>1</sup> [G/TFA/1](#).

**Proposed textual edit to the factual report from the European Union**

Insert the following text:

"The TFA entered into force on 22 February 2017; Developing Countries and Least Developed Countries Members have used the innovations that this Agreement provides. **By and large**, Members concerned (except a few that have not yet ratified the Agreement) notified their categorization of commitments in a timely manner. This is a remarkable achievement, given the very specific and new modalities of Section II of the Agreement. **It is worth noting the specific challenges faced by LDCs<sup>2</sup>**. Developing Countries Members also notified the definitive deadlines for their category B and C commitments - while LDCs have until 22 August 2022 to notify their definitive dates for implementation of their category C commitments. Based on the timelines notified by Members, at the time of the finalization of this report, about [xx]% of the provisions of the Agreement are implemented.

The next challenge **that several members stressed during the meetings is to find the appropriate means to** review and monitor the implementation of the commitments of category A, B and C that are already due for implementation (notably, **but not only** on transparency) and those that will be due in the years to come. To facilitate this monitoring of the commitments that are due this year (**2021**) and next year, the WTO Secretariat has produced a document (G/TFA/INF/1) that lists all definitive implementation dates until the end of 2022. **It is understood that the WTO Secretariat** will keep updating this document. **In addition, proposals were made specifically with regards to transparency notifications (G/TFA/W/47/Rev.1) and with regards to implementation of category B and C commitments (G/TFA/W/46).**

The COVID-19 pandemic has represented an unprecedented challenge for all Members' Customs procedures that had to be adjusted to ensure **in particular** a smooth flow of essential/**critical** goods. The pandemic **in several instances led to** advancing the digitization of forms, **certificates and documents** required for customs, **it showed the importance of measures like reduction of fees and charges, e-payments, clearance procedures to facilitate trade, risk management, ease of transit**, and highlighted the importance of cooperation among border agencies and between Members' **customs**, as well as the need for transparency regarding custom procedures and rules, tariffs and other trade measures **be they temporary or permanent**. These elements are only an illustration of the many tools needed to cope with the crisis, which were presented by Members, international organisations and observers, who shared their experiences during the informal sessions of the TFC (see the compendium of measures – document series **G/TFA/W/40**). One key finding, **stressed by several Members** is that COVID-19 led to an acceleration of TFA implementation for a large number of Members (**see document series G/TFA/W/25**), and that the TFA implementation has become even more important to help Members address the challenges brought by this pandemic, as well as the needs arising from new means of trading (such as e-commerce)."

<sup>2</sup> **This is a placeholder for LDCs to insert their input as suggested during the informal TFC meeting of 22 September 2021 and based on their contributions such as G/TFA/W/58 and G/TFA/W/59.**

G/TFA/W/65

*Proposal under consideration by the CTF*

**Proposed textual edit to the factual report from the Landlocked Developing Countries**

Present comparative trade (export and import) data based on the different groups of countries such as developed, developing, LLDCs and LDCs from the year 2017 to 2020. This would be essential for the general understanding of the relation between TFA implementation and a global trade scenario in different groups of Members.

[G/TFA/W/53](#), para. 1 and [G/TFA/W/65](#)  
*Proposal under consideration by the CTF*

## 2 SECTION I OF THE TFA

### A FACTUAL INFORMATION

#### 2.1 Notifications under Section I of the TFA

2.1. The TFA requires Members to notify the Committee of the following: the publication of information for governments and traders on import, export and transit procedures (Article 1.4); the details of operation of their single window (Article 10.4.3); the use of customs brokers (Article 10.6.2); and details of the contact point for the exchange of customs information (Article 12.2.2).

#### **Proposed textual edit to the factual report from the European Union**

Insert the following text:

These obligations that are called "transparency obligations" under Article 1.4 de facto have to be regularly updated for the parts of these provisions that consist in notifying the websites where information is - if/when websites of administrations or contact points change. Several Developing countries and LDCs have notified these commitments as category A or as category B. Many developing countries and LDCs have categorised these commitments as category C. Regarding LDCs, the definitive date for implementing category C commitments is August 2022, but in some cases, Members accelerated implementation and notified.

EU comment: Regarding LDCs and LLDCs, in this paragraph there may be room for adding specific lessons learnt as to the value and importance of transparency notifications and the challenges to do these notifications. LDCs could provide additional comments based on their contribution in document G/TFA/W/58, in particular.)

At the time of finalising this report, the situation is as follows:

EU comment: to insert a table or text, as Members prefer, and the Secretariat would insert the latest figures available

[x] Developing Countries category A commitments for the provision 1.4 are to be notified

[x] Developing countries category B commitments whose date passed for the provision 1.4 are to be notified

[x] Developing countries category A commitment for the provision 10.4.3 are to be notified

[x] Developing Countries category B commitments whose date passed for the provision 10.4.3 are to be notified

[x] Developing Countries category A commitments for the provision 10.6.2 are to be notified

[x] Developing countries category B commitments whose date passed for the provision 1.0.6.2 are to be notified

[x] Developing countries category A commitment for the provision 12.2.2 to be notified

[x] Developing Countries category B commitments whose date passed for the provision 12.2.2 have to be notified

It is worth noting that the CTF regularly reports to the CTG on the state of implementation of these above mentioned "transparency" notifications (C/L/223/Rev.28). In order to facilitate Members' review of their commitments regarding these notifications, the Russian Federation proposed in document G/TFA/W/47 an initiative which is embodied in document G/TFA/W/47/Rev.1 following co-sponsorship by the EU.

G/TFA/W/65

*Proposal under consideration by the CTF*

#### **Proposed textual edit to the factual report from the European Union**

~~Indicate the number of new notifications and to separate that figure from the notifications of mere updates of broken links.~~

~~Due notifications should be reported as well (category A commitments and category B commitments, where the date notified for implementation has passed) as was done under agenda item 1.2 at the TFC meeting of 22-23 June.~~

[G/TFA/W/49](#), para. 11

G/TFA/W/65

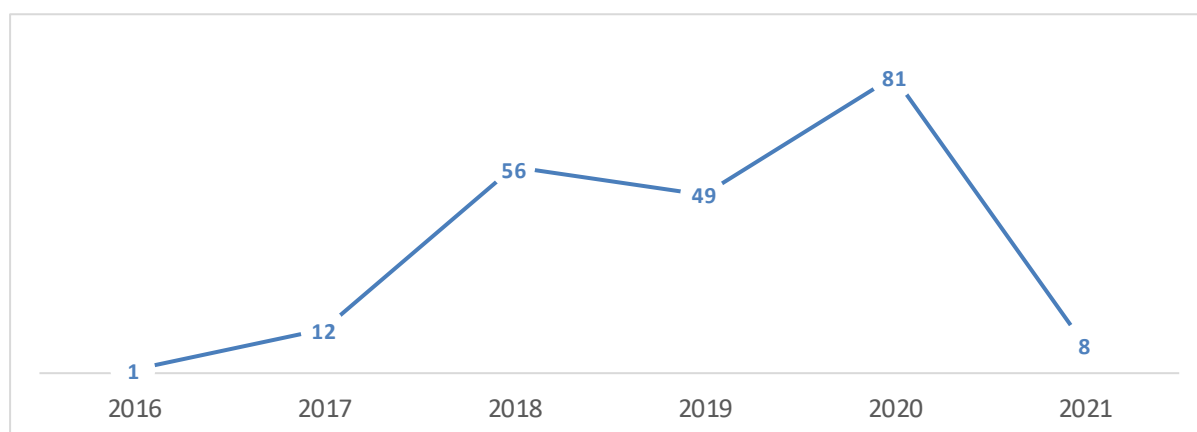
*Proposal under consideration by the CTF*

2.2. Chart 1 shows the number of notifications received per calendar year over the period from 01 January 2016, (when the first transparency notification was made) to [31 October] 2021.<sup>2</sup> In total, [xx]<sup>3</sup> transparency notifications were submitted over this period.

**EU comment:** *The EU is of the view that such information may be confusing or misleading as what matters is what has been done compared to what Members committed to. In addition, such a chart does not separate amendments and updates of notifications to new notifications. This comment also applies to Table 1 and Chart 2 below.*

G/TFA/W/65  
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**Chart 1: Number of transparency notifications received per year**



Source: Trade Facilitation Agreement Database (<http://www.tfadatabase.org>).

2.3. The cumulative distribution of the transparency notifications submitted by Members is displayed in Table 1.

**Table 1: Cumulative break-down of transparency notifications submitted by percentage**

**EU comment:** *See comment in paragraph 2.2 above.*

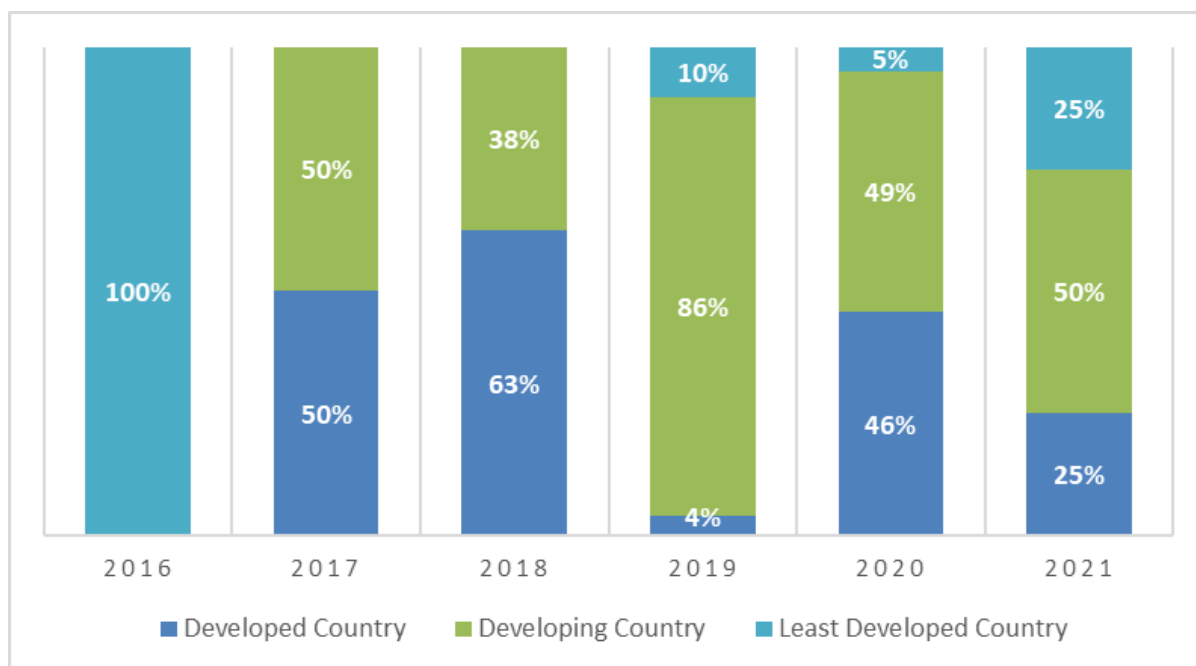
G/TFA/W/65  
Proposal under consideration by the CTF

Article	Notification	Percentage
Article 1.4	Publication of information for governments and traders on import, export and transit procedures	27%
Article 10.4.3	Details of operation of the single window	22%
Article 10.6.2	Use of customs brokers	27%
Article 12.2.2	Contact point for the exchange of customs information	25%

2.4. Chart 2 shows the percentage of transparency notifications submitted per Member grouping per year.

<sup>2</sup> The data reflects the total number of transparency notifications received, including notifications to update information previously submitted, and not the number of Members that submitted transparency notifications.

<sup>3</sup> [xx] as it appears in the paper indicates that the final data is to be inserted at the conclusion of the review.

**Chart 2: Percentage of transparency notifications received per Member grouping per year****EU comment:** See comment in paragraph 2.2 above.G/TFA/W/65  
Proposal under consideration by the CTFSource: Trade Facilitation Agreement Database (<http://www.tfadatabase.org>).**Proposed textual edit to the factual report from the European Union**

~~The part of the document Updating of the listing of notification obligations and the compliance therewith as set out in Annex III of the report of the working group on notification obligations and procedures (G/L/223/Rev.28) dedicated to the TFA should be duly mentioned in the report on the four year review.~~

~~(Note: relevant for notifications under Sections I and II of the TFA)~~

**EU comment:** This information was placed in earlier paragraphs with text proposed by the EU.

G/TFA/W/49, para. 14  
G/TFA/W/65  
Proposal under consideration by the CTF**2.2 Experience sharing exercise/thematic discussions**

2.5. The first experience-sharing exercise/thematic discussion took place during the fourth meeting of the Committee, held on 2-3 May 2018. Thereafter, it remained as an agenda item for each subsequent Committee meeting. During the review period, a total of [xx] experience-sharing exercises took place in relation to provisions under Section I of the TFA. The sharing of experiences by Members took various formats: thematic discussions, cross-cutting issues, and presentations on specific TFA provisions.

