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**Working Party on the Accession of
the Union of the Comoros**

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ACCESSION OF THE UNION OF THE COMOROS

ACTION PLANS TO ENSURE THE WTO CONSISTENCY OF NATIONAL LAWS¹

Revision

The following communication, dated 8 February 2018, is being circulated at the request of the delegation of the Union of the Comoros.

¹ Please note that the Comoros undertakes to enact all the laws adopted to date prior to accession; other laws will be enacted in accordance with the implementation time-frame for action to be taken.

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1. SPS-RELATED MEASURES

Description	Action to be taken	Time-frame
Law No. 17-004/AU revising Law No. 06-010/AU of 2 December 2006 on plant protection in the Comoros (in compliance with IPPC requirements)	1. Submission to WTO Members for comment 2. Adoption by Parliament 3. Enactment 4. Implementation	1. April-May 2017 2. 10 June 2017 3. 5 August 2017 4. 2018
Law No. 17-005/AU revising Law No. 12-018/AU of 25 December 2012 on food legislation in the Union of the Comoros	1. Submission to Council of Ministers for approval 2. Adoption by National Assembly 3. Enactment 4. Implementation	1. Action completed 2. Action completed in June 2017 3. December 2017 4. 2018
Use of the OIE PVS tool	1. Validation of recommendations 2. Preparation of draft regulatory texts 3. Submission of draft texts to Council of Ministers	1. Completed in 2016 2. Action completed in 2017 3. December 2017
Update existing veterinary regulations	1. PVS evaluation 2. Performance evaluation 3. PVS report 4. PVS gap analysis 5. Introduction of new regulations	1.-4. Actions completed from 2011 to 2016 5. October 2018
Establish the authority of veterinary services (VS) over all sanitary inspection activities at borders and throughout the distribution network for foodstuffs of animal origin (DAOA)	1. Preparation of texts 2. Validation and approval 3. Signing of decrees 4. Entry into force	1. September 2017 2. May 2018 3. June 2019 4. December 2019
Harmonize national regulations with the SPS standards of international normative bodies recognized by the WTO, in particular with OIE, IPPC and CODEX standards	Adoption of new COMESA and CODEX standards as national standards	2018-2019
Adoption of the principles of equivalence, transparency, zoning and compartmentalization	1. Preparation of provisions on equivalence 2. Infrastructure development and human resource capacity building	1. 2018 2. 2019-2022
Establishment of a medium- and long-term training plan for PVS tool application	Preparation of a five-year training plan for: 1. First year: three veterinary surgeons 2. Six veterinary inspectors Six veterinary nurses	2018-2024
Institutional capacity building	Organization of support and control services	2018-2019
Establishment of the National Plant Protection Organization (NPPO) in accordance with IPPC requirements	Establishment of an office and appointment of the officials in charge	January 2018
Establishment of technical libraries, for example, a CODEX library	Establishment of a CODEX library	First half of 2018
Establishment of a reference laboratory	1. Preparation of project 2. Mobilization of resources 3. Purchase of necessary testing equipment 4. Establishment of laboratory	1. October 2017 2. August 2019 3. December 2019

Description	Action to be taken	Time-frame
Preparation and implementation of a training and institutional capacity-building plan to ensure that key personnel in the fields of plant protection, health and food safety are able to apply the relevant provisions of the SPS Agreement	<ul style="list-style-type: none"> - Training of key officials from the ministries concerned: departments of the Ministry of Agriculture, Ministry of Health, standardization service/office, Environment Directorate, Customs Directorate, Port Authority of the Comoros, Ministry of Finance, Foreign Trade Directorate, Domestic Trade Directorate, the private sector and the consumers' association - Organization of structures responsible for plant protection and food safety 	2017 and 2020
Organization of awareness-raising activities	Raising of public awareness of SPS measures (standards, law, etc.) and their repercussions and effects on the Comoros economy and environment	Since 2016
Establishment of an information system on SPS-related activities	Creation of a fully compliant website by the date of accession	Date of accession

2. TRIPS-RELATED MEASURES

Description	Action to be taken	Time-frame
Preparation of a law on copyright and related rights	National technical validation workshop	Action completed 2017
	Communication of draft law to WTO Members for comment	First quarter of 2018
	Submission of memorandum to Council of Ministers	First quarter of 2018
	Submission of law to National Assembly for adoption	First session 2018
	Enactment	Second quarter of 2018
	Implementing texts	October 2018
	Public awareness-raising	March 2019
	Effective implementation	2020
Law on ratification of the 2015 Bangui Agreement	Enactment of the law	January 2018
	Implementing texts	April 2018
	Effective implementation	2019
Capacity building	Training of personnel, including customs officials, police officers, and officials responsible for protecting registered trademarks	Beginning 2015-2022
	Creation of a registered trademarks database	2019
	Computerization of OCPI	First quarter of 2019

