



MANAGEMENT  
COMMITTEE  
Revised Kyoto Convention

PO0071E1a

-  
13<sup>th</sup> Meeting

-  
6 - 7 November 2014

Brussels, 9 October 2014.

**THE ROLE OF THE RKC MANAGEMENT COMMITTEE AND THE SECRETARIAT  
IN THE DRAFTING OF THE AGENDA OF THE MEETINGS**

**(Item IV on the Agenda)**

1. In accordance with Article 6, paragraph 6 of the Revised Kyoto Convention (RKC), the Contracting Parties (statutory members of the RKC Management Committee) shall communicate to the Secretary General of the Council any requests for the inclusion of items on the Agenda of the sessions of the Management Committee.
2. To allow the Contracting Parties and observers to prepare properly for the session, Article 6, paragraph 7 clearly states that the Secretary General of the Council shall circulate the invitation and the draft Agenda to the competent administrations of the Contracting Parties and to the observers at least six weeks before the Management Committee meets.
3. In order to prepare the Agenda of the session on the basis of the provisions of paragraphs 6 and 7 of Article 6 of the RKC, the WCO Secretariat always sends a letter to the Contracting Parties at least ten (10) weeks in advance asking for proposals for items to include on the Agenda of the session. To this end a letter was sent to the competent Customs administrations on 2 July 2014 (see Annex hereto) to obtain any requests for inclusion on the Agenda.
4. Looking through the Agendas of the thirteen (13) sessions held by the RKC Management Committee, it is clear that there are very few requests for the inclusion of items on the Agenda by Contracting Parties. Generally speaking, the items proposed are included by the Secretariat in order to fill out the Agenda of the sessions. It is important to recall that this is not part of the role of the Secretariat, which acts on behalf of the Secretary General of the Council who is simply the depositary of the Convention, and that the provisions of Article 19 clearly state the role of the depositary of the Convention.
5. At the same time, the WCO Secretariat regularly receives requests for interpretation and opinions on the RKC provisions. In response to these requests, the Secretariat has

always replied referring to the RKC Guidelines and recommended that the Customs administrations concerned approach the Management Committee. It is therefore clear that these are opinions only, given that the body empowered to interpret and explain the provisions is the Management Committee.

6. By way of reminder, paragraph 1 of Article 6 clearly states that the Management Committee has been established to consider the implementation of this Convention and any measures to secure uniformity in the interpretation and application thereof.
7. In the Secretariat's view, it is therefore essential that the Contracting Parties participate actively in the activities of the RKC Management Committee and regularly address to that Committee their concerns and problems relating to the interpretation and application of the Convention in order to meet the requirements of the above-mentioned paragraph 1. The questions raised could therefore legitimately be the focus of discussions during the Committee sessions and could lead to guidelines or practical cases to be incorporated into the current text of the RKC Guidelines.
8. In light of the foregoing, the Management Committee is **invited to examine** the question raised by the Secretariat **and to give clear guidance to the Contracting Parties so that, from now on, they include items on the Agenda of the RKC Management Committee.**

\*  
\*            \*



WORLD CUSTOMS ORGANIZATION  
ORGANISATION MONDIALE DES DOUANES

Established in 1952 as the Customs Co-operation Council  
Créée en 1952 sous le nom de Conseil de coopération douanière

Compliance and Facilitation  
Directorate

14.FL-0327E/S.B.

Brussels, 2 July 2014.

Dear Director General,

According to Article 6.7, the Revised Kyoto Convention Management Committee (RKC/MC) should meet at least once each year to consider the implementation of this Convention, any measures to secure uniformity in the interpretation and application thereof, and any amendments proposed thereto (Article 6.1). In order to enable the WCO Secretariat to ensure proper preparation of the 13<sup>th</sup> Session of the Management Committee scheduled to be held from 6 to 7 November 2014 at WCO Headquarters in Brussels, I have the honour to ask you to communicate to the Secretariat, no later than **1 September 2014**, your proposals as well as requests for inclusion of items on the Agenda (in accordance with Article 6.5 of the Convention).

For more information about the RKC and especially the Agenda of upcoming RKC/MC, the Secretariat is at your disposal and you may contact Mr. Samson Bilangna, Technical Officer in the Compliance and Facilitation Directorate (tel.: +32 2209 9332; e-mail: [samson.bilangna@wcoomd.org](mailto:samson.bilangna@wcoomd.org)).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Zhu Gaozhang'. The signature is fluid and cursive.

Gaozhang ZHU,  
Director,  
Compliance and Facilitation Directorate.