**Proposed textual edit to the factual report from the European Union**

Insert the following text:

The COVID-19 pandemic prompted Members to intensify their experience sharing on this particular challenge that customs had to face during 2020 and most of 2021. The EU proposal that the WTO Secretariat prepares a compendium of the reported experiences was adopted. The compendium (document G/TFA/W/40/Rev.[x]) is attached as Annex [x].

G/TFA/W/65

*Proposal under consideration by the CTF*

2.6. The experience-sharing sessions included the participation of the following international organizations, which comprise some of the so-called "Annex D+ partner organizations": the World Bank Group (WBG), World Customs Organization (WCO), the Organization for Economic Cooperation and Development (OECD), the United Nations Conference on Trade and Development (UNCTAD) and the International Trade Centre (ITC). The Global Alliance for Trade Facilitation (GATF), a public-private partnership dedicated to international trade facilitation<sup>4</sup>, and the Standards Trade and Development Facility (STDF) a multi-partner initiative<sup>5</sup>, also participated in the experience-sharing sessions. The list of presentations is contained in Annex 1, Table 1.

2.7. In total, [18] Members shared their implementation experience with regard to six TFA articles as follows: Article 1: Publication and Availability of Information (2 Members); Article 2: Opportunity to Comment, Information Before Entry Into Force, And Consultations (2 Members); Article 3: Advance Rulings (5 Members); Article 7: Release and Clearance Of Goods (7 Members); Article 10: Formalities Connected With Importation, Exportation And Transit (8 Members); Article 11, and Freedom of Transit (6 Members). See Table 2. A number of Members also made presentations on cross-cutting issues, which are listed in Table 3.

**Proposed textual edit to the factual report from the European Union**

Edit last sentence of para. 2.7 as follows:

"A number of Members also made presentations on cross-cutting issues, **including COVID-19 challenges**, which are listed in Table 3."

G/TFA/W/65

*Proposal under consideration by the CTF***Table 2: Experience-sharing presentations by Members on Section I provisions**

Member	Title	Committee meeting
<b>Article 1: Publication and Availability of Information</b>		
Ecuador	<a href="#">Publication and availability of information</a> (in Spanish only)	11 February 2020
Eswatini, Kingdom of	<a href="#">Trade Facilitation Programme and Trade Facilitation Information Portal ETIP</a>	20-22 October 2020
Jamaica	<a href="#">Jamaica's Trade Information Portal</a> <a href="#">Jamaica's Trade Facilitation Programme</a>	15-16 October 2019
United States	<a href="#">GTFAW13 - Developing the Article 1.4 notification</a>	25-26 June 2019
<b>Article 2: Other Measures to Enhance Impartiality, Non-discrimination and Transparency</b>		
European Union	<a href="#">EU implementation of Article 2 of the TFA</a>	26 June 2018
United States	<a href="#">The Role of Notice and Comment And Related Administrative Procedures in Trade Facilitation Implementation</a> <a href="#">GTFAW6</a>	26 June 2018

<sup>4</sup> The Global Alliance is led by the Center for International Private Enterprise, the International Chamber of Commerce and the World Economic Forum, in cooperation with Gesellschaft für Internationale Zusammenarbeit (GIZ). It is currently funded by the governments of the United States, Canada, Germany, Denmark and Australia.

<sup>5</sup> The STDF grew out of a joint communiqué issued by the Heads of FAO, OIE, WBG, WHO and WTO at the Doha Ministerial Conference in November 2001. It is hosted by the WTO Secretariat, supporting increased capacity of developing countries to implement international SPS standards, guidelines and recommendations.

Member	Title	Committee meeting
<b>Article 3: Advance Rulings</b>		
Australia	<a href="#">Australia Advance Rulings - Presentation GTFAW11 - Australia's experience with Advanced Rulings</a>	12-13 February 2019
Japan	<a href="#">Advance Rulings - Japan's experience</a>	12-13 February 2019
Singapore	<a href="#">Singapore - Advance Rulings</a>	9-11 October 2018
Ukraine	<a href="#">Advanced rulings</a> <a href="#">Advanced rulings - key points</a>	11 February 2020
United States	<a href="#">Speaking points - The role of advance rulings and administrative procedures in TFA implementation GTFAW7 - The role of advance rulings and administrative procedures in TFA implementation</a>	9-11 October 2018
<b>Article 7: Release and Clearance of Goods</b>		
Australia	Australia's Authorized Economic Operator (AEO) Program - Australian Trusted Trader <a href="#">GTFAW9</a> <a href="#">Video: Australian Trusted Trader - an overview</a>	9-11 October 2018
Brazil	<a href="#">Brazil's AEO programme</a>	9-11 October 2018
	<a href="#">Time release study</a>	22-23 March 2021
Cambodia	<a href="#">Shifting Category C to B - Article 7.9 Perishable goods</a>	22-23 April 2021
China	<a href="#">China's AEO programme</a>	9-11 October 2018
European Union	<a href="#">The EU Authorised Economic Operator AEO Programme</a>	9-11 October 2018
Guatemala	<a href="#">Guatemala's AEO programme - Presentación del programa de operador económico autorizado en Guatemala</a>	9-11 October 2018
	<a href="#">Estudio de tiempos de despacho</a>	20-22 October 2020
Hong Kong, China	<a href="#">Implementation of the AEO Programme in Hong Kong China</a>	9-11 October 2018
Korea, Republic of	<a href="#">Korea AEO programme</a>	15-16 October 2019
Sri Lanka	<a href="#">WCO Time Release Study - Sri Lanka's experience</a>	11 February 2020
United States	<a href="#">GTFAW21 - US Cargo time release study</a>	11 February 2020
Uruguay	<a href="#">GTFAW12 - Plazos medios de levante y programa de Operador Económico Autorizado en aplicación del AFC</a>	25-26 June 2019
Zambia	<a href="#">Authorised Economic Operators AEO - Customs Accredited Client Programme</a>	9-11 October 2018
<b>Article 10: Formalities Connected with Importation, Exportation and Transit</b>		
Brazil	<a href="#">Single window implementation in Brazil</a>	9-11 October 2018
	<a href="#">TFA implementation in Brazil through Public-Private Partnership</a>	
China	<a href="#">Single Window in China</a>	15-16 October 2019
European Union	<a href="#">Special procedures processing and temporary admission Room document</a>	12-13 February 2019
Korea, Republic of	<a href="#">Single Window in Korea</a>	9-11 October 2018
Malaysia	<a href="#">ASEAN statement - Discussions on single window</a>	9-11 October 2018
Rwanda/ UNCTAD	<a href="#">UNCTAD Compendium of Good Practices UNCTAD and Rwanda</a>	15-16 October 2019
Saudi Arabia, Kingdom of	<a href="#">Overview of Trade Facilitation Initiatives in Saudi Customs</a>	9-11 October 2018



Member	Title	Committee meeting
The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu	<a href="#">CPT Single Window</a>	15-16 October 2019
<b>Article 11: Freedom of Transit</b>		
European Union	<a href="#">EU Customs Transit Procedures Including Arrangements with a Number of Neighbouring Countries Under the Common Transit Convention</a> <a href="#">EU Non Paper - European Union Customs Transit including arrangements with neighbouring countries under the Common Transit Convention</a>	2-3 May 2018
Switzerland	<a href="#">Implementation of National and International Transit Procedures</a>	9-11 October 2018

**Table 3: Experience-sharing presentations by Members on cross-cutting issues**

Member	Presentation	Committee Meeting
China	<a href="#">Approaches to Planning for Future Experience Sharing among Members</a> <a href="#">Implementation of WTO TFA by China Customs</a>	26 June 2018 2-3 May 2018
Costa Rica	<a href="#">Costa Rica statement</a>	11 February 2020
El Salvador	<a href="#">Central American Trade Facilitation and Competitiveness Strategy with Emphasis on Coordinated Border Management (in Spanish only)</a>	
Guatemala	<a href="#">Trade Facilitation Through a Regional Lense</a>	26 June 2018
Moldova, Republic of	<a href="#">Moldova's National Action Plan on Trade Facilitation</a>	2-3 May 2018
Morocco	<a href="#">Implementation of the TFA through a public-private partnership</a>	11 February 2020
North Macedonia	<a href="#">Trade Facilitation Agreement Implementation - Some Practical Aspects</a>	2-3 May 2018
United States	<a href="#">G/TFA/W/19 - Communication from the United States - Sharing of experiences</a>	11 February 2020

**EU Comment:** *During the informal TFC discussion, there were suggestions that Table 3 also incorporates COVID-19 experience sharing. A new table 3(b) could list the Members that contributed to the compendium and the IO and other observers, with a summary and attached that compendium in the Annex.*

G/TFA/W/65  
Proposal under consideration by the CTF

### 2.3 Written submissions by Members regarding Section I

2.8. Table 4 below compiles the list of written submissions from Members circulated in the G/TFA/W/ document series as part of the experience-sharing exercise.

#### **Proposed textual edit to the factual report from the Landlocked Developing Countries**

Insert the following text:

"Mongolia and the Kyrgyz Republic circulated information on their National Transit Coordinator in accordance with article 11.17."

G/TFA/W/53, para. 2 vii  
Proposal under consideration by the CTF

**Table 4: Written Submissions by Members regarding Section I**

Article	Member	Subject	Document Symbol
<b>Implementation of Section I of the TFA</b>			
Article 1	United States	Developing the Article 1.4 notification	<a href="#">G/TFA/W/13</a>
Article 1	Zambia	Launch of the Zambia Trade Information Portal	<a href="#">G/TFA/W/34</a>
Articles 1 and 2	United States	The role of "notice and comment" and related administrative procedures in trade facilitation implementation	<a href="#">G/TFA/W/6</a>
Article 3	Australia	Australia's experience with Advance rulings	<a href="#">G/TFA/W/11</a>
Article 3	United States	The role of advance rulings and administrative procedures in TFA implementation	<a href="#">G/TFA/W/7</a>
Articles 5, 7, 9 and 10	Mongolia	Information on Articles 5.1, 5.3, 7.2, 9 and 10.5	<a href="#">G/TFA/W/32</a>
Article 7	Australia	Australia's Authorized Economic Operator (AEO): Australian Trusted Trader	<a href="#">G/TFA/W/9</a>
Article 7	Brazil	Time release study	<a href="#">G/TFA/W/33</a>
Article 7	Hong Kong, China	Implementation of the Authorised Economic Operator programme in Hong Kong, China	<a href="#">G/TFA/W/8</a>
Article 7	United States	US cargo time release study phase two executive summary	<a href="#">G/TFA/W/21</a>
Article 7	Uruguay	Plazos medios de levante y programa de Operador Económico Autorizado	<a href="#">G/TFA/W/12</a>
Article 8	Chile, Ecuador, Costa Rica, Mexico, Paraguay, Uruguay	Border Agency Cooperation	<a href="#">G/TFA/W/22</a>
Article 11	Kyrgyz Republic	Provision on the national transit coordinator	<a href="#">G/TFA/W/16</a>
Article 11	Mongolia	Provision on the national transit coordinator	<a href="#">G/TFA/W/18</a>
<b>Other topics</b>			
	Jordan	Elimination of the consularization requirement	<a href="#">G/TFA/W/23</a>
	Multiple (United States and Norway)	Revisiting the need for global action to eliminate consularization requirements	<a href="#">G/TFA/W/38</a>
	United States	MSMEs (Micro, Small, and Medium Enterprises)	<a href="#">Opportunities For MSMEs - Statement by The United States The Trade Facilitation Agreement: A World Of Opportunities For MSMEs</a>

## 2.4 Experience sharing by Members on trade facilitating measures taken to mitigate the COVID-19 Crisis<sup>6</sup>

2.9. As stated in the above-mentioned paragraph 2.5 following the outbreak of the COVID-19 pandemic in 2020, the TF Committee held an informal Committee meeting on 30 September 2020 to provide an opportunity to Members to inform the Committee of trade facilitating measures that they had adopted in response to COVID-19. The meeting started with updates from the ITC, the WBG, the WCO, UNCTAD and GATF on their work in this area. The organizations presented their work under the following headings: ITC - "*Continuing TACB during the times of pandemics - ITC experience*"; WBG - "*The World Bank Group response to trade facilitation during the COVID crisis*"; WCO - "*What Customs can do to mitigate the effects of the COVID-19 pandemic*"; World Economic Forum (GATF) "*COVID impact on trade facilitation – observations, challenges and opportunities*"; and UNCTAD "*Easing global trade and transport during COVID-19*".