3. CUSTOMS FORMALITIES

(a) Measures related to the Customs Valuation Agreement

Description	Action to be taken	Time-frame
Adoption of implementing texts for the new 2015 Customs Code	1. Preparation of draft implementing texts for the new 2015 Customs Code 2. Creation of a customs valuation committee 3. Signing of implementing texts for the 2015 Code providing for the use of the transaction value	1. First quarter of 2018 2. First quarter of 2018 3. Second quarter of 2018
Appropriation of the new Customs Code	Training seminars and awareness-raising workshops to familiarize participants with the 2015 Customs Code	Second quarter of 2018
Adaptation and implementation of the WTO valuation system	1. Implementation of valuation system in full conformity with WTO rules 2. Adoption of a capacity-building programme identifying profiles and targets 3. Workshops, seminars, and study and training visits for personnel/targeted training for the actors concerned: customs, freight forwarders 4. Preparation of manuals and operating procedures 5. Preparation and printing of forms, brochures, etc. 6. Mobilization of necessary resources 7. Provision of tools needed to implement the Agreement 8. Training for personnel on the Customs Valuation Agreement	1-6: 2017/2023
Creation of a technological information base including a database on risk assessment	1. Continued analysis of mirror data for statistical needs 2. Risk assessment training; workshops/seminars led by "risk assessment" specialists	Fourth quarter of 2018

(b) Fees and charges

Description	Action to be taken	Time-frame
Elimination of other duties and charges (ODCs) – TCR (regional cooperation tax), CCIA (Chamber of Commerce, Industry and Agriculture) tax, AI (advance tax payment) and PI (import trade tax) – at the customs cordon	1. Provision to be made for the elimination of the TCR and the CCIA in the 2019 Finance Law 2. Provision to be made for the elimination of the AI in the 2020 Finance Law 3. Provision to be made for the elimination of the PI in the 2021 Finance Law	1. October 2018 2. October 2019 3. October 2020
Elimination of the Single Administrative Charge (RAU) at the customs cordon	Provision to be made for the elimination of the RAU in the 2019 Finance Law	October 2018
Establishment of the VAT regime	1. Creation of a Directorate for Major Taxpayers by the General Tax and Property Administration (AGID) 2. Impact study on the implementation of VAT 3. Consultations with large enterprises 4. Communication campaign 5. Preparation of a draft law in this respect, to be validated at a national workshop 6. Training of accountants 7. Creation of a control body 8. Adoption of draft law by Parliament, and enactment	2018-2020

(c) Trade facilitation

Subject	Action to be taken	Timetable
Publication	Publication, as expeditiously as possible, of trade-related information in a manner that is non-discriminatory and easily accessible to the public	2021
Information available on the Internet	Making information available on ITC media, particularly the Internet, in order to improve access 24 hours a day and 365 days a year at a low operating cost	As of accession
Focal point	Establishment of enquiry points to answer reasonable requests and supply forms and required documents (Article 1.3.1)	2018
Comments before entry into force	Possibility for stakeholders to make comments on the planned introduction or amendment of trade regulations concerning the movement, release and clearance of goods	2020
Consultations	Provide for regular consultations between border agencies and traders or other stakeholders located within its territory (Article 2.2)	2020
National Committee on Trade Facilitation	Establish and/or maintain a national committee or similar mechanism on trade facilitation. Or designate an existing mechanism (Article 23)	2018
Formalities and documentation requirements	In consultation with the stakeholders, examine the formalities connected with importation, exportation and transit, and the documentation requirements, with a view to minimizing the effects/complexity of operations and reducing and simplifying requirements (Article 10.1)	2020
Appeal or review	Establish a legal system of administrative or judicial appeal or review so that any person subject to an administrative decision is entitled to a revision and correction, on an impartial and independent basis, with regard to decisions handed down by the customs authority (Article 4)	2020
Disciplines concerning fees and charges	Implement disciplines covering fees and charges imposed on or in connection with importation or exportation, and limit them to the approximate cost of the services provided. This also includes a requirement for compulsory periodic publication and review of such fees and charges with a view to reducing their number and diversity	2020
Penalties	Ensure that penalty measures are applied to persons responsible for infringing a law, a regulation or a customs procedure. Such penalties shall be proportional to the degree and gravity of the offence, and conflicts of interest shall be avoided in establishing them	As of accession
Processing before arrival	Adopt or maintain a mechanism enabling the trader to submit important documentation prior to the arrival of goods (Article 7.1)	2022
Electronic payment	Establishment of a mechanism allowing traders the option of electronic payment for duties, taxes, fees and charges (Article 7.2)	2021
Risk management	Adopt or maintain a non-discriminatory and non-arbitrary system of risk management for the customs control of imports, exports and goods in transit. Concentrate customs controls on high-risk consignments and rapidly release low-risk consignments (Article 7.4)	2019
Control after customs clearance	Adopt or maintain a mechanism to certify the conformity of the consignment after customs clearance (Article 7.5)	2018
Authorized operator	Create a fair system that rewards respect for the rules and establish additional trade facilitation measures for selected operators (Article 7.7)	2019
International standards	Use international standards, fully or partially, as a basis for national formalities and procedures in respect of importation, exportation or transit, and information/documentation requirements	2019
Single window	Establish or maintain a single window enabling traders to submit once only the documentation and/or data required by border control agencies (Article 10.4)	2018
Cooperation between border agencies	Establishment of cooperation between border agencies (Article 8)	2018
Movement of goods under customs control	Allow goods intended for import to be moved under customs control within their territory provided that all regulatory requirements are satisfied (Article 9)	2018