### Proposed textual edit to the factual report from the European Union

Insert the following text:

Subsequently and as stated in paragraph 2.5, the WTO Secretariat has prepared a compendium (G/TFA/W/40/Rev.1) attached in annex [x]. It is a compilation of the presentations that Members, international organizations and other observers made informally during these TFC meetings. The measures are compiled under the articles of the TFA that are reproduced under specific headings. When a measure does not relate to an Article of the TFA, it is called "other measure". It is important to recall that those measures are only some of the whole ranges of practices and rules that were adopted. The Articles of the TFA that have been most relevant to cope with the COVID pandemic are: Article 1.4, (Transparency including availability of the measures on websites, information on measures that are duty reduction for example), Article 2 (consultation with business), Article 5 (testing of goods in particular), Article 6 (fees and charges that were temporarily suppressed), Article 7 regarding e-payment, Article 7.3 risk management, clearance of goods, but also Authorized Economic Operators Article 7.4, Article 8 on border cooperation, Article 10 (digitization, simplification), Article 11 (transit), and Article 12 (contact points for customs cooperation).

G/TFA/W/65

Proposal under consideration by the CTF

2.10. The following eight Members reported to the Committee on the trade facilitating measures that they had undertaken: the Dominican Republic; the European Union; Guatemala; Japan; Nepal (as a focal point of the Core Group on Trade Facilitation of the LDC Group); Switzerland; and the United States.

2.11. The Ottawa Group, which includes Australia, Brazil, Canada, Chile, the European Union, Japan, Kenya, Republic of Korea, Mexico, New Zealand, Norway, Singapore and Switzerland, introduced a communication circulated in document G/TFA/W/24 which compiled the COVID-19 measures taken by its members. Brazil, Colombia and the United States, introduced a joint communication entitled "Supporting the Timely and Efficient Release of Global Goods Through Accelerated Implementation of the WTO Trade Facilitation Agreement" which was circulated in document G/TFA/W/25.

2.12. Members continued to share information on the trade facilitating measures that they had taken to mitigate COVID-19 at the Committee meetings of 21-22 October 2020, 26-27 January 2021, 3 March 2021, 22-23 April 2021, [22-23 June 2021, 27-28 July 2021, and 19-21 October 2021].

2.13. At the meeting of 21-22 October 2020, the following Members informed the Committee of the trade facilitating measures that they had taken to mitigate COVID-19: the European Union "*Paper-based proofs of Preferential Origin under Covid-19 crisis*"; the US updated the Committee on the communication entitled "Supporting The Timely And Efficient Release Of Global Goods Through Accelerated Implementation Of The WTO Trade Facilitation Agreement" (G/TFA/W/25); Paraguay "*Ventanilla única del exportador – medidas en época de pandemia*"; Nepal "Trade and Transit Facilitation – Nepal's experience"; Canada "e-Longroom: an Emerging Digital Customs Strategy";

<sup>6</sup> A compendium document of the contributions of COVID-19 responses that the TFC Members and Observers have provided to the TFC is available in document [G/TFA/W/40](#). The compendium also includes presentations made to the Committee by a number of Annex D+ partner organizations. Links to the presentations made by Members and Annex D+ partner organizations are included in the compendium.

Afghanistan "Status and challenges of Trade Facilitation Agreement Implementation in Afghanistan"; Mongolia "Implementation of the TFA by Mongolia"; Japan "Japan Customs' Response to COVID-19"; and the Dominican Republic "*Medidas temporales adoptadas por la República Dominicana en respuesta al COVID-19*". Saint Lucia, The Netherlands, and the EU provided additional information.

2.14. At the meeting of 26-27 January 2021, the WCO and the GATF updated the Committee on their COVID-19 related work.

2.15. At the meeting of 3 March 2021, the WCO provided an update to the Committee on its ongoing COVID-19 related work.

2.16. At the meeting of 22-23 April 2021, the following Members informed the Committee of the trade facilitating measures that they had taken to mitigate COVID-19: Cambodia "Mitigating COVID-19 – Article 10.4 Single Window"; and Turkey "Outcomes of Turkey's electronic customs procedures in line with TFA on international supply chains during the COVID-19 pandemic".

2.17. A number of Annex D+ partner organizations made presentations to the Committee during these meetings regarding the support that they were providing to Members during the COVID-19 pandemic. The presentations are listed in Annex 1, Table 2.

**Proposed textual edit to the factual report from the European Union**

~~Document G/TFA/W/40 (to be reviewed with Members' comments) needs to be reflected in the report on the review.~~

**EU comment:** *This comment has been moved to paragraph 2.9 above.*

~~G/TFA/W/49, para. 15  
G/TFA/W/65~~

*Proposal under consideration by the CTF*

## 2.5 Specific Trade Concerns

### **Kazakhstan – Border Restrictions of Goods in Transit – Request from the Kyrgyz Republic (G/TFA/W/20; G/TFA/W/20/Corr.1; G/TFA/W/20/Add.1)**

2.18. The Committee addressed one matter concerning a specific trade concern that was raised at its meeting of 11 February 2020.<sup>7</sup> The Kyrgyz Republic raised a concern regarding Kazakhstan's treatment of its goods transiting to the Russian Federation. Kazakhstan considered that the issue should be addressed within the framework of the Eurasian Economic Union, to which both countries are members.

## 2.6 Involvement of the private sector

2.19. On 22 April 2021, at the margins of the meeting of the TFC, the Global Express Association (GEA), which represents DHL, FedEx and UPS, organized a webinar to which the Committee was invited.

<sup>7</sup> [G/L/1375](#) and [G/TFA/M/10](#).

**Proposed textual edit to the factual report from China**

China suggests to delete the following item from the First Review of the Operation and Implementation of the Trade Facilitation Agreement Factual Report contained in document G/TFA/W/41:

**"2.6 Involvement of the private sector**

2.19 On 22 April 2021, at the margins of the meeting of the TFC, the Global Express Association (GEA), which represents DHL, FedEx and UPS, organized a webinar to which the Committee was invited."

The subject of the report is the implementation of the Trade Facilitation Agreement. This particular activity is not an official activity of the Committee, and not covered by the Agreement. So far, how the private sector can be involved in the committee is still under discussion by Members, so it has no relevance to the subject of the report.

**EU comment: Discussions in the CTF meeting of 22 September 2021 could lead to a merged text integrating comments made with the view to reach compromise.**

[G/TFA/W/52](#) and [G/TFA/W/65](#)  
Proposal under consideration by the CTF

**Proposed textual edit to the factual report from the European Union**

~~The part of the document Updating of the listing of notification obligations and the compliance therewith as set out in Annex III of the report of the working group on notification obligations and procedures (G/L/223/Rev.28) dedicated to the TFA should be duly mentioned in the report on the four year review.~~

~~(Note: relevant for notifications under Sections I and II of the TFA)~~

**EU comment: This textual edit has been incorporated into previous paragraphs.**

[G/TFA/W/49](#), para. 14  
[G/TFA/W/65](#)  
Proposal under consideration by the CTF

**B MEMBERS' PROPOSALS UNDER SECTION I OF THE TFA**

**Proposal from Australia, Brazil, Canada, Colombia, Ecuador, the European Union, Iceland, Japan, Republic of Korea, Mexico, Montenegro, New Zealand, North Macedonia, Norway, Singapore, Switzerland, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, Thailand, Turkey, the United Kingdom, the United States and Uruguay.**

Supporting the timely and efficient release of global goods through accelerated implementation of the WTO Trade Facilitation Agreement.

[G/TFA/W/25/Rev.7 \(Document series G/TFA/W/25\)](#)  
Proposal under consideration by the CTF

**Proposal from Brazil, Costa Rica, European Union, Norway, Switzerland and the United States**

WTO Members should utilize the tools afforded to them in TFA Article 10.1 to review their trade requirements and minimize unnecessary and costly formalities, including consularization requirements. National Trade Facilitation Committees (NTFCs) can look to the private sector as a critical and important first step in identifying needless bottlenecks. The private sector and Members have identified consularization requirements as one such bottleneck because it fails to contribute to legitimate customs-related processes. Therefore, during this time of economic global crisis, we call on Members to eliminate consularization requirements to fulfil their TFA Article 10.1 commitment to reduce and eliminated unnecessary and costly formalities.

**EU comment: This proposal could also be placed in the section on covid related sharing of experiences, as the importance of suppressing consularisation has increased during the pandemic. A flexible approach on where to list the various proposals will be needed.**

[G/TFA/W/38/Rev.3 \(Document series G/TFA/W/38\)](#) and [G/TFA/W/65](#)  
Proposal under consideration by the CTF

**Proposal from the Russian Federation**

Add the following text:

"For the maintenance of transparency of Members' notifications of official places where information under Article 1 of TFA is published, the Secretariat shall annually monitor the operability of these places (links) related, namely, to the implementation of Article 1.4 of TFA, and circulate the request to appropriate Members to update this information where such links have been identified as broken."

**EU comment: *The EU is cosponsor to document G/TFA/W/47/Rev.1 and proposes to instead mention the revised proposal earlier in the text.***

[G/TFA/W/47](#) and [G/TFA/W/65](#)

*Proposal under consideration by the CTF*

**Proposal from the European Union**

The reporting by the TFC to the Council on Trade in Goods on transparency measures could contain a column indicating for each Members if notified links are no longer working. This would complete the reporting and would draw the attention of the concerned Members on the need to update the links.

**EU comment: *This proposal could serve to complement the Russian Federation/EU proposal, depending on the outcome of the discussions in the Committee on the document G/TFA/W/47/Rev.1.***

[G/TFA/W/50](#), para. 6 and [G/TFA/W/65](#)

*Proposal under consideration by the CTF*

**Proposal from the European Union**

The EU suggests that when the private sector comments on TFA implementation, that they are invited to inform, to the extent possible, whether the transparency notifications are sufficient, as these notifications aim primarily to help SMEs and traders to comply with their obligations.

**EU comment: *The US Brazil proposal on business engagement is more comprehensive and would make this proposal less pertinent if the US Brazil document G/TFA/W/42/Rev.1 were adopted.***

[G/TFA/W/50](#), para. 7 and [G/TFA/W/65](#)

*Proposal under consideration by the CTF*

**Proposal from Brazil**

With the intention of improving the implementation of the provisions related to customs cooperation, provided for in Article 12 of the Agreement on Trade Facilitation of the WTO, Brazil would like to encourage customs to implement the exchange, by electronic means, of information and data that are normally provided to them by traders involved in foreign trade operations.

Therefore, we encourage those members that already have international agreements with this type of provision to consider the implementation of bilateral mechanisms for the advance electronic transmission of data from their export declarations and the automatic and regular exchange of data on their imports and exports, for risk management purposes. Likewise, while there are no multilateral agreements in that regard, we encourage the other members to pursue this kind of bilateral agreements.

Given the diversity of members, whether in relation to specific interests or to their levels of technological capacity, Brazil understands that the set of data to be exchanged, the timing, form and frequency should be agreed upon by the respective customs.

[G/TFA/W/51](#), paras. 7-9

*Proposal under consideration by the CTF*

### 3 SECTION II OF THE TFA

#### A FACTUAL INFORMATION

##### 3.1 Notifications under Section II of the TFA

###### **Proposed textual edit to the factual report from the European Union**

The information regularly presented during the TFC by the WTO Secretariat under the agenda item "1.2 Status of ratification and notification process, update by the WTO Secretariat" should be reflected and included in the report.

The information that will be presented at the last TFC before the conclusion of the review should be used. This would facilitate an understanding of what has been achieved and what remains to be done, notably in the area of notifications and ratification of the TFA.

The WTO Secretariat could already include placeholders in the draft report, with appropriate references to the latest presentations made by the Secretariat at the last meetings of the TFC.

Moreover, the achievement by almost all Members (except the four that have not yet ratified the Agreement) of categorizing their commitments should be highlighted.

***EU comment: The EU understood at the informal TFC meeting of 22 September that the WTO Secretariat is going to provide a text. The EU is looking forward to this input. Therefore, the EU does not propose a text.***

[G/TFA/W/49](#), paras. 7-8 and G/TFA/W/65  
Proposal under consideration by the CTF

##### 3.1.1 Notifications by Members under Articles 15 and 16

3.1. Developing and least-developed country Members invoking the special flexibilities contained in Section II of the TFA are required to notify the Committee in accordance with Articles 15 and 16 of the TFA. The timeline for notification obligations under Articles 15 and 16 is outlined in Table 5.

**Table 5: Timeline of Notification Obligations under Articles 15 and 16 of the TFA**

<b>2017</b>		
22 February	Developing country Members	<ul style="list-style-type: none"> <li>• Notify designations of categories A, B and/or C</li> <li>• Provide indicative implementation dates for category B and category C designations</li> <li>• Provide TACB requirements for category C designations</li> </ul>
<b>2018</b>		
22 February	Developing country Members	<ul style="list-style-type: none"> <li>• Provide definitive dates for category B designations</li> <li>• Provide information on arrangements entered with Donors on TACB for category C designations</li> </ul>
22 February	Least developed country Members	<ul style="list-style-type: none"> <li>• Notify designations of categories A, B and/or C</li> <li>• May notify indicative implementation dates for category B designations</li> </ul>
22 February	Donor Members	<ul style="list-style-type: none"> <li>• Provide information on arrangements entered with developing Members on TACB for category C designations</li> </ul>

<b>2019</b>		
22 February	Least developed country Members	<ul style="list-style-type: none"> <li>• Provide TACB requirement for category C designations</li> </ul>
22 August	Developing country Members	<ul style="list-style-type: none"> <li>• Provide definitive implementation dates for category C designations</li> <li>• Inform of progress in TACB provision for category C designations</li> </ul>
22 August	Donor Members	<ul style="list-style-type: none"> <li>• Inform of progress in TACB provision for category C designations of developing Members</li> </ul>
<b>2020</b>		
22 February	Least developed country Members	<ul style="list-style-type: none"> <li>• Provide definitive dates for category B designations</li> </ul>
<b>2021</b>		
22 February	Least developed country Members	<ul style="list-style-type: none"> <li>• Provide indicative dates for category C designations</li> <li>• Provide information on arrangements entered with Donors on TACB for category C designations</li> </ul>
22 February	Donor Members	<ul style="list-style-type: none"> <li>• Provide information on arrangements entered with LDCs on TACB for category C designations</li> </ul>
<b>2022</b>		
22 August	Least developed country Members	<ul style="list-style-type: none"> <li>• Provide definitive dates for category C designations</li> <li>• Inform of progress in TACB provision for category C designations</li> </ul>
22 August	Donor Members	<ul style="list-style-type: none"> <li>• Inform of progress in TACB provision for category C designations of LDCs</li> </ul>

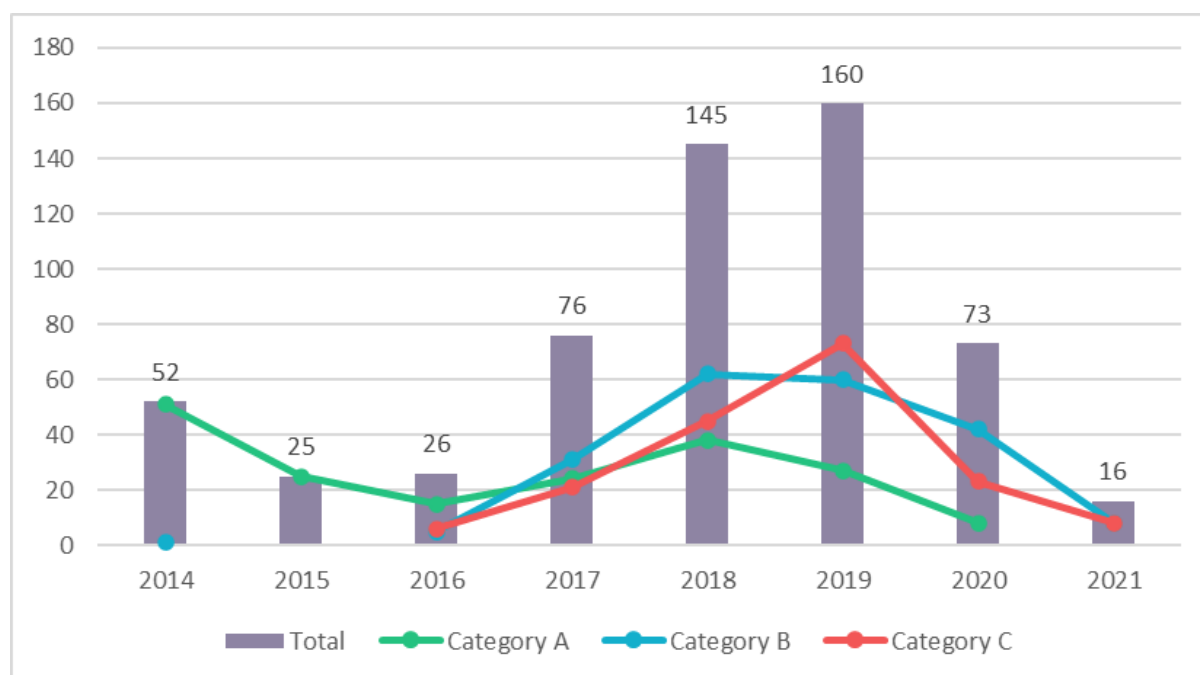
3.2. During the period under review, much of the Committee's work was focused on the receipt of notifications submitted by Members under those two Articles.

3.3. Chart 3 indicates that the highest number of notifications containing this information was received in 2019, followed by 2018. During the period under review, all but two Members<sup>8</sup> submitted their definitive dates for implementation of category B designations and C designations.

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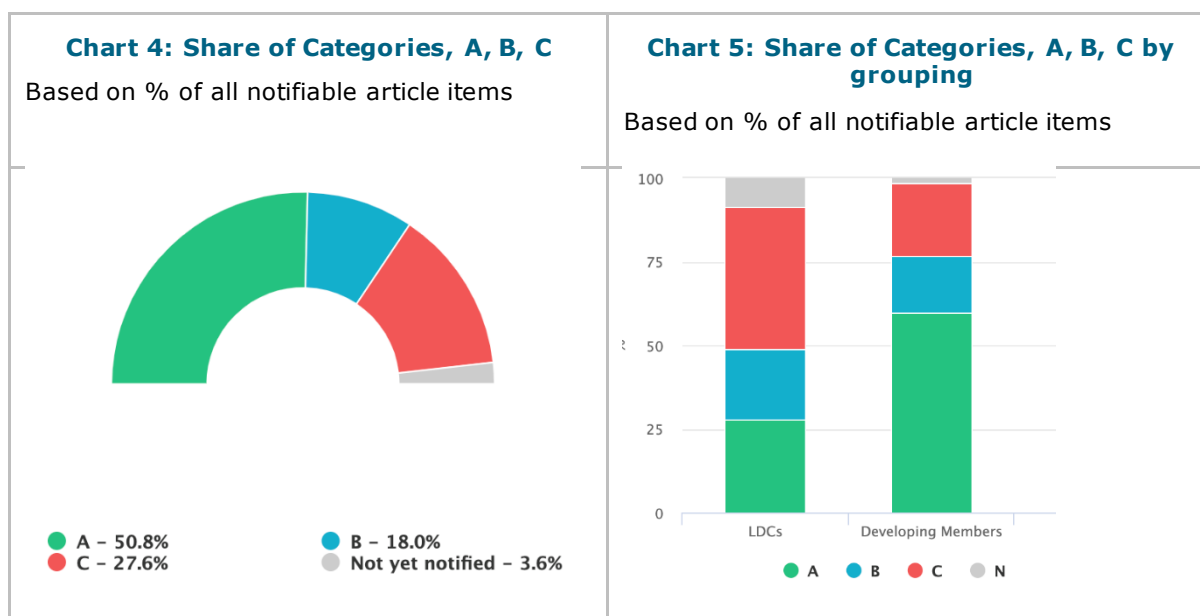
<sup>8</sup> Djibouti and Mauritania.



**Chart 3: Category A, B and C notifications per year**

Source: Trade Facilitation Agreement Database (<http://www.tfadatabase.org>).

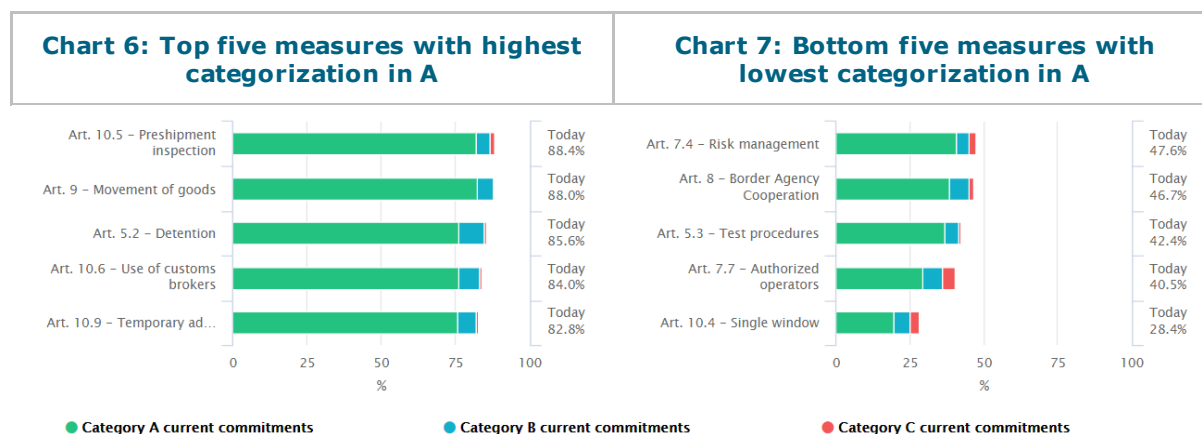
3.4. Chart 4 shows the disaggregation of notifications by category. When the data is disaggregated by groupings, Chart 5 indicates that the share of items in category A is higher in developing countries, while LDCs have assigned more provisions in category C.



Source: Trade Facilitation Agreement Database (<http://www.tfadatabase.org>).

3.5. Notifications by Members of their A, B, C categorization indicate that globally the top five measures notified in category A are: pre-shipment inspection (Article 10.5); movement of goods (Article 9); detention (Article 5.2); use of customs brokers (Article 10.6); and, and temporary admission of goods (article 10.9). See Chart 6.

3.6. The five measures least notified in category A are: risk management (Article 7.4); border agency cooperation (Article 8); test procedures (Article 5.3); authorized operators (Article 7.7); and the single window (Article 10.4). See Chart 7.



Source: Trade Facilitation Agreement Database (<http://www.tfadatabase.org>).

#### **Proposed textual edit to the factual report from the European Union**

~~The status of notifications of final timelines for implementation of category B and C commitments by Developing Countries and Least Developed Countries Members should be reported. Any missing notification could be mentioned as well, with the explanations, if provided by the Member concerned.~~

**EU comment:** *As the WTO Secretariat is going to propose text to reflect the latest reporting under Agenda item 1.2 of TFC formal meetings, EU is waiting for such text to be proposed.)*

[G/TFA/W/49](#), para. 10  
G/TFA/W/65

*Proposal under consideration by the CTF*

#### **Proposed textual edit to the factual report from the Landlocked Developing Countries**

Add a table to reflect the number of LLDC notifications under categories A, B, and C on an article-by-article basis plus the common articles notified under each category. This may be relevant in identifying the most difficult provisions to implement in various LLDCs' experience or those requiring assistance under category C.

[G/TFA/W/53](#), para. 1

*Proposal under consideration by the CTF*

### **3.1.2 Requests for extension of the deadline for the notification of definitive dates for category B measures by LDC Members**

3.7. In 2020, nine LDC Members notified requests for an extension of the deadline for the notification of definitive dates for category B measures.<sup>9</sup> Between 13 to 22 February 2020, seven LDC Members requested an extension. To make a decision before the 22 February 2020 deadline, the Committee met on 20 February. Subsequently, the Committee received two further notifications of requests for extension on 21 February 2020 and the Committee held a second meeting on 28 February.<sup>10</sup> The Committee agreed to all nine requests for an extension of the deadline.<sup>11</sup>

3.8. The notification data for 2020 includes the requests for an extension.

<sup>9</sup> LDC Members may request the Committee to grant an extension of the deadline to submit its definitive dates for category B under article 16:2 (b) of the TFA.

<sup>10</sup> The meetings of 20 and 28 February were convened under Rule 2 of the Rules of Procedure for meetings of the General Council, which through its own rules of procedure, apply mutatis mutandis to the TFC.

<sup>11</sup> Afghanistan, Burkina Faso, Chad, Djibouti, Lao PDR, Mauritania, Senegal, Sierra Leone and Solomon Islands.

**Proposed textual edit to the factual report from the Landlocked Developing Countries**

Insert the following text:

"As of [31 October] 2021, the rate of implementation commitments of the TFA by LLDCs stands at [xx] per cent. LLDCs have been successful in the implementation of articles 10.5 on preshipment inspection ([xx]%), 5.2 on detention ([xx]%), 9 on movement of goods ([xx]%), 10.6 on use of customs brokers ([xx]%), 10.9 on temporary admission of goods and inward and outward processing ([xx]%), 10.8 on rejected goods ([xx]%) and 10.7 on common border procedures ([xx]%) with implementation commitment rates above [xx] per cent.