Subject	Action to be taken	Timetable
Common procedures and documentation	At border-crossing points throughout its territory, apply the same procedures for the release and clearance of goods (Article 10.7)	2018
Decision expected	On request, issue a reasoned decision within a specific time-limit, providing reliable and binding information on several customs issues prior to import/export (Article 4)	As of accession
Separation of release from final determination	Adopt or maintain procedures allowing the release of goods prior to the final determination of customs duties, taxes, fees and charges (Article 7.3)	2019
Control after customs clearance	Adopt or maintain a mechanism serving to ensure conformity of the consignment after customs clearance (Article 7.5)	2020
Average time necessary for release	Measure and publish, on a periodic basis and in a consistent manner, the average time it takes to release goods (Article 7.6)	2019
Expedited shipments	Implement special procedures, for those who so request, to permit expedited release of air freight consignments (Article 7.8)	2020
Perishable goods	Grant release of perishable goods within the shortest possible time, even outside working hours if the circumstances so require (Article 7.9)	2019
Movement of goods under customs control	Allow goods intended for import to be moved under customs control within their territory (Article 9)	2020
Acceptance of copies	Accept paper or electronic copies of supporting documents required (Article 10.2)	2019
Rejected goods	Allow the importer the possibility of returning the goods to the exporter or forwarding them if they are rejected on the grounds of failure to comply with the SPS regulations or technical standards (Article 10.8)	2020

4. TBT-RELATED MEASURES

Description	Action to be taken	Timetable
Implementation of Law No. 12-016/AU on metrology	<ol style="list-style-type: none"> 1. Preparation of other implementing texts relating to the law on metrology 2. Submission of a memorandum to the Council of Ministers 3. Establishment of the National Metrology Office (ONAM) 	<ol style="list-style-type: none"> 1. 10 July 2017 2. April 2017 3. December 2018
Introduction of the National Quality Policy (PNQ)	<ol style="list-style-type: none"> 1. Technical validation of the National Quality Policy document 2. Submission of a memorandum to the Council of Ministers for approval 3. Entry into force 	<ol style="list-style-type: none"> 1. October 2018 2. November 2018
Capacity building for quality infrastructure	Training on: <ul style="list-style-type: none"> – metrology – standardization – English language 	2020
Preparation of the law on standardization	<ol style="list-style-type: none"> 1. Mobilization of resources 2. Recruitment of an international consultant to prepare the draft text of the law and circulation of the text to stakeholders 3. Submission to Council of Ministers 4. Adoption by Assembly 5. Enactment of the law 	2019
Establishment of the enquiry point and national notification authority	Designation of the enquiry point and national notification authority	First quarter of 2018
Establishment of a national TBT Committee	Order on the nomination of members	First quarter of 2018
Establishment of the Comorian Standards Office (BCN)	<ol style="list-style-type: none"> 1. Submission of a memorandum to the Council of Ministers for approval 2. Preparation of the draft decree on establishment 	June 2018

5. MEASURES RELATED TO THE FOREIGN TRADE REGIME

Description	Action to be taken	Timetable
Introduce a law on foreign trade consistent with the provisions of the WTO Agreements	<ol style="list-style-type: none"> 1. Preparation of the law 2. Circulation of the law to all national stakeholders 3. Technical validation of the law at a national workshop 4. Submission to Council of Ministers 5. Adoption by Parliament 6. Enactment of the law 7. Preparation of implementing texts 8. Training of personnel and organization of services concerned 9. Implementation of the law by the relevant services 10. Notification of the law and its implementing texts to the WTO 	2018-2020
Introduce a law on trade defence	<ol style="list-style-type: none"> 1. Sharing of the law with national stakeholders 2. Technical validation of the law at a national workshop 3. Submission to Council of Ministers 4. Adoption by Parliament 5. Enactment of the law 6. Preparation of implementing texts 7. Establishment of an investigation service at the Foreign Trade Directorate 8. Training of investigators 9. Implementation of the law by the relevant services 	2018-2020