However, articles 10.4 on single window ([xx]%), 5.3 on test procedures ([xx]%), 7.7 on authorized operators ([xx]%), 8 on border agency cooperation ([xx]%), 7.4 on risk management ([xx]%), 1.3 on enquiry points ([xx]%), 7.8 on expedited shipments ([xx]%), 1.2 on information available through internet ([xx]%), 3 on advance rulings ([xx]%), 7.6 on average release times ([xx]%) and 10.3 on use of international standards ([xx]%) lag behind in LLDCs with implementation commitment rates below [xx]%

One of the key provisions of the TFA for the LLDCs is Article 11 on Freedom of Transit. Notifications on Article 11 show that LLDCs are committed to have implemented [xx]% of obligations. [xx]% of Article 11 obligations are committed to be implemented after a transition period and a further [xx]% are committed to be implemented after the acquisition of capacity through technical assistance. In the case of the transit developing countries these figures are [xx]%, [xx]% and [xx]%, respectively."

(See Table 1. Rate of Implementation Commitments by LLDCs in document [G/TFA/W/53](#))

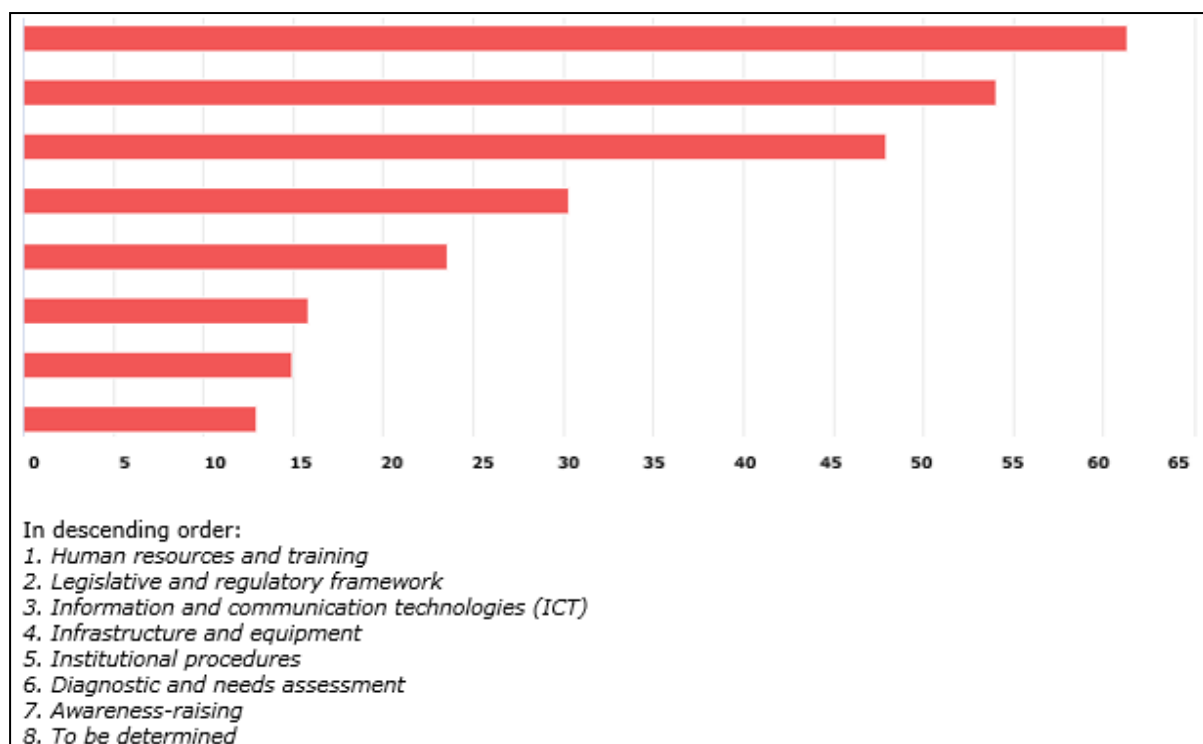
**EU comment: EU notes the comments made during CTF the informal meeting 22 September 2021.**

[G/TFA/W/53](#), paras. 2 i-ii, vi and G/TFA/W/65  
Proposal under consideration by the CTF

### **3.1.3 Notifications on technical assistance and capacity building support for category C designations**

3.9. Article 16 requires that Members provide three notifications regarding technical assistance and capacity building (TACB) for category C designations: notification by Members of TACB requirements for implementation of their category C designations; notification of information on arrangements entered into with Donors; and notification of progress in TACB provision.

3.10. Over the review period, 125 Members notified the TACB support that was required in order to implement their category C designations. Taking into account all notifications, the top three needs identified by Members were with respect to (1) human resources and training; (2) assistance in amending laws or regulations or implementing new ones; and (3) information and communication technologies (ICTs). See Chart 8.

**Chart 8: Type of technical assistance required**

Source: Trade Facilitation Agreement Database (<http://www.tfadatabase.org>).

**Proposed textual edit to the factual report from the Landlocked Developing Countries**

Include a chart identifying the type of technical assistance required by LLDCs to demonstrate a clear picture of LLDCs' priority.

[G/TFA/W/53](#), para. 1  
Proposal under consideration by the CTF

**Proposed textual edit to the factual report from the Landlocked Developing Countries**

Insert the following text:

"LLDCs have identified human resources and training, legislative and regulatory frameworks, and information and communication technologies, infrastructure and equipment, institutional procedures, awareness-raising, diagnostic and needs assessment as their primary concerns, in order of importance."

[G/TFA/W/53](#), para. 2 iii  
Proposal under consideration by the CTF

3.11. Over the review period, notifications of information on arrangements entered into with donors plus notifications on progress made on TACB comprised [xx] notifications from developing countries and [xx] notifications from least developed country Members. See Table 6.

**Proposed textual edit to the factual report from the Landlocked Developing Countries**

Insert the following text:

"[ ] LLDC Members have notified donor arrangements and technical assistance progress."

[G/TFA/W/53](#), para. 2 v  
Proposal under consideration by the CTF

3.12. In accordance with Article 16, donors are also required to submit a notification on TACB; [[xx] donor Members have submitted notifications under this obligation].

**Table 6: Number of donor arrangements and progress notifications received per year, per grouping**

Years	Developing Country	Least Developed Country
2019	1	1
2020	4	1
2021	[ ]	[ ]

Source: Trade Facilitation Agreement Database (<http://www.tfadatabase.org>).

#### **Proposed textual edit to the factual report from the European Union**

~~The status of Members that notified progress in receiving assistance to implement their category C commitments should be reflected in the report, as well as the status of the donors' contributions.~~

~~Difficulties in organizing assistance should be reported and the conclusions from the dedicated session on aid discussions should be reflected in the final report.~~

Insert the following text:

At the time of finalising the report, X countries have notified the assistance provided and the gaps if any that remain to be filled. Given that this number X (above mentioned) is small in value compared to the total number (Y to be set by WTO Secretariat) of Members that notified category C commitments, the EU and the US made a proposal (document G/TFA/W/45/Rev.1) offering to facilitate, on request of the Members concerned, pertinent coordination meetings of all potential donors so as to facilitate the identification of gaps and of means to fill these gaps.

***EU justification for adding this text: The EU is of the view that the number of countries that notified category C and also reported on aid received as well as where pertinent on gaps in aid should be reported as it is a key information allowing donors to see where gaps exist.***

[G/TFA/W/49](#), para. 17  
G/TFA/W/65

*Proposal under consideration by the CTF*

### **3.1.4 Notifications under Article 17**

3.13. In 2020, the Committee received six requests for an extension of definitive dates for implementation of category B and C commitments under Article 17 of the TFA ("Early Warning Mechanism"). Requests submitted by three Members<sup>12</sup> did not exceed 18 months. In line with Article 17.2 of the TFA, the requested extensions were therefore automatically granted without any further action by the Committee.

3.14. One request from a Member<sup>13</sup> was for an extension of its implementation date exceeding 18 months. This request was considered by the Committee, as indicated in Article 17.4, and granted.

3.15. Requests from two Members<sup>14</sup> for an extension to their implementation dates were submitted after the deadline set out in Article 17.1 of the TFA, which requires requests to be notified to the Committee no later than 120 days for developing countries and 90 days for least developed countries before the expiration of the previously notified implementation date. There was no consensus in the Committee to approve the requests.

#### **Proposed textual edit to the factual report from the European Union**

Insert the following text:

In order to avoid repetition of such situations, the Committee was of the view that a tool such as the document INF/1 provided by the WTO Secretariat is of added value.

G/TFA/W/65

*Proposal under consideration by the CTF*

<sup>12</sup> Nicaragua ([G/TFA/N/NIC/1/Add.2](#)), Pakistan ([G/TFA/N/PAK/1/Add.3](#)) and the Philippines ([G/TFA/N/PHL/1/Add.1](#)).

<sup>13</sup> St. Kitts and Nevis ([G/TFA/N/KNA/1/Add.1](#)).

<sup>14</sup> Bahrain ([G/TFA/N/BHR/1/Add.1](#)) and Samoa ([G/TFA/N/WSM/1/Add.2](#)).

3.16. In 2021, [three] requests were received from Members<sup>15</sup> which did not adhere to the deadline set out in Article 17.1. There was no consensus in the Committee to approve the requests.

3.17. A document tracking implementation dates from 1 May 2021 to 31 December 2022 was circulated in document G/TFA/INF/1 as a reminder to Members. This document will be updated on a rolling basis until all notified implementation dates have passed.

#### **Proposed textual edit to the factual report from the European Union**

Shifts in categories and requests for extension of timelines should be reported.

**EU comment: The EU is looking for the text to be provided by the Secretariat as agreed at the meeting of 22 September 2021.**

[G/TFA/W/49](#), para. 9 and [G/TFA/W/65](#)  
Proposal under consideration by the CTF

### **3.1.5 Notifications under Article 22**

3.18. Article 22.1 and 22.2 of the TFA require donor Members to notify information regarding their technical assistance arrangements and the process and mechanisms to receive assistance. Article 22.3 requires beneficiary Members to notify contact details with regard to technical assistance.

3.19. Over the period of the review, [xx] donor Members submitted [xx] notifications and [xx] developing country Members submitted [xx] notifications under Articles 22.1 and 22.2. [xx] LDC Members submitted [xx] notifications under Article 22.3.

#### **Proposed textual edit to the factual report from the Landlocked Developing Countries**

Insert the following text:

"In relation to aid-for-trade-flows to LLDCs: since 2006, LLDC have received close to USD 85 billion in aid-for-trade disbursements. In 2019, LLDCs, received disbursements of USD 7.7 billion, slightly less than in 2018 (USD 8.0 billion). Yet, at 17%, the share of Aid for Trade going to LLDCs as compared to global disbursements has been relatively stable since 2017."

[G/TFA/W/53](#), para. 2 (iv)  
Proposal under consideration by the CTF

### **3.2 Experience sharing exercise/thematic discussions**

3.20. Over the period of the review, [xx] Members have shared their experiences or made statements on matters under Section II relating to implementation of the TFA and/or issues concerning capacity building. These Members are Afghanistan; Brazil; China; Colombia; Costa Rica; Egypt; El Salvador; Eswatini; European Union; Finland; Germany; Guatemala; Jamaica; Japan; Lao PDR; Moldova; Mongolia; Nepal; Netherlands; North Macedonia; Paraguay; Rwanda; Saint Lucia; Saint Vincent and the Grenadines; Spain; Sweden; United Kingdom; United States; Viet Nam and Zambia.

#### **Proposed textual edit to the factual report from the European Union**

Insert the following text:

In its statements in the dedicated session on aid and in other meetings of the CTF, the EU has stressed the importance of coordination of aid and that aid must be primarily addressed and discussed/organised in the concerned country. The EU has stressed also that its programming of aid covers several years which should facilitate the coordination with other donors at country level.

[G/TFA/W/65](#)  
Proposal under consideration by the CTF

<sup>15</sup> Ukraine ([G/TFA/N/UKR/1/Add.3](#)), Peru ([G/TFA/N/PER/1/Add.1](#)) and Tonga ([G/TFA/N/TON/1/Add.3](#)).

3.21. Over the review period, a number of Annex D+ partner organizations regularly updated the Committee at its meetings of their regarding their work to support implementation of the Agreement by Members. In 2020<sup>16</sup> and in 2021<sup>17</sup> they provided these updates in a written report.

3.22. In addition, the GATF also made a number of presentations on their initiatives relative to TFA implementation at the meetings of 12-13 February 2019; 25 June 2019; 20-22 October 2020, 22-23 April 2021 [and xx]. The presentations made by Annex D+ partner organizations are listed in Annex 1, Table 2.

**Proposed textual edit to the factual report from the Landlocked Developing Countries**

Insert a summary of common issues and constraints of LLDCs for the general understanding of the issues and challenges faced by such a group of countries.

[G/TFA/W/53](#), para. 3  
Proposal under consideration by the CTF

### 3.3 Article 21.4: Dedicated Sessions on Technical Assistance and Capacity Building

3.23. Article 21.4 of the TFA provides that the Committee shall hold at least one dedicated session per year to: (a) discuss any problems regarding implementation of provisions of the TFA; (b) review progress in the provision of assistance and support for capacity building to support the implementation of the TFA, including any developing or LDC Members not receiving adequate assistance and support for capacity building; (c) share experiences and information on ongoing assistance and support for capacity building and implementation programs, including challenges and successes; (d) review donor notifications as set forth in Article 22 of the TFA; and (e) review the operation of Article 21 of the TFA.

3.24. During the period under review four annual dedicated sessions have taken place. (See Table 7 for a list of presentations and statements made during these sessions, where available.) The first dedicated session was held on 3 May 2018. The United States delivered presentations in connection with the subject matter under Article 21.4(a) and (b) of the TFA. With regard to Article 21.4(c) of the TFA, presentations and other contributions were made by Colombia; the United States; and Viet Nam. Finally, Australia presented a donor notification as referenced under Article 21.4(d), and the United States intervened with respect to support for LDC Members as referenced under Article 21.4(e) of the TFA.

**Proposed textual edit to the factual report from the European Union**

Insert the following text:

*"Several EU member States shared experiences that complemented the EU presentations"*

**EU justification: The EU presented its policy and views at this meeting and this so far is not reflected.**

G/TFA/W/65  
Proposal under consideration by the CTF

3.25. A second dedicated session was held on 16 October 2019. Following the structure of Article 21.4 of the TFA, the Chair organized the session by first inviting exchanges on any implementation problems, a review of progress in the provisions of assistance and support for capacity buildings, and the sharing of experiences and information on ongoing assistance and support for capacity building and implementation programs. With regard to these issues, the following Members made presentations or shared certain information: Bangladesh, Bolivia, Cote d'Ivoire, Dominican Republic, El Salvador, Ghana, Guatemala, Honduras, Japan, Lao PDR, Mauritius, Nigeria, Paraguay, Peru, Saint Vincent and the Grenadines, Samoa, Senegal, Sri Lanka, Trinidad and Tobago, Uruguay, and Zambia. In addition, Jamaica made a presentation on behalf of CARICOM, and Nepal intervened on behalf of the LDC Group.

<sup>16</sup> [G/TFA/W/29](#).

<sup>17</sup> [G/TFA/W/39](#).

Insert the following text:

*"Several EU member States shared experiences that complemented the EU presentations"*

**EU justification:** *The EU presented its policy and views at this meeting and this so far is not reflected.*

G/TFA/W/65  
Proposal under consideration by the CTF

3.26. Presentations pertaining to the review of donor notifications as set forth in Article 22 of the TFA were made by the European Union and by several EU member countries. At the invitation of the European Union, the Committee also heard a contribution from the WCO.

3.27. Summaries of these presentations can be found in the minutes for the 16 October 2019 meeting as set out at pages 27-45 of [G/TFA/M/9](#).<sup>18</sup>

3.28. The third dedicated session was held on 22 October 2020. As during the second session, Committee Members were invited to exchange on several matters listed under Article 21.4 of the TFA, including any implementation problems, a review of progress in the provisions of assistance and support for capacity building, and the sharing of experiences and information on ongoing assistance and support for capacity building and implementation programs. With regard to these issues, the following Members made presentations or shared certain information: Canada; China; Ecuador; Eswatini; Japan; Paraguay; and the United Kingdom. A presentation was also made by Saint Lucia on behalf of the OECS.

**Proposed textual edit to the factual report from the European Union**

*"Several EU member States shared experiences that complemented the EU presentations"*

**EU justification:** *The EU presented its policy and views at this meeting and this so far is not reflected.*

G/TFA/W/65  
Proposal under consideration by the CTF

3.29. Summaries of these presentations and contributions are provided in greater detail in the minutes for the 22 October 2020 meeting as set out at pages 27-39 of [G/TFA/M/13](#). During its regular meeting, the Committee took note of donor notifications under Article 22 of the TFA from Australia; Canada; Japan; and the United States.<sup>19</sup> With regard to recent and upcoming activities, the Committee heard statements from Brazil, Nepal (on behalf of the LDC Group), the United States, as well as a presentation by GATF, as set out at pages 39-42 of [G/TFA/M/13](#).

3.30. The fourth dedicated Session was held on 21 October 2021. During this session, [xx].

**Table 7: Presentations by Members under the Dedicated Sessions**

Member	Title	Committee meeting
European Union	<a href="#">Statement by the European Union</a>	9-11 October 2018
European Union	<a href="#">Statement by the European Union</a>	15-16 October 2019
	<a href="#">Statement by the European Union</a>	20-22 October 2020
Eswatini, Kingdom of	<a href="#">Trade Facilitation Programme and Trade Facilitation Information Portal ETIP</a>	20-22 October 2020
Finland	<a href="#">Finland statement</a>	20-22 October 2020
France	<a href="#">France statement</a>	20-22 October 2020

<sup>18</sup> No presentations were made pertaining to the review and operation of Article 21:2 of the TFA.

<sup>19</sup> [G/TFA/M/13](#), pp. 15-16. No presentations were made pertaining to the review and operation of Article 21:2 of the TFA.



Member	Title	Committee meeting
European Union	<a href="#">Statement by the European Union</a>	9-11 October 2018
Germany	<a href="#">Ongoing Assistance and Support - Germany</a>	2-3 May 2018
Jamaica	<a href="#">CARICOMs implementation experience Jamaica on behalf of CARICOM</a>	15-16 October 2019
Lao People's Democratic Republic	<a href="#">Trade Facilitation in Lao - key achievements and challenges</a>	15-16 October 2019
Netherlands, The	<a href="#">The Netherlands statement</a>	20-22 October 2020
Saint Lucia	<a href="#">OECS report</a>	20-22 October 2020
Saint Vincent and the Grenadines	<a href="#">Presentation by Saint Vincent and the Grenadines on Trade Facilitation</a>	15-16 October 2019
Spain	<a href="#">Technical assistance from Spain in the framework of the WCO MERCATOR Programme</a>	15-16 October 2019
Sweden	<a href="#">Ongoing Assistance and Support - Sweden</a>	2-3 May 2018
	<a href="#">Sweden statement</a>	20-22 October 2020
United Kingdom	<a href="#">Trade Facilitation UK Statement</a>	15-16 October 2019
United States	<a href="#">Trade Facilitation Agreement Notifications as Tools for Demand Driven Assistance Conversations</a>	2-3 May 2018
	<a href="#">United States Approach to Trade Facilitation Assistance</a>	
	<a href="#">United States Department of Agriculture Trade Facilitation Agreement Related Technical Assistance Commercial Law Development Program - Contribution By The United States</a>	
United States/ Viet Nam	<a href="#">Project Support for TFA implementation in Vietnam</a>	2-3 May 2018
Zambia	<a href="#">Support from cooperating partners and Zambia's achievements in the implementation of the TFA</a>	15-16 October 2019

**EU justification:** *The EU has spoken at all dedicated sessions on aid so this should be reflected. EU already indicated that it was ready to share the lines it took if needed*

G/TFA/W/65  
Proposal under consideration by the CTF

### 3.4 Written submissions by Members regarding Section II

3.31. One Member, the United States, circulated a written submission in document G/TFA/W/15 in relation to Articles 16 and 24.

## B MEMBERS' PROPOSALS UNDER SECTION II OF THE TFA

### Proposal from the European Union and the United States

Proposal for invigorating the coordination process to identify the need for future assistance in the framework of the four-year review of the Trade Facilitation Agreement:

[...] that beneficiary countries with category C commitments organize meetings with donors in capital, to review the state of assistance and potential future needs. Beneficiary countries are invited to share the outcome of these meetings with the Trade Facilitation Committee by mid-October 2021.

G/TFA/W/45/Rev.1, para. 5  
Proposal under consideration by the CTF

**Proposal from Japan**

Proposal to follow up actual status of implementation of the WTO Agreement on Trade Facilitation as part of its four-year review:

First, in order to provide support for Members to better manage their implementation plans, Japan proposes that the Committee review the effectiveness of the list of definitive dates prepared by the WTO secretariat ([G/TFA/INF/1](#)) on a regular basis (e.g. once a year) . ...It is expected that the Committee could improve the list and the methods for circulating the list by reflecting feedback from Members in order for the list to further contribute to this purpose.

Second, Japan proposes that the Committee decide to make the following recommended practice for Members who have successfully implemented category B or C provisions. That is, to submit subsequent follow-up notifications to confirm their actual implementation dates as seen in some Members' notifications, or to share their implementation experiences with the Committee while explicitly mentioning the provision they implemented, the notified definitive date and the actual implementation date. It should be noted that in contrast to category C provisions, the implementation of category B provisions is handled by a notifying Member itself and it is difficult for other Members to know whether category B provisions have been implemented properly within a notified timeframe. Therefore, the Committee should encourage those Members who have successfully implemented category B provisions in particular to take the actions above, including submission of subsequent notification.

[G/TFA/W/46](#)

*Proposal under consideration by the CTF*

**Proposed textual edit to the factual report from the European Union**

The EU proposal ([G/TFA/W/45](#)) should be reflected in the report.

**EU comment:** *This proposal is now superseded by G/TFA/W/45/Rev.1 co-sponsored by the US and now a joint EU/US proposal.*

[G/TFA/W/49](#), para. 17  
G/TFA/W/65

*Proposal under consideration by the CTF*

**Proposal from the European Union****Notifications under Article 19**

Any notification of shifts in category should be **discussed in TFCs** in a separate agenda item.

**EU comment:** *Following the indication that the WTO Secretariat will insert text in the review report that reflects the latest update of presentations made by the Secretariat under agenda 1.2 of the CTF, the EU takes for granted that text will be provided regarding Member' shifting of categories.*

[G/TFA/W/50](#), para. 9 and G/TFA/W/65  
*Proposal under consideration by the CTF*

**Proposal from the European Union**

The EU would recommend that the respective Member seeking an extension presents information supporting its' request and provides additional feedback if requested by the Committee. This is particularly important for notifications under Article 17 (3) with the duration of the extension requested of more than 18 months.

**EU comment:** *The EU has clarified that this proposal is to be seen as an encouragement.*

[G/TFA/W/50](#), para. 8 and G/TFA/W/65  
*Proposal under consideration by the CTF*

**Proposal from the United Kingdom**

Proposal to agree on regularised agenda topics for the dedicated session on assistance and capacity building, within the parameters of Article 21.4.

As part of this process, the United Kingdom proposes for consideration that the following items are discussed at every dedicated session henceforth:

International and regional organisations and other agencies supporting the implementation of the TFA are invited to provide a report on the activities that they have delivered in the preceding twelve months. This should provide details on which Members they are supporting, the TFA articles they are helping to implement, and reflections on challenges and successes to enable improved future capacity building support.

Members and organisations are invited to share experiences on where synergies between capacity building programmes have benefited implementation of the TFA and consider where further collaboration and cooperation (including on a regional level) might best support a future implementation of specific Articles.

[G/TFA/W/54](#), para. 2.2  
Proposal under consideration by the CTF

**4 SECTION III OF THE TFA****A FACTUAL INFORMATION****4.1 Ratifications<sup>20</sup>**

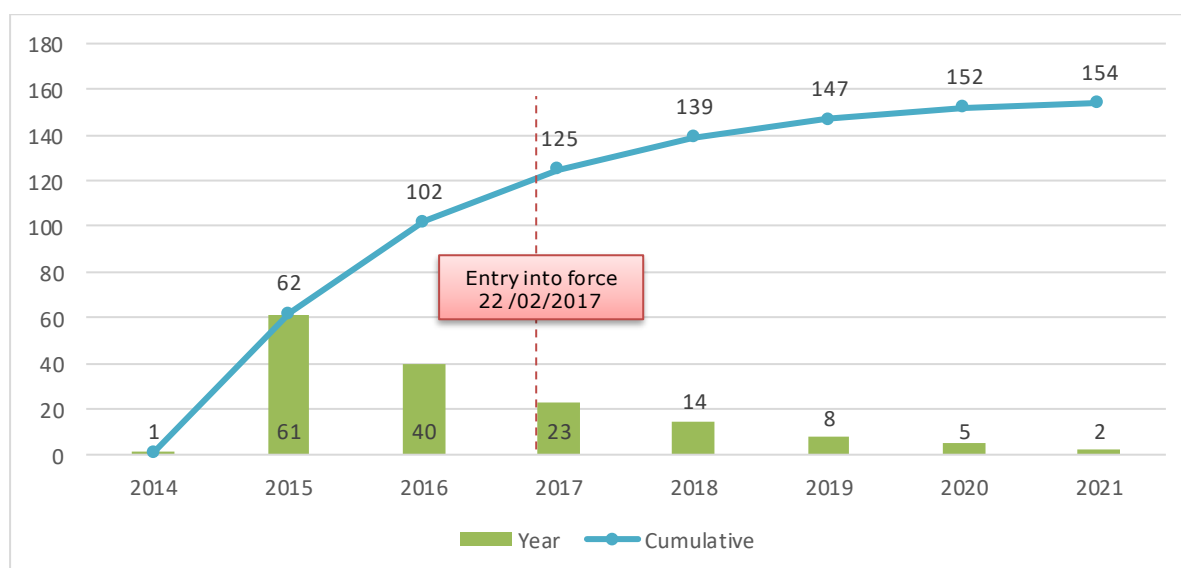
4.1. During the period from 1 January 2014 to [31 October] 2021, [xx] Members ratified the Amendment Protocol to modify the Marrakesh Agreement Establishing the World Trade Organization and deposited their instruments of acceptance. As of [xx], [xx] Members are yet to deposit their instruments of acceptance. See Chart 9.

**Proposed textual edit to the factual report from the Landlocked Developing Countries**

Insert the following text:

"Out of 26 LLDCs that are members to WTO, all have ratified the TFA."

[G/TFA/W/53](#), para. 2(i)  
Proposal under consideration by the CTF

**Chart 9: Number of ratifications per year**

Source: Trade Facilitation Agreement Database (<http://www.tfadatabase.org>).

<sup>20</sup> While the issue of ratification is not included in Section III of the TFA, this information has been included for the interest of Members.

## 4.2 Article 23 Institutional Arrangements

### 4.2.1 Article 23.1 Committee on Trade Facilitation

4.2. Following the entry into force of the Trade Facilitation Agreement on 22 February 2017, a Committee on Trade Facilitation was established in line with Article 23.1 of the Agreement.

4.3. At a meeting on 7 April 2017, the General Council (GC) took note of a statement by the Chair of the General Council, informing delegations of the consensus on the appointment of Ambassador Daniel Blockert from Sweden as Chairperson of the TFC.

4.4. On 16 May 2017, the TFC held its inaugural session. The sole agenda item was the confirmation of the Chairperson-designate. Members formally elected Ambassador Blockert (Sweden) as the first TFC Chair. Ambassador Blockert announced his intention to consult delegations on the Committee's rules of procedure and the organization of work. The TFC held two further meetings in 2017: on 19 July and 3 November.

4.5. In 2018, the TFC held three formal meetings: on 2 to 3 May (G/TFA/M/4); on 26 June (G/TFA/M/5); and on 9 to 11 October (G/TFA/M/6). The meeting of 2 and 3 May was chaired by Ambassador Daniel Blockert (Sweden) and the remaining meetings were chaired by his successor, Ambassador Dalia Kadišiene (Lithuania), who was elected at the May meeting as Chair of the Committee for 2018.

4.6. In 2019, the TFC held three formal meetings: on 12 to 13 February (G/TFA/M/7); on 25 to 26 June (G/TFA/M/8); and 15 to 16 October (G/TFA/M/9). The meeting of 12 and 13 February was chaired by Ambassador Dalia Kadišiene and the remaining meetings were chaired by her successor Ambassador Mohammad Haqjo (Afghanistan) who was elected at the June meeting as Chair of the Committee for 2019.

4.7. In 2020, the TFC held four formal meetings: on 11 February (G/TFA/M/10); on 20 February (G/TFA/M/11); on 28 February (G/TFA/M/12) and on 20 to 22 October (G/TFA/M/13). The TFC held an informal meeting on 30 September. The meetings of 11, 20 and 28 of February were chaired by Ambassador Mohammad HAQJO. The remaining meetings were chaired by his successor Ambassador Katrina NAUT (Dominican Republic) who was elected on 30 July as Chair of the Committee for 2020. Ambassador Naut resigned as Chairperson in December 2020.

4.8. In 2021, the TFC held six formal meetings: 29 January 2021; 22-23 March 2021; 22-23 April 2021, 22-23 June 2021, 27-28 July 2021, 19-21 October 2021. The Committee held [seven] informal meetings during the year. Six of those meetings were dedicated to the four-year review of the TFA. Following the departure of Ambassador Naut in December 2020, the TFC meeting of 29 January was chaired on an *ad hoc* basis by the Chair of the Council for Trade in Goods (CTG), HE Mikael Anzén (Sweden). Mr. Christopher O'Toole (Canada) was then selected on 5 February 2021 as Interim Chair of the TFC through silent procedure. On [x month], the Committee elected [person] as Chair of the Committee for 2021.

**Table 8: Trade Facilitation Committee Meetings and Minutes 2017 to 2021**

TFC Meeting	Minutes
16 May 2017	<a href="#">G/TFA/M/1</a>
19 July 2017	<a href="#">G/TFA/M/2</a>
3 November 2017	<a href="#">G/TFA/M/3</a>
2-3 May 2018	<a href="#">G/TFA/M/4</a>
26 June 2018	<a href="#">G/TFA/M/5</a>

TFC Meeting	Minutes
9-11 October 2018	<a href="#">G/TFA/M/6</a>
12-13 February 2019	<a href="#">G/TFA/M/7</a>
25-26 June 2019	<a href="#">G/TFA/M/8</a>
15-16 October 2019	<a href="#">G/TFA/M/9</a>
11 February 2020	<a href="#">G/TFA/M/10</a>
20 February 2020	<a href="#">G/TFA/M/11</a>
28 February 2020	<a href="#">G/TFA/M/12</a>
20-22 October 2020	<a href="#">G/TFA/M/13</a>
29 January 2021	G/TFA/M/14
22-23 March 2021	G/TFA/M/15
22-23 April 2021	G/TFA/M/16
22-23 June 2021	G/TFA/M/17
27-28 July 2021	G/TFA/M/18
19-21 October 2021	G/TFA/M/19

#### 4.2.2 Rules of procedure of the Committee on Trade Facilitation

4.9. At its meeting of 25 and 26 June 2019, Members finalized work on the Committee's rules of procedure and agreed to forward them to the Council for Trade in Goods for approval. At its meeting of 14 and 15 November 2019, the Council for Trade in Goods approved the Rules of Procedure for meetings of the Committee on Trade Facilitation<sup>21</sup>, consisting of the General Council's Rules of Procedure<sup>22</sup> applied *mutatis mutandis* with agreed modifications.

#### 4.2.3 Annual reports by the Committee to the Council for Trade in Goods

4.10. According to the "Procedures for an annual overview of WTO Activities and for reporting under the WTO" (WT/L/105), which were adopted by the General Council on 15 November 1995, all bodies constituted under Agreements in Annex 1A of the WTO Agreement are required to submit an annual factual report to the Council for Trade in Goods, which is then to take note of these reports.

4.11. Accordingly, the Committee submitted annual reports to the Council for Trade in Goods from 2017 to 2021.<sup>23</sup>

#### 4.2.4 Article 23.2 National Committee on Trade Facilitation

4.12. Article 23.2 of the TFA requires each Member to establish and/or maintain a National Committee on Trade Facilitation (NCTF) or designate an existing mechanism to facilitate both domestic coordination and implementation of the provisions of the TFA. Seventeen Members have

<sup>21</sup> [G/C/M/136](#), item 4. The text of the Rules of Procedure can be found in [G/L/1342](#).

<sup>22</sup> [WT/L/161](#).

<sup>23</sup> ([G/L/1201](#)); ([G/L/1267](#)); ([G/L/1329](#)); ([G/L/1375](#)); [xx].

taken the opportunity to share with the Committee their experiences in both the development and operation of their NCTFs, either through oral presentations or written submissions.

4.13. At its meeting of 2-3 May 2018, three Members shared their experience regarding the functioning of their NCTFs as follows. Brazil; Turkey; and the United States. At the Committee meeting of 9-11 October 2018, the Dominican Republic reported on the progress of its NCTF.

4.14. At its meeting of 12-13 February 2019, five Members shared their experience with the establishment and operation of their NCTFs: Costa Rica; Pakistan; Paraguay; Thailand and Tonga. Sri Lanka made a presentation on the functioning of its NCTF at the meeting of 25 June 2019. At the meeting 15-16 October 2019, five more Members reported on their NCTFs: Egypt; El Salvador; Norway; Montenegro; and Paraguay.

4.15. At its meeting of 11 February 2020, three Members shared experiences with their NCTFs: Chile; Ecuador; and India.

4.16. At its meeting of 2-3 March 2021, UNCTAD delivered a presentation to the Committee in which it outlined a number of tools developed by UNCTAD to assist Members seeking to accelerate implementation of the TFA.

4.17. [At its meeting of [xx 2021], [xx] shared experiences regarding their NCTFs.]

**Table 9: Experience-sharing by Members regarding NCTFs**

**EU comment: For the sake of consistency, experience sharing on NCTFs could be placed under the earlier experience sharing heading or at least a footnote in the experience sharing section earlier in the report could indicate that experience sharing on NCTFs will be reported in Section III. Otherwise, a substantial part of the experience sharing may be overlooked by readers.**

G/TFA/W/65  
Proposal under consideration by the CTF

Member/Presenter	Title	Committee meeting
Brazil	<a href="#">National Committee on Trade Facilitation - CONFAC</a>	2-3 May 2018
Chile	<a href="#">National Trade Facilitation Committee</a> (in Spanish)	11 February 2020
Costa Rica	<a href="#">National Trade Facilitation Committee</a> (in Spanish)	12-13 February 2019
Dominican Republic	<a href="#">Avances del Comité Nacional de Facilitación del Comercio</a>	9-11 October 2018
El Salvador	<a href="#">Advances in Trade Facilitation</a> (in Spanish)	15-16 October 2019
Ecuador	<a href="#">National Trade Facilitation Committee - Video</a>	11 February 2020
India	<a href="#">National Committee on Trade Facilitation - India's Experience</a> <a href="#">Summary of India's presentation</a>	11 February 2020
Montenegro	<a href="#">National Trade Facilitation Committee - Montenegro</a>	15-16 October 2019
Norway	<a href="#">The National Trade Facilitation Committee of Norway</a>	15-16 October 2019
Pakistan	<a href="#">Pakistan - National Trade Facilitation Committee NCTF</a>	12-13 February 2019
Paraguay	<a href="#">National Trade Facilitation Committee in Spanish</a>	12-13 February 2019
	<a href="#">National Committee on Trade Facilitation in Paraguay</a>	15-16 October 2019
Sri Lanka	<a href="#">Functioning of Sri Lanka's National Trade Facilitation Committee</a>	25 June 2019
Thailand	<a href="#">Thailand - National Committee on Trade Facilitation</a>	12-13 February 2019

Member/Presenter	Title	Committee meeting
Togo	<a href="#">Togo's experience in French</a>	12-13 February 2019
Turkey	<a href="#">National Committee on Trade Facilitation - Experience of Turkey</a>	2-3 May 2018
United States	<a href="#">Structure and Role of the US National Trade Facilitation Committee G/TFA/W/5</a>	2-3 May 2018
Chile, Ecuador, Costa Rica, Mexico, Paraguay, Uruguay	<a href="#">Informe sobre el primer encuentro latinoamericano de los comités nacionales de facilitación del comercio - Montevideo Uruguay - Noviembre 2019</a>	11 February 2020

### 4.3 Written submissions by Members regarding Section III

4.18. One Member, the United States, submitted written submissions regarding Section III.

**Table 10: Written Submissions by Members regarding Section III**

**EU comment:** *For the sake of consistency, experience sharing on NTFCs could be placed under the earlier experience sharing heading or at least a footnote in the experience sharing section earlier in the report could indicate that experience sharing on NTFCs will be reported in Section III. Otherwise, a substantial part of the experience sharing may be overlooked by readers.*

G/TFA/W/65  
Proposal under consideration by the CTF

Member	Title	Document symbol
United States	Communication from the United States regarding National Trade Facilitation Committees	<a href="#">G/TFA/W/19</a>
	Structure and role of the US National Trade Facilitation Committee	<a href="#">G/TFA/W/5</a>
	Proposal to update the WTO's Committee's Trade Facilitation meeting agenda as part of the four-year review of the WTO Agreement on Trade Facilitation Article 23.1.1.6	<a href="#">G/TFA/W/35</a>
	Role of the Trade Facilitation Committee in the Trade Facilitation Agreement Facility	<a href="#">G/TFA/W/36</a>

## B MEMBERS' PROPOSALS UNDER SECTION III OF THE TFA

### Proposal from the United States

Proposal to update the WTO Committee's Trade Facilitation meeting agenda as part of the four-year review of the WTO Agreement on Trade Facilitation:

- (1) Remove "Review of Notifications Under Article 15 of the TFA" as a standing agenda item, recognizing that the Committee may review new Article 15 notifications on an *ad hoc* basis; and
- (2) Add a new standing agenda item for Members to provide updates on overdue Section I and Section II notifications.

[G/TFA/W/35](#)  
Proposal under consideration by the CTF

**Proposal from Brazil and the United States**

Proposal to formalize engagement with the private sector:

[...] that the Committee convene informally on the margins of formal Committee meetings to host discussions with and presentations from the private sector to facilitate direct feedback regarding on-the-ground implementation of the TFA. The private sector organizations may present how implementation of specific provisions of the TFA has improved the private sector experience or identify areas of remaining challenges.

The Committee may consider establishing a process to increase the efficiency of reviewing the many anticipated requests from the private sector to present at these informal sessions. Brazil and the United States propose that any members of the private sector submit to the Secretariat requests to present on a topic of interest that relates to TFA implementation. Submissions would be accepted throughout the year, and Members should consider reviewing and accepting requests on a rolling basis. The Committee will then invite members of the private sector with an approved topic to present to Members on the margins of a formal Committee meeting.

**EU comment:** *Engagement of the private sector has been addressed earlier. There would be merit in consolidating this aspect and have only one section on the engagement with the private sector.*

[G/TFA/W/42](#), para. 5 and [G/TFA/W/65](#)  
Proposal under consideration by the CTF

**Proposal from the European Union**

Proposals on remote participation of Members to Trade Facilitation Committee meetings and agenda setting:

Even when physical participation in meetings resumes, Interpretify (or an alternative IT platform) allowing remote connection should be enabled for all WTO Members.

[G/TFA/W/50](#), para. 1  
Proposal under consideration by the CTF

**Proposal from the European Union**

The EU recalls the Rules of procedure of the TFC and that a list of the items proposed for the agenda of the meeting shall be communicated to Members not less than ten calendar days prior to the date set for the meeting. Otherwise, no meaningful review can take place. We understand that in some cases, it is difficult to meet those deadlines, but for substantial notifications Members cannot provide meaningful comments if the notification has not been circulated sufficiently in advance.

**EU comment:** *This could be stated as an encouragement as was discussed at the CTF meeting on 22 September 2021.*

[G/TFA/W/50](#), para. 4 and [G/TFA/W/65](#)  
Proposal under consideration by the CTF

**Proposal from Turkey and the United States**

Proposal to draft a consensus document that contains good practices and building blocks of successful NTFCs, and identifies a minimum of three concrete elements that all Members agree are essential for implementing a successful NTFC: full government agency participation, clear leadership with political imperatives, and strong links to the private sector.

[G/TFA/W/56](#), para. 5  
Proposal under consideration by the CTF

## **5 REPORTS TO THE COMMITTEE BY THE TRADE FACILITATION AGREEMENT FACILITY AND OTHER ORGANIZATIONS PLUS THE GLOBAL ALLIANCE ON TRADE FACILITATION ON THEIR ACTIVITIES TO SUPPORT MEMBERS IN THE IMPLEMENTATION OF THE TFA**

5.1. The Trade Facilitation Agreement Facility (TFAF) provides regular reports on its activities to the Committee.<sup>24</sup> These include updates on workshops and other events relating to trade facilitation matters organized with donors, partner organizations and representatives from the private sector. The Facility also reports on the grant program that offers project preparation and project

<sup>24</sup> See [G/L/1201](#), [G/L/1267](#), [G/L/1329](#), and [G/L/1375](#). The most recent reports by the Facility to the Committee can be found at [G/TFA/W/28](#) (20-21 October 2020) and [G/TFA/W/37](#) (22-23 April 2021).



implementation grants to assist Members in identifying and liaising with donors and with the implementation of category C measures as a contingency when no other assistance has been identified. The Facility further provides annual reports on its activities. These reports and all other information relating to its grant work, coordination efforts with the Annex D+ partner organizations and all other activities can be found on the TFAF website.<sup>25</sup>

5.2. During the review period TFAF made [xx] presentations to the Committee. An information session was organized in the margins of the Committee meeting of 25-26 June 2019 on the operational and administrative structure of the Standards and Trade Development Facility (STDF). The session provided information on the origins, structure and membership of the STDF, its management, and its relationship with the WTO Secretariat.

5.3. Annex D organizations (i.e., IMF, OECD, UNCTAD, WCO and WBG) are invited to and regularly attend Committee meetings. In addition, certain of these organizations have made presentations to the Committee. The OECD delivered a presentation on TFA implementation, cooperation and related matters at a 2018 meeting of the Committee.<sup>26</sup> UNCTAD has made several presentations, including a joint presentation with Rwanda in 2019 on best practices<sup>27</sup>, and the WCO has intervened several times to share information regarding its work in the area of trade facilitation.<sup>28</sup> In an informal session of the Committee held on 30 September 2020, UNCTAD, WCO and the WBG, along with the ITC, and GATF, each made presentations on matters relating to measures adopted in response to the COVID-19 situation.<sup>29</sup>

5.4. In addition, the Annex D+ partner organizations provided a report that was circulated to the Committee in the context of the 20-22 October 2020 dedicated session on technical assistance and capacity building and the Annex D partners and the ITC provided a report to the Committee for the 22-23 April 2021 meeting that, with respect to each organization, outlined their role in supporting implementation of the TFA, offered a brief description of upcoming assistance and activities, and described how Members could request assistance.<sup>30</sup>

## **6 DATABASE AND WEBSITE DEVELOPMENTS SUPPORTING THE WORK OF THE TF COMMITTEE**

6.1. A database –[tfadatabase.org](http://tfadatabase.org) – was created in response to a request expressed by Members in the TFC.

6.2. The database is publicly available in the three WTO official languages. It is a fact-based reference source for information on TFA notifications which also provides analytical functionalities. It follows the evolution of the TFA and continually adapts to accommodate new notification data.

6.3. The Member profiles pages provide a platform to view the notification status of an individual Member in depth as well as any information notified by Members. All notification documents and other submissions made by Members can be accessed on these pages.

6.4. The TFA database hosts a dedicated page of the TF Committee containing all the information provided under the experience-sharing and thematic discussions in the Committee.

6.5. Government officials and traders can access all URLs and contact points as Members are required to notify under the TFA.

6.6. All technical assistance disbursements provided by Members can also be accessed on the TFA database.

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<sup>25</sup> TFAF - Trade Facilitation Agreement Facility (<http://www.tfafacility.org>).

<sup>26</sup> [G/TFA/M/5](http://www.wto.org).

<sup>27</sup> [G/TFA/M/9](http://www.wto.org).

<sup>28</sup> Most recently, at the meetings of the Committee on 26-27 January and 3-4 March 2021.

<sup>29</sup> <https://tfadatabase.org/trade-facilitation-committee/meeting/2020-09-30>.

<sup>30</sup> [G/TFA/W/39](http://www.wto.org).

6.7. The TFA Database automatically feeds data to three other websites, comprising the main WTO website, The Trade Facilitation Agreement Facility (TFAF) website and the Global Trade Helpdesk website.

## 7 MEMBERS' GENERAL PROPOSALS

### **Proposed textual edit to the factual report from the Landlocked Developing Countries**

Incorporate into the report a separate section on LLDCs with a brief assessment of both challenges and achievements.

[G/TFA/W/53](#), para. 1  
Proposal under consideration by the CTF

### **Proposal from the United Kingdom**

Proposal that Members have the option, on a voluntary basis, to include a section for review of trade facilitation policies and implementation of the TFA as part of the existing TPR process in order to elevate trade facilitation reporting.

Also, where a Member has recently submitted a TPR, a discussion on the trade facilitation aspects of that TPR will be included as a new agenda item at the next TFC. The Member would then present their trade facilitation policies and practices and begin a dialogue on these with Members in a similar format to presentations which already occur in the TFC. That change would apply to upcoming TPRs following the completion of this four year review process, and not apply retrospectively.

[G/TFA/W/55](#), paras. 2.1-2.2  
Proposal under consideration by the CTF

## 8 RECOMMENDATIONS

### **Proposed textual edit to the factual report from the Landlocked Developing Countries**

LLDC group suggests that the following recommendations are included in the report:

- Urge Members to continue to provide technical, financial and capacity building assistance to LLDCs on a sustainable basis, with a view to the effective implementation of the Agreement;
- Call for the constructive cooperation of transit countries for the early and effective implementation of disciplines that will contribute to reducing transit time and costs, simplify procedures and introduce greater certainty in cross-border trade;
- Recognise the severe negative impacts for the progress of post-COVID-19 recovery and resilience building efforts of the LLDCs;
- Considering the importance of international trade to LLDCs, addressing trade related challenges faced by LLDCs and building their trade capacities is fundamental for mitigating the impact of the pandemic and in building back better post-COVID-19. In this sense, the Aid4Trade support to LLDCs is therefore fundamental to addressing the impact of COVID-19 and in supporting their post- COVID-19 recovery efforts;
- Call on donors and development partners to pay more attention to LLDCs in granting technical assistance, especially for the implementation of articles which lag behind;
- Encourage LLDC Members to notify donor arrangements and technical assistance progress;
- Encourage LLDCs and Transit Members to nominate their National Transit Coordinator and inform the Committee;
- Encourage further cooperation between National Trade Facilitation Committees, sharing best practices and experiences, in particular between LLDC NTFCs and transit country NTFCs.

[G/TFA/W/53](#), para. 4  
Proposal under consideration by the CTF

## ANNEX 1

**Table 1: Information-Sharing by Annex D+ partner organizations on their activities**

<b>Member/Presenter</b>	<b>Title</b>	<b>Committee Meeting</b>
Annex D+ Partner Organizations	Report by the Annex D+ partner organizations to the Trade Facilitation Committee <a href="#">G/TFA/W/29</a>	20-22 October 2020
	<a href="#">Report by the ITC and the Annex D partner organizations to the Trade Facilitation Committee (G/TFA/W/39)</a>	22-23 April 2021
GATF	<a href="#">Update on activities of the Global Alliance for Trade Facilitation</a>	12-13 February 2019
	<a href="#">Global Alliance for Trade Facilitation</a>	25 June 2019
	<a href="#">Update from the Global Alliance for Trade Facilitation</a>	15 October 2019
	<a href="#">Global Alliance for Trade Facilitation update</a>	11 February 2020
	<a href="#">Global Alliance for Trade Facilitation presentation</a>	20-22 October 2020
	<a href="#">Building trust through public-private partnerships for trade facilitation</a>	22-23 April 2021
OECD	<a href="#">Summary of Events on Trade Facilitation and Future Trade Cooperation</a>	26 June 2018
STDF	<a href="#">Driving safe trade solutions worldwide STDFs role</a>	25 June 2019
UNCTAD	<a href="#">UNCTAD tools for NTFCs</a>	3 March 2021
UNCTAD and Rwanda	<a href="#">UNCTAD Compendium of Good Practices UNCTAD and Rwanda</a>	15 October 2019
WCO	<a href="#">WCO statement</a>	11 February 2020

**Table 2: Information-Sharing by Annex D+ partner organizations on their work to support Members to mitigate the COVID-19 crisis**

<b>Member/Presenter</b>	<b>Title</b>	<b>Committee Meeting</b>
GATF	<a href="#">Global Alliance - COVID-19 impact on Trade Facilitation</a>	30 September 2020
ITC	<a href="#">ITC - Coping with COVID-19 through trade facilitation</a>	30 September 2020
UNCTAD	<a href="#">UNCTAD - Easing global trade and transport during COVID-19</a>	30 September 2020
World Bank Group	<a href="#">World Bank - WB response to COVID-19 crisis</a>	30 September 2020
WCO	<a href="#">WCO - What Customs can do to mitigate the effects of the COVID-19 pandemic</a>	30 September 2020
GATF	<a href="#">Global Alliance for Trade Facilitation</a>	26-27 January 2021
WCO	<a href="#">Statement by the WCO</a>	26-27 January 2021
WCO	<a href="#">WCO presentation on COVID-19 related measures</a>	3 March 2021